

NATIONAL ASSOCIATION OF POSTAL SUPERVISORS

NAPS/USPS March 2022 Consultative Meeting

In Conjunction with the NAPS Spring 2022 Executive Board Meeting

Representing supervisors, managers and postmasters in the United States Postal Service

0330-01 On Form 1187, it is required by USPS that a prospective NAPS member list both their EIN and social security number. Due to the obvious concerns with revealing a social security number, NAPS is inquiring why the USPS still requires a social security number to sign up for NAPS membership, and can we work on changing this?

RESPONSE:

This matter has been discussed with NAPS on previous occasions. The Standard Form (SF) 1187 is not a USPS form, it is an OPM standard form. This form can be designed and edited by the organization. The Postal Service does not require a SSN on the SF-1187. The Employee and Labor Relations Manual, ELM-924.31.d states in part that it is the organizations representative's responsibility to identify each member by SSN OR EIN.

924.31 Function of Organization Representative

The organization representative:

- a. Distributes appropriate forms to members who voluntarily desire to have the Postal Service withhold dues from their salary payments.*
- b. Makes certain that the top portion of the form is completed: indicating the name and alpha code (see 923) of the organization; identifying each member by name, address, and Social Security number or Employee Identification Number; and showing the name and finance number of the installation where such member is officially assigned.*

Both the Human Resources Shared Services Center (HRSSC) and the Eagan Accounting Service Center will processed the 1187 with either the SSN or EIN.

Electronic Union Dues Election Process

There is an electronic union dues election process that is separate from the paper SF 1187 form. The union dues electronic file transfer used by NAPS and other organizations requires the SSN as the record key. Programming changes can be made to change the file to use EIN instead of SSN, but there would be an associated cost. It will take several weeks to determine the exact requirements on the modified electronic file and the estimated cost.

0330-02 Recently, two members both of whom report to Headquarters, notified NAPS HQ that they were disapproved when requesting personal absence time. The requests were to take parents to doctor's appointments for medical care. Both have approved FMLA coverage as they are parental caregivers. One of the members is now being told that she cannot have personal absence time for FMLA reasons, and her last request was charged to FMLA sick leave.

ELM 519.731 states: Except as provided for in 519.733, personal absence time is not authorized for a full-day absence, which must be charged to annual leave, sick leave, or LWOP, as appropriate. An exempt employee who plans to be absent from work for more than a half day on a workday should apply in advance for a full day of annual leave, sick leave, or LWOP, unless the absence is for an FMLA-covered condition.

NAPS is requesting the USPS issue a policy statement explaining the proper uses of FMLA covered personal absence time for EAS employees, and that these types of absences are not to be denied for documented FMLA approved cases.

RESPONSE: Issues related to individual employees are not matters which may be included as agenda items. The Employee and Labor Relations Manual (ELM) currently has provisions addressing authorized leave for approved FMLA cases.

Personal Leave for EAS employees is approved by management at their discretion and is covered under the following ELM provisions which includes the limitations and exceptions.

515.42 Leave Type Absences that qualify as FMLA leave may be charged as annual leave, sickleave, continuation of pay, or leave without pay, or a combination of these. Leave is charged consistent with current leave policies and applicable collective bargaining agreements.

519.731 Full-Day Absences

Except as provided for in 519.733, personal absence time is not authorized for a full-day absence, which must be charged to annual leave, sick leave, or LWOP, as appropriate. An exempt employee who plans to be absent from work for more than a half day on a workday should apply in advance for a full day of annual leave, sick leave, or LWOP, unless the absence is for an FMLA covered condition.

519.732 Partial-Day Absences

Normally, personal absence time is limited to no more than half an employee's workday. However, when an unanticipated need for time off occurs after the employee reports to work and the employee is allowed to leave work but is unable to return, the half-day limit does not apply. For example, when an employee gets sick after 2 hours at work and must leave for the remaining 6 hours of the workday, the entire 6 hours is treated as personal absence time. However, managers may disapprove personal leave requests when necessary to carry out their responsibilities to control work hours as set forth in 519.75. In this regard, managers may require the use of an appropriate leave category, for example, sick leave in the case of partial-day absences for FMLA-covered conditions.

