

# Questions and Answers on Maintenance Issues of the 1994 National Agreement

1. When is the new Article 38 language effective?

October 1, 1995.

2. Article 38.3.F.4 formerly had a seniority restoration clause for voluntary return, within 90 days, to the former position designation and level. Is that gone now?

Article 38.3.F.4 has been moved and changed. The replacement language is at Article 12.2. This language governs service seniority and seniority for preferred assignments.

3. The seniority tie breakers section (38.3.J) was modified. What is "career" service?

Career service is a career appointment as noted on an employee's PS Form 50. Career service does not include time as a Casual, nor time as a Transitional Employee.

4. Article 38.4.A.1 talks about a facility getting a new position title it never had before. When the new position is first filled, are the residuals filled at the same time?

No, first a notice is posted soliciting applicants to create a PER. After the receipt of the PER results, the successful applicant is placed in the position. That residual vacancy is then posted in accordance with Article 38.4.

5. What if an employee enters the maintenance craft at an installation and does not know to apply for the PER during the first 30 days?

Upon entry, the employee is to be notified in writing of the opportunity to apply for placement on appropriate PERs and PARs. After notice, they have 30 days to apply in accordance with Article 38.5.A.9 and Article 38.5.B.6.

6. The Maintenance Support Clerk-6 (MSC-6) is a senior qualified position from MSC-5. But it is not on the list in Article 38.5.B.2. Is it a senior qualified position?

Yes, the MSC position was finalized after negotiated changes to Article 38 concluded in November 1994.

For the MSC-6 position, qualified MSC-5s will be ranked in senior qualified order. All others on the PER are listed below the senior qualified applicants, in best qualified order.

7. When is there an open season for application to the PER?

In February 1993, a MOU was signed on open season for PERs. It provides for an open season every three years. The next open season is March 1997 in accordance with Article 38.5.B.7.

8. I am an MPE-7 pending successful completion of a TTC course prior to promotion to ET-9. What language changes affect me?

Article 38.5.C.3 has changes affecting employees pending successful completion of training. The procedure now is to detail the employee to the assignment. The employee will receive an assignment order (PS Form 1723) for the pay level of the new position.

During the detail assignment, the employee is treated as if promoted (for overtime scheduling and volunteering, holiday scheduling, annual leave scheduling, and PAR placement, etc.) Also, the employee remains on PERs for equal and higher positions.

9. What if the employee fails the training course mandated on the notice of intent?

Should the employee fail to satisfactorily complete the required training, the detail ends and the employee is an unassigned regular in their original occupation group and level. The position where the employee had been detailed is then posted in accordance with Article 38.4.

10. Is preferred assignment seniority backdated to the date first reassigned?

For promotions since June 25, 1992, preferred assignment seniority is determined by Article 38.2.F.2, and is based upon entry into the maintenance craft at the installation.

11. What happens if the facility has trouble getting a billet needed for promotion? At what point is the employee promoted?

The employee is promoted effective the first full pay period after successful completion of the required training, or one year from the date reassigned/detailed to the intended duty assignment whichever occurs first.

12. Does this mean an untrained person on the Overtime Desired List will be scheduled to work overtime -even if not qualified?

No, overtime is assigned pursuant to Article 8.5. and shall be scheduled among qualified employees.

13. Pursuant to Article 38.5.C.3, I am pending successful completion of training. A posting changed me to another preferred assignment with a different training requirement. Which course determines my promotion?

The originally mandated course.

14. Article 38.6.A.6 states an employee may be locked into an assignment after completing a training course of two weeks or more. Does that affect all courses lasting two weeks?

No, it only applies when the lock-in requirement is identified on a course which includes mail processing equipment as part of its curriculum.

15. I want to be detailed to a 204b slot off my regular tour.

The agreement no longer requires out of schedule premium for such a detail.

16. Is there a time limit for persons detailed to a non-supervisory EAS position such as teaching at the TTC?

Yes, Article 38.7.E provides that employees detailed to nonbargaining unit positions in excess of four

months lose their bid assignment. For employees who have been detailed to non-supervisory EAS positions, their four month clock started October 1, 1995.

17. The new MOU on subcontracting of cleaning services has a new formula. If the number in the calculation results in a 1.1000, does that mean I staff the office with 44 hours?

No, the formula does not replace the MS-47 staffing, it simply indicates whether the office may be contracted. This office would not be contracted.

18. What if the MS-47 staffing package for the above office indicated less than 39 hours per week?

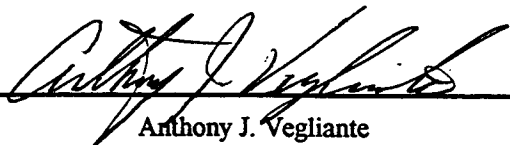
The 39 hour rule no longer applies, so even if the staffing package for this office indicated a need for 37 hours per week, it would still not be contracted.

19. What if a contracted 36 hour office calculates to a 1.0508 and the contract expires?

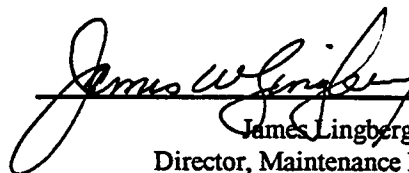
Offices contracted under previous criteria may continue to contract unless the facility increases its size with a building and or ground expansion.

20. Article 38 formerly had a section on INSPECTION OF LOCKERS (38.7.B), and a section on POLICY ON TELEPHONES (38.7.C). Why are they no longer in Article 38?

They were both relocated to the general articles. They are now located in Articles 17.9 and 17.8, respectively.



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