

# American Postal Workers Union, AFL-CIO

1300 L Street, NW, Washington, DC 20005

May 18, 1994

William Burrus  
Executive Vice President  
(202) 842-4246

Dear Mr. Downes:

*Pursuant to the provisions of the National Agreement, this is to initiate a Step 4 grievance over the employer's interpretation of Article 7. By letter of May 12, 1994 you responded that "...Kelly Girls may be used to perform short-term work and shall be considered as casual employees pursuant to Article 7.2B of the National Agreement".*

*This response further states that the union agreed in a June 28, 1989 grievance settlement that "Kelly Girls may be used to perform short-term work and shall be considered as casual employees".*

*The referenced 6-28-89 grievance was intended to resolve a specific fact situation and was not intended to interpret Article 7.2.B of the National Agreement. The settlement, by its specific terms, does not represent the position of the union on the use of "Temporary Agency" employees to perform bargaining unit work.*

*The union interprets the contract as prohibiting the use of employees of temporary agencies to perform bargaining unit work. All bargaining unit work must be assigned to bargaining unit employees, excluding the exceptions recognized by Article 1.6 and Article 32.*

*Please schedule a meeting to discuss this issue at your earliest convenience.*

Sincerely,

*William Burrus*  
William Burrus

William J. Downes, Manager  
Labor Relations  
475 L'Enfant Plaza, SW  
Washington, DC 20260

**National Executive Board**

Moe Biler  
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Executive Vice President

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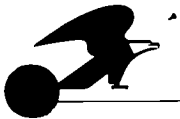
James P. Williams  
Central Region

Philip C. Fleming, Jr.  
Eastern Region

Elizabeth "Liz" Powell  
Northeast Region

Archie Salisbury  
Southern Region

Raydell R. Moore  
Western Region



LABOR RELATIONS

UNITED STATES POSTAL SERVICE  
475 L'ENFANT PLAZA SW  
WASHINGTON DC 20260-4100

May 12, 1994

MAY 1994  
10:00 AM  
MAY 12 1994

Mr. William Burrus  
Executive Vice President  
American Postal Workers  
Union, AFL-CIO  
1300 L Street, N.W.  
Washington, DC 20005-4128

Dear Bill:

This letter is in response to your March 10 correspondence requesting the Postal Service's interpretation as to the use of Kelly Girls or other temporary agencies to perform bargaining unit work. Specifically, it is the unions contention that the contract prohibits the use of employees of temporary agencies to perform bargaining unit work.

Pursuant to the enclosed June 28, 1989, step four settlement, temporary employees (i.e., Kelly Girls) may be used to perform short-term work and shall be considered as casual employees pursuant to Article 7.2.B of the National Agreement.

If there are any questions regarding the foregoing, please contact Thomas J. Valenti of my staff at (202) 268-3831.

Sincerely,

William S. Downes  
Manager  
Contract Administration (APWU/NPMHU)  
Labor Relations

Enclosure



UNITED STATES POSTAL SERVICE  
Labor Relations Department  
475 L'Enfant Plaza, SW  
Washington, DC 20260-4100

Mr. William Burrus  
Executive Vice President  
American Postal Workers  
Union, AFL-CIO  
1300 L Street, N.W.  
Washington, DC 20005-4107

Re: W. Burrus  
Washington, DC 20005  
H7C-NA-C 35

Dear Mr. Burrus:

On several occasions, the latest being June 6, 1989, we met to discuss the above-captioned grievance at the fourth step of our contractual grievance procedure.


The issue in this grievance is whether the use of "Kelly Girls" to perform the short term work during the acceptance test period of the Multi-Line Optical Character Reader (MLOCR) retro fit at the Suburban Maryland facility was a violation of the National Agreement.

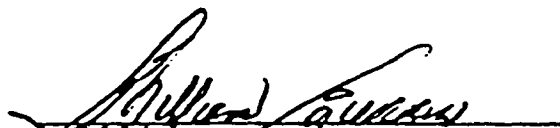
During our discussion, we mutually agreed that the use of temporary employees (ie., Kelly Girls) in the circumstances described in this case shall be considered as casuals pursuant to Article 7.2.B of the National Agreement. Accordingly, we agreed to settle this case.

Please sign and return the enclosed copy of this decision as your acknowledgment of agreement to settle this case.

Time limits were extended by mutual consent.

Sincerely,

  
\_\_\_\_\_  
Samuel M. Pulcrano  
Grievance and Arbitration  
Division

  
\_\_\_\_\_  
William Burrus  
Executive Vice President  
American Postal Workers  
Union, AFL-CIO

DATE 6.28.89