

1 Fenceline Drive
Gaithersburg, Maryland 20878
February 8, 2011

Antonio L. Jones
Manager, Customer Service
Friendship Station
4005 Wisconsin Avenue, NW
Washington, DC 20016

Dear Mr. Jones:

This is in reply to the letter dated January 31, 2011 in which you sent me a resignation form.

You state in your letter that I have been absent without leave since December 14, 2010 and that since then I have not provided notification of my absence nor provided medical documentation. That statement is false. I worked on December 26, 2010 and on January 13, 2011 submitted a leave request to and medical documentation for the period 1/3/11 - 1/12/11. The leave request was approved by Bill French on January 13th. Since January 13, 2011 I have been constructively suspended from employment because the Zone 16 management team and other management representatives have made my working conditions completely intolerable. Actions taken by management to prevent me from coming to work include:

A. Refusal to pay me for accrued leave.

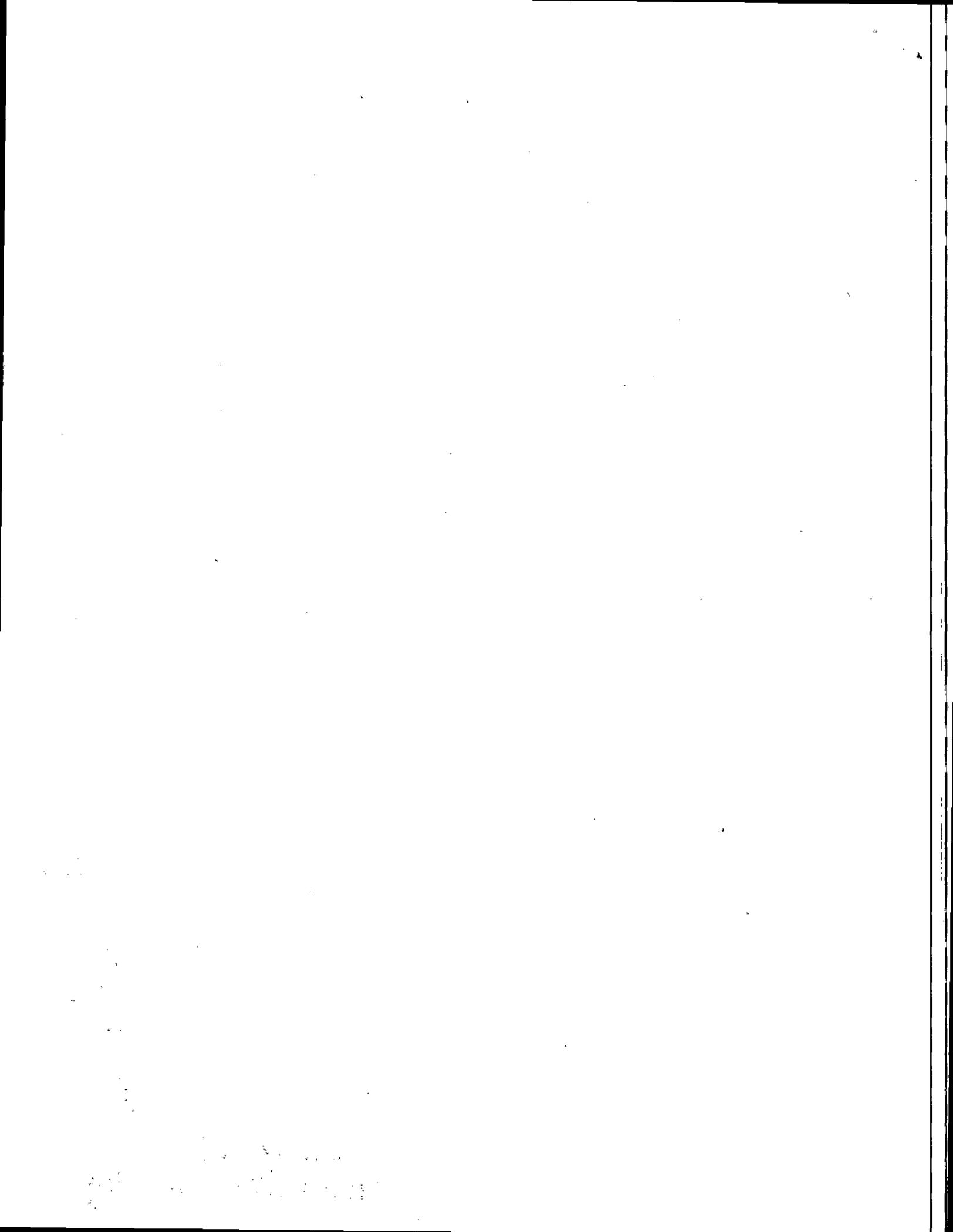
As stated above, Bill French approved my request for 64 hours of combined sick leave and annual leave on January 13, 2011. That approval put me in pay status for the first hour of the first day after the January 1 holiday, making the total owed me 72 hours. I have attached a copy of the approved leave form and the medical documentation. I should have been paid for that approved leave and the holiday on January 21, 2011, but I wasn't. Instead, with a large smirk, you gave me a check for \$2.29. I needed that payment to buy medications, food, and gasoline to commute to and from work. I didn't get paid for the leave on February 4, 2011 either, so I still don't have money for medications or gasoline, we're living on peanut butter sandwiches and oatmeal, and I have no way to get to work.

