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AMERICAN POSTAL WORKERS UNION

2024 Pre-Convention Workshop



POSTAL SUPPORT EMPLOYEES
IN THE CLERK CRAFT



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Definition of a PSE

- The PSE workforce will be comprised of non-career bargaining unit employees which is the only category of non-career employees established to work within APWU bargaining units.

MOU, Appendix A
Article 7, Section 1

Hiring PSEs

- PSEs shall be hired from an appropriate register pursuant to such procedures as the employer may establish not to exceed 360 calendar days per appointment and is based on operational need.
- PSEs are placed on the standing on the rolls in their hiring installation based on date and test score. Only if there are more than one hired PSE on the same date with the exact same test score does the principles of Article 37.2.D.4 apply –Seniority Tie Breakers

PSEs will have a break in service of at least 5 days, if reappointed.

5-Day Break

- There's no requirement that the "5-day break" occur on the 360th day.
- As long as PSEs have no break of more than 5 days, they will become eligible for FEHB health insurance after completion of a 360-day term.
PSEs are now eligible for USPS health insurance on day one.
- There is no intent to separate a PSE more than 5 days to disallow health benefits.

- Management has occasionally failed to give PSEs their 5-day break at the end of the 360 days. Working the PSE continuously beyond their 360-day appointment, without the 5-day break, is a violation of the CBA.

5 Day Break (continued)

- **DO NOT ASK TO HAVE THE PSE CONVERTED!**

The proper remedy is to compensate the bargaining unit for all hours worked by that PSE in violation of the contract.

Postal Support Employee PSE District Caps MOU

- The USPS and APWU agree to expand the PSE District Cap by an additional 10 PSEs per each of the 46 Package Support Annexes (PSAs) identified in the list. The 460 additional PSE employees may be assigned to work in any facility within the installation.
- Grade 6 PSEs assigned to a Level 4 RMPO will not count against the applicable cap.

Postal Support Employee **PSE District Caps MOU** (continued)

- In addition to the exception period in accounting periods 3 and 4 there will be 4 weeks preceding AP 3 during which the PSE cap will be temporarily increased for both Function 1 and Function 4. The cap exception will increase by 1% each week, starting with a 1% increase to the cap in week 1, and an additional 1% in week 2 to equal a 2% increase, an additional 1% in week 3 to equal a 3% increase, and an additional 1% in week 4 to equal a 4% increase.

CBA – Pg 307-309

PSE Caps

PSEs can be hired in the clerk craft as follows:

1. District Cap
 - a. 20% of career Mail Processing (F1) Clerk Craft Employees in the District, except in accounting periods 3 and 4.
 - b. 20% of career Retail/Customer Service (F4) Clerk Craft Employees in the District (These PSEs may be used in F-1 without counting against the F1 cap).
 - c. District Caps are monitored and enforced at the HQ Level.

PSE Caps (continued)

There are two different Clerk Craft PSE Caps

1. District Cap
2. Installation Window Cap
 - a. 10% of career window clerks in PO, Level 22 and above
 - b. 20% of career window clerks in PO, Level 21 and below
 - c. Rounding-up rule of 0.5 and above applies
 - d. Installation window caps are monitored and enforced at the Local level

Counting Window PSEs

- USPS Report includes all PSE SSDAs (D/A 81-4 in F₄).
- If PSE (81-4) is not window trained and does not work the window D/A should be corrected to 81-3. If PSE 81-3 is working the window their D/A should be corrected to 81-4.
- Report has been updated to include borrowed PSEs who are loaned (HUB Clerks) into an office and must be monitored locally.

Hiring PSEs

Counting Window PSEs

THE APPROPRIATE REMEDY

In any grievance where someone performs clerk craft work in violation of the CBA, to include PSE violations under Article 7, the appropriate remedy is to compensate the appropriate bargaining unit employees for all time spent performing our work in violation of the CBA.

Hiring PSEs

“When the hours worked by a PSE on the window demonstrates the need for a full-time preferred duty assignment, such assignment will be posted for bid within the section.”

Article 7.1.B.6

This does not apply to PSEs covering an already established duty assignment (i.e., Temporarily vacant or covering a clerk on long-term sick leave, etc.).

Hiring PSEs **The New Work Defined**

PSEs will not be counted towards the allowable percentages of PSEs within the District when employed for new work that is brought into the bargaining units covered by this Agreement.

Hiring PSEs

The New Work Exception

- New Work exception in the Clerk Craft applies to PSEs hired to perform work in any former Contract Postal Unit (CPU) that is brought back in house, unless it is a full-service unit or it primarily provides postal services.
- “New Work” does not include “in-house” work which has historically been recognized as belonging to the bargaining unit.

Monitoring PSE Caps

Article 7.1.B.9

- The Postal Service provides a report, for every four-week reporting period, with information needed to monitor compliance with the preceding cap provisions above.

7. Any non-APWU bargaining unit employee on light or limited duty in an APWU craft or on a rehabilitation assignment in an APWU craft who does not hold a bid assignment will not be counted as a career employee for the purpose of determining the number of PSEs who may be employed in that APWU craft.

i.e., the total number of career bargaining unit employees and PSEs by craft, function, installation and District.

Separation of PSEs for Lack of Work

- Clerk Craft PSEs may be separated for lack of work based upon inverse standing in the clerk craft on the roll in the installation.
- PSEs will be returned based upon their craft standing on the roll in the installation.

Re-appointment of PSEs Separated for Lack of Work

These PSE(s) separated for lack of work during or upon completion of their term of appointment **will be given reappointment ahead of other PSEs with less relative standing on the PSE roll (or hiring a new PSE)** in the installation if the need for hiring arises within one (1) year of separation.

PSE Reappointment MOU – Page 283-284 2021-2024 CBA

PSE Separation

PSEs may be separated for lack of work at any time. When a senior PSE completes their 360 days , and a junior PSE in the installation remains employed, the senior PSE must be re-hired. If management determines to let someone go for lack of work, it would be the junior PSE.

**MOU: Postal Support Employee (PSE) Reappointment
Dated 8/13/13 Between Mike Morris, DIR and Patrick
Devine, Manager, USPS Contract Administrator –
Pages 283-284 of the 2021 CBA**

PSE Conversion Opportunities

- Career employees may be hired from appropriate hiring lists only when there are no PSEs on the appropriate roll in the installation eligible for conversion to career.
- PSEs will be converted to career in the clerk craft based upon their standing on the rolls in the installation.
- Changing crafts alters the PSE standing on the appropriate roll.

PSE Conversion to Career

2021-2024 CBA – Article 7.1.B.3

With the exception of PSEs in Level 4 RMPOs, and if not converted earlier, PSEs will be automatically convert to career after they reach 24 months of relative standing. See also MOU, Re: Postal Support Employee (PSE) Automatic Conversion to Career.

