

Understanding settlements about USPS' time-projection tools

Over the years, the Postal Service has developed and used many different time-projection tools. The misuse of these tools by frontline supervisors has been the subject of multiple grievances that have risen to the national level. It is important for rank-and-file letter carriers and shop stewards alike to understand the national parties' agreed-upon settlements and how they relate to the use of these tools on the workroom floor.

These tools have changed over time, with new ones constantly popping up in different parts of the country. While the names and methods have changed with each new projection tool, what hasn't changed are the responsibilities and reporting requirements outlined in *Handbook M-39, Management of Delivery Services* and *Handbook M-41, City Delivery Carriers Duties and Responsibilities*. What else hasn't changed is NALC's ability to challenge the use of any such projection as the sole determinant of a carrier's daily workload or its utilization as the sole basis for disciplinary actions. These issues have been settled many times in the past. To better understand this, let's take a look at a few past settlements on other time-projection systems:

- In 1979, the NALC and the USPS came to an agreement, assigned in the NALC Materials Reference System (MRS) as number M-00394, concerning the use of the Delivery Unit Volume Recording System (DUVRS). DUVRS was an early tool used to project office time for letter carriers. M-00394 states that DUVRS "will not constitute the basis for disciplinary action for failure to meet minimum standards" and that the program "will not constitute the sole basis for a carrier's leaving time."
- In 2001, a national-level settlement (M-01444) was signed regarding three different projection systems. M-01444 makes clear that these three projection systems "will not constitute the sole basis for discipline." The agreement also quotes Section 242.332 of *Handbook M-39*, which states: "No carrier shall be disciplined for failure to meet standards, except in cases of unsatisfactory effort which must be based on documented, unacceptable conduct that led to the carrier's failure to meet office standards." M-01444 also reinforced language agreed on in the 1985 national-level settlement M-00304, stating: "There is no set pace at which a carrier must walk and no street standard for walking."
- A 2007 settlement (M-01664) protected letter carriers from management's use of Delivery Operations Information System (DOIS) time projections. M-01664 states that DOIS projections "are not the

sole determinant of a carrier's leaving or return time, or daily workload. As such, the projections cannot be used as the sole basis for corrective action." The settlement also makes clear that the use of DOIS does not change the letter carrier's or the supervisor's responsibilities and requirements found in *Handbook M-39* and *Handbook M-41*.

- In 2011, NALC and USPS settled a national-level interpretive dispute over management's use of an "office efficiency tool" developed in the Greater Indiana District. This settlement (M-01769) is the latest in a long string of settlements designed to protect letter carriers from management's improper use of office and street time projections.

"It is important for rank-and-file letter carriers and shop stewards alike to understand the national parties' agreed-upon settlements and how they relate to the use of these tools on the workroom floor."

M-01769 extends the same protections to letter carriers concerning management's use of the "office efficiency tool" that was the subject of this grievance. The terms of M-01769 also are applicable to any management office or street time projection system/tool currently in use or similar tool/system developed in the future. The new language states:

The subject office efficiency tool is a management tool for estimating a carrier's daily workload. The office efficiency tool used in the Greater Indiana District **or any similar time projection system/tool(s)** will not be used as the sole determinant for establishing office or street time projections. Accordingly, the resulting projections will not constitute the sole basis for corrective action. This agreement does not change the principle that, pursuant to Section 242.332 of

(continued on next page)

Contract Administration Unit

Lew Drass, Vice President
Brian Renfroe, Director of City Delivery
Manuel C. Peralta Jr., Director of Safety and Health
Ron Watson, Director of Retired Members

Understanding settlements about USPS' time-projection tools (continued)

Handbook M-39, 'No carrier shall be disciplined for failure to meet standards, except in cases of unsatisfactory effort which must be based on documented, unacceptable conduct that led to the carrier's failure to meet office standards.' Furthermore, as stated in the agreement for case H1N-1N-D 31781, 'there is no set pace at which a carrier must walk and no street standard for walking.'

Projections are not the sole determinant of a carrier's leaving or return time, or daily workload. The use of any management created system or tool that calculates a workload projection does not change the letter carrier's reporting requirements outlined in section 131.4 of *Handbook M-41*, the supervisor's scheduling responsibilities outlined in section 122 of *Handbook M-39*, or the letter carrier's and supervisor's responsibilities contained in Section 28 of *Handbook M-41*. (Emphasis added.)

“Any time-projection tool being used by management doesn't change the fact that it cannot be used as the sole determinant of a letter carrier's daily workload projections.”

The letter carrier's reporting requirements referenced in M-01769 and outlined in Section 131.4 of *Handbook M-41* read in relevant part as follows:

131.4 Reporting Requirements

131.41 It is your responsibility to verbally inform management when you are of the opinion that you will be unable to case all mail distributed to the route, perform other required duties, and leave on schedule or when you will be unable to complete delivery of all mail.

131.42 Inform management of this well in advance of the scheduled leaving time and not later than immediately following the final receipt of mail. Management will instruct you what to do.

131.43 Complete applicable items on Form 3996, Carrier-Auxiliary Control, if overtime or auxiliary assistance is authorized in the office or on the street.

131.44 Report on Form 1571 all mail undelivered—including all mail distributed to the route but not cased and taken out for delivery. Estimate the number of pieces of mail.

131.45 Do not curtail or eliminate any scheduled delivery or collection trip unless authorized by a manager, in which case you must record all facts on Form 1571.

131.46 Before you leave the office, enter on Form 1571 the mail curtailed; when you return, add any mail which was not delivered and which was returned to the office. Follow any

special local procedures set up to identify errors and corrective actions for mail returned because it was out of sequence.

Section 28 of *Handbook M-41* outlines the procedures for letter carriers to fill out PS Form 3996, Carrier – Auxiliary Control and submit it to the supervisor when the letter carrier estimates the daily workload cannot be completed in the allotted time. This section also details the requirements of the supervisor once the form has been submitted.

Section 122.33 of *Handbook M-39* requires a supervisor to provide a letter carrier with PS Form 3996 upon request once the supervisor has been verbally informed why the request is being made. That sections states:

122.33 The employee, upon request, will be provided a Form 3996, Carrier - Auxiliary Control, after the supervisor has been verbally informed as to the reason for the request. The employee shall not be denied the form and, upon request, a duplicate of the completed form will be provided the employee.

As you can see, any time-projection tool being used by management doesn't change the fact that it cannot be used as the sole determinant of a letter carrier's daily workload projections. Letter carriers are still responsible for estimating the amount of time it will take to complete their assigned duties, and management still has a responsibility to manage that workload within the confines of the handbook language as well as the above-referenced settlements. Shop stewards are advised to consider citing violations of these settlements in all grievances concerning management's improper use of office and street time projection tools or systems.