

Members-at-Large

Frequently Asked Questions

1. Can the postmaster perform distribution and/or window duties in my office?

If your office has less than 100 bargaining-unit employees, the postmaster may perform bargaining unit work only if it is listed in their position description. Typically, the position description for postmasters in Level 20-and-below post offices states they “may personally handle window transactions and perform distribution tasks as the workload requires.” (Different rules apply to larger offices.)

2. My postmaster has historically performed two hours of clerk work per day. Can he/she, or a new postmaster, or an Officer In Charge (OIC), work more hours than that?

No. At least two national-level arbitrators have ruled that postmasters and supervisors may perform only the amount of work that historically has been performed by supervisors in an office. If the amount increases, or the number of clerk hours decreases, you should contact your union steward.

3. Whose job is it to: give accountable mail to carriers; to clear the carriers when they return; to check the undeliverable bulk business mail (UBBM); and to perform other allied duties?

The M-39 Handbook contains language indicating that clerks should be scheduled to perform these functions. It says the supervisor’s responsibilities are to:

“Review mail undeliverable as addressed (UAA) to identify errors and maximize efficient handling procedures at delivery units and at Computerized Forwarding System (CFS) units.” [Emphasis added.] The regular and routine disposal of undeliverable bulk mail should be performed by clerks.

This is not considered a “distribution task” and should not be performed by postmasters or supervisors. Postmasters also should not be doing Webbats (P.O. Box record-keeping on the web), bulk mail acceptance, or other ancillary duties. Contact your union steward if you have questions about this.

4. How can Postmaster Relief (PMR) employees be utilized in an office?

By definition, a PMR “is a non-career hourly-rate employee who performs as a relief or leave replacement during the absence of the postmaster in an EAS 16 or below Post Office.” PMRs should not be working in an office unless the postmaster is absent. If a PMR is working in an office at the same time as the postmaster, contact your union steward. PMRs should not be hired in offices with career bargaining unit employees, in accordance with ASM Part 123.4.

5. Can a PMR from another office perform clerk work in my office?

A PMR from another office can perform clerk duties only if he or she has been properly hired as a dual-appointed casual in your office or if he or she is working for the sole purpose of providing coverage for clerks on annual leave in accordance with the pecking order established in the LMOU for Offices Without a Local Union Structure, Item 4.g.3. If you have a question regarding whether a PMR has been properly hired or dually appointed, contact your union steward.

6. Can the postmaster send home part-time flexibles (PTFs) and continue to work the window without them?

It depends upon the history of the postmaster working in the particular office. If you have a question about the historical practices in your office, contact your union steward.

7. What must the union demonstrate in order to require management to convert a part-time flexible to full-time regular?

The union must be able to demonstrate that the PTF hours (including leave hours) are being utilized in a way that could

support a full-time duty assignment. The hours do not have to be from a single PTF; a combination of PTF hours may be used to establish the need for a full-time job. Article 7.3.B requires management to maximize full-time employment and minimize part-time employment in all postal installations. If you believe your office has sufficient PTF hours to support a full-time job, contact your union steward.

8. If a full-time regular clerk retires, what happens to his or her duty assignment?

A vacant duty assignment must be posted within 28 days of the date it became vacant. Changes to the assignment may be made. If the USPS does not have sufficient work to support the full-time duty assignment, management may revert the duty assignment, provided the Postal Service notifies the APWU Regional Coordinator or their designee in writing within 28 days.

9. Who must management notify when full-time duty assignments are abolished or reverted?

Management must notify the local union president when a job is reverted (i.e., when a vacant duty assignment is eliminated). If your office is not a part of a local, management must notify the Regional Coordinator (or his or her designee) in accordance with the Local Memorandum of Understanding (LMOU) for Offices Without a Local Union Structure, Item 12. The same is true if a job is abolished (i.e., when an occupied duty assignment is eliminated). The Regional Coordinator also must be notified if the abolishment will result in excessing outside the installation.

