

# STEP B and the Dispute Resolution Process

## Decades of righting wrongs through our grievance procedure



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**F**or most active letter carriers, the grievance procedure found in Article 15 of the National Agreement is the only contractual process they have used to grieve actions by management. But it hasn't always been so. There was a time, from our first contract in 1971 until 1998, when NALC and USPS used a grievance process different than the one we have now.

In 1998, the NALC and USPS jointly tested a new grievance procedure known as the Dispute Resolution Process (DRP) designed to reduce the backlog of grievances. This provided for a Step B dispute resolution team (DRT) consisting of one union representative and

one management representative. The DRT test was a success, as we were able to work together to resolve disputed grievances by writing contractually sound decisions that would serve to educate both union and management representatives. Due to the party's recognition of the benefits of the new process, DRP was negotiated into the 2001-2006 National Agreement.

Although the previous process had its merits, it was unable to accommodate the rising number of grievances during the 1980s and 1990s. Grievances rarely were settled at the local level, causing huge backlogs at Step 3 and arbitration. As a result, letter carriers had to wait longer and longer for a final decision on their grievances. Even though removals received priority scheduling for arbitration hearing dates, an unjustly fired letter carrier could wait as long as two years or more (without pay) for a hearing date.

Another difference was that, prior to 1998, when carriers were issued a notice of suspension, they actually served the suspension time, losing pay for that period. This meant that managers were unlikely to settle those grievances, as it would often result in a payment to the grievant. Moreover, it was difficult for stewards to settle for less than full back pay, as it meant the carrier would still lose some pay. As a result, grievance resolutions over suspensions were nearly impossible to attain, and because letters of warning could place a carrier one step away from a lost-pay suspension, they were difficult to settle as well.

The goal of the DRP when it was implemented nationwide was primarily to promote contract compliance,

and when disputes arose, to use the *Joint Contract Administration Manual (JCAM)* to resolve them at the lowest possible level of the grievance procedure (which in most cases should be the local level).

The DRP is a means of achieving a fair solution to a problem in a timely fashion and is specifically geared to protect our members from the issues that arise in the workplace. While our grievance procedure is designed to resolve issues at the lowest possible level, it requires that both parties bargain in good faith.

Our Step B team representatives have a tough job, as it is not a simple task to resolve disputes between the parties.

**Currently there are 59 full-time Step B teams and we have 76 Step B teams activated.** The NALC Step B representatives deserve a lot of credit and thanks for the job they do.

Here is where we stand now: There are 10,781 cases pending a decision at Step B. Of those, 8,260 grievances have been at Step B awaiting a decision for more than 14 days. As you can see, we have some work to do to reduce the backlogged cases and address them in a timely manner. The case volume at Step B has nearly doubled in the last year. While we are aware that several factors contribute to the number of cases being appealed to Step B, we also have an increased impasse percentage rate from the Step B teams. Regardless of the backlog of grievances pending at Step B and the reasons behind it, we will continue to uphold our agreements and protect the rights of letter carriers.

Everything within the DRP, outside of each party selecting their respective representatives, must be done jointly. The process works only if the members of the DRTs are committed to working together without outside influence. The national business agents (NBAs) and district field labor relations specialists (DFLRs) are responsible for overseeing and monitoring the DRTs in their respective jurisdictions. If process problems arise and the NBA and DFLR are unable to resolve the issue, guidance is sought at the national level.

As of late, NALC has spent a significant amount of time addressing the Step B backlog we have experienced over the last year. We are working on ways to reduce and resolve more disputes at the local level in many locations. Again, we should never lose sight of the fact that the primary objective is to resolve disputes quickly and in accordance with the National Agreement//JCAM, as the creation of the DRP was intended to do.