

Local Memorandum of Understanding

November 21, 2010 – May 20, 2015

Between the

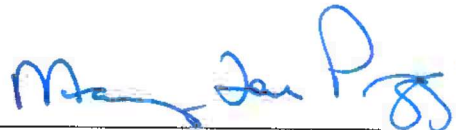
**United States Postal Service
Apache Junction**

And the

**American Postal Workers Union AFL-CIO
Phoenix Metro Area Local**



Frank S. Cetta, Postmaster
Apache Junction Post office



Mary Lou Pavoggi, President
Phoenix Metro Area Local

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Item 1
Wash Up

Employees who work with toxic materials and or grease shall be given ample wash-up time immediately before their lunch break and immediately after the workday. All other employees who perform dirty work shall be granted five (5) minutes prior to lunch and before the end of their workday.

Management will comply with all directives concerning wash up times for biochemical agents.

Item 2
Work Week

The regular employee's normal work week is five (5) service days, each consisting of eight (8) hours, within ten (10) consecutive hours. As far as practicable the five days shall be consecutive days within the service week. **Non traditional Full Time employees shall have a fixed work week.**

Item 3
Guidelines for Curtailment or Termination of Postal Operations

When the postmaster considers curtailment or termination of any postal operation due to Acts of God, Civil Disorders, or for any other reason(s), the local APWU president will be consulted. After a through review of local authority declarations when postal authorities declare an emergency condition exists which endangers the well being of a craft employee, they shall take proper action to alleviate such danger. Anytime the following condition exist, but not limited thereto, all involved employees shall be granted administrative leave for the duration of the emergency:

1. An act of God;
2. Any police action preventing employees from reaching work which does not arise out of any action on the part of the involved employee;
3. At anytime the area is ordered to be evacuated by civil authorities
4. At anytime the inside temperature of the work area reaches 95 degrees or falls below 55 degrees, employees who fear for their safety and or health may submit for a temporary transfer or a type of leave, and every consideration will be given to the employee's request. If leave is requested such leave will not be unreasonably denied.

The responsible manager will also consider taking such appropriate action including but not limited to increasing the length or number of breaks periods.

When an alleged explosive device has been discovered or a threat made against the postal facility and verified by a postal and or city official the facility shall be completely evacuated until all safety measures have been taken by the proper authorities.

In cases where local authorities / bio-hazard experts have found biochemical agents or infectious diseases (i.e. small pox) has been introduced through the local mail stream, management shall minimize the potential for exposure in accordance with the management instruction on emergency responses. In addition, management upon direction of the local authorities / biohazard experts may evacuate the immediate area until the emergency response team and or law enforcement team can arrive and take control of the incident. Should an area be deemed contaminated by the installation head on advice of city officials, the entire facility will be evacuated and employees will not be allowed to return until such time the building has been cleared to enter by local authorities / biochemical experts. The postal service shall have the right to relocate employees to different facilities in order to process the mail.

Item 4 Formulation of Local Leave Program

No Later than October 15th of each year, the management and union leave coordinator, shall post a listing showing the number of employees who can be granted annual leave during the choice vacation period and the duration of the choice vacation period.

A. Selections of choice vacation periods shall be acted on in the following manner: All 1st choice selections will be acted on by seniority. Then all second choices will be acted upon by seniority.

B. After the first two selections, employees at their option may request additional selections during the choice vacation period provided the combination does not exceed three weeks. The additional choices will be made in order of seniority.

C. After all employees have made their selections for choice vacation period, any remaining available time may be utilized under item 12.

D. The APWU designee will provide management with the leave slips and the completed leave board by December 1st.

E. A leave schedule will be posted for all employees on the bulletin board.

F. Cancellation of annual leave for choice vacation must be for the total week(s). All notices of cancellation of leave shall be submitted to the APWU leave coordinator and management. Employees who wish to cancel pre-approved annual leave must do so in writing ten (10) days in advance of such leave starting. Should the employee fail to do this, approval of such cancellation of leave will be at management's discretion unless the cancellation is due to an emergency or some other justifiable reason. Should an employee cancel leave Management will immediately post a notice of the leave being available and allow another employee(s) the

opportunity to take leave during the same time period. Request for annual leave for this time period will be awarded in the order listed below:

1. Request for the total time of cancellation by seniority.
2. Request for the largest amount of leave by seniority.
3. All other requests by seniority.

G. Employees who are excessed to the needs of the installation will have their leave carried to the gaining installation.

H. All advance commitments for annual leave must be honored.

I. Care shall be exercised to ensure that no employee is required to forfeit any part of their annual leave.

Item 5 Choice Vacation Period

The choice vacation period will be from January 1st through December 31st of each calendar year.

Item 6 Choice Vacation Start Time

The beginning day of each employee's vacation during the choice period shall be Monday unless otherwise mutually agreed upon by management and the union. The beginning day of ordinary leave shall be at the employee's discretion.

Item 7 Choice Vacation Selection

Employees may request to selections for the choice vacation period in units of either five or ten days, not to exceed 10 or 15 days pursuant to the amount of leave the employee earns. **Non Traditional Full Time employees will submit in increments based on their duty assignments of 30 – 48 hours.**

Item 8
Jury Duty and Union Convention Time

Delegates to the state and national conventions of the APWU shall be granted sufficient leave to attend. Requests will not be considered part of the choice vacation period. Any employees covered by this agreement who are called for jury duty during his/her scheduled choice vacation period shall be eligible for another choice period selection. Such selection shall not bump another employee for their choice selection and must be made within the time still available.

Item 9
Choice Vacation – Maximum Number of Employees to be Allowed Off

The following will be the minimum of employee complement allowed off during each week in these periods:

January 1st up to the first full week in May – 10%
First full week of May to the last full week of September – 15%
Remainder of September through December 31st – 10%
Any fraction of .50 or above will be rounded upward to the next whole number.

Under the fifteen (15) percent rule, employees off on long term leave will be counted against the leave board. At no time will the percentages drop below ten (10) percent, with a guarantee of three employees off. If the employee complement drops to 24 or less employees the ten (10) percent rule applies with a guarantee of 2 employees off. **If the employee complement drops to 14 or less employees, the ten (10) percent rule applies with a guarantee of 1 employee off.**

Item 10
Vacation Approval Notices

The PS form 3971 shall be submitted in triplicate to management personnel. The second copy shall be returned to the employee within three days annotated to show approval or disapproval. All disapproved requests shall state management's reason for disapproval.

Item 11
Notice of Leave Year for all APWU Crafts

The employer no later than November 1st of each year, shall notify all employees of the beginning of the new leave year, which shall begin with the first day of the first full pay period of the calendar year.

The following dates indicate the official Postal Service year, not the choice vacation period:

Leave Year	Begins	Ends
2011	1/1/11	1/13/12
2012	1/14/12	1/11/13
2013	1/12/13	1/10/14
2014	1/11/14	1/10/15
2015	1/11/15	1/10/16

Item 12
Application for Annual Leave Other Than Choice Vacation Period

Annual Leave selections for those remaining time periods available after the close of the choice vacation selections will be made available to employees on a first come, first served basis. Up to 10 percent of the clerk and maintenance craft employees will be permitted annual leave with a minimum of one (1) for the maintenance craft.

1. Employees must submit the PS form 3971 to their immediate supervisor a minimum of three (3) days in advance of the requested annual leave date.
2. Annual leave requests must be in increments of eight (8) hours.

Submission of Short Term Leave

1. When less than eight (8) hours of annual leave is requested for use within three (3) days, and form 3971 is submitted to the employees immediate supervisor within the first two hours of duty, management will render a decision within two days. Where no action has been taken within this period, the request for such leave will be approved.
2. When eight hours or more of annual leave is requested to use within 60 days, and the form 3971 is submitted to the employee's immediate supervisor within the first two hours of duty,

management will render a decision within three working days. Where no action has been taken within this period, the request for such leave will be approved.

3. Those requests for same day and next day annual leave submitted within the first hour of duty will be acted upon no later than one hour before the requested annual commences.