B. Refusal to pay me for holidays.

The Postal Service hasn't paid me for the Columbus Day, Veterans' Day, Thanksgiving Day, Christmas, or New Year's holidays although I was eligible to be paid for all of them. Bill French refused to meet with Leon Tucker about grievances concerning the holidays, and refused to provide documents requested by Tucker necessary to process the grievances.

*Rec'd
Nov. 4, 2011
@ HEARINGS
D...*

*AGENCY -
AMENDED TAB 49*



C. Sterling Colter's big lie.

On July 29, 2010 Sterling Colter (then acting manager of Zone 16) gave me an emergency suspension without even bothering to introduce himself. Several days later Brandon Toatley sent me an email telling me that I hadn't been suspended and that I should return to work. When I returned to work Toatley held a pre-disciplinary discussion with me, alleging that I had been AWOL during the period I was off because of the suspension. Toatley said in that meeting that Colter contended that he had not suspended me. Colter came into that meeting and bellowed that he guaranteed that I would be disciplined for being AWOL (I wasn't, however). Other Zone 16 employees witnessed the July 29, 2010 suspension, but neither was contacted either by management or by the union to give statements.

I don't tell lies, I don't like to be told lies, and I don't like to be lied about. Coming to work with Colter is very difficult, and that's another nine days of pay management improperly denied me.

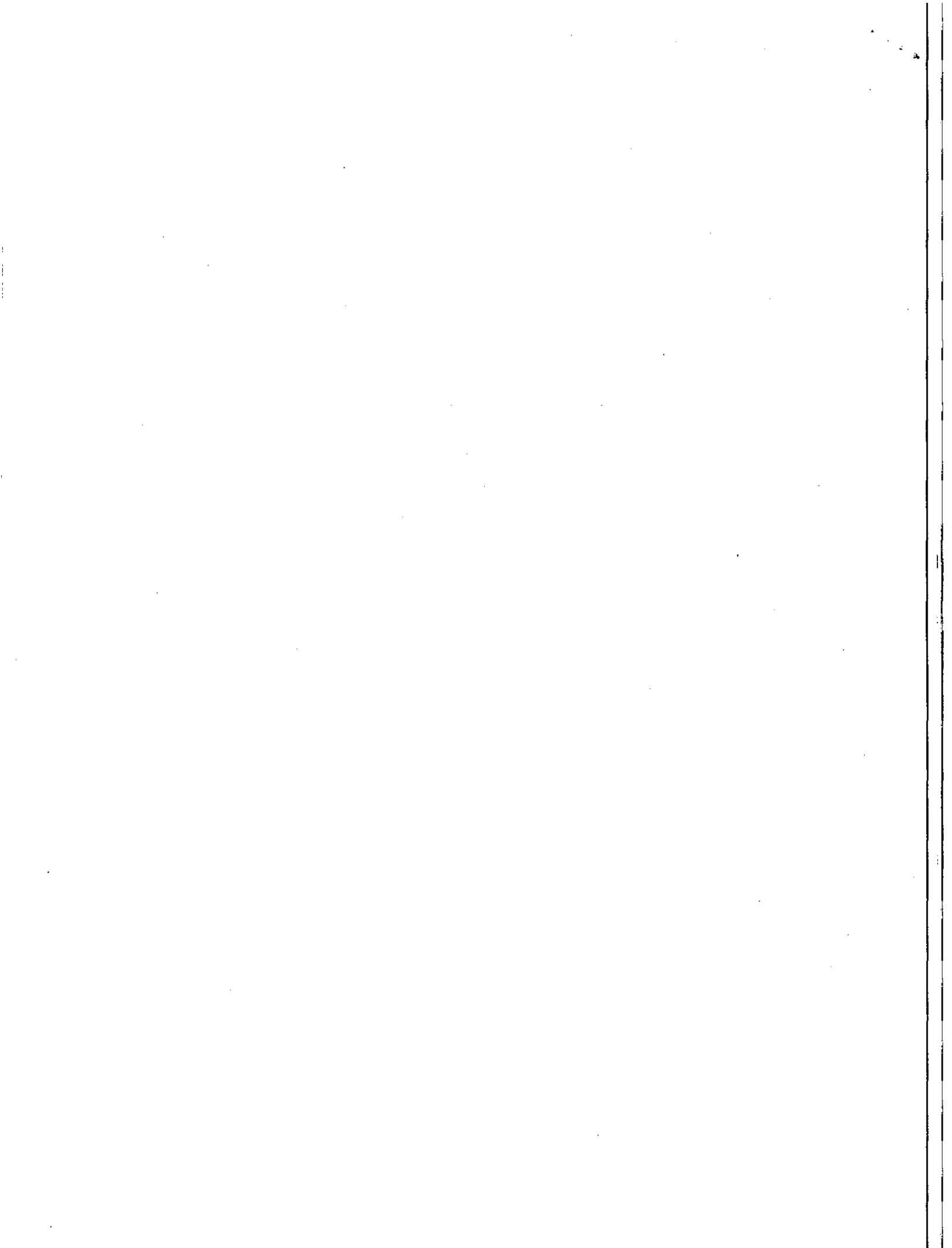
D. Holding Route 16011 out of adjustment.

