

# Contract Ratification Balloting Extended to Jan. 12

Balloting in the ratification of the tentative agreement will be extended until Jan. 12, the Rank-and-File Bargaining Committee has announced. “We want to ensure that every interested APWU member has an opportunity to participate,” said Princella Vogel, the committee chairperson.

“The three-day break in mail delivery that resulted from the New Year’s holiday and the Day of Mourning disrupted the flow of ballots to the American Arbitration Association,” which will count the votes, she said. “In addition, snowstorms in Colorado and other parts of the country have delayed mail.

“Under the circumstances,” Vogel said, “we feel it is ap-

propriate to extend the voting period by three days.”

APWU President William Burrus has asked local and state presidents to continue to encourage their members to vote on whether to ratify the proposed agreement. The national union announced last month that it will reward the locals that are most successful in mobilizing members to vote. For more information on the program, visit the union’s Web site, [www.apwu.org](http://www.apwu.org).

Ballots must be received in the New York offices of the American Arbitration Association by Friday, Jan. 12, at 9 a.m. The count will begin that day, and results will be announced as soon as they are known.

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## *APWU Files Suit on Jurisdictional Disputes*

The APWU has filed a lawsuit in U.S. District Court that charges that the National Postal Mail Handlers Union and the Postal Service have violated a national-level three-party agreement that establishes procedures for resolving disputes over work assignments.

The memorandum, signed on April 16, 1992, outlines methods for the unions to challenge USPS work assignments they consider improper, and requires the parties to appoint a national-level arbitrator to resolve the disputes they are unable to settle. The agreement also requires the parties to meet frequently enough to render timely decisions, and to schedule arbitration hearings for unresolved cases.

In the 15 years since the agreement was signed, however, only two national arbitration awards have been issued. Five years elapsed before Arbitrator Dana Eishen was appointed in 1997, and he issued only one ruling before his term expired. It was not until 2003 that Eishen was replaced by Joseph Sharnoff, who issued a single ruling in 2006, which was after his term expired. Although the parties agreed to reappoint Sharnoff on June 28, 2006, the suit notes, the Mail Handlers Union [MHU] has refused to finalize the appointment.

“The MHU has obstructed and delayed the appointment of a national arbitrator, at least in part,” the suit asserts, because 12 of the 14 pending disputes “concern claims by the APWU that the Postal Service has erroneously assigned work to the Mail Handler Craft which should have been assigned to the Clerk Craft.”

Calling the lawsuit “absolutely necessary,” APWU President William Burrus said that, “the Postal Service and Mail Handlers Union have acted in tandem to delay and deny justice to APWU members.”

As a result of the breaches of the 1992 agreement, the APWU and the Clerk Craft employees it represents “have suffered and continue to suffer substantial injuries,” the suit charges. This includes the reassignment of APWU-represented clerks to lower-level work at distant locations, while the Postal Service assigns and hires mail handlers to perform the duties in question.

It also has denied the APWU of the opportunity to challenge work losses. The failure of the USPS and MHU to adhere to the agreement has left the APWU without an alternative method to resolve its claims, the suit contends.

The suit, filed Jan. 5 in District Court for the District of Columbia, seeks “injunctive relief.” It asks the court to find that the MHU is in breach of the 1992 agreement, and to order it to schedule “forthwith” arbitration hearings of the disputes over the assignment of work on the APPS (Automated Package Processing System) and in the Priority Mail Processing Centers (PMPCs).

Among other things, the suit seeks to compel the Mail Handlers Union to schedule and attend meetings of the Dispute Resolution Committees; to act in good faith on the issues pending before it; and to sign a letter reappointing Arbitrator Sharnoff.