



On my desk

The Department of Labor's Wage and Hour Division published a final rule under the Family and Medical Leave Act (FMLA). The final rule became effective on January 16, 2009, and updates the FMLA regulations to implement new military family leave entitlements enacted under the National Defense Authorization Act for FY 2008. In response, this summer, the USPS proposed revisions to the *Employee and Labor Relations Manual (ELM)* Section 510, Leave, and Section 865, Return to Duty After Absences for Medical Reasons.

NALC objects to the proposed revisions, which require employees to use optional Department of Labor (DOL) form(s) for the purpose of providing required documentation to certify FMLA leave protection. NALC President Fredric Rolando has appealed this matter to national arbitration in accordance with Article 19 of our National Agreement.

A grievance originating in Oklahoma City concerns a letter carrier who was promoted to Grade 2 from Grade 1 and subsequently reassigned to Grade 1. NALC posits that the carrier should have been placed in the step he would have been in, with credit toward the next step increase, as if all service had been in the original grade. In the instant case, the grievant was placed in Step B; however, he was not credited with 48 weeks of waiting time toward the Step C increase. This case has been elevated to the Interpretive Step, in accordance with Article 15.

A separate case, arising out of the Kokomo, IN, installation, concerns management's use of the Greater Indiana District DOIS Office Efficiency Tool Form to determine letter carriers' leave and return time, and daily workload. When completing the form, management uses the projection derived directly from DOIS as the sole basis to determine leave and return time for letter carriers. Additionally, the use of this form creates a unilateral daily letter carrier performance standard. It is the position of the NALC that the implementation and use of the DOIS Office Efficiency Tool violates the DOIS settlement (Q01N-4Q-C 05022610) and Articles 3, 5, 19 and 34. This dispute has been brought to the Interpretive Step.

The Postal Service has notified NALC of the following changes:

- A proposed revision update to the *Employee and Labor*

Relations Manual (ELM) Section 933, Authorized Uniform Items and Combinations, to include a solid blue shirt fabric into the Type 1a uniform category. The solid blue shirt would be an option in addition to the postal blue with red-and-blue pinstripes.

- PS Form 3074, "Request for Waiver of Claim for Erroneous Payment of Pay," is being revised to include replacing Social Security numbers with employee identification numbers.
- USPS will evaluate electric vehicles in city operations. A one-year test of neighborhood electric vehicles has begun.
- A new "no-fee pickup service agreement" will be available to mailers where USPS identifies that the business/mailer has sufficient volume (seven or more packages per pickup) above the minimum level, thereby precluding them from paying a pickup fee for either Pickup on Demand, Scheduled Pickup on Demand or Collection Service. The agreement is to be initiated by USPS Sales and agreed upon by the customer and local installation head (i.e. postmaster, station/branch manager) or transportation manager.
- In the Southwest Area, 23 computers were reported stolen. Files stored in the computers contained personal information of 213 city carriers. External law enforcement authorities and the Postal Inspection Service have been notified. USPS advised each affected employee concerning this incident, so each could take precautionary measures.
- USPS added a self-serve feature to PostalEASE for state tax withholding. The new feature is accessible by using the employee identification number and PIN and will allow employees to change their state tax withholding information online. Employees will have the option of completing a state W-4 and submitting it to the Human Resources Shared Service Center.
- USPS has proposed revisions to the Interactive Voice Response System (IVR) script. The script is being updated to include options for employees injured on duty. Other changes include providing employees two attempts to correctly input the employee identification number, FMLA case numbers, as well as additional instructions for military service member leave. ☒