

Excessing Caused By Dummies

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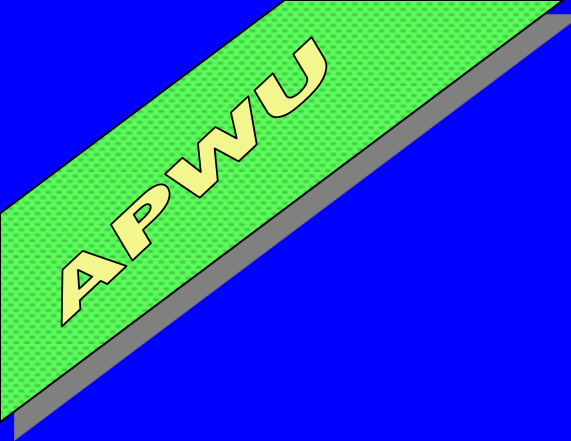


General Principals of Reassignment

- USPS obligation to minimize:
 - Dislocation & inconvenience
- Six months notice to Union and impacted employees, if possible
- Outside Section:
 - No minimum notice period
 - Attempt to negotiate Locally
- Outside Installation:
 - Requires 90 days to Coordinator
 - Requires 60 days to employee

General Principals of Reassignment (Cont'd)

- Categories for Excessing:
 - FTR
 - PTR
 - PTF
 - Best Qualified (BQ)
 - Each BQ treated as separate category
- USPS identifies category, level and number of employees
- Bumping of employees holding bid assignments is prohibited
- An employee will begin a new period of seniority if reassigned to:
 - Another craft or occupational group
- APWU may request a Comparative Work Hour Report analyzing the 30 day period after excessing has occurred

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PRINCIPLES AND REQUIREMENTS (Cont'd)

12.5.B.9

Whenever the provisions of the Section establishing seniority are inconsistent with the provisions of the Craft Articles of this Agreement, the provisions of the Craft Articles shall prevail.

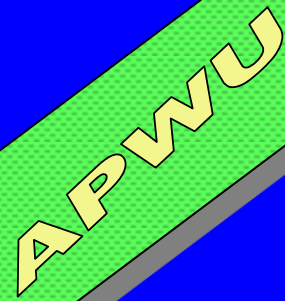
12.5.B.10

It is understood that any employee entitled hereunder to a specific placement may exercise such entitlement only if no other employee has a superior claim hereunder to the same position.

- *12.5.B.10 means that employees may not exercise any right granted under Article 12 to a position, if another employee has a superior claim to that position, such as seniority or incumbency.*

Stewards

- Have "super seniority" protection from excessing (Article 17.3) if qualified for work which remains in tour/station/installation
- Maintain "super seniority" over excessed employee(s) for bidding within the tour/station/installation after excessing has occurred
- May be "de-certified" as a steward after excessing has occurred, but remains as non-steward with bidding rights over excessed employees

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Maximization Memo

Management has continuing obligation to convert PTFs to FTFs if hours of PTFs aren't used to backfill a FTR residual vacancy held pending Article 12

Excessing Maximization Arbitrations

<u>Arbitrator</u>	<u>Union</u>	<u>Dec</u>	<u>Case No.</u>	<u>City / State</u>
R. Dissen	APWU	S	C00C-4C-C 03022953	Canonsburg PA
W. Miller	APWU	S	C94C-4C-C 98081149	York, PA
L. Loeb	APWU	D	C98C-1C-C 00214449	Harrisburg, PA
L. Loeb	APWU	S	C98C-4C-C 99308448	Wilkes-Barre PA
G. Gilder	APWU	S	G98C-4G-C 00127475	Allen, TX
M. Kelliher	APWU	S	G98C-4G-C 00165878	Lubbock, TX
G. Gilder	APWU	S	G98C-4G-C 00225247	Normangee, TX
M. Toedt	APWU	S	G98C-4G-C 02064550	Galveston, TX
R. Mittenthal	NALC	D	H7N-3D-C 22267	Washington, DC
K. Poole	APWU	S	H94C-4H-C 97006741	Douglas, GA

Excessing Maximization STEP 4's

Benson	03-18-1983
Burrus/Mahon	02-08-1991
Burrus/Vegliante	10-28-1992
Dockins/Burrus	12-22-2003
Kahn/Burrus	12-22-2003
Mahon/Burrus	11-07-1989

Article 12.5.C.4

Reassign Within an Installation of Employees Excessed to The Needs of a Section

Section 4.A

- Applicable when number of FTRs or PTRs will be reduced in section
- PTF not subject to these provisions
- Item 18 identifies section in LMOU
- Entire installation is a section if not identified through the LMOU
- USPS determines category, level and number to be excessed from section

12.5.C.4.a (Cont'd)

- Section is made up of FTR & PTR employees holding bid positions
- Unencumbered shall be removed from section prior to excessing
- Light and limited duty performing affected craft work shall be removed from section prior to excessing, regardless of craft
- Those removed from section can be assigned to:
 - Same craft - different section
 - May be given involuntary assignment if unassigned

12.5.C.4.b

- Junior FTR or PTR employee in craft, level and category within section will be excessed
- Junior employee reassigned in same craft, within same installation and with seniority
- May bid on any existing vacancies for which eligible
- May be assigned to vacant duty assignment if they do not bid
- If more than one vacant assignment, they will have a preference

12.5.C.4.c

- Excessed employee retains retreat rights to former section
- Will retreat to residual in the section
- Failure to bid on first available, same level residual ends retreat rights
- Retreating is optional

12.5.C.4.c (Cont'd)

Retreating to a lower level:

- Retreat to lower level optional
- Failure to retreat to lower level does not terminate retreat rights to salary level from which reassigned
- Retreat to lower level only occurs:
 - Within the section
 - To lower level positions
 - If residual vacancy available at lower level
 - After all lower level excessed FTRs have had retreat rights satisfied
- Newly created duty assignments for the section
 - Posted within section

12.5.C.4.d

Vacant duty assignment within section:

- Vacated by reassignment
- Shall be posted for full-time employees within the section
- If no bids, unassigned within the section shall be assigned
- Once retreat rights have been offered, all future vacancies will be posted installation wide

Article 30.B.18

Article 30.B.18

The identification of assignments comprising a section, when it is proposed to reassign within an installation employees excess to the needs of a section.

