

New supervisor metric does not create performance requirements



**Paul
Barner**

In a recent *USPS Area and Regional Update* (June 2023) publication, Chief Retail and Delivery Officer Joshua Colin wrote a column stating that USPS had challenged its supervisors to “improve three metrics” during six different supervisor symposiums. Two of the three metrics indicated by Colin in the column relate directly to city carriers. One of these metrics was “timely movement of carriers to the street within 60 minutes (90 min for walking routes) ...”. Another expectation that Colin mentioned was for supervisors to achieve “a 50 percent reduction in stationary time.”

While training for USPS supervisors is normally a good thing, I am concerned that these blanket statements can be misleading for supervisors who could mistakenly believe that these metrics create new handbook provisions and performance standards for city carriers. I am also concerned that letter carriers could feel pressured to skip necessary tasks or work unsafely to meet these arbitrary, bogus expectations. Regardless of whatever goals, metrics or directives USPS creates for supervisors, carriers always should rely on the provisions of *Handbook M-41, City Delivery Carriers Duties and Responsibilities* for the rules regarding office and street activities.

As NALC recently posted on social media, there are no handbook provisions limiting carriers to 60 minutes of office time or, in the case of walking routes, 90 minutes of office time. Depending on the day, mail volume and route circumstances, the enforcement by management of a predetermined office time may result in violations of Article 19 of the National Agreement.

NALC addressed this false perception that all routes should have less than 60 minutes of office time or, in the case of walking routes, 90 minutes of office time in the Contract Talk article in the January edition of *The Postal Record*. I would encourage all carriers, if you haven't already, to be sure to read this article. Likewise, there are no handbook provisions related to stationary time on the street. You can read more about management's misuse of stationary time in the Contract Talk article found on page 42 of this *Postal Record*.

Over the years, management has used a variety of efficiency tools, computer programs and blanket-type policies to pressure city carriers while they are in the performance of their duties. This is nothing new. In the past, USPS has developed many programs including the Delivery Unit Volume Recording System (DUVRS), the Piece Count Recording System (PCRS), Projected Office Street Time program (POST), the Performance Engagement Tool (PET) and the Delivery Operations Information System (DOIS) to project letter carrier office and street time. Unfortunately, all of them have frequently been used in ways that violate the National Agreement.

Keep in mind, 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, Management of Delivery Services*, or the letter carrier's and supervisor's responsibilities contained in Section 28 of *Handbook M-41*. While carriers are required to follow the instructions of management, if those instructions violate these handbook provisions, they should contact their shop steward to investigate whether a grievance should be filed.

Carriers are in the best position to determine their daily workload and to estimate how long it will take to complete their routes. Be confident in your communication with management when you are fulfilling your reporting requirements, and don't be afraid to ask for overtime or auxiliary assistance if you need it. In my April *Postal Record* article, I explained what's required and how carriers should interact with management when estimating and reporting their workload. Follow the provisions of *Handbook M-41*, request and submit a PS Form 3996, get a copy to protect yourself, and communicate with your shop steward.

For decades, city carriers have expressed concerns about undue stress and anxiety created on the workroom floor by the misuse of these types of programs and blanket postal policies. When management issues these blanket statements about performance, don't be fooled into believing these arbitrary numbers and feeling pressured to achieve management's unrealistic expectations. By using the protections of the National Agreement and following the provisions of the *M-41*, city carriers can alleviate stress, reduce friction with supervisors, and rest a little easier.

Clarifications on TIAREAP



Christopher Jackson

Lately, I have been receiving questions from members about the Technology Integrated Alternate Route Evaluation and Adjustment Process (TIAREAP). I want to use this month's article to provide an update on TIAREAP and answer a few commonly asked questions.

One of the most frequently asked questions about TIAREAP is: What is the status of the ZIP Codes (zones) being evaluated? Are routes being added, abolished and/or right-sized?

