Interest arbitration update

The interest arbitration board that will set the terms of a new National Agreement between NALC and USPS convened by telephone in executive session on Thursday, Nov. 1. The session was held after hearing dates scheduled for Monday, Oct. 29, and Wednesday, Oct. 31, had to be rescheduled because of the impact of Hurricane Sandy.

The chairman of the three-person arbitration board is Shyam Das, a member of the American Arbitration Association’s labor panel and a full-time labor arbitrator since 1977. Das has served on national arbitration panels involving postal workers since 1996 and was chairman of arbitration proceedings involving United Steelworkers as well as the Major League Baseball Players Association. The other members of the board are Bruce Simon, representing the NALC, and Robert Dufek for USPS.

The parties are discussing a schedule for submission of testimony, with several more hearing meetings scheduled over the next few months. The NALC anticipates that an award decision will be made in January, after the holidays. Check nalc.org for the latest updates.

Comings and goings

NALC President Fredric Rolando announced that Region 2 Regional Administrative Assistant Mary Martinez retired on Nov. 2. Martinez worked for more than 31 years with the Postal Service, half of that working full-time for NALC, most recently as RAA for Region 2 National Business Agent Paul Price.

“I decided it was time to ask Fred and Paul to decide on one of the many hard-working leaders as a replacement, and allow me to devote more of my time to travel, golf, volunteering and other hobbies,” she said.

Rolando also announced that Region 2 RAA Coby Jones, who has been detailed to NALC National Headquarters to work in the Compensation Department, would return to the regional office at the beginning of the year.

At Headquarters, Vickie Bowman, the longest tenured bargaining-unit employee in the Vincent R. Sombrutto Building, is retiring at the end of the year. Bowman started working at NALC as a floating secretary in 1976, and became the first and thus far only secretary for the Retirement Department since the National Convention in 1976 created the position of director of retired members. During her years at NALC, she worked for eight directors of retired members and met her husband, Charlie Bowman, who worked for 35 years as a porter/driver before retiring from NALC in 2005.

“I want to congratulate and thank both Vickie and Mary for their long years of service to NALC,” Rolando said. “We wish them both all the best luck during their golden years.”

FSA Clarification

In an article about the Federal Employees Health Benefits Open Season, the November issue of The Postal Record reported that the limit for Health Care Flexible Spending Accounts (FSAs) for federal employees is $5,000. The Postal Service subsequently announced a lowering of the maximum annual contribution for Health Care accounts to $2,500 for 2013. The maximum for Dependent Care accounts remains at $5,000 per family and $2,500 for a married employee filing a separate income tax return.
The Employees’ Compensation Appeals Board (ECAB) issued a decision on Sept. 26 (Docket 11-863) that addresses a number of issues involving U.S. Postal Service Office of the Inspector General (OIG) surveillance videotape. All branch contract enforcers and injured worker advocates should be familiar with this important decision, because it addresses a critical distinction between use of surveillance videotape for the purposes of fraud investigation and of claims development.

OWCP has incorporated the holdings in 58 ECAB 478 into the FECA Procedure Manual, under provisions regarding Second Opinion Examinations and Independent Medical Examinations. ECAB cautioned that its opinion should not be read as criticism of OIG fraud investigation efforts and that it did not have jurisdiction over USPS OIG investigative practices.

A link to this decision, and to background information, can be found on the Compensation page of nalc.org.