519.751 Responsibility

Managers are responsible for controlling the workhours of their exempt employees. They may require the attendance of these employees during and outside of regular service hours and, when warranted, may disapprove advance requests for late arrivals, early departures, or other absences, as well as leave. These instructions are not intended to be overly restrictive, but managers must be aware of the frequency of requests for personal leave, recognize patterns in the use of this leave, and be alert to possible abuse. They must also give consideration to the amount of the current workload or urgency of a particular program or project that requires the employee's presence.

FMLA FAQ's

Do I have to approve personal leave for EAS employees for their FMLA condition?

No, not always. Personal leave is at management's discretion. While employees on FMLA can be allowed personal leave time for their condition, it should only be granted to the same extent as it is to other employees for non-FMLA reasons. If an employee's FMLA condition results in frequent absences which exceed the personal leave given to others, personal leave can be denied and the employee can be required to take the leave as FMLA SL, AL or LWOP.

0330-03 NAPS would like to bring back for discussion the issue of hiring. We continue to hear from members in the field that the hiring process is broken, which leads to shortfalls in a number of employee categories, such as CCA's, MHA's, RCA's, ARC's, and PSE's ... This impacts employee availability, overtime, service and other NPA indicators. As part of the March 2021 NAPS – USPS consultative meeting, NAPS provided USPS with a detailed analysis of the issues surrounding hiring, and suggestions to improve the process. These were not adopted at the time by USPS. NAPS was further told at the time that multiple initiatives around employee retention and hiring practice improvements were in review or in place at USPS HQ to address NAPS' concerns. The prevailing conclusion in the field is that these initiatives have not been effective. NAPS was again briefed as part of the November 2021 consultative by Joseph Bruce, Senior Director of National Human Resources that a new HR hiring system would be piloted by the summer of 2022. Is this pilot timeline still effective, and what plan will be in place prior to the implementation of this new hiring system to correct the inefficiencies in the current process?

RESPONSE:

The material that NAPS provided on March 2021 was an overview of the hiring process and identified challenges with the steps of hiring. These issues have been discussed within Human Resources and enhancements have been made to the hiring process.

For example, additional fingerprinting devices were purchased to support the hiring process by adding more locations and can be utilized by the Postal Service in working with the federal government in providing other services that require fingerprinting.

Comments can be added to postings by Local HR to provide information specific to needs of the facility such as work hours, schedules or use of a personal vehicle. Hiring for peak season is conducted earlier in the year and has been successful.

We are preparing materials for hiring managers, typically installation heads, to help educate them on all of the steps of the hiring process. This will add more transparency to the process and hiring officials will know where applicants and new hires are at in the process and can contact the appropriate department with questions. It should also help to speed up the process in making requests for hire.

The Postal Service continually reviews hiring and its efficiency is demonstrated by the hiring of approximately 200K bargaining unit employees every year. We are averaging the hiring of 1,000 CCAs each week. With a workforce over 600,000 employees and hiring 1/3 of that workforce every year, demonstrates that the issue is not with hiring, but with retention. Therefore, numerous initiatives have been established on improving retention and presented to NAPS for input. Installations are over complement/cap and steps are being taken to reallocate staffing. We have identified 20 vital locations in Customer Services where there is a need to hire but the number of applicants is lacking. Local

facilities are encouraged to recruit for job postings and Local HR can provide advice and support in recruitment activities. The Postal Service needs to integrate more than 20 different systems into the new hiring system, and it has been decided to pilot the system in early 2023. This allows for another peak season with successful hiring.

RES - 42 That NAPS Headquarters works with USPS Headquarters and/or the USPS Office of Inspector General to create a strategic locality-pay plan for EAS employees.

Response: This is a request to modify pay policy which is not suitable for this forum.

RES – 43 The MPOO/CSOM and/or district management offices be required by the Postal Service to supply a relief EAS employee or acting supervisor to said office no later than two weeks from the date that an extended leave period began to ensure proper management staffing and, thus, the proper tools are supplied for the successful completion of required duties of said offices.

