National Postal Mail Handlers Union

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November 2, 2026

TO: All Local Union Presidents
All National/Regional CAD

FROM: Paul Hogrogian, National President PH
Teresa Harmon, Manager, CAD TH

RE: Arbitrator Brogan's Decision in the SDUS/SIPS Dispute

We are enclosing a copy of National Arbitrator Margaret Brogran's decision in the RI-399 jurisdictional dispute concerning the Small Delivery Unit Sorter (SDUS) and the Single Induction Package Sorter (SIPS).

At bottom, the arbitrator concluded that the NPMHU could not meet the "heavy burden of proving" that the Postal Service had acted improperly or in an arbitrary, capricious, or unreasonable manner when issuing its National Craft determinations on the SDUS and SIPS.

As the Award makes clear, because the SDUS and SIPS are modeled off of the Automatic Delivery Unit Sorter (ADUS), the jurisdiction of SDUS and SIPS followed the jurisdictional assignments on the ADUS. Recognizing that, the NPMHU made only limited challenges to the Postal Service's determinations. As to the SDUS, the NPMHU's argument focused on the fact that, in the ADUS Award, for the first time, the Postal Service made jurisdictional assignments based on whether the machine was processing Function 1 or Function 4 mail. The SDUS determination, however, only provided jurisdiction for when the machine was processing Function 4 mail. The NPMHU argued that the Postal Service arbitrarily failed to include Function 1 jurisdictional assignments for that machine. As to the SIPS, the NPMHU argued that the Postal Service erred because its determination did not address enhancements that were planned for the SIPS, including but not limited to the introduction of a six-sided scanning tunnel.

While Arbitrator Brogan denied the NPMHU disputes, she acknowledged the underlying positions that we advanced.

On the SDUS, she denied the NPMHU argument on the ground that there was no evidence that the Postal Service had in fact utilized an SDUS to run Function 1 mail. Significantly, though, she agreed with our position that the craft determinations are based upon the operation being run as opposed to the facility in which the machine was being utilized. In other words, for the SDUS, it is not the building that determines jurisdiction but instead the function or operation being run.

On the SIPS, the arbitrator denied the NPMHU argument, noting that the craft determination is to be made and reviewed based on the facts reasonably known to the Postal Service at the time of the determination. While she denied the NPMHU dispute, as with the SDUS, she added helpful clarification—namely, that if the Postal Service were to make material modifications to the SIPS (such as adding six-sided scanning tunnels), the NPMHU could challenge the jurisdictional assignments at the "local level where facts can be adduced and all parties can participate."

In sum, while we are disappointed in the outcome, Arbitrator Brogan provided important clarifications that will be helpful in resolving jurisdictional disputes moving forward. Should you have any questions about this decision, please contact the National CAD. Also, please disseminate this memorandum and the attached decision as you deem appropriate.

Cc: National Executive Board

IN THE MATTER OF ARBITRATION BETWEEN THE

United States Postal Service

and the

National Postal Mail Handlers Union, A Division
of the Laborers' International Union of North America, AFL-CIO

and the

American Postal Workers Union, AFL-CIO

RI-399 National Dispute
SDUS/SIPS
Case Nos. 6X 19M-6X-J 230395566 SDUS
and 6X 19M-6X-J 23040343 SIPS

Before:
Margaret R. Brogan, Esquire, Impartial Arbitrator

Appearances:

For the U.S. Postal Service (Postal Service)

Christopher M. O'Connell, Claire Boland-Arellano, Attorneys, Labor Law
Michelle A. Windmueller, Chief Counsel, Labor Law
Bruce Nicholson, Michael Faber, Labor Relations

For the National Postal Mail Handlers Union (NPMHU)

Matthew Clash-Drexler, Bredhoff & Kaiser, P.L.L.C.

For the American Postal Workers Union (APWU)

Melinda K. Holmes, Holmes Zwack Law LLP

This matter is premised upon a National-level appeal filed by the National Postal Mail Handlers Union (NPMHU or Mail Handlers) pursuant to the tripartite Regional Instruction (RI) 399 Process, challenging the November 14, 2022 national craft jurisdictional determinations for the Small Delivery Unit Sorter (SDUS) and the Small Induction Package Sorter (SIPS).