APWU

Section A

L-5 Pat – 11/98

L-5 Bob – 2/00

L-5 Marie – 11/01

Management wants to abolish one (1) duty assignment.
All things being equal, except seniority, who is
excessed?

Section A

Pat – 11/98 SSA Clerk

Bob – 2/00 MP Clerk

Marie – 11/01 MP Clerk

Management wants to abolish a window assignment.
Who is excessed?

APWU

Section A

L-5 Pat – 11/98

L-5 Bob – 2/00

L-6 Marie – 11/01

Management wants to abolish one (1) Level 5 Window Clerk. Who is excessed?

Section A

SQ Pat – 11/98

SQ Bob – 2/00

SQ Marie – 11/01

Management wants to abolish one (1) senior qualified MP clerk. Who is excessed?

APWU

East Nowhere, FL

T-1**Bob, Pete & Sam****T-2****Bill, George & Eric****T-3****Steve, John & Ted**

Management wants to eliminate two (2) T-2 duty assignments. The LMOU states that the entire installation is one section.

Who is excessed and why?

37.1.F. – Abolishment

A management decision to reduce the number of occupied duty assignment(s) in an established section and/or installation.

37.1.G. – Reversion

A management decision to reduce the number of duty assignments in an installation when such duty assignment(s) is/are vacant.

37.1.H. – Reposting

The posting of a duty assignment as required by Article 37, Section 3.A.4.a, b, or c. (See also Art. 30.B., 21, 22)

9/22/99 Article 37 Q & A's

Section: 3.A.2

When duty assignments are reposted due to changes in hours, off days, or duties – are the duty assignments treated as if abolished?

Response: No. Duty assignments are reposted in accordance with Section 3.A.4. Such repostings are due to change and do not reduce the number of occupied duty assignments in an established section and/or installation. However, if the starting time of a duty assignment is changed sufficiently to move the duty assignment from one section to another as defined in Item 18 of the Local Memorandum of Understanding, the duty assignment is abolished and the newly created duty assignment is posted in accordance with Section 3.A.1; not pursuant to Section 3.A.4.

Section: 3.A.4

If the hours of a duty assignment are changed sufficiently to move from one identifiable section to another pursuant to Item 18 of the Local Memorandum of Understanding - is the duty assignment reposted in accordance with Section 3.A.4?

Response: No. The duty assignment is abolished and the provision of Article 12, Section 5.C.4 would be applied. The newly created duty assignment in the gaining section would be posted installation-wide for bid unless there was an employee(s) outside the section with retreat rights.

ARTICLE 12, SECTION 5.C.4

12.5.C.4: Reassignment Within an Installation of Employees Excess to the Needs of a Section

12.5.C.4.a: The identification of assignments comprising for this purpose a section shall be determined locally by local negotiations. If no sections are established immediately by local negotiations, the entire installation shall comprise the section.

- *The identification of assignments comprising a section are determined through local negotiations as indicated in Article 30.B.18.*

12.5.C.4.b

Full-time employees, excess to the needs of a section, starting with that employee who is junior in the same craft or occupational group and in the same level assigned in that section, shall be reassigned outside the section but within the same craft or occupational group. They shall retain their seniority and may bid on any existing vacancies for which they are eligible to bid. If they do not bid, they may be assigned in any vacant duty assignment for which there was no senior bidder in the same craft and installation. Their preference is to be considered if more than one such assignment is available.

- When **excessing full-time employees** to the needs of a section, **management must begin with the employee who is junior in the same level, craft, or occupational group, assigned in the section**, regardless of which duty assignments are abolished.

12.5.C.4.c:

Such reassigned full-time employee retains the right to retreat to the section from which withdrawn only upon the occurrence of the first residual vacancy in the salary level after employees in the section have completed bidding. Such bidding in the section is limited to employees in the same salary level as the vacancy. Failure to bid for the first available vacancy will end such retreat right. The right to retreat to the section is optional with the employee who has retreat rights with respect to a vacancy in a lower salary level. Failure to exercise the option does not terminate the retreat rights in the salary level in which the employee was reassigned away from the section. In the Clerk Craft, an employee may exercise the option to retreat to a vacancy in a lower salary level only to an assignment for which the employee would have been otherwise eligible to bid.

- Initial vacancies occurring within a section, in the same salary level from which excessed employees have active retreat rights, are posted within the section, for employees of the same salary level as the excessed employees. The residual vacancy is then offered to employees in the same salary level who have retreat rights to the section. If vacancies remain after offering retreat rights to eligible employees, the vacancies are then posted for bid. Vacancies that occur within the section that are not of the same salary level of the excessed employee with retreat rights are also posted for bid. (See Burrus/Vegliante memo concerning retreat rights.)*

12.5.C.4.d

The duty assignment vacated by the reassignment of the junior full-time employee from the section shall be posted for bid of the full-time employees in the section. If there are no bids, the junior remaining unassigned full-time employee in the section shall be assigned to the vacancy.

