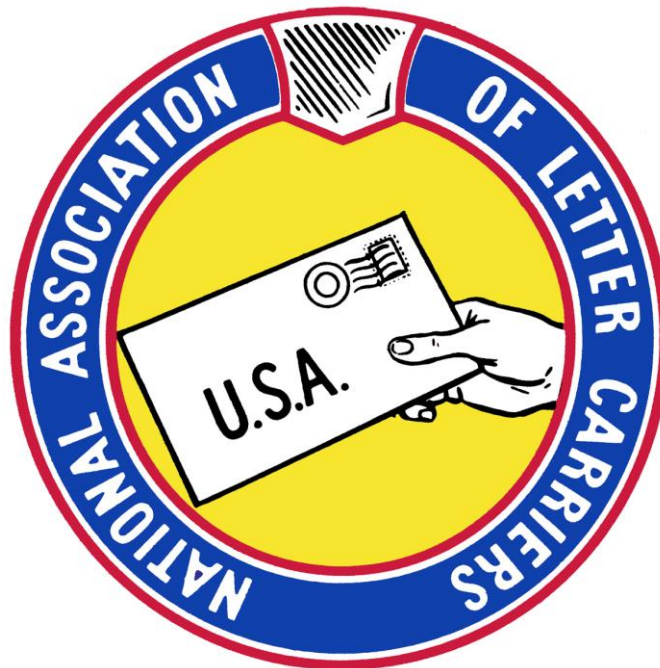


**NALC'S GUIDE TO THE
PERFORMANCE ENGAGEMENT TOOL
(PET)**



**CHRISTOPHER JACKSON
DIRECTOR OF CITY DELIVERY**

Performance Engagement Tool (PET)

Introduction

Performance Engagement Tool (PET) is the most recent computerized data-generating program, in a long list of previous programs, designed by the Postal Service for use by its supervisors to project the daily workload of letter carriers. The way PET works is it attempts to compare a letter carrier's past street time performance and mail volumes with the current daily situation and then uses that information to determine how long the program thinks it should take a letter carrier to perform his or her duties on that day.

The office time projection generated by PET only considers how long it would take to case and pull down the day's volume of letters and flats, based on 18 pieces per minute for casing letters, 8 pieces per minute for casing flats, and 70 pieces per minute for pulling down letters and flats combined. The office time projection does not allow for fixed office time to perform such necessary daily functions as vehicle inspections, standup talks, retrieving mail from the throwback case, withdrawing mail, retrieving or signing for accountable mail, etc. If a station has an office break, in some locations that time will be factored into the equation, but some locations do not consider office breaks when making the projection.

The street time is also projected differently in certain locations. In some offices, supervisors will select one of four different street time options and apply that time to today's equation for PET to utilize in projecting the street time for that day.

The four options are:

1. The average street time for the same day of the week for the previous six weeks. For example, if today is Monday, then one of the possible street time selections is the average street time recorded in DOIS for the previous six Mondays. If today is Tuesday, then the projection is the average street time recorded in DOIS for the previous six Tuesdays, etc.
2. The average street time for all delivery days during the previous six-week period.
3. The most recent PS Form 3999 time.
4. The base street time.

In some parts of the country the only street time option for supervisors to select from are the PS Form 3999 time or the base street time. While USPS has instructed its supervisors to compare the mail volume for previous days to the current day, when deciding which street time to select for PET, none of these

projections take into account daily situations such as weather, parcel counts, traffic, construction, etc.

Regardless of what option management chooses, the street time projected in PET starts when the incorrect office time ends ensuring a misrepresentation of both office and street times. For example, if PET says a letter carrier only has 30 minutes of office time, when in fact he or she actually has one hour and 15 minutes of office time, then the faulty office projection will start the projected street time while the letter carrier is still in the office. Of course, this will project a return time for the letter carrier earlier than what he or she more than likely will be able to achieve.

While this most recent attempt at projecting a letter carrier's daily workload may apply a different formula than used by any other management projection "tool" in the past, what hasn't changed are the responsibilities and reporting requirements outlined in *Handbook M-39, Management of Delivery Services* and *Handbook M-41, City Delivery Carriers Duties and Responsibilities*. What else hasn't changed is NALC's ability to challenge the use of any such projection as the determinant of a carrier's daily workload or its utilization as the basis for disciplinary actions. These issues have been settled many times in the past in national-level settlements such as M-01769.

Grievance Advice

Depending on how management uses PET on the workroom floor, it is possible that some relevant contractual provisions and/or settlements could be violated. As with any other grievance, a successful grievance challenging the misuse of PET should contain a proper issue statement, a detailed statement of the facts, a well-prepared series of contentions, the necessary documentation, and a proper remedy for the situation. Let's take a look at what a successful grievance challenging the misuse of such a projection tool may include. Provided below are some guidelines that can be used to help successfully grieve those instances where management has failed to adhere to our contract when using this program.

Issue Statements

A basic issue statement for grievances involving management's misuse of PET should at a minimum read:

Did management violate the Interpretive Step Settlement dated September 16, 2011 (M-01769) via Article 15 of the National Agreement when they

_____ at the **{Station/Post/Office}** on **[Date]** and if so, what should the remedy be?

Of course, each issue statement should be tailored to the particular violation(s) being grieved. Keep in mind it may be appropriate to add an additional violation(s) to the issue statement(s). Some examples of additional violations can be found in the following facts and contentions.

Facts

The following is a list of facts that could be used in a grievance. The list isn't meant to be exhaustive as each situation is unique based on the circumstances. Following each fact is a starter list of what is needed to document the violation.

1. Interpretive Step Settlement M-01769 specifically states, "*Projections are not the sole determinant of carrier's leaving or return time, or daily workload*", and is violated when the supervisor informs the letter carrier that the PET projection is absolute.

Documentation: Carrier statement(s) (to include statements from others who may have heard the conversation between the letter carrier and supervisor), PET projections, Base Route Information Report, Employee Everything Report.

2. Interpretive Step Settlement M-01769 specifically states, "*...the resulting projections will not constitute the sole basis for corrective action*", and is violated when a letter carrier is disciplined based on a failure to meet PET office or street projections.

Documentation: Copy of notice of discipline, PDI notes, grievant statement(s) (to include statements from others who may have heard the conversation between the letter carrier and supervisor), PS Form 3996, PET projection, Employee Everything Report.

3. Article 41.3 G reads, "*The Employer will advise a carrier who has properly submitted a Carrier Auxiliary Control Form 3996 of the disposition of the request promptly after review of the circumstances at the time*" and is violated when the supervisor denies a carrier's request for auxiliary assistance based on PET projections.

Documentation: Carrier statement(s) (to include statements from others who may have heard the conversation between the letter carrier and supervisor), PET

projections, Base Route Information Report, Employee Everything Report, PS Form 3996, weather report (if applicable).

4. Section 122.33 of *Handbook M-39, Management of Delivery Services* is violated when the supervisor refuses to provide a PS Form 3996 based on PET projections. It reads in relevant part:

122.33 The employee, upon request, will be provided a Form 3996, Carrier-Auxiliary Control, after the supervisor has been verbally informed as to the reason for the request. The employee shall not be denied the form and, upon request, a duplicate of the completed form will be provided the employee.

Documentation: Carrier statement(s) (to include statements from others who may have heard the conversation between the letter carrier and supervisor).

5. Section 115.4 of *Handbook M-39, Management of Delivery Services* is violated when a supervisor's behavior, when discussing the daily workload, becomes disrespectful to the letter carrier. The relevant language reads:

115.4 Maintain Mutual Respect Atmosphere

The National Agreement sets out the basic rules and rights governing management and employees in their dealings with each other, but it is the front-line manager who controls management's attempt to maintain an atmosphere between employer and employee which assures mutual respect for each other's rights and responsibilities.

Documentation: Carrier statement(s) (to include statements from others who may have heard the conversation between the letter carrier and supervisor) should be descriptive of the particular behaviors.

6. Section 122.21.c of *Handbook M-39, Management of Delivery Services* is violated when management establishes a leaving schedule without taking into account necessary office time, such as fixed office time. The relevant contract language states:

122.21 Establishing Leaving Schedule

c. Necessary Office Time. Time required to case this mail, withdraw, tray or strap out mail, obtain parcel post, and complete other required office duties...

Documentation: Carrier statement(s) (to include statements from others who may have heard the conversation between the letter carrier and supervisor), PET projections, Base Route Information Report, Employee Everything Report.

Contentions

Just as important as it is to establish the documented facts of the grievance, it is equally important to correlate those facts to the violations of the cited contractual provisions. The following is a list of some appropriate union contentions as they relate to the documented facts listed above.