As of the end of June, approximately 800 zones had been evaluated and adjusted using TIAREAP. After the initial adjustments were implemented, more than 700 routes

had been added and 170 routes had been abolished with a net result of approximately 530 additional routes nationwide. Keep in mind, there are approximately 1,200 zones that are still pending evaluation and adjustment this fall. The remaining zones include the May opt-in period and any zones not completed from the previous opt-in periods. Remember also that TIAREAP includes a mandatory review process and many of the zones listed above are still pending this review, so additional routes may be added or abolished in the review process.

During TIAREAP, carriers also have asked what expedited bidding is and how it works.

When the Carrier Optimal Routing (COR) program is used to adjust routes, TIAREAP allows local branch presidents to decide whether the full-time city carriers in the zones being adjusted should have the opportunity to rebid the routes, before implementation of the adjustment, using expedited bidding. Expedited bidding allows full-time city carriers to select a bid assignment by seniority when routes are changed, eliminated or added as result of a route adjustment. If the branch president elects to do so, the expedited bid will start with the senior carrier in the zone, who gets to choose what will be their new assignment once the adjustment is implemented. Next, the second-highest carrier will choose, and then so on down the seniority list, until all the full-time carriers have selected an assignment. If there is more than one zone being adjusted in the office, the TIAREAP Guidelines (M-01983, page 21) allows the branch president to decide which zone(s), or if all zones, should have the opportunity to rebid.

Another recent question has been about the reliability of the data being used for evaluation and adjustments. Some carriers have expressed concerns that route times, stationary time and carrier activities recorded by the Mobile Delivery Device (MDD) might be inaccurate. You also might also be aware that, in some locations, management has begun issuing discipline for time-wasting practices, inefficiency or poor performance based solely on MDD stationary time. At times, as part of the discipline process, management has attempted to use TIAREAP data as justification for the charges. Unfortunately, local management may be unaware about how MDD breadcrumb data is gathered, compiled and evaluated in the route adjustment process. The use of this type of data for route evaluation and adjustment is very different in TIAREAP than what management is citing in the discipline process.

Each day, as the carrier delivers their route, breadcrumbs are generated by the movement of the MDD from one GPS location to another. These breadcrumbs are collected by the MDD, and when the device is cradled in the docking station at the delivery unit, the data is transmitted to a USPS computer program called Digital Street Review (DSR). Each day, the breadcrumbs are characterized by the DSR program into assumed carrier activities and used to create a virtual PS Form 3999 of the route. However, as described in this month's Contract Talk article, the MDD cannot know precisely what the carrier is or isn't doing when the MDD is stationary. The DSR program uses an algorithm to identify the most likely reason the MDD may be stationary and applies that carrier activity to the stationary event. Often, the identifier applied by DSR is inaccurate, and that is why during TIAREAP, the Route Evaluation and Adjustment Team (REAT) will consult with the carrier to make certain that all of the activities are properly recorded. The REAT evaluating the routes must review, investigate and edit the DSR carrier events to ensure that the entries accurately reflect the time and activities on the carrier's route.

Additionally, for a variety of reasons, the breadcrumbs might not be characterized properly by the DSR program. For each route evaluated, the REATs compile eight weeks of data, using information gathered in the consultation; edit as necessary to ensure data accuracy; and then develop the average street time. While the review and editing of this data can be time consuming for the REAT, doing so is absolutely necessary as the breadcrumbs alone cannot accurately evaluate a route.

For a detailed explanation of management's obligations regarding street supervision, stationary time and disciplinary action, read this month's Contract Talk, found on page 36. If you want to learn more about joint route adjustments and DSR, read the TIAREAP article beginning on page 17 of the July 2022 edition of *The Postal Record*.

