

American Postal Workers Union, AFL-CIO

1300 L Street, NW, Washington, DC 20005

April 6, 2010

Article 15 - 15 Day Statement of Issues and Facts

Michael O. Foster
Assistant Director
MVS Division
1300 L Street, NW
Washington, DC 20005
(202) 842-4240 (Office)
(202) 842-8517 (Fax)

National Executive Board

William Burrus
President

Cliff Guffey
Executive Vice President

Elizabeth "Liz" Powell
Secretary-Treasurer

Greg Bell
Director, Industrial Relations

James "Jim" McCarthy
Director, Clerk Division

Steven G. Raymer
Director, Maintenance Division

Robert C. "Bob" Pritchard
Director, MVS Division

Bill Manley
Director, Support Services Division

Sharyn M. Stone
Coordinator, Central Region

Mike Gallagher
Coordinator, Eastern Region

John H. Dirzius
Coordinator, Northeast Region

William E. "Bill" Sullivan
Coordinator, Southern Region

Omar M. Gonzalez
Coordinator, Western Region

Mr. Doug Tulino
Vice President, Labor Relations
U.S. Postal Service, Room 9014
475 L'Enfant Plaza
Washington, D.C. 20260

Re: APWU No. HQTV20100066 , USPS No.
Cert. No. 7007 2560 0003 2183 2970

Dear Mr. Tulino:

There was no meeting held on the above-referenced dispute. The Employer did not meet nor did they seek to request an extension. In accordance to the provisions of Article 15, Section 2 (Step 4) of the Collective Bargaining Agreement, the Union is providing the Postal Service with a statement of writing of its understanding of the issues involved, and the facts giving rise to the dispute.

The following is the APWU's statement of issues and facts concerning this dispute.

The USPS has unilaterally implemented an unachieved demand from the 2006 National contract negotiations by the abolishment of residual MVS Craft PS-6 Tool and Parts Clerk positions and establishing Level 6 MVS General Clerk positions. (These positions were previously PS Level 5 before the 2006 contract negotiated upgrades).

During the 2006 National negotiations, the Postal Service proposed several changes to the provisions of Article 39.2.A.11.A of the Collective Bargaining Agreement.

1. The Postal Service proposed to remove the Time and Attendance Clerk, SP 1-29, PS-5; Tool and Parts Clerk, SP 1-31, PS-5 from the contract. Upon Union inquiries, the response was that the position had already been eliminated. The Union submitted request for information that demonstrated the elimination of these positions in the craft and the notice to the Union. The Employer failed to produce any such documentation.

Doug Tulino
April 6, 2010
Page 2

re: Article 15 – 15 Day Statement of Issues and Facts (Tool and Parts Clerk position)

2. USPS proposal: E-39.5; Subject: Motor Vehicle Craft - VMF Clerk position consolidation.

Issue: “The Vehicle Maintenance Facilities (VMF) are currently provided administrative support, supply inventory control and repair parts inventory management through clerical support staff. These clerk positions were created through past requirements based upon work practices, processes and policies related to supporting the Postal Service’s vehicle fleet. There are currently five clerical position descriptions in the VMF in support of the administrative, supply and repair parts inventory functions. Due to automation and computerization, the five separate and distinct clerical positions are no longer needed.”

Solution: “Provide increased flexibility by converting five clerk titles into a single clerk position within the VMFs.” The Postal Service also submitted the following proposal to the Union on November 20, with three (3) options.

Option A:

Change Article 39.2.A.11. as follows:

Single position with save pay for PS-6 and PS-7 positions downgraded

Position	To be filled by Senior Qualified
Tools and Parts Clerk, PS-5	All Motor Vehicle Craft Employees
Time & Attendance Clerk SP 1-29, PS-5	All Motor Vehicle Craft Craft Employees
Storekeeper Automotive Parts, SP 5-46, PS-6	All Motor Vehicle Craft Employees
Storekeeper Automotive Parts, SP 5-66, PS-7	All Motor Vehicle Craft Employees
General Clerk VMF PS-5	All APWU Craft Employees

Doug Tulino
April 6, 2010
Page 3

re: Article 15 – 15 Day Statement of Issues and Facts (Tool and Parts Clerk position)

Option B:

Change Article 39.2.A.11. as follows:

Three positions, three pay grades – no up grades/no save grade

General Clerk position to be filled by Best Qualified method.

Administrative Clerks to be consolidated into Storekeeper Automotive Parts, PS 5-46, PS-6. All other clerks not listed would be consolidated into the approved title with the same PS level as the current position.

