



American Postal Workers Union, AFL-CIO

1300 L Street, NW, Washington, DC 20005

Initiate National Dispute

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Industrial Relations
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John H. Dirzius
Coordinator, Northeast Region

Kenneth L. Beasley
Coordinator, Southern Region

Omar M. Gonzalez
Coordinator, Western Region

May 31, 2018

Sent via Facsimile & First Class Mail

Mr. Doug Tulino
Vice President, Labor Relations
U.S. Postal Service, Room 9014
475 L'Enfant Plaza
Washington, D.C. 20260

Re: USPS Violation of Lead Clerks TACS Settlement Agreement
APWU # HQTC20180201

Dear Mr. Tulino:

In accordance with the provisions of Article 15, Sections 2 and 4, of the Collective Bargaining Agreement, the American Postal Workers Union is initiating a Step 4 dispute.

The issues and facts involved in this dispute are as follows.

The Postal Service violated the terms of the settlement agreement for APWU National Dispute # HQTC20150814, dated February 4, 2016, which states:

“Recently, the parties met during pre-arbitration discussions regarding the above referenced dispute. The interpretive issue in this dispute is whether the MOU Re: Clerk Craft Jobs, Section 2, and the subsequent Lead Clerk Questions and Answers (Q&As) dated May 4, 2012 require that all employees occupying Lead Clerk duty assignments must be given access to the Lead Clerk Role in TACS, receive the required TACS training, and be assigned TACS duties.”

The parties negotiated for all Lead Clerks to receive the required minimum 8-hour TACS Supervisor Training (course #31267-0). It was also highly recommended that the user first complete LMS TACS System Training (course # 10022826) and the 4 ½ hour Time is Money class (course #21564-01).

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The parties further agree that in the event the Postal Service decided to revise or modify the required TACS Supervisor Training (course #31267-0) the APWU would be notified per Article 19 of the Collective Bargaining Agreement.

The Postal Service Labor Relations has repeatedly acknowledged, since the signing of the 2/4/16 Settlement Agreement, that there is no dispute at this level as to the required training. Their position is that the required minimum training is the TACS Supervisor Training (course #31267-9). Many if not all USPS Districts have modified the required training as a result of a replacement LMS training course HQ directive.

USPS HQ Labor Relations has consistently taken the position that this is a local/District dispute, however if the local/District is relying on a USPS HQ document, then the issue becomes a national dispute until such time as the improper unilaterally changed USPS HQ training policy is rescinded.

Because the USPS has not rescinded the unilaterally changed replacement training (not per Article 19) from another USPS HQ department, the Postal Service is in violation of the February 4, 2016 settlement agreement.

Without the proper required training, the Lead Clerk cannot perform all of the nonmanagerial/nonsupervisory TACS duties and the supervisors performing the TACS duties are in violation of Article 1.6. of the Collective Bargaining Agreement.

The second part of the dispute is that all the nonsupervisory/nonmanagerial TACS duties have not been assigned to the Clerk bargaining unit employees in accordance with the Clerical Work MOU, Clerk Craft Jobs Audit MOU, Article 1.5, etc.

Please contact Lamont Brooks, case officer, at: (202) 368-1842 to discuss this dispute at a mutually scheduled time.

Sincerely,


Vance Zimmerman, Director
Industrial Relations

VZ/LB:gk/opeiu#2/afl-cio

Enclosure

SETTLEMENT AGREEMENT
BETWEEN THE
UNITED STATES POSTAL SERVICE
AND THE
AMERICAN POSTAL WORKERS UNION, AFL-CIO


RE: Q10C-4Q-C 15194931 / HQTC20150814

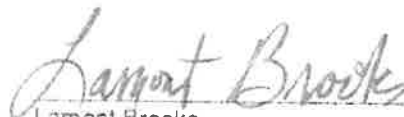
Recently the parties met during pre-arbitration discussions regarding the above referenced dispute. The interpretive issue in this dispute is whether the MOU Re: *Clerk Craft Jobs*, Section 2, and the subsequent Lead Clerk Questions and Answers (Q&As) dated May 4, 2012 require that all employees occupying Lead Clerk duty assignments must be given access to the Lead Clerk Role in TACS, receive the required TACS training, and be assigned TACS duties.

After further review and discussion, it is mutually agreed to resolve this dispute in accordance with the following understanding of the parties:

1. All Clerk Craft employees occupying Lead Clerk duty assignments will be provided the required training for the Lead Clerk Clock Office role in TACS.
2. Access to the Lead Clerk role in TACS and assignment of TACS duties is based on local operational circumstances. Example: Where there is more than 1 Lead Clerk duty assignment within the facility, not all Lead Clerks must be assigned TACS duties. However, a minimum of one will be assigned the Lead Clerk Clock Office role in TACS to perform these duties.
3. The parties agree that the provisions above are only applicable in facilities that meet the criteria for Lead Clerk duty assignments in accordance with the MOU Re: *Clerk Craft Jobs* and the MOU Re: *POSTPlan: Staffing of Offices, Filling of Assignments, PSE Usage and Conversions*.
4. In facilities that are authorized Lead Clerks and in POSTPlan offices that are authorized Lead Clerks in the APO installation, TACS duties will be assigned to the Lead Clerk in accordance with the TACS Lead Clerk Clock Office role.

Accordingly, the parties agree that any case held pending this national dispute will be resolved in accordance with this agreement and local fact circumstances.


Rickey R. Dean
Assistant Contract Administration
United States Postal Service


Lamont Brooks
Assistant Director Clerk Division
American Postal Workers Union
(AFL-CIO)

Date: 2/4/2016

Date: 2/4/2016

*** FAX TX REPORT ***

TRANSMISSION OK

JOB NO. 4100
DESTINATION ADDRESS 912022683074
SUBADDRESS
DESTINATION ID
ST. TIME 05/31 16:46
TX/RX TIME 01'11
PGS. 4
RESULT OK



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