

#YATCR Podcast Ep. 16 Transcript

BRIAN RENFROE, NALC EXECUTIVE VICE PRESIDENT

You are listening to NALC's You Are the Current Resident podcast. This is Executive Vice President Brian Renfroe and this is your podcast for Thursday, December 3rd. In just a few minutes, you'll hear an audio version of a new statement from NALC President Fred Rolando, where he will update you on a number of issues and maybe most importantly, discuss a few details of the collective bargaining process and the tentative agreement that we reached with the Postal Service last week on a new collective bargaining agreement for city letter carriers that will be sent out to the membership for a ratification vote very soon.

Before we get to that, just a couple of pieces of information I want to cover and make you aware of. One, on the website right now there is some information there that you can read about the new tentative agreement in the form of a statement from President Rolando, as well as an NALC bulletin that has been mailed out and should be received any day now in the offices. The electronic version of that bulletin is available on the website. If you go to nalc.org there on the front page, the large slider at the top, the tentative agreement should be the first thing you see, so some information is available there.

There will be even more detailed information included in the December *Postal Record*. The December *Postal Record* will arrive a couple of weeks later than it normally would in December. The reason for that is typically the magazine gets there between the 5th, the 10th, within the first couple of weeks of the month. In order for that magazine to be ready, it has to go to the printer sometime around the third week of the previous month. The third week of November was early last week or perhaps the end of the preceding week, which is about the point in time where we reached this agreement.

Of course, we did not want to send out *The Postal Record* in December that did not include information on that tentative agreement. The magazine in December will likely arrive towards the end of the month. That magazine, as I mentioned, will include some more detailed information on the tentative agreement. In the interim, likely early next week, you will see the electronic version of *The Postal Record* will be available on the website. I encourage you to take a look there at the website early next week for a

longer, more detailed article that describes all of the substantive changes that are included in that tentative agreement. It will be available there on nalc.org.

Now, let's go to President Rolando for the audio version of his December 3rd statement.

FREDRIC ROLANDO, NALC PRESIDENT

We congratulate NALC's endorsed candidates Joe Biden and Kamala Harris on their election to the offices of President and Vice-President of the United States. As I've often said, one of our strengths is that our union is comprised of diverse and passionate voters ranging from the far left to the far right and everywhere in between. So now we need to flex that strength and continue our work to ensure that letter carriers and the Postal Service are not only protected, but promoted. We look forward to doing just that in the weeks and months ahead.

The U.S. Senate, under its current leadership, has failed to act on issues of importance to letter carriers such as stimulus relief, hazard pay, and in a broader sense, postal reform. There will be a run-off election in Georgia on January 5th for both of its Senate seats. If both Jon Ossoff and Raphael Warnock are elected to their respective seats, we will have new leadership in the U.S. Senate. In the interest of the members we represent, we will be working hard towards that goal.

To break the gridlock over ongoing negotiations with the White House and Senate over another round of COVID-19-relief, the House most recently advanced an additional relief package (H.R. 925). The bill, dubbed "Heroes Act 2.0", passed the House on party lines by a vote of 214-207, with 18 Democrats and all Republicans voting against the measure.

House Democratic leadership scaled back on the size and scope of the measure to \$2.2 trillion, reflecting an urgency by House Democratic leadership to get some measure of relief passed. The original Heroes Act (H.R. 6800), which passed in May, was \$3 trillion and the Senate recently failed to advance a \$1.5 trillion "skinny" measure, showing the vast difference between the chambers on how much stimulus is needed and where it should be spent.

For the Postal Service, Heroes Act 2.0 includes \$15 billion (reduced from \$25 billion in the original measure) for the Postal Service to cover COVID-related expenses and removes the terms and conditions on the \$10 billion loan the CARES Act authorized this spring. The new bill also includes workers compensation benefits for postal employees who contract COVID-19, but unlike the original Heroes Act, does not include hazard pay for frontline workers and postal employees.

The measure would also continue unemployment insurance, provide another round of stimulus money to American families, additional Paycheck Protection Program (PPP) for small businesses, continued Women, Infants, and Children (WIC) and Supplemental Nutrition Assistance Program (SNAP) benefits, funding to the nation's schools and universities and additional resources for testing, tracing and treatment. It would also provide funding to prevent more than 40,000 layoffs of airline workers.

While the House continued to keep up pressure on the Senate and White House to come to some sort of compromise, the Senate failed to advance any additional relief.

