



# REGION 5 NBA REPORT



August 2012

National Business Agent's Report

NALC Region 5

By this time the National Convention has come and gone. This event was for the membership to voice our concerns, discuss our next National Agreement and most importantly to take care of the business of our great Union. While I hope that this was a productive and educational Convention there are other things happening in our hot and humid World.

It is with relief that I am able to inform the membership that management is ending their test of restructured assignments by separating a delivery unit's office casing and associated duties from street duties. This was the infamous caser/streeter initiative that was put in selective offices and in my own words, it sucked. Now the fight to put the offices back to their original state will begin. At least that test is over with. We have been informed that the USPS is expanding the test on processing certified letters in the DPS. If route adjustments are planned in any of these test sites and management attempts to eliminate line 14 credit for certified mail, please contact this office immediately.

I want to thank Kevin Boyer, Kevin Holmes, and Branch #343, St. Louis, Missouri for accompanying me to MDA summer camp in Missouri. It was heartbreaking to see children not able to do things that my children can. Their attitude, confidence, and humor made the trip to the camp worthwhile. RAA Sims & Birkett attended camps in Iowa and Kansas.

Under the new APWU agreement a new position has been established; Delivery/Sales Services and Distribution Associate. PS6. This position has created some confusion between our members. This new position does not mean that clerks can do letter carrier work. When the USPS was asked about this position they stated, "The work to be performed is currently included in the special delivery messenger position. There is no impact to the letter carriers anticipated." Referenced from the NALC Activist, Spring 2012. For additional information please look at: M-001125, M-01080 and M-01188.

Under the Postal Reorganization Act, the parties must arbitrate the terms of the new *Contract* if they cannot reach a negotiated agreement. The parties select a mutually acceptable neutral arbitrator who chairs a three-person panel. Well known arbitrator Shyam Das will be the neutral panel member. The other two panel members are not impartial, but rather advocates for their respective sides. In this case, our general counsel, Bruce Simon will be the NALC panelist. Mr. Simon has been our panel member for the previous arbitrated contracts and that is very encouraging.

Interest Arbitration hearings are unusual. Unlike typical grievance arbitration, they are never finished in a single day. The 1999 arbitration took 23 separate days of hearing. It took several months to complete the hearings because of the need to accommodate all the scheduling conflicts. The parties present witnesses and exhibits, utilizing the testimony of national officers, nationally renowned economists and labor relations professors, panels of working letter carriers and headquarter staffers. All this testimony is followed up with an extensive written brief submitted to the panel which then deliberates the outcome. This deliberation resembles a renewed period of negotiation. Ultimately, the neutral arbitrator will make a final decision which will be signed off on by one or both of the other arbitrators or by neither.

Our NALC National officers and staff members have been preparing for this arbitration process since the 2010 Convention. We needed to be prepared for what has become the reality—someone else will determine our future in *Interest Arbitration*.

\*NOTE\*

After receiving significant and positive feedback about the location of the 2012 Region 5 Rap Session in Kansas City, Missouri, we have decided to again hold the Rap Session at the same location. The Weston Crown Center offers us the most centralized location and activities in our Region. Due to circumstances beyond our control we will be scheduling the Rap Session on the first weekend in March, (March 1, 2, and the 3<sup>rd</sup>). Since this will be a change from the last weekend in February, I urge everyone to make their plans accordingly.

I want to congratulate our newest Leadership Academy graduates who just finished their weeks in the Regional Office. Brian Grunwaldt from Branch #984, St. Charles, Missouri, and Amanda Beckley of Branch #201, Wichita, Kansas & Garden City.

The fall class will have Brenda Fisher from Cape Girardeau, Missouri Branch 1015, and Rod Holub from Manhattan, Kansas, Branch #1018. We wish all of these Union Activists the best of luck.

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