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Street supervision, GPS data and disciplinary action

In some areas of the country, NALC has received reports of management using data from the Mobile Delivery Device (MDD) as a basis for disciplinary action against city carriers. The current scanning device uses global positioning system (GPS) data to track the movement of letter carriers while on the route. The MDD tracks movement of the device by recording what is called “breadcrumb” data. In addition to tracking the movement of the MDD, the device also records the amount of time the scanner is stationary. In the discipline letters, management is alleging that city carriers are failing to perform conscientiously and effectively based on reported stationary events or cumulative stationary time recorded by the MDD. Management in these locations is attempting to substitute GPS data for actual street management and observations. This month’s Contract Talk will help explain management’s responsibilities when performing street supervision and when deciding if a carrier is not satisfactorily performing their street duties.

Handbook M-41, City Delivery Carriers Duties and Responsibilities reminds city carriers that they may be supervised anytime while they are working. Section 16 of the *M-41* states: “Carriers may expect to be supervised at all times while in performance of their daily duties.”

While carriers should expect to be supervised at any time, management has certain responsibilities when performing this street supervision. These requirements are found in Section 134 of *Handbook M-39, Management of Delivery Services*, which states in pertinent part:

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.

Section 134.3 of the *M-39* also identifies specific circumstances that may require additional street supervision:

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.

While there is no requirement for management to notify carriers in advance, Sections 134.21 and 134.22 of the *M-39* provide the proper approach management must use for conducting street supervision:

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.

This section of the *M-39* requires management to use a straightforward, upfront manner and not to spy on carriers when supervising them on the street.

As reported, in some places management is attempting to use GPS data as an alternative to physical street supervision. GPS data is not always accurate and does not tell the whole story.

When discussing the value of MDD GPS data, city carriers should be aware the computer systems involved record stationary time when the MDD appears to not be moving from one GPS location to another. Stationary events are recorded in USPS’s Delivery Management System (DMS) or Regional Intelligent Mail Server (RIMS).

There are a variety of reasons why a letter carrier and their MDD may be recorded as stationary. For example, the MDD might not register as moving if the carrier is servicing a centralized mail location or cluster box unit (CBU). Perhaps the MDD isn’t moving because the carrier is picking up parcels or fueling the delivery vehicle. Electronic stationary time could be recorded while the carrier is on their break or lunch, or is replenishing mail. The MDD may be inactive when the carrier is using a comfort stop to recover and hydrate from the heat. Stationary time, in and of



itself, is not a violation of any handbook or manual. The absence of movement of the MDD does not mean the carrier is not working.

MDD connectivity also can affect the reliability of the GPS and breadcrumb data obtained. Like a cell phone, the MDD sends and receives information, including GPS data, when connected to a cellular network. Also, like cell phones, walls, vehicle roofs, tall buildings, mountains and other obstructions can interfere with the scanner's connection to the network. This could affect how accurately the scanner records the movement and positioning of the device. Additionally, extreme weather, inaccurate mapping and insufficient cellular service can have an impact on the accuracy of GPS and breadcrumb data. A malfunctioning or dead battery also can negatively affect how accurately the MDD communicates over the cellular network. GPS data and any associated reports must always be reviewed for errors. Any perceived time-wasting practices alleged against city carriers should be documented with actual street observation.

In order for management to sustain any disciplinary action against letter carriers, it must satisfy all of the requirements related to the just cause principle contained in Article 16 of the National Agreement. Simply put, the just cause provision requires a fair and provable justification for discipline.

The *Joint Contract Administration Manual (JCAM)* defines just cause into six sub-questions that arbitrators use when deciding whether to uphold disciplinary action. These questions are summarized here, and the complete explanation of just cause can be found beginning on *JCAM* page 16-1.

- **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?
- **Is the rule a reasonable rule?** Management must make sure that 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.

- **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.

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- **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?**
- **Was the disciplinary action taken in a timely manner?** Disciplinary actions should be taken as promptly as possible after the offense has been committed.

The fourth sub-question of just cause requires that before the decision to impose discipline is made, management must conduct a full, fair and impartial investigation, including giving the letter carrier an opportunity to respond to the charges. It is evident that there may be many reasons why city carriers' GPS data may be unreliable or show the MDD as stationary. These stationary events may or may not be accurate; it is management's burden to prove the charges in the disciplinary action are substantiated.

