

# Update Notice

## Employee and Labor Relations Manual Issue 17 (July 2002)

*Employee and Labor Relations Manual* (ELM), Issue 17, was last printed in July 2002. To inform you of changes since that time, we periodically update this online edition of the ELM. We use vertical bars (revision bars) in the margin to indicate text changed since July 2002.

### How to Use This Update Notice

- Use the table in this update notice to find out about updates to the manual, which were published in the *Postal Bulletin*.
- In the first column, find the chapter, subchapter, part, section, or records series of the appendix and read across the other columns to find specific information about that revision.

This online version of the *Employee and Labor Relations Manual* (ELM), Issue 17, published in July 2002 is updated through April 15, 2004, with the following *Postal Bulletin* articles:

This chapter, subchapter, part, or section...	titled...	was updated to...	in <i>Postal Bulletin</i> issue number...	with an issue date of...
<b>Chapter 3, Employment and Placement</b>				
355	Light Duty Assignments	add Section 355 to provide policy on light duty assignments.	22095	2-6-2003
<b>Chapter 4, Pay Administration</b>				
412.1	Career Appointment	reflect changes in determining differential rate for Executive and Administrative Schedule employees.	22100	4-17-2003
413.21	EAS Employees	reflect changes in determining differential rate for Executive and Administrative Schedule employees.	22100	4-17-2003
414.21	Nonbargaining Unit Employees	reflect changes in determining differential rate for Executive and Administrative Schedule employees.	22100	4-17-2003
Exhibit 418.1	Equivalent Grades	recognize the city letter carrier position upgrades necessitated by the Fleischli Arbitration Award of September 19, 1999.	22109	8-21-2003

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<b>Chapter 4, Pay Administration</b>				
420	Wage Administration Policy for Bargaining Unit Employee	<ul style="list-style-type: none"> <li>■ recodify and format to include a broad structure and numbering scheme to encompass all current salary schedules. It is modified throughout to update the names of bargaining unit categories, schedule acronyms, and grade ranges.</li> <li>■ change references to “area supply centers” to “material distribution center.” References to the bargaining unit “Mail Equipment Shops” are changed to “Material Distribution Center.”</li> <li>■ change “salary” to “wage” when the compensation term is either preceded by “basic” or “setting” or followed by “rate,” “adjustment,” “increase,” or “level.” The changes are made to increase technical accuracy when discussing an employee’s compensation expressed as an hourly rate rather than as an annualized salary equivalent.</li> <li>■ adapt references as necessary. In addition, minor editorial revisions are made for clarity and consistency.</li> </ul>	22109	8-21-2003
421.41	Appointments	add language to 421.41a to clarify that transfers to or from the rural carrier craft require a new career appointment.	22109	8-21-2003

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<b>Chapter 4, Pay Administration</b>				
421.42	Assignments	add language to 421.42b(2) to clarify that rural craft employees are paid based on route evaluated hours or route mileage and adds language to 421.42c to clarify that the provision applies to up to three positions.	22109	8-21-2003
421.45	Wage Increases	add language to 425.45b to clarify the most prevalent step identification procedure	22109	8-21-2003
421.45	Salary Increases	modify item b to clarify the definition of step increase.	22096	2-20-2003
421.514	Termination	add language to 421.514c to clarify how a protected rate is currently terminated under certain promotion circumstances.	22109	8-21-2003
421.521	Explanation	add 421.521c to indicate that saved rate applies to an employee who accepts a job offer based on limitations due to an injury on duty.	22109	8-21-2003
421.524	Termination	add language to 421.524c to clarify how a saved rate is currently terminated under certain promotion circumstances.	22109	8-21-2003
421.525	Effect on Promotion	clarify the impact of saved rate special pay status on promotion actions.	22109	8-21-2003
421.7	Rate Schedule Summary and References	update the names of bargaining unit categories, schedule acronyms, grade ranges, and references.	22109	8-21-2003
Exhibit 421.81	Higher Level Pay	hold in reserve pending further revisions necessitated by the October 1, 1999, MOU between the USPS and the APWU resolving the "promotion pay anomaly."	22109	8-21-2003

