

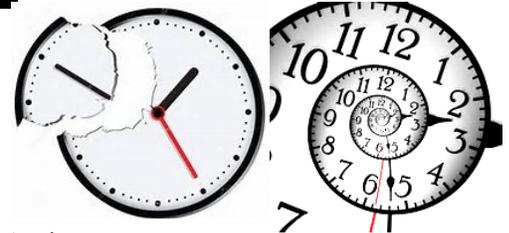
Postal Worker West

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12,134 Bid Jobs Targeted For Change In the West



Even a one hour change in reporting time can cause havoc on the family life of a postal worker

Western Region– Like all the other regions in the nation, the West is being bombarded with major disruptions to the schedules and home life of postal workers.

November 16, 2017. Many Plant Managers are aggressively moving on the mandates issued by Postal HQ and Area Officials to have all changes done way before that deadline.

changed by September 2nd.

Pacific Area

In the Pacific Area of the total number of occupied clerical duty assignments 9,718, only 23.4% matched the claimed staffing needs of management.

Pacific Area Districts are changing 2,267 bid reporting times by one (1) hour and another 5,219 bid schedule changes of **more** than one hour. The entire effort is targeted to be completed by

Western Area

Of the total number of bid jobs in the Western Area listed as 9,978 only 569 matched the supposed staffing needs of management.

Western Area bosses have targeted 4,660 for schedule changes. Many of the plant managers are moving swiftly to implement the changes with or without union input. Some want the schedules to all be

Why the Realignment?

While postal workers have faced staffing changes, forced migrations and other so called efficiencies nothing compares with this nationwide HQ ordered massive realignment of almost all the Function 1 (mail processing) workforce.

Management has indicated that the “State of the Business” mandates they take this action as workload continues to decline.

While management blames the workload loss of 0.9

billion pieces of mail and points to a multi-facet deficit which they include retiree health benefits, workers comp, and FER/CSRS unfunded liabilities.

“While the contract allows for limited changes to schedules without affecting bids, often it is the way managers go about implementing staffing changes that impose insult to the pain of change,” said Regional Coordinator Omar Gonzalez who sounded the alarm in the March issue of the National Magazine to prepare for the attacks.

The Union Doesn't Agree With Disruptions



Postal and Union Headquarters in DC communicated over the issue of nationwide employee impacts

Washington DC– When the Area offices began issuing multiple Notices of Withholding and Involuntary Reassignment Impacts to Regions all over the country, the National Union protested to postal officials decrying the manner in which USPS was mandating the

massive dislocation and inconvenience to postal workers.

The Western Region, along with the other four regions, filed Area Level Appeals over management's failure to give the Regional Union six (6) months advance notice.

As a result of appeals, discussion took place wherein management agreed to change (i.e., delay) the September 2017 move date for involuntary reassignments (i.e., excessing) until early February 2018. However, management wanted Union input on the massive realignment of the clerical mail processing workforce.

The National Union agreed that the Regional Union would communicate with Area VP to discuss the realignments.

In a telecom with the five regions the National President made it clear that the Union did not and does not agree with the realignment process. “We welcome the opportunity to sit down and discuss these important issues. However, APWU representatives will vigorously oppose any unnecessary changes and seek **constructive alternatives** to management's slash and burn approach,” said National President Mark Dimondstein.

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The Union Doesn't Agree to Disruptions....

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In the Western Region the Coordinator was contacted by both the Pacific and Western Area Labor Relations Managers.

Pacific Area Off To A Snafu

Almost immediately bid faith raised its ugly head in the process. The Pacific Area LR Manager simply sent an email asking if the Coordinator was available to come to San Jose CA. No other communication was given. The response was "NO!". After which the LR Mgr. stated that the meeting WOULD have been about the realignments with the AVP and HR Manager.

This breach of protocol was reported to the LR Mgr.'s superior for correction. The Area VP then proceeded to set up a meeting with the Regional Coordinator to discuss the business reasons for the changes and the changes themselves.

"What I made clear to Vice-President Munoz was that every Local Union had to be allowed legitimate and meaningful input on the process. If there was transparency then each Local could proceed to engage local management in alternatives that could facilitate the changes but lessen the impact on employees," said Regional Coordinator Omar Gonzalez.

However, gung-ho District managers don't seem to be waiting for meaningful discourse with local union officers and are

moving fast to implement the changes.

