

Contract Administration Unit

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Posting vacant assignments

The November Contract Talk outlined the process used to fill temporarily vacant letter carrier assignments. This article will discuss the procedures used to fill vacated and recently created letter carrier assignments, including letter routes, carrier technician assignments, parcel post and collection routes, and reserve letter carrier assignments.

Unless an assignment is under consideration for reversion, the National Agreement requires that it be posted for bid within 14 days of the date it is vacated, or that it be established, in the case of a newly created assignment. The local parties may agree to extend the 14-day time limit.

Article 41 Section 1.A.1 states in part:

1. A vacant or newly established duty assignment not under consideration for reversion shall be posted within fourteen calendar days from the day it becomes vacant or is established, unless a longer period of time is negotiated locally.

This section goes on to explain the time limits that management must follow if an assignment is under consideration for reversion:

When a position is under consideration for reversion, the decision to revert or not to revert the position shall be made not later than 30 days after it becomes vacant. If the decision is made not to revert, the assignment must be posted within 30 days of the date it becomes vacant. The Employer shall provide written notice to the Union, at the local level, of the assignments that are being considered for reversion and of the results of such consideration.

This provision delays the amount of time between the date that an assignment under consideration for reversion is vacated and the date it must be posted. However, this language does not allow management to adopt a “blanket” policy to consider all vacant routes for reversion. In a national-level settlement, M-01389, the parties agreed to the following:

The issue in the instant grievances involves a local district policy to consider all vacant routes for reversion pursuant to the provisions of Article 41.1.A.1.

The parties agreed that a “blanket” policy to consider all vacant routes for reversion prior to posting is inconsistent with the provisions of Article 41.1.A.1. Routes considered for reversion are to be considered on a route by route basis.

A complete copy of M-01389, as well as many other key contractual “M” documents, can be found in the Materials Reference System (MRS) at nalc.org/mrs.

Vacant assignments posted for bid are open to all eligible letter carriers employed in the installation, unless the local parties have negotiated local agreements, or a past practice establishes a different method. In accordance with Article 30, Sec-

tions B.21 and B.22, the parties may agree to post assignments within a specific section, as opposed to installation-wide.

Once an assignment has been posted for bid, the notice must be posted in all offices where letter carriers who are eligible to bid are assigned. In the case of installations with more than one delivery unit, the notice must be posted on the bulletin board in each office. A copy of the bid notice also must be provided to the local union. Employees absent during the time an assignment is posted may receive a copy of the notice; however, the employee must submit a written request for the notice.

The bid notice must be posted for 10 days, unless the local parties have negotiated a different time period in accordance with Article 30, Sections B.21 and B.22. The bid notice must include the information listed in Article 41, Section 1.B.4:

- (a) The duty assignment by position title and number (e.g., Key or Standard).
- (b) Grade.
- (c) Hours of duty (beginning and ending), including, in the case of a Carrier Technician assignment, the hours of duty for each of the component routes.
- (d) The fixed or rotating schedule of days of work, as appropriate.
- (e) The principal assignment area (e.g., section and/or location of activity).
- (f) Invitation to employees to submit bids.
- (g) Physical requirement unusual to the assignment.
- (h) If a city carrier route is involved, the carrier route number shall be designated. If a Carrier Technician assignment is involved, the route number of the Carrier Technician assignment and the route numbers of the component routes shall be designated.
- (i) Date of last inspection and date of last adjustment.

Within 10 days of the date the bid notice closes, management must announce the name of the letter carrier with the most seniority, known as the “successful bidder,” who bid on the route. In the case of a letter carrier who is temporarily disabled and is the successful bidder on an assignment, certain rules apply if the employee cannot assume the job duties. For an in-depth explanation of these rules, see pages 41-7 and 41-8 of the 2014 USPS-NALC *Joint Contract Administration Manual (JCAM)*.

Once the successful bidder has been announced, the employee must be placed on the assignment within 15 days, except during the month of December. Application of this exception does not begin a new 15-day period; the days would stop

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Filling vacancies (continued)

being counted at the end of November and begin again at the start of January. The total number of days between the close of the bid and the date the employee starts on the assignment is still limited to 15 days.

The following additional contractual provisions pertaining to the posting of assignments may occur from time to time.

- **Article 41, Section 1.A.2:** Letter carriers who are temporarily detailed to a supervisory position (204-b) may not bid on vacant assignments during the detail. However, the 204-b may voluntarily terminate the detail and then exercise their right to bid when they return to the craft.
- **Article 41, Section 1.A.4:** Changes in start times or non-scheduled days do not require an assignment to be posted (except as provided in Article 41, Section 1.A.5 explained below).

- **Article 41, Section 1.A.5:** Article 30, Sections B.21 and B.22 allow the local parties to determine whether a change in start time of more than one hour requires the assignment to be posted.
- **Article 41, Section 1.A.6:** When the fixed non-scheduled day of an assignment is changed, the new non-work day will be posted. This allows employees to select their non-scheduled day by use of their seniority. This provision does not apply when an assignment with rotating days off has a change in the rotation.

Letter carriers with questions regarding the rules and regulations pertaining to the posting, bidding and awarding of vacant letter carrier assignments should contact their shop steward or local branch officer.

Election Notices

Buffalo-Western New York

This is an official notice to all members of Branch 3 that nominations for president, executive vice president, vice president, secretary-treasurer, assistant secretary-treasurer, five trustees, sergeant-at-arms, director of retired members, editor and insurance representative will be held by mail in 2021 due to COVID-19 restrictions and the inability to have meetings throughout 2020. The term of office for all positions will be for three years.

