



Fighting deception— the carrier expectation game

Recently, the Postal Service has been utilizing a form as a tool to intimidate letter carriers into believing that there is a new standard of carrier efficiency (expectation) that they must adhere to. Although this form/tool may differ in appearance or content throughout the country, generally, it may use MSP times, a previous day's hours used by a carrier, presumed consideration of auxiliary assistance, presumed accurate tabulation of caseable mail volume, sometimes some or all of other mail volume, a route's base office and street time, and/or projections of office and street times, most of which are extrapolated from the Postal Service's Delivery Operations Information System (DOIS), to convince a carrier that his/her office and/or street time should be within a certain time span, i.e., a unilateral standard for that day.

Relative to this matter, following are handbook/manual sections (covered by Article 19 of our collective bargaining agreement), National Agreement language, and national grievance settlements that are pertinent:

Handbook M-39, Management of Delivery Services, 115.2 Using People Effectively: ...Getting the job done through people is not an easy task, and certain basic things are required, such as:

- a. Let the employee know what is expected of him or her.
- b. Know fully if the employee is not attaining expectations; don't guess—make certain with documented evidence.

M-01664 Interpretive Step Settlement July 7, 2007, Q01N-4Q-C 05022610: ...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 carrier's leaving or return time, or daily workload. As such, the projections cannot be used as the sole basis for corrective action...

M-01458 Step 4 Settlement March 13, 2002, Q98N-4Q-C-01045840: ...MSP [Managed Service Points] does not set performance standards, either in the office or on the street. With current technology, MSP records of scan times are not to be used as timecard data for pay purposes. MSP data may not constitute the sole basis for disciplinary action....

M-01444 Pre-arb July 30, 2001, Q94N-4Q-C 99022154: ...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, the pre-arbitration settlement H1N-1N-D 31781, dated October 22, 1985, provides that 'there is no set pace at which a carrier must walk and no street standard for walking.'

National Agreement-Article 5, Prohibition of Unilateral Action: The Employer will not take any actions affecting wages, hours, and other terms and conditions of employment as defined in Section 8(d) of the National Labor Relations Act which violate the terms of this Agreement....

National Agreement-Article 19: Those parts of all handbooks, manuals and published regulations of the Postal Service, that directly relate to wages, hours or working conditions, as they apply to employees covered by this Agreement, shall contain nothing that conflicts with this Agreement, and shall be continued in effect except that the Employer shall have the right to - make changes that are not inconsistent with this Agreement and that are fair, reasonable, and equitable....

National Agreement-Article 34: ...The Employer agrees that any work measurement systems or time or work standards shall be fair, reasonable and equitable. The Employer agrees that the Union or Unions concerned through qualified representatives will be kept informed during the making of time or work studies which are to be used as a basis for changing current or instituting new work measurement systems or work or time standards....

The gist of this is that managers:

- Cannot use DOIS as the sole determinant to predict leaving time, return time, workload or to support discipline;
- Cannot use MSP to set performance standards or as the sole basis for discipline; and/or
- Cannot unilaterally develop work and time standards beyond that which is negotiated with this union without violating the NALC/USPS National Agreement.

For further direction, your branch president should contact your national business agent's office. ☒