

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
UNITED STATES POSTAL SERVICE, THE
AMERICAN POSTAL WORKERS UNION, AFL-CIO AND
THE NATIONAL POSTAL MAIL HANDLERS UNION,
A DIVISION OF LABORS'
INTERNATIONAL UNION OF NORTH AMERICA, AFL-CIO

REGIONAL INSTRUCTION 399 - TRANSITIONAL PROCEDURES

General Principles

This memorandum is intended to facilitate the transition to the new RI-399 Dispute Resolution Procedures (DRP). All grievances pending on the date of signing of the DRP Memorandum shall be processed in accordance with the Transitional Procedures contained in this memorandum.

Once the pending grievances have been processed in accordance with the transitional procedures contained in this memorandum, this memorandum shall no longer be effective.

As specified in this memorandum, the parties at all three levels, shall concurrently identify and inventory all pending jurisdictional grievances. The processing of the cases shall be from the top down, i.e., beginning at the national level, the regional level, and then the local level. This method will allow remanded cases to be considered along with other pending grievances at the appropriate level.

Local Level

All jurisdictional grievances pending at Step 1 or 2, in addition to jurisdictional cases remanded to the local level, will be referred to the Local Dispute Resolution Committee (LDRC). The LDRC will have thirty (30) calendar days from the implementation date of the new procedures to jointly identify pending jurisdictional cases and to assure that each of the parties has complete copies of all case files.

The three parties will execute and include in each case file a jointly developed diagram of the operation in question, with a narrative describing the duties performed in the disputed function. If the parties cannot agree regarding the diagram or narrative, the parties separately may present their views for inclusion in the file.

At the end of the thirty (30) day period from the implementation date of the new procedure, the LDRC shall have identified and categorized all pending cases at Step 1 or 2 involving jurisdictional disputes. At that point, the LDRC will have thirty (30) days to attempt to resolve all disputes identified as pending at that level.

In addition to identifying, processing and attempting to resolve jurisdictional assignments which are in dispute, the Local Committee will engage in a joint effort to inventory all jurisdictional assignments which are not in dispute utilizing Attachment 1. Such effort will begin no later than the implementation date of the new procedure and be completed no later than one hundred twenty (120) calendar days after that date. Local inventories will include the following information:

1. operation number/description;
2. function number/description;
3. craft assignment;
4. a diagram; and
5. a signature of the appropriate representative of each party.

If any party disputes part or all of the inventory that dispute may also be submitted to the Regional Committee in keeping with the time frame for appeal of a jurisdictional dispute. The sole issue in inventory disputes to be determined by the Regional Committee is whether a grievance existed over the disputed operation/function on the date of the signing of the DRP Memorandum.

Regional Level

The Regional Dispute Resolution Committee (RDRC) will identify all jurisdictional cases pending at Step 3 or regional arbitration, and jurisdictional cases remanded to the regional level. The parties will categorize cases dealing with the same function in a given operation in each facility and the moving Union will select one of the cases to serve as the representative case, with all others challenging the same function within an operation placed on hold pending resolution of the representative case. Any case or group of cases may be remanded to the local level by mutual agreement of the parties. This review shall be completed within sixty (60) days of the implementation date of the new procedure.

The RDRC shall decide local appeals consisting of:
1. cases determined to properly be at that level in the review process mentioned above; and, 2. questions appealed to it involving a determination as to whether or not a dispute existed on the date of signing the DRP Memorandum. The appeals will be processed in accordance with the time frames and procedures contained in the DRP Memorandum.

If a question is appealed to the Regional Committee involving a determination as to whether a dispute existed on the date of signing the DRP Memorandum and a determination is reached at the regional level that a dispute did exist over the operation/function, the local parties will be advised in writing to process the dispute in accordance with the new procedures. The time limits for such a dispute will commence on the date of receipt by the moving union of the regional determination.

In the event the Regional Committee is unable to agree as to whether a dispute existed on the date of signing the DRP Memorandum, the moving union may appeal that question to regional-level arbitration within twenty-one (21) calendar days of the date of receipt of the Regional Committee's written decision. The issue to be decided by the arbitrator will be the same as the one presented to the Regional Committee.

National Level

The National Dispute Resolution Committee (NDRC) shall identify all cases pending at Step 4 or national arbitration. This review shall be completed within sixty (60) days of the implementation date of the DRP Memorandum. Any case or group of cases may be remanded to a lower level by mutual agreement of the parties. National level cases will be processed in accordance with the time frame and procedures contained in the DRP Memorandum.

for William J. Donnes

SHERRY A. CAGNOLI
Assistant Postmaster
General
Labor Relations Department
U.S. Postal Service

Joe Biller

JOE BILLER
President
American Postal Workers
Union, AFL-CIO

Glenn Berrien

GLENN BERRIEN
President
National Postal Mail
Handlers Union

DATE 4-16-92

ATTACHMENT 1

REGIONAL INSTRUCTION - 399 REVIEW

INSTALLATION INVENTORY

OF

MAIL PROCESSING OPERATIONS

FACILITY _____

CITY _____

STATE/

ZIP CODE _____

DATE COMPLETED _____

SIGNATURES (LDRC REPRESENTATIVES):

MANAGEMENT REPRESENTATIVE _____

APWU REPRESENTATIVE _____

MAIL HANDLER REPRESENTATIVE _____

ATTACHMENT 1

REGIONAL INSTRUCTION - 399 REVIEW

LDRC REPRESENTATIVES
INITIALS MGMT _____
APWU _____
MH _____

INSTALLATION INVENTORY
OF
MAIL PROCESSING OPERATIONS

FACILITY _____ CITY _____ STATE/ZIP CODE _____ DATE _____

1. OPERATION NUMBER OR LOCAL DESCRIPT. OF OPERATION	2. FUNCTION NUMBER OR LOCAL DESCRIPTION OF FUNCTION	3. CURRENT # OF CRAFT EMPLOYEES ASSIGNED		4. NUMBER OF ATTACHED DIAGRAM
		CLERK	MAILHANDLER	