

Time flies



**Lew
Drass**

I decided to use my space this month to report on Step B of the Dispute Resolution Process (DRP) and my own experiences. The DRP replaced the old grievance procedure throughout the country more than 20 years ago. DRP first appeared in the 2001-2006 National Agreement after it was successfully tested in 19 postal districts beginning in 1998.

The original intent was for each Step B Dispute Resolution Team (DRT) to issue Step B decisions using the *Joint Contract Administration Manual* within 14 days of receiving grievances from Formal Step A of the DRP. 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.

I had been serving as the president of a 275-member branch for eight years and an arbitration advocate for five years when DRP reached us in Alabama, so I had a good view of the old grievance procedure on both ends of the process. When you got to arbitration back then, you would often spend hours at the hearing just arguing about what the issues to be resolved were and which documents were part of the case file when it was appealed from the local level.

The biggest changes I noted were that DRP shortened the time frames for processing grievances, the issue statement(s) for each grievance are framed at the local level rather than at the point of arbitration, the file is built jointly at the local level, management was given the right to respond if, and only if, the union filed additions and corrections, and Step B decisions set precedent for an installation.

There were many NALC activists in my region who criticized DRP at the time. I was not one of them. I saw DRP as an opportunity to provide better representation to letter carriers, because this new grievance procedure required that both parties lay all of their cards on the table at the local level. That was appealing to me because my experience had taught me that we do not normally file grievances unless there is a contractual violation, so if all of the facts and evidence

are put into a case file, we will be successful most of the time.

I thought about this a lot while I was delivering my route each day. I finally decided to go on a mission to try to provide better representation to as many letter carriers as possible. I wrote a book about how to frame issues, convinced my postmaster to approve a leave slip for three months of LWOP, and ran for national business agent (NBA). I was not supposed to win that election, but I did. The margin was 33 votes over four states, earning me the nickname “Landslide Lew” on the Executive Council. I have been on that mission ever since.

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In 2003, the parties at the national level signed a document called “USPS-NALC Joint Statement of Expectations” (M-01492). This document set forth a commitment for promoting a set of honorable principles for grievance handlers from both parties, designed to promote and encourage settlement of disputes at the lowest possible step of the DRP.

Over the next several years, we had national joint meetings where we brought all of the Step B teams in for a few days each year to continue promoting the principles set forth in M-01492. The area/regional counterparts also made sure that annual joint training sessions were conducted at the local level in most places around the country to further reinforce these principles and ensure that any new players received joint DRP training.

Over time, we have gotten away from what I call the basic maintenance of the DRP as referenced above. This was at least partially, and possibly mostly, caused by the Postal Service’s financial situation. Now that postal reform has become law, USPS’s financial picture looks a whole lot brighter, so hopefully things will change on the DRP maintenance front.

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Time flies (continued)

It has been true for many years that 75 percent of grievances that are appealed to Step B are resolved and 70 to 80 percent of the grievances impasse by the Step B teams are resolved before they reach an arbitrator. It follows that these facts should translate to more grievances resolved at the local level.

So where are we with that? We still have 58 full-time Step B teams that serve the 50 USPS districts around the country. The number of full-time teams has not changed in more than 15 years.

There currently are 3,680 cases pending a decision at Step B. Of those, 1,233 grievances have been at Step B awaiting a decision for more than 14 days. And then 2,751 of the 3,680 cases currently pending a decision at Step B and 1,017 of the 1,233 grievances that have been at Step B awaiting a decision for more than 14 days come from 20 of the 58 Step B teams. Another way to say it is that 75 percent of the grievances and 82 percent of the backlogged cases currently pending at Step B come from just over a third of the country.

I have been overseeing the Step B process since 2014. The number of cases pending at Step B nationally and where they come from has fluctuated, but what has not changed is the fact that the vast majority of grievances appealed to Step B that cause these backlogs come from a small area of the country. The problem in my view is two-fold:

1. When backlogs occur at Step B, USPS is unwilling to activate enough back-up Step B teams to eliminate the backlog.
2. USPS has been unable to convince local management to abide by previous Step B decisions issued for an installation.

Management changed the structure of its side of the Step B representative selection/reporting process back in 2017. It posted 78 full-time Step B representative jobs around the country. Those folks who are selected for these positions report to the USPS area as opposed to the USPS district. In theory, this should have resulted in these players having broader authority to make decisions.

Unfortunately, this has not happened thus far. Instead, management has moved more toward just not making decisions at Step B, and it just passes the buck because of No. 2 above.

The national parties agreed to the Memorandum of Understanding (MOU) Re: Article 15 – Dispute Resolution Procedure Task Force in the 2016-2019 National Agreement. That is a great MOU that was written to try to solve this whole puzzle. It was continued in the 2019-

2023 National Agreement and can be found on pages 206-207.

I was not successful in my efforts to implement this MOU during the life of the 2016-2019 National Agreement. I really thought we were getting somewhere by 2019. We held a national meeting and had plans to bring in all of the Step B teams and other things, but then my counterpart got sick and passed away. His name was Alan Moore. I did plenty of fighting with Alan, but he was the one person I worked with at Headquarters on management's side who had both the interest and the juice to make something happen. He was never really replaced, and then came the pandemic.

That is as far as I got with it. I still believe that the Article 15 – Dispute Resolution Procedure Task Force MOU is the key to solving the whole puzzle here. However, I will not be the one to see it through. I do not know if you have figured this out by now, but this is the last article I will write as vice president of NALC. I have decided to step down from my current position for personal reasons, effective April 30. I plan to stick around in the background for a while and help where I can.

I want to thank all of you out there who have voted for, supported and worked with me through the years in my branch, at the NBA office, at Headquarters and around the country, especially those of you who gave me a chance all those years ago when I ran the roads in Region 8 and begged you to give me a shot at serving as your NBA. That was one heck of a campaign and I had a great group of activists who helped me. Unfortunately, I have lost touch with most of them over the years, but I still remember and appreciate all of you who helped.

I also want to thank all of you out there who picked me up or dropped me off at the hotels and airports associated with attending NALC branch events, and/or listened to me speak, for your hospitality and fellowship. Same goes to those of you I have met at the conventions and training sessions over the years. I always appreciated all the Leeeeew'n.

If the number of true friends you have is a measure of a person's worth, I can honestly say that NALC has made me a wealthy man.

I have really enjoyed serving all y'all, and in the end, I feel like I had some success with my mission to provide the best representation possible to letter carriers during my shelf life as a national officer with NALC. I wish my successor better luck than I had with solving the puzzle at Step B of the DRP. It is a tough nut.

In closing, I want to wish all of the mothers out there a happy Mother's Day!