CBA, Art. 7.1.B.3 - Page 19
MOU page 310 of CBA

Clerk Craft PSE/PTF Opportunity to Decline Conversion in POStPlan Level 4 RMPO Offices

When the opportunity for conversion to career status occurs for Postal Support Employees (PSEs), to PTF vacancies and full-time residual vacancies, such PSEs permitted the opportunity to decline the conversion. These opportunities to decline the above-referenced conversions are limited to PSEs in Level 4 Remotely Managed Post Offices (RMPOs) within their current bid cluster.

Clerk Craft PSE and PTF Opportunity to Decline Conversion in POStPlan Level 4 RMPO Offices
MOU – March 29 2023

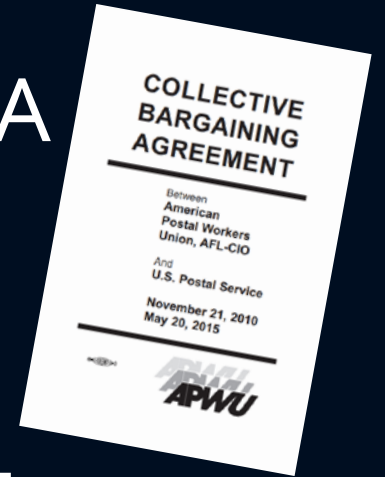
Employed in Another Installation

- A PSE who wishes to be employed in another installation must apply and be selected off the appropriate hiring list, in accordance with normal hiring procedures.
- This should incur a “One Day Break”.

Dean/Burelson signoff 1/5/2018



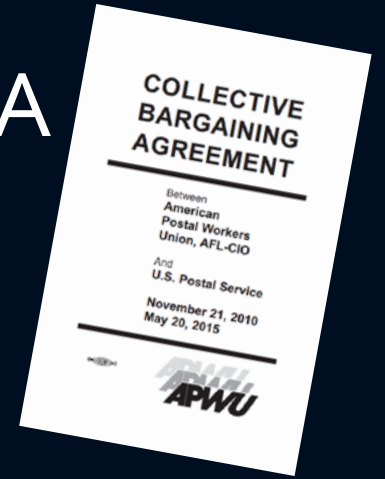
Articles that Apply to PSEs in the 2010 CBA



- Article 1, Union Recognition applies to PSEs.
- Article 2, Non-discrimination and Civil rights applies to the PSEs.
 - The USPS hiring process is governed by the Rehab Act of 1973 and prohibits discrimination against applicants with disabilities, including those who are deaf or hard of hearing.
- The Postal Service will not discriminate against the hiring of PSEs on the basis of race, color, religion, sex, national origin, age, or disability.

ELM, Section 311.12
Page 272, 2021 CBA

Articles that Apply to PSEs in the 2010 CBA (continued)



- Article 3 Management Rights, applies to PSEs

MOU, Page 272, 2021 CBA

- Article 5 Prohibition of Unilateral Action, applies to PSEs

MOU, Page 272, 2021 CBA

- Article 6 No Layoffs or Reduction in Force

- Prior to reassignment under Article 6, or layoff and reduction in force of excess employees within the installation the employer will, to the fullest extent possible, separate all PSEs.

CBA – Art. 6

Article 7

- Article 7 Employee Classification (as previously discussed).
- Article 7.1.B.3 – PSE Conversion to Career
 - With the exception of PSEs in Level 4 RMPOs, and if not converted earlier, PSEs will automatically convert to career after they reach 24 months of relative standing.



PSE Conversions to FTF / PTF

- In Level 21 and above offices - PSEs will be converted to Full-Time Flexible employees. Full-Time Flexible employees and unassigned regular employees are considered unencumbered employees.
- In Level 20 and below offices – PSEs will be converted to PTF employees.
- The conversion date will be the first day of the third full pay period after the 24-month requirement is reached.

Articles 7 & 8

Employee Work Schedule

Week From: To:

Employee	Job / Shift	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Total

Schedule

Employee number

- Article 7 Employee Classification (as previously discussed)
- Article 8 Hours of Work for PSEs
 - A. The employee's service week shall be a calendar week beginning at 12:01 am, Saturday and ending at 12 midnight the following Friday.

Articles 7 & 8 (continued)

B. The employee's service day is the calendar day on which the majority of work is scheduled. Where the work schedule is distributed evenly over two calendar days, the service day is the calendar day on which such work schedule begins.

A and B are the only items in
Article 8.2, Work Schedules
that apply to PSEs.

Article 8

Section 3. Exceptions

All PSEs will be offered a minimum of one (1) nonscheduled day each service week, except during the peak season exception period. Management will notify PSE employees of their assigned nonscheduled day by the Wednesday preceding the service week.

Article 8

Overtime Rules for PSEs

Article 8, Section 4, Overtime Work

- PSEs shall be paid overtime for work performed only after eight (8) hours on duty in any one service day or forty (40) hours in any service week.
- Overtime pay for PSEs is to be paid at the rate of one and one-half ($1\frac{1}{2}$) times the basic hourly straight time rate.
- The current OT rate for a Level 6 PSE is \$30.07.



Article 8.4

Overtime Work

- For instance, a PSE can work more than 5 days in the service week and as long as they do not exceed more than 8 hours on any service day there is no violation or impact to the Overtime Desired List employees.



- It is **NOT** a violation for PSEs to work more than 40 hours in a service week prior to utilization of the Overtime Desired List.

Article 8.4

Overtime Work

Prior to utilizing a PSE in excess of 8 work hours in a service day, full time employees on the appropriate OTDL who are qualified and available, will be utilized to perform such work in the order of their seniority on a rotating basis, to include up to 12 hours in a service day.

CBA, MOU, Pages 276-277



Explanation



- Prior to the 2010 CBA, the postal service was prohibited from working non-career (casual) employees over 8 hours in a service day or 40 hours in a service week before maximizing the overtime desired list.
- That prohibition changed with the 2010 contract.

The PSEs cannot be worked over 8 hours in a service day prior to maximizing the overtime desired list to the greatest extent possible, but that is the ONLY overtime violation.

PSE and Penalty Overtime

Articles 8.4.C, 8.4.E, and 8.4.F of the CBA related to penalty OT will apply to PSEs. Excluding December, PSEs will receive penalty overtime pay for all work in excess of ten (10) hours in a service day or fifty-six (56) hours in a service week. Wherever two or more overtime premiums appear applicable there shall be no pyramiding and only higher of the PSE's applicable rate shall apply.

