

What in the world are you thinking?



**Lew
Drass**

Let's begin by taking a look at how the Postal Service is doing. USPS had an operating profit of more than \$1 billion over the first two quarters of the fiscal year. The numbers for the third quarter are not in yet, so it remains to be seen what that will show, but we have every reason to believe that it will show a decent operating profit so far in Fiscal Year 2014.

As far as volume goes, USPS is doing all right there, too. There is no large volume decline going on. Our parcel business is going great. Amazon Sunday parcel service is set to more than triple in the next several months. To its credit, the Postal Service also is starting to pilot innovative ways to deliver additional

goods and services to our customers in some cities.

If you look past the bogus pre-funding requirement we still face, I'd say we're doing pretty well. Delivering mail six days a week and packages seven days a week is working. It seems that anyone with any walking-around sense would see that we should keep moving in the direction we are going.

Unfortunately, it appears Postal Service managers have decided not to use walking-around sense. Instead, they have this think tank they use for direction. The USPS think tank has meetings all too often. There was such a meeting a few weeks ago. The subject of the latest meeting must have been "foolish ideas." I'm confident that all the voices in the think tank came to the meeting fully prepared. It seems the task was to choose the most foolish idea and run with it.

The announcement came this week as I write this. The Postal Service will resume the process of closing 82 processing plants beginning Jan. 1, 2015. When could you find a worse time to make such a horrible business decision?

There is also a major contractual problem the Postal Service will face when trying to excess clerks into our craft from these plants. It just so happens that a national arbitration decision was issued on June 24 by national-level Arbitrator Stephen Goldberg (C-31339) that will finally force the Postal Service to change the way it excesses employees from other crafts into the city letter carrier craft.

This was an American Postal Workers Union (APWU) case that we intervened in and took the same position as the APWU. The case was about clerks being excessed into our craft who don't meet all the requirements (including physical requirements) of the position of a city letter carrier.

APWU and NALC argued that an employee has to meet all requirements of the position (including physical require-

ments) *prior* to being excessed into our craft. The Postal Service admitted that an employee had to meet all other requirements of the position, such as driving qualifications, but not the physical requirements.

In the end, National Arbitrator Goldberg ruled in favor of the unions. The first element of his remedy for the case is:

When the Postal Service intends to reassign an excessed employee to a position across craft lines under the provisions of Article 12, it must determine, prior to the actual reassignment, that the employee meets the minimum qualifications for that position, including the physical requirements.

This means that if the Postal Service plans to close a plant with 50 Level 6-and-above clerks who work there, they can excess only the number of clerks who meet *all* of the requirements of the city letter carrier position *before* they can be excessed into our craft.

So how many of the 50 won't qualify to be excessed into our craft? This question will now have to be answered for each withholding event the Postal Service initiates. My money says the number will be significant in most places. Time will tell.

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One thing is for certain: This is a lousy time for the Postal Service to start this fight again, for more than one reason. It would have been a whole lot smarter to continue working cooperatively to build the business and fill vacancies as they occur.

Unfortunately, the Postal Service's "think tank" has a foolish idea (again) and just can't wait to get started being foolish. I can report that NALC is in the best position we've ever been in to monitor and react where appropriate to ensure that our contractual rights are enforced. We will do everything we can to make sure that happens.

By the time you read this, the new *Joint Contract Administration Manual (JCAM)* will be available online and on the 2014 Contract DVD that was given to each delegate at the convention. I'll report further on the 2014 *JCAM* next month.

It was great to see everybody at the convention. Sorry about the weight-lifting contest you were forced to enter when you picked up your convention bags, but at least you had plenty of information to take home with you.