

ARTICLE 16 DISCIPLINE PROCEDURE

16.1 Section 1. Principles

In the administration of this Article, a basic principle shall be that discipline should be corrective in nature, rather than punitive. No employee may be disciplined or discharged except for just cause such as, but not limited to, insubordination, pilferage, intoxication (drugs or alcohol), incompetence, failure to perform work as requested, violation of the terms of this Agreement, or failure to observe safety rules and regulations. Any such discipline or discharge shall be subject to the grievance-arbitration procedure provided for in this Agreement, which could result in reinstatement and restitution, including back pay.

Just Cause Principle

The principle that any discipline must be for “just cause” establishes a standard that must apply to any discipline or discharge of an employee. Simply put, the just cause provision requires a fair and provable justification for discipline.

Just cause is a term of art created by labor arbitrators. It has no precise definition. It contains no rigid rules that apply in the same way in each case of discipline or discharge. However, arbitrators frequently divide the question of just cause into six sub-questions and often apply the following criteria to determine whether the action was for just cause. These criteria are the basic considerations that the supervisor must use before initiating disciplinary action.

- **Is there a rule?** If so, was the employee aware of the rule? Was the employee forewarned of the disciplinary consequences for failure to follow the rule? It is not enough to say, “Well, everybody knows that rule,” or “We posted that rule ten years ago.” You may have to prove that the employee should have known of the rule. Certain standards of conduct are normally expected in the industrial environment and it is assumed by arbitrators that employees should be aware of these standards. For example, an employee charged with intoxication on duty, fighting on duty, pilferage, sabotage, insubordination, etc., may be generally assumed to have understood that these offenses are neither condoned nor acceptable, even though management may not have issued specific regulations to that effect.
- **Is the rule a reasonable rule?** Management must make sure rules are reasonable, based on the overall objective of safe and efficient work performance. Management’s rules should be reasonably related to business efficiency, safe operation of our business, and the performance we might expect of the employee.
- **Is the rule consistently and equitably enforced?** A rule must be applied fairly and without discrimination. Consistent and equitable

enforcement is a critical factor. Consistently overlooking employee infractions and then disciplining without warning is improper. If employees are consistently allowed to smoke in areas designated as No Smoking areas, it is not appropriate suddenly to start disciplining them for this violation. In such cases, management loses its right to discipline for that infraction, in effect, unless it first puts employees (and the unions) on notice of its intent to enforce that regulation again. Singling out employees for discipline is usually improper. If several similarly situated employees commit an offense, it would not be equitable to discipline only one.

- **Was a thorough investigation completed?** Before administering the discipline, management must make an investigation to determine whether the employee committed the offense. Management must ensure that its investigation is thorough and objective. This is the employee's day in court privilege. Employees have the right to know with reasonable detail what the charges are and to be given a reasonable opportunity to defend themselves before the discipline is initiated.
- **Was the severity of the discipline reasonably related to the infraction itself and in line with that usually administered, as well as to the seriousness of the employee's past record?** The following is an example of what arbitrators may consider an inequitable discipline: If an installation consistently issues five-day suspensions for a particular offense, it would be extremely difficult to justify why an employee with a past record similar to that of other disciplined employees was issued a 30-day suspension for the same offense. There is no precise definition of what establishes a good, fair, or bad record. Reasonable judgment must be used. An employee's record of previous offenses may never be used to establish guilt in a case you presently have under consideration, but it may be used to determine the appropriate disciplinary penalty.
- **Was the disciplinary action taken in a timely manner?** Disciplinary actions should be taken as promptly as possible after the offense has been committed.

Corrective Rather than Punitive

The requirement that discipline be corrective rather than punitive is an essential element of the just cause principle. In short, it means that for most offenses management must issue discipline in a progressive fashion, issuing lesser discipline (e.g., a letter of warning) for a first offense and a pattern of increasingly severe discipline for succeeding offenses (e.g., short suspension, long suspension, discharge). The basis of this principle of corrective or progressive discipline is that it is issued for the purpose of correcting or improving employee behavior and not as punishment or retribution.

113.4 Park and Loop Route

A route that uses a motor vehicle for transporting all classes of mail to the route. The vehicle is used as a moveable container as it is driven to designated park points. The carrier then loops segments of the route on foot.

113.5 Dismount Route

A city delivery route on which 50 percent or more of the possible deliveries are made by dismount delivery to the door, Vertical Improved Mail (VIM) Room, Neighborhood Delivery and Collection Box Units (NBU), Delivery Centers, etc. (If the dismount deliveries are less than 50 percent of the total possible deliveries of a route, the route will be classified as per the majority of the type delivery; e.g., curblin, park and loop, etc.)