Hearings were held in this matter on April 14 and 15, 2026 via video, at which time all parties were given the opportunity to present all relevant testimonial and documentary evidence. All three parties filed written briefs, which were received by the undersigned by July 31, 2026.

At hearing the parties jointly stipulated to the issues before me (T. 8-9):

ISSUES

1) Whether the Postal Service correctly awarded primary jurisdiction on the Small Delivery Unit Sorter (SDUS)? and;
2) Whether the Postal Service correctly awarded primary jurisdiction on the Single Induction Package Sorter (SIPS)?

BACKGROUND AND FACTS

This case involves appeals by the NPMHU of the November 14, 2022 Postal Service's National Craft Determinations for the Small Delivery Unit Sorter (SDUS) and the Small Induction Package Sorter (SIPS). The November 14, 2022 National Craft Determination Letter (NCDL) regarding the SDUS and the SIPS has been referred to

collectively as the "11/14/2022 SDUS/SIPS NCDL." The appeals with respect to the separate SDUS and the SIPS national craft determinations have been consolidated in this proceeding.

RI-399 is a tripartite process between the Postal Service, the APWU (who represents the Clerk craft) and the NPMHU (who represents the Mail Handler craft.) RI-399 governs the jurisdictional work assignments for Clerks and Mail Handlers regarding pieces of equipment and the performance of operations in a particular postal facility. It also includes a tripartite dispute resolution process (DRP) for work jurisdictional disputes, which is explained in the 1992 DRP MOU as amended in the 2018 Update MOU. The 1992 DRP MOU established committees at the local, regional and national levels to resolve jurisdictional disputes.

The "primary craft" is the craft that is assigned to perform a task within an operation or piece of equipment. The following can trigger a change in the primary craft jurisdiction, when: 1) new work is introduced; (2) a new or consolidated facility is created; or (3) an operational change justifies the change in craft. (2018 Update MOU at Section 11). A National Craft Determination Letter (NCDL) is a decision by the Postal Service regarding craft jurisdiction assignments, typically based upon one of these triggers. The NCDL process includes a site visit with the National Dispute Resolution Committee (NDRC), obtaining feedback from both the APWU and NPMHU as to who they view should get the work at issue, and evaluating the work on the basis of the RI-399 guidelines. The Postal Service makes the final determination, and a NCDL is

issued. Pursuant to the 1992 DRP MOU, the Unions can file a dispute over a Postal Service's craft determination.

As has been recognized in numerous RI-399 national arbitration decisions, Clerks are the primary craft for all distribution functions, and Mail Handlers are the primary craft for bulk mail handling, preparation and pre-distribution functions.[1] There is also precedent for the conclusion that the relevant time period which an arbitrator should utilize in considering a national craft determination, as it compares to another allegedly similar machine, is to look to the factors as they stood at the time the Postal Service made the initial craft determination on the alleged similar machine.[2]

Relevant to my determination as to the NPMHU's appeals regarding the jurisdictional craft determinations made by the Postal Service for the SDUS and SIPS machines, is the Automated Delivery Unit Sorter, or ADUS machine. In making the SDUS/SIPS craft jurisdiction determinations, the Postal Service relied upon the NCDL for the ADUS machine, a craft determination that went through the full jurisdictional RI-399 review process, resulting in Arbitrator Joseph Sharnoff upholding the ADUS NCDL. In the matter before us, the Postal Service concluded that the SDUS/SIPS equipment is essentially the same as the ADUS, and therefore the jurisdictional assignments should be the same. In this proceeding, the APWU agrees with the Postal Service, positing

[1] USPS and NPMHU and APWU, Case No. H1M-NA-C 14 (July 14, 1986); Zumas, Arbitrator); USPS and APWU and NPMHU (Spreading the Mail) at 35, Case No. H7C-NA-C 32 (April 24, 1988; Eischen, Arbitrator) at 24-25.
[2] USPS and NPMHU and APWU, ADUS National Jurisdictional Award, Case Nos. Q15C-4Q-J 193411447 and Q15C 4Q-J19341277, Automated Delivery Unit Sorter–ADUS at p. 80 (August 31, 2022, Sharnoff, Arbitrator)

that the SDUS and SIPS are essentially identical to the ADUS, and therefore such reliance is merited. The NPMHU argues to the contrary in bringing these appeals, contending that Postal Service made craft determinations with respect to the SDUS and the SIPS that were arbitrary and capricious and an abuse of discretion.

ADUS National Craft Determination Process

The parcel sortation machines at issue in this proceeding, the SDUS and the SIPS, were intended to replace the Automatic Delivery Unit Sorter (ADUS). The ADUS (like the SDUS and the SIPS) is a parcel sortation machine based around a conveyer belt from which numerous discharge arms extend into bins. Like the SDUS/SIPS, the ADUS has three primary positions: a stager, a facer and a sweeper. The ADUS was employed in both Function 1 or F1 (mail processing) facilities and in Function 4 or F4 (delivery unit) facilities. The ADUS was originally designed to automate parcel sortation in delivery units, and it was deployed to some medium-sized plants, and then to a variety of Function 1 processing plants. An ADUS machine was called an ADUS regardless of whether it performed Function 1 or 4 operations. (PS Ex. 8, PS Ex. 4) (T. 105, 113, 124, 177-78)

Pursuant to the ADUS NCDL, Mail Handlers were designated as the primary craft for the following Work Duties: 1) retrieval and staging of packages in swim/staging lanes for access by stagers/facers; 2) removing empty equipment containers from staging area; and 5) In Function 1 operations, sweeping packages (removing full containers and

replacing with empty containers), includes sort plan switch out; 7) transporting full containers to dispatch area. (USPS Ex. 4, MPMHU Ex. 11 at 3)

Under the ADUS NCDL, the Clerk Craft was designated as the primary craft for the following Work Duties: 3) retrieval of full containers from staging/swim lanes and pull, scan and sort the large non-machinable packages from each container; 4) singulating/separating packages and facing/feeding packages onto induction belt; 6) in Function 4 operations, monitor discharge bins and pull, scan and sort medium and large no read/no barcode packages into the proper discharge bin, including sort pan switch out.

As seen above, under the ADUS NCDL, the Postal Service concluded that certain jurisdiction was based upon where the ADUS was utilized. An F1 mail processing operation typically takes place in a larger plant and contains most of the automation for letter and parcel sorting. Whereas an F4 operation is a smaller post office, performing retail and customer service. The Postal Service concluded that the Mail Handlers were the appropriate craft for Work Duty #5 above, "In Function 1 operations, sweeping packages (removing full containers and replacing with empty containers), includes sort plan switch out." This is to be compared with F4 facilities, where, as seen in the ADUS NCDL, USPS concluded that the Postal Clerks were the appropriate craft to perform Work Duty #6, "In Function 4 operations, monitor discharge bins and pull, scan and sort medium and large on read/no barcode packages into the proper discharge bin, including sort pan switch out." In the ADUS NCDL, the Postal

Service concluded that the containers used on ADUS in Function 4 facilities were larger and did not need to be changed out as frequently, and clerk craft employees monitoring the bins can also take out any of the larger "No read/no barcode" packages from the No Read bin and scan/sort them into the corresponding sort bin, leading to more efficiency. This was the first time the USPS had based craft jurisdiction on a machine depending upon where it was utilized.

Both Unions disputed aspects of the ADUS NCDL; those appeals were raised up to arbitration before RI-399 national arbitrator Joseph Sharnoff. In the National Jurisdictional Award authored by Arbitrator Sharnoff, he concluded that all of the work duties assigned by the USPS to the Mail Handler craft and the Clerk craft were appropriate under RI-399 guidelines. The arbitrator went into detail as to the ADUS work jurisdictional assignments and considered the position statements and arguments made by the Unions. The arbitrator concluded that "...the claims made by each of the Unions...have not been supported by sufficient evidence to meet the heavy burden of demonstrating that the craft determinations and related decisions made by the USPS with respect to the introduction of the ADUS machines was arbitrary, capricious, unreasonable, or otherwise constituted an abuse of discretion afforded the USPS by the RI-399 guidelines and principles to make craft determinations and the decisions related to the Implementation Criteria set forth in RI-399. For these reasons, the respective claims made by each of the Union are denied in all respects."[3]

[3] USPS and NPMHU and APWU, ADUS National Jurisdictional Award, Case Nos. Q15C-4Q-J 193411447 and Q15C 4Q-J19341277, Automated Delivery Unit Sorter –ADUS at p. 77 (August 31, 2022, Sharnoff, Arbitrator)

SDUS/SIPS NCDL 11/14/2022

This proceeding involves the appeals by the NPMHU of the National Craft Determination letter regarding the Small Delivery Unit Sorter (SDUS) and the Small Induction Package Sorter (SIPS) which was issued by the Postal Service on November 14, 2022, after the Sharnoff award upholding the ADUS NCDL issued. The NPMHU filed separate appeals of the NCDL related to the SDUS and SIPS machines, which have been consolidated before me.

The craft determination process with respect to the SDUS/SIPS was as follows. The Postal Service had concluded that the SDUS/SIPS were essentially the same machine as the ADUS; therefore, on a provisional basis it designated the same primary craft for the performance of duties for the operation of the SDUS/SIPS that the Postal Service had designated for the ADUS, pending the issuance of the ADUS arbitration award. Shannon Richardson, currently the Director for Contract Administration for the National Rural Carriers, and former Director of Contract Administration for the APWU was the author of the SDUS/SIPS NCDL. She discussed the plan to rely on the ADUS jurisdiction with the NDRC members and confirmed it by email. (USPS Ex. 7; T. 222)

The Postal Service waited to take further action until the ADUS arbitration award issued. When the ADUS NCDL was upheld by Arbitrator Sharnoff, the Postal Service issued the SDUS/SIPS NCDL 11/14/2022, which confirmed the Postal Service determination that the SDUS and SIPS are in all important respects the same machine as the ADUS, with the SDUS operating in Function 4 facilities and the SIPS operating in

Function 1 facilities. In other words, the same machine is called different names depending on where it is utilized. One distinction between the ADUS NCDL and SDUS/SIPS NCDL was in Work duties (5) and (6) of the SDUS/SIPS NCDL where the Postal Service explicitly named the machine in indicating the primary craft in an F1 or F4 operation. (USPS Ex 4 and T. 270)

There were no site visits conducted prior to the issuance of the SDUS/SIPS NCDL, nor is there evidence that either union requested a site visit. After its issuance the Unions filed position papers.

The SDUS/SIPS NCDL 11/22/2022 states in relevant part:

For those facilities where Mail Handers are present, the primary craft designation for the performance of duties for operation of the SDUS or SIPS is as follows:

1. *Retrieval and staging of packages in swim/staging Mail Handler Craft lanes for access by stagers/facers

2. *Removing empty equipment containers from staging area: Mail Handler Craft

3. Retrieval of full containers from staging/swim lanes and Clerk Craft pull, scan, and sort the large non-machinable packages from each container:

4. Singulating/separating packages and facing/feeding Clerk Craft packages onto induction belt:

5. *In Function 1 (F1) operations operating a SIPS, Mail Handler Craft sweeping packages (removing full containers and replacing with empty containers), includes sort plan switch out:

6. **In Function 4 (F4) operations operating a SDUS, Clerk Craft monitor discharge bins and pull, scan and sort medium and large no read/no barcode packages into the proper

discharge bin, including sort plan switch out:

7. .*Transporting full containers to dispatch area: Mail Handler Craft

*Denotes that in offices where the associated task(s) is an integral part of the distribution function, the entire operation is a function of the primary craft performing the distribution.

**The containers utilized on the SDUS have a higher capacity and do not need to be changed out as frequently in F4, as a F1 plant sortation requires for the operation of the SIPS. The employees monitoring the bins during the run can also take any of the larger no read/no barcode packages from the No Read bin and scan/sort them into the corresponding sort bin. This is integral to the efficient operation of the machine in a delivery unit environment. (NPMHU Ex. 1 at p. 2).

THE OPERATION OF THE SDUS AND SIPS MACHINES

Robert Hanlon, Director of Post Office Operations for the Postal Service; Shannon Richardson, author of the SDUS/SIPS NCDL, and Thomas Ruther, RI-399 representative for the Mail Handlers, testified as to the operation of the two machines and their comparison to the ADUS, and the NCDL process. The SDUS/SIPS is designed to support automated package processing of machinable parcels or bundles to output zones based on weight, and destination of the parcel. (USPS Ex 19 at slide 2) SDUS machines are located in Function 4 facilities and are intended to provide processing support at delivery units, whereas SIPS machines are located in Function 1 facilities and are intended to provide processing support for mail processing operations. In the Function 4 delivery unit setting, the SDUS is used primarily to sort packages to the level of an individual carrier who will then deliver the parcels to individual address points. A Function 1 facility is a mail processing facility that processes mail to go to delivery units, running at a higher, less granular sort than in Function 4. A Function 1 facility is typically where automation and mechanized equipment is located, and

