

Note: APWU Maintenance Division concurs
Steve Raymer, Director
8/6/2014

From: [LeFevre, Terry C - Merrifield, VA](#)
To: [#LR Area Mgrs](#)
Cc: [Devine, Patrick M - Washington, DC](#); [Bunnell, Thomas A - Greensboro HR Shared Srv Cntr](#); [Bratta, Dominic L - Merrifield, VA](#); [Coffey, Todd C - Washington, DC](#); [Dean, Rickey R - Washington, DC](#); [Adona, Jacqueline D - Washington, DC](#); [Virk, Vijay V - Washington, DC](#); [Brenker, Robert C - Washington, DC](#); [Steven Raymer](#)
Subject: RE: Revised - Expanded Q & As re: MOU MS-47 TL-5 Implementation and Maintenance Craft PSE Conversion
Date: Wednesday, August 06, 2014 3:02:41 PM
Attachments: [MS-47 Additional Q & A 08062014 1455.docx](#)

All,

Attached are the latest agreed upon Q & A's. Q. #28 has been added further clarifying Q. #1. Please use the file attached as the most recent guidance

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From: LeFevre, Terry C - Merrifield, VA
Sent: Monday, August 04, 2014 1:05 PM
To: #LR Area Mgrs
Cc: Devine, Patrick M - Washington, DC; Bunnell, Thomas A - Greensboro HR Shared Srv Cntr; Bratta, Dominic L - Merrifield, VA; Coffey, Todd C - Washington, DC; Dean, Rickey R - Washington, DC; Adona, Jacqueline D - Washington, DC; Virk, Vijay V - Washington, DC; Brenker, Robert C - Washington, DC; "Steven Raymer" (sraymer@apwu.org)
Subject: Revised - Expanded Q & As re: MOU MS-47 TL-5 Implementation and Maintenance Craft PSE Conversion
Importance: High

All,

Former Question #26 regarding the acceptability of the August 9 conversion date has been removed as we have not mutually agreed on the answer. Please use this file version of the Q & A for reference to mutually agreed responses.

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MS-47 Maintenance MOU Questions

1. Are PSE conversions to newly created positions that will match current PSE schedules that exceed the current authorized custodian staffing considered UAR positions? If they are considered valid, full time regular or part time regular placements that are part of current MS-47 staffing, do the newly created positions need to be posted to the installation per the contract?
 - A. PSEs should be considered as assigned to the position they are converted into. These jobs are not to be posted for bid except in accordance with Article 38. They are considered "filled" by the PSE that was converted.
2. Does this MOU eliminate the need for conversions based on District and/or Installation seniority registers for the purpose of converting PSE custodians on the rolls prior to the signing of the MOU?
 - A. Conversions that have occurred and resulted in a scheduled reporting date (award) should be completed. Further conversions as required by the March 28 MOU up to October 31 are no longer required and remaining PSEs will be converted IAW the July 9, MOU Re: MS-47 TL-5 Implementation and the Maintenance Craft PSE Conversions. Per item 4 of the July 9 MOU, the *remainder* of the March 28, MOU including provisions for career conversion remain in effect. Also see answer 12 below.
3. If there are more residual positions, FTR/PTR, than there are PSE custodians in an installation, will the remaining residual positions be filled by in-service registers and other means per the JCIM (Item 7B forward)? Must they be held pending reversion or can the position be reverted if these positions are not authorized under the current MS-47?
 - A. Remaining residual vacancies may be filled IAW Article 38 and the pecking order established in the JCAM and the March 28, Maintenance PSE Conversion MOU, or may be reverted or held pending reversion IAW Article 38 or the MOU Re: MS-47 TL-5 Implementation and the Maintenance Craft PSE Conversions.
4. If a position is held pending reversion, is there a requirement to cover this position with a PSE hire as long as there is room within the cap? If there is no room within the cap, what other options are permitted under the MOU?
 - A. When a position held pending reversion remains required as part of the current staffing package it may be covered with a PSE if there is room in the cap. (See MOU #11) If there is no room within the PSE cap to cover a required position the position should be filled IAW Article 38, JCIM and applicable MOU's.
5. The MOU indicates PSEs converted to regular will have the option to return to their former installation/position, if the position is still available. Would the starting point for these reviews be conversions done on or after March 20, 2014?
 - A. Yes
6. The Area has two Districts that provided the required local notification to the APWU for excessing to the needs of the section based on recent WHEP's. This occurred prior to July 9, 2014. Higher level impacted occupational codes, including MOS clerks, were to be offered lower level residual custodian positions in these offices. Will we be continuing with the excessing within the installation and within the craft and holding residual positions for the excessing? How will the Districts be handling the PSE custodian conversions in these installations if excessing is to continue within the installation? Would the PSE's be converted to UAR schedules until the excessing is completed?
 - A. This should not impact plans to excess other occupational groups except by reducing the number of available custodial vacancies.

