

How should residual vacancies be filled?



**Lew
Drass**

First we have Article 7, Section 3.A, of the National Agreement. Arbitrator Das wrote this provision in his award that set the terms of the 2011-2016 National Agreement. It

“If we all do our best to help each other, we can put this puzzle together so all the contract pieces fit.”

calls for USPS to staff one full-time career letter carrier for each full-time route as defined in Article 41.1.A.1, plus each carrier technician position.

If this was the only contract provision involved, it would be simple: Just fill the residual vacancies by converting PTFs in those installations where PTFs exist. If there are no PTFs, convert CCAs. Unfortunately, it's not that simple.

The MOU Re: Part-time Flexible Opportunities (M-01808) ended on May 24. We advised branches to pursue filling residual vacancies where appropriate to do so. USPS filed a national grievance in June as shown in Contract Talk on the next page. That case is pending. We will do our best to negotiate a resolution to the issue.

If we don't resolve the case through negotiations, you can look for it to be heard in national arbitration early next year. You should continue to pursue filling residual vacancies where Article 12 is not legitimate.

Additionally, there are other contractual provisions involved. First, we have the MOU Re: Part-Time Flexible Conversions from the Das award. This MOU requires both parties to work together and look for ways to convert PTFs to

full-time status. This is in addition to the normal contract requirements to maximize full-time employment and minimize part-time employment. We have a little fewer than 7,500 PTFs nationwide at present.

Next, we have the MOU Re: Transfers. This has been part of our contract for more than 26 years. How this MOU will apply in light of other provisions contained in the Das award is a matter under discussion.

Then we have Article 12 (withholding and excessing). This has been part of our contract for more than 40 years. Article 12 is the subject of some of the pending interpretive disputes. We also have all the withholding events for plant closings, etc. around the country.

Finally, we have another question: Where are all the residual vacancies (a vacancy that has been posted, but not bid on) around the country?

We plan to tackle these problems on three levels that will all function at the same time over the next several months.

1. We have been negotiating with the Postal Service for some time to find a solution to fill residual vacancies not properly withheld under Article 12 in a way that balances the contract provisions concerning CCAs, PTFs and transfers. We think we're close to an agreement, but nothing is signed as of this writing. Hopefully, something will be signed by the time you read this.
2. The USPS sends us a residual vacancy list each month. The trouble is, we know the list isn't accurate, but it's all we have to work from. We need your help in order to get the list straight. President Rolando has tasked the national business agents to send each branch the residual vacancy list provided by USPS for their area. He/she will ask you to help us correct the list so we can have the current residual vacancies properly entered and, in turn, get as many of them filled as possible. You probably already have the letter from your NBA. Please respond to this request as soon as you can if you haven't already done so.
3. We are going to go through every withholding event in the country and seek to fill residual vacancies being improperly withheld. This will be accomplished through a combined effort from the parties at headquarters, the national business agent offices, and the USPS at both the district and area levels.

If we all do our best to help each other, we can put this puzzle together so all the contract pieces fit. I can tell you that my office will do everything we can to complete Nos. 1 and 3 above. Will you help with No. 2? Please help us create an accurate residual vacancy list.