Function 1 facilities can perform two different sortations – the most typical is a depth of sort to five digits for destinating mail. (T. 106-117; 215-216)

As reflected in the SDUS/SIPS NCDL, "The standard configuration of the SDUS and SIPS includes a manual two-feed position sorter with discharge chutes to mail transport equipment (MTE), such as wire containers or pallet boxes. The number of chutes will vary by sorter based on space availability, machine configuration, and operational need. The SDUS and SIPS can be designed for between 24 to 200 chutes." (NPMHU Ex. 1, at 1)

The record supports the conclusion that the SDUS and SIPS are, in all relevant respects, the same machine as the ADUS. As stated, the SDUS/SIPS were intended to replace the ADUS machine in both Function 1 and Function 4 operations, with the SDUS and SIPS as the next generation of the ADUS.

As of the time of the hearing in this matter, there were about 323 SDUS machines in 315 sites that conduct Function 4 delivery unit operations including some that are in co-located facilities where a portion of the building is the Function 4 side, and a portion of the building is the Function 1 side. Under 200 SIPS machines are used in about 130 Function 1 sites. (109-118)

Comparing the SDUS and SIPS machines to the ADUS machine, and as reflected above, all three are for parcel sortation and are based around a conveyer belt

from which numerous discharge arms extend into bins. They use the same software and computer system. All three machines have three primary positions: a stager, a facer and a sweeper. Specifically, in the first step the mail is moved to the staging area, which is located near the feed or induction belt. Next, employees load mail onto the induction belt, and parcels are placed so that they are spaced and centered (singulated) on the belt and the barcodes are facing upward (facing). The packages then pass under a camera that reads the barcode and uses that information to determine which bin the package should be distributed. The sweeper is stationed at the end of the machine, where the packages are discharged. Their job duties include: place empty containers at the end of the run-out; monitor and sweep containers; adjust packages to maximize container capacity; knock down packages that get stuck in the chute; re-run rejected containers; and stage full containers for carriers.

Enhancements were made to the ADUS for the SDUS and SIPS to provide a better quality of sort and to provide a better price point. Mr. Hanlon testified that these enhancements did not affect the primary functions, operations, job descriptions or standard work instructions of SDUS/SIPS as compared to the ADUS. In this proceeding, the Mail Handlers contend that the Postal Service erred in failing to account for such enhancements in making their craft determinations in the SDUS/SIPS NCDL, specifically related to the installation of a six-sided camera on the SIPS. This will be addressed below.

RELEVANT CONTRACT LANGUAGE

2018 UPDATE MOU

Paragraph 10(a)

The three National parties will implement a Nationally based process to resolve all National, Regional, and Local level disputes that have been filed in or referred to the RI-399 process since September 1, 2017, and remain pending as of the signing date of this Update MOU or that are filed after the signing date of this Update MOU. This process shall contain the following concepts:

a.
(i) Jurisdiction will be based on a "Revised 9-1-2017 Inventory" status quo agreement, as of September 1, 2017, for all postal facilities currently employing clerks or mail handlers.

(ii) The status quo will be determined by the local jurisdictional work assignment practices as of September 1, 2017, unless those practices were deemed contrary to a National-level craft determination previously issued by the Postal Service, a National-level or local-level jurisdictional settlement signed by all three parties, a National-level or Regional-level tripartite arbitration award determining jurisdiction, or an existing inventory signed by all three parties. If there is a disagreement as to whether any of these exceptions (following the word "unless") apply to a particular Revised 9-1-2027 Inventory, it will be referred to the National Dispute Resolution Committee ("NDRC") for resolution by the NDRC.

National Agreements

In both the APWU and NPMHU collective bargaining agreements with the Postal Service (JXs 10, 11) **Article 3** provides as follows:

The Employer shall have the exclusive right, subject to the provisions of this Agreement and consistent with applicable laws and regulations: 3.1 To direct employees of the Employer in the performance of official duties;...3.3 To maintain the efficiency of operations entrusted to it; 3.4 To determine the methods, means and personnel by which such operations are to be conducted.

