



Mr. Randy Anderson
Director of Labor Relations
National Rural Letter Carriers'
Association
1630 Duke Street, 4th Floor
Alexandria, VA 22314-3465

Re: E00R-4E-C 03203190
Class Action
Fall City, WA 98024-9998

Dear Mr. Anderson:

On several occasions, the most recent being January 12, 2006, we met to discuss the above captioned grievance at the fourth step of our grievance procedure.

The issue in this grievance is whether a non-rigid mail piece, containing a rigid cylindrical item (pill bottle) that exceeds any one of the dimensions in Section 535.12.d of Handbook PO-603, was properly recorded as a flat during the 2003 national mail count


After reviewing this matter, we mutually agreed that no national interpretive issue is fairly presented in this case. It is recognized that, due to the variety in packaging and the shape of the contents in same or similar mail pieces, determining the proper classification during a mail count must be done on a case by case basis. The parties do agree that:


- The overall dimensions and rigidity or flexibility characteristics of the mail piece determine the classification of the mail piece, rather than any particular item enclosed within that mail piece.
- Unless a determination can be made by application of the settlement in grievance F00R-4F-C 03096043, the classification of a non-rigid mail piece which is the same as or similar to the one defined in the issue above will depend on whether the mail piece can be cased with other mail, without damage to the mail piece.
- When determining whether the mail piece can be cased, the parties agree that while some re-positioning of the rigid item(s) inside the mail piece may occur during the normal casing process, management may not require the carrier to make extraordinary efforts to rearrange/relocate the rigid item(s) within the mail piece in an attempt to case a mail piece that could not otherwise be cased.

Accordingly, we agree to remand this case to the parties at Step 3. If no agreement is reached the union may appeal this grievance to area arbitration.

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

Sincerely,


Sandra J. Savoie
Labor Relations Specialist
Contract Administration
(NRLCA)


Randy Anderson
Director of Labor Relations
National Rural Letter Carriers'
Association

Date: 1-13-06