I have been required to work overburdened routes continuously for the past six years. My current bid assignment, Route 16011, is so far out of adjustment that I have never been able to carry more than half of it. On most days I can only carry a quarter of it. Adjusting a route is not a big deal – almost every route in America has been adjusted multiple times in the past two years. There's no good reason for you to continue to refuse to adjust Route 16011.

E. Blocking my access to the grievance procedure.

In December 2007 David Pryor called me into his office and while leaning over me and shaking his forefinger in my face told me that I would no longer be permitted to initiate grievances by discussion with my supervisor. In March 2008 Pritesh Benjamin told me that I would be permitted to initiate grievances by discussion with my supervisor, but that I would not be permitted to be accompanied and represented by a steward during such discussions. I filed an unfair labor practice charge and in response to that charge the Postal Service posted notices in eight locations in Zone 16 for 60 days stating that the Postal Service would refrain from telling employees that they could not initiate grievances by discussion with their supervisors, and would refrain from telling employees that they may not be represented during such discussions by a steward. The notices were posted in September, October, and November 2008. In March 2009 Brandon Toatley did exactly what the notices said management would not do – he refused to permit me to have a grievance-initiation discussion with him, saying that only the union could initiate grievances. Pryor's and Benjamin's statements violated the contract and the National Labor Relations Act ("NLRA"), as did Toatley's. In early February 2010 USPS admitted that Toatley's conduct violated the NLRA and a second round of notices was posted in Zone 16.

Now in its fourth year, the focus of the Postal Service's blockade of my access to the grievance procedure has moved from the first step to the second step. After a grievance has been



appealed to Formal Step A, management and the union are supposed to meet within seven days. In the case of my allegations, however, grievances have languished for more than seven *months* without the union and management getting together to meet. This big stall has kept me from getting any review of or relief for my numerous complaints about Bill French's incessant bullying, the unpaid holiday leave, the unpaid annual and sick leave, Colter's big lie, Colter's many shouted threats, and has now taken me back again to the National Labor Relations Board.

F. Conclusion.

I have had to face an unending onslaught of insult and disrespect from management in word and in action, and now, to top it all off, you send me a resignation form.

I am about to start my 37th year of postal employment, and I have just started the 17th year of the litigation of *Noble v. Sombrotto*, a federal suit in which I claim that NALC's highest ranking officers have engaged in a phony in-town expense scheme. I think that such a suit should be brought by an actively employed letter carrier, so I decline your suggestion that I resign. I expect to retire when the suit is finished. I don't expect that to be for another couple of years, however. That leaves you plenty of time to constructively unsuspend me by paying me what I am due, adjusting my route, addressing Colter's big lie, and removing the blockade of the grievance procedure.

Very truly yours,



David W. Noble, Jr.

