

AMERICAN POSTAL WORKERS UNION, AFL-CIO

Class Action /APWU  
Grievant/Union

Article(s) 15, 19, 34, 37  
Nature of Allegation

Date of Request

To: \_\_\_\_\_ Title: \_\_\_\_\_

From: \_\_\_\_\_ Title: \_\_\_\_\_

Subject: Request for information and documents relative to processing a grievance.

We request that the following documents and/or witnesses be made available to us to properly identify whether or not a grievance does exist and if so, their relevancy to the grievance.

1. All PSE Clock Rings at the Installation in **PDF and (CSV)** Format separated in the following areas; Automated Letters T-3, Automated Letters T-2, Manual Outgoing T-3, SPBS T-3, SPBS T-2, SWYB T-3, Automated Flats T-1, Automated Letters T-1, Station, Branch, Post Office, and/or any Section identified in Item 18 of the Local Memorandum of Understanding (LMOU) for the following **full weeks, 4-month period.**

Pay Period \_\_\_\_\_ Week \_\_\_\_\_ through Pay Period \_\_\_\_\_ Week \_\_\_\_\_

**Information Provided: Yes ( ) No ( )**

2. All emails, correspondences, directives, letters, etcetera between the Installation Head and the USPS Headquarters/Area/District pertaining to attached proposed bid reversion(s) and/or abolishment(s), if any.

**Information Provided: Yes ( ) No ( )**

3. The name and title of the Installation Head who made the final decision to revert/abolish each duty assignment(s).

**Information Provided: Yes ( ) No ( )**

4. If the Installation Head was not the deciding official, please provide the name and EAS title of the deciding official who made the final decision to revert/abolish each position.

**Information Provided: Yes ( ) No ( )**

5. Copy of any request(s) the Installation Head made to fill the attached proposed reversion(s) and/or abolishment(s), if any and any replies to the request(s).

**Information Provided: Yes ( ) No ( )**

6. Copies of all instructions given by USPS Headquarters/Area/District to revert/abolish the attached list of proposed bid reversion(s), abolishment(s), if any.

**Information Provided: Yes ( ) No ( )**

7. Copies of all recommendations given by USPS Headquarters/Area/District to revert the proposed reversion(s) and/or abolishment(s), if any, whether before the proposed reversion(s)/abolishment(s) notice, if any and/or after the request by the Installation Head to post the duty assignment(s).

8. Request clock rings for all full-time employees for the **full 4-week period** immediately prior to each **abolished duty assignment(s)** being vacated by the encumbent clerk(s) in in CSV and PDF format separated by sections as identified in #1 above.

Pay Period \_\_\_\_\_ Week \_\_\_\_\_ through Pay Period \_\_\_\_\_ Week \_\_\_\_\_

**Information Provided: Yes ( ) No ( )**

9. Request clock rings for all full-time employees for the full 4-week period immediately prior to each **proposed reversion(s) assignment** being vacated after the final decision is made to revert in PDF and CSV format separated by sections as stated in #1 above.

Pay Period \_\_\_\_\_ Week \_\_\_\_\_ through Pay Period \_\_\_\_\_ Week \_\_\_\_\_

**Information Provided: Yes ( ) No ( )**

10. What operational changes or equipment removal is the section(s) experiencing where the proposed reversion(s) and/or abolishment(s) are taking place, if any. Please provide supporting documentation.

**Information Provided: Yes ( ) No ( )**

11. Provide documentation of employees being placed on standby time (Operation 340 for F-1 and Operation 353 for F-4) in the section(s) where the proposed duty assignment reversion(s) and/or duty assignment abolishment(s), if any are taking place for the **full 4-week period** prior to each vacancy of the bids in the attached proposed reversion(s) and/or abolishment(s), if any. Please provide supporting documentation.

Pay Period \_\_\_\_\_ Week \_\_\_\_\_ through Pay Period \_\_\_\_\_ Week \_\_\_\_\_

**Information Provided: Yes ( ) No ( )**

12. All PSE Clock Rings at the Installation in PDF and (CSV) Format separated in the following areas; Automated Letters T-3, Automated Letters T-2, Manual Outgoing T-3, SPBS T-3, SPBS T-2, SWYB T-3, Automated Flats T-1, Automated Letters T-1, Station, Branch, Post Office, and/or any Section identified in Item 18 of the Local Memorandum of Understanding (LMOU) on a continuing basis every pay period for the next nine pay periods.

13. Provide the section(s) overtime alert report(s) for the **full 4-week period** prior to each vacancy in the section(s) where the proposed bid reversion(s) and/or abolishment(s), if any, are taking place.

Pay Period \_\_\_\_\_ Week \_\_\_\_\_ through Pay Period \_\_\_\_\_ Week \_\_\_\_\_

**Information Provided: Yes ( ) No ( )**

14. Provide the overtime alert report(s) in the section(s) where the proposed bid reversion(s) and/or abolishment(s) where implemented, if any, on a continuing basis every pay period for the next nine pay periods after the reversion(s) and/or abolishment(s).

15. Provide supporting documentation where the Postal Service openly solicited, requested or offered employees liberal annual leave for the **full 4-week period** prior to the vacancy of the bid(s) in the section(s) where the proposed bid reversion(s) is taking place.

Pay Period \_\_\_\_\_ Week \_\_\_\_\_ through Pay Period \_\_\_\_\_ Week \_\_\_\_\_

**Information Provided: Yes ( ) No ( )**

16. Copies of all requests for leave (Approved or Denied) for the **full 4-week period** prior in the section(s) where each proposed bid reversion(s) and/or abolishment(s), if any, are taking place.