114 City Delivery Area Map

- 114.1 Each unit must have a map of the ZIP Code area served. Show the boundaries of each route using street names or numbers and identify each route by number. If desired, use different colors to show each route.
- 114.2 The unit manager can study the line of travel to discover possible improvement.
- 114.3 Location of collection and relay boxes can be shown. This will serve to determine the adequacy of the boxes and as instruction or reference to new carriers.

115 Discipline**115.1 Basic Principle**

In the administration of discipline, a basic principle must be that discipline should be corrective in nature, rather than punitive. No employee may be disciplined or discharged except for just cause. The delivery manager must make every effort to correct a situation before resorting to disciplinary measures.

115.2 Using People Effectively

Managers can accomplish their mission only through the effective use of people. How successful a manager is in working with people will, to a great measure, determine whether or not the goals of the Postal Service are attained. Getting the job done through people is not an easy task, and certain basic things are required, such as:

- a. Let the employee know what is expected of him or her.
- b. Know fully if the employee is not attaining expectations; don't guess — make certain with documented evidence.
- c. Let the employee explain his or her problem — listen! If given a chance, the employee will tell you the problem. Draw it out from the employee if needed, but get the whole story.

115.3 Obligation to Employees

When problems arise, managers must recognize that they have an obligation to their employees and to the Postal Service to look to themselves, as well as to the employee, to:

- a. Find out who, what, when, where, and why.
- b. Make absolutely sure you have all the facts.
- c. The manager has the responsibility to resolve as many problems as possible before they become grievances.
- d. If the employee's stand has merit, admit it and correct the situation. You are the manager; you must make decisions; don't pass this responsibility on to someone else.

115.4 Maintain Mutual Respect Atmosphere

The National Agreement sets out the basic rules and rights governing management and employees in their dealings with each other, but it is the front-line manager who controls management's attempt to maintain an atmosphere between employer and employee which assures mutual respect for each other's rights and responsibilities.

116 Mail Processing for Delivery Services**116.1 Scheduling Clerks in a Delivery Unit**

Schedule distribution clerks in a unit with decentralized distribution so that service standards will be met and an even flow of mail will be provided to the carriers each day throughout the year. Schedule the accountable clerk to avoid delaying the carriers' departures in the morning and for clearance of carriers on their return to the office.

116.2 Mail Flow**116.21 Leveling Volume Fluctuations**

When volumes for daily delivery vary substantially from the lightest to the heaviest day in the week, a unit cannot operate at maximum effectiveness. Substantial changes in the daily relationships of flats and letters have considerable effect on delivery costs. If this situation exists, the unit manager must document the problem and request, through appropriate management channels, a more even flow of mail.

116.22 Plan for Next Day's Workload

Each day as early as is practical, using procedures developed locally, the delivery unit manager should obtain information about anticipated volumes, especially flat volumes for the next day's delivery. This information will assist in planning the next day's manpower needs. Anticipating the flow of mail will minimize undertime and overtime which can be controlled. If undertime occurs often in the morning or afternoon, examine the mail flow, the scheduling of the delivery unit's clerks and carriers, and the affected routes.

133.27 Test Mailing Record, Form 3702

- 133.271 The manager conducting the collection tests must enter the required information in the spaces and columns 1 through 10 of Form 3702, *Test Mailing Record (Collection and Special Test Mailings)*. Furnish copies to designated managers as needed.
- 133.272 Immediately on recovery of the test card, a designated manager must complete columns and spaces 11 through 15 of Form 3702. If a Form 3702 is not immediately available, the manager must record card number, post office, ZIP Code, time received, and the number of the route from which the card was recovered. Use Item 0-13, *Routing Slip*, to forward this information to the unit conducting the test.
- 133.273 If the office conducting the test is an associate office participating in Area Mail Processing, the manager in the associate office must make arrangements to provide the office, processing their collection mail, copies of Forms 3702 for completion. These completed forms must be returned to the testing office immediately on completion.
- 133.28 Analysis and Corrective Action**
- 133.281 If the tests show a collector failed to collect a box(es), a manager and a collector must immediately collect this box to verify a card was in the box, but the box was not collected. If investigation shows collector's negligence or error, management must take corrective action as appropriate.
- 133.282 Tests should be made at individual boxes to determine if they should be withdrawn from service or relocated to benefit more customers. If a box consistently generates less than 25 pieces, a review must be made to determine if it should be retained at the location. Collection mail volume is only one factor to be considered for box removal or relocation. Character of mail collected (i.e., sales orders, daily reports, etc.) is also a prime factor. In residential areas, if collection boxes are about 1/2 to 1 mile apart, the density of these boxes is generally considered adequate. In business sections, install boxes where greatest mail volume will be generated and where it will be convenient to the greatest number of business places.