- *12.5.C.4.d provides for the posting of the duty assignment, vacated by the reassignment of the junior employee from a section, for bid by the employees remaining in the section. If no bids are received, the unencumbered employee remaining in the section will be assigned to the vacancy.*
- *When it is proposed to **reassign within** an installation, **employees excess to the needs of a section and/or tour**, Union notification shall be at the **Local level**.*
- *If **12.5.C.4** is applied, **notification** will be given to the **Union** at the **Local level**. If **12.5.C.5.a or b** is applied, **notification** will be given to the **Union** and the **Area/Regional level**.*

- When **excessing** occurs in a craft, either **within the installation** or to **another installation**, the **sole criterion** for selecting the employees to be excessed is **craft seniority**. Whether or not a member of the affected craft is recovering from either an on- or off-the-job injury would have no bearing on his/her being excessed. In addition, **other craft employees** who are **temporarily assigned** to the craft undergoing the **excessing** would **have to be returned to their respective crafts**. (See Mahon/Burrus letter dated 6/11/90; and Sgro letter dated July 14, 2000)
- **Unencumbered** employees **temporarily assigned** to a work area **cannot utilize his/her seniority** to the **detriment of employees holding regular bid assignments in the work area**. (See Johnson/Kahn Step 4 dated 6/11/80)
- In accordance with Article 12, Section 4, when it is proposed to **reassign within an installation** an excess employee serving as a **steward**, the **employee will not be involuntarily transferred if there is work for which that employee is qualified**. (See Article 17.3; Wilson/Henry Pre-Arb dated March 4, 1982)

- *Following excessing, stewards maintain their super-seniority for the purpose of bidding on initial vacancies over excessed employees wishing to exercise their retreat rights. (See Vegliante/Burrus letter dated November 5, 1992)*
- *An employee whose job is eliminated, if any, and who cannot be placed in a job of equal grade shall receive saved grade until such time as that employee fails to bid or apply for a position in the employee's former wage level. (Article 4.3)*
- *An employee reassigned from a "senior qualified" assignment **cannot** exercise their **retreat** rights to a "**best qualified**" assignment.*

The Installation Shall Be A Section

Scenario:

The USPS abolishes a job in the office and retains the unencumbered employee.

Do we have a grievance?

Detailed Statement:

Remedy:

Scenario

Tour I ends at 8 am and Tour II begins at 8:01 am as per LMOU, Item 18. Rosa has a reporting time of 7:30 am. The USPS has changed her reporting time to 8:30 am as per LMOU.

Is there a grievance?

Detailed Statement:

Remedy:

Scenario

North Park P&D Annex By Seniority, By Section

Level 6	1 - Pat	
Level 5	2 - Jamie	
Level 5	3 - Katie	
Level 5	4 - Allen	Preference Eligible
Level 5	5 - Salita	
Level 5	6 - George	
Level 5	7 - Terry	Preference Eligible
Level 6	8 - Benson	
Level 5	9 - Mary	Preference Eligible
Level 5	10 - Ajamu	

Scenarios

North Park (Cont'd)

Marie's job has been abolished.
What do we do?

1.

Pat and Mary's (Preference Eligible) jobs have
been abolished.

What will happen?

1.

2.

Scenarios

North Park (Cont'd)

What if Mary is a Union Steward?

What if Ajamu is the Local President?

What if the senior clerk who was abolished does not bid on an assignment vacated by an excessed junior employee?

Scenarios

North Park (Cont'd)

Two employees have been excessed out of North Park P&D Annex. The USPS has decided to repost Salita's job.

Is this job posted section wide or installation wide?

Prove your response.

1.

2.

Scenarios

North Park (Cont'd)

The USPS has decided to post a newly created Level 5 job in the North Park P&D Section.

How is it posted? Prove your response.

As a result of the last posting there is a residual Level 5 job.

What must be done?

Scenarios

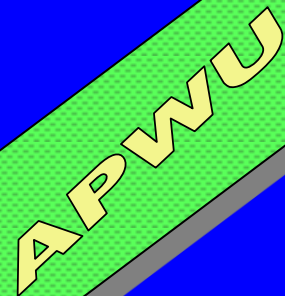
North Park (Cont'd)

Who is eligible to bid on this job?

1.

2.

What if eligible bidder refuses OR fails to qualify?

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Scenarios

North Park (Cont'd)

Section is by level, by tour. Mary holds a Best Qualified position. Mary's job is abolished.

Who is excessed off the tour?

Scenarios

North Park (Cont'd)

When an employee is excessed out of the section, what are rights and status?

- Can they bid?
- Are they unencumbered?
- Involuntarily assigned?
- Change tours?
- Do they have retreat rights?
- Are they required to retreat to lower level?

Retreat Rights Are:

- Option to retreat to same, higher or lower level made at time of excessing
- Employee has option to decline retreat to lower level when position is offered and still maintain retreat rights to same level
- Failure of an excessed employee to bid on the same level assignment in the section from which excessed, terminates retreat rights

Excessing Outside Section - Step 4's

Biller/Cagnoli	04-16-1992
Biller/Furgeson	04-16-1992
Burrus/Cagnoli	07-25-1991
Burrus/Downes	12-09-1992
Burrus/Fritsch	12-15-1987
Burrus/Mahon	06-11-1990
Burrus/Vegliante	05-27-1877 (sic)
Burrus/Vegliante	05-27-1994
Burrus/Vegliante	11-05-1992
Cagnoli/Burrus	09-18-1991
Kahn/Johnson	06-11-1980
Henry/Connors	04-04-1985
Wilkinson/Hutchins	12-05-1988
Fritsch/Burrus	11-23-1987
Fritsch/Burrus	12-18-1987
Sgro	07-14-2000
Wilson/Henry	03-04-1982

Excessing Outside Section Arbitrations

<u>Arbitrator</u>	<u>Union</u>	<u>Dec</u>	<u>Case No.</u>	<u>City/State</u>
I. Tranen	APWU	S	070-00-043891	Raleigh, NC
I. Thomas	APWU	S	A98C-4A-C 00052628	Newark, NJ
J. Martin	APWU	S	C1C-4B-C 21511	Jackson, MI
J. Drucker	APWU	S	D90T-1D-C 94044288	Baltimore, MD
C. Miles	APWU	S	D98C-4D-C 01212760	Fredericks-burg, VA
W. LeWinter	APWU	M	EBC-2U-C 9324	Richmond, VA
F. Butler	APWU	S	F98C-1F-C 00054104	Long Beach, CA
N. Bennett	APWU	S	G90C-1G-C 93019643	Dallas, TX
O. King	APWU	S	G94C-4G-C 98105203	Muskogee, OK
G. August	APWU	S	G94C-4G-C 99185554	Conroe, TX

Excessing Outside Section Arbitrations (Cont'd)