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<b>Chapter 4, Pay Administration</b>				
Exhibit 421.82	Promotion Increases	update the names of bargaining unit categories, schedule acronyms, and grade ranges. It is also modified to include revisions necessitated by the October 1, 1999, MOU between the USPS and the APWU resolving the "promotion pay anomaly."	22109	8-21-2003
422.111	Salary Schedule	note at 422.111b that the Mail Equipment Shop/Material Distribution Center Schedule has 11 grades following the Goldberg Arbitration Award of December 18, 2001.	22109	8-21-2003
422.121	Career Appointment	modify 422.121a, Reinstatement, to conform to current practice and add 422.121e, Hiring Into the Rural Carrier Craft, to explain current practices more fully. The procedures for hiring into the PS and MESC Schedule 2 are also clarified in 422.121f.	22109	8-21-2003
422.123	Promotion Rules	include revisions necessitated by the October 1, 1999, MOU between the USPS and the APWU resolving the "promotion pay anomaly." In 422.123b(6), the rule choice provision regarding wage rules now requires decisions regarding deviation from standard practice to be made by the district Human Resources manager rather than by the installation head. To conform to actual pay practices and maintain consistency with 422.144b, it is also modified in 422.123b(7) to delete from the list of exclusions reference to temporary promotions and higher level assignments.	22109	8-21-2003

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<b>Chapter 4, Pay Administration</b>				
Exhibit 422.123a	Promotion Chart — PS Schedule 1 to PS Schedule 2	include revisions necessitated by the October 1, 1999, MOU between the USPS and the APWU resolving the “promotion pay anomaly.” It is also revised to incorporate the newly created APWU Grade 11, necessitated by the Goldberg Arbitration Award of December 18, 2001.	22109	8-21-2003
Exhibit 422.123b	Promotion Chart — PS Schedule 2 to PS Schedule 2	include revisions necessitated by the October 1, 1999, MOU between the USPS and the APWU resolving the “promotion pay anomaly.” It is also revised to incorporate the newly created APWU Grade 11, necessitated by the Goldberg Arbitration Award of December 18, 2001.	22109	8-21-2003
422.124	Reassignment Rules	add 422.124d to clarify reassignments for PS and MESC employees.	22109	8-21-2003
422.125	Reductions in Grade	add 425b(3) to clarify reduction in grade for PS and MESC employees.	22109	8-21-2003
Exhibit 422.13	Bargaining Unit Step Increase Waiting Periods	show the addition of Step Q in the IT/ASC Schedule necessitated by the Collins Arbitration Award of April 26, 2000.	22109	8-21-2003
422.223	Promotion Rules	include the material previously found in 422.123 and incorporated by reference. It is also modified to include revisions necessitated by the October 1, 1999, MOU between the USPS and the APWU resolving the “promotion pay anomaly.”	22109	8-21-2003
422.415	Employee Classification	add text to 422.415a to show both regular and part-time flexible rural carriers.	22109	8-21-2003
422.421	Career Appointment	modify at 422.421a(3) the reference to part-time flexible rural carriers as described further in the Rural Carrier labor contract at Article 7.A.2.	22109	8-21-2003

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<b>Chapter 4, Pay Administration</b>				
422.422	Promotion	include the material previously found in 422.123 and incorporated by reference. It is also modified to include revisions necessitated by the October 1, 1999, MOU between the USPS and the APWU resolving the "promotion pay anomaly."	22109	8-21-2003
422.523	Promotion Rules	include the material previously found in 422.123 and incorporated by reference. It is also modified to include revisions necessitated by the October 1, 1999, MOU between the USPS and the APWU resolving the "promotion pay anomaly."	22109	8-21-2003
422.622	Promotion Rules	include the material previously found in 422.123 and incorporated by reference. It is also modified to include revisions necessitated by the October 1, 1999, MOU between the USPS and the APWU resolving the "promotion pay anomaly."	22109	8-21-2003
422.723	Promotion Rules	include the material previously found in 422.123 and incorporated by reference. It is also modified to include revisions necessitated by the October 1, 1999, MOU between the USPS and the APWU resolving the "promotion pay anomaly."	22109	8-21-2003
422.283	Promotion Rules	include the material previously found in 422.123 and incorporated by reference. It is also modified to include revisions necessitated by the October 1, 1999, MOU between the USPS and the APWU resolving the "promotion pay anomaly."	22109	8-21-2003