Western Area Just As Bad

The Western LR Mgr. called the Coordinator to advise of the Area's interest in having the realignment process discussed. No Area VP meeting was scheduled. Instead the LR Mgr. simply stated that the Area wanted the local parties to proceed and if issues arise the matters could be elevated to Area.

Within hours the Salt Lake City Senior Plant Manager went forward with major changes without full transparency and refused to agree to a short delay for the local and area/regional parties to meet.

Yet, again the Provo UT management moved quickly and without full transparency with the same manager refusing to have meaningful local input. When Area VP Graves was contacted the Area LR bosses simply backed their local cronies.

"So if Area management doesn't want to fully and properly engage locals they can just face the appeals," said Gonzalez.

WHAT IS INVOLVED

Contractually, the National Agreement under **Article 12 Section 5.C.4 Reassignment Within An Installation of Employees Excess to the Needs of a Section** and **Article 37 Section 3 Posting, Bidding and Application** covers most aspects of the so called realignments. Along with the provisions of each Local's LMOU on notice, sections and principles of seniority. Other provisions may involve **Article 8-Work Week**.

Article 37. Section 3.A.4 Reposting



- a. When it is necessary that fixed schedule day(s) of work in the basic work week for a duty assignment be permanently changed, the affected assignment(s) SHALL be reposted.
- b. The determination of what constitutes a sufficient change of duties, principal assignment area or scheme knowledge requirements to cause the duty assignment to be reposted shall be a subject of **negotiation at the local level**.
- c. The determination of what constitutes a sufficient change in **starting times** of a duty assignment to cause the duty assignment to be reposted is **negotiable at the local level, provided:**
 - (1) NO DUTY ASSIGNMENT will be reposted when the change in starting time is one hour or less.
 - (2) The above criteria will also apply to cumulative changes in starting time within the life of this Agreement (May 20, 2015 to 2018). Cumulative changes are changes that move the starting time outside a circle **which has the starting time as its center and the agreed upon time as its radius**.
 - (3) The **incumbent shall have the option of accepting the new reporting time, if negotiated at the local level**. If the incumbent accepts the new reporting time, the assignment will not be reposted.
 - (4) If the incumbent does not accept the new reporting time, the assignment will be reposted.

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Local Leaders Under Siege

Local Union leaders have been tasked to deal with multiple assaults on the membership by a management hell bent on "rightsizing through down sizing" service be damned.

Meanwhile, many postal workers, as is human nature, need to place blame for what is occurring to cause the change in their work place. They can't turn to management for help because it is management forcing the changes. So they turn on their Union representatives demanding instant relief.

The Union does not run postal operations. The Union Reps enforce the contracts and have recourse to the grievance-arbitration procedure to attempt to remedy violations. No Union President or Steward wants staffing cuts and schedule changes.



"Look if it was up to the Union, everyone who wants Saturdays and Sundays off would get them off, and a new car. **It doesn't work that way in cooperate America,**" said Regional Coordinator Omar Gonzalez.

That being said, Local Union Representatives must be sensitive to the real needs of members when it comes to the issue of job security.

Members must be educated on how the contract applies. They must also be informed about the BIG PICTURE, the service cuts and pending legislation that impacts their jobs.

Yes, Local leaders must be assertive in enforcing the contracts but they have no magic wand they can wave to make management stop their wayward realignments. What Local Leaders need is the support of the members while the Union, (members and officers) deal with the nationwide attack on postal jobs.

The Union Does Not Agree... from page 2

(5) Any occupied traditional FT regular duty assignment which is converted to a non traditional FT assignment shall be reposted. Any occupied non-tradition FT regular duty assignment which is converted to a traditional full-time assignment shall be reposted.

(6) When the TOTAL hours in the work-week of a non-traditional full time assignment are changed, the assignment shall be reposted.

d. When duty assignments are reposted in accordance with a., b., or c above, such repostings of level 6,7, and 8 duty assignments **will be limited** to employees within the same and higher salary levels and status, and repostings of level 5 duty assignments **will be limited** to those employees in that salary level and status.

Subsequent posting which result from a

Do It Right !



Without meaningful local union input management is likely to make errors and/or violate the National and Local Contracts further disrupting the work floor and inconveniencing members

WHAT IS EXPEDITED BIDDING?

