

APWU and USPS
Clerk Craft Questions and Answers
dated 4/22/2014 for
MOU Re: Filling of Residual Vacancies dated 3/20/2014

1. Does the MOU apply to all residual vacancies?

Answer: Yes.

2. How will the MOU be applied to residual vacancies in the Clerk Craft?

Answer: The MOU applies to all vacant residual duty assignments released from withholding related to AMP excessing events. The MOU will also apply to all residual vacancies if they have not already been or in the future are not reverted after application of the procedures established in the MOU dated November 7, 2011.

3. If an installation is under a proper withholding under Article 12 and the event is cancelled or completed while the MOU is in full force and effect, do the terms of the MOU then apply?

Answer: Yes.

4. When will the postings take place for Clerk Craft residual vacancies that have been challenged under the procedures established in the MOU dated November 7, 2011 and were not reverted?

Answer: They will be posted in the next available e-reassign posting.

5. Does the MOU apply to future residual vacancies?

Answer: Yes.

6. Will the USPS at the national level provide the union at the national level a list of residual vacancies by Area/District/Installation on a monthly basis?

Answer: Yes. A copy will be provided to the national APWU.

7. Will the terms of the MOU undo any previous conversions of PSE to career or grievance settlements regarding PSE conversions to career negotiated prior to the March 20th MOU?

Answer: No.

8. What happens to those requests for transfer made in the March and April postings in eReassign?

Answer: Such transfer requests will not be filled at this time. However, those transfer requests will be filled by application of the March 20, 2014 MOU. Employees requesting the transfers have continuing eligibility for future residual vacancies without need to re-apply.

9. What is the procedure when the parties have fully completed a step in the Clerk Craft “pecking order” prior to the effective date of the MOU?

Answer: The process continues from whichever step has already been fully completed. Questions can be addressed on a case-by-case basis and resolved through the Alternate Dispute Resolution (ADR) process established in Item G of the March 20, 2014 MOU.

10. How will clerks who were unencumbered prior to the signing of the MOU Re: Filling Residual Vacancies be assigned under Step #1 during the first application of the steps in the MOU?

Answer: Clerk Craft employees who became unencumbered prior to March 20, 2014 will be assigned under Step #1 during the first application of the steps in the March 20, 2014 MOU. Any disputes over seniority will be resolved through the ADR process.

11. How will PSEs converted to an unencumbered career status after March 20, 2014 be assigned to a residual vacancy in accordance with the March 20, 2014 MOU?

Answer: PSE employees converted to an unencumbered career status after March 20, 2014 will be eligible to select residual vacancies only after all the steps of the “pecking order” prior to Steps #7 and #8 have been completed during the first application of the steps in the March 20, 2014 MOU. Any disputes over seniority will be resolved through the ADR process.

12. Do retreat rights as referenced in Step #2 of the MOU apply to Clerk Craft employees excessed outside of the craft within the installation and outside the installation to any craft?

Answer: Yes.

13. When an employee transfers under Step #5 of the MOU pecking order, do they carry seniority to the new installation?

Answer: No.

14. When will Clerk PTFs be eligible to avail themselves of their one time transfer opportunity in Step #6 of the MOU “pecking order?”

Answer: During the May 1, 2014 regular eReassign posting.

15. What is the definition in Step #6 of the MOU of “craft seniority?”

Answer: For the purposes of the MOU dated March 20, 2014, seniority begins on the date of entry into the Clerk Craft in an installation and continues to accrue as long as service is uninterrupted in the Clerk Craft and in the same installation per Article 37.2.D.1. However, if a PTF employee has been excessed, “clerk seniority” will be calculated as if the employee had never been excessed.

16. Does management have to finish carrying out Step #7 of the MOU pecking order, prior to converting Clerk PSE employees to residual vacancies under Step #8?

Answer: No. Steps #7 and #8 may be processed simultaneously and PSE conversions will not be delayed while transfer requests are being considered.

17. In applying Step #8 of the “pecking order” how will residual vacancies be offered to the PSEs?

Answer: Clerk PSE employees will be able to select by relative standing in the installation from among the residual vacancies.

18. What if a residual vacancy is for a Lead Clerk Level 7 position?

Answer: The one year eligibility requirement applies. For Lead Clerks in window and customer service operations, employees must have a minimum of one year of experience in a window position (Window Clerk; Distribution and Window Clerk; Distribution, Window, and Markup Clerk; Sales and Services Associate; Sales, Services, and Distribution Associate). Mail Processing Lead Clerks require one year of experience in Mail Processing operations. Any PSE who meets this requirement at the time of conversion to career with their relative standing would be eligible to assume the Lead Clerk position.

19. Once a PSE finishes the deferment period qualifying for window duties referenced in Step #8, how will their career seniority be calculated?

Answer: Clerk Craft seniority will be adjusted to the day the employee received the initial assignment, pending qualification. There will be no retroactive compensation due to this adjustment.

20. When is PSE “relative standing” for conversion purposes established?

Answer: PSE relative standing is established at the time of the original appointment as a PSE. This standing continues through successive appointments.

21. What is the seniority date for PSEs converted to career on the same date?

Answer: When PSEs are converted to career effective the same date, seniority is determined among employees by the order in which they are converted, as determined by application of their relative standing, which includes all relative tie-breakers in accordance with Article 37.2.D.4.

22. How will questions with the PSE installation “relative standing” lists be addressed?

Answer: The parties are encouraged to resolve questions at the Local and Area levels. Unresolved questions may be resolved through application of the Alternate Dispute Resolution (ADR) process established in Item G of the March 20, 2014 MOU.

23. Are PSE employees who are converted to career subject to a new 90-day probationary period?

Answer: Yes. However, any PSE who has successfully completed at least two (2) successive 360-day terms will not serve a probationary period when hired for a career appointment, provided such career appointment directly follows a PSE appointment.

24. What are the bidding rights of PSE employees converted to career?

Answer: Newly-converted PSE clerks are eligible to bid and/or apply for duty assignments during their ninety (90) day probationary period. However, the fact that an employee successfully bids or is awarded a duty assignment does not alter the existing provisions of the employee's probationary period.

25. Will Clerk Craft PSEs be allowed to voluntarily transfer from installation to installation during the terms of the MOU?

Answer: No. PSEs may be utilized in different installations on a temporary basis based on operational needs, but their relative standing will remain in their "home" installation.

26. Will current career employees from other crafts have a right to transfer within the installation into the Clerk Craft?

Answer: During the term of the MOU, no reassignments in the Clerk Craft will be made within or between installations or from other crafts, unless the reassignment is made based on a mutual exchange in accordance with Article 37.2.D.7, through the Article 12 involuntary reassignment process, or pursuant to the March 20, 2014 MOU.

27. Does the MOU settle existing local grievances regarding residual vacancies, PSE conversions, etc.?

Answer: It is possible a specific local grievance could be resolved by the March 20, 2014 MOU. The parties at the local and regional level are encouraged to use the MOU as guidance to settle existing grievances that address similar issues.

28. How can it be assured that the process agreed to in Steps #1-8 moves quickly without interference or delays?

Answer: The parties are committed to work together to ensure the provisions and all steps of the MOU are carried out expeditiously and in good faith.

29. What is the process to fill a residual vacancy still remaining after the pecking order #1-8 is completed?

Answer: In the event this occurs, the parties will meet at the national level and discuss the issue and potential solutions to address it.

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