Based on changes made due to COVID-19 restrictions: All nominations shall be made in writing and must arrive at the union hall (4845 Union Road, Cheektowaga, NY 14225) for all offices via certified mail and/or hand delivered to the secretary-treasurer by no later than March 9 by 5 p.m. If a member nominates someone other than themselves, they must notify the nominee of such nomination. Acceptance of nominations must be submitted in writing to the secretary-treasurer prior to March 9, or no later than three days after the close of business on March 9 (5 p.m.).

Members who have held, accepted or applied for a supervisory position are ineligible to run for or hold office for a period of two years after termination of such status. All candidates must verify, upon nomination, that they have not served, accepted or applied for a supervisory position within the last 24 months.

Article 4, Section 2 states: "All offices as listed in this Article 4, Section 1, by virtue of their election will automatically be delegates to the state and national conventions, provided each officer is actually holding office at the time of the convention."

Kim M. Fitzgerald, Sec.-Treas., Br. 3

Cumberland Falls, Kentucky

This is an official notice to all members of Branch 2242 that nominations for branch officers will be held at our Jan. 28 meeting at

5:30 p.m. Branch offices include president, vice president and secretary-treasurer.

Elections will be held, if necessary, at our Feb. 25 meeting at 5:30 p.m.

Christopher Evans, Sec., Br. 2242

Louisiana

This is an official notice to all members of the Louisiana State Association of Letter Carriers for nomination and election of officer positions for the 2021-2023 term. All members in good standing are eligible to be nominated and elected except that member who (a) voluntarily, (b) otherwise hold, (c) accept or applies for a supervisory position in the Postal Carrier Service for a period of time (whether one day or fraction thereof, detailed, acting, probationary or permanently).

Louisiana State Association officer positions include: president, vice president, secretary, treasurer, director of retirees, six letter carrier congressional liaisons and two delegates at large. Nominations and elections will be held during the state convention June 2-4 in Shreveport.

Members who want to be nominated must be present, or he/she may send a letter stating their acceptance. The letter must be sent to the secretary before or on the nomination day. Please mail your letter of intent to Clara T. Jean Batiste at 114 N Vivier St., St. Martinville, LA 70582.

Clara T. Jean Batiste, Sec., LSALC

Morrisville, Pennsylvania

Nominations for officers and trustees of Branch 2572 will be accepted from Feb. 1 through March 31. The election will be held on Tuesday, April 6, at the monthly meeting.

William Rittler, Sec., Br. 2572

Pawtucket, Rhode Island

Given President Rolando's letter to all branches issuing a blanket dispensation

to postpone nominations and elections due to the pandemic, the Branch 55 executive board has voted to postpone nominations and elections of all officers for three months from the regular scheduled time. The branch will provide *The Postal Record* with a second notice with all the details of the exact time, date and location of the nominations.

Kenneth Cahoon, Rec. Sec., Br. 55

South Dakota

This is an official notice to all members of the South Dakota State Association of Letter Carriers. Nominations and elections will be held at the convention Sept. 17-18 in Rapid City (Clarion Inn, 1902 N. Lacrosse St.) for the following positions: president, vice president, secretary/treasurer, editor, historian, director of retirees, director of education and three trustees.

Members who have held, accepted or applied for a supervisory position are ineligible to run for or hold office for a period of two years after termination of such status. All candidates must verify, upon nomination, that they have not served, accepted or applied for a supervisory position within the last 24 months.

Balloting is to take place during the Sept. 17 session of the convention. Newly elected officers will be sworn in as the last order of business during the Sept. 18 session.

Ben Lembcke, Sec.-Treas., SDSALC

Washington, DC

This is official notice that, pursuant to Article 5 of the Branch 142 bylaws, a special election for the position of recording secretary will be held by secret mail ballot; and the elected officer of the branch will be installed at the February 2021 regular meeting for a term of three years.

Nominations for the office of recording

secretary will be made at the regular branch meeting on Jan. 6. The regular meeting of the branch will be held at 6310 Chillum Place NW at 7:30 p.m.

In the event that the social-gathering guidelines from the CDC for the COVID-19 pandemic are still active and we are unable to have a regular branch meeting in February, the membership will be notified by mail in reference to nomination and election for the position of recording secretary. If you have any questions about the nominations for the election of the branch recording secretary, please contact the union hall at 202-291-4930.

All members in good standing, as defined in the *NALC Constitution*, must be present or have a member in good standing place his/her name in nomination. All members in good standing must signify his/her acceptance of nomination in writing, to the appointed recording secretary by no later than 24 hours after the January nominating meeting. The nominee's written acceptance must also include that he/she has not, voluntarily or otherwise, held, accepted or applied for a supervisory position in the postal career service for any period of time, whether one day or fraction thereof, either detailed, acting, probationary or permanently, at any time during the 24 months prior to the nominating meeting.

At the nomination meeting, the president shall declare any candidate elected when there is but one nominee for the office/position. The name of a nominee who has been declared elected by the president will not appear on the secret mail ballot. At the nominating meeting, the president will appoint an election committee of five members; none of the members shall be a candidate. The election committee shall conduct the election in accordance with *NALC Regulations Governing Branch Election Procedures*.

Keith Hooks, Pres., Br. 142