NALC will work with the newly elected officials and continue to call for relief for the Postal Service, favorable terms and conditions for the \$10 billion Treasury loan and for hazard pay for our members on the front-line of this pandemic.

As previously reported, NALC and the Postal Service agreed to continue several pandemic-related memorandums of understanding (MOUs) through the end of the year. These MOUs, found in NALC's Materials Reference System on the NALC website, include temporary expanded sick leave for dependent care ([M-01910](#)); temporary additional paid leave for CCAs ([M-01911](#)); temporary use of the 7:01 rule ([M-01913](#)); temporary workplace changes to promote social distancing ([M-01915](#)); and temporary use of TCAs ([M-01916](#)).

NALC and the Postal Service also agreed to another temporary time limit extension on Step B and arbitration appeals ([M-01930](#)), and an agreement giving local parties the ability to develop a sign-up process for full-time employees who previously did not, or could not, place their names on either the overtime desired list or work assignment list. The latter agreement ([M-01931](#)) is due to the potential effects of the COVID-19 pandemic on staffing levels. Both of these agreements will expire at the end of the year

as well. We are currently discussing further extension of all of these MOUs beyond December 31st.

Also, still in effect through December 31st is a USPS memorandum ([M-01914](#)) which instructs managers and supervisors to allow liberal changes of schedule to accommodate employees who are dealing with childcare issues related to the pandemic. The memorandum also provides for liberal sick leave usage for employees who are sick and liberal annual and leave without pay (LWOP) to the extent operationally feasible, treats COVID-19 related leave as scheduled (as opposed to unscheduled) leave, and directs that leave taken for COVID-19 related reasons during this time not be cited in discipline for failing to maintain an assigned schedule.

After several weeks of discussions, NALC and the Postal Service also agreed to a memorandum of understanding (MOU) that increases the maximum allowable annual leave carryover amounts outlined in the Employee and Labor Relations Manual (ELM). For leave year 2021, regular work force career employees covered by the USPS-NALC National Agreement may carry over 520 hours of accumulated annual leave from leave year 2020 to leave year 2021. Normally, as defined in ELM 512.321(a.), bargaining unit employees have a maximum leave carryover of 440 hours. The MOU ([M-01928](#)) can be found in NALC's Materials Reference System on the NALC website.

Although this memorandum did not impact the ELM provisions for payment of accumulated leave, after further discussion, the Postal Service has confirmed that employees that retire during leave year 2021 can receive a terminal leave payment of up to 520 hours.

The Postal Service also notified NALC that it will not implement the temporary employee payroll tax deferral established by the Presidential Executive Order. If implemented, the order would have deferred payroll taxes through December 31. The taxes would then be owed at that time barring any further action. The Internal Revenue Service issued guidance (Notice 1010-65) making clear that employers are not required to implement the deferral. As a result, letter carriers have seen no change in payroll taxes as a result of the executive order.

In previous statements I discussed several national-level unilateral USPS delivery initiatives which directly affect letter carriers. I would like to update you on the status of each of them.

On August 3rd, an outside company hired by the Postal Service began conducting a study of city carriers' office activities in about 36 sites. According to the Article 34 notification to NALC, the stated objective was to observe letter carrier office duties and to collect data to potentially develop new work methods or standards. USPS also stated the information gathered may be used in collective bargaining.

During this unilaterally commissioned USPS study, the data collectors of the third-party contractor, Deloitte, counted the mail and observed the regular carrier perform office and loading/unloading duties in the morning and the afternoon on the selected routes. The data collection continued through September.

NALC representatives visited each test site prior to the study to explain the process to the letter carriers involved in the study and answer any questions they had. These representatives then returned to the sites after data collection was complete to obtain feedback from the carriers. We have suggested to USPS that if they intend to collect data from the test, it should be shared with the Joint City Delivery Task Force rather than USPS pursuing any unilateral agenda. To date, USPS advises they are still awaiting the results of the study from Deloitte. NALC Headquarters will continue to exercise its rights as necessary in accordance with Article 34 of the National Agreement.

On June 3rd, we settled a national-level grievance regarding the Postal Service's unilateral testing of Consolidated Casing. This settlement, M-01923 in NALC's Materials Reference System, required that half of the 62 test sites be returned to their original route structure by July 31, 2020. The remaining 31 test sites were to continue through the end of November.