RESPONSE:

This resolution is not adopted. Managers are responsible for monitoring the day-to-day tasks of their operations or area of responsibility, including scheduling. Individual scheduling is a matter that should be addressed locally through discussion addressing local operating requirements and available resources. Local management should make every reasonable effort to prevent undue inconvenience and disruption to employees affected when efforts to schedule to meet local operating/business requirements are being made.

RES – 44 NAPS consults with the Postal Service to change the language in ELM Section 519.733 to: “When an exempt employee is directed to work a full day on a holiday or other full day in addition to normal workdays, the supervisor shall grant a full day of personal absence without charging it to official leave, of the employee’s choosing.”

RESPONSE:

This resolution is not adopted. While headquarters has an interest in facilitating resolutions, field management is responsible for controlling their work hour budget of their assigned installation. If employees are allowed to choose their unscheduled days, it will circumvent ELM provision 519.751. Supervisors are Exempt employees. If this is implemented, then requiring another day off would circumvent Supervisor T-time/additional pay.

The Postal Service policy for non-bargaining unit personal absence time is located in ELM 519.7 (detailed below). This language contains limitations and exceptions for full and partial day absences.

519.7 Nonbargaining Unit Personal Absence

519.71 Definition

Nonbargaining unit employees’ personal absence time is paid time off. It is not charged as annual leave, sick leave, or any other paid leave category. Only FLSA-exempt employees are eligible for such time off.

519.72 Policy

Nonbargaining unit exempt employees are paid on a salary basis. This means that under the FLSA they are not considered to be hourly rate employees. Therefore, partial day

absences are paid the same as work time. While exempt employees are expected to work a full day, they may request time off to attend to personal matters during the workday, including time off due to conditions covered by FMLA. If approved, the time off is "personal absence time" and is not charged to annual leave, sick leave, or LWOP.

519.73 Limitations and Exceptions

519.731 Full-Day Absences

Except as provided for in 519.733, personal absence time is not authorized for a full-day absence, which must be charged to annual leave, sick leave, or LWOP, as appropriate. An exempt employee who plans to be absent from work for more than a half day on a workday should apply in advance for a full day of annual leave, sick leave, or LWOP, unless the absence is for an FMLA covered condition.

519.732 Partial-Day Absences

Normally, personal absence time is limited to no more than half an employee's workday. However, when an unanticipated need for time off occurs after the employee reports to work and the employee is allowed to leave work but is unable to return, the half-day limit does not apply. For example, when an employee gets sick after 2 hours at work and must leave for the remaining 6 hours of the workday, the entire 6 hours is treated as personal absence time. However, managers may disapprove personal leave requests when necessary to carry out their responsibilities to control work hours as set forth in 519.75. In this regard, managers may require the use of an appropriate leave category, for example, sick leave in the case of partial-day absences for FMLA-covered conditions.

519.733 Directed to Work

When an exempt employee is directed to work a full day on a holiday or other full day in addition to normal workdays, the supervisor may grant a full day of personal absence without charging it to official leave.

519.74 Administration

519.741 General

A full-time exempt employee is expected to work a full day and a part-time exempt employee is expected to work the full or partial day specified at the time of their employment. A full day is defined to include the continuous or nearly continuous time that an employee normally works in a 24-hour period. A half day is half that number of hours.

519.742 Approval

Except for postmasters and installation heads, exempt employees must obtain prior approval from their supervisors for all absences, whether or not such absences are to be charged to the employee's leave account. At the discretion of the installation head, PS Form 3971 may be used to request personal absences not charged to leave.

Postmasters and installation heads normally are not required to obtain advance approval for personal absences. They are required, however, to keep an accurate record of all such absences and generally to keep their manager informed of planned periods away from the office. In this respect, the manager may require the use of PS Form 3971 to report absences. On an individual basis, vice presidents of Area Operations may require that a postmaster or installation head obtain advance approval of all absences, including personal absences, from the plant or district manager, as appropriate, when the individual's previous performance warrants such action.

When PS Form 3971 is used for personal absence time, it must indicate in Remarks: "Do not charge to leave."

