

Grievance arbitration procedure

The National Agreement between NALC and the Postal Service sets the terms and conditions that the parties have agreed will govern the workplace for city carriers. Despite the agreement between NALC and USPS, occasionally these rights and benefits become the subject of dispute between NALC members and postal management.

“To best enforce these rights, all letter carriers, including city carrier assistants and part-time flexibles, should understand the grievance procedure and how it works,” NALC President Brian L. Renfroe said.

Article 15 of the National Agreement lays out the grievance-arbitration procedure that is used to resolve contractual disputes. Though the process includes several steps, it is designed to resolve disputes and grievances at the lowest possible step. Understanding the grievance process will put you in a much better position to help yourself, your shop steward and your fellow carriers if management violates the contract.

The grievance procedure starts with your shop steward. Shop stewards are the foot soldiers in NALC’s efforts to enforce the National Agreement. Stewards are letter carriers with special training and knowledge of the contract. Whenever management fails to provide a letter carrier with what they are entitled to under the National Agreement, the steward is the first to handle the problem. Talk to your steward if you have an issue, no matter how large or small the issue may be.

Sometimes problems are resolved without the letter carriers involved even knowing about them. “Many times, a steward goes to a manager and fixes a problem, or a potential

problem, just by informing the manager of the situation or reminding the manager of what the contract requires,” Renfroe said. “The issue gets resolved before it begins, and letter carriers down the line may never have to deal with the problem in the first place.”

All letter carriers have rights under the National Agreement, and all letter carriers should ask a steward to enforce those rights if they have been violated or denied. If other attempts to resolve a dispute or correct a contract violation fail, the steward may decide that a grievance is necessary.

A grievance is a dispute, difference, disagreement or complaint between the parties related to the wages, hours or working conditions of letter carriers. The process gives every letter carrier an opportunity to have their voice heard when management violates the National Agreement.

The National Agreement requires that grievances be filed within 14 days of when the contract violation took place, so be sure to talk to your steward as soon as possible after you become aware of a problem.

In each grievance, the union asks for a remedy. The remedy request should accomplish a couple of goals. For starters, it should require that management stop violating the contract. Additionally, some grievances ask for a monetary award to compensate the letter carrier if they suffered a loss in pay or some other loss because of the contract violation. It is important to give your shop steward all the information about the issue so the steward can request the appropriate remedy.

There are four potential steps in the grievance process, starting with Informal Step A, which involves the

steward discussing the issue with the supervisor. This initial step gives supervisors a chance to fix the problem immediately by talking to the steward without much paperwork. If the grievance is not resolved at Informal Step A, the union may appeal the grievance to Formal Step A within seven days of the Informal Step A discussion. At Formal Step A, the NALC branch president and the postmaster (or their designees) are responsible for fully developing the facts of the grievance, exchanging relevant documents, and meeting to attempt to resolve the grievance.

If the grievance is not resolved at Formal Step A, the union can appeal the grievance to Step B of the process. The union and management Formal Step A representatives each write their facts and contentions about the issue and send them, along with all relevant documentation, to one of the full-time dispute resolution teams (DRTs).

These DRTs operate all over the country under the guidelines contained in the Memorandum of Understanding Re: Article 15 - Dispute Resolution Process incorporated into the National Agreement. Each DRT is composed of a letter carrier and a manager who jointly consider the evidence, consults the National Agreement, and tries to resolve the grievance. DRT members are jointly trained on the National Agreement and on how to apply its terms to resolve disputes.

If the DRT can’t agree on a resolution and reaches an impasse, the NALC national business agent (NBA) for the region may appeal the grievance to arbitration. Once an NBA appeals the grievance, an arbitration hearing is held, during which the union and management present evidence and

testimony to a neutral arbitrator. The neutral arbitrator then issues a final and binding written decision on the grievance.

The NALC process has proven to be one of the best dispute-resolution processes among postal unions, or even unions in other industries. Grievances often are settled relatively quickly and fairly because everything is disclosed up front. The process is designed to use the facts to state what happened, and to use the contract to determine if a violation has taken place and what is needed to remedy the violation. It encourages confronting the problem head-on and preventing it from happening again in the future.

Even though NALC is the largest postal union, only a small percentage of grievances from postal employees that go all the way to arbitration involve letter carriers. Full disclosure of the facts at the beginning of the grievance process generally makes for speedy and fair outcomes—but it also makes a letter carrier responsible for supplying facts, and possibly evidence such as a written statement, up front.

“Your best chance for a successful grievance is to give your steward all the information you have and whatever else they need to build a solid case,” President Renfroe said. “Don’t hold anything back for any reason. Help your steward make the best case for you.”

Many letter carriers became shop stewards after seeing the success of the grievance process and deciding that they want to help their fellow letter carriers. Increased knowledge and understanding of the grievance process among all letter carriers will only make the process more successful go-

ing forward and get more letter carriers interested in serving as shop stewards in the future.

“Over the years, many contract violations have been reversed or prevented through the grievance process,” Renfroe said. “Shop stewards stand up for letter carriers day in and day out by enforcing the contract on the workroom floor. Their work turns a contract written on paper into an enforcement mechanism that protects our rights and makes our jobs better and safer.”

Don’t forget, the National Agreement requires that grievances be filed within 14 days of when the contract violation took place, so be sure to talk to your steward as soon as possible after you become aware of a problem. The early steps of the grievance process have very strict time limits, so don’t wait to report an issue. If you have further questions about the grievance process, don’t hesitate to reach out to your shop steward or branch officer. **PR**

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Association
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