10. How many casuals can be employed and for how long?

Casuals may not be employed in excess of 360 days. In offices of less than 200 man-years, they may not be hired in lieu of career employees. If a casual is hired in your office, contact your union steward. The union will monitor the employment of casuals to ensure that they are hired and utilized properly.

11. Can a casual continue to work when a PTF is sent home?

PTFs working at the straight-time rate must be given priority scheduling over casuals.

12. Can a PTF clerk be required to carry mail?

Clerks are not typically scheduled to carry mail; however, there are clerk positions (such as Special Delivery Clerk) with duties that include carrying mail. Clerks also may be required to deliver and pickup Express Mail. If you have a question about the history in your office, contact your union steward.

13. What kind of work can casuals perform?

Casuals may not perform accountable duties, such as working the window, accountable mail, registered mail; duties that require postal training with a deferment period; duties that require scheme study with a deferment period; or duties that require a skill that is subject to testing, such as typing. They may perform non-core duties such as boxing mail, spreading mail to carriers, etc.

14. What is a dual-appointed casual and what are the rules regarding their use?

Section 348.11 of the ELM defines a dual appointment as an employee who is appointed to more than one position. It goes on to state that PMRs and Rural Carrier Reliefs (RCRs) may have dual appointments as casuals, but only under very limited circumstances. Section 348.12 of the ELM states that before such dual appointments are considered, the postmaster should first increase the PTF hours – even if it requires the use of overtime. Postmasters also must consider bringing in PTFs from different offices, if they are available. If a PMR or RCR has a dual appointment or is working as a casual in your office, contact your union steward immediately.

15. Can City Letter Carriers perform Clerk Craft duties?

~~15~~No. Cross-craft assignments are limited to employees in the same wage level. In addition, there must be a corresponding heavy workload in the gaining craft and a light workload in the losing craft. These circumstances rarely occur.

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16. Can Rural Letter Carriers ever perform Clerk Craft duties?

No.

~~16~~17.Can custodians perform Clerk Craft duties?

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No, because they are assigned to a different wage level.

~~17~~18.Whose job is it to “spread” mail to carrier cases?

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In small post offices this is typically a function of the Clerk Craft.

~~18~~19.Can I be required to pay a window shortage without being given a Letter of Demand in writing?

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No. Before you can be required to repay a shortage in your accountability, you must be given a written Letter of Demand, signed by the Postmaster or his or her designee. The letter must include a statement of your appeal rights and options for repayment. Contact your union steward immediately if you receive a Letter of Demand.

~~19~~20.Is there ever any justification for allowing the postmaster or anyone else to work from my cash drawer?

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No. It is a clear violation of postal regulations. If it happens, contact your union steward.

~~20~~21.Can an injured-on-the-job (limited duty) City Letter Carrier or Rural Letter Carrier perform Clerk Craft duties?

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It depends on the facts in each individual circumstance. If you have a question regarding this, contact your union steward.

| ~~21~~-22. Can my postmaster send home PTFs while injured rural or city carriers continue to perform clerk work?

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It depends on the facts in each individual circumstance. If you have a question regarding this, contact your union steward.

| ~~22~~-23. If I am ill or injured but my doctor says I can perform limited work, is the postmaster required to find work I am able to perform?

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If you wish to perform light-duty work, you should submit a written request to your postmaster, along with a note from your doctor indicating the type of work you are able to perform. The postmaster must make every effort to accommodate your request. If your request for light duty is denied, contact your union steward.

| ~~23~~-24. Can I be required to request a light-duty assignment if I am not able to perform the full duties of my job?

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No.

| ~~24~~-25. What are my rights regarding the Family Medical Leave Act?

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The Joint Contract Interpretation Manual (JCIM) is an excellent reference. (See Article 10, beginning on page 13.) If you have a question about leave under the FMLA, contact your union steward.

| ~~25~~-26. Can my postmaster choose annual leave before the clerks and refuse to give clerks the same weeks he or she has chosen?