Pay Period \_\_\_\_\_ Week \_\_\_\_\_ through Pay Period \_\_\_\_\_ Week \_\_\_\_\_

**Information Provided: Yes ( ) No ( )**

17. Clock rings in PDF and CSV format of any temporarily assigned injured employees working in the Clerk Craft, not holding a bid in the Installation, separated by Sections identified in Item 18 of the Local Memorandum of Understanding (LMOU), in the same Section(s) where each proposed reversion(s) and/or abolishment(s) are taking place for the **full 4-week period** prior to each vacancy of the bids in the attached proposed bid reversion(s) and/or abolishment(s), if any.

Pay Period \_\_\_\_\_ Week \_\_\_\_\_ through Pay Period \_\_\_\_\_ Week \_\_\_\_\_

**Information Provided: Yes ( ) No ( )**

18. Request LTATS Loaned Employee report(s) for the following full weeks, four-month period:

Pay Period \_\_\_\_\_ Week \_\_\_\_\_ through Pay Period \_\_\_\_\_ Week \_\_\_\_\_

19. Request letter carrier clock rings for the following four-month period in a customer service Function 4 operation in PDF format, in the facility the where proposed reversion(s) and/or abolishment(s) were identified:

Pay Period \_\_\_\_\_ Week \_\_\_\_\_ through Pay Period \_\_\_\_\_ Week \_\_\_\_\_

**Information Provided: Yes ( ) No ( )**

20. Request copies of all Step One, Step Two, Step Three, Pre-Arbitration settlements and arbitration awards related to the installation posting and awarding of duty assignments in accordance with Article 37.3 and Article 15.4 within the last four months.

**Information Provided: Yes ( ) No ( )**

21. Copies of the prior four installation bid postings and corresponding award notices.

**Information Provided: Yes ( ) No ( )**

22. Copies of all installation final reversion decisions and abolishment(s) for the prior four bid cycles.

**Information Provided: Yes ( ) No ( )**

23. Copies of clerk TACS Schedule Report(s) for the past full four-week period for the pay location(s)/operation(s)/section(s) or where each proposed reversion(s) and/or abolishment(s) is taking place.

Pay Period \_\_\_\_\_ Week \_\_\_\_\_ through Pay Period \_\_\_\_\_ Week \_\_\_\_\_

**Information Provided: Yes ( ) No ( )**

*The Union reserves the right to supplement the record on an ongoing basis, based on this being a continuing violation. Clock rings for future time periods and documents will be requested and added to the file. The Postal Service will be offered an opportunity to review all MDAT reports.*

*The Union asserts that the posting of duty assignments under Article 37.3.A.1 or grievance settlements/arbitration awards and then to later abolish duty assignments and/or revert duty assignments, to prevent the increasing of the clerk complement, is a violation of Article 15.4 and bargaining in bad faith. To abolish a duty assignment and then leave the unencumbered clerk in the section would only result in posting the exact same position in accordance with Article 37.4. These violations will result in the Craft being made whole in, accordance with the Goldberg Jobs MOU national decision, as it pertains to remedy.*

*Under the Clerical Work MOU, Clerk Jobs MOU and other MOUs as a result of the 2010 USPS/APWU agreement, carried forward in the 2015 CBA, it was expected by the parties for the clerk craft complement to increase. To further this assertion, the parties agreed to extend the Filing of Residual Vacancies for the life of the CBA, which surely would increase the complement.*

*Article 37.3.A.1 requires the Postal Service to use “work hours” as the sole basis for establishing duty assignments and not “earned hours,” which is only a Postal Service tool/model. Arbitrator Goldberg, in two separate national awards, stated Article 37.3.A.1 placed an obligation on the Postal Service to establish duty assignments based on this language including new duty assignments.*

*The Union requests that the Postal Service provide as much information as possible electronically. The Union has consolidated the request for each proposed reversion/abolishment in an effort to reduce duplication and more extensive union time. Under normal circumstances the Union has the right to challenge each action on the posting separately, creating numerous grievances for union time per posting. By addressing each action in one class action grievance, the Postal Service is saving extensive time and money in grievance processing. Under normal circumstances, individual grievances would have been generated in each section per posting resulting in a huge number of grievances and possible arbitration hearings. Any failure by the Postal Service to comply with this request without charge to the Union could result in the Union having to file individual grievances and submitting multiple request for information.*

**Note: Article 17, Section 3 requires the Employer to provide for review all documents, files, and other records necessary in processing a grievance. Article 31, Section 2 requires that the Employer make available for inspection by the Unions all relevant information necessary for Collective Bargaining of the enforcement, administration or interpretation of this Agreement. Under 8.a(5) of the National Labor Relations Act it is an Unfair Labor Practice for the Employer to fail to supply relevant information for Collective Bargaining process. The Union will request the Arbitrator take an adverse inference if the employer fails to provide the above information or does not provide the above information in time for the Union to fashion a timely response to the employer’s request for input or bid reversions.**

*If any of the information is to be provided at a later date, please respond with what information will be provided, and when. It is imperative due to the Article 37.3.A.2 requirements that the information/documentation be provided expeditiously, in accordance with Article 17 and 31 of the Collective Bargaining Agreement.*

*It is also important that the Postal Service provide the Local Union President sufficient time for input after the Union’s receipt of the information requested and prior to the final decision to revert the position(s), within 28 days of the vacancy.*

*In accordance with the February 4, 2016 Lead Clerks and TACS settlement, lead clerks are available to pull the necessary clock rings and reports applicable to the Lead Clerk TACS Office Roll.*

*There could be further contractual violations based on the information, once provided.*

\_\_\_\_\_  
Installation Head (Print Name)

\_\_\_\_\_  
Installation Head Signature

\_\_\_\_\_  
Date: