

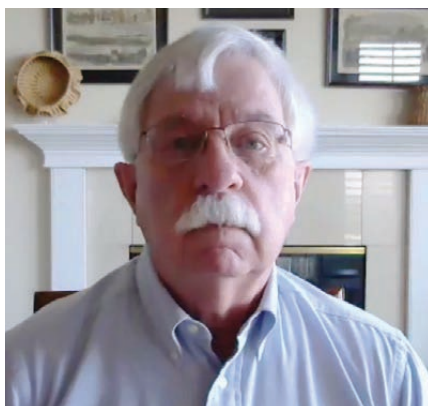
NALC and USPS begin interest arbitration hearings

The interest arbitration case for a new National Agreement between the National Association of Letter Carriers and the United States Postal Service opened on Sept. 23 quite differently from any other. Whereas previous interest arbitration proceedings were held in person, this one is being conducted entirely online via the Zoom teleconferencing program due to the COVID-19 pandemic. The hearing proceeded in orderly fashion, with both sides presenting their opening statements as though they were all in the same room.

Negotiations between NALC and USPS began in person on June 26, 2019, three months before the expiration of the 2016-2019 contract. While the parties were unable to reach agreement during the 90-day period, they have continued to negotiate as the process moved to interest arbitration. Delays in the arbitrator's schedule and unforeseeable consequences stemming from the coronavirus pandemic pushed the first arbitration hearing back until September of this year.

The chairman of the three-person arbitration board is Dennis Nolan, a member of the American Arbitration Association's labor panel and a full-time labor arbitrator since 1976. He also serves as a mediator for the Federal Mediation and Conciliation Service. In 1985, he was selected for membership in the National Academy of Arbitrators, and eventually served as its president in 2006. He has also served as a national arbitrator on the NALC/USPS panel.

The other members of the three-person board are attorney Keith Secular, from Cohen, Weiss and Simon, representing NALC; and attorney Thomas Reinert, for USPS. Chairman Nolan made a few brief remarks and noted that preliminary briefs had been filed,



Arbitrator Dennis Nolan listens on the Zoom conference to the opening statements of the NALC-USPS arbitration hearings.

before giving the floor to attorney Peter DeChiara, also from Cohen, Weiss and Simon, who serves as NALC's lead advocate for the arbitration proceedings.

Two principal objectives

In his opening statement, DeChiara explained that the NALC's two principal objectives were substantial wage increases for city letter carriers, and conversion of the non-career workforce to career status.

"In this particular proceeding, we seek general annual wage increases greater than those in the Postal Service's recent contracts with the three other major postal unions," he continued. "As I will explain, under generally accepted principles of compensation, changes in the city letter carrier job have made it markedly more difficult and justify these wage increases."

The second major objective, DeChiara said, was to "seek the elimination, by the end of the contract term, of the non-career position known as city carrier assistant or CCA, that would leave the city carrier craft with an all-career workforce."

"The NALC will discuss our other proposals, but those are the two core

objectives," he said of the union's efforts to obtain substantial wage increases, as well as the conversion of CCAs to career positions.

USPS economic proposal

After NALC's opening, the Postal Service's opening statement was made by Kevin Rachel, a labor relations consultant and former manager of collective bargaining and arbitration at USPS. He laid out the Postal Service's economic proposal, which in part included lump sum payments rather than general wage and COLA increases, decreasing layoff protections, and substantially increasing the non-career CCA complement.

DeChiara, in his statement, summarized the USPS proposals this way: "In its brief at page 43, the Postal Service writes that, 'The parties are accustomed to receiving on the record economic proposals that do not reflect any semblance of realism.' The Postal Service's economic proposals fit that description to a T."

What's next

Through the next three days of scheduled hearings following the opening statement presentations on Day One, each party called witnesses to support its economic proposals. A full week of hearing days are scheduled in late October, followed by two full weeks of hearing days in mid-November.

As NALC President Fredric Rolando has indicated, the parties, on a separate track, continue to meet regularly in an attempt to reach a tentative negotiated agreement that could be sent out to the members for review and ratification. Ultimately, the parties will either come to a tentative negotiated agreement or be bound by Arbitrator Nolan's award pursuant to the Interest Arbitration process described above. **PR**