

## LETTER CARRIER POLITICAL FUND



Please note: There will be no Branch Items, State Summaries or Retiree Reports in the February 2020 *Postal Record*. That edition will be the special annual tribute issue honoring contributors to LCPF during 2019.

# Case consolidation lawsuit dismissed

**O**n Nov. 6, the federal district court in Washington, DC, issued a decision dismissing NALC's lawsuit seeking to halt the Consolidated Casing Initiative.

U.S. District Judge James E. Boasberg concluded that the court lacked jurisdiction to issue the preliminary injunction requested by NALC, which would have halted the initiative pending the outcome of the national-level arbitration. The arbitration was scheduled to begin on Nov. 22 before National Arbitrator Shyam Das.

The court reasoned that a preliminary injunction halting an employer action pending arbitration is warranted only when the employer's action would render the arbitration "meaningless." The court concluded that a preliminary injunction was not warranted here because Arbitrator Das will have the authority (if he rules for NALC) to find that the Consolidated Casing Initiative violates the National Agreement and to order USPS to end it.

To read the entire opinion, go to [nalc.org](http://nalc.org). **PR**

# Decision in pay consolidation case

**N**ational Arbitrator Shyam Das has issued his award in a national interpretive dispute involving the memorandum of understanding regarding the consolidation of NALC pay levels. The memorandum, which went into effect on Nov. 24, 2018, elevated all Grade 1 letter carriers to the former Grade 2. Arbitrator Das recognized that the memorandum "provided Carriers with the increased compensation they would have received if granted an upgrade." Nonetheless, the arbitrator rejected NALC's position that this change meant that employees from other crafts in grades equivalent to the former City Carrier Grade 1 no

longer could be excessed into the letter carrier craft under Article 12 of the National Agreement.

Both the American Postal Workers Union and the National Postal Mail Handlers Union intervened in the case in support of the Postal Service's position.

The award is not expected to have a major impact on the letter carrier craft. Evidence presented by NALC at the hearing showed that while 11,589 Level 6 clerk positions were eliminated in the five-year period from 2014 to 2018, only 98 clerks were excessed into the carrier craft—0.8 percent of the positions eliminated.

To read Arbitrator Das's opinion, go to [nalc.org](http://nalc.org). **PR**

## Penalty Overtime Exclusion

As referenced in Article 8, Sections 4 and 5, of the USPS-NALC and USPS-APWU national agreements, the December period (during which penalty overtime regulations are not applicable) consists of four consecutive service weeks. This year, the December period begins Pay Period 25-19—Week 2 (Nov. 30, 2019)—and ends Pay Period 01-20—Week 1 (Dec. 27, 2019).