



# RESOLVE



## STEP B DECISION

USPS Step B:	Decision:	<b>RESOLVE</b>
<b>Rose Barner</b>	USPS Number:	<b>G16N-4G-C 2105 3298</b>
NALC Step B:	Grievant:	<b>Class</b>
<b>Jim Ruetze</b>	Branch Grievance Number:	<b>421-1646-20</b>
	Branch:	<b>421</b>
	Installation:	<b>Eagle Pass</b>
District:	Delivery Unit:	<b>MPO</b>
<b>Rio Grande</b>	State:	<b>TX</b>
	Incident Date:	<b>11/21/2020-11/27/2020</b>
	Informal Step A Initiated:	<b>12/04/2020</b>
	Formal Step A Meeting:	<b>12/10/2020</b>
	Received at Step B:	<b>12/21/2020</b>
	Step B Decision Date:	<b>01/20/2021</b>
	Issue Code:	<b>65.2100</b>
	NALC Subject Code:	<b>600139</b>

**ISSUE:** Did management violate Articles 19 (via Handbook M-32, *Management Operating Data System (MODS)*), and/or 41 of the National Agreement by instructing letter carriers to move to operation 733 when delivering parcels on letter routes ("parcel runs")? If so, what is the remedy?

**DECISION:** The Dispute Resolution Team (DRT) mutually agreed to **RESOLVE** this grievance. Management will adhere to the provisions of Handbook M-32, Management Operation Data System (MODS) for time spent delivering parcel runs. Auxiliary assistance given to city delivery routes, even if the assistance given was to relieve the route by delivering parcels, is not part of LDC 23. That assistance is still part of the carrier's street time and is part of the carrier's route time. It must therefore be attributed to LDC 22 by the carriers in Eagle Pass moving to operation 721. See the DRT Explanation below.

**EXPLANATION:** During the week of November 28, 2020 management instructed carriers to clock to operation 733 for time spent delivering parcel runs, instead of operation 721 during the month of December.

The union filed this grievance to protest the instruction to move to operation 733 for time spent delivering parcel runs. Unable to achieve a resolution through the Informal or Formal A steps of the grievance process, the union appealed the grievance to Step B.

**The union** at Formal Step A contended management violated Article 19 and 41 when they instructed carries to clock to operation 733 during the month of December to do parcel runs. Code 733 is for parcel post route and in Branch 421 there are no parcel post routes. Eagle Pass only has city routes and a few HCR routes. The union contended management is responsible for accurately recording volume and other data in DOIS (Delivery Operation Information System).

The union requested management cease and desist from instructing carriers to clock to operation 733 (or any operation other than 721) when performing street auxiliary assistance, including parcel runs, on city delivery residential motorized letter routes. The union also requests the time spent on operation 733 be properly credited to the routes on which the parcel runs were done.

**Management** at Formal Step A contended this grievance was untimely and the use of code 733 has been a past practice in the Eagle Pass office. The use of operation 733 to deliver parcels (street) has been used in previous years and the union was aware. Management contended operation 733 is for the delivery of parcels only which are called static routes (X001, X002, etc.). These routes get a parcel count with a number of parcels and an estimated time of delivery. During the month of December route counts are excluded. Management also believes this grievance to be procedurally defective because PS Form 8190 provided by the union for grievance 421-1646-20 at the Formal A meeting did not have an issue statement or requested remedy. The 8190 only says "see attachment" and no attachments have been provided by the union.

The DRT reviewed the case file and determined management did not adhere to the provisions of Handbook M-32, Management Operation Data System (MODS) and the Joint Contract Administration Manual (JCAM) when requiring carriers to utilize Code 733 when making parcel runs.

Handbook M-32 (*Management Operating Data System (MODS)*) includes the following definition of Operation 733:

**733 Parcel Post — Street LDC 23/20**

*Street work hours of carriers used for the delivery of parcel post routes. [Emphasis Added]*

**721 City Delivery Carriers, Residential Motorized — Street LDC 22/20**

*See operation 713 activities and data requirement descriptions.*

**713 City Delivery Carriers, VIM Route — Street LDC 22/20**

*Work hours of carrier employees used to deliver mail on city delivery regular and auxiliary letter routes, street hours. Do not include router hours and combination routes. [Emphasis Added]*

Page 41-58 of the JCAM contains the Step 4 settlement of grievance Q01N-4Q-C 05022610 (M-01664):

*The Delivery Operations Information System (DOIS) is a management tool for estimating a carrier's daily workload. The use of DOIS does not change the letter carrier's reporting requirements outlined in section 131.4 of Handbook M-41, the supervisor's scheduling responsibilities outlined in section 122 of Handbook M-39, or the letter carrier's and supervisor's responsibilities contained in Section 28 of Handbook M-41. DOIS projections are not the sole determinant of a carriers leaving or return time, or daily workload. As such, the projections cannot be used as the sole basis for corrective action. A five minute time credit for lines 8-13 will be added or when route inspection data is available for lines 8-13 the actual average information will be used for daily workload projections.*

Management is responsible for accurately recording volume and other data in DOIS. Other than obvious data entry errors, route based information may only be changed through a full count and inspection or minor route adjustment. Additionally, the parties have previously agreed that functions in DOIS which relate to the route inspection and adjustment process must be in compliance with the city letter carrier route adjustment process in Subchapter 141 and Chapter 2 of the M-39 Handbook. Exceptions are offices that have jointly established an alternate route adjustment method. DOIS base information in such offices shall, as appropriate, comply with the alternate route adjustment method. [Emphasis Added]

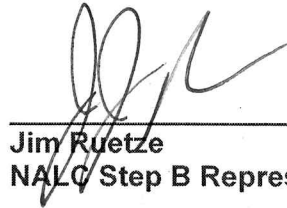
Date: July 30, 2007

Management contended the use of operation 733 is a past practice; however, the contract, via Handbook M-32, requires management to ensure route data is accurately recorded in DOIS. Additionally, the operations to be used for work hours are established in Handbook M-32. Therefore, the street work hours on the delivery routes in Eagle Pass are required to be recorded on 721.

Based on its review of the case file, the DRT agreed to the decision above.



Rose Barner  
USPS Step B Representative



Jim Ruetze  
NALC Step B Representative

**cc:**

LR Manager, Southern Area  
NALC Region 10 NBA  
Rio Grande District HR Manager  
Rio Grande District LR Manager  
USPS Formal A Jesus Carrillo

NALC Branch President  
NALC Formal A Jorge Valdez  
Manager, Rio Grande District  
Postmaster  
DRT File

**Grievance File Contents**

PS Form 8190  
Union Contentions – 5 pgs  
Management Contentions  
Informal Step A Meeting

Request for Formal A Meeting  
M-01885, Letter from Alan Moore  
Employee Moves Report – 37 pgs