As communicated in this article and the *JCAM*, management has specific contractual and handbook responsibilities it must fulfill when assessing city carrier performance, effectiveness and efficiency. As always, if a carrier has been issued a disciplinary action letter, the carrier should provide a copy of it to their steward immediately. The steward can then investigate to determine if management has satisfied its obligations when issuing the discipline.

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Office time—Management’s arbitrary and often unrealistic expectations

Throughout the years, Postal Service management has attempted many times to devise a system or a “tool” that projects a letter carrier’s daily workload. Believers in these systems or tools think they can take a mathematical formula and simply plug in some mail volume numbers, arbitrarily select a street time for the day, and apply some non-existent work standards to determine what time a carrier will leave the office and what time they will return from the street. Their goal is to determine how much “down time” the carrier has in order to pivot off another route.

In addition to using such time-projection systems, managers occasionally just pick arbitrary time allotments out of the air and attempt to apply such numbers to a letter carrier’s office and street time, and then expect them to meet those times. **One recent application arbitrarily limits letter carriers to no more than one hour of office time in the morning. No matter how much mail they have to case or how much other office work they must perform, they are instructed to be on the street no later than one hour after they begin their tour.** Another arbitrary time allotment by managers limits letter carriers to a predetermined amount of time in the evening, usually five minutes, to perform their required p.m. office duties.

Whether management is using a time-projection tool or simply applying arbitrary time allotments for letter carriers to adhere to, such ways to determine office times often do not allow for fixed office time to perform such necessary daily functions as vehicle inspections, stand-up talks, retrieving mail from the throwback case, withdrawing mail, and retrieving or signing for accountable items, to name a few morning office duties. If your office has an office break, that time is most likely not factored into these projections or allotted times either. Arbitrary projections and time allotments certainly do not take into consideration how much actual work needs to be performed and the actual time allowed for each of these office functions.

Letter carriers are required to perform certain tasks in the morning, before leaving for the route, and in the afternoon, upon returning to the office. Management’s projections or arbitrary time allotments are not the sole determinant of a carrier’s leaving or return time, or daily workload. **Using a time projection or applying an arbitrary amount of time does not change the letter carrier’s reporting requirements** outlined in Section 131.4 of *Handbook M-41, City Delivery Carriers Duties and Responsibilities*; the su-

pervisor’s scheduling responsibilities outlined in Section 122 of *Handbook M-39, Management of Delivery Services*; or the letter carrier’s and supervisor’s responsibilities contained in Section 28 of *Handbook M-41*.

The letter carrier’s reporting requirements outlined in Section 131.4 of *Handbook M-41* read, in relevant part, as follows:

131.4 Reporting Requirements

131.41 It is your responsibility to verbally inform management when you are of the opinion that you will be unable to case all mail distributed to the route, perform other required duties, and leave on schedule or when you will be unable to complete delivery of all mail.

131.42 Inform management of this well in advance of the scheduled leaving time and not later than immediately following the final receipt of mail. Management will instruct you what to do.

131.43 Complete applicable items on Form 3996, Carrier-Auxiliary Control, if overtime or auxiliary assistance is authorized in the office or on the street.

131.44 Report on Form 1571 all mail undelivered—including all mail distributed to the route but not cased and taken out for delivery. Estimate the number of pieces of mail.

131.45 Do not curtail or eliminate any scheduled delivery or collection trip unless authorized by a manager, in which case you must record all facts on Form 1571.

131.46 Before you leave the office, enter on Form 1571 the mail curtailed; when you return, add any mail which was not delivered, and which was returned to the office. Follow any special local procedures set up to identify errors and corrective actions for mail returned because it was out of sequence.

