

GRIEVANCE FILE CHECKLIST PACKET



NALC Region 9

GRIEVANCE FILE CHECKLIST

Check the checkbox with a ☒ when the information is included in the grievance file.



☐ TABLE OF CONTENTS

☐ PS FORM 8190 (FULLY COMPLETED)

☐ STEWARD CERTIFICATIONS

☐ REQUEST FOR INFORMAL STEP A

☐ PROOF OF FORMAL A APPEAL (SEE PAGE 5)

☐ TRIGGERING DOCUMENTS (E.G., LETTER OF WARNING, LETTER OF DEMAND, ETC.)

☐ UNION CONTENTIONS/DOCUMENTARY EVIDENCE/PERSUASIVE DOCUMENTS

☐ PRIOR GRIEVANCE SETTLEMENTS

☐ REQUESTS FOR INFORMATION AND TIME

☐ MUTUAL EXTENSIONS (IF APPLICABLE)

☐ STATEMENTS AND INTERVIEWS (AT A MINIMUM INTERVIEW THE GRIEVANT AND THE SUPERVISOR)



If management does not meet at Formal Step A, the only documentation that should be included in the appeal to Step B are the following:

1. PS FORM 8190
2. DISCIPLINARY NOTICE
3. PROOF OF APPEAL TO FORMAL STE A
4. UNION CONTENTIONS

**DON'T PROVE MANAGEMENT'S CASE
FOR THEM!!!**



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GRIEVANCE FILE CHECKLISTS

MUST BE INCLUDED IN EVERY GRIEVANCE FILE:



- ☐ Table of
- ☐ PS Form 8190
- ☐ Steward Certifications
- ☐ Requests for Informal Step A
- ☐ Proof of Appeal to Formal Step A
- ☐ Triggering Documents
- ☐ Union Contentions
- ☐ Prior Grievance Settlements
- ☐ Mutual Extensions (if applicable)
- ☐ Relevant contractual/handbook/manual citations

All discipline files (If management meets at Formal Step A):

- ☐ Letter(s) of charges
- ☐ 278e (Request for Discipline)
- ☐ All documentation management relied upon
(i.e. accident reports/attendance reports/videos/emails)
- ☐ Investigative Interviews
- ☐ Grievant statement
- ☐ Interviews with management
- ☐ Witness statements

If management does not meet at Formal Step A:

- ☐ PS Form 8190
- ☐ Letter of Charges (Discipline)
- ☐ Formal Step A Appeal (Document)
- ☐ Union Contentions

Overtime:

- ☐ TACS EER Reports/OT Chart
- ☐ Schedules
- ☐ OTDL List
- ☐ PS form 3996
- ☐ Seniority Lists
- ☐ PS Forms 3996
- ☐ Statements (ODL, WA and non-ODL carriers)
- ☐ Interviews with management
- ☐ PS Forms 3971

Special Route Inspection (271g):

- ☐ TACS EER Reports
- ☐ DOIS Validate Route Inspection Report
- ☐ Employee's request for 271g
- ☐ Denial Letter
- ☐ DOIS Workhour/Workload Report
- ☐ PS Forms 3996
- ☐ Proof employee that requested 271g is regular on the subject route

Light Duty Denials:

- ☐ Employees written request for light duty
- ☐ Supporting medical documentation
- ☐ Proof it was given to installation head
- ☐ Denial Letter
- ☐ LMOU (COMPLETE COPY)
- ☐ Interviews with management
- ☐ Proof of available work (e.g., TACS EER Reports, edit books and schedules)
- ☐ Medical Restrictions

Letters of Demand:

- ☐ Letter of Demand
- ☐ PS Form 3074 and Installation Head's decision
- ☐ Grievant statement/Payroll journals

Holiday Scheduling:

- ☐ Leave Calendar
- ☐ Holiday Sign-up Sheet
- ☐ Seniority List
- ☐ TACS EER Reports
- ☐ PS Forms 3996
- ☐ Holiday Schedule with date
- ☐ Interview with management
- ☐ LMOU

Crossing Crafts:

- ☐ TACS EER Reports
- ☐ Which craft was performed in?
- ☐ Craft work belongs to
- ☐ How much time was worked in craft or outside of
- ☐ Rural Green cards (Rural Craft)
- ☐ TACS EER Reports and statements (APWU)
- ☐ Witness statements
- ☐ PS Forms 3971
- ☐ DMS/RIMS reports

Leave

- ☐ PS Forms 3971
- ☐ Leave calendar
- ☐ LMOU
- ☐ Interviews with management
- ☐ Witness statements

