

THE PROCESS OF COLLECTIVE BARGAINING AND PATH TO RATIFICATION

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With our National Agreement expiring later this year, the National Office has begun preparing for the upcoming round of bargaining. Since many of you are not familiar with the actual bargaining process, I have decided to write this month's article on how this process works.

The framework for collective bargaining between the U.S. Postal Service and the NPMHU is governed by the Postal Reorganization Act (PRA) of 1970. Bargaining begins when one party to the contract serves a written notice to the other of its intent to modify the current agreement. Under Article 39 of our National Agreement, this notice must be served "not less than 90 or more than 120 days before the expiration date of the Agreement." Our National Agreement is set to expire on September 20, 2019.

However, the preparation process begins many months before official bargaining starts. It begins with an official call for submission of bargaining proposals from all mail handlers and all Local Unions around the country. President Hogrogian issued this official call on September 19, 2018, requesting all members and all affiliates to submit their bargaining proposals no later than January 19, 2019. This resulted in almost 400 proposals being sent in to the National Office as suggestions for changes in the National Agreement.

Once proposals from the field are received, they are reviewed by the Field Negotiating Committee which is comprised of the National President, the National Treasurer-Secretary, the members of the National Executive Board members, fourteen Local Presidents, the entire National CAD staff, and the Union's legal team. During the first week of February, this Committee reviewed each of the proposals that

had been submitted and had in depth discussion on which of these should be proposed by the NPMHU in the upcoming round of bargaining.

From this time until bargaining officially begins, the National Negotiating Team will meet numerous times to prepare our proposals that will be submitted to the Postal Service, and to guide the process for researching the issues, gathering documentation to support why a change is needed, etc. These internal meetings will continue throughout the bargaining process.

Bargaining will officially begin on June 27, 2019. Negotiations will consist of Main Table meetings and Subcommittee meetings. The Main Table meetings are on-the-record meetings during which the parties exchange their official proposals. Both parties will bring their initial submissions to this table. Main Table meetings continue during the course of the negotiation period, with discussions meant to explain why the proposal is needed, to answer any questions for the other party, to exchange any documentation that supports the need for the change, and to discuss or debate the issues presented by any proposal or counter-proposals.

Subcommittee meetings are not considered on the record. These meetings focus on particular portions of the National Agreement. In the 2016 negotiations, there were subcommittees for Article 7 (Employee Classifications), 8 (Overtime), 11 (Holidays), 12 (Principles of Seniority, Posting and Reassignments), 32 (Subcontracting), Mail Handler Assistants (MHAs), and Memoranda of Understanding and Letters of Intent (MOUs and LOIs).

If the bargaining results in a tentative agreement between the parties, that agreement is subject to a ratification vote by the NPMHU membership. As required by the NPMHU

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National Constitution, the vote would be by secret mail ballot.

If the parties fail to reach a tentative agreement, either because the parties are unable to agree or because a tentative agreement is not ratified by the NPMHU membership, the PRA has a procedure that is followed to resolve the parties' remaining dispute, which procedure must be followed unless the parties mutually agree to another dispute resolution procedure themselves.

The PRA procedure contains several steps. First, the Federal Mediation and Conciliation Service (FMCS) would establish a three-person fact finding panel. Two of the members would be selected by the parties from a list of 15 names given to them by the FMCS. The third person would be selected by the other two, or if they cannot agree, by the Director of the FMCS. The fact-finding panel would have 45 days in which to investigate the bargaining dispute and issue a report of its findings.

If an agreement still cannot be reached by the parties after the fact finding, the PRA requires the establishment of an arbitration board within 90 days of the contract expiration. This board normally consists of three members—one appointed by the Union, one appointed by the Postal Service, and a third neutral member. The neutral member is appointed either by agreement of the two other members or, if they cannot agree, by the Director of the FMCS.

After the arbitration board is selected, it holds hearings during which both parties are given the chance to present testimony and evidence. The board is required to make a decision within 45 days after its appointment. This arbitration decision is binding on both parties.

Once bargaining starts in late June, the National Office will be sending out regular updates on its progress. Please watch your bulletin boards or the NPMHU website for all updates.



NPMHU ANNOUNCES PAYMENTS BASED ON RI-399 UPDATE MOU

On June 26, 2018, the NPMHU, the APWU, and the United States Postal Service executed a tripartite Memorandum of Understanding (MOU) that updated the RI-399 Dispute Resolution Procedures that were originally signed in 1992.

The MOU effectively withdrew and administratively closed all cross-craft grievances that were pending in the RI-399 process prior to September 1, 2017. The Update MOU also provides for monetary payments to mail handlers and clerks in consideration of the withdrawal of these grievances. The parties have agreed that \$14,500,000 will be distributed among mail handlers designated by the NPMHU. The parties also agreed that APWU represented employees will be similarly compensated.

The NPMHU National Executive Board approved the following criteria to determine which mail handlers will receive payments as well as the amount each mail handler will receive.

1. In order to be eligible for payment, a Mail Handler had to be in the NPMHU Bargaining Unit (Career or MHA) and on the rolls of the Postal Service during the Pay Period which ended on September 1, 2017 AND the Mail Handler has to be in the NPMHU Bargaining Unit (Career or MHA) and on the rolls of the Postal Service during the Pay Period which ends on March 15, 2019. A Mail Handler must satisfy both of these criteria to be eligible for payment.
2. Eligible payees in the Bargaining Unit for less than 5 years (as of September 1, 2017) will receive 1 Share.
3. Eligible payees in the Bargaining Unit for 5 years or more but less than 10 years (as of September 1, 2017) will receive 2 Shares.
4. Eligible payees in the Bargaining Unit for 10 years or more but less than 20 years (as of September 1, 2017) will receive 3 Shares.
5. Eligible payees in the Bargaining Unit for 20 years or more (as of September 1, 2017) will receive 4 Shares.

The exact amount that each mail handler is to receive is not determined as of yet. Once the number of mail handlers in each category is compiled, the precise payment amounts can be announced.

Updates will be provided to the membership as more details become finalized.