The form 3971 signed by the employee's supervisor approving leave shall be the official notification that short term leave has been approved.

Employees who wish to cancel pre-approved annual leave must do so in it's entirety by notifying management in writing ten (10) days in advance of such leave starting. Should the employee fail to do this, approval of such cancellation of leave will be at management's discretion unless cancellation is due to an emergency or some other justifiable reason. Should an employee cancel leave management will immediately post a notice of the leave being available and allow another employee(s) the opportunity to take leave during the same period. The awarding of leave request(s) under the cancellation of leave procedures will be followed as outlined in item 4F.

Item 13 Holiday scheduling

Clerk Craft

The following shall be the method of selection when it is determined that it is necessary for all employees to work during the holiday scheduling period:

1. One week prior to the holiday posting deadline, management shall announce and post a list in each section requesting volunteers for the upcoming holiday.
2. Employees have until the end of tour the Friday preceding the holiday scheduling deadline to sign the holiday volunteer list.
3. Utilizing this holiday volunteer list management will schedule in the following manner:
 - a. Volunteers from the regular employees normally scheduled to work on a holiday or day designated as their holiday by seniority.
 - b. Volunteers from the regular employees normally scheduled off on the holiday or days designated as a holiday.
 - c. Mandate the PSE employees
 - d. Mandate the non-volunteer regular employees by inverse seniority, regardless of whether the day is the employee's scheduled day off or holiday / designated holiday.

Maintenance Craft

Holiday scheduling will be by occupational group and level. The following shall be the method of selection for full time employees who work on a holiday.

1. Volunteers from the full time regular employees normally scheduled to work on a holiday, by seniority.
2. Volunteers from full time regular employees normally scheduled off on the holiday, by seniority.
3. Full time employees normally scheduled to work on the holiday shall be mandated by inverse seniority.

Item 14 Overtime Desired List

The voluntary overtime desired list for the clerk craft shall be by facility.

An overtime desired list shall be posted in the maintenance craft for available qualified maintenance employees.

Overtime Administration – All Crafts

Except in emergencies, the employer shall give all employees a one-hour notice for overtime. Emergency shall be defined as those unpredictable occurrences such as, but not limited to; power failures, mechanical breakdowns and other such circumstances wherein the employer had no advance warning.

Employees on the overtime desired list(s) may remove their name from the list, by written notification to the union steward and their immediate supervisor during the quarter. The withdrawal will become effective the following day, **and the employee will be responsible for working overtime they have been scheduled to work within the work week scheduled.** The employee will not be able to sign the list again until the following quarter.

Those employees, who become regular, will have seven days from the date they become regular, to sign the OTDL.

Management will post the overtime desired list(s) and will keep opportunities current.

Item 15
Light Duty - Number of Assignments

There will be no established light duty assignments within each craft. Such assignments will be created on an as needed basis under the guidelines of this local agreement (see items 16 & 17) and the National Agreement.

Item 16
Light Duty – Reserving Assignments

The amount of light duty time available and the duration will be established by consultation between management, the employee and the local APWU President and or designee at the time such assignment is to be considered.

If an employee of another craft is to be assigned light duty in the clerk craft, the amount of duty time available, the hours and the duration shall be established by consultation between management, the employee and the local APWU President and or designee at the time such assignment is to be considered. Such assignment will not adversely affect any clerk craft employee.

Item 17
Light Duty Assignment Procedure

When an employee requests light duty, the USPS must make every effort toward assigning the employee to light duty consistent with employee's medically defined work limitation tolerances. In assigning such light duty, the USPS should minimize any adverse or disruptive impact on the employee. The following considerations must be made in effecting such light duty assignment:

- A. The extent that there is adequate work available within the employee's work limitation tolerances; within the employee's craft; in the work facility to which the employee is regularly assigned; and during the hours when the employee regularly works; that work shall constitute the light duty to which the employee is assigned.
- B. If adequate duties are not available within the employees work limitation tolerances in the craft and work facility to which the employee is regularly assigned, within the employee's regular hours of duty, other work may be assigned within that facility.
- C. If adequate work is not available at the facility within the employee's regular hours of duty; work outside the employee's regular schedule may be assigned as light duty. However, all reasonable efforts shall be made to assign the employee to light duty within the employees craft and to keep the hours of light duty as close as possible to the employee's regular schedule.
- D. An employee may be assigned light duty outside of the work facility to which the employee is normal assigned only if there is not adequate work available within the employees work limitation tolerances at the employee's facility. In such instances, every effort will be made to

assign the employee to work with the employees craft, within the employee's regular schedule, and as near as possible to the regular work facility to which normally assigned.

Copies of all light duty assignments will be given to the union president or his/her designee.

All APWU Crafts

A corresponding number of positions will be reserved for those APWU craft employees requesting light duty equal to those occupied by non- APWU crafts on light duty within any APWU craft. Such position will be reserved in the section where the non APWU employee is assigned light duty.

Item 18 Section for Reassignment

Clerk Craft

For the purpose of reassignment within an installation of employee's excess to the needs of a section, the entire facility will be considered a section.

Maintenance Craft

For the purpose of reassignment, when it is proposed to reassign within an installation employee's excess to the needs of a section, the entire installation shall be considered a section and excising will occur by occupational group and level.

Item 19 Parking

Management will designate an area for APWU craft parking

Item 20 Employee's on Leave with Regard to Union Business

If the requested leave falls within the choice vacation period and if the request is submitted prior to determination of the choice vacation period schedule, it will be granted prior to making commitments for vacations during the choice period, and will not be considered part of the total choice vacation plan for the installation.

Item 21
Labor / Management Meetings

Regularly scheduled labor / management committee meetings between the crafts of the APWU and management shall be scheduled quarterly. Each party shall give the other their agenda items two weeks prior to the meeting. If a problem develops, either party may request a special meeting.

Item 22
Communication

Management will provide the local APWU president a copy of all bid postings, awards and announcements, along with a copy of any personnel actions such as; hiring, transfers, promotions, separations and disciplinary actions pertaining to any APWU craft. The local APWU president will also be provided an accurate copy of all seniority listings for the APWU crafts every six months.

Seniority, Reassignments and postings

Clerk Craft

A. All newly established clerk craft duty assignments shall be posted to clerk craft employees eligible to bid within 28 days.

B. Vacant clerk full time duty assignments shall be posted to full time employees eligible to bid within 28 days.

C. The notice shall remain posted for ten days.

D. The successful bidder shall be placed in the new assignment within 21 days after bidding is completed.

E. Any regular position will be reposted if a change is made of more than one hour from the original posted start time.

F. The local APWU president or designee will be notified by management when a determination is to be made concerning a sufficient change of duties, principle assignment and or scheme knowledge requirement to cause the duty assignment to be re-posted. Should the APWU president determine that the job should be re-posted, the job will be reposted.

G. Residual Vacancies

1. Follow the guidelines established regarding unencumbered assignments.

a. The notice shall remain posted for ten days.

b. Successful bidder shall be placed in the assignment within ten days of the close of bidding

H. In the event the posting and bidding procedure goes on line at another facility, Management will meet with the APWU well enough in advance in order to determine the submission process for bidding

Maintenance Craft

A. When a vacant or newly established duty assignment is to be filled, management shall post a notice of intent for a period of seven (7) days.

B. All vacant duty assignments shall be posted by notice of intent within thirty (30) days of when a vacancy occurs.

C. Newly established or vacant duty assignments shall be filled by senior employees on the appropriate preferred assignment registers established on the basis assignment selection forms submitted by maintenance craft employees.

1. Within the first fourteen days of each January, management will post a notice advising maintenance employees of the opportunity to submit changes in preferred assignments selections.

2. Maintenance employees will have until January 31 to indicate preference(s) for any vacancies that may occur during that year.

D. A position will be re-posted if a change is made of more than one hour from the original posted start time.

Bulletin Boards

Management will supply the APWU with bulletin boards at the Apache Junction Main office and any new stations.