

Mutual exchanges

The National Agreement between NALC and the Postal Service gives career city letter carriers the right to exchange positions with other career employees anywhere in the country. This swapping of positions is called a mutual exchange. This Contract Talk article will explain the rules and rights of carriers who wish to take advantage of a mutual exchange.

Postal Service policy governing this swap is found in Section 351.61 of the *Employee and Labor Relations Manual (ELM)*. The policy requires that the mutual exchange be approved by the installation heads of both post offices. In addition, it places restrictions on exchanges between categories of employees. Section 351.61 states:

Career employees may exchange positions (subject to the provisions of the appropriate collective bargaining agreement) if the officials in charge at the installations involved approve the exchange of positions. Mutual exchanges must be made between employees in positions at the same grade levels. The following employees are not permitted to exchange positions:

- a. Part-time flexible employees with full-time employees.
- b. Bargaining employees with non-bargaining employees.
- c. Nonsupervisory employees with supervisory employees.

For city letter carriers, the 2007 Memorandum of Understanding (MOU) Re: Mutual Exchanges clarifies that Grade 1 and Grade 2 letter carriers are considered to be in the same grade for the purpose of mutual exchange eligibility. This MOU, M-01646 in NALC's Materials Reference System (MRS), states:

The parties agree that in applying the relevant provisions of Section 351.6 of the *Employee and Labor Relations Manual*, city letter carriers in grades CC-01 and CC-02 are considered as being in the same grade. This agreement applies solely to determining whether employees are eligible for mutual exchanges.

The National Agreement and the *Joint Contract Administration Manual (JCAM)* clarify what happens with the exchanging employees' seniority, duty assignments and grade. They also explain the evaluation and approval processes.

The contractual language governing the issue of seniority for letter carriers who exchange positions is outlined in Article 41.2.E. of the National Agreement, which states:

E. Change in Which Seniority is Modified.

When mutual exchanges are made between letter carriers

from one installation to another, the carriers will retain their seniority or shall take the seniority of the other exchangee, whichever is the lesser.

This is different than the seniority rule in Article 41.2.G.3 of the National Agreement, which applies to other transfers and requires transferring employees to begin a new period of seniority. This is further explained on page 12-53 of the 2022 *JCAM*, which states:

Mutual Exchanges—Seniority. Article 41.2.E provides that when mutual exchanges are made between letter carriers, the carriers will retain their seniority or shall take the seniority of the other exchangee, whichever is the lesser. This is different than the seniority rule in Article 41.2.G.3, which applies to other transfers, and which requires that the transferring employee begin a new period of seniority.

The approval process for a mutual exchange is the same as any other transfer request covered by the MOU Re: Transfers. This MOU can be found beginning on page 187 of the 2023-2026 National Agreement and a full explanation can be found beginning on page 12-47 of the *JCAM*. In accordance with the MOU, installation heads must give full consideration to each mutual exchange request as they would for any transfer request. Further, the Postal Service may not unreasonably deny a request. The following language is found on page 12-53 of the 2022 *JCAM*:

Mutual Exchanges—Full Consideration. The provisions of the Transfer Memorandum requiring that installation heads afford "full consideration" to all reassignment requests apply to mutual exchanges just as to any other transfers. Such requests "will not be unreasonably denied." In evaluating and responding to mutual exchange requests, installation heads should follow the criteria provided for in the Transfer Memorandum.

Finally, once letter carriers have agreed to exchange positions, they should each write a letter to the installation head in the location where the other letter carrier is employed requesting the mutual exchange. They also should write a letter to their own installation head notifying them of their request and include a copy of the mutual request letter.

NALC members may find and publish ads for mutual exchanges in *The Postal Record* each month. For detailed information about how to publish an ad, see page 64 of this magazine.