

- **If excessed** to another craft, employee begins a new period of seniority, however regains seniority plus time in other craft when returned to craft. This employee must be returned to their craft at same, lower or higher level and receives saved grade.

- A **FTR** not impacted, can volunteer to be excessed in lieu of junior employee which is considered a transfer with full seniority and regular status. He/she receives 50+ mile relocation expenses and has a duty assignment with rest days and a schedule. BUT he/she does not have any retreat rights.

- A **FTR** involuntarily excessed stays a FTR and has retreat rights as well as relocation benefits if reassigned more than 50 miles. He/she has saved grade and can decline retreat rights. But, if retreat rights are exercised there are no relocation benefits provided to return.

Relocation Benefits

Management is not benevolent. By contract and law they are required to pay you if you are relocated. To qualify, your new duty station must be at least 50 miles farther from your home. Publication 164 outlines what you can be paid to hunt for housing, for temporary quarters and actual expenses.

What Good Is Your Union!?

Abolishments and excessing are very traumatic. Your first impulse is for you to blame the Union. This is almost a natural thing. But, it feeds management's dirty plan.

The Union does not make staffing plans. If it were up to the Union you would have the best hours, best rest days and a new car too! But it does not work this way in industrial America.

Your union has secured a benefit for you that most Americans do not have. In the USPS, *because of your Union*, you cannot be laid off. Management

must find you a job/position and keep you employed. ***This is a union secured protection.*** If it were up to management, they would just as soon let you go!

More Protections Besides No Lay Offs

The Union has secured seniority rules to protect you. Of course if you're junior you'll feel the brunt of reassignments. In some cases even very senior workers are being impacted. But the right of management to dislocate you is limited by your union contract. One day current junior employees will be senior employees.

There Are Several Levels of Union Protection

On the work floor, your Local Union provides service and leadership to deal with management's mess, and monitor postings, bids, reversions and withholding. ***But you must support your Local Union.***

The Regional level monitors entire states within your region. A handful of dedicated union officers deal with Area postal officials too quick to follow orders even if they impact service. Regional union officers need your support too! National level officers negotiate the CBA and render backup/resources to local/regional offices. Working as a team we'll survive battles that lie ahead.

Principles of Seniority, Reassignments and Excessing

Guide to APWU Members' Rights

**An Educational Tool
from the Coordinator**

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This Brochure is offered solely as an educational tool and is not intended to establish regional or union policies. Article 12 is complicated, being first negotiated in the 1960s. Series of MOUs, Step 4s, Memos, and Arbitrations have induced modification and Interpretations. Please seek more information from your Local Union Officers or see the JCIM.

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Employee Impact

The current Union contract does not permit you to be laid off. Yet, management is hell bent on reducing the workforce, downsizing and realigning . Because they cannot lay off workers there are procedures and rules on how seniority and reassignments are to be done. Although the contract requires management to keep your dislocation and inconvenience to a minimum the bosses often do not care how their wayward plans affect you, your work life and your family. One thing you can rest assured of, *your Union does NOT agree with management's stupid plans.*

Definitions

Often employees get their terms mixed up - which is what management likes. The contract defines terms so management will not twist them.

Abolishment - is a management decision to reduce the number of "occupied" duty assignments in your section and/or your installation.

Withholding - is a management action to hold sufficient (residual) vacancies within the area for you to be placed into if you're excessed out of your section, craft and/or installation.

Residual - a duty assignment that remains vacant after it has been posted for bid through the process.

Excess - Reassignment by management from your section, craft or Installation after deciding to reduce the number of duty assignments in your section/craft or installation.

Article 12 - is the main contract provision that protects your seniority rights and limits management's reassignment rights. LMOU - is the Local Memorandum of Understanding negotiated by your Local's officers that defines sections and other reassignment protections including change of hours and assignment areas,

CBA - is the collective bargaining agreement often referred to as the National Agreement or simply the "contract."

Section - is your geographic work area as defined by your LMOU. If no section is defined the entire installation is your section.

Installation - is not fully defined in the CBA. It can be your facility or a group of facilities that you can bid into and from.

Craft Reassignments Do Differ

Management is always making what appears to us to be bad decisions on scheduling and assignments. For years they have focused on the clerk craft. More and more in many parts of the country maintenance and MVS craft employees are being impacted by involuntary reassignments. Article 12 is the universal guide to reassignments but there are very different distinctions for each craft. The craft articles of the CBA supercede the general provisions of Article 12. But, the differences are not always significant. Please seek the advise of your local officers for more on the craft differences.

Article 12 Excessing At A Glance

Excessing Within an Installation or Section

- **Notice** is given at the Local level prior to the start of excessing. At least 60 days in advance.
- **Excessing** is by level and or status (category)
- **Excessing** is from established sections defined in the LMOU. If not defined entire installation is the section.
- **If the senior** employee's duty assignment is abolished the junior employee in the section is excessed. Limited duty employees should be returned to their craft.
- **The vacant** duty assignment is then posted for in~sectional bidding.

- **If there** are no senior or successful bidders from the section the unassigned junior employee in the section is assigned.

- **Employee(s)** excessed from the section has the right to retreat back to the section to residual vacancies. (It is wise to request retreat rights in writing)

Excessing Out of Craft or Installation

- **Advance** notification is required but no less than 90 days prior to excessing to union and 60 days to the employee.
- **Management** should already have identified the number of withheld assignments in an area (normally within 50-100 miles)
- **Management** determines the number of impacted employees to be excessed by craft and occupation group. (Note: There are no occupation groups in clerk or MVS crafts)
- **The junior** employee is identified - by level and craft - to be offered same or lower level (with saved grade) assignment within affected installation within other crafts.
Or
- **Junior employees** is assigned in the same craft in surrounding installations.
Or
- **Junior employee** is assigned in same or lower level in other crafts in surrounding installations.
- **If employee** is reassigned to same craft in surrounding installation, the employee has retreat rights to the same, lower or higher level position back to the installation excessed from. (The retreat right serves as a bid for all same level jobs in the installation excessed from, as well as, a bid to lower and higher level assignments.)
- **If employee** opts to become a PTF in lieu of being excessed (not recommended) he/she retains seniority but may only have a 2.4 hour work day, may be excessed as a PTF, does not have guaranteed conversion right.