The first 31 sites that were to be returned to their original route structures and schedules are in various stages of compliance with the settlement. While the test was halted in all 31 sites, some locations still have not returned the routes to their original structure and schedule. We have worked with Operations at USPS headquarters to identify and

correct these issues. Some of the initial problems have been corrected, but we continue to work on a few places. I am confident all of the sites will be corrected.

As the second set of 31 sites are restored to their original structure and schedule, we anticipate a smoother transition of these sites back to their original structure and schedule.

In my August 31st statement I updated the membership on another unilateral USPS initiative called Post Office Sortation Equipment Reconciliation (SER). This initiative resulted in local management being instructed to reduce casing equipment and cell sizes causing widespread violations of the handbooks and manuals while making casing more difficult and less efficient.

NALC subsequently filed a national-level grievance which quickly resulted in USPS halting the SER initiative pending settlement discussions. The settlement language is still being worked on by the national parties, and the initiative continues to be halted. If local management in your office is still implementing SER, immediately notify a local NALC branch representative or your NALC national business agent.

A national-level grievance initiated by NALC regarding another unilateral delivery initiative was filed in early August. The initiative, a test called Expedited Street/Afternoon Sortation (ESAS), substantially altered the Expedited Preferential Mail (EPM) process and other delivery practices and procedures outlined in Handbooks M-39 and M-41. Implementation of this initiative resulted in many instances of delayed preferential mail and non-delivery of routes, or portions of routes.

As a result of our discussions, the Postal Service terminated the ESAS initiative effective August 19th, and the national parties settled the grievance on August 31st ([see M-01927](#)).

Each of these unilateral actions were initiated by the postal headquarters operations team that existed prior to the USPS restructuring initiated by PMG DeJoy. I am optimistic that under the new structure, we will have an opportunity to utilize our joint task forces to accomplish our common goals.

During the first presidential debate, President Trump made many unsubstantiated claims about voter fraud and mail-in ballots that were quickly proven to be false by independent fact checkers. However, he also implied that letter carriers are corrupt and cannot be trusted to handle American citizens' mail-in ballots. He outright stated that letter carriers are selling the ballots they collect from the public, and has recently repeated this allegation.

In response, I wrote a [letter](#) to the apparent source of this misinformation - US Attorney General William Barr. Early in September, Barr is quoted in the Chicago Tribune as stating, *"There's no more secret vote with mail-in vote. A secret vote prevents selling and buying votes. So now we're back in the business of selling and buying votes. Capricious distribution of ballots means (ballot) harvesting, undue influence, outright coercion, paying off a postman, here's a few hundred dollars, give me some of your ballots."*

I had to set the record straight and let him know that neither I nor our 290,000 proud members would sit idle and allow him or President Trump to go unchallenged in making such false claims. As I stated in my letter, regardless of their political affiliations, letter carriers are proud Americans and dedicated public servants who honor the trust put in them to protect the sanctity and privacy of all mail, including mail-in ballots. I said it in my letter, and I'll say it again, every letter carrier in America is owed an apology.

NALC and the other postal unions and management associations met on a continual basis with the Postal Service to prepare for the increase in election mail. We discussed and developed operational protocols and communications previously reported in election mail task force updates. Additionally, we deployed local election mail task forces all over the country.

Local election mail task forces, consisting of management and union members in each postal facility, were tasked with ensuring appropriate communication was accomplished with all employees and that any issues were quickly identified and resolved. Task forces participated in a nationwide meeting to educate the participants on protocols that had been put in place. Each task force also received a daily checklist that was developed to provide them with a variety of issues to check to ensure protocols were followed.

I'm proud to report that postal employees across the country once again stepped up and demonstrated to our election board partners, the media, and the public that they can rely on the Postal Service for efficient and timely handling of political and election mail, particularly for mailed out ballots.

NALC and the Postal Service began Interest Arbitration hearings for a new National Agreement on September 23rd. The hearings began with both sides presenting opening statements to the three-member arbitration panel chaired by neutral arbitrator Dennis Nolan. Hearings continued on September 24th with NALC explaining to the panel the long bargaining history between the two parties as well as a detailed and thorough overview of USPS finances.

The following week, on September 30th and October 1st, USPS began presenting its case to the arbitration panel regarding the state of the Postal Service, including its financial situation, and past interest arbitration awards with NALC as well as with the other postal unions.