Section 28 of *Handbook M-41* outlines the procedures for letter carriers to fill out PS Form 3996, Carrier—Auxiliary Control, and to submit it to the supervisor when the letter carrier estimates that the daily workload cannot be completed in the allotted time. It also details the requirements of the supervisor in Item L of the form. A complete explanation of Section 28, PS Form 3996 and related USPS supervisor responsibilities can be found in the *Letter Carrier Resource Guide* available at nalc.org/resourceguide.

Section 122.33 of *Handbook M-39* requires a supervisor to provide a letter carrier with PS Form 3996 upon request once the supervisor has been verbally informed why the request is being made. That section states:

122.33 The employee, upon request, will be provided a Form 3996, Carrier - Auxiliary Control, after the supervisor has been

verbally informed as to the reason for the request. The employee shall not be denied the form and, upon request, a duplicate of the completed form will be provided the employee.

Article 41, Section 3G of the National Agreement reinforces the carrier's rights and management's responsibilities related to the PS Form 3996. It states:

G. The Employer will advise a carrier who has properly submitted a Carrier Auxiliary Control Form 3996 of the disposition of the request promptly after review of the circumstances at the time. Upon request, a duplicate copy of the completed Form 3996 and Form 1571, Report of Undelivered Mail, etc., will be provided the carrier.

Letter carriers are responsible for estimating the amount of time it will take to complete their assigned duties, and management has a responsibility to manage that workload within the confines of the handbook language. In attempting to meet bogus time projections or arbitrary time allotments, some required office duties are, at times, ignored or overlooked.

Vehicle inspections

Vehicle inspections are often overlooked office duties. Letter carriers should be afforded time to properly inspect their delivery vehicle according to USPS Notice 76, Expanded Vehicle Safety Check, every day before operating the vehicle. Vehicle inspections should be performed as soon as possible after clocking in to allow letter carriers to promptly report vehicle deficiencies to management. These requirements are found in Sections 832 and 842 of *Handbook M-41*, which state:

832.1 Inspect vehicle as described on Notice 76, Expanded Vehicle Safety Check (see exhibit 832.1) for deficiencies, body damage, or inoperable items. See section 842 for reporting defects.

842.1 Reporting Defects

Driver must (a) report all mechanical defects or failures and major body damage on Form 4565, Vehicle Repair Tag (see exhibit 842.1) as soon as noted, and (b) immediately turn in the completed form to a dispatcher or manager. Minor body damage can sometimes await repair until the next regular inspection and need not be reported more than once.

Section 922.51.f of *Handbook M-41* indicates how the time for vehicle inspections is credited on the PS Form 1838-C, Carrier's Count of Mail – Letter Carrier Routes Worksheet, during the route inspection process. The minimum time allowance for performing vehicle inspections is three minutes; howev-

er, a proper vehicle inspection may take longer.

As indicated in Section 922.51, this inspection should be performed as part of morning office duties and should receive office time credit accordingly. Notice 76 specifies that letter carriers should perform Items 16 and 17 on the list with assistance from another person if possible. Vehicle inspections are an important part of maintaining letter carrier safety and should not be overlooked.

Hold mail

Letter carriers also should be afforded the proper amount of office time to process hold mail. Mail may be held for many reasons, including customers being temporarily away or on a 10-day hold in anticipation of processing a change of address. The procedures for processing hold mail vary based on the type of mail and the reasons for the hold. These procedures are explained in depth in Chapter 2 of *Handbook M-41*. Whatever the reason mail is being held, letter carriers should process this mail on office time.

Handbook provisions instruct management to have letter carriers retain hold mail at the carrier case. This language is found in Section 117 of *Handbook M-39*:

117.1 Workroom Floor Layout

k. Hold Mail. Instruct the carrier to place hold mail in a central location only when space is not available at the carrier's case.

Letter carriers also must retrieve accountable items and special services mail on office time. Accountable items are keys, postage due, customs duty and special services mail. Letter carriers receive these items in the morning from the accountable clerk. These items are handled in accordance with Section 261 of *Handbook M-41*:

261.11 Accountable items are keys, postage due, customs duty, and special services mail.

261.12 Generally, carriers are required to call at the finance cage for accountable items. They may be called in groups by call of route numbers or by passing a paddle (see "Paddle System" in the Glossary). At some offices, the items are delivered to the carrier at his/her case.

