

Sample grievance #

Holiday (medical documentation required)

Issue Statement:

Did the Employer violate Contractual provisions, including but not limited to, Articles 3, 10, 15, and 19 of the Collective Bargaining Agreement; ELM 510; Step 4 decision (M-00270); and the MOU Re: Leave Policy, by implementing a local policy requiring all carriers to provide medical documentation of absences occurring on holiday schedule dates?

513.361 Three Days or Less

For periods of absence of 3 days or less, supervisors may accept the employee's statement explaining the absence. Medical documentation or other acceptable evidence of incapacity for work or need to care for a family member is required only when the employee is on restricted sick leave (see 513.39) or when the supervisor deems documentation desirable for the protection of the interests of the Postal Service. Substantiation of the family relationship must be provided if requested.

513.11 Sick Leave for Employee Incapacitation

Sick leave insures employees against loss of pay if they are incapacitated for the performance of duties because of illness, injury, pregnancy and confinement, and medical (including dental or optical) examination or treatment.

513.331 General

Except for unexpected illness or injury situations, sick leave must be requested on PS Form 3971 and approved in advance by the appropriate supervisor.

513.332 Unexpected Illness or Injury

An exception to the advance approval requirement is made for unexpected illness or injuries; however, in these situations the employee must notify appropriate postal authorities of their illness or injury and expected duration of absence as soon as possible.

REMEDY: Cease and Desist. Pay carriers for out of pocket medical expenses and mileage resulting from providing improperly ordered medical documentation.

See Page 2 for decision M-00270

M-

00270

UNITED STATES POSTAL SERVICE
October 26, 1982

Mr. Halline Overby
Assistant Secretary-Treasurer
National Association of Letter Carriers, AFL-CIO
100 Indiana Avenue, N.W.
Washington, D.C. 20001

Re: A. Thury
Mitchell, SD 57301 HIN-4C-
C-7091

Dear Mr. Overby:

On several occasions, the most recent being October 14, 1982, we met with you to discuss the above-captioned grievance at the fourth step of our contractual grievance procedure.

The matters presented by you as well as the applicable contractual provisions have been reviewed and given careful consideration.

The question raised in this grievance involves the local requirement that employees provide, in addition to Form 3971, a separate statement of the reason for an absence due to illness. It was mutually agreed that the following would represent a full settlement of this case:

A blanket order for all employees to provide medical reasons for absences due to illness in a separate statement is improper. Section 513.36 of the Employee and Labor Relations Manual provides instructions for documentation requirements and is to be followed.

Please sign the attached copy of this decision as your acknowledgment of agreement to resolve this case.