According to management Expedited Bidding is basically the process of posting every position within an installation up for bid at one time.

All the jobs are listed but only become vacant and eligible to bid if the incumbent successfully bids to a vacant position. These positions are identified that way on the list of positions becoming available.

Employees who have current bids can sign off on the expediting bidding and nothing changes for them. That also lets others know that position will not become vacant to expedited bid and they can adjust their current preference list. A list of all bids is provided along with choices and status of availability. There is a Preferred Assignment

employees within the above salary level until a residual vacancy is identified. Residual vacancies which result from repostings **will be filled** in the following order:

(1) Assign any unencumbered employees in the same salary level who are available for assignment, in accordance with Section 4.C.1.

(2) Post to full-time employees in all levels who are eligible to bid.

(3) If no bidders, assign unencumbered lower level employees in accordance with Section 4.C.1

f. If the decision is to repost an occupied duty assignment and there are two or more identical (hours, off days and duties) assignments within the section, the **duty of the junior incumbent of such assignment will be reported.**

Article 37.3.A.5 ; 3A6

5. In instances where more than one duty assignment is posted , clerks may indicate preferences on the bid form or in the telephone or computerized bidding process.

6. An employee who has submitted a bid shall have the right to cancel the bid, in writing or in the telephone or computerized bidding process , at any time BEFORE the closing time (hour and date) of the posting. Such cancellation, to be official, shall be date stamped or processed by telephone or computer (with confirmation). An employee may not cancel a bid after the closing time of the posting.

Card listing the total number of choices in preference order.

Employees may place their preference order by job number they want to be considered for. They do not have to bid occupied positions but do get another opportunity if senior bidders do elect to change and are successful bidders elsewhere. Each bid card is pre-populated with employee info, seniority and rank.

Information meetings and Union cooperation are very important. Every employee must receive and understand the process.

WHAT IF THE LOCAL UNION DOES NOT AGREE? It is the position of this Region management must not proceed!

SO WHAT THE HECK IS "CANVASSING"?

An alternative process being proffered by some managers is called "Canvassing." It is an ultra-contract protocol. An example of such a process follows:

Before entering into an agreement local management is directed to have an initial meeting with the Local Union President. The Local Union President is asked if he/she will agree to allow and actively participate in the implementation.

Management is to share bid information and realignment needs upfront at the meeting and discuss all bids that do not match management's staffing needs. If the Local President agrees to the process:

1. Jointly agree to and develop the needs of a local process— each installation's needs will differ, each craft will differ. Take into consideration contractual compliance depending on which craft the process is being presented to.
2. Notify employees if their bid will be impacted by the scheduling results.
3. Consider timeframe for employee response (10 days is a reasonable timeframe).
4. Determine a process to contact employees on leave
5. Determine how rehab job offers will be addressed.
6. Conduct a Joint Town Hall meeting with employees. The meeting should be held prior to handing or sending out packets (per craft). Allow questions and provide answers. Develop Frequently Asked Questions sheet specific to the facility after the meeting. The FAQ will help answer questions of employees who were not able to attend the Town Hall.

Management is reminded that this should be a joint process— "Stay engaged with the Union" they are told.

What happens if the Local Union President does not agree to the process and to actively participate? The instructions to management are clear:

"Management Does Not Proceed!"

6,560+ Clerk Targets For Excessing Nationwide

Within one month of the Moratorium on AMPs expiring, Postal HQ directed Area Offices to begin issuing Withholding Notice and Automated Impact Statements to the Region throughout the USA.

The preliminary targets are clerks— 3,254 in the Northeast, 477 in the Eastern, 1,096 in the Central, 1,260 in the Southern and more than 500 in the Western Region. The Area's gave very little advance notice to the Regions and each Regional Coordinator, including Western Region Coordinator Omar Gonzalez, filed Area Level Appeals on the failure to give reasonable advance notice to the Union. As a result the National Union and Postal HQ officials discussed the concerns and the pre-determined September Move Date was changed to February 2018. (see related story on pg. 1)

The Contract requires meetings at the Area/Regional Level at least 90 days prior to an excessing event. In order for the meetings to be meaningful there must full discussion and transparency which in most cases the data shared can be superficial. Meanwhile each Region processes the events info to their Locals. In the Western Region copies of Withholding Notices are mailed to the Locals requesting written responses on issues of concern. The Notices are also posted on the Regional page at www.apwu.org. The Region has also issued Article 12 Guide Books to each Local on excessing, realignments and other related issues.

