



Settlements

Multiple days of inspection

One of the many route inspection issues addressed in the NALC Route Protection Program is multiple days of inspection. The parties at the national level continue to disagree as to when management may schedule/conduct more than one “day of inspection” during a six-day route count and inspection pursuant to Chapter 2 of the *M-39 Handbook*.

In an effort to minimize disputes in the field, pending further discussion of this issue at the national level, the parties have agreed to reinstate the terms of a previous memorandum of understanding that expired last year.

The new memorandum of understanding (M-01543) allows management up to three “days of inspection” during the week of count and inspection. However, management may only complete PS Form 1838-C on one of the three days. The letter carrier will count the mail and complete PS Form 1838-C on the other “days of inspection” as well as on the other days during the week of count.

Therefore, the only difference from having one “day of inspection” is there may be up to three PS Forms 3999 for the street during the week of count and inspection. The PS Form 3999 does not determine the evaluated street time of the route. The PS Form 3999 is used to determine the street time value of territory transferred when adjusting routes. The parties agreed that when two or three PS Forms 3999 are completed, the one closest to the selected street time on the PS Form 1840 will be used to transfer territory.

The selected street time for the route is found on the reverse side of PS Form 1840. The street time selected is either the average street time for the regular carrier during the week of count and inspection or the average street time for the regular carrier from the eight week analysis on PS Form 1840-B.

The terms of the memorandum of understanding are applicable through May 26, 2006, unless mutually extended by the parties.

Cross-assigned casuals

The parties recently entered into a pre-arbitration settlement (M-01541) of the issues involved when casuals employed under the APWU or NPMHU National Agreements are worked in the city letter carrier craft. The settlement includes application of two previous national awards by Arbitrator Das.

Pursuant to Das’ award in case number Q94C-4Q-C 98038916 (C-23499), clerk or mailhandler casuals who will be assigned to perform city letter carrier craft duties (cross-assigned casuals) must be so designated when hired. These casuals are considered to have worked a term under the NALC National Agreement. Clerk and mailhandler casuals who are not designated when hired to perform city carrier duties may not be worked in the city carrier craft. Such casuals therefore would not be barred from further casual appointments pursuant to the NALC National Agreement.

However, the parties also agreed that these “cross-assigned” casuals are considered employed in the city letter carrier craft for time spent performing letter carrier duties for the purpose of applying Arbitrator Das’ national award in case number Q98C-4Q-C 00100499 (C-22465).

In that award, Arbitrator Das held that Article 7.1.B.1 of the National Agreement establishes a separate restriction on the employment of casual employees in addition to the other restrictions set forth in the other sections of Article 7.1.B. He further ruled that the Postal Service may only employ (hire) casuals to be utilized as a limited-term supplemental work force and not in lieu of career employees.

This is important because the settlement makes it clear that no clerk or mailhandler casual can be designated to perform duties in the city letter carrier craft unless circumstances exist in the city letter carrier craft for those casuals to be utilized as a limited-term supplemental work force and not in lieu of career employees. Such circumstances are addressed by the national parties under Article 7.1.B.1 in the *Joint Contract Administration Manual*.

The Postal Service must provide the NALC with a report every other pay period indicating the designation of such cross-assigned casuals. ☒