



## Article 12—Withholding and excessing update

**I**n the first article I wrote after I took office, I talked about resolutions for this year. One of those resolutions is to find a way to narrow the Article 12 disputes/issues that we have with the Postal Service.

Over the past few years, we have seen an explosion of withholding and excessing events caused by the implementation of FSS, consolidation of mail processing, and the closing of bulk mail centers, just to name a few.

Each event has a certain mile radius (50, 100, 500, 750 etc.) around it where residual/no-bid full-time vacancies are withheld for potentially displaced full-time employees. Many of these withholding circles overlap each other and cross postal district and postal area lines.

This causes too many full-time positions to be held far too long in many places. The by-products of this problem are improper excessing, excessing letter carriers to the wrong positions, Article 8 problems in understaffed offices and PTF conversions being stalled.

**The keys to solving this puzzle are to determine which events are legitimate and which are not, then be sure to keep updated information on each event.** This is the direction in which President Rolando has been calling for us to go since before he became president. It appears that we finally have some real movement toward creating a path to get there.

The parties at the national level have agreed to take a joint approach to updating all the withholding events around the country to reflect the many changes (early outs, APWU agreement, FSS implementation results, etc.) that have taken place since many of the withholding events began.

We have agreed to ask the national business agents and management in each postal district and area to meet and discuss the current withholding events in their respective jurisdictions, and come to terms on where the continuing need for withholding is legitimate and where it isn't.

It has been agreed that the Postal Service will provide updated withholding letters and copies of the impact statements for each event. The Postal Service also has

agreed to attach each withheld vacancy to an event. That doesn't mean that when one event expires, the vacancy couldn't be attached to a different event. It just means that if a vacancy is going to be withheld, it has to be attached to a legitimate withholding event.

We'll then follow with a joint visit to each of the seven postal area offices from me and my USPS counterparts on the National Article 12 Task Force. Our purpose is to get the parties at the area level (NBA and USPS area officials) together and try to resolve (or at least narrow) any remaining disputes. All this is scheduled to be concluded by Aug. 23.

The next step is to put all the updated information in a national database. NALC has developed a computer program to assist us in tracking these events nationwide. Once we get the updated information, we will be able to enter it into the system and keep track of what is going on in every part of the country. This will, in turn, make it a lot easier for your national business agent to follow events and insist that withholding radius circles and events are adjusted/ended when and where it is appropriate to do so.

**Are you interested in helping us? If so, there is a big part for you to play in this effort at the local level that will require you to take two steps for each vacancy that occurs.** First, convince the USPS to post the job. Then, when the job comes down "no bid," send a copy of the "no bid" posting to your national business agent's office and we'll take it from there. I think if we all work at it, we can put all the pieces of the Article 12 puzzle together this year. I'll do whatever I can to help. How about you?

**As I close, I wanted to mention that the 2011 NALC letter carrier guide I've been talking about is now complete.** You should receive your copy in the mail this month. I encourage you to read and use this guide. The information in the guide is designed to help you get through many of the situations you face at work. Check it out and see for yourself! 