

Arbitration—current status and plans for 2015



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Now that we finally have the 2014 *Joint Contract Administration Manual (JCAM)* and *NALC Shop Steward's Guide* and Shop Steward's Tool Kit projects completed, we plan to turn more attention toward the later steps of the grievance procedure. I'll use my space this month to report on arbitration.

National level arbitration

We now have agreement on which cases will be scheduled for national arbitration between January and June of this year.

Five of the cases were described in my December article. They are:

1. **Q11N-4Q-C 14278874**—Security clearances for city carrier assistants (CCAs) at their own expense when they are converted to career status.
2. **Q11N-4Q-C 14289728**—Application of Article 17.2.B.
3. **Q06N-4Q-C-11111196**—Retreat rights to the first vacancy after excessing occurs in an installation.
4. **Q11N-4Q-C 15005929**—CCAs' potential enrollment in the NALC Consumer Driven Health Plan.
5. **Q11-N-4Q-C-14032224**—Interpretation of *M-39*, Section 126.3. This case was scheduled for Dec. 4, 2014, but USPS requested to postpone it. We accommodated its request, and the case is rescheduled for Jan. 29.

There are four other cases scheduled that were not described in my December article. They are:

1. **Q06N-4Q-C-11084998**—Full-time flexible (FTF) maximization when an office is properly under withholding. This issue is whether management is required to convert part-time flexibles (PTFs) to FTF when the criteria in the national maximization/FTF memorandum of understanding are met while an office is under a proper withholding order.
2. **Q06N-4Q-C-09240093**—Carrier Optimal Routing (COR) relay time calculations when making route adjustments. The issue in this case is whether the method of calculating relay time in COR violates *Handbook M-39* and the National Agreement.
3. **Q06N-4Q-C-07136663**—Contracting work out after it was returned by arbitration. The issue in this case is whether management violated the National Agreement by converting inter-station transportation of mail previously identified as city delivery work to Highway Contract Route (HCR) service after the work was returned to our craft by an arbitration award.
4. **Q06N-4Q-C 09106352**—This case concerns the

threshold for when walk sequence saturation (WSS) mail becomes a third bundle on park-and-loop routes as described in a previous settlement (M-01663). The issue is whether the number of pieces in a mailing should be counted if a letter carrier believes the 75 percent/90 percent coverage threshold is not met.

This will leave 16 unresolved interpretive issues (plus anything that comes along between now and June). The next step will be to secure dates and schedule cases for the second half of this year. I'll keep you updated on our efforts as we go.

Local Memorandum of Understanding (LMOU) Impasse Arbitration

We were hoping to complete all the LMOU Impasse cases by the end of 2014. We started with 1,440 impasse cases. We have 141 impasse cases that haven't yet been scheduled. Of the 141 unscheduled impasse cases, 125 are from the Baltimore, Central Plains, Dallas, Oklahoma, Portland, Rio Grande and South Florida Districts.

The biggest problem in these districts has been getting arbitrators on the interest arbitration panel to offer dates to hear the cases. One of my New Year's resolutions is to get the remaining cases scheduled for a hearing by the end of May. I think this is realistic nearly everywhere. Here's hoping that my next report on LMOU Impasse cases is my last one for this round of bargaining.

Regional arbitration

The ultimate goal is to reach the point where grievances are scheduled for arbitration within 120 days of the appeal date. There are many areas of the country where this is either happening or close to happening. There also are other parts of the country where we have a lot of work to do in this area.

We currently have 1,825 grievances pending arbitration that have not been scheduled for arbitration. The majority (1,200) of these cases come from just 10 of the 67 postal districts in the country. One of my goals this year is to find a way to reduce the backlogs in those districts.

One idea is to solicit additional hearing days or have arbitrators come and spend a week instead of a day in a city with a heavy pending case load. Another idea is to experiment with the way cases are scheduled for arbitration in an effort to make the process more efficient. Implementing any such idea will take a joint effort.

I've always believed that if both parties know that Step B impasses actually will be arbitrated within three or four months, then the teams would be more likely to resolve some of the grievances currently being impassed. It's just a theory, but I'm hoping to set the table this year to find out if there is any truth to it.

In closing, I want to wish all of you and your families a wonderful holiday season and a happy New Year!