Postings

- ☐ Vacancy/Award notice
- ☐ Schedules
- ☐ Interviews with management
- ☐ Witness statements
- ☐ Leave calendar
- ☐ Day off rotation

Limited Duty Denials:

- ☐ OWCP documentation of claim
- ☐ Supporting medical documentation
- ☐ PS Forms 2499
- ☐ Denial Letter
- ☐ Interviews with management/Grievant
- ☐ Proof of available work (e.g., TACS EER Reports, edit books and schedules. ELM 546.142, EL 505)
- ☐ CA-17

INFORMAL STEP A

JCAM page 15-2 supplies in part:

*An employee or union representative must discuss the grievance with the employee's immediate supervisor within **fourteen calendar days** of when the grievant or the union first learned, or may reasonably have been expected to learn, of its cause. The date of this discussion is the Informal Step A filing date.*

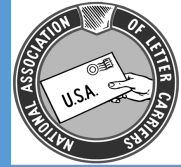
Time Limits. *The fourteen days for filing a grievance at Informal Step A begins the day after the occurrence or the day after the grievant or the union may reasonably have been expected to have learned of the occurrence. For example, if a grievant receives a letter of warning, day one of the fourteen days is the day after the letter of warning is received.*

The union must meet with the employee's immediate supervisor within 14 calendar days of when the grievant or union first learned, or may have reasonable have been expected to learn of its cause. If it is a class action, you must still meet with the class of employee's immediate supervisor. Management cannot designate someone other than the immediate supervisor to meet at Informal Step A, if they do, make the contention it is a procedural violation and in conflict with Article 15 of the National Agreement.



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APPEAL TO FORMAL



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****WHEN A GRIEVANCE MUST BE APPEALED TO FORMAL STEP A ?****

JCAM, page 15-3 reads in part:

If the parties are unable to resolve the grievance during the Informal Step A meeting, the union may file a written appeal to Formal Step A within 7 calendar days after the meeting.

The union must appeal a grievance to Formal Step A within seven calendar days after the Informal Step A meeting.

DON'T WAIT UNTIL THE LAST DAY!

****WHO MUST THE FORMAL STEP A APPEAL BE SENT TO:****

The steward appeals a grievance to Formal Step A by filling out the Informal Step A portion of the NALC-USPS Joint Step A Grievance Form (PS Form 8190) and sending it to the installation head or designee. The grievance appeal to Formal Step A should include relevant documents that were shared and discussed at the Informal Step A meeting.

The language is clear, the grievance must be appealed to the installation head or designee.

****HOW TO APPEAL?****

JCAM, page 15-4 reads in part:

When appealing a grievance to Formal Step A, day one is the day following the receipt of the supervisor's oral decision. In appealing any grievance beyond Informal Step A, a union representative has until the last day to send the appeal. Thus, the appeal must be sent (if faxed or e-mailed), postmarked (if mailed), or received (if hand-delivered), on or before the seventh day following the Informal Step A decision (for example, on the tenth if the decision is received on the third). To avoid problems union representatives should not wait until the last day.

As stated, there are four (4) ways to appeal a grievance to Formal Step A, and whatever method you choose you **must include documentary evidence demonstrating the grievance was properly appealed:**

1. If emailed — include a copy of the email which must include an attachment, as the JCAM states the appeal to Formal A should include the PS Form 8190 and all documentary evidence shared and discussed at Informal Step A.
2. If faxed — include a copy of the fax facsimilia sheet. (MAKE EVERY EFFORT NOT TO USE THIS METHOD)
3. If mailed — include tracking information, receipt, and/or other proof the appeal was mailed by the 7th day.
4. If hand-delivered — require management to sign received, if they refuse, utilize a different method of appeal.

APPEAL TO STEP B

JCAM page 15-6 provides in part:

Appeal to Step B. If the grievance is not resolved at Formal Step A, the union may appeal it to Step B within 7 calendar days of the Formal Step A decision date (unless the parties agree to an extension of time for appeal).

(a) Any appeal from an unresolved case in Formal Step A shall be in writing to the Step B team at the appropriate Step B office, with a copy to the Formal Step A representatives, and will include a copy of the Joint Step A Grievance Form, and shall specify the reasons for the appeal.

If the grievance is not resolved at Formal Step A, the union must appeal the grievance to Step B within seven calendar days of the Formal Step A decision date.

TO BE CLEAR, CALENDAR DAYS INCLUDE SUNDAYS, HOLIDAYS, NON-SCHEDULED DAYS, OR ANY OTHER DAY!!!!!!



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