



May 21, 2015 – September 20, 2018

**LOCAL MEMORANDUM OF
UNDERSTANDING**

BETWEEN THE

**UNITED STATES POST OFFICE
MESA, ARIZONA**

AND THE

**AMERICAN POSTAL WORKERS UNION
AFL-CIO
PHOENIX METRO AREA LOCAL 93**


Yolanda Stenson
Postmaster

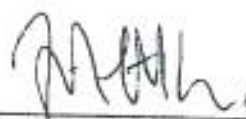

Joe Cuccinotto
President

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Item 1

Wash Up Time

Wash up time shall be provided to those employees who perform dirty work or work with toxic materials according to the following rules:

1. Only the time necessary for wash up, not to exceed five minutes will be taken.
2. Wash up time can be granted before lunch and at the end of the workday. In many jobs the time needed for wash up varies from day to day. All employees are requested to limit themselves to the time necessary on a daily basis.

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

Item 2

Basic Work Week

Full time regular employees in the APWU crafts shall have a fixed five-day workweek. Part-time regular employees shall have a fixed workweek.

Prior to the re-posting of any occupied jobs, management will seek the input of the APWU President or his/her designee to give them the opportunity for input regarding days off, hours, and duties.

Item 3

Guidelines for Curtailment or Termination of Postal Operations

In cases of curtailment or termination of Postal operations, the local President of the APWU or his/her designee will be notified as soon as possible of any such action. Should they not be available, a message shall

be left at the APWU office.

Anytime the Postmaster or designee, due to conditions such as those listed below, makes a determination to curtail or terminate Postal operations, they will authorize administrative leave while the conditions exist to the involved employees.

1. Acts 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(s).
3. At anytime the area is ordered to be evacuated by civil authorities.
4. The Postal Service will comply with the current Management Instruction on emergency responses to mail allegedly containing biochemical agents and infectious diseases and will abide by the Emergency Action Plan (EAP).
5. In the event it is determined that a bomb may exist in the facility, the installation head will follow the bomb threat procedures.

In the event of a curtailment or termination of Postal operations, management will make every effort to establish contact with every employee. The USPS national emergency hotline is available for employees to call in case such an event occurs.

In cases where a breakdown of heating or cooling units results in abnormally warm or cold temperatures, the responsible postal official will make the safety of the affected employees his/her primary concern. The responsible manager will also consider taking such appropriate action including, but not limited to, increasing the length or number of break periods, reassignment of employees to other work areas, or temporary rescheduling of employees. If such working conditions continue, the responsible manager will give every consideration to leave requests from employees who complain of health problems due to the unusually warm or cold working conditions.

Item 4

Formulation of Local Leave Program

1. No later than October 1st of each year, the Postal Service will post an annual leave chart showing the number of employees who can be granted annual leave during the leave period.
2. A leave chart will be maintained and circulated by seniority at each pay location from October 15th through November 15th of each year.
3. In groups of three (3), each employee will have no longer than two (2)

working days to make their vacation time selections.

4. The Postal Service will have until November 30th of each year to post the choice vacation leave.

5. Annual leave for choice vacation leave will be granted on a seniority basis beginning with the senior employee.

6. All advance commitments for the granting of annual leave must be honored except in serious emergency situations. Employees who are excessed to the needs of the section and/or installation will have their leave carried to the gaining section or installation.

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

8. Any employee requesting an unusually long vacation during the choice period for extended travel will be given special consideration and notified in writing as far in advance as possible as to the status of vacation request.

9. Cancellation of vacation periods and other than choice periods will be permitted only for justifiable reasons (emergency such as illness in family or others as agreed upon by management and the union). The union and management must be notified at least fourteen (14) days prior to the vacation date, except in emergencies. A final decision will be made by the installation head or his/her designee.

10. All canceled leave will be immediately posted to allow other employees to take leave in the same period. All slips will be approved on a seniority basis.

11. The union, in conjunction with management, will have mutual responsibility for the administration and maintenance of the leave chart. The parties will ensure that the leave chart is current, and that all leave is properly posted.

Item 5

Duration of Choice Vacation Period

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

Item 6

Beginning Day of the Employee's Vacation

The employee's choice vacation period will begin on Monday.

Item 7

Choice Vacation Options

Employees who earn 13 days annual leave per year shall be granted up to 10 days of continuous annual leave during the choice vacation period.

Employees who earn 20 to 26 days annual leave per year shall be granted up to 15 days of continuous annual during the choice vacation period.

Employees may request 2 selections during the choice vacation period in units of 5 or 10 continuous days pursuant to the amount of leave the employee earns per year.

Each employee will secure a first choice by seniority and then a second choice will be awarded by seniority.

Item 8

Convention Time and Jury Duty

Jury duty for which an employee cannot be excused or attendance at the National, Regional, or State Conventions will not be charged to his/her choice vacation period.

