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 In the Matter of Arbitration ) Grievant: \_\_\_\_\_  
 between ) Post Office: \_\_\_\_\_  
 ) USPS Case Numbers: \_\_\_\_\_  
 )  
 UNITED STATES POSTAL SERVICE )  
 and ) NRLCA Case Number: \_\_\_\_\_  
 )  
 NATIONAL RURAL LETTER )  
 CARRIERS' ASSOCIATION )  
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Type of Grievances: Emergency Placement & Removal

**Summary of Award**

The Emergency Placement was appropriate for an employee who failed to report an accident which happened when she was backing her LLV on a public street without a shoulder for over 200 feet. There was just cause for removal for one preventable accident which was the result of reckless behavior and willful misconduct, along with the failure to report, and private attempts to repair the damage, including to the LLV, without the involvement of the Service. The Grievant had ample time to reflect and reconsider after the accident before being confronted by the state police. The OIC properly focused on the breach of trust based upon the Grievant failing to report and her making a private arrangement to fix the vehicles involved in the accident. The Grievant had no active discipline. Removal did not violate the progressive and corrective discipline mandated by the National Agreement.

**Award**

The Emergency Placement Grievance is denied and dismissed. The Removal Grievance is denied and dismissed. The costs of the Arbitrator shall be borne One-hundred (100%) percent by the Union. The Arbitrator retains jurisdiction.

**Summary**

The Emergency Placement was appropriate for an employee who failed to report an accident which happened when she was backing up her LLV on a public street without a shoulder for almost 200 feet. There was just cause for removal for one preventable accident which was the result of reckless behavior of backing a distance of more than 200 feet, and willful misconduct, which included intentionally violating a known safety policy, leaving the scene, and failing to report an accident. The intentional misconduct continued with a cover-up involving private attempts to repair the damage of two vehicles, including an LLV owned by the Service, without Grievant had no active discipline, no active accidents, and a moderate level of seniority, removal did not violate the progressive and corrective discipline mandated by the National Agreement.

**AWARD**

The Emergency Placement Grievant is denied and dismissed.

The Removal Grievance is denied and dismissed.