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<b>Chapter 4, Pay Administration</b>				
422.9	Tool and Die Shop Schedule	reflect the reconstitution of the Tool and Die Shop bargaining unit January 31, 1997. It incorporates provisions previously found in ELM 12 and subsequent changes.	22019	8-21-2003
422.923	Promotion Rules	include the material previously found in 422.123 and incorporated by reference. It is also modified to include revisions necessitated by the October 1, 1999, MOU between the USPS and the APWU resolving the "promotion pay anomaly."	22109	8-21-2003
424.3	Step Increase	remove the performance requirements for eligibility for step increases for rural carriers.	22096	2-20-2003
425	Postal Nurses Schedule	divide into subsections, give titles to the subsections, number accordingly, and provide information on Postal Nurses Schedule previously given in Section 424.	22096	2-20-2003
428	Postal Police Officers	divide into subsections, give titles to the subsections, number accordingly, and provide information on Postal Police Officers Schedule.	22096	2-20-2003
430	Basic and Special Pay Provisions	replace the term "guarantee" with "guaranteed" throughout the subchapter, and restore substantive provisions affecting Sunday premium pay that were in place in ELM 15, before revisions of May 2000.	22126	4-15-2004
436.61	Purpose	clarify the general obligation the Postal Service has in paying interest on back pay claims.	22115	11-13-2003
436.62	Availability of Interest	clarify under what circumstances the Postal Service is required to pay interest on a back pay claim.	22115	11-13-2003
436.63	Determination of Interest	clarify how the Accounting Service Center (ASC) determines the rate of interest to be paid on a back pay claim.	22115	11-13-2003

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<b>Chapter 4, Pay Administration</b>				
Exhibit 436.63a	Interest on Back Pay Decisions	clarify how the ASC determines the rate of interest for an adjustment on a back pay award issued by a court, arbitration, or federal agency decision.	22115	11-13-2003
474.241	Comparison to Regular Within-Grade Increases	clarify the determination of the step and next step date for a quality step increase action.	22115	11-13-2003
<b>Chapter 5, Employee Benefits</b>				
512.633	Nonbargaining Unit Annual Leave Exchange	provide a general statement regarding the exchange of annual leave for cash rather than to indicate the exact number of hours allowed.	22116	11-27-2003
519.21	Acts of God and Civil Disorders	revise the title by adding "Civil Disorders."	22107	7-24-2003
519.21	Acts of God	re-add section from ELM 17.3 because policies given in ELM 17.3 remain in effect, namely, the policies for Acts of God and Civil Disorders are provided in two distinct sections.	22115	11-13-2003
519.211	General	incorporate civil disorders into the provisions.	22107	7-24-2003
519.212	Authorizing Administrative Leave for Acts of God and Civil Disorders	revise the title by adding "Civil Disorders" and incorporate civil disorders into the provisions.	22107	7-24-2003
519.213	Determining the Cause of Absence	incorporate civil disorders into the provisions.	22107	7-24-2003
519.214	Early Dismissal Due to Acts of God and Civil Disorders	revise the title by adding "Civil Disorders" and incorporate civil disorders into the provisions.	22107	7-24-2003
519.215	Employees Prevented From Reporting	incorporate civil disorders into the provisions.	22107	7-24-2003
519.22	Relocation	replace text with the information previously provided in section 519.23.	22107	7-24-2003
519.22	Civil Disorders	re-add section from ELM 17.3 because policies given in ELM 17.3 remain in effect.	22115	11-13-2003
519.23	Adverse Action Investigation and Decision	replace text with information previously provided in section 519.24.	22107	7-24-2003

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<b>Chapter 5, Employee Benefits</b>				
519.23	Relocation	re-add section from ELM 17.3 because policies given in ELM 17.3 remain in effect.	22115	11-13-2003
516.41	General	change the policy regarding what payments a juror may keep when on court leave.	22110	9-04-2003
519.6	Nonbargaining Unit Personal Absence	add 519.6 through 519.652.	22085	9-19-2002
520	Health Benefits	edit throughout for consistency of presentation and conformance to Postal Service editorial style.	22109	8-21-2003
521.411	Responsibility of Employing Office	delete the second paragraph, which was redundant.	22109	8-21-2003
521.423	Foster Children	modify the "Note" to indicate that a sample certification form is found in Exhibit 521.423, Certification of Foster Children. Exhibit 521.43 is revised to elaborate on the certification requirements per OPM guidance.	22109	8-21-2003
521.621	Eligible for Coverage	indicate that RI 70-5, <i>Guide to Federal Employee Health Benefit Plans for TCC and Former Spouse Enrollees</i> , is sent to an eligible former spouse.	22109	8-21-2003
521.711	Eligible for Coverage	modify item d to show that former spouses awaiting approval or disapproval from OPM are among those who are eligible for temporary continuation of coverage	22109	8-21-2003
523	Enrollment	reflect a new title.	22109	8-21-2003
523.6	Enrollment by a Former Spouse	reflect a new title.	22109	8-21-2003
523.61	Enrollment Form	indicate that all former spouse SFs 2809, <i>Employee Health Benefits Election Form — Federal Employees Health Benefits Program (FEHB)</i> , are forwarded to the National Finance Center (NFC) rather than to the Eagan Retirement Branch. The title of the section is also revised.	22109	8-21-2003

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<b>Chapter 5, Employee Benefits</b>				
523.632	Contents of File	restructure text under item f which becomes items 1 through 6 and "Payroll's" is replaced by "NFC."	22109	8-21-2003
523.634	Disposition of File	indicate that it is the NFC that maintains the file and to clarify the terms under which the personnel office maintains records.	22109	8-21-2003
524.529	Change to Self Only	elaborate on circumstances considered "qualified life status changes."	22109	8-21-2003
524.531	Change in Marital Status	include at item a(1) common law marriage under the criteria for change in status and at item c to clarify the provision for new spouse enrollment.	22102	8-21-2003
524.62	Change to Self Only	clarify change to Self Only depending on whether premiums are paid on a pretax basis or an after-tax basis.	22102	8-21-2003
524.773	Application for Conversion	clarify the time frame within which application for conversion can be made.	22102	8-21-2003
524.774	Late Conversion	clarify the steps to be taken when an application for conversion is belated. Subsequent sections are renumbered 524.775 and 524.776, respectively.	22102	8-21-2003
524.831	Tax Benefits	delete obsolete information indicating that a pre-tax benefit is not available under FEHB.	22102	8-21-2003
524.832	Career Employees	add occurrence of a qualified life status change as an opportunity for waiver of pretax basis for payment of premiums.	22102	8-21-2003
524.833	Certain Noncareer and Transitional Employees	add occurrence of a qualified life status change as an opportunity to elect payment of premiums on a pretax basis.	22102	8-21-2003
524.84	Health Benefits Schedule	indicate that Publication 12, <i>Health Benefits Open Season Administrative and Processing Information</i> , is available on the Postal Service intranet and to eliminate reference to cost information.	22102	8-21-2003

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<b>Chapter 5, Employee Benefits</b>				
524.921	New Enrollment	clarify the effective date of a new enrollment.	22102	8-21-2003
524.922	Change in Enrollment	replace "employing office" with "NFC."	22102	8-21-2003
524.93	Payment of Premiums	replace "Eagan ASC" with "NFC."	22102	8-21-2003
524.95	Cancellation of Enrollment	replace "employing office" with "NFC."	22102	8-21-2003
524.965	Former Spouse	replace "employing office" with "NFC."	22102	8-21-2003
524.966	National Finance Center Responsibility	show in the title and in the text the role of the NFC in terminating health coverage for former spouses.	22102	8-21-2003
525.141	Reporting to OWCP	clarify that injury compensation personnel annotate OWCP Form CA-7/20, <i>Claim for Compensation on Account of Traumatic Injury or Occupational Disease/Attending Physician's Report</i> .	22102	8-21-2003
525.146	On LWOP Ten Months, But Enrollment Not Transferred	show in the title and in item a that the time period is 10 months rather than 8 months in accordance with OPM guidance.	22102	8-21-2003
525.222	Procedures to Be Followed by Employing Office	indicate at item e that enrollment is continued for an employee entering nonpay status who fails to respond to notice of his or her option to continue or terminate health benefits and that the employee is expected to pay his or her portion of the premiums due.	22102	8-21-2003
525.52	Enrollment Eligibility Both as a Employee and as a Survivor	clarify terms under which a surviving spouse may apply for reinstatement of annuitant- or survivor-acquired health benefits enrollment.	22102	8-21-2003
533.224	Birthdays and Pay Periods	clarify policy on birthdays and pay periods for optional insurance purposes.	22113	10-16-2003

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<b>Chapter 6, Employee Relations</b>				
634.31	Amounts	specify policy about ideas implemented locally.	22115	11-13-2003
635	Records	reflect the addition of eIDEAS to the Ideas Program.	22115	11-13-2003
636.2	Payment	show that technology, specifically eAwards, is used to process payments.	22115	11-13-2003
Exhibit 636.1	Idea Proposal Processing Summary	indicate the electronic process for submitting idea proposals.	22115	11-13-2003
651	Disciplinary and Emergency Procedures	add new subsections and renumber.	22098	3-20-2003
651.2	Representation	clarify representation prohibitions and add an employee's right for representation during disciplinary investigative questioning.	22098	3-20-2003
651.3	Nondisciplinary Corrective Measures	add language to reinforce managers' and supervisors' responsibilities for subordinate employees' performance improvement.	22098	3-20-2003
651.4	Emergency Placement in Off-Duty Status	add alcohol/drug impairment language and a provision for dealing with behavior potentially injurious to self or other employees.	22098	3-20-2003
651.5	Letters of Warning	add retention timeframe.	22098	3-20-2003
651.6	Letters of Warning in Lieu of Time-Off Suspensions	incorporate applicable parts of Management Instruction (MI) EL-650-96-3.	22098	3-20-2003
651.61	Policy	incorporate applicable parts of MI EL-650-96-3.	22098	3-20-2003
651.62	Implementation	incorporate applicable parts of MI EL-650-96-3.	22098	3-20-2003
651.63	Notice	incorporate applicable parts of MI EL-650-96-3.	22098	3-20-2003
651.64	Response	incorporate applicable parts of MI EL-650-96-3.	22098	3-20-2003
651.65	Decision	incorporate applicable parts of MI EL-650-96-3 and add a 30-calendar-day time-frame for the deciding official to render a decision.	22098	3-20-2003

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<b>Chapter 6, Employee Relations</b>				
651.66	Retention	incorporate applicable parts of MI EL-650-96-3 and change the retention period of Letters of Warning in Lieu of Time-Off Suspensions from 3 years to 2 years.	22098	3-20-2003
651.7	Adverse Actions	incorporate material previously given in 651.6.	22098	3-20-2003
651.71	Definition	provide material previously given in 651.61.	22098	3-20-2003
651.72	Policy	provide material previously given in 651.62.	22098	3-20-2003
651.73	Notice	provide material previously given in 651.63.	22098	3-20-2003
651.74	Response	provide material previously given in 651.64 and add new language.	22098	3-20-2003
651.75	Decision	provide material previously given in 651.65 and include 60-calendar-day time limit for a deciding official to render a decision in an adverse action.	22098	3-20-2003
651.76	Duty Status	provide material previously given in 651.66 and explain disposition of a case.	22098	3-20-2003
651.77	Exceptions to Thirty-Day Notice	to add material previously given in 651.67.	22098	3-20-2003
652	Appeal Procedures	give new title and renumber	22098	3-20-2003
652.1	Scope	replace the word "grievance" with the word "appeal".	22098	3-20-2003
652.21	Coverage	delete reference to 14 day or less suspensions because they are not adverse actions.	22098	3-20-2003
652.22	Exclusion	provide material previously given in 652.212.	22098	3-20-2003
652.23	Appeal to Step 1	renumber.	22098	3-20-2003
652.231	Field Employees	provide material previously given in 652.212 and make the Headquarters vice president Labor Relations or designee the Step 1 official for adverse actions instead of the Area vice president.	22098	3-20-2003