PSE Workforce Benefit Fund Settlement 6-13-2018



Work Hour Limitations

- The overtime limits of Article 8.5.G apply only to FTRs and FTFLXs. Part 432.32 of the ELM provides the following rule: Except as designated in labor agreements for bargaining-unit employees or in emergency situations as determined by the PMG, PTFs may not be required to work more than twelve hours in one service day. The total hours of daily service, including scheduled work hours, overtime, and mealtime, may not be extended over a period longer than 12 consecutive hours.
- The restrictions of Section 432.32 of the ELM apply to PSEs.

JCIM 2022, Work Hour Limits–pg.52

MOU

Overtime Administration Prior to Peak Season

During the 4 week period prior to AP 3, when an opportunity exists for overtime for qualified and available full-time employees doing similar work in the work location where the employees regularly work, prior to using a PSE in excess of 8 hours in a service day or 40 hours in a service week, such qualified and available FTR employees on the appropriate OTDL will be selected to perform such work in order of their seniority on a rotating basis up to 10 hours in a day or 56 hours in a service week.

Article 8.7

Night Shift Differential for PSEs

For time worked between the hours of 6:00 PM and 6:00 AM, PSE employees shall be paid an additional compensation at the applicable flat dollar amount at each pay grade and step in accordance with the table (Table Three).



PSE Night Differential Rate

Article 9, Table 4.2 (page 39) of the CBA



<u>Grade</u>	<u>Hourly Rate</u>
5	\$1.05
6	\$1.12
7	\$1.19
8	\$1.21

Work Hour Guarantees for PSEs

Section 8.D.

- Any PSE who is scheduled to work and who reports shall be guaranteed four (4) hours of work or pay in a facility of 200 or more work-years.
- Any PSE who is scheduled to work and who reports shall be guaranteed two (2) hours of work or pay in a facility of less than 200 or more work-years.
- No guarantee applies when the PSE is notified prior to reporting to work that the previously scheduled work-day is cancelled.

Wash-up Time for PSEs



- Installation heads shall grant reasonable wash-up time to those employees who perform dirty work or work with toxic materials. The amount of wash-up time granted to each employee shall be subject to the grievance procedure.
- The preceding paragraph, Article 8.9, shall apply to PSEs.

Article 8, Section 9, Wash-Up Time

Article 9

PSE Hourly Pay Rates

Hourly rates for PSEs on the effective date of November 19, 2022 in the CBA :

<u>Grade</u>	<u>Hourly Rate</u>
5	\$19.35
6	\$20.48
7	\$21.68
8	\$22.09



Article 9

PSE Hourly Pay Rates

- The hourly rates for PSEs shall be adjusted by the general increases provided for in Article 9.1. PSEs will receive the following wage adjustments:

PSEs will receive annual 1% wage increases in addition to the general wage increases provided above for career employees (i.e., 2.3%, 2.3%, and 2.3%).

- PSEs will also receive wage increases in addition to the general and annual increases above as follows:
 - \$0.50 per hour effective on April 9, 2022
 - All percentage increases are applied to the wage rates in effect September 20, 2021.

Exception to Hourly Pay Rate for PSEs

Should it be necessary for recruitment or retention of PSEs, the Postal Service may pay higher hourly rates, with the concurrence of the Union. Whenever contracting or in-sourcing is under consideration **the Union may propose different hourly rates for competitive purposes.**



Article 9

- Postal Support Employees (PSEs) will receive general increases and wage adjustments in accordance with the PSE MOU and Article 9.7.
- PSEs do not receive COLAs or step increases.
- A PSE will be paid at the level for which they were hired when performing lower level work.
- A PSE who performs higher level work will be paid at the higher level.

Article 10

Leave



- PSEs are provided annual leave for rest, recreation, emergency purposes and illness or injury.
- PSEs do not earn sick leave.
- PSEs earn annual leave based on the number of hours they are in a pay status in each pay period. Their rate of accrual is one hour for each unit of 20 hours in a pay status in each pay period.

Article 10 Leave

- Any employee (to include PSEs) who's appointment is made effective after the first Monday of a pay period, does not receive leave credit during that pay period.
- A separating PSE (including a 5 day break in service) receives a lump sum payment for accumulated annual leave subject to the following conditions:

Partial Pay Period . ELM 512.313.c(1)

Article 10 Leave

- A PSE whose separation is effective before the last Friday of a pay period, does not receive credit or terminal leave pay for the leave that would have accrued during that pay period.
- Except for emergencies, annual leave for PSEs must be requested on Form 3971 and approved in advance by the appropriate supervisor, in the same manner as career employees.

2021-2024 CBA PSE MOU

Attachment A – PSE Annual Leave Provisions –

1. Accrual of Annual Leave

In all Level 4 RMPOs, upon completion of two 360-day appointments, and immediately upon reappointment to any subsequent appointment thereafter, PSEs will earn one additional hour of leave per pay period.



MOU, Page 288

2021-2024 CBA PSE MOU

2. Credit at Beginning of Appointments

- a. In all non-POStPlan offices including APOs, upon completion of an initial 360-day appointment as a PSE and immediately upon reappointment to any subsequent appointment thereafter, PSEs will be advanced 40 hours of annual leave. Upon initial implementation, PSEs will receive annual leave prorated to the end of their 360-day term.



MOU, Page 288

2021-2024 CBA PSE MOU

2. Credit at Beginning of Appointments

b. In all Level 4 RMPOs, upon completion of two 360-day appointments, and immediately upon reappointment to any subsequent appointment thereafter, PSEs will be advanced 40 hours of annual leave. Upon initial implementation, PSEs will receive annual leave prorated to the end of their 360-day term.



MOU, Page 289

PSEs and Leave without Pay

- PSEs may apply for Leave Without Pay (LWOP) without exhausting their annual leave.
- Approval/Disapproval of LWOP is at management's discretion per ELM 514.22.



Unscheduled Absences



- PSEs are under the same obligation as career employees to maintain their assigned schedule and make every effort to avoid unscheduled absences.
- In addition, PSEs must provide acceptable evidence for absences when required.

PSEs and FMLA

PSEs who meet eligibility requirements – employment with the USPS for an accumulated total of 12 months over the past 7 years (including any prior career or non-career service) and have worked a minimum of 1250 hours (including any prior career or non-career service) during the 12-month period immediately preceding the date the leave begins – are eligible for FMLA protected leave.

JCIM, Article 10



Military Leave

Non-career employees, such as PSEs are permitted to be absent for military leave; but are not eligible for paid military leave in accordance with section 517.22 of the ELM.

ELM 517.22 PSE Military Leave



Wounded Warrior Leave



- PSEs who meet the requirements of a single or combined service-connected disability rating of 30% or more are eligible for WWL.
- They are credited with 104 hours of WWL following supporting documentation retroactive to the first day of their EOD date or current leave year.
- Eligible PSEs are credited 104 hours of WWL on the first day of each leave year for use until the last day of the Leave Year. Any leave not used during the leave year is not carried over.