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No. The Local Memorandum of Understanding for Offices Without a Local Union Structure requires management to grant leave to a minimum of one clerk during the choice vacation period (April 1 through November 30). In addition, Section 512.61.a of the ELM requires management to grant vacation leave to bargaining unit employees when requested “to the extent practicable,” while postmasters must only be granted leave “when their services can best be spared.” (Section 512.62.)

| ~~26~~.27. Do we have to sign-up for vacation along with the carriers in the office?

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No.

| ~~27~~.28. How do I sign-up for annual leave?

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Items 4 through 8 of the LMOU outline the provisions governing annual leave.

| ~~28~~.29. How long does my postmaster have to let me know whether my annual leave request is approved?

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The LMOU states that employees must submit their choice vacation selections by February 15, and that the postmaster has until March 1 to post the approved vacation schedule. All other leave requests should be acted upon and returned within a reasonable time frame. If your leave request is not acted upon within two weeks, contact your union steward.

| ~~29~~.30. Can my postmaster deny a request for sick leave?

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No. If you are sick, your PS Form 3971 serves as a *notification* of your absence; it is not a *request*. If management charges you with an AWOL or otherwise refuses to pay you, contact your union steward.

| ~~30~~.31. Can I be required to provide medical documentation if I call in sick?

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Medical documentation is only required for absences of more than three days. For absences of three days or less, the postmaster may require documentation only if there is a *valid* reason to doubt that the request is legitimate. If your postmaster requires medical documentation for absences of three days or less, contact your union steward.

| ~~31~~.32. Do I get rest breaks? If so, how long are they?

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All employees are entitled to reasonable rest breaks. If there is no standard practice in your office, a 10-minute rest break after two

hours work is generally considered reasonable. If there is not a standard time for rest breaks in your office and you are refused a rest break, contact your union steward.

| 32.33. If the only clerk in the office is given an officer-in-charge (OIC) assignment, who should perform the clerk work?

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It depends. The USPS has the right to schedule PTFs from other offices. These clerks should be scheduled if they are available. The OIC can only perform the duties of the postmaster.

| 33.34. If my office has a custodian, who performs that work when he or she is on leave?

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In accordance with a July 10, 1991, Maintenance Management Order (MMO-21-91) the pecking order should be: Mechanics, PTF clerks, PTF carriers. This gives first priority for the work to the Maintenance Craft, then the Clerk Craft, and, finally, the Carrier Craft.

| 34.35. Who should perform clerk work when a clerk is on annual leave?

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In accordance with the Local Memorandum of Understanding for Offices Without a Local Union Structure, the work should go first to other clerks within the office, then to available PTF clerks from surrounding offices, and finally, if no career clerks are available within the commuting area, to PMRs, for the sole purpose of back-filling for bargaining unit annual leave.

| 35.36. If I use sick leave or annual leave early in the service week, can the postmaster change the leave to a non-scheduled day and make me work later in the week?

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No. If a PTF makes a valid request for leave, their non-scheduled workday should not be changed to make them available for another day of straight-time work. If your leave is changed to a non-scheduled day, contact your union steward.

| 36.37. If I wish to use annual leave or sick leave as a PTF, how many hours must I use in order to get the day off?

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You can be required to use only the number of hours you would have worked if you had not taken leave. (See Section 312.6 of the F-21 Handbook.)

| ~~37~~.38. What if there is a dispute over the number of hours I use?

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If a dispute arises regarding the number of hours a part-time flexible employee would have been scheduled to work, the schedule is considered to have been equal to the average hours worked by other part-time flexible employees in the same work location on the day in question. [See the ELM at 513.421.b(3).]

| ~~38~~.39. Do I have to schedule doctors' appointments on my own time?

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No. You have a right to use sick leave for scheduled doctors' appointments if the appointments are scheduled during your normal work hours.

| ~~39~~.40. Can my postmaster require me to return to work after a doctor's appointment?

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Unless your doctor indicates that you are incapacitated, you may be required to return to work to finish your scheduled workday.

| ~~40~~.41. What are the daily work-hour guarantees for part-time flexibles?