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<b>Chapter 6, Employee Relations</b>				
652.232	Headquarters, Headquarters Field Units, Inspection Service, and Office of Inspector General Employees	provide material previously given in 656.222	22098	3-20-2003
652.233	Exceptions	provide material previously given in 656.223	22098	3-20-2003
652.241	Action If No Hearing Requested	include instruction for the Step 1 official to issue a final decision within 21 calendar days; previously was 652.231	22098	3-20-2003
652.242	Action When Hearing Requested	provide for the assignment of a neutral hearing officer within 10 calendar days of a hearing request and for a hearing to be held no later than 75 calendars days after a neutral hearing officer is assigned; previously was 652.232	22098	3-20-2003
652.243	Management Obligation for Witnesses	add a provision for witnesses to testify via alternative means when unable to attend a hearing in person; previously was 652.233	22098	3-20-2003
652.245	Noninterference Rule	provide material previously given in 652.235	22098	3-20-2003
652.246	Transcript	provide material previously given in 652.236	22098	3-20-2003
652.247	Attorney Fees	clarify that attorney fees are not applicable to appeals covered in 650	22098	3-20-2003
652.25	Post Hearing	add subsections 652.251, Hearing Officer Action, and 652.252, Step 1 Official Action, to provide for a proposed decision (vs. a finding of fact) by the neutral hearing officer prior to the Step 1 official's final decision and to add processing timeframes	22098	3-20-2003
652.3	Appeal of Letters of Warning in Lieu of Time-off Suspensions and/or Time-off Suspensions for Office of Inspector General Employees	incorporate appeals provisions from MI EL-650-96-3	22098	3-20-2003
652.4	Other Appealable Actions	delete the word "grievance" and replace it with "appeal(s)" and include OIG coverage	22098	3-20-2003

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<b>Chapter 6, Employee Relations</b>				
652.41	Coverage	change EAS levels to conform to recent level increases; previously was 652.31	22098	3-20-2003
652.42	Step A	renumber; previously was 652.32	22098	3-20-2003
652.43	Step B	renumber; previously was 652.33	22098	3-20-2003
652.44	Review	renumber; previously was 652.34	22098	3-2003
652.5	Alternative Dispute Resolution	include provisions for mediation for letters of warning in lieu of time-off suspensions and for adverse actions	22098	3-20-2003
<b>Chapter 8, Safety and Health</b>				
870	Employee Assistance Program	reflect policy changes to the Employee Assistance Program.	22089	11-14-2002
<b>Chapter 9, Labor Relations</b>				
931.13	Types of Clothing	revise item b to replace "window" with "retail."	22080	7-11-2002
931.261	Appearance	add new sentence to end of section.	22080	7-11-2002
932.11	Regular Uniforms	add new item h and re-order other items.	22080	7-11-2002
932.13	Work Clothes	reflect a change to a job title.	22094	1-23-2003
932.21	New, Part-Time, and Casual Employees	revise the first sentence.	22080	7-11-2002
932.31	Specifications	delete "Natick, MA."	22080	7-11-2001
932.32	Quality Control Certification	delete "U.S. Army Natick Laboratories, Natick, MA."	22080	7-11-2002
933.12	Type 1 Combinations	replace the word "window" with "retail" in footnote 6.	22080	7-11-2002
933.21	Type 2 Items	replace the table "Items for Men" and the table "Items for Women" to reflect new uniform options.	22081	7-25-2002
933.22	Type 2 Combinations	replace the table.	22080	7-11-2002
933.4	Type 4 Uniform Items and Combinations	reflect updates to uniforms worn by security force police officers.	22090	11-28-2002
933.72	Other Insignia	replace the word "window" with "retail".	22080	7-11-2002
934.2	Cold Weather Items (Does not apply to Type 2 Uniforms)	give a new title for 934.2.	22080	7-11-2002

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<b>Chapter 9, Labor Relations</b>				
934.3	Warm Weather Items ( Does not apply to Type 2 Uniforms)	give a new title for 934.3	22080	7-11-2002
934.4	Seasonal Changes of Uniform	reflect uniform policy for retail employees.	22080	7-11-2002
934.5	Employees in Nonuniform Categories	replace "window" with "retail."	22080	7-11-2002