Holiday Pay for PSEs

PSEs receive holiday leave pay for 6 major holidays which are subject to eligibility guidelines in Art. 11.2:

- New Year's Day
- Memorial Day
- Independence Day – 4th of July
- Labor Day
- Thanksgiving Day
- Christmas Day

Holiday Pay for PSEs (continued)

- PSE holiday pay will be paid as follows:
- 200 Man Years offices – 8 hours
- POStPlan offices – 4 hours
- All other office – 6 hours

PSEs who work on a holiday may, at their option, elect to have their annual leave balance credited with 4, 6, or 8 hours as applicable of annual leave in lieu of receiving holiday leave pay.



Article 11

Holiday Scheduling and PSEs



PSEs will be scheduled for work on a holiday or designated holiday after all FT volunteers are scheduled to work on their holiday or designated holiday.

JCIM, Article 11
CBA, Section 6.D

Article 11 (continued)



- PSEs will be scheduled to the extent possible prior to any FT volunteers or non-volunteers being scheduled to work a non-scheduled day or any FT non-volunteers being required to work their holiday or designated holiday.
- If the parties have locally negotiated a pecking order that would schedule full-time volunteers on a non-scheduled day the LMOU will apply.

MOU, Article 11, Holidays

Article 11 (continued)



- When the LMOU does not establish a pecking order, the following should be used to select employees to work on a holiday:

PSEs should be scheduled to work the holiday *after* all part-time flexibles and all full-time and part-time regular employees who possess the necessary skills and who volunteered on their holiday or designated holiday have been scheduled.

Article 11 (continued)



PSEs should be scheduled prior to:

- All full-time and part-time regular employees who possess the necessary skills ... who volunteered ...on their non-scheduled day...
- Full-time regular employees who do not volunteer ...for their non-scheduled day...
- Full-time regular employees who do not volunteer ...for their holiday or designated holiday...

Article 12

Article 12 Principles of Seniority, Posting and
Reassignments.....47

- Newly converted PSEs are subject to a ninety (90) day probationary period unless they have completed one full term as a PSE.
- It was previously two years but on 7/29/16 it was reduced to one year.
- In order to minimize the impact on employees in the regular work force, the Employer agrees to separate, to the extent possible, PSEs working in the affected craft and installation.

Opting

In the clerk craft, in an office that has residual vacancies that are not under any Article 12 withholding, PSEs will be permitted to opt for these residual duty assignments, based on their standing on the applicable PSEs roll. Such opting does not create any work hour or work assignment guarantees.

Pages 286-287, 2021 CBA

Article 12

In addition to those residual duty assignments into which PSEs have opted to occupy, the parties shall identify the existence of any other duty assignments occupied by PSEs in order to minimize the impact of excessing on full-time career employees in the regular work force.

Article 12.5.B.2, JCIM Art. 12, page 11



Article 13

- Article 13 does not apply to PSEs, however Article 13 does not prohibit the assignment of PSEs to light duty.

NOTE: Any non-APWU bargaining unit employee on light or limited duty in an APWU craft or on a rehab assignment will not be counted as a career employee for the purpose of determining the number of PSEs who may be employed in that APWU craft.



Article 15



- Article 15 shall apply to PSEs.
- The parties recognize that PSEs will have access to the grievance procedure for those provisions which the parties have agreed apply to PSEs.
- Nothing herein will be construed as a waiver of the employer's obligation under the National Labor Relations Act. PSEs will not be discharged for exercising their rights under the grievance-arbitration procedure.

Article 15

- The separation of PSEs upon completion of their 360-day term and the decision to not reappoint PSEs to a new term are not grievable.

PSEs may be separated for lack of work at any time. Such separation is not grievable except where it is alleged that the separation is pretextual.

- PSEs separated for lack of work before the end of their term **will be given preference for reappointment** ahead of other applicants who have not served as PSEs if the need for hiring arises within one (1) year of their separation.



Article 16.10

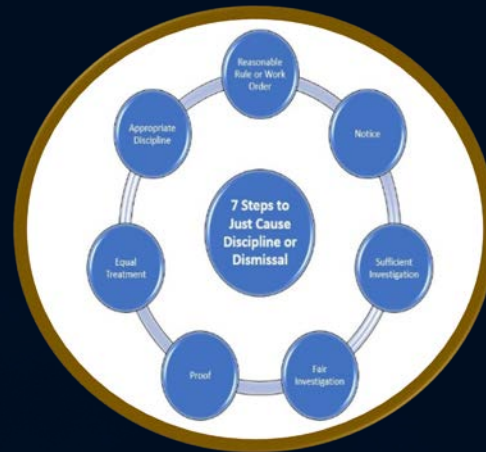
PSEs may be disciplined or removed within the term of their appointment for just cause and any such discipline or removal will be subject to the grievance-arbitration procedure, provided that within the immediately preceding six months, the employee has completed ninety work-days, or has been employed for 120 calendar days, whichever comes first.

In the case of removal for cause within the term of an appointment, a PSE shall be entitled to advance written notice of the charges against him/her in accordance with the provisions of Article 16 of the National Agreement.

Article 16.10 of the JCIM

Article 16

- In accordance with the JCIM an appropriate element of just cause is that discipline be corrective in nature, rather than punitive. Our position is corrective (progressive) discipline applies to PSEs.



MOU PSE Discipline 2013
JCIM, Article 16, page 7

- The parties agree that PSEs will not be non-scheduled because of misconduct as a substitute for discipline which would otherwise be appropriate.

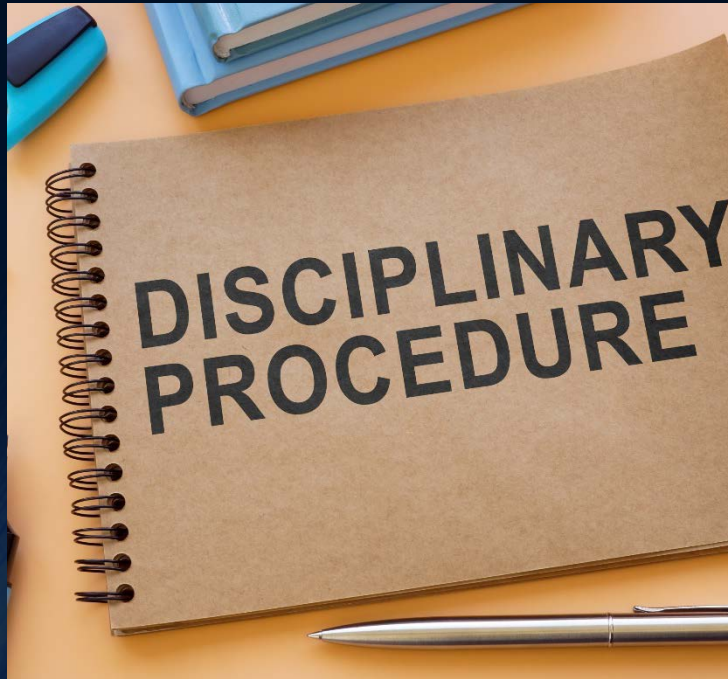
PSEs with Veteran Preference Ratings

PSEs with Veteran Preference are not entitled to a proposed Letter of Removal when the Postal Service issues them a removal notice because the law states the employee **must have worked 365 continuous days** before they are eligible for those rights.

