



National Postal Mail Handlers Union

Paul V. Hogrogian
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Southern Region*

Rudy Santos
*Vice President
Western Region*

August 8, 2015

TO: All Local Union Presidents
National/Regional CAD

FROM: Paul V. Hogrogian, National President *PVH*
T.J. Branch, Manager, CAD *JTB*

RE: Postal Service Reneges on SPSS Craft Determination

In a stunning move that defies the tripartite RI-399 Dispute Resolution Procedures, the requirements of RI-399, Article 1.5 of the National Agreement, and any concept of good faith bargaining, yesterday afternoon the Postal Service formally notified the NPMHU of its decision to reverse the June 1, 2015 jurisdictional craft determination that previously identified the mail handler craft as the primary craft for all duties associated with the operation of the Small Parcel Sorter System (SPSS). Instead, the Postal Service has announced “that the hands-on induction, including the singulating/separating and facing of individual packages, on the five induction stations of the SPSS is similar to the induction stations on both the Small Parcel Bundle Sorter (SPBS) and the Automated Package Processing System (APBS), which are staffed with mail processing clerk craft employees.” The Postal Service’s August 7, 2015 announcement further determines that clerks assigned to the induction system should be rotated to sweeping duties in the “minimum number required.”

The Postal Service issued its reversal of position by email to the NPMHU National Office at 3:30 p.m. on Friday afternoon. This is nothing less than a cowardly act of disrespect to the NPMHU and all mail handlers. A National-level jurisdictional determination for new equipment is made within the Dispute Resolution Process only after following a specific protocol: the unions

are notified about the new equipment, including meetings with postal officials in charge of deploying and operating the equipment; the three parties participate in site visits to observe the new equipment and new jobs resulting from it; each union has the opportunity to submit its written position on the jurisdictional assignment; and then the management representatives appointed to the National Dispute Resolution Procedure apply the principles of RI-399 to issue the Postal Service's jurisdictional determination, with either union having the right to appeal that determination to National arbitration. In this case, the contractually binding procedure was fully and properly implemented, resulting in the June 1, 2015 determination. The American Postal Workers Union did not file an appeal by the required deadline, meaning that the Postal Service's June 1, 2015 determination has been final and binding and fully controlling for some time. Under RI-399, moreover, the June 1, 2015 determination may be changed only upon new work, new or consolidated facilities, or an operational change. In the absence of such circumstances, the June 1, 2015 determination is final and binding, and any attempt to reverse that determination is null and void.

But now that contractually binding process has been hijacked, apparently by a higher level of USPS management. The Postal Service's unprecedented and untimely reversal of its prior written jurisdictional determination casts a heavy shadow of doubt on every signed management document and every signed labor-management agreement. Such contempt for our mutual obligation to bargain in good faith, and our mutual commitment to settle or resolve matters at the lowest possible level within the agreed procedures, will resonate throughout the Postal Service. With this action, USPS Labor Relations has sent a clear message to the NPMHU – that a written position is not worth the paper on which it is written.

In addition, based on the June 1, 2015 determination, many mail handler bids involving the SPSS have been posted and/or awarded in accordance with the National Agreement, and others are scheduled for the coming weeks. There is absolutely no basis for disrupting the work lives of these hundreds of mail handlers who are likely to be adversely impacted by this improper and unlawful reversal of position.

The NPMHU will do everything within its authority to find out why this craft determination was reversed, and to challenge this reversal in every permissible arena with every resource at our disposal.

Additional information will be distributed as it becomes available. The National Office appreciates, in advance, the assistance of the Local Unions when called upon for information, documentation, and testimony.



August 7, 2015

Mr. Paul V. Hogrogian
National President
National Postal Mail Handlers Union
1101 Connecticut Avenue, NW, Suite 500
Washington, DC 20036-4304

**Certified Mail Tracking Number:
7013 3020 0002 3617 6201**

Dear Mr. Hogrogian:

This replaces and supersedes our June 1 letter regarding the craft determination for operation of the Small Parcel Sorting System (SPSS). After further review and consideration of the equipment operation, arbitral history and prior jurisdictional craft determinations, and again carefully considering the input from the American Postal Workers Union, AFL-CIO and the National Postal Mail Handlers Union, and applying the principles of RI-399, the Postal Service has determined that a modification to the June 1 SPSS craft determination is necessary.

We have determined that the hands-on induction, including the singulating/separating and facing of individual packages, on the five induction stations of the SPSS is similar to the induction stations on both the Small Parcel Bundle Sorter (SPBS) and the Automated Package Processing System (APBS), which are staffed with mail processing clerk craft employees.

The primary craft designation for the performance of duties for operation of the SPSS is as follows:

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|--|--------------------|
| 1. Retrieval of packages from a staging area | Mail Handler Craft |
| 2. Operating a container dumper and dumping packages onto incline belt | Mail Handler Craft |
| 3. Singulating/separating packages & facing/feeding packages onto induction belt | Clerk Craft |
| 4. *Sweeping packages (removing full containers and replacing with empty containers) | Mail Handler Craft |
| 5. Transporting full containers to a staging area | Mail Handler Craft |

*Clerk craft employees assigned to the induction stations will do so before rotating to other duties. Clerk craft employees who rotate to another work assignment will perform sweeping duties on the SPSS. Personnel assigned to perform sweeping duties in addition to the minimum number required to implement the subject rotation system will be from the primary craft (mail handler).

The actual number of employees required to perform duties associated with the SPSS at any time will be determined by management based on local configuration and operational needs. In the test sites where the SPSS is already in operation, assignment of the appropriate craft in accordance with this determination will be made as expeditiously as possible, but no later than 90 days from the date of this letter.

If you have any questions or concerns, please contact Rickey Dean at extension 7412.

Sincerely,

A handwritten signature in cursive script, appearing to read "Patrick M. Devine".

Patrick M. Devine
Manager
Contract Administration (APWU)

LABOR RELATIONS



August 10, 2015

Mr. Paul V. Hogrogian
National President
National Postal Mail Handlers Union
1101 Connecticut Avenue, N.W., Suite 500
Washington, DC 20036

Certified Mail Tracking Number:
7012 1010 0000 7785 5440

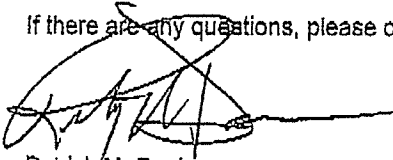
Dear Paul:

As a matter of clarification regarding the August 7 letter concerning the craft jurisdiction determination on the Small Parcel Sorting System (SPSS); this notice is to correct a typographical error in that letter.

The second paragraph of the August 7 letter uses the correct acronym (APBS) but the wrong machine name. The second paragraph should read (**change in bold**):

We have determined that the hands-on induction, including the singulating/separating and facing of individual packages, on the five induction stations of the SPSS is similar to the induction stations on both the Small Parcel Bundle Sorter (SPBS) and the **Automated Parcel Bundle Sorter (APBS)**, which are staffed with mail processing clerk craft employees.

If there are any questions, please call Rickey Dean at extension 7412.


Patrick M. Devine
Manager
Contract Administration (APWU)