

## Voluntary Early Retirement

# Talks Clarify Status of Many Eligible Members

While discussions between the APWU and USPS regarding the implementation of the Voluntary Early Retirement Agreement have clarified some issues, a federal district judge on Oct. 23 will hear arguments about the union's right to arbitrate the dispute over management's failure to offer VER to *all* eligible APWU-represented employees.

"While awaiting our day in court, we have cleared up some of the issues affecting employees who received a letter titled 'Voluntary Early Retirement Offer,'" APWU President William Burrus said. The long and apparently contradictory letters have left many employees who received them unclear about the status of their VER applications.

"We posed a series of questions to management regarding the letters the Postal Service sent to employees," Burrus said, "and yesterday we received a reply."

The APWU raised the following questions:

■ **In those cases where management limited the number of eligible employees who could retire on Oct. 31, 2003, would employees who met all the eligibility requirements and received a VER Offer letter be permitted to retire on a subsequent date?**

Management's response is that all employees who have been provided a letter titled "Voluntary Early Retirement Offer" will be permitted to retire early, with some employees given an effective date of Oct. 31, and the remaining employees given an effective date early next year. Management's letter to the union says, "All remaining eligible employees who received a VER Offer letter will be provided with another opportunity for VER on either Jan. 31, 2004, or Feb. 29, 2004."

■ **Many of the VER Offer letters were not commitments that the employees' requests for early retirement were approved, yet the deadline for them to withdraw their application was set for Oct. 27. Will employees be provided with an appropriate date to revoke their decision, i.e., after an effective date for their retirement has been determined?**

Management's response: "Each of these eligible employees will be provided with an updated annuity estimate and

a new irrevocability date. This information will be sent to these employees in mid-December."

■ **Some employees will meet the eligibility requirements for early retirement after the Oct. 31 cutoff but before the subsequent effective dates in January and February. When will those employees be identified as eligible?**

Management's response: "Employees who meet the eligibility requirements after Oct. 31, 2003, will be provided an opportunity to apply for VER in a subsequent round of VER offerings which will be announced sometime after the Feb. 29, 2004, date." Employees who do not meet the age and years-of-service criteria until after Oct. 31, but before the Jan. 31, and Feb. 29, 2004, dates will be identified and notified of early retirement opportunities.

■ **Will there be additional opportunities for early retirement after Feb. 29, 2004?**

Management's response indicates that there will be additional opportunities. As noted above, a subsequent round of VER offerings will be announced after Feb. 29, 2004.

■ **When the number of eligible employees who wish to retire early exceeds the number management will permit to retire on a specific date, what criteria will management use to select the employees who will be permitted to retire on each date?**

Management's response: "If the number of requests for VER exceeds the limit for a particular installation, then VER will be granted to those eligible employees with the earliest retirement computation dates, up to the limit set for that installation. The additional eligible employees will be permitted to retire on either Jan. 31, 2004, or Feb. 29, 2004."

"In the VER Offer letters to employees," Burrus said, "management wrote that employees' effective date for retirement would be Oct. 31, 2003, 'provided that the allowable number' has not been exceeded for the *facility*. Management's response to this last question acknowledges that the VER Offer letters should have used the term 'installation' rather than 'facility.'"

(The Oct. 9 USPS letter can be seen at [www.apwu.org](http://www.apwu.org).)

## Safety Gloves to Be Permitted on Automated Equipment

Thanks to an APWU-requested OSHA investigation, employees working on automated equipment will be permitted to wear safety gloves that the USPS had banned.

The Postal Service claimed that Nitrile safety gloves could cause hands to get caught in moving parts.

"We believe that the gloves are necessary to protect our members' hand from cuts and scrapes, and biological hazards," said Director of Industrial Relations Greg Bell. "If there was a danger of contact with moving parts, then that's a serious safety violation related to guards on the machines, not to gloves." [PDF of correspondence]

Following up on an APWU request, an OSHA team visited the USPS facility in Merrifield, VA, in early July. According to the safety agency's subsequent report: "The OSHA team did not find evidence [of] an increase in the number of potential hand injuries." OSHA also found that the USPS did not provide "any accident investigation data pertaining to hand injuries (resulting from gloves being caught in the moving machinery parts)."

As a result of OSHA's conclusions, the Postal Service issued a memo Sept. 26 announcing that the voluntary use of the gloves would be allowed around nationally deployed mail processing equipment.

## Advanced Arbitration Conference

The APWU Research and Education Department is hosting an Advanced Arbitration Training Conference from Nov. 18 to 23 in Washington, DC. The conference is designed to acquaint arbitration advocates with the advanced techniques needed to prevail.

The conference will be at the Washington Court Hotel. Call 800-321-3010 by Friday, Oct. 31, and identify yourself as attending the APWU conference to secure the negotiated rate of \$119 per night (plus tax).

To qualify for the conference, participants must be a certified national advocate or a local-certified advocate currently arbitrating cases, or have previously attended an APWU arbitration conference.

The registration fee is \$150. Participants must submit a letter from their local or state presidents (on union letterhead) that authorizes their attendance. The conference registration deadline is Oct. 31. Registration forms can be found at [www.apwu.org](http://www.apwu.org).