5 CFR Section 752.401 and 752.404



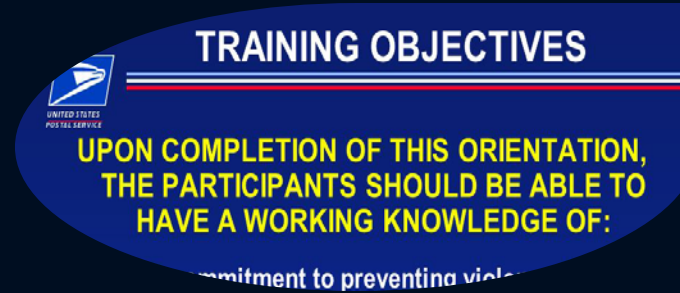
PSE Discipline upon Promotion



- The UNION has always taken the position that once a PSE is promoted to career, they start with a clean slate of progression for disciplinary purposes.
- Discussion
- Letter of Warning
- Seven (7) day suspension
- Fourteen (14) day suspension
- Removal

There is now a NATIONAL LEVEL ARBITRATION AWARD stating just that.

Article 17



- The APWU bargaining unit is entitled to be provided ample opportunity to address new employees. In addition, the Union has a right to meet with the PSEs when they are first hired and when they reach their first 365 days of employment to explain to them how to sign up for health insurance as well as their eligibility to join the APWU's consumer driven plan.
- ELM - 715.2 Postal Orientation
 - An orientation program is required for newly hired career employees at all levels on their first day of official duty.



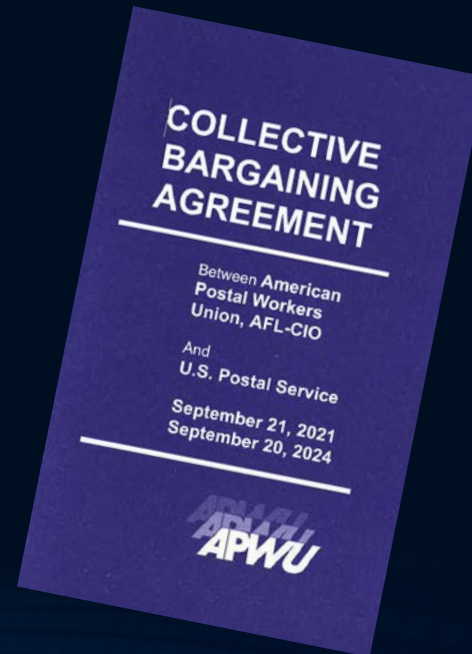
Article 17.2 Stewards

- PSEs can serve as APWU stewards in accordance with Article 17.2 of the CBA.
- PSEs who serves as an APWU steward do have rights over other PSEs when it is necessary to let PSEs go because of lack of work or when there is an opportunity to bring PSEs back to work.
- The rights of a PSE steward do not impact conversion to career.

Article 19

Handbooks and Manuals

Article 19 applies to PSEs for all published handbooks and regulations which relate directly to wages, hours, or working conditions only to the extent of the rights negotiated for PSEs within the Collective Bargaining Agreement.



PSEs and Training

- PSEs are entitled to compensation for all expenses incurred when they are directed to attend training for their job assignments.



- This includes compensation for any travel time and mileage, if applicable.

Article 36

Health Plan Eligibility

USPS Plan

In April 2016, an agreement was reached between the APWU and the USPS that now provides PSEs some health insurance benefits within the first year of employment. New hire PSEs are eligible to enroll beginning on their enter on duty date. Coverage will take effect the pay period after their election is processed. This information should be communicated during orientation. Plus, they should receive a new hire kit in the mail. As of 1/1/22 the USPS Plan available to PSEs is CareFirst BlueCross/BlueShield.

Health Plan Eligibility

USPS Plan (continued)

Under the terms of the agreement the USPS will contribute at least \$125 per pay period toward the cost of the insurance. This benefit applies to all PSEs regardless of the number of hours they work. The Affordable Care Act required employees to work a minimum of 30 hours per week. After the first 360-day appointment, PSEs can switch to the APWU Consumer Driven Health Plan, then USPS pays 75% of the total premium for self-only, self-plus-one, and self-and-family.

Health Plan Eligibility

PSEs are eligible for FEHB health benefits after the first 360-day appointment and upon reappointment to another 360-day term. If a PSE is appointed for less than 360 days, they become eligible for health benefits upon serving a year without a break in service for more than 5 days, in accordance with OPM regulations.

Health Plan Eligibility

- If a PSE, upon eligibility, enrolls in the APWU Self or Family Consumer Driven Health Plan, the Postal Service will pay 75% of the cost of the premium, the PSE will pay the remaining 25% of the premium.
- A PSE, upon eligibility, may enroll in any FEHB Plan however, they will be responsible for 100% of any plan other than the APWU Consumer Driven Plan cited above.

Health Plan Eligibility

- Office of Personnel Management (OPM) has expanded the eligibility for enrollment in the Federal Dental and Vision Insurance Program (FEDVIP). This enrollment is now available to non-career employees (PSEs). This FEDVIP enrollment period is open as of August 2023 to September 24, 2023. Thereafter enrollment will be during open season period or within sixty (60) days of a qualifying life event. Premiums for FEDVIP are paid by the employee (PSE) with no agency contributions.
- Under FEHB, PSEs have 60 days from the date they become eligible to enroll in a FEHB health plan. If they do not enroll within 60 days, they are not allowed to enroll until the next open season. Unless they have a life changing event.
- PSEs may access **PostalEASE** via the web at liteblue.usps.gov or by calling the **Employee Service** line at **1-877-477-3273**, or **TTY 866-260-7507**. *To use PostalEASE the PSE will need their EIN and USPS pin number.*

[8-14-2023 Notification GCCV20230374](#)

[9-12-23 Nodtification GCCV20230418](#)

Article 21.1 MOU

1.c) Employees will receive the ...Employer contribution in the APWU Health Plan Consumer Driven Self, Consumer Driven Self Plus One, or Consumer Driven Family plans only after those employees are first enrolled in a FEHBP plan for a period of one(1) full year (***including any time spent as a PSE enrolled in a FEHBP plan***).