134 Street Management**134.1 Objectives**

- 134.11 Street management is a natural extension of office management. All carriers are to be notified to expect daily supervision on the street just as they receive daily supervision in the office. For a delivery manager to fully understand and control the organization, the manager must be aware of any conditions that affect delivery anywhere within the service territory.
- 134.12 Accompanying carriers on the street is considered an essential responsibility of management and one of the manager's most important duties. Managers should act promptly to correct improper conditions. A positive attitude must be maintained by the manager at all times.

- 134.13 Conservation of energy is most important, and street supervision must also be directed to achieve this objective. Supervisors must not permit unauthorized deviations from the route, engine idling for excessive periods, wasteful driving habits, and unauthorized or excessive vehicle stops and moves on park and loop routes.

134.2 Techniques

- 134.21 The manager must maintain an objective attitude in conducting street supervision and discharge this duty in an open and above board manner.
- 134.22 The manager is not to spy or use other covert techniques. Any employee infractions are to be handled in accordance with the section in the current *National Agreement* that deal with these problems.

134.3 Criteria for Need

Certain criteria may call attention for *individual* street supervision. When overtime or auxiliary assistance is used frequently on a route (foot, motorized, parcel post, collection, relay), when a manager receives substantial evidence of loitering or other actions or lack of action by one or more employees, or when it is considered to be in the interest of the service, the manager may accompany the carrier on the street to determine the cause, or meet the carrier on the route and continue until such a time as the manager is satisfied. No advance notice to the carrier is required.

134.4 Findings

- 134.41 The manager may find:
- a. Routes are not in proper adjustment, and the frequent use or requests for auxiliary assistance or overtime is warranted.
 - b. A change in the line of travel could reduce: travel to and from the route, deadheading on the route, or time-wasting delivery patterns.
 - c. The carrier is not performing duties efficiently or safely with regard to:
 - (1) Vehicle movement on park and loop routes.
 - (2) Proper use of relays.
 - (3) Fingering mail while driving or when walking up and down steps or curbs or when crossing the street.
 - (4) Following the prescribed line of travel.
 - (5) Protection of all mail.
 - (6) Unauthorized or extended stops.
 - (7) Deviating from the route.
- 134.42 The manager must note areas of new construction, plan for expansion, and be aware of urban renewal areas, changing traffic patterns, the need to relocate collection boxes, customer problems of delivery, etc.
- 134.43 The manager must inspect for mail trapped behind wall-mounted or wall-recessed apartment house mailbox units. Where mail is found, request

15 Restricted Activities

151 Outside Employment

Carriers when on or off duty shall not engage in any business that interferes with their official duties or that involves soliciting or canvassing. Neither shall they engage in business, that, by reason of their official employment, will give them advantage over others not in the Postal Service who are engaged in a similar business.

152 Service Changes

Carriers must not circulate or encourage the circulation of petitions for changes in the service. Questions relating to changes in service will be referred to the unit manager.

153 Directories and Mailing Lists

Carriers shall not directly or indirectly cooperate with or assist publishers or others in obtaining the names and address or patronage of persons on the route.

154 Political Activities

For information regarding political activity, refer to section 442.311, *Postal Service Manual*.

16 Supervision

Carriers may expect to be supervised at all times while in performance of their daily duties.



Observation of Work Practices - Delivery Services

Employee Classification based on duration of Postal Employment

(Check one box)

☐ 1. Non-Career

☐ 2. 0-3 months (probationary)

☐ 3. 4-23 months

☐ 4. 2 years plus

Name of Employee	Sta/Br/Ofc	Date of Observation
Location of Observation	Task Observed	Time of Observation From: _____ To: _____

Observer: During the course of this observation you are to mark (✓) which activities observed, ○ if Yes, □ if No. The observation is to be reviewed with the employee immediately upon completion.