<u>Arbitrator</u>	<u>Union</u>	<u>Dec</u>	<u>Case No.</u>	<u>City/State</u>
G. August	APWU	S	G98C-1G-C 99242360	New Orleans, LA
M. Kelliher	APWU	S	G98C-4G-C 02059209	Oklahoma City, OK
C. Miles	APWU	M	H94C-1H-C 98002219	Orlando, FL
C. Miles	APWU	S	K90C-4K-C 93016881	Merrifield, VA
R. Moberly	APWU	S	S1C-31-C 12068	Tallahassee FL
E. Stephens	APWU	S	S4T-3P-C 14808	Greensboro NC
K. Eisenmenger	APWU	S	G98C-4G-C 00243328	Shreveport, LA
R. McAllister	APWU	S	J90C-1J-C 95021449	Grand Rapids, MI
B. Simon	APWU	S	J90C-1J-C 94056266	Bedford Park, IL

Reduction in The Number of Employees in an Installation

APWU

Notification

Time Limits for Notification

Identification of Excessed Employee

Rules of Excessing

Determination of Who is Excessed

Rules of Excessing

Retreat Rights

APWU Responsibility

Excessing Options

Volunteer in Lieu Of

Become PTF

Being Excessed

Impact Statement Or Other Documentation

Indicating:

Casuals

Reduction of
casuals/TE's

**PTF/FTR
Reduction**

Reduction of PTF
hours

Reduction of FTR
Employees

**Withholding
Extent**

of Jobs Withheld

of Miles
Withheld

ABOLISHMENT VS EXCESSING

Abolishment — a management decision to reduce the number of occupied duty assignments in an established section and/or installation.

Excessing — the reduction of full time duty assignments in a section or the reduction of employees in a category, (FTR, PTR, PTF) in a craft or installation.

EXCESSING

Article 12.5.C.5

Reduction in the number of employees in an installation other than by attrition.

NOTIFICATION

- Advance notification required to APWU Regional Coordinator
- Six months notice sought
- No less than 90 days before excessing occurs
- Notice shall reflect exact number to be withheld within an area
- Not less than 60 day notice before involuntary detail or excessing occurs

NOTIFICATION (Cont'd)

- Identify number of residuals withheld in same or lower level in all crafts in affected area
- FTR minus reversions be counted toward 80/20 in both losing and gaining installation
- Identify as excess the number of employees in craft, level & category

RULES OF EXCESSING

Responsibility of Postal Service:

12.5.C.5.a

1. Shall determine by craft and/or occupational group the number of excess employees.
 - A. Identified by level
 - B. The term occupational group does not apply to the Clerk Craft
 - C. Identified by category (FTR, PTR, PTF)
 - D. Best Qualified vs. Senior Qualified

Questions:

- A. How many occupational groups are in the Clerk Craft?
- B. Mary's seniority date is Dec. 02 and she is an FTR.

John's seniority date is April 02
and he is a PTR.

The USPS is excessing one PTR.
Who would be excessed?

RULES OF EXCESSING (Cont'd)

2. Separation of all casuals (to extent possible): Will minimize impact on regular workforce
 - A. Key word is "minimize"
 - B. "The parties agreed that the employer was only obligated to separate casual workers if doing so would yield sufficient hours for a regular workforce clerk, that is eight hours within nine or ten hours, five days a week"

(Snow Award: HOC-NA-C-12, July 27, 2001)

Question:

C. Seven casuals work the same five hours each day (totaling 35 hours per day) five days per week, 5 am to 10 am.

Is this a violation of Article 12?

RULES OF EXCESSING (Cont'd)

3. Reduce PTF hours (to extent possible)

- Will minimize impact on regular workforce

Question-*What is extent possible?*

D. The installation has five PTFs.

- Each works six hours per day.

Is this a violation?

NOTE: ALL of the above must be accomplished before anyone is excessed out of craft/installation

SOLE CRITERIA FOR EXCESSING IS CRAFT SENIORITY

PRIOR TO EXCESSING:

- Light or limited duty from other crafts must be returned to craft
- Casuals in Clerk Craft must be eliminated to extent possible.
- PTF hours must be reduced to minimize impact

PRIOR TO EXCESSING (Cont'd)

- Union Steward will not be excessed if there is work available for which qualified
- Excessed employees may work TE assignment if qualified

Questions:

E. The junior employee is a limited duty (rehab Carrier) full-time regular in the Clerk Craft who is also the Postmaster's secretary (Level 5).

Is the Postmaster's secretary excessed?

F. *How do I prove this?*

Questions:

G-1. The junior employee in the installation is the Local President.

Can he/she be excessed?

G-2. The junior employee in the installation is the Chief Steward.

Can he/she be excessed?

G-3. *Can a steward be excessed?*

Reassignments to Other Installations

12.5.C.5.b

1. Identify vacancies within 100 miles of losing installation
 - A. Consult with Union if more distant installations are needed
 - B. Employees must meet minimum qualifications
 - C. Will have options by seniority
 - D. Same or lower levels in APWU craft.

Reassignments to Other Installations (Cont'd)

12.5.C.5.b(2)

2. If no vacancies in above:

- A. Reassign in other crafts or occupational groups
- B. If they meet minimum qualifications
- C. Same or lower level
- D. Begin new period of seniority

Question:

What are the minimum qualifications for:

- *Custodian?*
- *Truck Driver?*
- *Mail Handler?*
- *Carrier?*
- *Best Qualified?*

Who Goes?

3. Identify by juniority the excess employees in affected group.

Reassign to same or lower level
in other crafts within the
installation

A. Must meet minimum
qualifications

B. Will be full-time regular

C. Retain saved grade

D. Begin new period of
seniority in new craft

Who Goes? (Cont'd)

4. Shall be returned to the craft from which reassigned at first opportunity

QUESTION:

- I. The junior of the two excessed employees, selected to be a mail handler at an Associated Office, whereas the senior affected employee is a clerk at an Associated Office.

Who has first offer of retreat rights?

Who Goes? (Cont'd)

5. Retains all previous seniority in craft augmented by intervening employment in other craft

Question:

J. John has ten years as a clerk and was excessed to mail handler for two years.

When returned, what is John's seniority date?

