

# TRAINING FOR ARBITRATION ADVOCATES (CONT.)

cases, Postal Service advocates routinely claim the Union is requesting a remedy even though no “harm” to members of the bargaining unit has been proven. Participants in the training were familiarized with common Postal Service arguments designed to avoid liability: employees would get a “windfall”; employees would be “unjustly enriched”; or, as a last resort, that the Postal Service does not have the money to pay for the remedy the Union seeks. The presentation explained the need to be prepared to combat such arguments, and what kinds of information and claims can be made, in both discharge and contract cases. Participants were given information they should have in order to be able to present a convincing case on remedy, and the presentation even directed them to helpful arbitration decisions. The training was geared to ensure that once the Union wins a case, employees will get the full remedy to which they are entitled.

To provide continuing assistance to advocates, the National Office prepared a Manual that contains all of the presentations made at the training session. The Manual is a tremendously valuable resource for all advocates. In addition to the presentations and sample arbitration materials, inside the front cover of each Manual there is a disc that contains all of the materials in the Manual PLUS dozens of arbitration decisions, (The Manual, and all of the materials on the disc, are now available on the NPMHU web site in the MAILS system.) If an advocate expects that an issue will come up in an arbitration, he or she can look up the subject on the disc and print out the relevant decisions. (The arbitration decisions also should be on MAILS.)

As a further training tool, the participants at the training session were given a copy of the second edition of an excellent reference book called “How to Prepare and

Present a Labor Arbitration Case: Strategy and Tactics for Advocates” by Charles S. Loughran, a noted arbitrator and mediator.

Finally, a highlight of the training session was a presentation by Arbitrator Lawrence Holden. Based on his extensive experience on postal arbitration panels, he praised the quality of representation that the NPMHU provides to its members. Arbitrator Holden also offered specific, valuable advice about “dos and don’ts” in arbitration – what is helpful and persuasive to arbitrators, and what takes away from the strength of your case. He used instructive anecdotes to illustrate some of his points, and willingly answered questions from the mail handlers who gathered for the training.

The committee of advocates who conducted the training included Bill Flynn, National Contract Administration Manager; Sam D’Ambrosio, Eastern Regional Vice President; Paul Hogrogian, Local 300 Local President and Northeastern Regional Vice President; Tim Dwyer, Local 301 Local President; and James Bell, former Local 304 Local President. Taken together, these advocates have participated in hundreds of arbitration hearings, and therefore were able to give different perspectives on the host of issues addressed by the training. Mail handlers attending the training also shared stories and advice based on their own prior experiences, so the training was filled with useful information concerning arbitration strategy and tactics, as well as the nuts and bolts for effectively presenting a case.

The training was a great success. All NPMHU advocates are encouraged to use the Manual that was prepared and distributed for the training, and since then has been circulated to all Local Union officers. It should be a terrific resource for many years to come.



Local 329 President John R. Macon



Local leaders engaged in the day's training session



Western Region Vice President and Local 320 President Rudy Santos



Some local leaders in attendance at the afternoon session



The afternoon session allowed for a very engaging open session between the trainers and local leaders.



Day 2 of the training session featured further discussions on NPMHU arbitration advocacy.



(l-r) Local 313 Vice President Michael Pazos, Local 313 President Julio Figueroa, Local 313 SEBM Carlos Alicea