Article 25

Higher Level Pay



- In the event a PSE is temporarily assigned to a higher level bargaining-unit position, such employee will be paid at the higher level only for the time actually spent on such job. Career employees should be offered the opportunity for higher level assignments prior to assigning PSEs.
- PSEs will not be assigned to higher level assignments within Function 4 (e.g., LSSA, Bulk Mail Tech, Special Postal Clerk, Lead Clerk), **except when no career employee is available.**

Article 25

Higher Level Assignment

ARTICLE 25 HIGHER-LEVEL ASSIGNMENTS

Section 1. Definitions

Higher-level work is defined as an assignment to a ranked higher-level position, whether or not such position has been authorized at the installation.

- PSEs may opt into residual lead clerk duty assignments while the assignment is posted on e-Reassign. Under these circumstances the PSE will be paid the higher level.
- The language in the MOU and Article 25 regarding higher level for PSEs applies to higher level bargaining unit assignments, not to 204b details.

Article 26

Uniforms and Work Clothes

PSEs who are assigned as SSDA, D/A 81-4 will now be eligible to purchase Type 2 uniforms per ELM 933.2.

- Completed ninety (90) work-days, or have been employed for 120 calendar days, whichever comes first.
- Successfully completed required training.



Article 26

Uniforms and Work Clothes (continued)

- And who meets the requirements of ELM 932.11.g which includes *“Retail personnel...whose official assignment at a retail counter is for a minimum of 4 hours daily for 5 days a week on a continuing basis or for not less than 30 hours a week.”*
- If a PSE SSDA, who has met the above criteria, is subsequently assigned to a different PSE job title and/or no longer meets the requirements of ELM 932.11.g, he/she will no longer be eligible for the uniform program.

Article 26

Uniforms and Work Clothes (continued)

- Any PSE who has received an allowance of up to \$126. under Article 26.4 of the 2015-2018 CBA will receive the difference between the new allowance and the allowance previously received.
- **PSEs will receive the additional uniform credit authorized by Article 26.2.B with their first uniform allowance following conversion to career.**
- The uniform purchases are reimbursed by the USPS directly to the vendor.

MOU

Remote Encoding Center (REC) Staffing

- REC will be staffed with 62% career full time regulars (FTR) and 38% PSEs.
- The full-time flexible (FTF) category of employees will be eliminated from the REC within 60 days of the effective date of the Agreement. All current FTF duty assignments...will be reposted as FTR assignments at the REC *as soon as practicable*. These duty assignments will be available for clerks within the installation to bid.



Other Applicable Articles

The following general articles also apply to PSEs:

Article 18

Article 20

Article 22

Article 23

Article 24

Article 27

Article 28

Article 31

Article 32

Article 34

Article 36

Article 42

Article 43

- Only to the extent consistent with other rights and characteristics of PSEs negotiated in the CBA/MOU and otherwise as they apply to the supplemental workforce.

Applicable MOUs

The following MOUs from the 2015 CBA shall apply to PSEs:

- Use of Privately Owned Vehicles
- Leave Sharing
- Leave Without Pay
- Time Limitations Concerning Bone Marrow, Stem Cell, Blood Platelet, and Organ Donations



COLLECTIVE BARGAINING AGREEMENT

Between
American
Postal Workers
Union, AFL-CIO

And
U.S. Postal Service

November 21, 2010
May 20, 2015

APWU

APWU

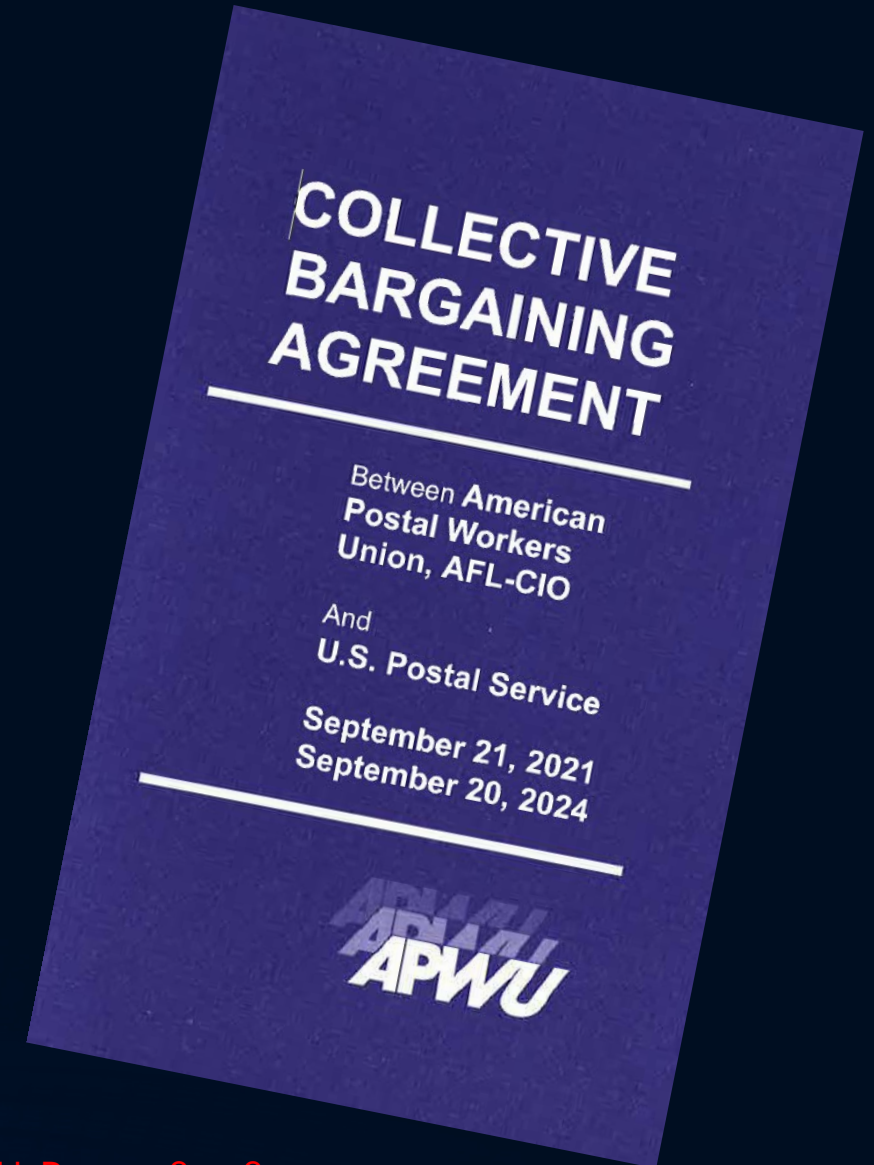
Applicable MOU's (Continued)

- Removal of SSN References
- Purge of Warning Letters
- Assignment of PTF Hub Clerk
- Residual Vacancies – Clerk Craft



2021-2024 CBA MOUs Applicable to PSEs

- PSE District Caps
- PSE Automatic Conversion to Career
- Work Environment Improvement Task Force
- Deaf and Hard of Hearing
- Use of Leave – Qualifying Period
- Article 21.1
- Remote Encoding (REC) Staffing
- PTF and PSE Annual Leave



MOU, Pages 282-283

Article 37

- When the hours worked by a PSE on the window demonstrates the need for a full-time preferred duty assignment, such assignment will be posted for bid within the section.
- PSEs who work the window may work in relief of employees holding duty assignments on the window.



