

Mr. Lamont Brooks
Assistant Director
Clerk Craft Division
American Postal Workers
Union, AFL-CIO
1300 L Street, NW
Washington, DC 20005-4128

Re: APWU #HQTG20140610
USPS #Q10C-4Q-C 14289681
Class Action

Dear Mr. Brooks:

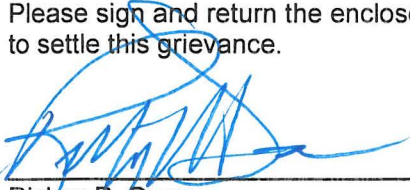
The parties met at Step 4 to discuss the above captioned grievance. Time limits were extended by mutual consent.

The issue of this grievance concerns the compensability of time spent and costs incurred by Postal Support Employees (PSEs) when obtaining fingerprints for the background investigation required for conversion to career status.

After reviewing this matter, the parties agree to resolve this grievance based on the following:

1. Reasonable and necessary time spent by PSEs obtaining fingerprints necessary for a background investigation under the subject circumstance is compensable time. Additionally, the Postal Service is responsible for any direct costs for fingerprinting.
2. Determining the need for and procedures used to obtain background investigations, including acquiring fingerprints, is within the sole discretion of management in accordance with the Collective Bargaining Agreement (CBA) and applicable postal handbooks and manuals.
3. This agreement applies to any affected PSE converted to career who was not properly compensated in accordance with this Agreement and based on local fact circumstances.
4. Any unresolved issues will be initiated and processed in accordance with Article 15 of the CBA. Any grievances held in abeyance pending the outcome of this dispute will be met on and discussed by the parties at the appropriate step of the grievance procedure and processed in accordance with Article 15 of the CBA.


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



Rickey R. Dean
Labor Relations Specialist, Team Lead
Contract Administration (APWU)
U.S. Postal Service, HQ

7/15/2015

(Date)



Lamont Brooks
Assistant Director, Clerk Craft
American Postal Workers Union, AFL-CIO

7/15/2015

(Date)

Lamont Brooks

From: Lamont Brooks
Sent: Tuesday, July 14, 2015 2:26 PM
To: Adona, Jacqueline D - Washington, DC (jacqueline.d.adona@usps.gov)
Subject: FW: Fingerprinting/Background Check Grievance Settlement
Attachments: Fingerprinting and Background Check Settlement 07132015.docx; Fingerprinting and Background Check HQTG20140610 NATIONAL DISPUTE.doc

There is a slight difference between the two. The second one is where the USPS decided not to give the PSE an opportunity for conversion to career if they failed to provide the fingerprinting. If that is not in this resolve, someone may take the position that this settlement did not resolve that specific issue.

After talking with you, the USPS feel this issue is addressed as part of the conversion process and if you are comfortable with that, then fine. We have this e-mail to support our intent.

With you explanation of the mileage issue, I am comfortable with the language as written.

From: Adona, Jacqueline D - Washington, DC [<mailto:jacqueline.d.adona@usps.gov>]
Sent: Tuesday, July 14, 2015 9:26 AM
To: Lamont Brooks
Subject: FW: Fingerprinting/Background Check Grievance Settlement

Both of your suggested changes are covered. "... and for the purposes of an opportunity for a career conversion" is the same as "conversion to career status." "...and mileage" is covered under "direct costs for fingerprinting." I really don't see the need for the additional language. It is redundant.

Jacqueline D. Adona
Labor Relations Specialist
Contract Administration (APWU)
(202) 268-3800

From: Lamont Brooks [<mailto:lbrooks@apwu.org>]
Sent: Monday, July 13, 2015 3:18 PM
To: Adona, Jacqueline D - Washington, DC
Subject: RE: Fingerprinting/Background Check Grievance Settlement

I was alright with the changes after reviewing the actual dispute. But when I read the dispute, we failed to identify one of the issues that we are resolving in this dispute. The settlement references the direct cost of obtaining the fingerprints, but not address the mileage issue clearly enough. What if locally they state mileage it not directly related to the cost of obtaining the fingerprints.

The concern is that in some rural areas, a PSE might have to travel several miles to get to the nearest police station.

Thx!

From: Adona, Jacqueline D - Washington, DC [<mailto:jacqueline.d.adona@usps.gov>]
Sent: Monday, July 13, 2015 1:37 PM
To: Lamont Brooks
Subject: FW: Fingerprinting/Background Check Grievance Settlement

Another minor change. Are you OK with this?