



American Postal Workers Union, AFL-CIO

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Greg Bell, Director
Industrial Relations
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Initiate National Dispute

Via Facsimile and First Class Mail

June 4, 2008

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Mr. Doug Tulino
Vice President, Labor Relations
U. S. Postal Service
475 L'Enfant Plaza, SW
Washington, DC 20260-4100

Re: APWU #HQTG20089; Local Level Notification Of Subcontracting Of Bargaining Unit Work

Dear Mr. Tulino:

In accordance with the provisions of Article 15, Section 2 and 4 of the Collective Bargaining Agreement, the American Postal Workers Union is initiating a Step 4 dispute over the Postal Service obligation, pursuant to Article 32, Section 1.C of the National Agreement, to furnish the Union at the local level notification of subcontracting of bargaining unit work at their respective installation(s).

The issues and facts involved in this dispute are as follows:

By letter dated February 27, 2008, the APWU notified the Postal Service that there has been an increase in grievance activity involving management's refusal and failure to provide the Union at the local level notification of subcontracting. The APWU was seeking USPS Headquarters assistance and requested that corrective action be immediately taken to ensure that management comply with its obligation pursuant to Article 32, Section 1.C of the National Agreement to furnish the Union at the local level notification of subcontracting of bargaining unit work at their respective installation(s).

In addition, the purpose of the letter was to determine if there is a disagreement between the parties regarding management's obligation pursuant to Article 32, Section 1.C.

By letter dated May 29, 2008, the Postal Service informed the APWU that it disagreed with our position, and that it is the position of the Postal Service that local outsourcing projects do not require notification pursuant to Article 32, Section 1.C. of the National Agreement.

Article 32, Section 1.C of the National Agreement provides the following:

When a decision has been made at the Field level to subcontract bargaining unit work, the Union at the Local level will be given notification.

Article 32 provides the notification requirements concerning subcontracting of bargaining unit work. It is the APWU's position that Article 32 of the National Agreement requires the Postal Service to provide notification to the Union in regard to subcontracting of bargaining unit work. In other words, the Postal Service has an obligation to provide the Union notification in regard to subcontracting of bargaining unit work – either to the Union at the national level or to the Union at the local level.

It is the APWU position that Article 32, Section 1.C requires notification to the local union of any subcontracting of bargaining unit work at local installations. However, if such subcontracting might have significant impact on the bargaining unit work, notification to the Union at the national level is required in accordance Article 32, Section 1.B.

The term "field level" in Article 32, Section 1.C encompasses, but is not limited to, subcontracting of bargaining unit work at local installation(s) that does not have a significant impact on bargaining unit work, and therefore does not require notification to the Union at the national level. Instead, the Postal Service has an obligation to give notification to Union at the local level

Notification to the Union at the local level of subcontracting of bargaining unit work affords the Union the opportunity to address any concerns early on and provide the parties the opportunity to resolve any differences that they may have at the lowest possible step of the grievance procedure. This is consistent with the principles of dispute resolution in Article 15, and the intent of Article 32, Section 1.C. of the National Agreement.

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Article 15 of the collective bargaining agreement provides that within thirty (3) days after the initiation of a dispute the parties shall meet in an effort to define the precise issues involved, develop all necessary facts, and reach agreement. It is requested that you or your designee contact my office at 202-842-4273 to discuss this dispute at a mutually agreed upon date and time.

Sincerely,


Greg Bell, Director
Industrial Relations

GB/BW

APWU #: HQTG20089
Dispute Date: 6/3/2008

Case Officer: Greg Bell
Contract Article(s):32

Resident Officers
File