1. The union contends management violated M-01769 when Supervisor _____ informed Letter Carrier _____ his/her request for 30 minutes of auxiliary assistance was denied because the PET projects he/she will be back in 8 hours. The union contends, as evidenced in Letter Carrier _____'s statement, no other reason was given by management to deny the grievant's request other than the PET projection, thus management failed to take into consideration any other reasons put forth by the grievant.
2. The union contends management violated M-01769 when Letter Carrier _____ was issued a letter of warning (LOW) for failing to complete his/her assignment in 8 hours, and therefore failing to meet the expectation determined by PET projections. The union contends the LOW does not provide any additional reasons beyond the projection provided by PET for the discipline. The union also contends management did not meet the just cause principles outlined in Article 16 of the National Agreement, specifically Article 16.1 – "*Is the rule a reasonable rule?*", prior to issuing the discipline. Since the PET projection system does not consider any fixed office time when determining projections and each letter carrier assignment has a specific amount of fixed office time associated with it to complete necessary office functions, management is knowingly disciplining an employee for failure to maintain a projected time not based on reasonable data.
3. The union contends management violated Article 41.3 G of the National Agreement when they refused to provide Letter Carrier _____ with 30 minutes of auxiliary assistance which was properly requested on a PS Form 3996, because PET projected he/she should return in 8 hours.

The union further contends management did not take any other circumstances such as fixed office time or weather into consideration. This is evidenced by the grievant's statement.

4. The union contends management violated Section 122.33 of *Handbook M-39, Management of Delivery Services* when on _____ Supervisor _____ refused to provide Letter Carrier _____ with a properly requested PS Form 3996 to document 30 minutes of needed auxiliary assistance when they determined no assistance was needed based on a PET projection.

5. The union contends management violated Section 115.4 of *Handbook M-39, Management of Delivery Services* when Supervisor _____'s behavior escalated to him/her raising his/her voice at the grievant on the workroom floor, therefore embarrassing Letter Carrier _____. The union contends the letter carriers' statements reveal a situation where the frontline manager failed to maintain an atmosphere of mutual respect.

6. The union contends management violated section 122.21 of *Handbook M-39, Management of Delivery Services* when they established the leaving schedule of Letter Carrier _____ based on PET projections. The union contends management failed to take into consideration necessary office time including but not limited to withdrawal of mail, traying or strapping out mail, obtaining parcel post, and completing other required office duties which are documented in the FOT notated on the base route information report. The union contends Letter Carrier _____ confirmed in his/her statement that he/she in fact completed these tasks on _____.

Remedies

As with all grievances, this too must have a remedy request. Although certain resulting violations may require additional appropriate remedies, each grievance should include a request that management cease and desist using PET in a manner which violates the cited provision of the national agreement. In addition, each remedy request should include language which leaves the determination of an appropriate remedy to an arbitrator.

Conclusion

Management's use of the Performance Engagement Tool (PET) doesn't change the fact that it cannot be used as the determinant of a letter carrier's daily workload projections. Letter carriers are still responsible for estimating the amount of time it will take to complete their assigned duties, and management still has a responsibility to manage that workload within the confines of the handbook language as well as previous national-level settlements regarding the use of any such time-projection tool.

As stated earlier, the dispute over the value of management's daily workload projections, such as DOIS or PET, has been resolved previously in agreed upon national-level settlements such as M-01664 and M-01769. National-Level Settlement M-01664 was signed on July 30, 2007 and National-Level Settlement M-01769 was signed on September 16, 2011. These settlements very clearly state daily workload projections by management do not determine a carrier's leaving or return time or daily workload. Despite this fact, we still have too many offices where these settlements are ignored and workload projections create a breeding ground for disputes when a letter carrier fills out a PS Form 3996, *Carrier Auxiliary Control*, requesting auxiliary assistance or approval to work overtime in order to complete their daily assignments.

National-Level Settlement M-01664 states in relevant part:

“After reviewing this matter, the parties agree to resolve this dispute based on the following: The Delivery Operations Information System (DOIS) is a management tool for estimating a carrier's daily workload. The use of DOIS does not change the letter carrier's reporting requirements outlined in section 131.4 of Handbook M-41, the supervisor's scheduling responsibilities outlined in section 122 of Handbook M-39, or the letter carrier's and supervisor's responsibilities contained in Section 28 of Handbook M-41. DOIS projections are not the sole determinant of a carriers leaving or return time, or daily workload. As such, the projections cannot be used as the sole basis for corrective action.”

National-Level Settlement M-01769 states in relevant part:

Projections are not the sole determinant of a carrier's leaving or return time, or daily workload. The use of any management created system or tool that calculates a workload projection does not change the letter carrier's reporting requirements outlined in section 131.4 of Handbook M-41, the supervisor's scheduling responsibilities outlined in section 122 of Handbook M-39, or the letter carrier's and supervisor's responsibilities contained in Section 28 of Handbook M-41.

(Both entire agreements are printed at the end.)

The following is some advice you can give to the letter carriers you represent on how to handle situations if these national-level settlements are ignored, as well as how a PS Form 3996 should be filled out.

1. Verbally inform your manager when you believe you can't complete your assignment in eight hours.

Sections 131.41 and 131.42 of *Handbook M-41, City Delivery Carriers Duties and Responsibilities* require you to verbally inform your manager as follows:

131.41 It is your responsibility to verbally inform management when you are of the opinion that you will be unable to case all mail distributed to the route, perform other required duties, and leave on schedule or when you will be unable to complete delivery of all mail.

131.42 Inform management of this well in advance of the scheduled leaving time and not later than immediately following the final receipt of mail. Management will instruct you what to do.

This language requires every letter carrier to tell the manager when you cannot carry all the mail distributed to your case in eight hours or within your normal schedule. Management is required to tell you what they want you to do. Follow the manager's instructions. If you still believe you will not be able to finish your route in eight hours, proceed to step 2 and request a PS Form 3996.

2. Request PS Form 3996

Section 122.33 of *Handbook M-39, Management of Delivery Services* requires the manager to provide you with a 3996 when you request it. That section reads:

122.33 The employee, upon request, will be provided a Form 3996, Carrier - Auxiliary Control, after the supervisor has been verbally informed as to the reason for the request. The employee shall not be denied the form and, upon request, a duplicate of the completed form will be provided the employee.

Explain that the instruction you were given by your supervisor does not change the fact that you cannot complete your assignment in eight hours and request a PS Form 3996.

No matter what your manager says to you, say the words "*I am requesting a 3996*" and explain the reasons for your request.

If you are denied the form, immediately request to see your shop steward. If your request to see your shop steward is denied, then make sure another carrier hears you say the words. Don't scream the words at the top of your lungs, just

make sure someone other than you and your manager hears you.

After you have verbally informed your manager that you don't believe you can finish your route in eight hours, made him or her aware that their instruction has not changed your belief, and have requested and been provided a 3996, proceed to section 3 for guidance on filling out a 3996.

3. Fill out the form completely

Write down where and at approximately what time you plan to take your lunch. Also make sure you take your lunch when and where you said to the extent you can. This way you can avoid any misunderstandings on where you were and what you were doing later.

In the reason for the request box, you must write down why you believe you cannot complete your assignment in eight hours. If your belief is related to your mail volume or type of mail you have, you should write comments such as; full set of ADVOs, half set of Marriage Mail, utility bills, full set of coupons, circulars in the DPS, etc. Your reason could also be related to your street duties. Some situations that may affect your ability to complete your assignment within eight hours could be; known road construction, weather related issues, excessive accountable mail, etc. Comments such as "heavy volume" or "route overburdened" aren't enough in this section. You should fully explain your situation.

Often, there are other circumstances present which may add to (or be) the reason why you will need overtime or auxiliary assistance on a given day. Here are some examples: collating mail, 15 Certified letters, late leaving, stand-up/safety talks, excessive DPS mail, excessive parcels, not feeling well, unfamiliar with route, weather (describe conditions), the need to deviate for Priority Mail Express, new deliveries (growth), road construction, etc. You get the idea.

Always list the circumstances that are present which will prevent you from finishing your assignment in eight hours on PS Form 3996 as explained above.

Statements by your supervisor such as "This is your demonstrated performance" or "You are not making standards" are **not legitimate** and do not change your situation. Most importantly, don't let these comments get under your skin and stop you from requesting the assistance you need.

The computer doesn't take any of the other possible circumstances listed above into consideration. If you don't write these things down, then you leave the door open for management to try and accuse you of working "unauthorized overtime" and possibly issue you discipline over the issue. If you do write these things down, then you give your supervisor an opportunity to make a more informed

judgment regarding your request. Any supervisor who is interested in treating you fairly will take these things into consideration prior to making decisions on how much time to approve for you. If your supervisor is not interested in treating you fairly, then you have to look at defending yourself. Recording the best information you can on your 3996 will give your shop steward a better chance of successfully defending you should the need arise later.

4. Keep your cool

Don't lose your cool. This whole process is sometimes very insulting, but you will do nothing to help yourself by getting excited or becoming angry and possibly losing your temper. If your manager denies your request for overtime or assistance, state to him or her that you will do your best. Then politely ask what they want you to do in the event that all the mail isn't delivered by the time they want you back. Typically, their answer will be something like, "I just told you what I want you to do" or "Deliver all the mail, and be back in eight hours." Your manager has just put the ball back in your court and placed you in a situation where you can't honor his or her instructions.

5. Don't argue

There is no sense in arguing with your manager at this point. It will not help your cause to stand there and argue, because your manager has already made up their mind. The only thing you will accomplish by arguing with your manager at this point is to become frustrated and angry. The smartest thing you can do at this point is to just say "OK, I'll do my best" and ask for a copy of your 3996. As stated earlier, Section 122.33 of *Handbook M-39, Management of Delivery Services* requires managers to provide you with a copy if you request it. Again, this states:

122.33 The employee, upon request, will be provided a Form 3996, Carrier - Auxiliary Control, after the supervisor has been verbally informed as to the reason for the request. The employee shall not be denied the form and, upon request, a duplicate of the completed form will be provided the employee.

At this point, finish your office work and go to the street. Do the best that you can. Take your breaks where you are supposed to and take your lunch when and where you listed it on the 3996 you filled out.

6. Don't make any decisions

This is the point where many letter carriers make a mistake by forgetting about how our current system works.

Letter carriers get paid to deliver mail.

Managers get paid to make decisions.

You should do everything you can to put the ball back in the manager's court. Many times, letter carriers make the decision to either bring some mail back or deliver all the mail and get back late. After all, these seem to be the only available options. The trick is to force the manager to make the choice. After all, that's their job, isn't it?

The best way to handle this situation is to call your supervisor, per local instructions. If you have no local instructions, try calling at least an hour and a half to two hours before the time you are scheduled (approved on PS Form 3996) to be back. Let your supervisor know where you are and how long you think it will take you to finish. Ask him or her whether they want you to bring the mail back or finish the route. If your supervisor isn't available, ask for the station manager or postmaster and talk to them about it. Make a note of who you talked to, what time it was, and what your instructions were. If no manager is there, leave a message with the person who answers the phone and be sure you know who you are talking to. Make sure they understand when you are scheduled to be back and how long it will take you to complete your assignment. Once again, make a note of who you talked to and what time it was. Then just keep working until someone tells you otherwise or it's time for you to go back to the office to make it back in the time that was approved on PS Form 3996 (whichever comes first).

If the line is busy or no one answers, you should keep trying to get through. If you use your cell phone, you'll have a record of your calls. Just don't wait until it's time for you to be back to call. Also, be sure to make a note of how much time you spent calling. Try to give your supervisor or manager a reasonable amount of time to decide to send you some help or authorize you to finish your route. Follow whatever instructions your supervisor or manager gives you. Any disputes that arise from the instructions given to you will have to wait.

If the supervisor or manager refuses to tell you what to do with the rest of the mail or if you can't finish your assigned duties in the amount of time initially specified by your supervisor, you should return to the office in the allotted time and ask for further instructions. Follow whatever instructions your supervisor or manager gives you.

Note: Never return mail to the office and leave it without getting instructions on what to do with the mail from a manager! Make a note of what instructions you were given and what time it was.

If you have local instructions like "Don't call back to the office and don't bring mail back", you should request to see your shop steward and ask him or her to file a

grievance. The same is true when your supervisor refuses to give you instructions when you call back in the afternoon. If you want a successful grievance filed, you have to write a detailed statement. This should be easy if you took notes as advised above.

7. Carrying loops/splits/kickoffs/relays/hand-offs/trips/pushes/bumps etc.

If you're instructed to carry part of another route, whether on "projected under time" or for overtime, a PS Form 3996 should be provided to you indicating this additional work. Make sure you fill out the bottom of PS Form 3996 showing both your travel and delivery times for whatever loop/split/kickoff/relay/hand-off/trip/push/bump you are carrying.

