

# Formulating work rule proposals during collective bargaining



**Paul  
Barner**

**T**he Postal Reorganization Act of 1970 converted the Post Office Department into the independent government agency we know as the United States Postal Service. Along with this fundamental structural change, NALC gained the right to collectively bargain pay benefits in addition to working conditions and workhours with the Postal Service on behalf of letter carriers. Many of the protections and benefits letter carriers receive are in the form of what are termed work rules. Routinely, members ask about how bargaining proposals addressing work rules are

created. This article will provide some context for that process.

In preparation for the most recent round of bargaining, the members of the NALC Executive Council, supported by certain Headquarters letter carrier staff employees, assembled at NALC Headquarters to begin reviewing the collective-bargaining agreement and convention resolutions from which bargaining proposals were developed. At the outset, subcommittees comprised of officers and staff were created. It is from these subcommittees that the work rule proposals originated.

**The question often arises as to what guides the bargaining team in determining proposed additions or changes to the work rules. In order to fully answer this question, one should look at the *NALC Constitution* for guidance.**

Article 1, Section 4 reads in pertinent part:

The National Convention shall be the supreme body...

Article 4, Section 1 establishes branch and state association delegates to conventions:

Each Branch having twenty (20) or less members shall be entitled to one delegate and one vote in the National Convention. Branches having more than twenty (20) members shall be entitled to one delegate and one vote for each twenty (20) members, or fraction thereof. Each State Association shall be entitled to two Delegates-at-Large. National Officers and Delegates-at-Large shall each be entitled to one vote, as such, provided that vote may not be cast for officers. Each delegate shall be supplied with a certificate of election signed by the President and Recording Secretary of the Branch.

Article 12 establishes the process of submitting resolutions pertaining to the national working agreement:

Any Branch in good standing or any State Association may, at any time, forward to the National Secretary-Treasurer resolutions properly attested by their President and Secretary-Treasurer for consideration by the appropriate Union authority. Such resolutions must be in duplicate, and each shall be on a separate sheet of paper. Resolutions pertaining to the National Working Agreement, which should, insofar as possible, identify the Article and Section to be changed, shall be forwarded to the Chief Spokesperson of the NALC Negotiating Team; those pertaining to legislation shall be forwarded to the NALC Director of Legislation; and all others shall be forwarded to the NALC Executive Council for their consideration and appropriate action. Those appropriate authorities shall report to the National Convention on all such resolutions and the action taken thereon.

Based on the referenced constitutional citations, work rule resolutions approved by the supreme body of the National Convention become official bargaining positions of NALC. Currently, there are unachieved resolutions that have been approved at national conventions going back as far as the 1970s. Accordingly, the NALC bargaining team makes it a priority to achieve or partially achieve as many of those resolutions as possible as directed by the supreme body.

The combined result of the efforts put forth by the officers of the NALC Executive Council and staff in their respective subcommittees and the directions derived from the official bargaining positions of NALC resulted in approximately 140 work rule related proposals being drafted and ultimately presented to the Postal Service during bargaining. Fortunately, many of those proposals were tentatively achieved.

**So, what happens now to those tentatively agreed-upon work rule provisions? As we all know, our collective-bargaining process also provides for binding arbitration as a means to an end if negotiations do not produce an acceptable outcome. This creates somewhat of a reset of everything tentatively agreed to during the bargaining process, which the arbitrator will now decide. That being said, in future negotiations, NALC will continue to strive to achieve as many resolutions as possible directed by the supreme body, as well as seek to attain other work rule provisions formulated by the bargaining subcommittees in an effort to improve the lives of letter carriers on the workroom floor.**