Excessed Employee Options:

1. Junior employee identified by category, level and craft
2. Employees offered same or lower level within affected installation, within same or other crafts
3. If no position available, employees offered same craft in surrounding installations
4. If no position available, employees offered same or lower level in other crafts in surrounding installations

Excessed Employee Options

If to same craft in surrounding installation:

- Shall have retreat rights to same, lower, or higher level positions from installation excessed from
 - a. Retreat rights will serve as a bid for the same level *initial vacancy* for which employee was excessed from
 - b. Retreat rights will serve as bid for *residual vacancies* to lower or higher level jobs

Question:

K. I am an excessed Level 6 FTR who was excessed to a different installation.

May I use my seniority (retreat rights) to bid on an initial Level 5 position?

Excessing Option

FTR Opts to be PTF

PROS	CONS
Retain Seniority	Hours cut
Be Sr. PTF	No guarantee of conversion
Optional - not forced	Retreat rights offered to excessed FTR before conversion
If converted would jump ahead of junior FTR if applicable	2-4 hours per pay period
	May be excessed as PTF

EXCESSED

To Another Craft Within The Installation:

- Begins new period of seniority as FTR
- Receives saved grade pay
- Must return to original craft at same, lower, or higher level
- Regains seniority previously retained augmented by employment in another craft
- Will retreat to former craft on basis of seniority

FTR Option in Lieu of Excessing:

PROS	CONS
Transfer with FTR status	No retreat rights
Reassign with full seniority	No bidding for 180 days
50 + miles relocation expenses	New residence
You have a duty assignment with hours and off days	Only receive 60 day notice

EXCESSED!

You ARE Excessed:

PROS	CONS
Remain FTR	To different facility
Will have retreat rights	Different hours, off days
50 + miles, relocation expenses	No relocation expenses upon retreat
Have a job	Leave your home
May decline retreat rights	Only receive 60 day notice
Keep saved grade	

EXCESSING OCCURS

L. What should the APWU do?

- 60 day Comparative Work Study
 - A. What is it?
 - B. Where do I find it?
 - C. What might it show?
- Chart all PTFs, casuals, & TEs clock rings within installation
 - A. What do I hope to prove?
 - B. Has maximization been met?

What Should the APWU do?

- Begin to collect charts & data before excessing occurs
- Identify if work hours have been reduced, remain the same, or increased
- An established position need not exist as a vacancy before retreat rights can be offered

Example: One employee was excessed from office, yet the number of work hours remain the same or don't reduce sufficiently to justify excessing.

If you are Detailed!

Articles 12, 19, 37

1. The detailed employees (list) are to be paid out of schedule if other than their bid hours.
2. Travel time (on the clock) will be paid from their home location of the detail at the appropriate rate. For example, if employee works 10 hours each day, travel would be penalty.

To qualify for travel time, there must be a town/municipality/city/ unincorporated area, etc, between the installation of employee and the installation the detail will take place. The 50 miles is not an issue (438-ELM).

If you are Detailed!

3. Per diem will be awarded if work and travel exceed 10 hours.
4. Mileage will be given for travel to new office.

REMEDY:

*ALL EMPLOYEES SHALL BE MADE WHOLE,
INCLUSIVE OF ALL CONTRACTUAL BENEFITS
AND PREMIUMS.*

Excessing Outside Installation Arbitrations

<u>Arbitrator</u>	<u>Union</u>	<u>Dec</u>	<u>Case No.</u>	<u>City / State</u>
H. Gamser	APWU	S	A-NAT-2341	Pottsville, PA
G. Shea	APWU	D	A94C-4A-C 97093675	Lumberton, NJ
R. Kelly	APWU	S	A98C-4A-C 00115734	Spring Valley, NY
R. Simmelkjaer	APWU	S	B90C-4B-C 96037598	Meriden, CT
G. Sulzner	APWU	S	B98C-4B-C 01185377	New London, CT
R. Kelly	APWU	S	C00C-4C-C 03162916	Newark, DE
M. Zobrak	APWU	S	C94C-4C-C 98010087	Phoenixville, PA
J. Fullmer	APWU	S	C94C-4C-C 98014358	Wayne, PA
F. Blackwell	APWU	S	C94C-4C-C 98066899	Langhorne, PA
W. Powell	APWU	S	E 4C 2M-C-8372	Elkins, WV
G. Roumell	APWU	S	C1C-4B-C 2605	Sault Ste. Marie, MI

Excessing Outside Installation Arbitrations (Cont'd)

<u>Arbitrator</u>	<u>Union</u>	<u>Dec</u>	<u>Case No.</u>	<u>City / State</u>
M. Zobrak	APWU	S	E7S-2C-C-41232	Southern Maryland
J. Henderson	APWU	S	E90C-4E-C 93023390	Renton, WA
S. Dorshaw	APWU	S	G98C-1G-C 99245207	New Orleans, LA
M. Toedt	APWU	D	G98C-4G-C 02058765	Orange, TX
O. King	APWU	S	G98C-4G-C 99265197	Cushing, OK
G. August	APWU	S	G98T-4G-C 01045457	Pasadena, TX
C. Snow	APWU	S	H0C-NA-C-12	Washington, DC
R. Mittenthal	NALC	D	H7N-3D-C 22267	Washington, DC
K. Durham	APWU	S	H90C-1H-C 93053978	Lake Mary, FL
I. Tranen	APWU	S	H94C-1H-C 97091193	W. Palm Beach, FL

Excessing Outside Installation Arbitrations (Cont'd)

<u>Arbitrator</u>	<u>Union</u>	<u>Dec</u>	<u>Case No.</u>	<u>City / State</u>
R. Hoffman	APWU	S	H94T-4H-C 98086177	Lake Wales, FL
E. Benn	APWU	S	J90S-4J-C 95015357	Indianapolis IN
J. Liebowitz	APWU	S	N7C-1F-C 40311	Marshfield, MA
G. Shea	APWU	S	N90C-1G-C 92019527	White River Jct. VT
H. Gamser	APWU	D	NC-E-16340	Altoona, PA
W. Harvey	APWU	S	S0C-3W-C 2882	Sarasota, FL
R. Dennis	APWU	S	S7C-3F-C 12760	Gleason, TN
E. Schedler	APWU	S	S7C-3W-C 24236	Largo, FL
E. Marlatt	APWU	S	S7C-3W-C 35473	Orlando, FL
S. Alsher	APWU	S	S7T-3C-C 21741	Memphis, TN
C. Snow	APWU	M	W7N-4Q-C 10845	Washington, DC

