

# Probationary periods

**S**ince September 2013, more than 8,000 city carrier assistants (CCAs) have been converted to full-time career status. Many of these new full-time letter carriers did not have to serve a 90-day probationary period as outlined in Article 12, while others did have to serve this probationary period. How to determine if a new converted CCA must serve a probationary period is outlined below.

Probationary periods for new career employees are required by Article 12, Section 1.A, which states in relevant part:

The probationary period for a new employee shall be ninety (90) calendar days. The Employer shall have the right to separate from its employ any probationary employee at any time during the probationary period and these probationary employees shall not be permitted access to the grievance procedure in relation thereto.

However, the 2011 National Agreement contains a memorandum of understanding (MOU) Re: Article 12.1 — Probationary Period, that provides an exception for CCAs who successfully complete two successive 360-day terms as a CCA, provided the career appointment was directly following a CCA appointment. The MOU states:

City carrier assistants who successfully complete at least two successive 360 day terms after the date of this agreement will not serve a probationary period when hired for a career appointment, provided such career appointment directly follows a city carrier assistant appointment.

In another MOU, Re: Sunday Delivery — City Carrier Assistant Staffing (M-01835), NALC negotiated language that CCAs who were transitional employees prior to their initial CCA appointment will not serve a probationary period when converted to full-time career status during the term of the MOU, which currently runs through March 31, 2015. The MOU (M-01835) states in relevant part:

City carrier assistants converted to full-time regular career status during the term of this agreement will not serve a probationary period when hired for a career appointment provided the employee successfully served as a city carrier transitional employee directly before his/her initial CCA appointment.

**The NALC and the USPS clarified the meaning of each** of the above mentioned provisions in Question 35 of the jointly developed Questions and Answers 2011 USPS/NALC National Agreement (M-01833). The answer to Question 35 includes three bullet points covering each situation where a CCA would not have to serve a probationary period. After the bullet points below, you will find an additional explanation of each.

35. Does a CCA who receives a career appointment go through a 90 calendar day probationary period as a career

city letter carrier?

Yes, except in the following circumstances:

- The employee has successfully completed two successive 360-day appointments as a CCA, provided the career appointment directly follows a CCA appointment. See Memorandum of Understanding, Re: Article 12.1- Probationary Period.

This is a restatement of the language from the MOU in the Das award. In this case, if a CCA was hired April 1, 2013, worked 360 days, given his or her five-day break and rehired as a CCA on April 1, 2014, and completed that second 360-day term, the employee would not have to serve a probationary period when converted to full-time career status thereafter.

- The employee was a city carrier transitional employee placed into a CCA position following a one-day break in service in accordance with the January 31, 2013 Memorandum of Understanding, Re: Break in Service. The TE service does not apply, but completion of a total of 720 days as a CCA in successive appointments satisfies the two successive 360-day appointments required by the Memorandum of Understanding, Re: Article 12.1- Probationary Period.

Transitional employees who were hired as CCAs directly after the TE classification was phased out were given a one-day break in service and worked the remainder of their TE term as a CCA.

In this case, if the employee worked 270 days as a TE prior to their one-day break, he or she would have worked 90 days as a CCA to complete that term prior to a five-day break. After the five-day break, if the employee was reappointed and completed a 360-day term and was reappointed to another 360-day term, the employee would not have to serve a probationary period if converted to full-time career status after completing 270 days of the second full term as a CCA.

Example: 90 days as a CCA to complete the TE appointment following one-day break in service + 360 days in first full CCA term + 270 days into the second CCA term = 720 days.

- When, during the term of the Memorandum of Understanding, Re: Sunday Delivery — City Carrier Assistant Staffing, the employee is converted to full-time career status and successfully served as a city carrier transitional employee directly before his/her initial CCA appointment.

Under this provision, any CCA who served as a TE directly before his or her first appointment as a CCA will not have to serve a probationary period. This provision remains in effect as long as the MOU Re: Sunday Delivery — City Carrier Assistant Staffing (M-01835) remains in effect.