

COURT CASES

DUTY OF FAIR REPRESENTATION CASES

Chamberlain v. USPS, NALC—In August 2016, former letter carrier Cheryl Chamberlain filed this lawsuit in federal court in New Jersey against USPS, NALC, Branch 370 and a Branch 370 steward. She claimed that USPS violated the collective-bargaining agreement by terminating her and that the union defendants violated the duty of fair representation in connection with her termination. In March 2018, the court granted the union defendants' motion to dismiss Branch 370 and the steward, leaving NALC as the only union defendant. In January 2020, the court granted NALC's motion for summary judgment and dismissed the case. Chamberlain appealed, but her appeal was denied in August 2020.

Brooks v. USPS, NALC—Erica Brooks, a member of Branch 73, filed this lawsuit in Georgia state court in July 2017 against USPS, NALC and various other parties. Plaintiff's complaint referenced numerous causes of action, but contained no specific factual allegations or claims against NALC. The case was removed to federal court in Georgia in March 2018. In December 2018, the federal court granted NALC's motion to dismiss.

Jackson v. USPS, NALC—In September 2017, former letter carrier Delbert Jackson filed this lawsuit in state court in Missouri against USPS and NALC. The case was removed to federal court in Missouri. Plaintiff claimed that dues were unlawfully deducted from his paycheck from 2001 to 2017. Plaintiff withdrew the suit in April 2019.

Callender v. USPS, Branch 133—In January 2018, former letter carrier Cecil Callender filed this lawsuit in federal court in California against USPS and Branch 133. The complaint alleged that USPS unlawfully terminated plaintiff and that the branch breached the duty of fair representation in connection with the termination. In October 2018, the court granted NALC's motion to dismiss.

Morris v. NALC—In August 2018, former letter carrier Cherlene Chase Morris amended her complaint in a case al-

ready pending against USPS in federal court in New York to add a claim against NALC. The amended complaint alleged that Branch 36 discriminated against her based on her age and sex and that a steward harassed her. The case was settled and dismissed in February 2021.

Magyar v. NALC—In November 2018, former letter carrier Klay Magyar filed suit in federal court in Michigan against USPS, NALC, Branch 1, and representatives of USPS and Branch 1. She claimed that the union defendants conspired with USPS in discriminating against her. In May 2019, after NALC filed a motion to dismiss, the court dismissed the case.

Calderon v. NALC—Letter carrier Nicko Calderon filed this suit in federal court in New York in December 2018 against USPS and NALC. He claims that USPS failed to comply with a Step B decision in his favor and that NALC failed to take steps to enforce the Step B decision. NALC's motion for summary judgment is pending.

Hickey v. NALC—Former letter carrier Lynda Hickey filed this suit against NALC in Colorado state court in January 2019. She claims that Branch 849 wrongly told her that she could not file an EEO charge over her proposed removal, and asserted claims for negligence, breach of fiduciary duty and negligent misrepresentation. NALC removed the case to federal court in Colorado. Hickey subsequently dropped all of her claims except her negligence claim. NALC's motion to dismiss is pending.

Hurd v. NALC—Former letter carrier Susanne Hurd filed this lawsuit in state court in Nebraska in April 2019 against NALC, President Rolando, and the president of Branch 324. The case was removed to federal court. The suit claimed that the defendants acted unlawfully by not grieving her removal. In March 2020, the court granted summary judgment to the defendants.

Watson v. Banner—Letter carrier Travis Watson filed this suit in state court in New York in April 2019 against two Branch 41 officers, claiming that USPS failed to comply with a grievance settlement and the union failed to take appropriate steps to enforce it. USPS removed the case to federal court. In July 2019,

Banner agreed to a stipulation dismissing his suit.

Harter v. NALC—In May 2019, former letter carrier Ryan Harter filed this suit against USPS and NALC in federal court in Washington state. He claimed that USPS removed him without just cause and that NALC failed to represent him fairly in connection with his removal. The court granted NALC summary judgment in February 2021. Harter's appeal is pending.