Excessing Outside Installations STEP 4's

Andrews/Weitzel	03-03-1976
Andrews/Weitzel	07-11-1974
Andrews/Weitzel	01-07-1976
Benson	03-18-1983
Biller/Cagnoli	04-16-1992
Biller/Furgeson	04-16-1992
Burrus/Cagnoli	04-28-1992
Burrus/Cagnoli	07-25-1991
Burrus/Cagnoli	08-19-1992
Burrus/Downes	12-09-1992
Burrus/Fritsch	12-15-1987
Burrus/Mahon	06-11-1990
Burrus/Vegliante	05-27-1877 (sic)
Burrus/Vegliante	11-05-1992
Cagnoli/Burrus	09-18-1991

Excessing Outside Installations Step 4's (Cont'd)

Henry/Conners	04-04-1985
Oliver/Lingberg	08-15-1986
Wilkinson/Hutchins	12-05-1988
Sheehan/Thompson	07-23-1993
Henry/Riley	07-15-1977
Fritsch/Burrus	11-23-1987
Fritsch/Burrus	12-18-1987
Mahon	11-03-1989
Mahon/Burrus	06-27-1989
Mahon/Burrus	11-07-1989
Mahon/Burrus	11-10-1992
Newman/Gildea	09-09-1980
Sgro	07-14-2000
Weitzel/Andrews	04-09-1976
Wilson/Henry	03-04-1982

Reassignments - Motor Vehicle

Applicable when a V.M.F. is established to replace an auxiliary garage or to replace vehicle maintenance in a perimeter office or vehicle operations are changed by transfer from one installation to another:

- New FTR and PTF positions to be created [in the new V.M.F. or resultant from the transfer of operations] are posted for bid in the losing installation - successful bidders are reassigned with their seniority
- New positions in the gaining installation shall be posted for bid

Reassignments - Motor Vehicle (Cont'd)

PTF Retreat:

1. To first available vacancy to former craft and level if excessed same installation - different craft. These PTFs have no option to decline retreat to former craft
2. After all same installation - different craft PTFs have been returned to former craft, then new installation - same/different crafts, based upon original seniority in losing installation are returned. (Clerk Craft employees have right to reject retreat in this instance)

Reassignments - Motor Vehicle (Cont'd)

PTF Retreat (cont'd)

3. PTFs who volunteered to take the place of impacted PTFs have no right to retreat to losing installation
4. Desire to retreat must be made in writing at time of excessing

Part-Time Regulars

Treated as separate category with all provisions of Article 12 applying

The logo for the American Postal Workers Union (APWU) is located in the top-left corner. It consists of the letters "APWU" in a bold, white, sans-serif font, slanted upwards to the right, set against a green rectangular background with a fine grid pattern.

Tools (Per Excessing Event)

1. Seniority list(s) identifying name, seniority, level, section, veteran's preference eligibility (and type), light/limited duty status
2. Modified/Rehab job offer for light/limited/rehab employees
3. PS Form 50 and CA-17 of light/limited/rehab employees
4. Comparative Work Hour Report (CWHR)

Excessing Tools

5. Post Excessing Profile (PEP)
6. Impact Report/Function 4/ Labor Scheduler Review
7. Clock rings/TACS Report for pre/post excessing period of all impacted craft members, casuals, light/limited/rehab, transitional employees
8. Arbitration Awards
9. Step 4 Agreements
10. Memorandums of Understanding
11. Article 12 Questions & Answers

LOCAL TRAVEL

STEP 4: H4C-4A-C 10349

REGIONAL AWARDS

<u>Arbitrator</u>	<u>Union</u>	<u>Dec</u>	<u>Case No.</u>	<u>City / State</u>
J. Earl Williams	APWU	S	S8C-3W-C 35032	Cocoa, FL
R. Britton	NALC	S	S1N-3P-C 6019	Bennettsville, SC
H. Grossman	NALC	D	N1N-1E-C 36818	Cohasset, MA
R. McAllister	APWU	S	C1C-4J-C 33282	Kenosha, WI
E. C. Stephens	APWU	S	S4C-3S-C 48561	Ft. Lauderdale, FL
B. Z. Tener	APWU	S	N7T-1N-C 16206	Trenton, NJ
L. D. Klein	APWU	S	E7C-2S-C 3966	Berea, KY
N. Zumas	APWU	S	E7C-2A-C 21794	Bristol, PA
Lamont Stallworth	APWU	S	C4C-4L-C 29466	Aurora, IL
W. Powell	APWU	S	E7T-2A-C 23973	Philadelphia, PA, BMC
E. Schedler, Jr.	APWU	S	S7C-3W-C 24236	Largo, FL

Additional Arbs

- Out of Section Excessing:
 - Case #B98C-1B-C 01267770
 - Rochester, NY Arbitrator Kelly
- Out of Installation Excessing:
 - Case #C00C-4C-C 03015197
 - Mooresville, NC Arbitrator Hardin
- Separation of Casuals:
 - Case #H00C-1H-C 03128563
 - Duluth, GA Arbitrator Odom
- Travel:
 - Case #A00C-1A-C 02136010
 - Trenton, NJ Arbitrator Pecklers
- Maximization:
 - Case #A98C-4A-C 01019383
 - Middletown, NJ Arbitrator Harris

Reassign PTF

- If excessing PTFs within a craft and installation:
 - The number of PTFs will be equal to the number to be excessed
 - Who are lowest on the PTF roll
 - At their option
 - Be reassigned to other PTF roll
 - In same or another craft
 - In another installation

Reassign PTF

(Cont'd)