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A PTF in an office with less than 200 man-years is guaranteed two hours work or pay when called in to work, unless there is a "call back." (See question #41.) If a PTF is instructed to clock out and return to work within two hours, it is considered a split shift and no new guarantee applies. If, before you leave work, you are instructed to return to work after two hours or more, you are entitled to another two-hour guarantee.

| ~~41~~.42. How many splits shifts can I be assigned in a day?

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The only limit on the number of split shifts a PTF may be required to work is that all work hours – including lunch breaks – must occur within a 12-hour time span. For example, a PTF who

reports to work at 4 a.m. would not be available for any work after 4 p.m.

| 42.43. What is a “call back?”

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When an employee completes a scheduled tour, clocks out, leaves the premises, and is contacted after he or she has clocked out and instructed to return to work, it is considered a call back, regardless of the interval between shifts. You are guaranteed an additional four hours of work or pay if you are called back to work.

| 43.44. If I am scheduled to work in the afternoon only, but my boss calls me in the morning and tells me to come in, is it considered a “call back?”

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Yes. Because you were not notified before the end of your previous tour, you have a four-hour guarantee for the morning call-in. You retain your two-hour guarantee for the afternoon, for a total of six hours.

| 44.45. What if I am *not* scheduled for a given day, but my boss calls me the day before or the same day and tells me to come to work. Is that considered a “call back?”

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Yes, you have a four-hour guarantee for that call-in.

| 45.46. As a part-time flexible, can the postmaster require me to return to work after more than a two-hour break? If so, do I have a work-hour guarantee?

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Yes. If you are notified prior to leaving the post office, your guarantee is two hours. If you are called back, your guarantee is four hours.

| 46.47. If there is more than one PTF in an office, do the hours of work have to be equal?

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Generally, PTF hours should be equitably divided over the course of a pay period or accounting period, except where the distribution of work hours is controlled by past practice. For

example, sometimes the junior PTFs are told when they are hired that they are only being employed to perform relief duties for the other clerks (or for lunch relief or to cover vacation periods). In such cases these PTFs could properly be scheduled for fewer hours than the other PTFs. If you have a question about this, contact your union steward.

| 47.48. As a full-time regular, if I am required to work one of my off-days, can management send me home prior to working eight hours?

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Full-time regulars are guaranteed a minimum of eight hours work or pay any time they report to work. If you are sent home after working less than eight hours, the Postal Service must pay you for eight hours nonetheless.

| 48.49. Is management required to have an overtime desired list?

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Yes, if there are full-time employees in the office. Only full-time regulars may sign the overtime desired list.

| 49.50. Can full-time regulars work overtime if part-time flexibles in the office are getting less than 40 hours in a week?

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Yes. There is no correlation between FTR and PTF overtime.

| 50.51. Can part-time flexibles get overtime if the full-time regulars don't get overtime?

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Yes. There is no correlation between PTF and FTR overtime.

| 51.52. Can Hub Clerks work in my office?

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Yes. Hub Clerk is the name given to part-time flexible clerks who are assigned to offices other than their own.

| 52.53. If Hub Clerks work in my office, can management reduce the hours of part-time flexibles who are permanently assigned to my office?

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Hub Clerks should not be scheduled to work to the detriment of PTFs who were hired in or permanently reassigned to the gaining

office. PTFs in the gaining office should be utilized at the straight-time rate before work is given to Hub Clerks.

| 53.54. Can Hub Clerks work overtime in my office before full-time regulars on the overtime desired list work overtime? ← --- Formatted: Bullets and Numbering

Hub Clerks can work overtime only if the overtime has been first offered to full-time clerks on the overtime desired list in the gaining office.

| 54.55. Can I be required to work in an office other than my home office? ← --- Formatted: Bullets and Numbering

Hub Clerks can be required to work in offices other than their home office. (The Hub Clerk Memorandum between the APWU and the USPS applies only to part-time flexibles.)

