

Local Memorandum of Understanding update



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Drass**

The 2021 local negotiations process has been very different thus far than the last round of bargaining in 2017. The big hang-up in 2017 was the implementation of the Memorandum of Understanding (MOU) RE: City Carrier Assistant (CCA) Annual Leave. The dispute was over the meaning of the following language:

...the local parties will, consistent with the needs of employees and the needs of management, include provisions into the LMOU to permit city carrier assistant employees to be granted annual leave selections during the choice vacation period and for incidental leave.

We have always believed that the only way to effectively and fairly implement this language is to count CCAs in determining the percentage/number of letter carriers allowed off on annual leave during both the choice and non-choice vacation periods, and fully include them in the established annual leave submission/approval process in each city.

USPS generally rejected this concept and took the position that CCAs should have annual leave rights, but their rights would have to come on the backs of the career letter carriers by not including CCAs in the percentage/number of letter carriers allowed off on annual leave.

This dispute was the driving force that caused about 2,900 LMOU items to be impasse from the local level to the regional level and 2,179 of those LMOU items to be appealed to impasse arbitration in 2017. The battle for CCA annual leave rights raged on well into 2019. When all was said and done, NALC had achieved counting CCAs in determining the percentage/number of letter carriers allowed off on annual leave during both the choice and non-choice vacation periods, and fully including them in the established annual leave submission/approval process in thousands of post offices around the country.

I was wondering if the Postal Service would come back during the 2021 round of bargaining and try to claim that counting CCAs in determining the percentage/number of letter carriers allowed off on annual leave is somehow an unreasonable burden on it. As it turns out, that did not happen. Not only did USPS not try to make the unreasonable burden claim, it was much more open to counting CCAs in determining the percentage/number of letter carriers allowed off on annual leave.

As I said, the 2021 local negotiations process has been

very different than what we experienced in 2017. The 30-day local negotiation period for a new LMOU ended on May 28. Many more branches were successful at the local level with achieving a negotiated contract this year.

There were only 1,087 NALC and 212 USPS LMOU items around the country that remained unresolved when the initial 30-day negotiation period ended on May 28. These 1,299 LMOU impasse items were then appealed to our national business agents (NBAs) for the second step in the local negotiations process. Each NBA/designee had 75 days to meet with the appropriate USPS area manager/designee to try to resolve the LMOU impasses. That deadline technically ended on Aug. 11, but the area/regional parties continued discussions after that date in some circles. Nearly all of the NBAs were highly successful in resolving the vast majority of the LMOU impasse items that were appealed from the local level. I think this was the biggest difference in the local negotiations process this time. The NBAs had a little less than half of the LMOU impasse items they did last time, but unlike 2017, they resolved about 85 percent of what was appealed to them this round of bargaining.

The third and final step in the local negotiations process is impasse arbitration. The deadline for appealing unresolved LMOU items to impasse arbitration was Sept. 1. On Aug. 30, President Rolando appealed 169 NALC LMOU items to impasse arbitration. On that same day, the vice president of labor relations appealed 32 USPS LMOU items to impasse arbitration. These impasses involve 62 cities around the country and will be resolved via prearbitration discussions or impasse arbitration. Either way, I expect the 2021 local negotiations process to be completed by spring of 2022.

The reason the local negotiations process went so much smoother this time is simple: USPS has clearly accepted the fact that counting CCAs in determining the percentage/number of letter carriers allowed off on annual leave during both the choice and non-choice vacation periods and fully including them in the established annual leave submission/approval process makes the most sense, is much easier to manage and is not the burden it claimed it would be.

I want to take this opportunity to thank all of you who participated in the local negotiations process at the local and regional levels, as well as the advocates who will present our cases in front of a neutral arbitrator, for all of your efforts toward achieving a new LMOU in every city in the country.

On another note, the cost of the printed version of the new July 2021 Joint Contract Administration Manual (JCAM) will be \$15 per copy. This includes postage. If they are not available when you read this, they will be in a few weeks.

I wish all of you and your families a happy Thanksgiving!