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UNITED STATES POSTAL SERVICE
475 L'Enfant Plaza, SW
Washington, DC 20260

Mr. James Connors
Assistant Director
Clerk Craft Division
American Postal Workers
Union, AFL-CIO
1300 L Street, N.W.
Washington, DC 20005-4107

SEP 14 1988

APWU
CLERK DIVISION

ARTICLE	17
SECTION	
SUBJECT	
INFORMATION REQ.	
TEST SCORES	

Re: Class Action
San Bernardino, CA 92405
H7T-5L-C 155

Dear Mr. Connors:

On June 2 and 8, 1988, we met to discuss the above-captioned grievance at the fourth step of our contractual grievance procedure.

The issue in this grievance is whether management should provide the Union with copies of the National Test Administration Center print-out pertaining to the Maintenance Selection System containing, among other things, the names, identifiers, and ratings of maintenance craft employees ineligible or found to be incomplete.

The Union contends that under Article 31 of the National Agreement, it is entitled to the requested information from NTAC.

It is the position of the Postal Service that neither the Privacy Act nor the National Labor Relations Act requires the employer to release employee-identified test scores. See 5 U.S.C 552a et seq.; ASM Section 353.326; ASM Appendix USPS 120.120; 39 CFR 266.9; Detroit Edison Co. v. NLRB, 440 U.S. 301 (1979); NLRB v. Local 497, Inter. Brotherhood of Elec. Workers, 795 F.2d 836, 838-9 (9th Cir. 1986); and Salt River Valley Water Users; Assoc. V. NLRB, 769 F.2d 639, 642-3 (9th Cir. 1985). Specifically, Section 353.326 of the Administrative Support Manual (ASM) provides for the release of information regarding individual postal employees to the Unions under certain circumstances. Such releases must be in accordance with the collective bargaining agreement as well as the Privacy Act and the requirements of the NLRA. These