

**Contract Administration Unit**

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# Article 11 puts some holiday jingle in your pocket

**H**appy Holidays, letter carriers! With the holiday season rapidly approaching, this month's Contract Talk will focus on the benefits that letter carriers are afforded under Article 11 of the National Agreement.

Article 11, Section 1 provides full-time regular (FTR), full-time flexible (FTF) and part-time regular (PTR) letter carriers with 10 paid holidays each calendar year: New Year's Day, Martin Luther King Jr. Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day and Christmas Day. Full-time letter carriers receive eight hours of pay at the straight-time rate, while part-time regular carriers receive the number of hours at the straight-time rate of their regular schedule. While part-time flexible (PTF) letter carriers do not directly receive holiday pay, Article 11.7 provides that these employees shall be compensated for the 10 holidays by basing the employee's regular straight-time hourly rate on the employee's annual rate divided by 2,000 hours.

With the ratification of the 2016-2019 National Agreement, city carrier assistants (CCAs) are now eligible to receive holiday pay on the following six holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. CCAs receive holiday pay based on the size of their employing office. In 200-workyear offices, CCAs receive eight hours of pay, those in POSTPlan offices (Level 18 and below) will receive four hours and all others will receive six hours.

## Pay status and eligibility

**To be eligible for holiday pay under the provisions of Article 11.2 for FTR, FTF and PTR carriers and Article 11.8.B for CCAs, letter carriers must be in a pay status the last hour of the employee's scheduled workday prior to or the first hour of the employee's scheduled workday after the holiday. If you are in a leave-without-pay status (LWOP) on both sides of a holiday, you may forfeit your holiday pay. Additionally, if a holiday falls during a CCA's five-day break in service, he or she does not receive pay for that holiday.**

Article 11, Section 5 identifies when a holiday is observed if it falls on a nonwork day. If a holiday falls on a Sunday, the following Monday is observed as the holiday. When the holiday falls on Saturday, the preceding Friday becomes the holiday. When a FTR, FTF or PTR carrier's scheduled non-workday falls on the day observed as a holiday, the workday preceding the holiday becomes the carrier's designated holiday.

Article 11, Section 6 contains the rules for scheduling holiday work. The National Agreement lays out a "pecking order" for scheduling on holidays and designated holidays. However, the method of scheduling may vary locally, as Article 30, Section B permits the local parties to negotiate

a different pecking order in their Local Memorandum of Understanding (LMOU) if they so choose. Absent LMOU provisions, page 11-3 of the 2014 USPS-NALC *Joint Contract Administration Manual (JCAM)* provides the following pecking order for holiday assignments:

1. All part-time flexible employees to the maximum extent possible, even if the payment of overtime is required
2. All full-time regular, full-time flexible and part-time regular employees who possess the necessary skills and have volunteered to work on their holiday or their designated holiday—by seniority
3. City carrier assistant employees
4. All full-time regular, full-time flexible and part-time regular employees who possess the necessary skills and have volunteered to work on their non-scheduled day—by seniority.
5. Full-time regular, full-time flexible and part-time regular employees who possess the necessary skills and have not volunteered on what would otherwise be their non-scheduled day—by inverse seniority
6. Full-time regular, full-time flexible and part-time regular employees who possess the necessary skills and have not volunteered on what would otherwise be their holiday or designated holiday—by inverse seniority.

Management is required to post the holiday schedule by Tuesday of the week preceding the holiday. There are times when the holiday schedule is not posted timely or the pecking order may not have been followed. If you believe a violation has occurred, contact your steward or branch office.

## Retroactive holiday pay for eligible CCAs

**NALC and USPS recently resolved an interpretive dispute from the 2016-2019 National Agreement involving retroactive holiday pay for eligible CCAs. As a result of this settlement (M-01894 in NALC's Materials Reference System), the parties agreed that eligible CCAs would receive holiday pay for holidays after the first wage increases under the terms of the 2016-2019 National Agreement (Nov. 26, 2016). Therefore, employees who were on the rolls as CCAs on Christmas Day 2016, New Year's Day 2017, Memorial Day 2017 and Independence Day 2017, and remained on the rolls as either a CCA or career letter carrier as of July 27, 2018, will receive retroactive pay for those holidays.**

**As we enter the peak delivery season, be safe and enjoy the benefits provided to you under Article 11. Have a great holiday season.**