

**REGULAR REGIONAL ARBITRATION PANEL**

**In the Matter of the Arbitration**

**between**

**UNITED STATES POSTAL SERVICE**

**and**

**AMERICAN POSTAL WORKERS  
UNION, AFL-CIO**

**GRIEVANT:** Class Action

**POST OFFICE:** Center Des Moines, IA

**CASE NO.:** COT-4K-C 19660

**BEFORE: EDWIN H. BENN, Arbitrator**

**APPEARANCES:**

For the U. S. Postal Service: Richard Snider, Labor Relations Specialist

For the Union: James Wheeler, National Business Agent

Place of Hearing: Des Moines, Iowa

Date of Hearing: November 22, 1994

Date Post Hearing  
Submission Received: January 3, 1995

**RESULTS OF IN CAMERA INSPECTION PURSUANT TO SETTLEMENT**

**I. BACKGROUND**

This dispute involves a grievance over the Service's failure to produce an itemized phone bill for inspection by the Union for a cellular phone given to an employee and paid for by the Service. The Union requested to inspect a copy of the bill during the investigation of a grievance concern-

ing whether the employee was being improperly used on an on-call basis. That request for production of the phone bill was ultimately denied by the Service.

This matter was resolved at the hearing with the parties agreeing as follows:

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1. This resolution is on a non-precedential basis.

2. The Service would forward to me a copy of the phone bill for the period ending November 15, 1994.

3. I would conduct an *in camera* examination of the phone bill and would prepare a chart showing the date, time and length of calls (incoming and outgoing) made to or from certain specified Postal Service phone numbers.

4. The Service will hold copies of the phone bills for the employee's cellular phone.

5. Any grievance brought by the Union on the underlying dispute concerning the use of the employee on an on-call basis would be considered as timely filed as of November 8, 1994 and I will have jurisdiction over any such grievance.

## **II. RESULTS OF IN CAMERA INSPECTION**

I received a copy of the phone bill on January 3, 1995. The bill had a closing date of November 15, 1994.

### **A. Outgoing Calls**

Inspection of the bill and comparison of the numbers listed with the specific numbers provided to me by the parties as being Postal Service numbers shows the following outgoing calls were made to the relevant

designated Postal Service phone numbers:

### **OUTGOING CALLS**

<b>Date</b>	<b>Time</b>	<b>Length of Call (in minutes)</b>
10/20/94	08:22	1:00
	08:25	1:00
	09:45	9:30
	10:16	1:00
	11:26	1:00
	11:27	1:00
	11:27	1:00
10/21/94	06:51	3:00
	17:12	1:00
10/30/94	17:19	1:30
	17:23	5:30
	17:59	3:00
10/31/94	12:32	1:00
	12:41	13:00
11/01/94	09:44	4:30
	11:05	1:00
11/11/94	18:12	1:30
11/13/94	14:52	1:30
	18:41	2:00
11/14/94	11:35	1:30

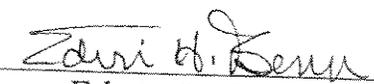
### **B. Incoming Calls**

The parties also asked that I look at the incoming calls. While the bill designates the date, time and length of call for incoming calls, the bill does not designate the phone number from where the call originated. However, on the bill there appears a handwritten notation that "almost all Daytime incoming are from P.O." I shall therefore list all of the incoming calls appearing on the bill.

**INCOMING CALLS**

Date	Time	Length of Call	Date	Time	Length of Call	Date	Time	Length of Call
10/18/94	11:58	1:00	10/28/94	12:44	1:30	11/04/94	10:14	1:00
	12:22	1:00		13:14	1:00		11:35	1:00
	13:15	1:30		19:12	1:00		16:34	1:00
	14:23	1:00		21:34	1:00	11/05/94	17:01	1:30
	15:05	1:30		10/30/94	19:34		1:00	18:24
10/20/94	15:08	1:00	10/31/94	07:37	1:00	19:00	1:00	
	16:12	1:00		09:08	1:00	11/08/94	13:37	1:30
	16:17	1:00		09:50	1:00		13:39	4:30
10/21/94	11:22	1:00	11/01/94	11:15	1:00	11/09/94	09:37	1:30
	11:33	1:00		11:33	1:00		13:09	1:00
	11:40	1:00		12:40	1:30		13:17	1:00
	11:40	1:00		14:13	1:30	11/10/94	13:00	1:00
	11:59	3:30		11:03	2:00		15:23	1:00
	12:38	2:30	11:06	1:00	18:34	1:30		
	17:18	1:30	11:52	1:00	11/11/94	17:25	4:30	
	17:20	1:00	12:11	2:30		17:50	1:00	
	17:21	2:00	15:33	3:00	11/13/94	16:25	1:00	
	17:27	1:00	16:08	1:00		16:46	2:00	
	18:52	1:00	11/03/94	11:49		1:00	18:03	1:00
	19:41	2:30		15:22		2:00	18:03	1:00
	20:19	1:30		15:27		1:00	18:56	1:30
	10/22/94	18:58		1:30	15:30	1:00	19:27	1:00
		21:29		1:00	15:43	1:00	11/14/94	10:07
22:01		2:00	16:16	1:00	10:10	1:30		
23:52		1:00	16:18	1:00	10:11	1:00		
10/25/94		09:17	1:00	16:28	1:00	12:00		1:00
	13:08	1:00	17:24	4:30	15:24	10:00		
	14:13	1:00	17:59	1:00	18:09	1:00		
10/27/94	08:25	1:00			18:17	1:30		
	17:32	1:30						

This matter is now remanded to the parties for further processing, if any, consistent with the above.

  
 Edwin H. Benn  
 Arbitrator

Dated: January 19, 1995

