

Issue: Erroneous Overpayment⁴

Articles 19 & 28

Documentation

Explanation

All grievance paperwork	All paperwork developed and utilized in grievance procedure
Applicable regulations from the ELM (Chapter 437)	Existing regulations on how to handle erroneous overpayment. Defines when waiver should be made
Letter of Demand for monies owed	Article 28 requires Letter of Demand. If not done - fatal flaw
Waiver claim (Form 3074) and final result	Required by regulations. Also establishes facts of case and position of grievant and management
Invoice or equivalent from PDC	Normally generates management action. Be aware, does not replace need to issue proper Letter of Demand
Applicable paperwork from Postal Service if generated, for example, Form 50s on step increases, insurance documents, pay checks <u>showing</u> different rates of pay, etc.	Helps establish facts and determine what parties knew
Applicable case law. Remember difference between precedent and persuasive value	Strengthens case through Step 4s, national arbitrations or pre-arbs, regional arbitrations or pre-arbs. Cites must be on point

⁴It is understood the issue could be identified as a Letter of Demand or a Waiver of Claims.