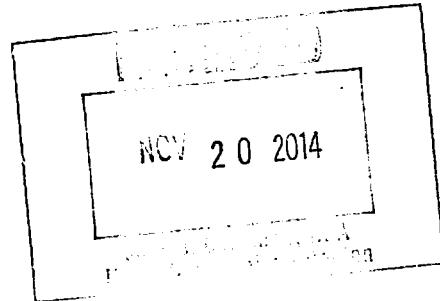


In the Matter of the Arbitration ) Grievant: Stephen A. Barbuito  
 Between ) Post Office: New Haven, CT  
 UNITED STATES POSTAL SERVICE ) Case Number: B11N-4B-D 14235980  
 and ) Union Number: 1941414EH  
 NATIONAL ASSOCIATION OF ) *DRT # 14-317293*  
 LETTER CARRIERS, AFL-CIO )  
 \_\_\_\_\_ )

BEFORE: KATHERINE MORGAN, ESQ  
 Arbitrator



**APPEARANCES:**

For the U.S. Postal Service: Vern Tyler

For the Union: Gennaro G. Mascolo

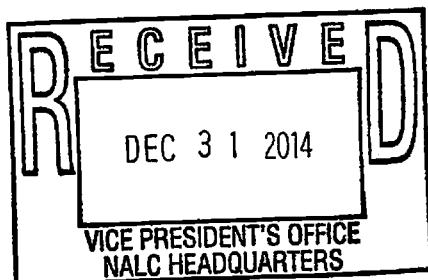
Place of Hearing: New Haven, CT

Date of Hearing: November 7, 2014

**AWARD:**

Date of Award: November 16, 2014

**PANEL:** Regular, NE Regional

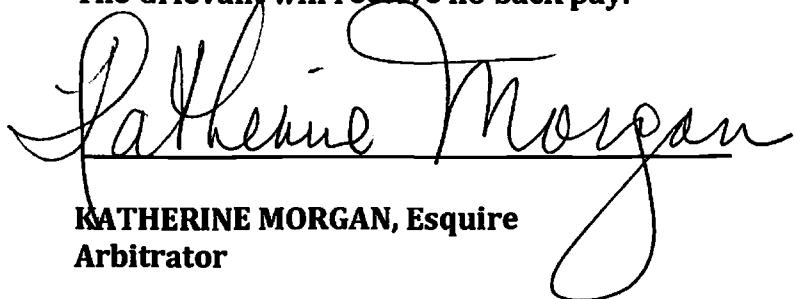


## **AWARD SUMMARY**

**The Stipulated Award, dated November 7, 2014, signed by both parties, and the Grievant, provides that:**

**"The Removal notice dated June 26, 2014 for Unacceptable Conduct will be reduced to a time-served suspension, citation of which will only be used in case of similar conduct, such as fraud.**

**The Grievant will receive no back pay."**



KATHERINE MORGAN, Esquire  
Arbitrator

A handwritten signature in black ink, appearing to read "Katherine Morgan". Below the signature, the name "KATHERINE MORGAN, Esquire" and "Arbitrator" are printed in a standard font.

## **ISSUES**

Management and the Union stipulated to the issue, as contained in the "Step B" Decision, as follows:

**"Did Management violate Article 16 of the National Agreement (just cause) when they issued the Grievant a notice of removal for 'unacceptable conduct' and if so, what is the proper remedy?"**

## **BACKGROUND**

An Arbitration hearing was held on November 7, 2014, where both parties, as well as the Grievant, were present. Joint evidence was received, consisting of: J#1, the Collective Bargaining Agreement; and J#2 the joint documents, the “moving papers.”

Opening statements were made. The Undersigned Arbitrator then discerned that there was a reasonable potential for settlement between the parties, and suggested that the parties further attempt to arrive at an agreement.

The parties requested that the Undersigned Arbitrator participate in the settlement discussions. The parties, with the assistance and input of the Undersigned Arbitrator, did engage in settlement discussions. The input from the Undersigned Arbitrator aided the parties in reaching a settlement.

The parties reached a Settlement Agreement, which resolved the case without the need to continue the Arbitration Hearing. The terms and conditions of the Agreement are contained in Exhibit J#3, and set forth herein in the Award.

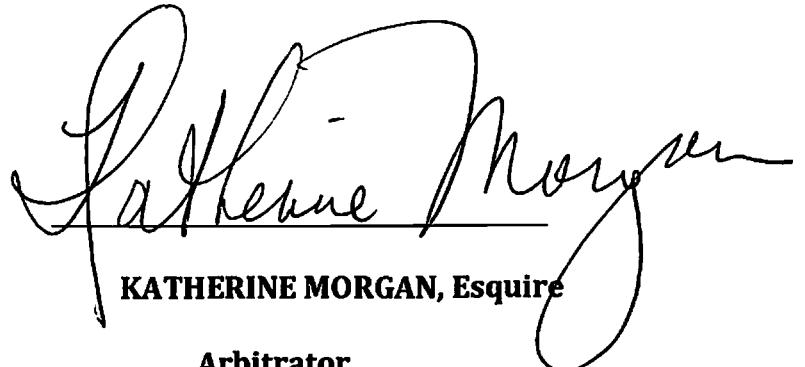
**AWARD**

**The Stipulated Award, dated November 7, 2014, signed by both parties, and the Grievant, provides that:**

**"The Removal notice dated June 26, 2014 for Unacceptable Conduct will be reduced to a time-served suspension, citation of which will only be used in case of similar conduct, such as fraud.**

**The Grievant will receive no back pay."**

November 19, 2014



KATHERINE MORGAN, Esquire  
Arbitrator