



MEMO

To the Branch 2184 Leadership Council, June 30, 2020

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As with recent Branch 2184 Leadership Council Memos, this one will begin with an update regarding ongoing Branch matters. First, there has been no change in the current Branch procedures for conducting our monthly Steward and Executive Board meetings. These meetings will continue to be conducted telephonically until further notice. Steward meeting agenda items will continue to be posted on the Branch website prior to each month's meetings. No other Branch events are currently scheduled for the summer months, and a decision about the regular membership meeting scheduled for September 2 will be made later this summer after a review and evaluation of the situation at that time.

Decisions have been made to cancel two annual events in September and October. The Michigan AFL-CIO has cancelled the annual Labor Day March in Detroit, which was to have taken place on September 7. Some forms of replacement activities are being considered by the State AFL-CIO organization. Also, NALC Region 6 National Business Agent Troy Clark has announced that this year's annual Kentucky/Indiana/Michigan Regional Educational Seminar, informally known as the "K.I.M. Training" that was scheduled for October 10-12 at the Eagle Crest Marriott in Ypsilanti has also been cancelled. It is unknown at this time if next year's K.I.M. training event will be held here in Michigan or if it will be at a location in Indiana, which is next in the three State rotation for hosting the training.

Active letter carriers are quite aware of the dramatic shift in the mail stream so far this year, with decline in overall letter and flat volume even as a very large increase in parcel volume has occurred. Recent figures released by the Postal Service showed an 86% increase in parcels from January through May over the same period last year. In fact, parcel volume for the month of May exceeded that for December for the Christmas period last year. Projections are that the parcel volume will remain at or near its present levels for the remainder of the calendar year. Of note, the Postal Service revenue boost from the additional parcel volume has not been nearly enough to offset the loss of revenue from other classes of mail, and the USPS remains in a very precarious financial situation. The road ahead will not be smooth.

Also, regarding the handling and delivery of parcels, Branch 2184 stewards should be closely monitoring this to ensure that no parcels are being delivered by letter carriers while on code 733, or any other LDC 23 code. The ONLY LDC codes (Labor Distribution Codes) that should be used by letter carriers are LDC 21 and LDC 22. Any instructions issued by management to use 733 or similar LDC 23 code should immediately be challenged and the grievance procedure utilized if management persists with this.

Management in some offices in our Branch as well as elsewhere has been responding to the increase in parcel volume by improperly advising and even instructing letter carriers to meet non-existent parcel delivery time standards such as "one minute per parcel" or "x number of parcels per hour. To reiterate, there is NO existing numerical work or time "standard" that applies to any aspect of letter carrier delivery duties. Everything that any letter carrier does while delivering mail and parcels "takes whatever it takes" – no more and no less. If management persists with this, use the grievance procedure to shut it down.

This year's "Penalty Overtime Exclusion" period has been announced. It will begin on Saturday, November 28, 2020 (pay period 25-20, week 2) and will end on December 25, 2020 (pay period 01-21, week 1). As in the past, later this year we will review Article 8 overtime provisions and contractual work hour limitations that are affected during this four-week period.

Because of ongoing staffing issues in some Branch 2184-represented offices, mandatory overtime is often assigned to Non-ODL career letter carriers. The rules and procedures for assigning mandatory overtime work to Non-ODL carriers (both on assignment and off assignment) are found in Article 8.5.C and 8.5.D and they are discussed in detail in the JCAM. One of these rules, which applies to both ODL and well as Non-ODL career carriers, involves work on nonscheduled days that immediately proceed or follow scheduled annual leave, including "incidental" leave. We have received reports that some carriers in a few Branch 2184-represented offices have been required to work nonscheduled days that are in conjunction with scheduled leave.

In at least one instance, a Non-ODL carrier was required to work both days of a "long weekend" immediately prior to a week of scheduled annual leave. From the JCAM, page 8-12: "Normally, employees, including employees on the Overtime Desired List, who have scheduled annual leave, including incidental leave, immediately preceding and/or following non-scheduled days will not be required to work on the non-scheduled days. Employees on the ODL, if they desire, may advise their supervisor in writing of their availability to work on a non-scheduled day that is in conjunction with approved annual leave." This language comes from two applicable National level (Step 4) decisions, M-00492 and M-01367 in the NALC Materials Reference System (MRS).

An additional note regarding the above discussion. These provisions do NOT apply to holiday scheduling situations, which are governed only by the provisions of Article 11 of the Contract and our Branch's locally negotiated "pecking order" and related procedures for formulating holiday schedules. Instead, the provisions discussed in the preceding two paragraphs are applicable only to mandatory overtime work on nonscheduled days that is assigned under the provisions of Article 8, section 5.D – not as part of a holiday schedule.

A question arose in one of our stations where management claimed to be unsure of the procedure for changing the leave category for the first three calendar days of full or partial disability following a job-related traumatic injury to Continuation of Pay (COP) in situations where the injured employee's full or partial disability from work has exceeded 14 days. Because of a Republican attack on USPS employees that was slipped into Postal Reform legislation in late 2006, USPS employees but not other Federal employees have a three-calendar day "waiting period" before COP paid by the employing agency begins, where the employee can use sick or annual leave, or leave without pay. However, if disability from work exceeds 14 days, the first three days can be changed to COP at the request of the employee.

The procedure for doing so is really quite simple and merely involves changing the TACS code on the applicable days from USPS paid leave (Code 055 or 056) or LWOP (Code 059 or 060) to Code 071 – Continuation of Pay, and restoring the paid leave hours to the employee's balances. No pay adjustment is necessary unless the injured employee chose to cover all or part of the three-day waiting period with LWOP. In that case, an adjustment is necessary to pay the employee at their regular pay rate for the number of hours that have been changed to COP.