

Article 38 Questions and Answers

Below are Joint Questions and Answers to issues raised during the 1998 negotiation of Article 38 between the United States Postal Service and the American Postal Workers Union, AFL-CIO.

The parties agree that the Joint Questions and Answers constitute the agreement of the parties as to the interpretation and application of the listed specific issues.

MSS/PROMOTIONS

1. If an employee does not complete the necessary forms for the review panel process, can the employee be disqualified and considered as a non-applicant?

Answer: Yes. The employee has the obligation to totally complete all required forms by the deadline date. An employee who, because of unavoidable circumstances, did not submit the necessary forms may be considered for reinstatement.

2. If an employee checks the block in the Candidate Supplemental Application signifying no experience in a Knowledge, Skill, or Ability, what happens?

Answer: The employee is not interviewed on this Knowledge, Skill, or Ability, and receives the lowest possible review panel rating on this Knowledge, Skill, or Ability.

3. Is the mere reading of a magazine or general article sufficient for an employee to request an update?

Answer: No.

4. If an employee receives a promotion based on successful completion of training and fails that training, what happens to that employee's standing on the Promotion Eligibility Register?

Answer: The employee is declared as inactive on the Promotion Eligibility Register and the Promotion Eligibility Register shall be annotated with an asterisk indicating the employee's requirement to update. The employee may request an update based on additional training, education, or experience in the deficient Knowledge, Skill, or Abilities. When the update score is received, the employee's name will be activated, the asterisk removed and the employee ranked accordingly.

5. An employee receives a promotion based on successful completion of training and then, for various reasons, refuses to attend this training. Is this employee still promoted to the position after 365 days?

Answer: On a case by case basis, management must determine if the explanation given for the refusal is valid. If it is determined to not be valid, the employee will be declared an unassigned regular in his/her original occupational code and level and the position reposted. The employee will be bypassed on the Promotion Eligibility Register for this posting.

If the explanation is valid and, on a one-time basis not to exceed another 365 days, the time limit may be extended until the receipt of training results from the National Center for Employee Development for the next scheduled course.

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6. Can Industrial Electrical Service be used as a qualifying course for the Maintenance Mechanic, PS-5 position?

Answer: Yes. However, the Maintenance Mechanic, PS-5 will not be held responsible for passing the module concerned with finding selected sections of the National Electric Code.

7. I have an employee who is in a "promotion pending successful completion of training" status. The Notice of Intent listed a specific course that this employee must attend. Do I have to post this billet for volunteers?

Answer: Yes. The billet is posted for volunteers where the need exists; however, an employee in a "promotion pending successful completion of training" may be selected.

TRAINING

1. An employee has successfully completed equipment training in the past but none of that equipment is now in the office. Is the employee required to attend and successfully complete training on the new equipment?

Answer: Yes.

2. May an employee selected from an in-service register be placed into that position prior to the date (Form 50) of the new assignment?

Answer: Yes. An employee may be detailed to the position for training purposes for up to a two (2) week period ending with the reassignment.

DUTIES AND RESPONSIBILITIES

1. Can a Maintenance Mechanic, Mail Processing Equipment perform scanner alignments on mail processing equipment?

Answer: Yes. A Maintenance Mechanic, Mail Processing Equipment may perform alignments which are electro-mechanical or menu driven.

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2. Can a Maintenance Mechanic, Mail Processing Equipment perform operational maintenance on equipment?

Answer: Yes. The position description item 2 states "Observes the various components of the system in operation and applies appropriate testing methods and procedures to insure continued proper functioning".

3. Can a PS-2 Custodian use a domestic type (canister, tank, upright, carpet, etc.) vacuum cleaner to perform interior cleaning?

Answer: Yes

4. Can a Maintenance Mechanic, PS-5 reset and restart the Tray Management System?

Answer: Yes.

5. Can a Maintenance Mechanic, Mail Processing Equipment do simple replacement of a defective printed circuit board?

Answer: Yes, as long as the board is external to the computer.

CUSTODIAL

1. What is the definition of "voluntary attrition"?

Answer: If the employee bids out, is promoted, quits, retires, or dies.

GENERAL

1. If there is more than one residual duty assignment being filled by promotion, assignment, reassignment, hire, or, transfer at the same time, how are the duty assignments awarded?

Answer: Employees make selections based upon their Installation Seniority. In the case of multiple employees with the same Installation Seniority, selections will be made based upon the other "tie-breakers" identified in Article 38.3.J.1-7.

2. Must an employee new to the craft or installation be assigned to a Preferred Duty Assignment?

Answer: Yes. Within 60 days the employee shall be selected from the Preferred Assignment Register to a Preferred Duty Assignment or be assigned in accordance with Article 38.5.A.8.


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3. Where are Preferred Assignment Registers and Promotion Eligibility Registers established and posted?

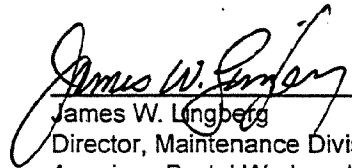
Answer: If two or more maintenance occupational groups exist in an installation or in an installation where an employee is domiciled, a Promotion Eligibility Register for those occupational groups offering promotional opportunity must be established. If two or more employees hold duty assignments within the same occupational group, a Preferred Assignment Register must be established. These registers will be posted in the installation and will be used to fill vacant positions.

4. What is the procedure for stopping the maintenance bidding process prior to the breaks identified in Article 38.

Answer: Prior to posting the Notice of Intent, management must determine if there are duty assignments that will be reverted or changed if they are vacated during the bidding process. These duty assignments must then be listed on the Notice of Intent.



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January 12, 1999