This handbook language makes clear that the processing of these items should be credited to office time. Letter carriers should ensure that they are on office time when handling accountable items, whether in the morning before leaving for the route or in the afternoon upon returning.

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Office time (continued)

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Rest breaks

City letter carriers are entitled to two paid 10-minute rest breaks during each eight-hour workday. One of these rest breaks may be taken in the office on office time if your local branch has chosen this option. The negotiated two 10-minute break periods are the required minimum. Longer breaks may be established by past practice or by the local memorandum of understanding (LMOU). Letter carriers are required to take the negotiated breaks. The *Joint Contract Administration Manual (JCAM)* on page 41-28 explains this requirement as follows:

National Arbitrator Britton ruled that the Postal Service must ensure that all employees stop working during an office break. Contractual breaks must be observed and cannot be waived by employees (H4N-3D-C 9419, Dec. 22, 1988, C-08555).

If your branch has chosen an office break, letter carriers must take this break on office time. During the route inspection process, letter carriers receive credit for this office break on the PS Form 1838-C, and it is included in the office time evaluation for each route. Letter carriers should never skip their negotiated rest breaks whether they are taken in the office or on the street.

P.M. office duties

In some locations, supervisors instruct letter carriers to complete their assigned p.m. office duties within a predetermined amount of time. Oftentimes, afternoon office duties can be unclear for city letter carriers. Section 4 of *Handbook M-41* specifies what duties letter carriers should perform as p.m. office functions after clocking back in from the street. The supervisor's responsibilities can be found in *Handbook M-39*. Those duties include the following:

127 Office Work When Carriers Return From Route

The carrier unit managers must observe and direct carrier activity when carriers return from the route. Observe such things as:

- a. See that carriers promptly clock in on return to office.
- c. See that clerks are available to check in accountable items as efficiently and promptly as possible.

As indicated, handbook provisions state carriers should clock back into the office immediately after unloading their vehicle and before disposition of collected mail. This is indicated in Section 42 of *Handbook M-41*:

42 Disposition of Collected Mail

Place the mail collected on designated table or in receptacles.

Sorting of outgoing collection mail and all other end-of-day activities should be conducted on office time. Letter carriers also should return accountable items to the clearing clerk for proper clearance while on office time, as indicated in Section 43 of *Handbook M-41* and Section 127.c of *Handbook M-39* cited above. See the following sections of *Handbook M-41* for detailed explanations of the p.m. office duties pertaining to accountable items:

43 Clearance for Accountable Items

- 431 Keys
- 432 Registered and Certified
- 433 Insured Mail
- 434 CODs
- 435 Customs Duty Mail
- 436 Postage Due

Processing of undelivered mail also should be performed on office time, whether this mail is processed in the morning or in the afternoon upon return from the route. Section 44 of *Handbook M-41* explains this requirement:

44 Undelivered Mail

441 Processing Undelivered Mail

Follow procedures listed in part 24 to process forwardable and undeliverable mail (1) that you didn't process before leaving the office and/or (2) that you picked up on route. After processing,

place this mail in throwback case, as explained in part 24.

442 Completing PS Form 1571

442.1 After return from your trip, obtain PS Form 1571, Undelivered Mail Report, from unit manager.

442.2 Add any mail which was not delivered but was returned to the office.

442.3 Sign the form and give it to a unit manager.

There is no set time in which the above duties must be performed. These duties are equally as important as morning office or street duties. Letter carriers still are responsible for estimating the amount of time it will take to complete their assigned duties. Likewise, management still has a responsibility to manage that workload within the confines of the handbook language.

If letter carriers are not allowed to perform office duties, or if they are not afforded adequate time to perform these duties, a shop steward or branch officer should be notified so they can investigate and, if appropriate, file a grievance.