If you don't believe you can complete the work in the amount of time authorized, explain to the supervisor why this is true. For example, let's say you have a light day and your supervisor tells you that you will be assigned an hour of work off your assignment to make up for your downtime. Let's also say you believe you have seven and a half hours of work on your own route after considering the time it will take to deliver your route, get back, and clean up. In this example, you believe the additional one hour of work that your supervisor wants to assign to you will cause you to be a half hour late.

Make sure to explain this clearly to the supervisor. Then let's say the supervisor agrees that maybe you have a point and assigns you a 30 minute pivot, but doesn't take into consideration the necessary travel time for the pivot or other factors. This should also be explained to the supervisor as these other factors will also cause you to be late. If you can't get your supervisor to agree with you in either situation, then **say the words** and handle this situation in the same manner as above.

Note: If you are still in the office when you realize it, you should always notify management verbally and with a PS Form 3996 whenever you believe additional work assigned to you because of projected downtime will cause you to work overtime. If possible, make a copy or request a copy of the PS Form 3996 that you just submitted to management.

If your supervisor later asks you again to explain why you needed the time, you'll have your copy of the PS Form 3996 and your notes to refer to. Sometimes, supervisors are recording the extra time used, over what was approved in the morning, as "unauthorized overtime" on PS Form 1017-B. This can be true whether or not they talk to you about it. If you think this is true in your case, request to see your shop steward so he or she can investigate the matter. If the extra time you worked after being instructed to finish the route is being recorded as "unauthorized overtime," then your steward should file a grievance on the improper use of PS Form 1017-B.

Here is the short version:

1. Verbally inform your manager that you can't make it in eight hours.
2. Follow you manager's instructions.
3. If you still can't make it in eight hours, request a PS Form 3996 from the supervisor and explain the reason why you need one.
4. Fill out the form completely and list the types of mail you have as well as any other circumstances that are present.
5. Keep your cool and request a copy of your 3996.
6. Don't argue with the supervisor or manager.
7. Don't make decisions - that's what your supervisor or manager gets paid to do. Call back to the office for further instructions and follow the instructions you are given.
8. Handle requests for overtime or auxiliary assistance due to delivering on other routes in the same manner.

Following these procedures makes it much easier to defend you in the event you are disciplined! You also make it possible for the union to pursue forcing management to stop recording this time as "unauthorized" in the first place thereby avoiding a discipline situation altogether.

If M-01664 or M-01769 are continually violated, see your shop steward so he or she can investigate.

PS Form 1571 (Undelivered Mail Report)

PS Form 1571 is the form that letter carriers use to record undelivered or curtailed mail. This form is used anytime all mail distributed to your case for the day is not cased and delivered. Sections 131.44, 131.45, and 131.46 of *Handbook M-41, City Delivery Carriers Duties and Responsibilities* describe what we are supposed to do as follows:

131.44 Report on Form 1571 all mail undelivered — including all mail distributed to the route but not cased and taken out for delivery. Estimate the number of pieces of mail.

131.45 Do not curtail or eliminate any scheduled delivery or collection trip unless authorized by a manager, in which case you must record all facts on Form 1571.

131.46 Before you leave the office, enter on Form 1571 the mail curtailed; when you return, add any mail which was not delivered and which was returned to the office. Follow any special local procedures set up to identify errors and corrective actions for mail returned because it was out of sequence.

Chapter 4 (Office Time – Return) of *Handbook M-41, City Delivery Carriers Duties and Responsibilities*, Section 442 (Completing Form 1571) states the following:

442.1 After return from trip, obtain Form 1571, Undelivered Mail Report, (see exhibit 442.1) from unit manager.

442.2 Add any mail which was not delivered but was returned to the office.

442.3 Sign the form and give it to a unit manager.

Never curtail mail unless instructed to do so by a manager!

Section 111.2(j) of *Handbook M-39, Management of Delivery Services* describes what the supervisor is supposed to do as follows:

“Issue Form 1571 when the carrier is instructed to curtail mail, indicating action thereon. Upon request, a duplicate of the completed form will be provided the carrier.”

Article 41, section 3.G of the National Agreement also requires managers to provide you with copies of both the 3996 and 1571:

41.3. G. “The Employer will advise a carrier who has properly submitted a Carrier Auxiliary Control Form 3996 of the disposition of the request promptly after review of the circumstances at the time. Upon request, a duplicate copy of the completed Form 3996 and Form 1571, Report of Undelivered Mail, etc., will be provided the carrier.”