OPINION

The record reflected that the Postal Service satisfied the requirements of the RI-399 process in these matters. It informed the Unions that it was using the ADUS craft assignments as a basis for its SDUS/SIPS craft assignments pending the final decision by Arbitrator Sharnoff in the ADUS case. In his ADUS National Award, Arbitrator Sharnoff upheld in full the craft assignments in the Postal Service's ADUS NCDL. USPS then issued the 11/14/2022 NCDL for the SDUSand SIPS reasonably mirroring the ADUS craft determinations.

It is well settled that in RI-399 arbitration proceedings the Union or Unions protesting the Postal Service's national craft determinations must meet the "heavy burden" of proving that the USPS acted improperly and in a manner which was arbitrary, capricious, unreasonable, and/or constituted an abuse of USPS discretion, in the issuance of a national craft determination letter.[4] In this case, I conclude that the NPMHU, the appealing party, has not met this heavy burden. In so ruling, I have carefully considered the language of the November 14, 2022 SDUS/SIDS NCDL, the record evidence, the respective arguments of the parties as reflected in their position statements and briefs, and the cited arbitral authority.

[4] USPS and NPMHU and APWU, ADUS National Jurisdictional Award, Case Nos. Q15C-4Q-J 193411447 and Q15C 4Q-J19341277, Automated Delivery Unit Sorter–ADUS at pp. 80-108 (August 31, 2022, Sharnoff, Arbitrator)

THE APPEAL OF THE SDUS/SIPS BY THE NPMHU

While both Unions appealed the ADUS National Craft Determination Letter, in this proceeding the APWU has accepted the Sharnoff award as dispositive and has chosen not to appeal the SDUS/SIPS NCDL.

The NPMHU disagreed with Arbitrator Sharnoff's award on the ADUS, but accepts that decision and recognizes that the findings in the ADUS Award are followed for the most part in the jurisdictional determination for the SDUS and SIPS. However, the Mail Handlers contend that the Postal Service made two fundamental and critical errors in the November 14, 2022 Craft Determination letter.

First, the NPMHU contends that while the Postal Service acknowledges that the SDUS can run Function 1 operations and has been placed in co-located facilities, the Postal Service arbitrarily failed to include Function 1 jurisdictional assignments for that machine. The NPMHU recognizes that the Postal Service based its jurisdictional determination on the SDUS on its assessment that the SDUS was essentially the same equipment as the ADUS, and it does not dispute that comparison. However, NPMHU makes the argument that a problem with the SDUS/SIPS NCDL is that the Postal Service made its craft determination based upon where the machine was located, not based upon the operation the machine was running. The Mail Handlers argue that in a co-located facility, where both F1 and F4 operations can take place, the Postal Service could run the SDUS as a SIPS but maintain the jurisdictional assignments of the SDUS, which would maintain the F4 assignments, not the F1 assignments in line with the SIPS,

and therefore inappropriately advantage the Clerk craft and negatively impact the Mail Handler craft.

I conclude that this argument cannot defeat the Postal Services' craft determinations in the SDUS/SIPS NCDL. First, there was no evidence presented that such an occurrence has taken place, either at the time of the Postal Service's determination, or as of the time of hearing. Second, the language of the SDUS/SIPS NCDL makes clear that the craft determinations are based upon the operation that is being run. There is no evidence on this record that in co-located facilities the work is being conducted contrary to the 11/14/2022 SDUS/SIPS NCDL.

In their second argument challenging the SDUS/SIPS NCDL, the NMPHU contends that the Postal Service's Craft Determination letter fails to provide jurisdictional assignments for known enhancements. The record demonstrated that the SIPS machine, like the ADUS, contains an overhead camera, and the employee has to "face" the package with the label up so that the machine can read the code. The Mail Handlers acknowledge that the Postal Service, in determinations upheld by arbitrators, have awarded such work to the Clerks, and does not dispute that craft determination. The NPHMU contends here that the record shows that some six-sided camera tunnels have been installed on standalone SIPS machines, and, in that case, Work Operation #4 should be performed by the Mail Handlers, not the Clerks. The NPMHU opines that arbitral authority has held that with a six-sided camera, there is no need to face packages with label side up in order to be appropriately scanned, and that work should

go to the Mail Handlers, not the Clerks, resulting in the Postal Service's actions rising to the level of being arbitrary, unreasonable and an abuse of discretion.