| 55.56. If I am assigned to an office other than my home office, should I get paid mileage or travel pay? ← --- Formatted: Bullets and Numbering

Yes. You are required to be compensated for travel time and/or mileage in accordance with Section 438 of the ELM and Chapter 7 of Handbook F-15.

| 56.57. If the postmaster is absent or leaves the office, is someone else in charge? If so, does that mean a clerk should receive higher level pay? If so, what level pay should they receive? ← --- Formatted: Bullets and Numbering

Typically, a clerk should be placed on higher-level pay in the absence of the postmaster.

| 57.58. If my postmaster is off on Saturday, what level should I be paid when I am working in the office on that day? ← --- Formatted: Bullets and Numbering

Level 7. Contact your union steward if you have a question.

| 58.59. If I am performing higher-level duties every day, can I be upgraded? ← --- Formatted: Bullets and Numbering

Section 233 of the ELM requires that full-time employees who perform higher level duties every day, regardless of the amount of

time, should be ranked at the higher level. If you have a question about this, contact your union steward.

| ~~59~~-60. What is a Function Four audit? How can a Function Four review affect me?

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A Function Four audit is a management tool to review the operation and staffing of the office. The results could affect clerk hours and work. Contact your union steward if there is a Function Four review in your office.

| ~~60~~-61. If a Function Four report recommends that someone should be excessed from my office, who is excessed?

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Contact your union steward. It could be that no one should be excessed. If excessing is necessary, the employees to be excessed are identified by juniority from among the employees occupying the same craft, level, and status (full-time regular or part-time regular).

62. What does the contract require of management before excessing can occur?

Casual hours must be eliminated to the extent possible and PTF hours must be reduced.

| ~~61~~-63. What should a window clerk do if management suggests that he or she cuts corners in order to “get the line down” when the lobby is full of customers?

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Continue to work the window in a professional manner and do not cut corners, especially when it comes to financial transactions. Contact your union steward.

| ~~62~~-64. We are working shorthanded, but the postmaster tells us that his or her boss won't allow additional hiring. Is there anything we can do?

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Hiring is generally a management decision, but you should contact your union steward. The union will investigate whether

management is violating the Collective Bargaining Agreement in order to avoid hiring.

63-65. Is there ever any justification for working “off the clock”?

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No. Working off the clock is strictly forbidden by postal regulations and you could be disciplined for doing so. The postmaster also could be disciplined if employees work while off the clock with the postmaster’s knowledge or tacit approval.

64-66. I see contractual violations every day in my office, but I am afraid that my postmaster will retaliate if I inform the union. What can I do?

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You have to decide whether you want to permit management to continue to violate the contract or whether you want to stand up for your rights. If you decide to take a stand, the full force of the APWU will be with you.

65-67. How can I get a copy of the contract and JCIM?

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Visit www.apwu.org to download a free PDF version of the contract (www.apwu.org/dept/ind-rel/sc/ircba.htm) or JCIM, visit (www.apwu.org/dept/ind-rel/irjcm.htm) to order a printed copy.

66-68. Who should I contact if I want to ask a question about the contract or if I want to file a grievance?

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Visit the Members-at-Large page on the APWU Web site, at www.apwu.org. You also can ask your co-workers or employees working in nearby post offices about who to call.

67-69. What if my postmaster won’t allow me to contact the union while I am at work?

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Make your initial contact when you are off the clock. The union steward should be able to correct your problem.

68-70. If I am not already in the union, why should I join?

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There are numerous reasons why you should join the APWU, but the main reason is to support the ONLY organization that can and does represent you both in the post office and in Congress.

~~69~~.71. How can I join the Union?

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Contact your union steward and fill out a Form 1187, or visit www.apwu.org/join/howto.htm.

~~70~~.72. Can I join any nearby local that I choose?

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It depends on the area. Contact your union steward for advice.

~~71~~.73. How many members must we have to form our own local?

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FAQs updated April 23, 2008