

Step B



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The Dispute Resolution Process (DRP) was put into place throughout the country more than 14 years ago, and even longer for those of you who were in the original test locations. This is when Step 3 of the former grievance procedure was replaced with Step B Dispute Resolution Teams (DRTs). When the DRP started, there was a lot of focus on resolving disputes at the lowest possible level.

The original intent was for Step B decisions to be issued using the *Joint Contract Administration Manual (JCAM)*, and these decisions were supposed to give the local parties direction on resolving future disputes involving the same situation.

In 2003, the parties signed a document called “USPS-NALC Joint Statement of Expectations” (M-01492). This document set forth a commitment for promoting a set of noble principles, for grievance handlers, designed to achieve more harmonious labor-management relationships. It seems that we were closer to achieving the intentions laid out in this document when it was written than we are today. If you are not familiar with M-01492, you ought to go on the website and give it a read.

Over the next several years that followed, we had national joint meetings where we brought all the Step B teams in for a few days each year to continue promoting the principles referenced above. The area/regional counterparts also made sure that annual joint training sessions were conducted at the local level in most places around the country to further reinforce these principles and ensure that any new players received joint training in the process.

Management stopped participating in these types of efforts shortly after the great recession hit the USPS. We haven’t brought the Step B teams in for a joint meeting in several years. There are still a few places that conduct joint training, but in most locations, it doesn’t take place unless major grievance processing problems occur. The end result is that far too many grievances are not getting resolved at the lowest step possible as intended by the creators of the DRP.

During the past year, 30,260 grievances were appealed to Step B of the DRP. Of those, Step B DRTs resolved 23,510 (78 percent) of these grievances and 4,392 (15 percent) were impasse. The remaining grievances are split between remand and hold decisions.

This cycle has been running pretty much the same since at

least 2010. On average, eight out of every 10 grievances impasse at Step B are resolved before they reach arbitration.

So if we are only going to arbitrate 800 to 900 of all the grievances filed in the country last year, why did we have to send 30,260 grievances to Step B for resolution? I think the simple answers at the local level are that not enough local counterparts approach grievances from the standpoint of using the *JCAM* to resolve grievances, and that local USPS representatives lack the same authority to resolve grievances that USPS representatives at Step B and the area levels have.

If you follow the thought a little further, you have to ask why the Step B teams have to impasse 4,392 grievances when all but 800 to 900 of them will be resolved at the area/regional level. I think there are two main reasons for this. More times than not, the problem is interference with the DRT. Sometimes it is a people problem. There are times where we have both problems. These situations are not new.

One thing that has always been true with Step B DRTs is that there are some teams that do not function as intended. They act more like lawyers than problem-solvers. The whole idea of using *JCAM* language to resolve disputes gets lost. This causes a higher impasse rate and grievance backlogs at the upper levels of the DRP.

There have been many concepts discussed between the parties at headquarters to address these problems. The two that stand out for me are called “swap” and “second look.”

“Second look” is where a people problem and/or interference is suspected. When the Step B team reaches the point of impasse for a grievance, they send it to a different Step B team for a second look. If the “second look” Step B team resolves the case, they issue a resolve decision. USPS at the headquarters level has yet to agree to experiment with this concept. However, a variation of this concept has been in place in one region for more than two years, and it seems to work great for them.

“Swap” is where interference is the suspected problem and the local parties simply send all grievances appealed to Step B straight to a different Step B team that is out of the jurisdiction of the area/regional representatives who normally oversee the Step B team. A slight variation of this concept has been in place outside the district, but within the same area/regional jurisdiction since last August, and it seems to be working well for them.

USPS at the headquarters level has finally agreed to test this concept as described above. The Gateway and Arkansas/Oklahoma Districts are involved in the first “swap” that began May 11. We will follow this test and see what happens.