



## NATIONAL-LEVEL DISPUTES

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In this issue, I want to give a brief overview on a few of the current cases pending on the arbitration docket at the National level. These cases include:

### SEVERANCE PAY

In January 2017, the Postal Service issued two Step 4 denials in cases concerning the eligibility of mail handlers for severance pay when they are involuntarily reassigned under Article 12 outside of their commuting area. These cases were appealed to National arbitration, as it is the NPMHU position that severance pay should be available to mail handlers who are notified under Article 12 that they are being reassigned or excessed out of their installation and outside of their commuting area if the mail handler decides that he or she cannot accept the new assignment. The Postal Service's position is that severance pay is only available to a bargaining unit employee for a layoff or separation under Article 6 and does not apply under Article 12. The issue was heard in National Arbitration on July 11, 2018 by National Arbitrator Shyam Das. Closing briefs were submitted by the parties on September 5, 2018, and a decision should be issued in due course.

### PROMOTION PAY

Another pending case concerns a change to the promotional pay rules contained in the Employee and Labor Relations Manual (ELM). In April 2017, the Postal Service sent notification that it intended to make changes to the ELM that affected promotion pay under Schedule 2 of the mail handler pay scales, which is the wage scale applicable to career employees hired after February 15, 2013.

Under the old Schedule 1, which still applies to all mail handlers hired prior to February 13, 2013, employees who are promoted to Level 5, usually through the bidding process, have been governed by the rule found in ELM Section 422.323, which means the employee "receives a promotional increase equal to two times the most prevalent step in the former grade." After this amount is added to the mail handler's former base wage, if the amount falls between two steps of the new grade (Level 5), the employee is slotted at the next higher step in the grade and a new step waiting period begins unless the employee is being repromoted.

According to the Postal Service, this long-standing rule has unintended consequences when applied to the new career pay scale (Schedule 2), which covers all career employees hired after the effective date of the 2013 Fishgold Arbitration Award. The step increases in the new pay scale are significantly larger (approximately \$1434 per step, compared to the most prevalent step in the old scale of approximately \$300), and thus a promoted employee receives an increase of almost \$3000. The Postal Service claims that such a pay increase was unintended and therefore is an unwarranted windfall to the employee.

The Postal Service has therefore amended the language for promotions in ELM, Section 422.323(a)(2) to provide the following:

- "The Grade 4 employee receives a promotional increase that brings the salary to the same step in Grade 5. The promoted employee will retain the waiting period step credit that had been earned prior to the promotion in calculating the next step increase date."

In addition, the Postal Service has initiated a "hold in place" rule as follows:

- Employees who were promoted to either Step AA or A will have a one-time additional step waiting period of 52 weeks, minus time in step credit at the time of the most recent promotion. Employees who were promoted to Steps B through O will have a one-time additional step waiting period of 104 weeks, minus time in step credit at the time of the most recent promotion.

The NPMHU position is that the new step placement rule creates changes in wages, hours, or working conditions that must be bargained with the Union and cannot simply be implemented unilaterally under Article 19. This new rule is also not fair, reasonable or equitable and is inconsistent and in conflict with our National Agreement. This case is still pending.

## MHA RETROACTIVE HOLIDAY PAY

This dispute concerns the timing of when the MHA retroactive pay for holidays from the 2016 National Agreement should begin. The Postal Service believes that MHA holiday pay began on the first holiday after the new contract was ratified on February 10, 2017, which would have been Memorial Day 2017. All MHAs have received holiday pay since that time.

The NPMHU position is that, upon ratification, the MHA holiday provisions of the National Agreement became effective retroactively, which would be May 21, 2016. Therefore, current or former MHAs who worked as an MHA on holidays from 2016 through 2017 are entitled to retroactive holiday pay for the following holidays: Memorial Day 2016, Independence Day 2016, Labor Day 2016, Thanksgiving Day 2016, Christmas Day 2016, and New Year's Day 2017. This case is also still pending.

## SAFETY AMBASSADOR PROGRAM

This dispute concerns the Postal Service's roll out of a new program called the Safety Ambassador Program. According

to the Postal Service, the purpose of the program was to create a standardized program based on the existing locally developed Safety Captain Programs. The Safety Ambassador Program is supposed to focus on employee engagement, training, communication, hazard identification/abatement, and accident reduction.

Upon implementation of the program, however, the Union found that selection of the Ambassador in each facility is at the sole discretion of the installation head and is not selected by the Union or with any Union input. The Local Safety and Health Committee established under Article 14 of the National Agreement also is not part of the program, and the program is being implemented in a manner that is interfering with pre-existing safety programs and procedures.

The NPMHU position is that the implementation of this Safety Ambassador Program is a violation of Articles 5, 14, and 19 of the National Agreement. The case is still pending.

If you have any questions about any of these cases or others that are pending, please talk to your union official.

## 2019 NATIONAL NEGOTIATIONS

### \*OFFICIAL CALL FOR BARGAINING PROPOSALS\*

**W**ith preparations underway for negotiations over the terms of the 2019

National Agreement between the NPMHU and the Postal Service, the National Office has issued its official call for bargaining proposals from all members and Local Unions.

To be fully considered prior to the onset of negotiations, proposals must be submitted by January 18, 2019. Although formal bargaining is not scheduled to begin until June, the Union's Field Negotiating Committee will be meeting for a full week in February of 2019 to review all submitted proposals and outline the changes in the National Agreement that should be proposed by the NPMHU.

To be sure, planning for collective bargaining is a continuous process at the National Office, as the National Officers and representatives working in the Contract Administration Department routinely identify and collect proposals for improving the language currently found in the 2016

National Agreement. But an equally important aspect of preparing for bargaining is the collection and review of proposals generated by mail handlers across the country. Thus, National President Paul Hogrogian has issued this official call for bargaining proposals from the membership, the Local Unions, and other subordinate bodies of the NPMHU.

If you have any proposals that you would like to have considered for the upcoming round of bargaining, now is the time to submit them to the National Office. Every proposal submitted will be fully analyzed by the NPMHU's Field Negotiating Committee and the National Negotiations Team while the Union develops its opening bargaining proposals.

All proposals should set forth the Article, Section, Paragraph, and/or Page of the National Agreement that you are suggesting should be changed; the specific language you would like to see added to, or deleted from, the current National Agreement; and

your specific reasons for suggesting the change. If you have supporting evidence or documentation that you believe would support the change that you propose, please submit those materials to the National Office along with your proposals.

The National Office is asking that all proposals be submitted as soon as possible, but in no event later than January 18, 2019. The National Office also has issued a form that can be used to submit proposals. Copies of that form have been mailed to all Local Unions and can be downloaded on the NPMHU website.

Once again, proposals from any member (or group of members) and any Local Unions or other subordinate body should be submitted to the National Office by January 18, 2019 using the following address:

**National Postal Mail Handlers Union  
2019 Negotiations  
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Washington, DC 20036**