Coates v. NALC—In June 2019, former letter carrier David Coates filed this lawsuit in federal court in Pennsylvania against USPS and NALC, claiming that the union failed to file a timely grievance over his removal. In October 2020, the court granted NALC's motion to dismiss.

Rogers v. Hamilton—This suit was filed in South Carolina state court in August 2019 by letter carrier Latoya Rogers against USPS, NALC, the South Carolina Association of Letter Carriers and an officer of Branch 3092. She alleged sexual harassment by the branch officer and claimed that the other defendants failed to take appropriate action concerning the alleged harassment. In June 2021, the court dismissed plaintiff's federal law claims against the union defendants and remanded her state law claims to state court.

Merrell v. NALC—Letter carrier Albert Merrell filed this lawsuit in June 2020 in federal court in Missouri against USPS and NALC, claiming that USPS used the wrong seniority date in connection with his assignment bids and NALC prevented him from filing a grievance over the matter. In August 2020, after NALC filed a motion to dismiss, the court dismissed the case.

Andersen v. NALC, Branch 79, and USPS—Former letter carrier Shannon Andersen filed this suit in federal court in Washington state in November 2020. She claims that Branch 79 failed to timely appeal a grievance over her termination. NALC's motion to dismiss is pending.

OTHER NALC COURT LITIGATION

Noble v. NALC—Retired letter carrier David Noble filed this action against NALC in the federal district court in

Washington, DC, in June 2017, seeking an injunction against the membership ratification vote on the tentative new National Agreement. In July 2017, the court denied Noble's motion for a preliminary injunction. In January 2018, after the new National Agreement had been ratified, the court granted NALC's motion to dismiss as moot plaintiff's claims related to the ratification vote. In May 2018, Noble amended his complaint, asserting a claim that NALC unlawfully refused to allow him to send his campaign emails to those on NALC's member email list via an online email platform. In June 2018, Noble withdrew that claim.

USPS v. NALC—In December 2018, USPS filed this suit against NALC in federal court in Washington, DC, seeking to vacate a regional arbitration award. USPS filed a motion asking the court to vacate the award because the award contained a punitive remedy against USPS for failing to comply with grievance settlements and Step B decisions. In February 2019, NALC filed a motion to confirm the award. The parties' cross motions remain pending.

Green v. Brown—Former USPS supervisor Bradley Green filed this lawsuit in federal court in New York in December 2017 against an officer of Branch 6000 and against several carriers, claiming defamation. Plaintiff voluntarily dismissed the case in May 2019.

NALC v. USPS (Consolidated Casing)—In August 2019, NALC filed suit in federal court in Washington DC against USPS, seeking an injunction prohibiting USPS from further implementing its "Consolidated Casing Initiative" pending arbitration of NALC's national-level grievance concerning the initiative. In November 2019, the court denied NALC's request for the injunction and dismissed the case.

Parker v. NALC—USPS Labor Relations Manager Stacy Parker filed this suit in federal court in Michigan in October 2019 against USPS, NALC and the former national business agent for NALC Region 6. She claimed, among other things, that the former NBA made derogatory and inappropriate comments about her. Parker subsequently voluntarily agreed to dis-

miss her claims against the former NBA. In June 2020, the court granted NALC's motion to dismiss.

Turner v. Branch 27—In January 2020, former letter carrier Gregory Turner filed this lawsuit in federal court in Tennessee against Branch 27. His complaint asserts a claim under the Americans with Disabilities Act, alleging that the branch failed to challenge USPS's alleged refusal to find him work consistent with his medical restrictions. The case is in discovery.

NATIONAL LABOR RELATIONS BOARD CASES

Branch 455 (Schroeder)—In August 2012, the NLRB issued a complaint against Branch 455, based on an unfair labor practice charge by letter carrier Irma Schroeder. The complaint alleges that the branch caused USPS to discharge her in retaliation for her alleged dissident union activity. The hearing on the case has not yet been scheduled.

NALC, Branch 11 (Williams)—In June 2017, the NLRB issued a complaint against Branch 11, based on an unfair labor practice charge filed by letter carrier Vanessa Williams. The complaint was later amended to add a claim against NALC. The amended complaint alleged that Branch 11 failed to pursue a grievance for Williams because she was not a union member and that NALC threatened not to represent her unless she joined the union. After holding a hearing, an NLRB administrative law judge dismissed the case in September 2018.