A. Excessed PTF reassigned:

- To another craft
- Shall begin a new period of seniority
- Regardless of installation

B. Excessed PTF reassigned:

- To same craft
- Shall begin a new period of seniority
- Upon conversion to full-time
- Seniority shall include seniority from losing installation
- Augmented by service in gaining installation

Reassign PTF (Cont'd)

C. A senior PTF in excessed installation
(non-impacted)

- In same craft or occupational group
- May elect to be reassigned
- To another installation
- Would take seniority of senior excessed PTF
- As set forth in a & b

Reassign PTF (Cont'd)

D. Vacancies at installation for PTF:

- After consultation with Union
 - Will be designated by USPS
 - Vacancies in other crafts within installation
 - Vacancies in same craft in other installation
 - Vacancies in other crafts in other installation
- ❖ These designations will minimize relocation hardships

Reassign PTF

(Cont'd)

E. PTF reassigned to other craft in same installation:

- Shall be returned to first PTF vacancy
- Within craft and level

F. PTF reassigned to other installation:

- Retreat rights to next vacancy
- Based on retreat rights
 - In losing installation
 - Does not include volunteers in lieu

Reassign PTF (Cont'd)

G. Must have submitted written request:

- When excessed
- Shall be honored
 - Unless withdrawn
 - Or declined

H. PTR is separate category

- Above provisions apply within PTR category

RELOCATION BENEFITS



Who is Eligible for Relocation Benefits?

To qualify for relocation allowances, the distance between your new duty station and your old residence must be at least 50 miles greater than the distance between your old duty station and your old residence.

Example

Former Duty Station

5 Miles

58 Miles

Former Residence

New Duty Station

50 Mile Rule: 58 Miles
 - 5 Miles
 53 Miles

HOUSE HUNTING

- A. One trip, not to exceed 9 nights and 10 days total
- B. Reimbursement of lodging and full per diem for employee
- C. Reimburse 75% for each family member when traveling with employee
- D. Employee must take trip prior to reporting
- E. Must be authorized and Form 178 must be on file

EN ROUTE TRIP (House Hunting)

- A. Reimburse Personally Owned Vehicle (POV) per mile at I.R.S. rate
- B. If within 300 miles, entitled to mileage and per diem for employee.
- C. Per diem of 75% for spouse and immediate family members

WHAT ARE TEMPORARY QUARTERS?

- A. Lodging obtained from commercial source
- B. You and your family must occupy temporarily
- C. Not temporary if you move household goods into them
- D. Used only until you move into permanent residence
- E. Temporary quarters authorized for a maximum of 30 consecutive days

INTERPRETATION OF 30 CONSECUTIVE DAYS (Exceptions)

- A. Time spent in official travel
- B. Scheduled vacation that employee cannot change
- C. Extenuating circumstances (e.g., death in family)

WHAT ARE TEMPORARY QUARTERS? (Cont'd)

APWU

- F. Must begin temporary quarters no later than 30 days from reporting date
- G. OR Your family moves out of residence at your old official duty
- H. Cap limit: Spouse and one child:
 - 1. \$2,085 to low cost area
 - 2. \$2,692 to high cost area

TEMPORARY QUARTERS (Cont'd)

Allowable Expenses:

The amount you will be reimbursed for subsistence expenses for temporary quarters will be the lesser of either:

- A. The actual amount of allowable expenses you incur for each 10-day period OR
- B. The maximum amount computed as follows:

Standard lodging rate of \$25 will be used to compute the temporary quarters allowance)

TEMPORARY QUARTERS

Allowable Expenses (Cont'd):

1. Daily rate for the first 10-days.
 - a) For you, three-quarters of the sum of the per diem and standard lodging rate
 - b) For each member of your immediate family, two-thirds of the rate established for you

TEMPORARY QUARTERS

Allowable Expenses (Cont'd):

2. Daily rate for the Second 10-days:

- a) For you, two-thirds of the daily rate established in 1a)
- b) For each member of your immediate family, two-thirds of the rate established in 1b)

TEMPORARY QUARTERS

Allowable Expenses (Cont'd):

3. Daily rate for the Third 10-days and for any portion of an authorized additional 30-day period:
 - a) For you, one-half of the daily rate established in 1a)
 - b) For each member of your immediate family, one-half of the rate established in 1b)

TEMPORARY QUARTERS

Allowable Expenses

Example:

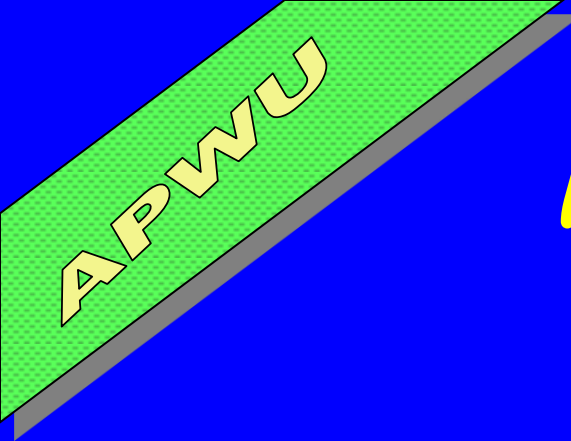
	<u>First 10 Days</u>	<u>Second 10 Days</u>	<u>Third 10 Days</u>
Employee	\$41.25 @ day	\$27.50 @ day	\$20.63 @ day
Spouse	\$27.50 @ day	\$18.32 @ day	\$13.75 @ day

Miscellaneous Expense Allowance

Form 4871 - ALLOWED

Cost of giving up residence at one location and establishing residence at a new location:

- Disconnecting & connecting appliances and utilities
- Telephone calls in connection to relocation
- Non-refundable utility fees or deposits

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Miscellaneous Expense Allowance

Form 4871 - DISALLOWED

- Higher real estate, income, sales or other taxes
- Fines for traffic infractions while en route
- Accident insurance premiums
- Losses resulting from selling or disposing of personal property

Miscellaneous Expense Allowance

Form 4871 - DISALLOWED

- Damage or loss of clothing, luggage or personal effects
- Expenses greater than maximum allowable limits
- Cost of additional insurance on household goods
- Medical expenses while en route
- Cost of newly acquired items

Miscellaneous Expense Allowance

Form 4871 - ALLOWED

You are encouraged to itemize.