Article 37 (Continued)

- There is no prohibition against PSEs being loaned or borrowed into another office. However, such utilization should not be to the detriment of the PTF clerks available through the HUB clerk MOU, and if utilized in customer service retail (Function 4), the PSE would be subject to the gaining installation's PSE cap in that function. If utilized in another District, the PSE must be counted against both District PSE caps

2020 JCIM, Article 7, page 4

Article 37

PSEs and Passports

- As of August 19, 2015, case number [Q10C-4Q-C-14093582](#), regarding whether PSEs may process passport application based on their status as non-career employees, is pending at the National Level.



- Grievances regarding this issue should be held in abeyance at Step 3 pending further discussion at the National Level.

Memorandum of Understanding

- Filling Residual Vacancies
- How it Applies to PSEs

2021 CBA, pages 430-434

MOU Filling of Residual Vacancies

New Contract MOU 2/28/22

The following applies to PSEs within the scope of the MOU.

- Clerk Craft:

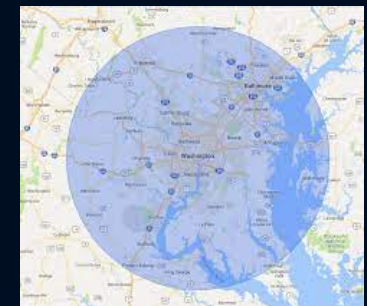
After the Postal Service completes #1-5 of the pecking order for filling residual vacancies, and the duty assignment on eReassign still remains a residual vacancy, the senior PSE within the installation shall be converted to career status and placed in the vacancy or,



MOU Filling of Residual Vacancies

New Contract MOU 2/28/22 (Continued)

- Paragraph 6.b also permits for the reassignments of full and part-time Clerk Craft employees. The reassignments are still limited to the 1 in 4 and the 1 in 6.
- If the residual still remains per #7 Clerk Craft PTF& PSE employees within a 50-mile radius will be selected based on their highest installation standing within the 50 miles. These applications are now provided in the eReassign Canvass posting. These conversions will take place no later than the first day or the third full pay period after either the close of the posting cycle or when the transfer employee/employer rejects the offer/request.



2021-2024 CBA

MOU Filling of Residual Vacancies

Paragraph 6.b added the following language:

For the first full-time opportunity in each block of 4 or 6, if the relative standing date of the PSE within the installation (bid cluster) is older than the date of the request for a transfer to the installation, the PSE will be converted. The process will be continuous, in blocks of 4 or 6, as applicable.

MOU, Page 432

MOU Filling of Residual Vacancies

New Contract MOU 2/28/2022

- When there is a demonstrated need to create/fill PTF vacancies
- Conversion of Clerk Craft PSEs within the installation by relative standing
- Transfer through regular eReassign of PTF Clerks by seniority within 50 miles **(see notes)
- Offer to PTFs/PSEs within a 50-mile radius. The PTF/PSE with the highest standing within the 50 miles will be selected. Conversion no later than the first day of the third pay period after the closing of the posting cycle or when the reassignment employee being considered for transfer, the employee/employer rejects the offer/request.

MOU Filling of Residual Vacancies

New Contract MOU 2/28/2022 (Continued)



- When converting PSEs to residual F4 duty assignments with window duties, the conversion will be deferred until after the PSE with the highest relative standing is provided an opportunity to train and qualify. Any PSE who fails to qualify will remain a PSE, with the same relative standing. PSEs who fail to qualify on the window will serve the 180-day restriction provided in Article 37.3.F.7.b.

Memorandum of Understanding POStPLAN

AS IT RELATES TO PSES

MOU POSTtPLAN and PSEs Signed September 22, 2014

COLLECTIVE BARGAINING AGREEMENT

Between American
Postal Workers
Union, AFL-CIO

And
U.S. Postal Service

September 21, 2021
September 20, 2024



- Level-6 PSEs may be assigned to work in the Level-4 RMPO and when doing so **they are paid at the PSE Level-6 rate of pay.**
- Level-6 PSEs assigned to Level-4 RMPO's **will not count** against the applicable cap. except 12 of these PSEs per district.
- Based on the 2021 CBA, PSEs assigned to the Level 4 RMPOs **are not counted** towards the district cap.

PSEs When Relieving Short Term (Exceptions)

- Level-6 PSEs may be used within the cluster (Level-18 office and RMPOs) to relieve the career employee on window duties for short term absences (e.g., Absences, AL/SL, LWOP) normally not to exceed 2 pay periods.
- PSEs can only be used within the cluster to cover these absences after all PTF hours in the cluster or pool and relief hours in the cluster at the straight time rate have been exhausted.

MOU POSTPLAN and PSEs

Signed September 22, 2014

- Level-6 PSEs assigned to Level-4 RMPO's will be hired from the applicable hiring registers and **without setting any precedent may perform window duties.**
- When a Level-6 PSE in an RMPO Level-4 works hours in that office, including any work hours used to cover leave, exceeds 30 hours a week for 180 consecutive days, a career full time duty assignment will be created and filled. The hours worked by PSEs do not include hours worked in other offices.

PSEs Working in Multiple L-4 RMPO Offices

- PSEs working in the Level-4 RMPOs may work in multiple Level-4 offices, as well as Level-2 RMPOs, when operationally feasibly and efficient.
- This usage of a Level-6 PSE does not create an obligation to change the DES ACT code of the Level-2 RMPOs nor does it create an obligation of the Postal Service to establish a career position.

Level 6 PSEs – Level 4 RMPOs

Step 4 Settlement – Q01C-4Q-C16035805 - APWU – HQTC20151075

- The parties affirm that Level 6 PSEs that staff Level 4 RMPOs may not be utilized outside their APO installation except as provided for in # 3 below.
- The parties further agree that the Level 6 PSEs hired in Level 4 RMPOs may not be utilized in Level 20 and above APOs. Those Level 20 and above APOs may continue to hire PSEs in Function 4 pursuant to Article 7 and the PSE MOU.

