

Tracking Custodial Work Hours

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The MOU of July 9, 2014 regarding the MS-47, TL-5 implementation contained, amongst other noteworthy items, a provision for an automatic remedy for a violation regarding staffing and work performance. This was done at item 6 of the MOU:

6. In *facilities that are maintained by USPS custodians*, upon the conclusion of each Postal Fiscal Year (FY), *during October of the new FY*, the total custodial work hours for the just completed fiscal year shown on the end of year report(s) for Labor Distribution Code (LDC) 38 (custodial work) will be compared with 90% of the custodial work hours shown on Line H of PS form 4852. *The results will be provided to and discussed with the Local APWU President or designee. Falling short of 90% of the work hours shown on PS Form 4852 Line H will result in compensation for each hour short of 90% of the hours on PS Form 4852 Line H paid at the overtime rate to the custodial employees who will be identified in writing by the APWU Local Union. The APWU Local Union will determine the appropriate custodial employee(s) to compensate. In the fiscal year of the MS-47 TL-5 implementation, the period shall be prorated for the time MS-47 TL-3 PS Form 4852 was in effect and the time MS-47 TL-5 PS Form 4852 was in effect. Where staffing changes have been made during the course of the fiscal year, the final Line H hours of the PS Form 4852 to be considered for comparison at the end of the FY shall be the sum of the hours shown on each PS Form 4852 Line H prorated for the period each of the staffing packages were in effect during the FY. The 90% of Line H work hours is not intended to permit the staffing level for the individual facility (e.g. a station, branch, VMF, annex, etc.) covered by the PS Form 4852 to be below the number of employees shown on the PS Form 4852. Where a custodial duty assignment works at more than one facility, the local parties are to agree on how to apply the work hours.*

a) *Further in any facility where the facility has fallen short of the 90% of work hours on PS Form 4852 Line H for a FY and in the succeeding Fiscal Year comparison, the facility is again short of achieving the 90% of work hours on PS Form 4852 Line H, the payments made under this paragraph will then be equal to the difference between the custodial work hours shown on the end of year report(s) for LDC 38 and 100% of the work hours shown on PS Form 4852 Line H for that Fiscal Year. (after prorating if applicable).*

b) *Compensation at 100% of work hours reflected on the PS Form 4852 Line H calculation will only occur when the facility has failed to achieve the 90% threshold in successive, consecutive years but shall continue at the 100% level until the facility has achieved 90% of the work hours in a fiscal year. For subsequent failure to reach the 90% of work hours on the PS Form 4852 the process described herein repeats.*

The above spells out with a good deal of specificity what occurs and when. Taking things from the beginning, note that the above applies to “*facilities that are maintained by USPS custodians.*” There is no mention of whether the facility is covered by TL-3 or the TL-5 version of the MS-47. That is because it does not matter. Item 6 applies to all facilities where we have maintenance custodians. Next is, “*during October of the new FY*” which advises the Local when the comparison of work hours (from LDC 38) to the staffed for work hours (Line H from the 4852) will occur. The comparison is spelled out as the difference between the LDC 38 hours and 90% of the Line H hours.

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Remember that each facility (building) in your installation has their own staffing package. The comparison is done individually for each MPO, P&D, station, VMF, branch or other subordinate unit. This also prevents local management from playing the game of sending station custodians into the plant to attempt to artificially raise the LDC 38 work hours in the plant since they will come up short at the station. It is left to the Local to decide how hours worked between facilities are divided up.

Next, "The results will be provided to and discussed with the APWU Local President ..." This is clear that it is management that will give the comparison to the Local. Of course, the Local can request the information to get the ball rolling. And, don't believe for a second that your Local manager can't get the LDC 38 hours - they either have the direct access or they make a phone call and have the LDC 38 report sent to them.

If the comparison results are less than 90% of the Line H hours, then payment is due at the OT rate for the number of hours that would bring LDC 38 up to the 90% threshold. If again the next FY, the Service is less than 90% of the Line H hours, then the payment at the OT rate will be for the number of hours between the LDC 38 hours and 100% of the Line H hours.

The work that must be done by the Local representatives is to ensure that the LDC 38 hours are actually made up of work that has been included in the staffing package. If custodians are regularly performing some kind of work (e.g. - moving furniture) and there is no time allotted in the staffing package for moving furniture, then those LDC 38 hours cannot be included in the year-end total. The way to determine the number of hours used for moving furniture is to pull the year-end report for the work order or route that was used to track the work. This is to ensure an apples-to-apples comparison.

Custodial work must be included in the staffing package. If the work is not in the staffing package, then the LDC 38 hours cannot be augmented with the additional hours. The point here is to ensure that the office is properly staffed to perform the identified work. If management wants the additional work (and so do we of course), then it gets included in the staffing package. If management will not include it in the package, then they will end up paying for the performance of that work every fiscal year.

Our policing job through the year is to remind everyone to punch onto the proper operation, get your higher level whenever appropriate (e.g. - driving, P.I.E. operation) and that any work being done by custodians is verified as included within the staffing package. If the work is not in the package and reflected on Line H, even if it is legitimate custodial work, the local should track this including, if necessary, filing a grievance demanding the work hours not be included in the end of FY comparison. Policed properly, come October, the automatic remedy at the OT rate will apply. Or, better yet, your office is fully staffed and we are performing all of our work. **Merry Christmas ☺**