If you take a flat allowance:

1. \$150 for single employee
2. \$300 for employee and immediate family

Total amount of allowance:

Employee only - 1 weeks salary

Employee and immediate family - 2 weeks salary

RELOCATION GUIDELINES FOR BARGAINING UNIT EMPLOYEES

REAL ESTATE TRANSACTIONS - Form 4877 used to claim expenses

The USPS will reimburse you for allowable settlement expenses for:

- Selling one residence at your old official station
- Buying or constructing one residence at your new official station

RELOCATION GUIDELINES FOR BARGAINING UNIT EMPLOYEES

REAL ESTATE TRANSACTIONS - Form 4877 used to claim expenses

- Settling an unexpired lease at your old official station either for the house in which you lived or for a lot on which you had a mobile home used as a residence
- To be eligible for reimbursement you must satisfy all of the conditions listed in F-12, Section 612

RELOCATION GUIDELINES FOR BARGAINING UNIT EMPLOYEES

REAL ESTATE TRANSACTIONS - Form 4877 used to claim expenses

- Overall limitations on reimbursement:
 - 10% of sales price
 - 5% of purchase price
- Reimbursable & non-reimbursable costs are listed in F-12 Handbook, Sections 624 and 625

Note:

Bargaining unit employees are not reimbursed for loan origination fee. If a loan origination fee is incurred a deviation can be requested from Headquarters

OVERVIEW OF RELOCATION BENEFITS

For Bargaining Unit Employees

<u>Relocation Benefit</u>	<u>Bargaining Employee</u>
Advance house hunting	1 Trip
Spouse on trip	Yes
Return trips to old station	No
Misc. expense allowance	\$300 (married) \$150 (single)
En route expense	Yes
Movement & storage of household goods through the Relocation Mgmt. Firm	60 days
Temporary quarters	30 days
Residence sells or buys transactions	Yes

OVERVIEW OF RELOCATION BENEFITS

For Bargaining Unit Employees (Cont'd)

<u>Relocation Benefit</u>	<u>Bargaining Employee</u>
Relocation management firm (RMF) home purchase	No
Reimbursable Loan Origination Fee	No
Equity Loss Consideration	No
Grossing Up	Yes
Relocation Leave	5 days

Glossary

Abolishment – A management decision to reduce the number of occupied duty assignment(s) in an established section and/or installation

Attrition – Reduction in the number of employees in the impacted location, other than through excessing (e.g., bidding out, resignation, retirement, etc.)

Impact – The location where the reduction of employees is to take place

Glossary

Impacted Employee - An employee who, based upon their standing on the seniority list, is identified to be excessed

Impact Report/Study - Any written document which management contends supports the decision to excess

Initial Vacancy - Previously occupied duty assignment which becomes vacant due to incumbent bidding, retiring, resigning, etc.

Glossary

Newly Established/Created Duty Assignment - A duty assignment which had not previously existed

Post Excessing Profile (P.E.P.) - Union's terminology for any written document which reflects the make-up (duty assignments) of the losing installation after excessing takes place

Reposting - The posting of a duty assignment as required by Articles 37, 38 and 39. (See also Art. 30.B., Items 21 & 22)

Glossary

Residual Vacancy - An established duty assignment which remains vacant after completion of the bidding process

Reversion - A management decision to reduce the number of duty assignments in an installation when such duty assignment(s) is/are vacant

Super Seniority - Requires Management to "skip over" certified Steward if the Steward is one of the impacted employees subject for excessing (Article 17.3)

Glossary

Volunteer - An employee who is senior to the impacted employee(s) who desires to be excessed in-lieu-of one of the junior impacted employees because they prefer to be reassigned to the gaining installation

ANSWERS TO QUESTIONS

- A. The Clerk Craft does not have occupational groups.
- B. Excessing is done by category, by juniority.
- C. Based on this information, there is no violation.
- D. Based on this information, there is no violation.
- E. The secretary will be excessed.

ANSWERS TO QUESTIONS

- F. Sgro letter of July 2000
- G-1. Yes - if not certified as a steward
- G-2. Same as above
- G-3. Yes - if no "jobs for which the employee is qualified on such tour" (Article 17.3)

ANSWERS TO QUESTIONS

H. Custodian - 916, etc.

Truck Driver - CDL, etc.

Mail Handler - Physical requirements, etc.

Carrier - Same as clerk

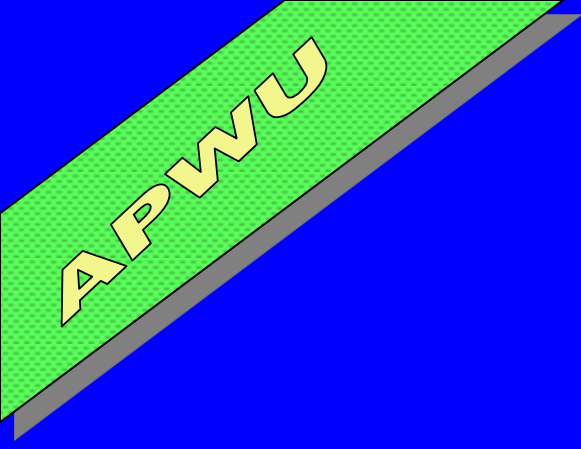
Best Qualified - Article 37

I. By seniority - Burrus letter dated 19 Dec '92

J. 12 years of service in the Clerk Craft

ANSWERS TO QUESTIONS

- K. Bid - No
Residual Level 5 - Yes Article 12
- L. Identify and analyze 60 day Comparative Work Report
 - A. Chart all PTF's, casuals, etc.
 - B. Show hours did not reduce
 - C. Show 8 within 9 or 8 within 10 of work available

A green parallelogram with a black border and a grey drop shadow, containing the text "APWU" in yellow, bold, sans-serif capital letters.

APWU

THE END

THANK YOU!