

APWU

American Postal Workers Union, AFL-CIO

1300 L Street, NW, Washington, DC 20005

Fax & First Class Mail Initiate National Dispute

July 12, 2011

Mike Morris, Director
Industrial Relations
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Washington, DC 20005
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Mr. Doug Tulino
Vice President, Labor Relations
U.S. Postal Service, Room 9014
475 L'Enfant Plaza
Washington, D.C. 20260

Re: APWU#HQTG200917 & USPS# Q06C4QC10005587
Article 1.6.B MOU and Global Settlement

Dear Mr. Tulino:

In accordance with the provisions of Article 15, Section 2 and 4, of the Collective Bargaining Agreement, the American Postal Workers Union is initiating a Step 4 dispute regarding the implementation of the Article 1.6.B Global Settlement MOU.

The Union agreed to resolve Case Q06C4QC10005587 which protested the shifting of bargaining unit work (BUW) from the bargaining unit to postmasters and supervisors in offices with less than 100 BU employees. The intent of this agreement was to return BUW to the craft. Under the express terms of the MOU and resulting global settlement postmasters and supervisors are limited to no more than 25 hours BUW per week in level 15 and 16 Post Offices. In Level 18 Post Offices they are limited to no more than 15 hours per week and in Post Offices Level 20 and above they are no longer permitted to perform BUW unless it falls within the Article 1.6.A exceptions. These limitations remain at the same level through the life of the agreement even if the Post Office is downgraded in level.

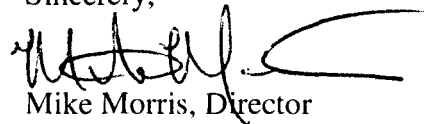
We have become aware of widespread instructions from USPS headquarters to the field clearly intended to circumvent the Agreement. For example:

- In spite of clear language requiring that "all time the supervisor or Postmaster spends staffing the window will be counted towards the permissible bargaining unit work limits," instructions are being made that Postmasters need

- only record the time of their actual window transactions. If the window is open for business, someone is staffing it. If the parties had intended that “only the time actually spent performing specific recorded window transactions would be counted” we undoubtedly know how to say exactly that – but we didn’t. “All time” the Postmaster spends staffing the window must be counted. There is no other plausible way to interpret that language. In addition, the administrative duties being performed between window transactions are clerical in nature and likewise constitute BUW.
- In spite of the express language in the settlement that any office “downgraded in level will remain” at the bargaining unit work limitations in place at the beginning of the Agreement, we continue to be told that USPS HQ is instructing the field that an exception exists for offices undergoing delivery unit optimization (DUO). No such exception was ever agreed to. To the contrary, the parties’ knowledge of the ongoing DUO process was the express reason this language was included.
- The parties always intended to exclude Postmasters and supervisors in Post Offices, level 20 and above from performing bargaining unit work and expressed that intention with clear language: “in offices under 100 bargaining unit employees, postmasters and supervisors may only perform bargaining unit work in accordance with Article 1.6.A and when listed in their position description in accordance with the following:”(providing allowances, 25 hours for level 15 and 16 offices and 15 hours for level 18 offices, but no allowance for level 20 and above offices). Nonetheless, we now continue to be told of instructions originating at USPS HQ that no BUW limitation exists for level 20 and above Post Offices.

It is requested that you or your designee contact my office at (202) 842-4273 in order to schedule a meeting to discuss these important issues pursuant to Article 15, Section 2 and 4 of the CBA.

Sincerely,



Mike Morris, Director
Industrial Relations

MM:bw
OPEIU #2
AFL-CIO

Transmission Report

Date/Time
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07-12-2011
2023710992

04:28:33 p.m.

Transmit Header Text
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Industrial Relations1

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American Postal Workers Union, AFL-CIO

Mike Morris, Director
Industrial Relations

Industrial Relations Department
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Washington, DC 20005
Tel: 202-842-4273 Fax: 202-371-0992

FAX COVER SHEET

Date: 071211 Time: 5:05

To: Mr. Doug Tulino

Recipient's Fax Number: _____

From: Mr. Mike Morris Fax: (202) 371-0992

Number of Pages Transmitted (Including Cover Page): 9

COMMENTS: CASE # APWU HQT 20110345

APWU HQTG 200917

APWU HQTC 20110349

HQTC 20110350

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Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
CP: Completed
FA: Fail

TU: Terminated by user
TS: Terminated by system
RP: Report

G3: Group 3
EC: Error Correct



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