



American Postal Workers Union, AFL-CIO

1300 L Street, NW, Washington, DC 20005

Greg Bell, Director
Industrial Relations
1300 L Street, NW
Washington, DC 20005
(202) 842-4273 (Office)
(202) 371-0992 (Fax)

April 1, 2009

Via Facsimile and First Class Mail

National Executive Board

William Burrus
President

Cliff "CJ" Guffey
Executive Vice President

Terry R. Stapleton
Secretary-Treasurer

Greg Bell
Director, Industrial Relations

James "Jim" McCarthy
Director, Clerk Division

Steven G. "Steve" Raymer
Director, Maintenance Division

Robert C. "Bob" Pritchard
Director, MVS Division

Bill Manley
Director, Support Services Division

Sharyn M. Stone
Coordinator, Central Region

Mike Gallagher
Coordinator, Eastern Region

Elizabeth "Liz" Powell
Coordinator, Northeast Region

William "Bill" Sullivan
Coordinator, Southern Region

Omar M. Gonzalez
Coordinator, Western Region

Mr. Doug Tulino, Vice President
USPS Labor Relations
475 L'Enfant Plaza SW
Washington, DC 20260

Re: National Arbitration Award #Q01N-4Q-C 07229522

Dear Mr. Tulino:

As you know, Arbitrator Shyam Das, in case number Q01N-4Q-C 07229522, dated March 20, 2009, ruled that the proposed changes to Section 546 of the Employee and Labor Relations Manual (ELM), which were agreed to by the Postal Service and APWU in the 2006 MOU Re: *Limited Duty and Rehabilitation Assignments Within APWU Crafts Involving Workers from Other Crafts*, are invalid and ordered the Postal Service to rescind them. Although the APWU has yet to receive written notice that the MOU has been voided, please be advised that the APWU is reinstating any and all pending grievances that were withdrawn or considered withdrawn pursuant to the 2006 MOU.

The above-referenced MOU provides the following:

If changes made to Part 546.2 of the ELM pursuant to the Memorandum of Understanding (MOU) are invalidated by a national-level arbitration award or by a federal court decision, or if the U.S. Department of Labor determines in a final and binding decision that the Postal Service's reassignment or reemployment practices under this MOU do not permit the Postal Service to comply with its obligations to obtain suitable employment for injured employees under FECA, then this MOU will be null and void. If this occurs, the APWU may reinstate the above-referenced grievances in writing, within fourteen (14) days of their receipt of written notification that this MOU has been voided.

Doug Tulino
April 1, 2009
Page Two

Pursuant to the 2006 MOU, reinstated grievances include any and all pending national-level grievances and field-level, non-national grievances containing the same interpretive issue regarding reassignment of ill or injured employees into APWU crafts, including those regarding status and job assignment, and all grievances pending at other levels that raise the issues raised by the withdrawn national-level grievances. This includes, but not limited to, national-level grievances Nos. Q90C-4Q-C 95033931 and Q00C-4Q-C 04118765.

The APWU requests a meeting with you or your designee to discuss implementation and application of the above-referenced Das award.

If you have any questions regarding the above, feel free to contact me at 202-842-4273.

Sincerely,


Greg Bell, Director
Industrial Relations

GB:LB:pjr
Opeiu#2, afl-cio