Item 9

Number of Employees Allowed off per Annual Leave Week

For the purpose of choice vacation, leave scheduling, and holiday scheduling, a section is identified as follows by facility and by craft:

1. Main Office
 - A. Window/window related jobs.
 - B. Distribution clerks.
 - C. Bulk mail.
 - D. Timekeeper.
 - E. General clerks.

2. Mountain View
 - A. Window clerks.
 - B. Distribution clerks.
3. Remaining Facilities:
 - A. Desert by station.
 - B. Dobson by station.
 - C. Falcon Field by station.
 - D. Sherwood by station.
 - E. Superstition Springs by station.
 - F. Four Peaks by station.
4. Maintenance
 - A. Custodians.
 - B. Maintenance mechanics.
 - C. MOS.
5. Any new facilities or crafts are to be negotiated with the Local APWU President or designee.

Maintenance Craft

A minimum of 25% of the custodial employee complement will be allowed choice vacation during the months of January through December with a minimum of four.

A fraction of .50 will be rounded upward.

Clerk Craft

A minimum of 10% of the employee complement in each section will be allowed choice vacation during the months of March through November, with a minimum of one.

A minimum of 8% of the employee complement in each section will be allowed choice vacation during the months of January, February, and December, with a minimum of one.

A fraction of .50 will be rounded upward.

Item 10

Leave Approval Notices

Employees will submit form 3971 in triplicate. One copy will be signed as received and returned to the employee upon receipt by leave designee. The second copy will be returned as notice of approved leave and the third copy will be maintained as records.

Item 11

Notice of Leave Year

The employer must, no later than October 15th, publicize on bulletin boards, and by other appropriate means, the beginning date of the leave year which shall begin the first day of the first full pay period of the calendar year.

Item 12

Application for Leave Other than Choice Vacation

Applications for annual leave other than choice vacation period must be awarded on a first come, first served basis. Requests on the same day for the same period will be awarded by seniority. Up to 10% of the employees in a section, with a minimum of 1 employee, will be permitted leave during the months of March through November. Up to 8% of the employees will be allowed off during the months of December through February, with a minimum of 1. The employee will submit form 3971 in triplicate which will be time dated and signed by the supervisor. A leave schedule will be posted and visible to all employees. The leave schedule will show the available slots and the total employees to be allowed off during each year.

All employees moving to another bid job shall be granted his/her annual leave as previously approved. This applies only with the Mesa installations.

Submission for Short Term Annual Leave

1. Those requests for same day annual leave submitted within the first hour of duty for use at least 2 hours after the employee's begin tour will be acted upon no later than 1 hour before the requested annual begins.
2. When 8 hours or less of annual leave is requested for use within 14

days and the form 3971 is submitted to the employee's immediate supervisor within the first 2 hours of duty, management will render a decision within that tour of duty.

3. When 8 hours or more of annual leave is requested for use within 15 to 30 days and the form 3971 is submitted to the employee's immediate supervisor, management will render a decision within 3 working days.

4. When 8 hours or more of annual leave is requested for use between 30 days and 1 year, management will render a decision within 7 working days.

Failure of the supervisor to act upon a leave request under the above guidelines set forth shall render the leave approved.

Item 13

Holiday Scheduling

Clerk Craft

Management shall post a clerk craft volunteer list at each facility two weeks prior to the regular posting of the holiday schedule.

Utilizing this holiday volunteer list, management will schedule in the following manner:

A. All full-time and part-time regular employees who possess the necessary skills and have volunteered to work on the holiday or their designated holiday.

B. All PSEs and part-time flexible employees, to the extent possible, even if payment of overtime is required.

C. Full-time and part-time regular volunteer employees whose scheduled non-work day falls on the holiday and possess the necessary skills even though the payment of overtime is required, by seniority.

D. Full-time and part-time regular employees who have not volunteered to work their holiday, by juniority.

Maintenance Craft

For the purpose of holiday scheduling, sections shall be defined as follows:

1. Facility.
2. Out of facility.

Holiday scheduling will be by occupational group and level. Management shall post a holiday volunteer list two weeks prior to the regular posting of the holiday schedule.

The following shall be the method of selection for full-time employees who work on a holiday:

1. Volunteers from full-time and part time regular employees in a facility normally scheduled to work on a holiday, by seniority.
2. Volunteers from full-time and part time regular employees in a facility normally scheduled off on the holiday, by seniority.
3. Volunteers from full-time and part time regular employees outside the facility normally scheduled to work on a holiday, by seniority.
4. Volunteers from full-time and part time regular employees outside the facility normally scheduled off on the holiday, by seniority.
5. Mandate full-time and part time regular employees in a facility. Those full-time and part time regular employees mandated to work on a holiday will be by inverse seniority regardless of whether the day is the employee's scheduled day off or designated holiday.