We scheduled 14 more days of hearings over the course of the three weeks beginning October 26th, November 9th, and November 16th. During the week of October 26th, we presented testimony which included a panel of rank and file letter carriers explaining how the city letter carrier job has changed and become more demanding, difficult, and dangerous. Another panel of letter carriers testified about their experiences as City Carrier Assistants.

As I previously stated we would do, we continued to engage the Postal Service in negotiations toward a Tentative National Agreement that would be sent out to the membership for a ratification vote, even as we began the Interest Arbitration process. We always felt that we would much rather reach a tentative agreement for the members to review than to receive an arbitration decision.

Prior to the November 9th hearings beginning, the parties agreed that we would only need one of the two remaining scheduled weeks to complete the Interest Arbitration hearings. In light of our progress in our collective bargaining negotiations at that time, the parties agreed to use the week of November 9th to try to finalize a tentative agreement, and then if necessary, to resume and complete the Interest Arbitration

hearings the week of November 16th. Negotiations were still moving in the right direction so we used the week of November 16th to continue bargaining as well.

I'm happy to report that those efforts were indeed successful as we agreed last week on a new tentative national agreement that will now be sent out to our active members for a ratification vote. A summary of the negotiated tentative agreement is available on the NALC website and has been printed in the *NALC Bulletin* and mailed to offices and stations throughout the country. Further details of the negotiated tentative agreement will be printed in the December issue of the *Postal Record*. Details of the ratification process will be made available soon.

The agreement's duration is from September 20, 2019 through May 20, 2023, and includes four annual general wage increases of 1.1%, 1.1%, 1.3%, & 1.3%, and seven cost of living adjustments. Effective November 19, 2022, a new top step (Step P) will be added to the career letter carrier pay scales which will be \$444 per year greater than Step O. The agreement also provides for the automatic conversion of CCAs to career status no later than after 24 months of relative standing. Effective June 19, 2021, CCA Step CC will be eliminated, and CCA Step BB will become the new entry rate pay rate for CCAs. In calendar year 2022, the Postal Service's share of FEHBP premiums will decline by 1%, and their contribution toward the USPS plan for CCAs will increase to 75% of premiums regardless of the coverage or years of employment. Additionally, the current no-layoff protections, and prohibitions against contracting out city letter carrier work, will continue.

Due to the COVID-19 pandemic, our Great Postal Strike 50th Anniversary Dinner scheduled for March 21, 2020 in New York City was postponed until November 6, 2020. With shutdown orders still in place and travel difficult and potentially dangerous, especially for the elderly strike participants the event is intended to honor, NALC decided to postpone the event indefinitely until it is safe to schedule it again. Branches and attendees will be notified when the event is rescheduled.

Unfortunately, in many cities and states throughout the country we are seeing a spike in the number of people, both in the general public as well as postal employees, being affected by the pandemic. Public health experts are reporting the world is entering into a second wave of the virus, and the numbers seem to be supporting those claims. Please

contact your Branch officers, National Business Agent, or NALC headquarters if protocols such as masks, social distancing, sanitizing, and contact tracing are not being followed.

Today, over 14,000 postal employees are under quarantine from the virus. Well over 66,000 previously quarantined postal employees have been cleared and returned to work. About 5300 of the currently quarantined postal employees have tested positive for the virus, and another 1800 plus are presumed to be positive. Almost 16,000 postal employees who tested positive in the past have recovered and returned to work. Of all these numbers, about thirty percent are letter carriers. Sadly, 105 active postal employees have passed away from the virus, including 22 city letter carriers. We have been notified of 6 retired members who have passed away from the virus as well.

The heroic work you do each day delivering the nation's mail is of great importance to our economy, to our health, and through the election season during a pandemic, to our democracy. As you continue this important work, please also continue to take every precaution regarding social distancing and face coverings. Please do all that you can to protect yourselves, your families, your coworkers, and your customers. Thank you for all that you do. God bless each of you and your families, please stay safe.

BRIAN RENFROE, NALC EXECUTIVE VICE PRESIDENT

That was NALC President Fred Rolando with the audio version of his December 3rd statement to NALC members. If you'd like to read the written version of that statement, it is available on the website at nalc.org. Look there under latest news and you will see a link to that statement.

Thank you again, everyone, for listening. We really appreciate you following us on all the social media channels and staying in tune to the website where there will most certainly be additional information in the coming days and the next couple of weeks regarding the ratification vote that likely will take place very early in 2021, beginning early in January.

More detailed information will be available here in the near future. Thank you again for listening, and everyone stay safe.