2016-07-29 Step 4 on Use of PSEs in Level 4

Level 6 PSEs – Level 4 RMPOs (Continued)

- The parties agree that an exception to #1 above is to provide supplemental assistance for Sunday package service, provided the following pecking order is utilized:
 - a. PTFs and PSEs assigned to the gaining office are first exhausted at the straight time rate
 - b. Available PTFs under the MOU Re: Assignment of PTF Hub Clerks, who volunteer to work on Sunday, are exhausted at the straight time rate.
 - c. Available PSEs from Level 4 RMPOs, but restricted to within 50 miles of the PSEs Level 4 RMPO office.

Any cases held pending will be processed in accordance with the agreement.

POStPlan Q&As Applicable to PSEs

- Question #8: Is a PSE within the bid cluster required to convert to a PTF vacancy in accordance with the Pecking Order MOU?
- Answer: Yes, pursuant to the provisions of Article 37.5 and Q&A #307, Article 37, page 64 of the 2012 JCIM.

Opportunity to Decline Conversion in POStPlan Level 4

POStPlan Q&As Applicable to PSEs (Continued)

- Question #9: How is the “within 50 miles radius of the installation” measured?
- Answer: The 50-mile radius is measured from the APO.

POStPlan Q&As Applicable to PSEs (Continued)

- Question #11: Will PSEs that are hired through the eCareer postings for Level-4 RMPOs be required to take the window training and pass the window training exam?
- Answer: Yes.

When a PSE is Converted to Career



PSEs Converted to Career

Currently all PSEs must undergo clearance through the National Agency Check with Inquiries (NACI). On 1/4/16 APWU was notified that management would begin requiring non-career employees to complete the NACI in lieu of the SACI



PSEs Converted to Career (Continued)

- PSEs will be compensated for time spent, and the cost incurred, when obtaining fingerprints for the background investigation required for conversion to career status.

[2015-07-15 PSE Fingerprint Compensation](#)



Orientation

PSEs are entitled to the orientation as a new career employee. The APWU has a right to address the new PSEs in orientation and to provide them with all the benefits of being a union member



Seniority for PSEs Converted to Career Status

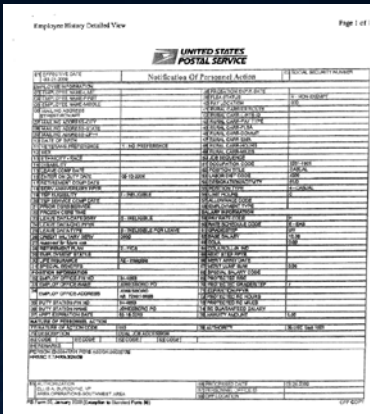
- Upon conversion to career status, a PSE will begin a new period of seniority at the bottom of the seniority list for career employees in the office where they are hired (converted).
- A Form 50 will be generated terminating the PSEs appointment as a non-career employee.

Seniority for PSEs Converted to Career Status

(Continued)

- Time worked as a PSE does not carry over if a PSE attains career status. They begin their initial period of career seniority when they are initially appointed to a career position.
- PSE shop stewards do not have super seniority when determining who is selected for an available career opportunity.

Seniority for PSEs Converted to Career Status (Continued)



The image shows a screenshot of a USPS Form 50, 'New System Of Personnel Action'. The form is titled 'Employee History Detailed View' and 'Page 1 of 1'. It contains a table with columns for 'EMPLOYEE NAME', 'NEW SYSTEM OF PERSONNEL ACTION', and 'STATUS'. The table lists various employees and their corresponding actions, such as 'NEW HIRE', 'TRANSFER', 'PROMOTION', etc. The form is a standard USPS document used for personnel actions.

- A second Form 50 will be generated for the PSE stating they are a career new hire.
- The standing on the rolls order should carry over to the career conversion seniority list.
- PSEs standing on the roll in the installation will be determined in accordance with Article 37.2 of the CBA

Newly Converted PSEs to Career Status

Use of Leave - Qualifying Period

The parties agree that postal support employees (PSEs) with a minimum of ninety (90) days of continuous service as a PSE prior to conversion to career status will be exempt from the 90-day qualifying period as written in the Employee and Labor Relations Manual (ELM) 512.313.

Any break in service as required by Appendix A, Section 1.b will not impact this continuous service requirement.

PSE Conversion to Career Status

Duty Assignments

- A PSE converted into a duty assignment requiring SSA duties will be converted immediately if they are window qualified.



- A PSE who is not window qualified and converted into a duty assignment requiring SSA duties will be scheduled for window training and must pass the test prior to conversion.

PSE Conversion to Career Status

Duty Assignments (Continued)

- Upon completing and qualifying on the window training portion of the duty assignment, PSEs will be converted to career status. Their seniority date will be adjusted as if they had been converted to career when they initially gained the job assignment that provides the conversion opportunity.
- There is no back pay liability when PSEs are converted under the paragraph above.

PSE Conversion to Career Status

Duty Assignments (Continued)

- PSEs converted into duty assignments that do not requiring window training will immediately be converted to career status.
- PSEs converted to career status are entitled to compensation for all time spent training in accordance with the applicable handbooks and manuals.

An Additional PSE MOU

One Day Break in Service

- Clerk Craft PSE Hiring and One Day Break – MOU signed 1/5/18 – Clint Burelson
- This MOU provided that PSEs are hired effective Saturday at the start of a PP. The PSE may start working any day of that PP as determined by management.
- When a PSE wishes to be employed in another installation they must apply and be hired off the appropriate hiring list for the new installation.

MOU: *One Day Break in Service* (Continued)

- If not at the end of their current appointment, they will be given a one-day break in service.
- The one-day break shall occur on Friday, day 14 of the PP.
- This will not change the PSE's original appointment date.
- All time spent in the appointment directly before the one-day break shall be credited towards the 90 workdays or 120 days of employment per the PSE MOU.

MOU: *One Day Break in Service* (Continued)

- The PSE will start a new relative standing on the PSE rolls in the new installation
- This does not apply when the PSE is reappointed after the 5-day break in the same installation.

PSE Automatic Conversion to Career

The U.S. Postal Service and the American Postal Workers Union, AFL-CIO, agree that PSEs who reach 24 months of relative standing will be converted to career status, and be subject to the step placement and progression as outlined in MOU.



Step 4

Q15C-4Q-C 18239272

- Management took the position that since USPS Sunday Parcel Select pilot includes holidays, they could use PSEs exclusively.
- Settlement stated: When necessary for holiday scheduling, the Postal Service will assign employees in accordance with Article 11, Section 6 and Article 30, Section B – LMOU holiday pecking order.

Sunday Parcel Select Pilot and Holiday Bypass Scheduling

Thank you for joining us.

Any Questions?



Thanks for All You Do!