Item 14

Overtime Desired List Administration

Clerk Craft

Overtime desired lists shall be established by facility. Employees will have the option to sign 2 separate Overtime Desired Lists: a scheduled day off overtime desired list and/or a same tour overtime desired list. When overtime arises, employees with the necessary skills having listed their names will be selected in order of their seniority on a rotating basis.

Any PTF converted to regular status shall have seven days from the date of conversion to sign the overtime desired list.

Maintenance Craft

An overtime desired list shall be posted in the maintenance craft for each occupational group and level by facility. Employees will have the option to sign 2 separate Overtime Desired Lists: a scheduled day off overtime desired list and/or a same tour overtime desired list.

On a quarterly basis, management will post the facility overtime desired lists as well as an out-of-section overtime desired list. These lists will be posted and maintained for custodial maintenance employees.

Custodial employees are eligible to sign the facility overtime desired list for that facility where the majority of their bid job assignment is located.

The assignment of 6th day overtime opportunities shall be in the following order:

1. Facility.
2. Out of Section.

All Crafts

Employees who bid from one facility to another shall have the right to place their name on the new overtime desired list provided it is done prior to, or within ten days of, movement into the new facility.

Employees on the overtime desired list(s) can withdraw their names from the list in writing at any time during the quarter. The withdrawal will be effective the day after it is submitted and the employee is responsible for working that overtime they have already been scheduled for within the next seven days. The employee must stay off the overtime desired list for the rest of the quarter.

Overtime Notification

Except in an emergency, 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. Mail volume in of itself does not constitute an emergency.

Item 15

Light Duty

As light duty assignments are needed, the employee's supervisor, union representative, and installation head shall meet before a final determination for a light-duty assignment is made.

The number of light duty assignments available in the installation will be determined by:

1. Type of work the disabled employee is able to perform.
2. The amount of work of this nature available in the office.
3. The number of employees requiring light duty.

Item 16

Light Duty Assignments

No regularly scheduled member of the regular work force shall be adversely affected by the placement or assignment of another employee in a light duty status. The Local President will be notified if any employee outside the APWU's jurisdiction is placed on light duty within an APWU craft position.

Item 17

Establishing Light Duty Assignments

When an employee requests light duty, the USPS will make every effort toward assigning the employee to light duty consistent with the employee's medically defined work limitations. In assigning such light duty, the USPS should minimize any adverse or disruptive impact on the employee. The following consideration will be given in effecting such light duty assignments:

1. Modifying the existing assignment.
2. Reassignment in craft within the same hours as the employee's regular duty assignment.
3. Reassignment within craft on another tour.
4. Reassignment within another craft.

Copies of all light duty assignments made within the APWU crafts 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

Reassignment

Clerk Craft

For the identification of assignments comprising a section, when it is proposed to reassign within an installation, employees excess to the needs of a facility will be given consideration installation wide.

Maintenance Craft

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

Item 19

Parking

Management will attempt to supply sufficient parking for all career employees when available to the Postal Service with one space being reserved for the APWU at each station. Management will allow opening and closing employees to park close to the building until daylight hours.

Item 20

Union Leave

Annual leave for one delegate to attend the National or Regional Convention requested prior to the determination of the choice vacation schedule is not to be considered part of the choice vacation plan if requested prior to October 15th of each year. This period is not to be charged to the APWU representative's choice vacation period.

Item 21

Labor Management Meetings

1. Regularly scheduled labor/management committee meetings between the crafts of the APWU and management shall be once per quarter.
2. These meetings will be scheduled for once a quarter. The parties will meet to determine the date and time. Any item not resolved will become the first order of business at the next scheduled meeting. Dates and time can be changed upon mutual agreement.
3. Agenda items to be discussed must be limited to areas that cannot be resolved at the unit level and require consideration on policy making decisions at the installation level.
4. Agenda items to be discussed must be presented by either or both parties no later than seven days in advance of the scheduled meeting date.
5. If no agenda items for discussion are submitted by either party, the scheduled meeting for the quarter will be considered as canceled.
6. Management agrees to make note of the dispositions arrived at in meetings and furnish copies to the President of the APWU or his/her designee, for signature. APWU objections to disposition of the items shall be noted.

Bulletin Boards

Management will supply the APWU with at least one locked bulletin board in each of the facilities and any new facility.

Seniority Lists

The Postal Service will provide the APWU President or designee with an accurate, updated seniority list for all APWU Crafts on a quarterly basis.

