

# Western Region Appeals Report 1.31.24

There are 4,333 + grievance appeals backlogged in the Region at press time as reported by National HQ:

## Overview

Direct Appeals\* 248  
 Arbitration+ 3,252  
 Step 3 Appeals 880

\* These are grievances appealed to arbitration but are set aside to be reviewed by NBAs and LR Managers intended to "expedite" cases.  
 + Includes appeals from Step 2 to arbitration which includes cases of AWOL, discipline, Higher level, OT, Leave issues, letters of demand, safety & health, seniority disputes, LMOU disputes

## Pending Arbitration Reviews/Hearings

## Step 3 Pending Cases

District	Clerk	Maint	MVS	Clerk	Maint	MVS
AK	7	4				
AZ-NM	533	137	89	19	4	
CA-1	315	15	37	150	27	4
CA-2	275	79	35	113	21	
CA-3	42	16	4	22	9	1
CA-4	24	6	3	26	1	
CA-5	103	89	6	24	6	
CA-6	82	205	4	59	49	3
CO-WY	90	20	29	18	5	
HI	2	3		2		
ID-MT-OR	261	88	243	65	9	9
NV-UT	102	42	4	70	1	4
WA	196	80	52	79	7	12

There are hundreds of more appeals with no USPS tracking numbers on an "Exceptions Report"

## The Process

Local members file grievances over a variety of disputes which are grieved at Step 1 (work floor) then appealed to Step 2 (local level). If not resolved those cases are appealed to Step 3 or directly to arbitration depending on the dispute. (National level)

Once appealed to Step 3 or arbitration the Local Union no longer handles the grievances. The National Union becomes responsible for representing the grievant. National Business Agents (NBAs) discuss the grievances with postal Labor Relations designees. The CBA imposes a 15 day time limit to meet after the grievance has been appealed. Management must render a written decision within 15 days after that. Adverse decisions are required to be appealed to arbitration within 21 days after receipt of the written decision. CBA Article 15 Sec. 5 outlines how grievances are placed on pending arbitrations lists and how to avoid loss of available hearing times. [ The CBA provides for mutual extensions of time limits. However there are cases eight (8) years old pending ]

## It Is A People Problem

The grievance-arbitration procedure outlined in Article 15 provides for the expeditious handling of grievance disputes. Amazingly, but not surprising, both NBAs and Area Labor Relations Designees point fingers at each other as to why the backlog exists. The CBA requires both parties to act "in good faith" which calls for an honest effort to fulfil the contract requirements.

Regional Coordinators no longer handle arbitration scheduling. Under JASS (Joint Arbitration Scheduling System,) the NBAs and their management counterparts pick and chose hearing dates and blame each other for not selecting dates. The National Union Constitution established "Arbitration Advocates" appointed by the President to assist in handling the backlog. However, if dates are not selected hearings do not occur and the backlog mounts.

## Efforts to Deal With the Issues Thwarted

Despite various MOUs on handling arbitration reviews the issues with the grievance-arbitration process persist. The National Union's Leadership met various times over the last 10 months to discuss how to better address the problems with the system. The Leadership agreed to revamp and update the signatures on a 2002 field policy issued under former APWU President Bill Burrus that had worked to reduce the backlog. The effort to revamp the policy was to no avail.

The National Clerk Director insisted that he **"the Director shall be responsible for the Division; for processing ALL grievances in the Division and that the NBAs are under his supervision."**

No further action was taken to update the field policy. **If you are a clerk and have filed a grievance that was appealed to Step 3 and/or arbitration and you have concerns on the status call the National Clerk Craft Director at (202) 842-4220.**