



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
1300 L Street, NW
Washington, DC 20005
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Coordinator, Western Region

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

Re: APWU#HQTC20110349; PSE USAGE

Dear Mr. Tulino:

In accordance with the provisions of Article 15, Sections 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 7 and the Postal Support Employee (PSE) MOU.

1) The APWU contests the unilateral decision to create and utilize the Level 4 Post Office Clerk PSE job description in Level 15 and 16 Post Offices.

2) The APWU also challenges the use of any PSE to work the window in any post office with less than three career retail clerks whose duties include working the window in the installation.

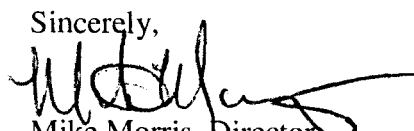
3) Finally, the APWU challenges the USPS position that PSEs hired in Level 15 and 16 Post Offices are "new work" PSEs that are not subject to the District PSE caps.

PSEs must be hired at the same level as the career employee that would be utilized in that office. This fact has been clearly recognized in the jointly agreed upon Q&A #7 in the June 28, 2011 Q&A document. The only Clerk Craft positions normally utilized in level 15 and 16 Post Offices are the Sales and Service Associate (SSA, PS-6), Sales, Service & Distribution Associate (SSDA, PS-6), Lead Sales & Service Associate (LSSA, PS-7), and Mail Processing Clerk (MPC, PS-6). The level 4 Post Office Clerk (career or PSE) may only be utilized in Post Offices with less than 190 revenue units pursuant to the existing position

Article 7.1.B.4 states that in Level 21 and below offices, PSEs who work the window may not exceed 20% of the career retail clerks in that installation whose duties include working the window. The parties agreed that the "rounding-up rule of 0.5 and above applies." This clearly means that unless there are three or more career clerks in that installation whose duties include working the window, any PSE hired in that installation may not work the window. We do not agree that PSEs hired in Level 15 and 16 offices are "new work" PSEs or that they are not subject to the District PSE caps. The "new work" PSE exception, found in Article 7.1.B.6, is expressly defined in that same section and clearly does not include "in-house" work which has historically been recognized as belonging to the bargaining unit. Furthermore, in many of these offices, current grievances exist resulting from previous USPS actions, excessing career clerks from the office and/or improperly transferring BUW to the postmaster.

The USPS allegation that these PSEs are excluded as "new work" PSEs because they are intended to replace PMRs which were eliminated by the 1.6.B global settlement MOU in Level 15, 16 and 18 post offices is without merit. The USPS seems to be contending that these PSEs are something other than Clerk Craft PSEs – frequently referring to them as PMR Replacement PSEs. The APWU negotiated the utilization of PSEs in the Clerk, Maintenance and MVS crafts. Throughout negotiations the parties never discussed, even once, the concept of a fourth category of PSEs (PMR Replacement) now months later, being referenced for the first time by the Employer. Furthermore, the global settlement now places clear limits on the amount of BUW work that may be performed by the postmaster so the employees that replace PMRs will be working in the office at the same time the postmaster is there. PMRs could only be used to replace postmasters, never to work in the office when the postmaster was present. In addition, PSEs hired in these small offices cannot work the window for reasons explained above.

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

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American Postal Workers Union, AFL-CIO

Mike Morris, Director
Industrial Relations

Industrial Relations Department
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Tel: 202-842-4273 Fax: 202-371-0992

FAX COVER SHEET

Date: 07/21 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 HQ# 20110345
APWU HQ# 200917
APWU HQ# 20110349
HQ# 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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