Position	To be filled by Senior Qualified
Tools and Parts Clerk, PS-5	All Motor Vehicle Craft Employees
Time and Attendance Clerk, SP 1-29, PS-6	All Motor Vehicle Craft Employees
Storekeeper Automotive Parts, SP 5-46, PS-6	All Motor Vehicle Craft Employees General Clerk VMF PS-5
Storekeeper Automotive Parts, SP 5-66, PS-7	All Motor Vehicle Clerk Employees General Clerk VMF PS-5 Storekeeper Automotive Parts SP 5-46, PS-6

Option C:

Change Article 39.2.A.11. as follows:

No change to Article 39.2.A.11

No Upgrades

These proposals during the 2006 negotiations were rejected by the APWU MVS Craft.

The Employer has systematically abolished the Tool and Parts Clerk residual vacancies and replaced the position with VMF General Clerks.

Doug Tulino
April 6, 2010
Page 4

re: Article 15 – 15 Day Statement of Issues and Facts (Tool and Parts Clerk position)

As of November 2006 Negotiations, the number of Level 5 Tool and Parts Clerks in the Motor Vehicle Craft were 173 employees.

The number of General Clerks were 288 (Level 5) and 13 (Level 6) for total of 301 General Clerks. As of March, 2010, there are 135 Tool and Parts Clerks.

The number of General Clerks has increased to 352 as of March, 2010. The functional purpose of the General Clerk and the Tool and Parts Clerk and the Storekeeper are distinctly different as outlined in the Qualification Standards and the Standard Position Descriptions.

Document Q6904A Dated November 30, 2003
<p style="text-align: center;">Bargaining Unit Qualification Standard 6904 A (6904-01XX) Tool and Parts Clerk – Level 5</p>
Document Date: November 30, 2003
Function:
Requisitions, receives, stores, issues, and accounts for a wide variety of parts, tools, and supplies used in the maintenance of motor vehicles.
Description of Work:
See the Standard Position Description for the Occupation Code given above.

STD Position Description	U.S. Postal Service
Tool & Parts Clk PS-05	
Functional Purpose	
Requisitions, receives, stores, issues, and accounts for a wide variety of parts, tools and supplies used in the maintenance of motor vehicles.	

Doug Tulino
 April 6, 2010
 Page 5

re: Article 15 – 15 Day Statement of Issues and Facts (Tool and Parts Clerk position)

Bargaining Unit Qualification Standard 0300d (0301-09XX) Administrative Clerk, VMF – Level 6) (0301-47XX) Clerk, Vehicle Dispatching - Level 5) (0305-03XX) File Clerk – Level4) (0301-48XX) General Clerk, VMF – Level 5) (0301-01XX) Office Clerk – Level 4) (0301-05XX) Office Clerk, Custodial – Level 5) (0301-04XX) Office Clerk, Vehicle Operations – Level 5) (0301-94XX) WLRs Control Clerk – Level 5	
Document Date: December 31, 1990	
Function:	
Administrative Clerk, VMF:	Performs a variety of responsible clerical and routine administrative duties in a motor vehicle maintenance facility
Clerk, Vehicle Dispatching:	Performs clerical functions related to vehicle dispatching activities at a post office for scheduled, nonscheduled, and emergency vehicle service.
General Clerk, VMF:	Performs a variety of clerical duties relating to the maintenance of vehicles.
Description of Work: See the Standard Position Description for the Occupation Codes given above.	

STD Position Description	U.S. Postal Service
General Clerk, VMF, PS – 05	
Functional Purpose	
Performs a variety of clerical duties relating to the maintenance of vehicles.	
Duties and Responsibilities	
11. Assists in the storage and issuance of tools, parts and supplies	

The only reference to the General Clerk’s involvement in the Stock Room is in number 11, of the Duties and Responsibilities where it says, “**Assists** in the storage and issuance tools, parts and supplies (assists has been bolded for emphasis).

Doug Tulino
April 6, 2010
Page 6

re: Article 15 – 15 Day Statement of Issues and Facts (Tool and Parts Clerk position)

The parties at the National level have further agreed upon an example of a valid reason for abolishment in the Motor Vehicle Craft in the Joint Contract Administration Manual (JCIM). Article 39 Questions and Answers #12.

What is an example of a valid reason for abolishing a motor vehicle craft duty assignment?

Response: On the effective date of the abolishment, the majority of the work assigned to that duty assignment would no longer be performed.

In the field, VMF Operations efforts to fill residual Tool and Parts Clerk positions are being denied with instructions to abolish these positions and create General Clerk positions. Local Union officials have also been provided with copies of internal postal documents with the instructions.


Selection Method NF- (Do not fill position – restricted to incumbent only)

Selection Requirement CR (Do not fill position without specific authorization from customer requirements, Human Resources Headquarters.

Along with the statements that they have been prohibited from filling residual Tool and Parts Clerk positions.

Please contact me if you wish to discuss this matter.

Sincerely,


Michael O. Foster
Case Officer

APWU #: HQTV20100066
USPS #:

Dispute Date: 2/19/2010
Contract Articles: ;

cc: Industrial Relations

MOF:ndh//opeiu#2//af1-cio