

# Local memorandum of understanding



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**I**f you stay ready, you don't have to get ready. The time has come to start planning a proper course of action to have successful local negotiations.

What are local negotiations? The contractual right of letter carriers are negotiated at the national level. However, Article 30, Section B of the National Agreement lists 22 subject items to be negotiated at the local level and incorporated into what is commonly referred to as the local memorandum of understanding (LMOU).

Some of the 22 subject items deal with duration of the wash-up period, vacation planning/other annual leave rules, holiday pecking order and whether non-scheduled days will be on a fixed or rotating basis. Local management and the union are obligated to bargain in good faith over each of the 22 items.

**During the ratification of the 2016-2019 National Agreement** between the NALC and the USPS, the memorandum of understanding (MOU) Re: City Carrier Assistants (CCA) Annual Leave was incorporated. Meaning that, under the provisions of Article 30 of the National Agreement, the MOU gave CCAs the right to plan for annual leave. Unfortunately, not every LMOU has included CCA annual leave. The language of the MOU, in Appendix B, pages 138-139 of the National Agreement, is as follows:

**RE: City Carrier Assistant (CCA) Annual Leave**

Article 30 of the National Agreement and Local Memorandum of Understanding (LMOU) provisions do not apply to city carrier assistant employees, except as follows:

In any office that does not have provisions in its current LMOU regarding annual leave selection for CCAs, the parties agree that, during the 2021 local implementation period, the local parties will, consistent with the needs of employees and the needs of management, include provisions into the LMOU to permit city carrier assistant employees to be granted annual leave selections during the choice vacation period and for incidental leave. Granting leave under such provisions must be contingent upon the employee having a sufficient leave balance when the leave is taken.

In the event a proposal(s) on this subject is appealed through the Article 30 impasse procedure, prior to a request for arbitration, such dispute(s) will be referred to an

Alternate Dispute Resolution (ADR) team established by the national parties. The expectation is that the ADR team will reach an agreement that will allow city carrier assistants to plan for leave use while accounting for city carrier assistant absences, including during scheduled five day service breaks.

Any office that currently has provisions in its LMOU regarding annual leave selection for CCAs will continue such provisions, unless modified during the upcoming local implementation period. Any impasses that arise under this paragraph will be processed in accordance with Article 30 of the National Agreement.

It is of the utmost importance that we protect the rights of all letter carriers during the local negotiations. Additionally, each branch must ensure that all LMOUs include CCAs' annual leave planning rights.

The LMOU is negotiated during a window of time after a new national agreement is ratified or arbitrated, and those dates will be contained in the new national agreement. While the 2019-2023 National Agreement is set to expire at midnight on May 20, the parties can choose to extend the negotiating deadline or move to the arbitration process. Because of that, the dates of local negotiations are not set yet and might not be set for a while.

**What can you do to start preparing? Create an LMOU committee** to review and create new proposals for the 22 subject items. Some branches might avoid opening local negotiations for fear of losing something that was previously accomplished or because they think that the language in their LMOU does not require updating. Success is not fed by fear! Rather, focus on the goals of what the branch is trying to obtain during local negotiations. With the right mindset and preparation, you can attain positive results. Furthermore, it is always important to brush up any language due to new memorandums, e.g., Re: City Carrier Assistants (CCA) Annual Leave located on pages 138-139 of the National Agreement.

Let us not become complacent because, "we have an oral agreement with management." The simple fact is, if you don't have it writing, *you don't have it!*

Also, do not take into consideration only the CCA annual leave provision. Get familiarized with all 22 items in Article 30 of the National Agreement. I will discuss these items and this process in subsequent articles.

Keep in mind, there is only a 30-day period in which the parties can negotiate at the local level. Being prepared will not only aid us in having successful local negotiations, but also will help ensure that the rights of the members are protected.