News from Washington

USPS Fairness Act and priority resolutions gain momentum

NALC's five priority resolutions, as well as the USPS Fairness Act (H.R. 2382), the bill in the House of Representatives that would eliminate the mandate to pre-fund retiree health benefits, have continued to gain support from both sides of the aisle. At this time, a bipartisan House majority supports repealing the mandate to pre-fund retiree health benefits and maintaining six-day mail delivery and door delivery, while bipartisan majorities in the House and Senate oppose privatization of the Postal Service.

"This majority of support is due to the overwhelming and diligent work of letter carriers across the country who have taken the time to meet with their members of Congress during the August congressional recess," NALC President Fredric Rolando said. "The strong House support means that NALC has the ability to protect pivotal services, fight back against calls for privatization and demonstrate that the mandate to pre-fund retiree health benefits should end."

In 2006, Congress mandated that USPS pre-fund decades' worth of health benefits for its future retirees. This mandate, which has cost USPS an average of $5.4 billion annually since 2007, is responsible for 92 percent of USPS losses over the last 12 years and 100 percent of losses over the past six years. Without this burden imposed, USPS would have recorded surpluses of nearly $4 billion since 2013.

"Repealing the pre-funding requirement is key to achieving sensible postal reform, investing in the Postal Service's infrastructure and better utilizing its vast network to serve residential and business customers," Rolando said.

Noting that "the work is far from done," Rolando called on letter carriers to continue to reach out to all members of Congress. "There are many legislators who have not heard from us and who need an education about the Postal Service and the invaluable role that letter carriers play in serving their customers and communities. Our hope is that every member of Congress—no matter their party, history or views—will hear from us."

Resources are available on the NALC Government Affairs page of nalc.org for background information on pre-funding and H.R. 2382. You can find fact sheets about pre-funding or check the latest co-sponsors on H.R. 2382 to see if your member of Congress has co-sponsored the bill. (You also can check directly by going to Congress.gov and typing in "HR 2382" into the search bar at the top of the page.)

While the priority resolutions on door delivery (H. Res. 23), six-day mail delivery (H. Res. 54) and opposing the privatization of USPS (H. Res. 33/S. Res. 99) all have achieved majority support with more than 218 co-sponsors, the resolution on restoration of service standards (H. Res. 60) still needs more co-sponsors.

To contact your representative, call the Capitol Switchboard at 202-224-3121 and provide your ZIP code. Ask your representative to support the Postal Service and its employees by co-sponsoring H.R. 2382 and any resolutions they have not co-sponsored.

Fall appropriations

Ahead of the August recess, Congress passed a two-year $2.7 trillion budget deal along with a two-year suspension of the nation's debt limit, which the president signed into law. Suspending the debt limit allows the government to borrow money to fund spending already approved by Congress while the budget deal gives Congress, the parameters needed to allocate funding through 12 appropriations bills that are used to finance the government.

When Congress resumed work in September, its members got right to work to finish funding the government through fiscal year 2020. The House began in good shape, having passed 10 of the 12 measures necessary to fund the government, while the Senate had not passed a single one. This was partially due to disagreements between the parties over spending limits, which were finally resolved via the budget deal.

Typically, in the appropriations process, the House and Senate would individually complete work on all 12 spending measures. The measures passed by the House and Senate would then go to conference committees, where selected representatives and senators from both parties would hash out disagreements to find common ground before voting to pass the funding measures one last time and sending them to the president for his signature.

Given the time constraints and the lack of work done by the Senate on appropriations, the House and Senate instead have negotiated a short-term spending deal through Nov. 22 to avoid a shutdown. This means that final funding for FY 2020 will be pushed back to late November at the earliest, at which point lawmakers will be anxious to make deals, lest the delay cut into their December holiday recess or cause another government shutdown.

NALC will continue to monitor the appropriations process and will

President Rolando (speaking at right) and other NALC members and Headquarters staff were among those protesting the White House's actions against federal employees at a rally in Washington, DC, on Sept. 24.

be sure to keep letter carriers up to date on the latest movement and changes made. Visit NALC's Government Affairs page for the most current information.

AFGE loses appeal on White House executive orders

Back in May 2018, the White House issued three executive orders aimed at making it easier for agencies to fire federal workers and place strict limits on union activities. While these orders did not apply to the Postal Service and its unions, NALC stood in support of our brothers and sisters of other federal employee unions, including the American Federation of Government Employees (AFGE), which is leading the effort to oppose these executive orders and defend federal employee rights.

In August 2018, the District Court of Washington, DC, ruled that the administration had violated the 1978 Federal Service Labor-Management Relations Statute of 1978, which states that Congress gave federal employees the right to unionize and to negotiate job contracts as a matter "of public interest." According to the ruling, the administration lacked the power to interfere with union negotiations, which are protected under federal law. That ruling ultimately revoked most of the measures in the executive orders.

This ruling was appealed by the White House, and on July 16, the DC Circuit Court of Appeals overruled the District Court, stating that it did not have the jurisdictional authority to strike down the provisions within the executive orders, thereby putting the orders back on a path to go into effect. The Court of Appeals also ruled that AFGE and the other unions should pursue their claims through the Federal Labor Relations Authority (FLRA).

While AFGE is leading the fight once again by filing a case with the U.S. District Court for the Southern District of New York, NALC has been working with our brothers and sisters at AFGE on a letter to House Speaker Nancy Pelosi (D-CA) to include language in the final fiscal year 2020 Financial Services and General Government Appropriations bill to reinforce the current law and protect federal employees' workplace rights. That letter can be found in the "congressional letters" section of the website.

"Should these union-busting executive orders be enacted, they would set a precedent that would spell a grave threat to all labor unions and to workers' rights in our country," NALC President Rolando said. "To that end, NALC stands with AFGE and all federal employees in opposition to these executive orders and to this administration's attacks on workers." **PR**