

How mutual exchanges work

Career letter carriers may exchange positions with other career employees anywhere in the country. The policy governing this swap is found in Section 351.61 of the *Employee and Labor Relations Manual (ELM)*. The policy requires the installation heads of both post offices to approve the mutual exchange. In addition, it places restrictions on exchanges between categories of employees. Section 351.61 states:

Career employees may exchange positions (subject to the provisions of the appropriate collective bargaining agreement) if the officials in charge at the installations involved approve the exchange of positions. Mutual exchanges must be made between employees in positions at the same grade levels. The following employees are not permitted to exchange positions:

- Part-time flexible employees with full-time employees.
- Bargaining employees with nonbargaining employees.
- Nonsupervisory employees with supervisory employees.

For city letter carriers, the 2007 Memorandum of Understanding (MOU) Re: Mutual Exchanges clarifies that Grade 1 and Grade 2 letter carriers are considered to be in the same grade for the purpose of mutual exchange eligibility. This MOU, M-01646 in NALC's Materials Reference System (MRS), states:

The parties agree that in applying the relevant provisions of Section 351.6 of the Employee and Labor Relations Manual, city letter carriers in grades CC-01 and CC-02 are considered as being in the same grade. This agreement applies solely to determining whether employees are eligible for mutual exchanges.

The National Agreement and the *Joint Contract Administration Manual (JCAM)* clarify what happens with the exchanging employees' seniority, duty assignments and grade. They also explain the evaluation and approval processes.

The contractual language governing the issue of seniority for letter carriers who exchange positions is outlined in Article 41.2.E. of the National Agreement, which states:

E. Change in Which Seniority is Modified.

When mutual exchanges are made between letter carriers from one installation to another, the carriers will retain their seniority or shall take the seniority of the other exchangee, whichever is the lesser.

This is different from the seniority rule in Article 41.2.G.3 of the National Agreement, which applies to other transfers and requires transferring employees to begin a new period of seniority. This is further explained on Page 12-51 of the *July 2014 USPS-NALC Joint Contract Administration Manual (JCAM)*, which states:

Mutual Exchanges—Seniority. Article 41.2.E provides that when mutual exchanges are made between letter carriers, the carriers will retain their seniority or shall take the seniority of the other exchangee, whichever is the lesser.

The explanation of Article 41.2.E found in the *JCAM*

makes clear that any mutual exchange is an exchange of positions and not assignments. The routes of the letter carriers involved in the swap are posted for bid in accordance with the provisions of Article 41.1. The following language appears on Page 41-22 of the *JCAM*:

This contractual provision does not mean the exchanging carriers exchange their routes as well as their positions. The routes involved in the exchange are posted in accordance with the provisions of Article 41.1.

This is also explained in Article 12 of the *JCAM* on Page 12-50:

Mutual Exchanges are exchanges of positions in the complement of different installations. Carriers do not exchange actual bid assignments or pay grades since the vacated bid positions must be posted for bidding in accordance with the provisions of Article 41.1 and the applicable Local Memorandum of Understanding.

The approval process for a mutual exchange is the same as any other transfer request covered by the MOU Re: Transfers. This MOU can be found on Page 188 of the 2011 National Agreement and a full explanation may be found beginning on Page 12-45 of the *JCAM*. In accordance with the MOU, installation heads must give full consideration to each mutual exchange request as they would for any transfer request. Further, the Postal Service may not unreasonably deny a request. The following language is found on Page 12-51 of the *July 2014 JCAM*:

Mutual Exchanges—Full Consideration. The provisions of the Transfer Memorandum requiring that installation heads afford "full consideration" to all reassignment requests apply to mutual exchanges just as to any other transfers. Such requests "will not be unreasonably denied." In evaluating and responding to mutual exchange requests, installation heads should follow the criteria provided for in the Transfer Memorandum.

Finally, once letter carriers have agreed to exchange positions, they should each write a letter to the installation head in the location where the other letter carrier is employed requesting the mutual exchange. They should also write a letter to their own installation head notifying them of their request and include a copy of the mutual request letter.

NALC members may find and publish ads for mutual exchanges in *The Postal Record* each month. For detailed information about how to publish an ad, see page 65 of this magazine.

Contract Administration Unit

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