

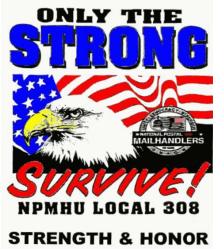


National Postal Mail Handlers Union

THE BREAKDOWN

CONTRACT ADMINISTRATION KNOW YOUR CONTRACT

Supervisors Performing Bargaining Unit Work



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Question: Under what circumstances may a supervisor perform bargaining unit work?

Answer: Under Article 1, Section 1.6 of the National Agreement, supervisors are prohibited from performing bargaining unit work except in certain narrow circumstances. In post offices with 100 or more bargaining unit employees, these exceptions provide that supervisors may perform such work only (1) in an "emergency"; (2) for the purpose of training or instruction of employees; (3) to assure the proper operation of equipment; (4) to protect the safety of employees; or (5) to protect the property of the USPS. In post offices with less than 100 bargaining unit employees, the same exceptions apply; in addition, supervisors in these smaller offices may perform bargaining unit work when the duties are included in the supervisor's position description.

Question: How is an "emergency" defined for purposes of Section 1.6A1?

Answer: Under the explicit terms of the National Agreement, an emergency is "an unforeseen circumstance or a combination of circumstances which calls for immediate action in a situation which is not expected to be of a recurring nature."

Question: Is there a monetary remedy for violation of these contractual provisions?

Answer: Yes. A Memorandum of Understanding between the NPMHU and the USPS, reprinted at pages 115 and 116 of the 1990 National Agreement, provides that where additional work hours would have been assigned to a mail handler but for a violation of Section 1.6, and where such work hours are not de minimus, the employee or employees whom management would have assigned to the work shall be paid for the time involved at the applicable rate.

Question: May an employee acting as a supervisor (on a 204B assignment) perform bargaining unit work?

Answer: No. An employee serving as a temporary supervisor is prohibited from performing bargaining unit work except to the extent provided by the exceptions in Section 1.6. For these purposes, the determination whether an employee is in a 204B status is controlled by Form 1723, which shows the times and dates of a 204B detail.