The Joint Contract Interpretation Manual (JCIM) prohibits local managers from discussing such impacts at their level until such time as the Area/Regional parties have met.

LESSING THE IMPACT

Article 12, *Principles of Seniority and Reassignments* of the CBA, while allowing involuntary reassignment, has a primary principle in effecting reassignment that dislocation and inconvenience to employees in the regular work force shall be kept to a minimum, consistent with the

needs of the service.

The JCIM requires the Minimization of the Impact by: 1) Separation of PSEs if by doing so would yield sufficient hours for a regular duty assignment (8 hrs. within 9 or 10), 5 days a service week. Regional Coordinator Omar Gonzalez reminds members "**PSEs are not the enemy!**", 2) Return all non APWU craft employees on light/limited duty to their former crafts. 3) Reduce PTF hours were applicable, 4) apply Attrition to reduce the number of impacted employees, 5) offer transfers through 21 day eReassign allowing clerks to take their seniority. The Region works at also attempting to proffer other alternative solutions to the Area to reduce the number of employees being impacted.

PROTECTIONS

Management's Rights to reassign are NOT absolute. Under Article 6 there are protections against Lay-Off. There is currently a 50 mile radius restriction for involuntary reassignments (except in the Maintenance Craft). Seniority is the sole criteria for excessing (juniors first). Management has to withhold residual vacancies to place employees. Employees have Retreat Rights (must exercise in writing) and if a Report issued 45 days after the excessing event, listing all work hours used on a daily basis indicates the conditions did not warrant reassignment the Retreat Rights of excessed employees is to be activated.

Also, there is a National Level NALC Arbitration award that requires clerks who management tries to excess into the carrier craft must be physically able to perform those duties and otherwise be qualified.

WHEN WILL THIS EVER END?

"We've faced so called "postal efficiencies" ever since the PMG took mail off stagecoaches and placed it on horses forcing George Washington to intervene," said Regional Coordinator Omar Gonzalez. But, all of these current forced migrations evolved from the 2001 Strategic Transformation Plan, the current 5 year Plan of the PMG, and the legislative efforts of USPS, the White House and Congress," Gonzalez said. "What we need is for our members to support their Union!, he quipped.



THE BIG PICTURE

Far too many postal workers fail to see the big picture that truly impacts their employ-

ment. This picture involves the White House, Congress and the USPS 5 Year Plan.

Here are some highlights:

Whitehouse and Congressional Budget Cuts— The government is proposing to cut \$46 billion in postal delivery methods. Take USPS from "off budget" to "on budget" ,even though Tax dollars do not support USPS, thus capping postal expenditures. Increase FERS employee contributions. Force new hires into a 401(K) retirement plan. Take away Social Security Benefits for FERS employees and cut COLA increases to retirees. All this would affect postal operations causing even more work floor disruption

No Postal Board of Governors Quorum— The legal governing postal authority lacks a quorum to conduct official business. This leaves, for the most part, the PMG and Deputy PMG to be able to operate and run the Postal Service without bosses over them. In effect the PMG can implement plans at whim. The Deputy PMG is the reported driving force on current excessing and realignments.

Government Accountability Office & Postal Monopoly— this government agency was tasked to look into the legal monopoly allowing only USPS to deliver 1st class mail and have access to the nation's mailboxes. GAO reported that USPS has lost \$62 billion in revenue in the last ten years. Any significant relaxation of the so called "Private Express Statutes" would will cause our Lay Off Protection Memo of Understanding to expire. Members would not have to worry about schedule changes and excessing they would be exposed to lay off. (Elections have consequences!)

House Bill 3257— introduced in July creates "At Will" employees. New hires can be immediately suspended and/or terminated without notice and appeal rights. It will also limit annual pay raises. Union Representatives and grievance activity will be "**off the clock**" No postal facilities would allow for use of union office space.(In order to deal with excessing grievances employees and union reps will be forced to get off the clock while managers get paid.)

HR 756 Postal Reform— remains stalled mainly due to the resignation of the House Oversight Committee Chair. This bill would have restored Delivery Standards, eliminated the pre-funding mandate and relax some of the restrictions imposed in 2006. The calendar does not look good for '17.