



# NATIONAL POSTAL MAIL HANDLERS UNION

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## 2016 Contract Update #5

### Building a Contract through Tentative Agreements

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**You are reading the fifth Contract Update produced and distributed by the NPMHU during the course of 2016 negotiations. These updates, along with the Union’s magazine and monthly bulletins, will keep mail handlers throughout the country informed and involved in the issues raised during this round of bargaining.**

Bargaining is entering its final phase as the month of May 2016 approaches. With the contract slated to expire at midnight on May 20, 2016, both the NPMHU and the Postal Service have begun to draft tentative agreements.

Tentative agreements, or TAs, as they are known in the world of collective bargaining, are crucial to the practice of contract negotiation. They serve as markers of everything that is agreed upon during the period of negotiations. At the moment, both parties have signed off on only a handful of tentative agreements, but there certainly will be more to come.

Tentative agreements are the final step in the drafting process. They adopt language from proposals written and presented at the main table, taking into account the discussion and concerns that arise through the subcommittee sessions.

Often tentative agreements will have been preceded by amended proposals as well as counter-proposals. A rule of thumb for bargaining is the more time both sides spend evaluating a given proposal, the more strongly it is being considered as a possible agreement and the more heavily it will be edited before finalization.

That said, an uncontroversial proposal will not warrant much discussion. Those proposals are likely to evolve into tentative agreements. If one side agrees with the particular language included in the other side’s proposal, it may simply present the original proposal as a TA. This does not preclude the initial proponent of the proposal from suggesting edits before signing off on a final version.

In order to make it into the negotiated contract, a tentative agreement has to be approved by both parties. This approval, although fairly informal, is symbolic of agreement and progress. National President Paul Hogrogian and the Chief Negotiator for the Postal Service, Patrick Devine, even have shaken hands at the end of the initialing process.

It has to be remembered, however, that even though TAs may be signed, they are not binding. In fact, they mean very little until they are inserted into the contract at the end of bargaining. On this issue, it is important to quote directly from the Ground Rules signed by the parties prior to the start of 2016 negotiations:

*“It is understood that tentative agreements reached by the parties on individual items are subject to the parties’ final and total agreement on the entire collective bargaining agreement. Tentative agreements on particular contract articles or subjects will be initialed (or signed) and dated by the chief spokespersons. . . . Should such a tentative agreement not be ratified by the eligible membership of the NPMHU, the current Agreement shall remain in effect, and the parties shall meet to agree upon dispute resolution procedures.*

The bottom line is that, unless there is an overall negotiated settlement agreement on the terms of the 2016 National Agreement at midnight on May 20, 2016 or on a subsequent date agreed to by the parties, every tentative agreement previously initialed is considered null and void.

Both sides hope to have many tentative agreements signed and placed into the National Agreement during the last week of bargaining. These final few weeks are crucial to the process of determining whether a negotiated agreement is achievable.

Watch your bulletin boards for more bargaining information through the coming days and weeks.

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