

Below is additional information and guidance on how to proceed regarding the MS-47 DAS award. Mr. Devine's message is consistent with our direction from MPP.

Please place this and my previous message in your folders for this effort to ensure we are correctly and consistently responded to HQ direction down to the local level.

Thanks,

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412 494-2547

-----Original Message-----

**From:** Malizia, Stephen C - Eastern Area Office

**Sent:** Thursday, December 21, 2006 6:55 AM

**Subject:** FW: MS-47 issues

**Importance:** High

For your edification the latest on the DAS MS-47 implementation is explained by Pat Devine. I will need to know any union activity generated on our plans to comply with DAS.

-----Original Message-----

**From:** Devine, Patrick M - Washington, DC

**Sent:** Wednesday, December 20, 2006 4:15 PM

**To:** SALOIS, RENE J; Johnston, Gary W - New York, NY; Malizia, Stephen C - Eastern Area Office; Lance, Eloise - Memphis, TN

**Cc:** Knighton, Alexis V - Gaithersburg, MD; Mlakar, Michael R - Bloomingdale, IL; DeHate, Kenneth A - Denver, CO; Connely, Gary L - San Francisco, CA; Hambalek, Lisa - Dallas, TX

**Subject:** FW: MS-47 issues

Hi-

As follow-up to our maintenance telecom last week and to the lengthy discussion we had about the recent Das award, and in response to a spate of e-mails I'm getting, let me offer the following:

The Das award had essentially 3 mandates:

- 1) to rescind the 2001 MS-47 and reinstate the 1983 version;
- 2) to reinstate or prepare staffing packages as soon as practicable; and
- 3) remand to the parties to discuss whether a remedy for the intervening period (2001 to now) is appropriate....Das retaining jurisdiction for the remedy.

As the mandate for 3) clearly runs to us in HQ, be advised that I have already begun discussing the remedy issue with Steve Raymer, Maintenance Craft Director for the APWU, and the discussion will resume upon his return from vacation the first week of January.

Regarding 1) and 2), the Operations folks have already begun digging out the documents associated with the 1983 MS-47: the Form 4869 (Inventory), Form 4839 (Custodial Scheduling Worksheet), and Form 4852 Workload Analysis and Summary.....the 4852 includes the “body count” for staffing packages. As a result of the Das award, local maintenance managers are receiving RFIs for these 3 forms, and local LR folks are being asked that grievances held pending be resurrected pronto. The other piece to this puzzle is that the folks in maintenance Operations automated everything consistent with the 2001 MS-47, and the process of “reinstating or preparing staffing packages as soon as practicable” is somewhat delayed by the conversion electronically back to the 1983 version. Nevertheless, Maintenance Operations mandated the conversion back to the 1983 version. Finally, as the P/S was mandated to reinstate or prepare staffing packages, every Union rep will want us to simply reinstate the 2001 staffing numbers, presuming that the 2001 handbook resulted in less custodians. However, even in converting back to the 1983 MS-47, circumstances throughout the 1983 MS-47 grant local maintenance Managers authority to revise their staffing numbers. As a result, there may not necessarily be a significant rise in custodial staffing, depending on local fact circumstances.

However, as discussed at the telecom, we believe that the time period (probably several months) during the electronic conversion is reasonable, and as the case has not been fully resolved during the remand period, the resurrection of grievances, and the turning over to the Union the requested items, is premature. After all, it is possible that either through discussion during the remand or through arbitration back in front of Das, that there may be no remedy available to these Local unions at all.

For those reasons, and for consistency (as articulated extremely well by Gary Connelly during the telecom), the best course of actions to continue to

- 1) hold the grievances; and 2) deny the RFIs as premature. A written response to Steve Raymer’s request for discussion on the remedy is being drafted, and shall indicate the Postal Service’s general position regarding 1) and 2), above, and the overall premature theme described herein.

As information, as far as moving forward with the Maintenance Managers moving forward with getting information available, find below a copy of the text of the salvo issued from Maintenance Operations at the HQ level:

**“Begin to gather old existing information and to create and update your 4869s. This is part of our effort to reinstate the old MS-47 as soon as practicable. MPP is working on software for eMARS that will allow you to**

build new MS-47 staffing packages. The old software is obsolete in our current computing environment and incompatible with our current computer systems. This has been in the works since immediately after the award and is considered by us "as soon as practicable."

Deny information requests at the local level as "inappropriate and premature" since the remedy was remanded to the parties at the national level and has not yet been resolved.

Deny any grievances based on the fact that we are, as an organization, working on a solution to roll back to the previous MS-47 and it is a large undertaking which we are doing "as soon as practicable." Furthermore since the remedy has not been determined, it is premature to discuss any local liability either for the past or for the interim, while we are putting new systems in place.

Please let me know if you need anything further.

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