IN THE OFFICE & WHEN LOADING VEHICLE

- | | | |
|-----|----|---|
| Yes | No | |
| ○ | □ | S1 Avoids awkward positions or overextended reach |
| ○ | □ | S2 Avoids holding too many letters/flats in hand |
| ○ | □ | S3 Case area kept neat/orderly |
| ○ | □ | S4 Stacks trays & tubs neatly |
| ○ | □ | S5 Avoids loading hard plastic trays greater than 20 lbs. |
| ○ | □ | S6 Secures parcels and heavy objects in vehicle |
| ○ | □ | S7 Attaches keys to belt or clothing |
| ○ | □ | S8 Pushes equipment rather than pulling it |
| ○ | □ | S9 Keeps vehicle free of debris |
| ○ | □ | S10 Performs vehicle inspection |

PERSONAL FACTORS

- | | | |
|-----|----|---|
| Yes | No | |
| ○ | □ | S11 Dresses in uniform, as applicable, suited for climate |
| ○ | □ | S12 Follows headphone/cell phone policy (EL-801) |
| ○ | □ | S13 Carries sufficient liquids during excessive heat |

SLIP TRIP/FALL AVOIDANCE

- | | | |
|-----|----|--|
| Yes | No | |
| ○ | □ | S14 Wears proper footwear, in good condition |
| ○ | □ | S15 Maintains a steady pace and does not run |
| ○ | □ | S16 Is alert to changes in delivery area |
| ○ | □ | S17 Avoids unsafe shortcuts |
| ○ | □ | S18 Uses hand rails on stairs and ramps |
| ○ | □ | S19 Watches where she/he is going |
| ○ | □ | S20 Fingers mail only when safe to do so |
| ○ | □ | S21 Reports route hazards, to supervisor (PS Form 1767 or other) |
| ○ | □ | S22 Cases Hazard Warning cards with mail |

LIFTING PROCEDURES

- | | | |
|-----|----|--|
| Yes | No | |
| ○ | □ | S23 Lifts with legs, back straight |
| ○ | □ | S24 Asks for assistance with heavy pieces |
| ○ | □ | S25 Moves feet to avoid twisting when changing direction |
| ○ | □ | S26 Avoids overloading satchel |
| ○ | □ | S27 Transfers load safely in vehicle, uses mail hook, if available |
| ○ | □ | S28 Loads/unloads mail into/from hampers safely |

CONDITION OF BOXES

- | | | |
|-----|----|--|
| Yes | No | |
| ○ | □ | S29 Reports NDCBU, collection boxes, relay boxes & parcel lockers that are in disrepair or not securely anchored |
| ○ | □ | S30 Reports street/apartment mail boxes that are not in good repair or not securely anchored |

SECURITY PARKED VEHICLE

- | | | |
|-----|----|--|
| Yes | No | |
| ○ | □ | S31 Closes and locks vehicle doors and windows |
| ○ | □ | S32 Closes security door between cab and cargo bay |

DOG BITE PREVENTION

- | | | |
|-----|----|---|
| Yes | No | |
| ○ | □ | S33 Cases Dog Warning cards with mail |
| ○ | □ | S34 Wears satchel and has dog spray within reach and usable |
| ○ | □ | S35 Rattles gate before entering an enclosed area |
| ○ | □ | S36 Places foot at base of doors that open outwards to prevent dogs rushing out |
| ○ | □ | S37 Withholds mail delivery when dog is loose |
| ○ | □ | S38 Reports dog interference to supervisor |

ROUTE INSTRUCTIONS

- | | | |
|-----|----|--|
| Yes | No | |
| ○ | □ | S39 Uses designated lunch and break locations, as applicable |
| ○ | □ | S40 Uses designated park points |
| ○ | □ | S41 Uses approved line of travel to, on, and from route |

Yes No

- | | | |
|---|---|---|
| ○ | □ | S42 Safe work practices were demonstrated |
|---|---|---|

SAFE WORK PRACTICE RECOGNITION

- | | | |
|---|---|--|
| ○ | □ | S43 Unsafe work practices, behaviors or acts were observed |
|---|---|--|

WORK PRACTICES TO BE IMPROVED

Discussed with employee on:

OBSERVER'S SIGNATURE DATE

Observer's Name:

Observer's Signature:

Date:

Retention: 4 years

Instructions

This form when used correctly, can aid in identifying and eliminating work practices which could lead to accidents and injuries. Also, this form provides an opportunity for positive recognition and reinforcement of safe work practices. (Note: You must observe the employee's work practices for five minutes to satisfy the minimum expectations for performing a work practice observation.

Discuss all work practices observed and noted with the employee as soon as possible after the observation. Because the primary purpose of conducting work observations is to improve work practices before they result in accidents, conduct positive discussion with employees and include the benefits to be gained from demonstrating safe work practices. a work practice observation is determined to require official action, such action will be in accordance with the terms of the National Agreements.

To enforce a high standard of safe work performance, the following number of work practice observations must be completed:

Non career:	One per quarter
Probationary (0-3 months)	30, 60, 80 day evaluations
Employees with 4-23 months postal experience:	One per quarter
Employees with 2 years plus postal experience:	Twice per year

File this form at the Observation Post Office in date order.

Observation of Driving Practices

A. Driver Classification Based on Duration of Postal Employment (Check one box)

- ☐ 1. Non-Career
 ☐ 2. 0-3 months (Probationary)
 ☐ 3. 4-23 months
 ☐ 4. 24 months plus

B. Driver Vehicle Information

1. Name of Driver	2. Time of Observation From:	3. Location of Observation	4. Vehicle Type and Number
5. EIN	To:		
6. Title of Driver	7. Date of Observation	8. Post Office™ - Station/Branch	9. Finance Number

C. Observed Driving Practices (Check + column if performed correctly; Check - column if needs improvement; leave blank if not observed)
GENERAL

- ☐ 1. Possess valid license - Expires: _____
☐ 2. Wore safety/seat belts
☐ 3. Did not retrieve mail from storage area while driving
☐ 4. Did not use cell phone while driving
☐ 5. Did not use headphones while driving

STEERING

- ☐ 6. Kept both hands on wheel
☐ 7. Kept vehicle in center of lane
☐ 8. Minimized lane changes
☐ 9. Changed lane with suitable gap in traffic
☐ 10. Turned from/into proper lane
☐ 11. Did not finger/hold mail while driving

SIGNALING

- ☐ 12. Signaled properly when approaching or leaving curb
☐ 13. Signaled prior to merging
☐ 14. Signaled exit intentions well in advance
☐ 15. Signaled properly when lane changing
☐ 16. Signaled properly in advance of turns

RESPONSIVENESS TO WEATHER

- ☐ 17. Turned on lights when visibility was impaired
☐ 18. Used vehicle flashers when appropriate
☐ 19. Reduced speed during adverse conditions

BACKING

- ☐ 20. Avoided backing-up whenever possible
☐ 21. Used mirrors/camera (where provided) while backing

VEHICLE

- ☐ 22. Vehicle door(s) closed, traveling to/from route
☐ 23. Vehicle door(s) closed, entering/crossing intersection

SPEED

- ☐ 24. Adhered to speed limit
☐ 25. Decelerated gradually when stopping
☐ 26. Slowed down or changed lanes when tailgated

PARKING

- ☐ 27. Curbed wheels in proper direction
☐ 28. Placed gear in park
☐ 29. Turned off ignition, removed key
☐ 30. Locked and secured vehicle
☐ 31. Set parking brake

STOPPING AND INTERSECTIONS

- ☐ 32. Stop before stop sign, crosswalk, or stop line
☐ 33. Looked left, right, and left at intersections
☐ 34. Yielded to cross traffic

ATTENTION TO CHILDREN/PEDESTRIANS

- ☐ 35. Yielded right-of-way to children/pedestrians

D. Professional Driving Practices Demonstrated - Recognition recommended (Leave blank if not applicable)

During this observation, the driver performed safe and professional driving practices at all times. The employee will be given the following recognition:

- ☐ 1. Personally commend employee
 ☐ 2. Letter of Appreciation
 ☐ 3. Gift Certificate
 ☐ 4. Other: _____

E. Comments/Suggestions to improve driving
F. Observer Information/Driver's Immediate Supervisor Information

1. Name & Title of Observer	2. Name & Signature of Driver's Immediate Supervisor
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G. To Be Completed By Driver's Immediate Supervisor
1. Action To Be Taken
H. Form Distribution

1. Driver Observed (Original)
 2. Driver's Immediate Supervisor
 3. Driving Safety Instructor

☐ Check if original form provided to driver

Instructions

This form, when used correctly, can aid in identifying and eliminating driving practices which could lead to accidents and injuries. Also, this form provides an opportunity for positive recognition and reinforcement of defensive and safe driving practices. (**NOTE:** You must observe the driver in five or more driving practices. This will satisfy the minimum expectations for performing a driving observation.)

Discuss all driving practices observed and noted with the driver as soon as possible after the observation. Because the primary purpose of conducting observations is to improve driving practices before they result in accidents. Conduct positive discussions with drivers and include the benefits to be gained from demonstrating safe driving practices. If a driving observation is determined to require official action, such action will be in accordance with the terms of the National Agreements.

To enforce a high standard of professional and safe driving performance, the following minimum number of driving observations must be completed:

- | | |
|---|------------------------------|
| • Non-Career: | One per quarter |
| • Probationary (0 - 3 months): | 30, 60, & 80 day evaluations |
| • Employees with 4 - 23 months postal experience: | One per quarter |
| • Employees with 2 years plus postal experience: | Twice per year |

For probationary drivers, attach a copy of this form to *PS Form 1750, Employee Probationary Period Evaluation Report*.

LABOR RELATIONS



RECEIVED

MAR 13 2002

Mr. Vincent R. Sombrotto
President
National Association of Letter
Carriers, AFL-CIO
100 Indiana Avenue, NW
Washington, DC 20001-2187

CONTRACT ADMINISTRATION UNIT
N.A.L.C. WASHINGTON, D.C.

Re: Q98N-4Q-C 01045840
Class Action
Washington, DC 20260-4100

Dear Mr. Sombrotto:

On several occasions I met with your representative to discuss the above-captioned grievance at the fourth step of our contractual grievance procedure.

The Managed Service Points (MSP) initiative is a national program intended to facilitate management's ability to assess and monitor city delivery route structure and consistency of delivery service. The following reflects the parties' understanding of MSP:

The parties agree that management will determine the number of scans on a city delivery route. Time credit will continue to be given during route count and inspections and will be credited in total street time.

MSP does not set performance standards, either in the office or on the street. With current technology, MSP records of scan times are not to be used as timecard data for pay purposes. MSP data may not constitute the sole basis for disciplinary action. However, it may be used by the parties in conjunction with other records to support or refute disciplinary action issued pursuant to Article 16 of the National Agreement.

City letter carriers have the option of using a personal identification number (PIN) other than the last four digits of their social security number.


Section 432.33 of the Employee and Labor Relations Manual (ELM) remains in full force and effect when MSP is implemented. It provides that "Except in emergency situations, or where service conditions preclude compliance, no employee may be required to work more than 6 continuous hours without a meal or rest period of at least ½ hour."

Lunch locations for both the Incumbent and carrier technician on a city delivery route continue to be determined in compliance with Section 126.5.b(2) of the M-39. PS Form 1564A "Delivery Instructions" lists the place and time that city letter carriers are authorized to leave the route for lunch. However, the parties recognize that, consistent with local instructions and operational conditions, city letter carriers may be authorized to leave at a different time and/or place. Notwithstanding this, the parties agree that city letter carriers will scan MSP scan points as they reach them during the course of their assigned duties.

Please sign and return the enclosed copy of this letter as your acknowledgment of agreement to settle this case.

Time limits were extended by mutual consent.

Sincerely,


Julia A. Bills
Labor Relations Specialist
Labor Relations Policies
and Programs


Vincent R. Sombrotto
President
National Association of Letter
Carriers, AFL-CIO

Date: 3-13-02

Mr. William H. Young
President
National Association of Letter
Carriers, AFL-CIO
100 Indiana Avenue, N.W.
Washington, DC 20001-2144

NALC# 8266
Re: Q01N-4Q-C 05022610
Class Action
Washington DC 20260-4100

Dear Mr. Young:

Recently, our representatives met at the Interpretive Step to discuss the above-referenced grievance.

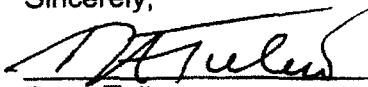
After reviewing this matter, the parties agree to resolve this dispute based on the following:

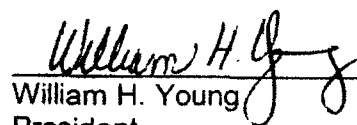
The Delivery Operations Information System (DOIS) is a management tool for estimating a carrier's daily workload. The use of DOIS does not change the letter carrier's reporting requirements outlined in section 131.4 of Handbook M-41, the supervisor's scheduling responsibilities outlined in section 122 of Handbook M-39, or the letter carrier's and supervisor's responsibilities contained in Section 28 of Handbook M-41. DOIS projections are not the sole determinant of a carrier's leaving or return time, or daily workload. As such, the projections cannot be used as the sole basis for corrective action. A five minute time credit for lines 8-13 will be added or when route inspection data is available for lines 8-13 the actual average information will be used for daily workload projections.