You should always request a copy of the completed form 3996 and 1571 and keep these copies for your records. If management refuses to provide you with copies of these requested forms, then ask to see your shop steward.

Mr. William H. Young
President
National Association of Letter
Carriers, AFL-CIO
100 Indiana Avenue, N.W.
Washington, DC 20001-2144

NALC# 8266
Re: Q01N-4Q-C 05022610
Class Action
Washington DC 20260-4100

Dear Mr. Young:

Recently, our representatives met at the Interpretive Step to discuss the above-referenced grievance.

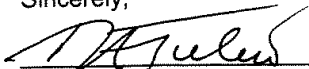
After reviewing this matter, the parties agree to resolve this dispute based on the following:

The Delivery Operations Information System (DOIS) is a management tool for estimating a carrier's daily workload. The use of DOIS does not change the letter carrier's reporting requirements outlined in section 131.4 of Handbook M-41, the supervisor's scheduling responsibilities outlined in section 122 of Handbook M-39, or the letter carrier's and supervisor's responsibilities contained in Section 28 of Handbook M-41. DOIS projections are not the sole determinant of a carriers leaving or return time, or daily workload. As such, the projections cannot be used as the sole basis for corrective action. A five minute time credit for lines 8-13 will be added or when route inspection data is available for lines 8-13 the actual average information will be used for daily workload projections.

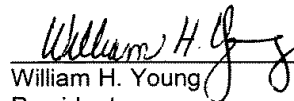
Management is responsible for accurately recording volume and other data in DOIS. Other than obvious data entry errors, route based information may only be changed through a full-count and inspection or minor route adjustment. Additionally, the parties have previously agreed that functions in DOIS which relate to the route inspection and adjustment process must be in compliance with the city letter carrier route adjustment process in Subchapter 141 and Chapter 2 of the M-39 Handbook. Exceptions are offices that have jointly established an alternate route adjustment method. DOIS base information in such offices shall, as appropriate, comply with the alternate route adjustment method.

Please sign and return the enclosed copy of this decision as acknowledgment of your agreement to settle this grievance.

Sincerely,



Doug Tulino
Vice-President
Labor Relations
U.S. Postal Service



William H. Young
President
National Association of
Letter Carriers, AFL-CIO

Date: 7-30-07

The terms of this settlement became effective September 11, 2007 with ratification of the 2006-2011 National Agreement.

M-01769

Mr. Fredric V. Rolando
President
National Association of Letter
Carriers, AFL-CIO
100 Indiana Avenue, NW
Washington, DC 20001-2144

Re: Q06N-4Q-C-11022051
Class Action
Washington DC 20260-4101

Dear Mr. Rolando:

Recently, our representatives met in prearbitration discussion of the above-referenced grievance.

The issue in this grievance is whether the office efficiency tool used to project office and street time in the Greater Indiana District violates the National Agreement.

After reviewing this matter, we mutually agree to settle the grievance as follows:

The subject office efficiency tool is a management tool for estimating a carrier's daily workload. The office efficiency tool used in the Greater Indiana District or any similar time projection system/tool(s) will not be used as the sole determinant for establishing office or street time projections. Accordingly, the resulting projections will not constitute the sole basis for corrective action. This agreement does not change the principle that, pursuant to Section 242.332 of Handbook M-39, "No carrier shall be disciplined for failure to meet standards, except in cases of unsatisfactory effort which must be based on documented, unacceptable conduct that led to the carrier's failure to meet office standards." Furthermore, as stated in the agreement for case H1N-1N-D 31781, "there is no set pace at which a carrier must walk and no street standard for walking."

Projections are not the sole determinant of a carrier's leaving or return time, or daily workload. The use of any management created system or tool that calculates a workload projection does not change the letter carrier's reporting requirements outlined in section 131.4 of Handbook M-41, the supervisor's scheduling responsibilities outlined in section 122 of Handbook M-39, or the letter carrier's and supervisor's responsibilities contained in Section 28 of Handbook M-41.

This settlement is made without prejudice to the parties' rights under the National Agreement.

Please sign and return the enclosed copy of this decision as acknowledgement of our agreement to resolve this case, removing it from the national arbitration docket.

Time limits were extended by mutual consent.

Sincerely,



Alan S. Mobre
Manager
Labor Relations Policy
and Programs



Fredric V. Rolando
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