NALC (Marino)—In August 2017, the NLRB issued a complaint against NALC, based on an unfair labor practice charge filed by former letter carrier Jennifer Marino. The complaint alleged that NALC failed to properly handle the grievance over her removal. In May 2019, the case was resolved by a settlement.

Branch 361 (Wells)—In November 2017, the NLRB issued a complaint against Branch 361, based on an unfair labor practice charge filed by former letter carrier Leslie Wells. The complaint alleged that Branch 361 breached its duty of fair representation by failing to file grievances on her behalf. After a hearing, an NLRB administrative law

judge dismissed the case in May 2018.

Branch 11 (Cannon-Stokes)—In March 2019, the NLRB issued a complaint against Branch 11, based on an unfair labor practice charge by letter carrier Traci Cannon-Stokes. The complaint alleged that the branch retaliated against her for filing a prior unfair labor practice charge. In August 2019, the case was resolved by a settlement.

NALC (Lampley)—In June 2019, the NLRB issued a complaint against NALC, based on an unfair labor practice charge by letter carrier Christopher Lampley. The complaint alleged that the branch failed to properly process a grievance for Lampley. In September 2019, the case was resolved by a settlement.

Branch 124 (Winston)—In June 2019, the NLRB issued a complaint against Branch 124, based on an unfair labor practice charge by letter carrier Nadia Winston. The complaint alleged that the branch failed to timely provide her with copies of grievance papers, failed to discuss the status of a grievance with her, and retaliated against her for filing a prior unfair labor practice charge. In September 2019, the case was resolved by a settlement.

Branch 11 (Geans)—In July 2019, the NLRB issued a complaint against Branch 11, based on an unfair labor practice charge by letter carrier Stephanie Geans. The complaint alleged that the branch retaliated against her for filing a prior unfair labor practice charge. In January 2020, the case was resolved by a settlement.

Branch 6119 (Johnson)—In July 2019, the NLRB issued a complaint against Branch 6119, based on an unfair labor practice charge by former letter carrier Darnell Johnson. The complaint alleges that the branch failed to notify him of a last-chance agreement purportedly offered to settle the grievance over his removal. In October 2019, the case was resolved by settlement.

Branch 4319 (Javier, Lindly)—In October 2019, the NLRB issued a complaint against Branch 4319, based on unfair labor practice charges by letter carriers Rachel Javier and Merlynn Lindly. The complaint contained multiple allegations, including the claim that the

branch failed to file grievances for them. In September 2020, the case was resolved by a settlement.

Branch 343 (Dunlap)—In November 2019, the NLRB issued a complaint against Branch 343, based on an unfair labor practice charge by letter carrier Janayah Dunlap. The complaint alleged that the branch president and a steward told her they do not represent non-members. After a hearing, an NLRB administrative law judge dismissed the complaint in July 2020.

Branch 197 (Dright)—In January 2020, the NLRB issued a complaint against Branch 197, based on an unfair labor

practice charge by letter carrier Channing Dright. The complaint alleged that the branch president interrogated employees regarding pending unfair labor practice charges and implied that employees had to drop their charges in order to receive union representation. In September 2020, the NLRB dismissed the charge.

Branch 259 (Cozart)—In May 2020, the NLRB issued a complaint against Branch 529, based on an unfair labor practice charge by letter carrier Jerry Cozart. The complaint alleged that the branch failed to file grievances over his suspension and removal. In March 2021, the case was resolved by settlement.

Branch 2293 (Littleton)—In July 2020, the NLRB issued a complaint against Branch 2293, based on an unfair labor practice charge by letter carrier Gaila Littleton. The complaint alleged that the branch threatened her with retaliation for filing prior unfair labor practice charges. In August 2020, the case was resolved by settlement.

Branch 576 (Ayala)—In July 2020, the NLRB issued a complaint against Branch 576, based on an unfair labor practice charge by letter carrier Jose Ayala. The complaint alleged that the branch failed to file a grievance for him. In January 2021, the case was resolved by settlement.