7. If an installation is under the MS-47 TL-3 authorized staffing and there are residual positions that exceed that authorized staffing, does Item 11 of the MOU give the installation the ability to revert these positions as long as the reversion occurs within 120 days of the signing of the MOU?
 - A. *Remaining* residual vacancies that are in excess of the required staffing may be reverted. See item 11 of the MOU.
8. By “in place” conversions, this means there will be no preferencing by seniority for residual positions within an installation correct?
 - A. There will be no seniority consideration for different assignments as a result of the conversion. Subsequent bidding will be IAW the posting and filling of positions per Article 38.
9. How are we to handle a custodian PSE that does not have a regular schedule for conversion purposes?
 - A. The parties will need to make that determination locally. PSE's should be covering duty assignments.
10. If the Custodian PSE schedule includes work in more than one installation with no more than 30 minutes of unpaid travel time per the Maintenance MOU for insourced work, is it a local determination for assignment of the position for the purpose of the MS-47? And how will that be credited for the 90% threshold when the installations are moved to the new model?
 - A. Conversion to career does not necessarily impact these assignments. The work hours will be reported as agreed to by the parties per item 6 in the MOU.
11. Are Custodian PSE's allowed to decline the “in place” conversions?
 - A. No
12. Under Item 2, any PSE who “has made a selection of a duty assignment for conversion”, would this include preferencing selections that had been made but not yet finalized by HQ's through the due diligence process and so not yet communicated to the employee?
 - A. Employees who have already been assigned and reporting, or scheduled or expected to report, may exercise their right under item 2.
13. Will disputes that arise over this MOU continue to go through the ADR process currently in place if a local solution cannot be reached?
 - A. Yes
14. Are PSEs in the "1500" offices that were insourced to be included in the conversion to career?
 - A. Yes
15. Are the PS Form 4852 Line H calculations outlined in Item 6 of the MOU in effect for FY 2014?
 - A. Calculations for Line H should be prorated from July 9 through the end of FY 2014.
16. Does the term “in-place” mean “installation” or actual duty assignment/schedule the PSE is working?
 - A. For the purpose of this MOU “in-place” means the location and actual duty assignment being covered or if not in a specific duty assignment the schedule the PSE was assigned.

17. If we have residuals for placement of the PSEs in the installation, do we canvas the PSEs for their preference?
- A. No. PSEs converted under this MOU do not preference except as provided in Item 2 of the MOU.
18. If a PSE was converted based on the March 28 PSE Conversion MOU and they elect to return to their former assignment as provided in Item 2 of the MOU, but they were not covering a duty assignment in the former installation, do they select a residual duty assignment, and what if there are none?
- A. The employee is placed in the schedule they were assigned, and in the appropriate career category based on that schedule as provided in Item 2 of the MOU.
19. How long do we allow a converted PSE to decide on whether or not to return to the former assignment?
- A. Management will canvas PSE converted under the March 28 MOU. The PSE must indicate a preference when canvased.
20. A current PSE schedule is different than a residual position in the same installation - do we create an additional position for placement of the PSE or can the PSE be placed into the residual position containing the different schedule?
- A. For the purpose of this MOU "in-place" means the location and actual duty assignment being covered or if not in a specific duty assignment the schedule the PSE was assigned.
21. Per Section 5.11 of the MS-47 a local APWU representative may observe in the development of the staffing package. Is the representative on the clock?
- A. One designated union official may be on "steward time" to observe development of the staffing package.
22. Can PSEs be converted to career in any other bargaining unit jobs e.g. Group Leader Custodial, or Building Maintenance Custodian?
- A. No
23. Will Maintenance PSEs in small offices who worked non-custodial related hours in excess of the MS-47 earned hours for the office(s) they were assigned have those non-custodial hours included in their schedule?
- A. No.
24. Do current career employees have the right to bid on residual vacancies and schedules the PSEs are initially given upon PSE conversion to career IAW this MOU prior to the PSE conversions?
- A. No.
25. Can a newly converted PSE who was not covering a residual vacancy and was working hours and non-scheduled days not matching a vacant residual duty assignment be made Unassigned Regular (UAR) and scheduled for the hours and days off they were actually working as a PSE?
- A. Yes
26. Regarding item 6 of the July 9, 2014 MOU, when determining the LDC 38 work hours to be compared to Line H on the authorized PS 4852, is there are agreed upon report to use?
- A. The LDC 38 work hours can be shown by whichever report, or combination of reports, will be provide the best evidence. The end of FY LDC 38 work hours used must reflect

the actual custodial work performed that is included in the Line H total. In other words, only custodial work identified in the staffing package and reflected on the Line H annual time will be used as the comparison. Work hours that do not reflect custodial work, improperly coded work or custodial work not included in Line H will be subtracted or ignored for the purposes of the LDC 38 end of FY comparison.

27. Regarding question #13 above. Will all issues go through the ADR process if unable to be resolved locally?

A. Only issues related to the PSE conversions are expected to be resolved through the ADR process.

28. Can you provide further clarification of question #1 above?

A. Regarding question #1 above. For further clarification, if a PSE is converted and placed in a previously existing (on the PAR) duty assignment which they were "covering", they are assigned to that duty assignment and it is not available for posting and bidding except in accordance with Article 38 (Example 38.4.A.4). Where a PSE was not covering (working in) a specific duty assignment they may become an Unassigned Regular, and be given the schedule they were actually working. Immediately (if addressed in the LMOU, the next posting cycle, otherwise 14 days) after the PSE's have been converted per this MOU, **all** existing vacant and residual PS-4 Laborer Custodial duty assignments will be posted for all eligible employees within the occupational group within the bid cluster and filled by PAR. Current employees and newly converted former PSE employees will all have the opportunity to PAR. Any remaining Unassigned Regulars may be assigned IAW 38.5.A.8.

August 6, 2014