Item 22

Reassignment, Posting, and Bidding

Clerk Craft

- A. All newly established clerk craft duty assignments shall be posted to 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 10 calendar days.
- D. The successful bidder shall be placed in the new assignment within 14 days after bidding is completed.
- E. Any regular position will be reposted if a change is made of more than two hours from the original posted start time. If the start time of a regular position is to be changed by two hours, the job shall be reposted unless the incumbent accepts the change.
- 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 area, or scheme knowledge requirement to cause the duty assignment to be reposted. The APWU President will make the determination as to whether or not the job needs to be reposted.
- G. Residual Vacancies:
 - Residual vacancies shall be filled in accordance with the "MEMORANDUM OF UNDERSTANDING BETWEEN THE UNITED STATES POSTAL SERVICE AND THE AMERICAN POSTAL WORKERS UNION, AFL-CIO Re: Residual Vacancies - Clerk Craft"
- H. Part-Time Regular Duty Assignments
 - 1. Newly established and vacant part-time regular duty assignments are posted to full-time and part-time regular employees who are eligible to bid within 28 days.
 - a. The notice shall remain posted for 10 calendar days.

- b. Successful bidder shall be placed in the new assignment within 14 days of close of bidding.

I. Back-Up Bidding Procedures

The following applies to back-up bidders receiving jobs after the close of bids and before the award announcement. Employees who are awarded a backup bid and who will be awarded a bid position on the current cycle will be given the option of accepting the previous job or the current position. In addition, the employee will only be charged for one bid regardless of which job is selected. Failure to respond to the option of keeping the back-up award will result in the employee being awarded the latest bid.

Maintenance Craft

Preferred assignment submittals are handled by the National Collective Bargaining Agreement under Article 38.5.A, as follows:

Article 38.5.A Selection Methods

A. Preferred Assignment

1. The Employer will maintain and/or establish preferred assignment selection registers. During the first fourteen days in January of each year a notice advising the employees of the opportunity to submit changes in preferred assignment selections shall be posted on all official bulletin boards at the installation, including stations and branches, to assure that it comes to the attention of all employees eligible to submit forms.
2. The employee shall indicate preference(s) in numerical order for any vacancy that may occur during that year, including tours and days off that they prefer over their current duty assignment. Change in preferred assignment selections shall be submitted on or before January 31. If requested, an employee will be allowed to review the preferred assignment registers and the employee's own preferred assignment selection form(s). If the employee does not submit a change in preferred assignment selections during this period, existing preferred assignment selections shall continue.
3. Newly established or vacant duty assignments shall be filled by senior employees on the appropriate preferred assignment registers. The relative standing for employees on the appropriate preferred assignment register shall be:

- a. employees by preferred assignment seniority who entered a particular occupational group and level in an installation prior to June 25, 1992, followed by
 - b. employees by preferred assignment seniority who entered a particular occupational group and level in an installation on or after June 25, 1992.
4. All vacant or newly established craft duty assignments shall be filled from a preferred assignment register established on the basis of assignment selection forms submitted by Maintenance Craft employees.
5. Where a vacant or newly established duty assignment cannot be filled from an established preferred assignment register, and the assignment is to be filled by means of a promotion, selection shall be made from the appropriate promotion eligibility register.
6. An employee may submit a new or amended preferred assignment selection form in the following situations:
- a. the employee is promoted;
 - b. the employee's duty assignment is eliminated;
 - c. the duty assignment would result in the employee being assigned closer to the employee's place of residence;
 - d. because of substantiated medical or health reasons whereby continuation in the employee's present assignment would be harmful;
 - e. three times during each calendar year, an employee may submit additional preferred assignment selection forms. The times selected for submitting the additional preferred assignment selection forms shall be at the option of the employee.
7. When a part-time regular employee submits a preferred assignment form for a full-time regular position within the employee's salary level and occupational group, the employee will be awarded the vacant duty assignment before promoting a full-time employee from a lower salary level and occupational group, or before any lateral transfer, providing that the part-time regular is senior to the full-time employee in the lower level.
8. Any unassigned employee who fails to submit a preferred assignment selection form, or who fails to be awarded a duty assignment of his choosing may be assigned to any vacant duty assignment.

9. Employees shall be notified in writing, within 15 calendar days of entering the Maintenance Craft in an Installation, that they have 30 days in which to apply for and be placed on the appropriate preferred assignment register.

10. After all employees within an occupational group and level have been assigned pursuant to a notice of intent, consideration for filling the residual vacancy will be given to a higher level qualified employee who has previously submitted a written request for assignment to a lower level.

11. An employee who is listed on the appropriate register for a vacant assignment shall have the right to withdraw a preferred assignment or promotion selection, in writing, at any time, but not later than the closing time (hour and date) for the posting of the notice of intent. Such withdrawal, to be effective, should be back-stamped."

Any regular position will be reposted if a change is made of more than two hours from the original posted start time. If the start time of a regular position is to be changed by two hours, the job shall be reposted unless the incumbent accepts the change.