

Step B update



**Lew
Drass**

It should be close to Veterans Day by the time you read this, so I want to begin by thanking all of you who served in the military for your service to our country. I also want to take this opportunity to thank all of the NALC Step B representatives for your efforts. You have a tough job and do not get thanked enough for what you do.

The original intent of the Dispute Resolution Process (DRP) was for each Step B Dispute Resolution Team (DRT) to issue Step B decisions using the *Joint Contract Administration Manual (JCAM)* within 14 days of receipt. The idea was that a Step B decision would give the local

parties direction on resolving future disputes involving the same situation. Then the local parties would resolve a higher percentage of their own grievances and reduce the number of Step B teams needed to issue timely decisions.

As a group, we continue to move further and further away from this concept as time moves on. There are still plenty of places around the country where the DRP works as intended and the vast majority of grievances are resolved at the local level. On the other hand, there are some places around the country that did not “get the memo” about the original intent of this process. As a consequence, there is a backlog of cases pending a decision at Step B in those places.

It has been true for many years that 75 to 80 percent of the grievances that are appealed to Step B are resolved at that step. Additionally, 60 to 70 percent of the grievances imposed by the Step B teams are resolved through pre-arbitration discussions. It follows that these facts should translate into more grievances being resolved at the local level.

Once again, in some circles, it does not work this way. To me, this is a puzzle that could be solved if both parties had a will to do something about it. I was hoping that the new Memorandum of Understanding Re: Article 15 – Dispute Resolution Procedure Task Force, located on pages 202-203 in the 2016-2019 National Agreement, would produce such a result. Unfortunately, that has not happened thus far. It remains to be seen if this MOU will be continued in our next contract, and if so, whether we can convince the Postal Service to make better use of it.

As of this writing, we still have 58 full-time Step B teams that serve the 67 USPS districts around the country. This

number hasn’t changed in more than a decade. That shows the lack of progress in achieving the original intent of the DRP.

Management changed the structure of its side of the Step B representative selection/reporting process a few years back. Management Step B representatives now report to the USPS area as opposed to the USPS district. In theory, this should give these players broader authority to make decisions and improve the Step B resolution rate. That has not happened either. Last year, the Step B resolution rate was 67 percent. That is as low as it has ever been.

Here is where we stand now: There are currently 2,669 cases pending a decision at Step B. Of those, 961 grievances have been at Step B awaiting a decision for more than 14 days. We had 8,000-plus cases pending a Step B decision earlier this year. The biggest chunk of those cases arose in the 62 case consolidation sites around the country and have been sent to the NALC regional and USPS area level for discussion (more on that in next month’s article).

Some 1,929 of the 2,669 cases currently pending a decision at Step B and 803 of the 961 grievances that have been at Step B awaiting a decision for more than 14 days come from just 24 of the 58 Step B teams. Another way to say it is that 72 percent of the grievances and 83.5 percent of the backlogged cases come from these 24 Step B teams.

There are some USPS districts that have had a long-term problem with backlogs. The common thread in these places is that the DRTs are productive teams, but they typically receive more cases from Formal Step A than can be handled in a timely fashion. The end result is that grievances from these areas often get sent to other DRTs for a Step B decision, which causes more delays, and in some cases, inconsistent decisions. This in turn causes more cases to be appealed to Step B from Formal Step A, thereby creating a never-ending cycle of backlogs at Step B.

The first order of business is to activate enough backup Step B teams to get the backlogs cleared. Any Step B team that has more than 50 cases pending is in a backlog situation, because they will most likely be unable to render decisions within 14 days of receipt. We have too many Step B teams in this situation at the present time to just depend on sending cases to other teams that are caught up.

The key to achieving the original intent of the DRP is to promote and encourage the parties at Informal and Formal Step A to resolve their grievances themselves instead of passing them to someone else to make a decision.

In closing, I wish all of you and your families a happy Thanksgiving!