

# M-01824 implementation—alternate dispute resolution (ADR) process



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**T**his follows a letter/memo sent to all branch presidents from your national business agents (NBA) in early February. It was sent to inform branches about an agreement made at the national level to implement an alternate dispute resolution (ADR) process for disputes/grievances that concern the Memorandum of Understanding Re: Residual Vacancies – City Letter Carrier Craft (M-01824).

The ADR process is intended to resolve problems/disputes concerning implementation of/compliance with M-01824 before grievances leave the local level.

The most important thing to remember is that the ADR process is

not designed to *replace* the grievance procedure, but rather to *enhance* it.

If you have a problem/dispute concerning M-01824, just follow these four simple steps:

1. Report problems/disputes to your NBA's office as soon as you know about them.
2. Act like there is no alternate process for resolving disputes.
3. Investigate and file grievances where appropriate as you normally would.
4. Process grievances to Step B without delay.

**If your grievance concerns one or more residual vacancies** that have not been posted in e-Reassign, please try to provide your NBA a copy of the "No Successful Bidder" posting(s) for the job(s) that have not been posted when you notify his/her office of the problem.

Your NBA will forward your problem/dispute to the ADR while you continue to process the grievance(s) to Step B of the dispute resolution process. If the parties at headquarters resolve the issue, they will send the resolution to your NBA, who will in turn contact you and inform you of the decision.

You can expect resolutions to be short and to the point. Most of the time, they will consist of one or two sentences. If a dispute is resolved by the ADR, a grievance on the same issue will become "moot" and closed with the ADR resolution.

If the ADR cannot reach a resolution or if it is determined that the problem/dispute presented is outside the scope of M-01824, the grievance will continue through the dispute resolution process as if there was no ADR process. This is why it is extremely important to continue to file and

process these grievances in a timely manner, even though there is an ADR process in place.

**The ADR process was agreed to on Jan. 31 and will continue in effect until further notice.** We have been up and running for less than two weeks as of this writing, and already we have received an avalanche of disputes/grievances from all over the country. We are working our way through all of the issues and hope to be caught up with everything by the time you read this.

The most common issues we've seen so far concern delay or failure to convert PTFs, delay or failure to convert CCAs, and delay or failure to post residual vacancies in e-Reassign.

Some of the PTF conversion disputes don't involve withholding and will be easy to resolve. Others involve a question as to whether the residual vacancy(ies) involved are properly under withholding, which makes reaching a resolution more difficult.

Most of the delayed CCA conversion disputes turn on whether the delay was due to a transfer request(s) submitted before the 21-day posting cycle ended still being considered after the closing date of the posting. One of the advantages of the ADR process is that we are meeting with USPS representatives who have access to e-Reassign transfer requests for the whole country. They can research the history of any residual vacancy posted in e-Reassign and show us exactly what happened with the job. This will make these disputes easier to resolve.

**When it comes to posting disputes, the ADR is resolving most of those that concern residual vacancies covered by M-01824.**

However, there is a point of confusion on our side. M-01824 does *not* apply to filling full-time reserve/leave replacement positions that become residual vacancies. This is true whether or not there is a local agreement or previous grievance settlement that requires these positions to be filled. If you have a dispute like this, you should contact your NBA office for guidance.

As of this writing, M-01824 has caused more than 5,000 full-time residual vacancies covered by M-01824 to be posted in e-Reassign as transfer opportunities for letter carriers. M-01824 also has produced 1,900 PTF conversions to full-time status and more than 2,400 CCA conversions to career status.

**M-01824 isn't perfect, but I think it's fair to say that this MOU is serving the interests of both parties.** I can report that we are discussing the possibility of continuing M-01824 for a while longer. It remains to be seen how these discussions will work out. We'll keep you posted.