The Mail Handlers contend that this decision can be made by me, on this record, in part citing the RI-399 process backlog. First, the record did not establish that six-sided cameras have been installed on the SIPS on a national basis, and if indeed they have been installed on a local basis, there is no direct evidence of when they were installed, how they are utilized, and who is doing the work.[5] If six-sided camera tunnels were installed on a national basis, something not established in this proceeding, the RI-399 process envisions that a Notice letter comes from the Postal Service within 45 days from when such enhancements take place, potentially impacting craft determinations, thereby providing an opportunity for the parties to flesh out the facts in the RI-399 process. We have no evidence here that such a Notice letter was issued for enhancements to the SDUS/SIPS. If it had, it would have triggered the RI-399 process, which did not happen. The Mail Handlers are essentially asking me to make my own craft determination based on a speculative record, without granting all parties an opportunity to engage in the RI-399 process on this specific issue. Indeed, in this case, the Postal Service was invoking its jurisdiction with respect to the ADUS machine to make the instant craft determinations on the SDUS and the SIPS, based on its conclusion that the machines were essentially similar. There was no evidence of a site visit by the NPMHU on this issue. Arbitrator Sharnoff, in his ADUS decision, relies in

[5] Mr. Hanlon testified that camera enhancements only exist on a prototype SIPS in Baltimore and a few machines in Indianapolis that are being used for testing. He testified that there were no plans to add the multi-facing cameras to SIPS across the country. (T. 179-188)

part upon the observations made by the parties in ADUS site visits, in ruling that the USPS determinations were reasonable and did not violate RI-399 guidelines.[6] It is also noted that in the ADUS award, Arbitrator Sharnoff concluded the following, which is relevant to these arguments by the Mail Handlers:

> ...In the Arbitrator's judgment, there is insufficient evidence in the instant record concerning the actual assignments at each facility, and on each shift, on which the ADUS is operating, to warrant a decision in this arbitration proceeding at the national level concerning whether a particular departure in the assignment and performance of work duties of those employees in the craft designated in the Craft Determination letter to perform such duties, more appropriately should be reviewed in a proceeding at the local level, if contested by one of the Union, conducted pursuant to the RI-399 procedures for considering and resolving such matter. (ADUS award at 101)

At bottom, I find this argument by the NPMHU to be speculative in nature and lacking in evidence. There clearly was no proof on this record that six-sided cameras have been installed on the SIPS on a national basis. If, indeed, material modifications were made to certain machines in line with the Mail Handler's argument, RI-399 procedures provide the opportunity for a Union to challenge this at a local level where facts can be adduced and all parties can participate. While it is important for us to keep our eye on the goal of moving the RI-399 system forward efficiently, it cannot be accomplished in a manner denying due process to all parties.

In addition, it is well settled RI-399 arbitral authority that a craft determination should be based on the facts reasonably known to the USPS officials at the time the made their determinations. (See, e.g. ADUS award at 80) Any enhancements related to the cameras, if they occurred, took place after the Postal Service rendered its

[6] Id. at 78-80

11/14/2022 SDUS/SIPS NCDL. I see no reason to diverge from this well-reasoned arbitral authority and make new law on this issue. I conclude that the Postal Services Craft Determinations on the SDUS and SIPS were reasonably based in line with RI-399 guidelines and should be upheld.

NATIONAL ARBITRATOR'S AWARD

In line with the above Opinion, I conclude that the Postal Service satisfied the requirements of the RI-399 process in making its reasonably based craft determinations, in which it correctly awarded primary jurisdiction on the SDUS and the SIPS machines in line with its November 14, 2022 National Craft Determination Letter.

NPMHU has failed to meet the heavy burden of proving that the USPS acted improperly and in a manner which was arbitrary, capricious, unreasonable, and/or constituted an abuse of USPS discretion in making its craft determinations for the SDUS and SIPS machines pursuant to the November 14, 2022 National Craft Determination Letter.

Accordingly, the claims by the National Postal Mail Handlers Union are denied in their entirety.

Margaret R. Brogan, Arbitrator
National Jurisdictional Disputes

Date: October 26, 2026