Management is responsible for accurately recording volume and other data in DOIS. Other than obvious data entry errors, route based information may only be changed through a full-count and inspection or minor route adjustment. Additionally, the parties have previously agreed that functions in DOIS which relate to the route inspection and adjustment process must be in compliance with the city letter carrier route adjustment process in Subchapter 141 and Chapter 2 of the M-39 Handbook. Exceptions are offices that have jointly established an alternate route adjustment method. DOIS base information in such offices shall, as appropriate, comply with the alternate route adjustment method.

Please sign and return the enclosed copy of this decision as acknowledgment of your agreement to settle this grievance.

Sincerely,


Doug Tulino
Vice-President
Labor Relations
U.S. Postal Service


William H. Young
President
National Association of
Letter Carriers, AFL-CIO

Date: 7-30-07

The terms of this settlement became effective September 11, 2007 with ratification of the 2006-2011 National Agreement.



UNITED STATES POSTAL SERVICE
475 L'Enfant Plaza, SW
Washington, DC 20260

OCT 22 1985

Mr. Francis J. Conners
Vice President
National Association of
Letter Carriers, AFL-CIO
100 Indiana Avenue, N.W.
Washington, D.C. 20001-2197

Dear Mr. Conners:

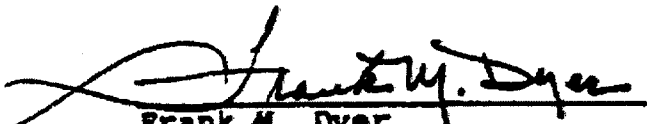
Recently we met in prearbitration discussion of the following cases:

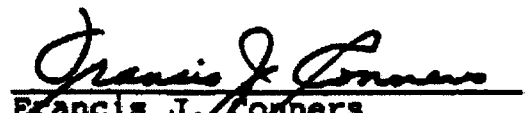
H1N-1N-D 31781, Madison, NJ	H1N-1N-D 36683, Avenel, NJ
H1N-1N-D 30460, Madison, NJ	H1N-1N-D 34559, Avenel, NJ
H1N-1Q-D 37134, Albany, NY	H1N-1N-D 28979, New Haven, CT
H1N-1N-D 36767, Avenel, NJ	H1N-1J-D 28974, New Haven, CT
H1N-1N-D 36766, Avenel, NJ	H1N-1J-D 28973, New Haven, CT
H1N-1N-D 36684, Avenel, NJ	H1N-1J-D 36895, Avenel, NJ

Each of these cases involve a disciplinary action as a result of route management. In keeping with the principle of a fair day's work for a fair day's pay, it is understood that there is no set pace at which a carrier must walk and no street standard for walking. Therefore, these cases are being remanded to the regional level of arbitration with the clear agreement between the parties that these cases are to be arbitrated at the regional level.

Please sign and return the enclosed copy of this letter acknowledging your agreement to remand these cases, withdrawing them from the pending national arbitration listing.

Sincerely,


Frank M. Dyer
Labor Relations Specialist
Arbitration Division
Labor Relations Department


Francis J. Conners
Vice President
National Association of
Letter Carriers, AFL-CIO

10/23/85
(Date)

Enclosure



Mr. Vincent R. Sombrotto
President
National Association of Letter
Carriers, AFL-CIO
100 Indiana Avenue, NW
Washington, DC 20001-2144

Re: Q94N-4Q-C 99022154
Q98N-4Q-C 00032161
Class Action
Washington, DC 20001-2144

Dear Mr. Sombrotto:

On several occasions we met in pre-arbitration discussions regarding the above-referenced grievances.

The issue in these grievances is whether or not the Piece Count Recording System (PCRS), Projected Office Street Time (POST), or the Delivery Operations Information System (DOIS) violate the National Agreement.

After reviewing this matter, we mutually agreed to settle these grievances as follows;

Daily piece counts (PCRS) recorded in accordance with the above-referenced systems (POST or DOIS) will not constitute the sole basis for discipline. However, daily counts recorded in accordance with these procedures may be used by the parties in conjunction with other management records and procedures to support or refute any performance-related discipline. This does not change the principle that, pursuant to Section 242.332 of the M-39, "No carrier shall be disciplined for failure to meet standards, except in cases of unsatisfactory effort which must be based on documented, unacceptable conduct that led to the carrier's failure to meet office standards." Furthermore, the pre-arbitration settlement H1N-1N-D 31781, dated October 22, 1985, provides that "there is no set pace at which a carrier must walk and no street standard for walking."

This settlement is made without prejudice to the parties' rights under Article 19 or Article 34 of the National Agreement.

