

Article 41.3—miscellaneous provisions

Article 41.3 of the National Agreement includes miscellaneous provisions related to our craft. Some are familiar to most, such as Article 41.3.O, which addresses bidding and posting procedures following the abolishment of an assignment.

Article 41.3 also contains a number of provisions negotiated over the years that are often overlooked but provide important rights and protections. Several of them are reviewed below, with the explanation underneath.

41.3.A The carrier may use stools while casing mail and performing other office duties, provided the use of such stools does not interfere with or affect efficiency and standard job performance.

This section provides protection for those letter carriers who choose to use a stool while performing their office duties.

41.3.B The Employer will not assess or hold a carrier responsible for incorrect fees collected on mail improperly rated prior to being distributed to the carrier, who is expected to exercise reasonable care and judgment in the matter.

41.3.C The Employer will not assess or hold a carrier responsible for faulty checks accepted in payment for postal fees or postal charges provided the carrier follows regulations governing the acceptance of checks. The regulations governing the acceptance of checks are contained in Chapter 3 of Handbook F-1. However, it is local management's responsibility to insure that letter carriers are trained in the procedure for properly accepting a check for postal fees and/or services.

Letter carriers sometimes are required to collect fees from a customer for a piece of accountable mail. The language found in these two provisions relieves the carrier of any financial responsibility if, for example, a piece of mail was marked with the wrong postage due or a bad check was collected for a COD item.

41.3.E When the Employer requires the use of certain supply items for the proper performance of a carrier's functions, such items will be supplied by the Employer.

This provision requires the Postal Service to supply items carriers are required to use, including, but not limited to, rubber bands, satchels and hampers.

41.3.F A newly appointed carrier or a carrier permanently assigned to a route with which the carrier is not familiar will be allowed a reasonable period to become familiar with the route and to become proficient.

Although there is no specific time frame mentioned in this provision, all letter carriers, whether newly appointed or veteran, working on an unfamiliar route, are allowed a reasonable amount of time to learn a route.

41.3.J The Employer agrees that, except in matters where there is reasonable cause to suspect criminal activity, postal management or inspectors shall not inspect lockers unless the employee or the Union representative has been given the opportunity to be present. For a general inspection, in which a number of lockers are to be inspected, where employees have had prior notification of at least a week, the above is not applicable.

This section lists the parameters agreed to by the parties for locker inspections.

41.3.K Supervisors shall not require, nor permit, employees to work off the clock.

The 2014 *Joint Contract Administration Manual* also provides the following:

Rest Breaks. National Arbitrator Britton ruled that the Postal Service must ensure that all employees stop working during an office break. Contractual breaks must be observed and cannot be waived by employees (H4N-3D-C 9419, December 22, 1988, C-08555).

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41.3.L In the interest of safety and health and other appropriate considerations, representatives designated by the NALC will be given an opportunity to examine, comment and to submit recommendations on new vehicle specifications during their development and before the specifications are transmitted to potential contractors, before manufacturing and upon completion of vehicles.

NALC is currently working on the next-generation delivery vehicle with the Postal Service, pursuant to this provision. For more information on the new delivery vehicle project, see Director of City Delivery Brian Renfroe's article on the previous page.

41.3.P The Employer shall promptly notify the local Union President of any job-related vehicle accidents involving city letter carriers.

This section is often overlooked. This provision should be strictly enforced. Such notification to the branch president allows the branch to check on the well-being of those involved in the accident and allows an investigation to begin, where necessary, as soon as possible.