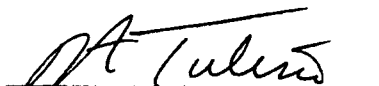
It is additionally understood that the current city letter carrier route adjustment process is outlined in Subchapter 141 and Chapter 2 of the M-39 Handbook. All those functionalities in DOIS, which relate to the route inspection and adjustment process, must be in compliance with these two parts of the M-39 as long as they are in effect.

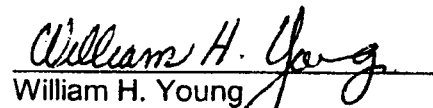
It is understood that no function performed by POST or DOIS, now or in the future, may violate the National Agreement.

Please sign and return the enclosed copy of this decision as your acknowledgment of your agreement to settle these grievances.

Time limits were extended by mutual consent.

Sincerely,


Doug A. Tulino
Manager
Labor Relations Policies
and Programs


William H. Young
Executive Vice President
National Association of Letter
Carriers, AFL-CIO

Date: 7-30-2001

M-01769

Mr. Fredric V. Rolando
President
National Association of Letter
Carriers, AFL-CIO
100 Indiana Avenue, NW
Washington, DC 20001-2144

Re: Q06N-4Q-C-11022051
Class Action
Washington DC 20260-4101

Dear Mr. Rolando:

Recently, our representatives met in prearbitration discussion of the above-referenced grievance.

The issue in this grievance is whether the office efficiency tool used to project office and street time in the Greater Indiana District violates the National Agreement.

After reviewing this matter, we mutually agree to settle the grievance as follows:

The subject office efficiency tool is a management tool for estimating a carrier's daily workload. The office efficiency tool used in the Greater Indiana District or any similar time projection system/tool(s) will not be used as the sole determinant for establishing office or street time projections. Accordingly, the resulting projections will not constitute the sole basis for corrective action. This agreement does not change the principle that, pursuant to Section 242.332 of Handbook M-39, "No carrier shall be disciplined for failure to meet standards, except in cases of unsatisfactory effort which must be based on documented, unacceptable conduct that led to the carrier's failure to meet office standards." Furthermore, as stated in the agreement for case H1N-1N-D 31781, "there is no set pace at which a carrier must walk and no street standard for walking."

Projections are not the sole determinant of a carrier's leaving or return time, or daily workload. The use of any management created system or tool that calculates a workload projection does not change the letter carrier's reporting requirements outlined in section 131.4 of Handbook M-41, the supervisor's scheduling responsibilities outlined in section 122 of Handbook M-39, or the letter carrier's and supervisor's responsibilities contained in Section 28 of Handbook M-41.

This settlement is made without prejudice to the parties' rights under the National Agreement.

Please sign and return the enclosed copy of this decision as acknowledgement of our agreement to resolve this case, removing it from the national arbitration docket.

Time limits were extended by mutual consent.

Sincerely,



Alan S. Moore
Manager
Labor Relations Policy
and Programs



Fredric V. Rolando
President
National Association of Letter
Carriers, AFL-CIO

Date: 9-16-11

involving the constitutionality of existing or future legislation prohibiting Federal employees from engaging in strike actions. The parties further agree that the obligations undertaken in this Article are in no way contingent upon the final determination of such constitutional issues.

(The preceding Article, Article 18, shall apply to City Carrier Assistant Employees.)

ARTICLE 19

HANDBOOKS AND MANUALS

Those parts of all handbooks, manuals and published regulations of the Postal Service, that directly relate to wages, hours or working conditions, as they apply to employees covered by this Agreement, shall contain nothing that conflicts with this Agreement, and shall be continued in effect except that the Employer shall have the right to make changes that are not inconsistent with this Agreement and that are fair, reasonable, and equitable. This includes, but is not limited to, the Postal Service Manual and the F-21, Timekeeper's Instructions.

Notice of such proposed changes that directly relate to wages, hours, or working conditions will be furnished to the Union at the national level at least sixty (60) days prior to issuance. At the request of the Union, the parties shall meet concerning such changes. If the Union, after the meeting, believes the proposed changes violate the National Agreement (including this Article), it may then submit the issue to arbitration in accordance with the arbitration procedure within sixty (60) days after receipt of the notice of proposed change. Copies of those parts of all new handbooks, manuals and regulations that directly relate to wages, hours or working conditions, as they apply to employees covered by this Agreement, shall be furnished the Union upon issuance.

Article 19 shall apply in that those parts of all handbooks, manuals and published regulations of the Postal Service, which directly relate to wages, hours or working conditions shall apply to CCA employees only to the extent consistent with other rights and characteristics of CCA employees provided for