519.743 Full-Day Leave

Each full day of approved absence is to be charged to official leave. Absences such as court leave, military leave, holiday leave, donated leave, continuation of pay, and all administrative leave are to be approved and reflected on an exempt employee's time record.

519.75 Management Controls

519.751 Responsibility

Managers are responsible for controlling the workhours of their exempt employees. They may require the attendance of these employees during and outside of regular service hours and, when warranted, may disapprove advance requests for late arrivals, early departures, or other absences, as well as leave. These instructions are not intended to be overly restrictive, but managers must be aware of the frequency of requests for personal leave, recognize patterns in the use of this leave, and be alert to possible abuse. They must also give consideration to the amount of the current workload or urgency of a particular program or project that requires the employee's presence.

519.752 Administration

This program must be administered in a fair and equitable manner. Managers must advise their employees of the reasons for requiring their attendance during or outside of regular service hours and for denying their requests for personal absence or leave. Employees are also to be given the opportunity to informally discuss the decision with the managers.

RES – 45 Each time a new program or task is assigned to any EAS employee, the USPS will provide NAPS with an outline of how each new program or task is to be integrated into the existing workload and prioritized with current duties.

RESPONSE:

This resolution is not adopted. In keeping with our commitment to continuous improvement, the Postal Service consistently evaluates our processes with the goal of improving processes and tasks for better utilization. When implementing new programs the intent is to be more efficient and make the job easier, for example; OT Admin merged with TACS. A task could be anything that any manager assigns within their office/district/department. Consulting on each assigned task at the national level that was inputted locally is not in the best interest of time for neither the Postal Service USPS nor NAPS. If NAPS at the local level determines that a new task in a facility doesn't add value, that should be discussed with the local manager. If NAPS at the national-level believes that a specific tasks adds no value to the Postal Service, then it is encouraged to provide that to headquarters for review and consideration.

RES – 46 NAPS enters into consultations with the USPS to finalize and implement a SWCs process that encompasses all duties and responsibilities of a Supervisor, Customer Service, within six months of the acceptance of this resolution.

Response: This resolution is not adopted. We have engaged NAPS on modification to the SWCs model.

RES – 47 NAPS enters into consultations with the USPS to develop and implement a supervisor staffing workload model for mail processing facilities, and that the supervisor staffing workload evaluation process encompass all duties, employees, machinery and responsibilities of SDO positions.

Response: This resolution is not adopted. The Postal Service has determined that the on-rolls craft count in calculating supervisor positions is appropriate.

RES – 48 NAPS consults with the Postal Service to implement a policy where no NTE details will be granted to craft employees before EAS employees are made aware of and given the first opportunity for the detail.

RESPONSE:

This resolution is not adopted. We have discussed this with NAPS on previous occasions. Staffing NTE positions and or details are opportunities usually of a developmental nature and are temporary. The best qualified or suitable individual should be selected.

Those employees interested in career advancement should notify their manager. HERO is also a great tool for those interested in career advancement. Ensure that your HERO profile is completed and up to date. Career conversations can be requested through HERO and development plans can be established with your manager.

RES – 49 That when an investigative interview (I & I) has been conducted for EAS employees as part of the corrective action process, it is to be completed and issued within 30 days from the date of the I & I, and that any formal corrective action issued beyond 30 days after the I & I should be deemed untimely and procedurally defective

RESPONSE:

This resolution is not adopted. This matter has been discussed with NAPS on previous occasions. The Postal Service expects that decisions concerning whether disciplinary action will be imposed are to be made without undue delay. Such decisions should be made based on consideration of relevant factors and should comport, where applicable, with regulations delineating elements that should be considered. Some circumstances may allow for such decisions in less or more time than others. Some circumstances may call for investigatory consideration, evaluation, and other situation-specific elements that could require more time than is needed in other circumstances. Whether the duration of the investigation NAPS references in this item is unreasonable can't be answered in this forum. If there are specific concerns from the employee involved and/or the employee's representative, those matters should be raised and discussed with local authorities. While headquarters has an interest in facilitating resolution of employees' concerns, field management is best situated to determine accurately the facts and outcomes in such matters.

The Postal Service will not establish the time limit NAPS recommends in this item. If a NAPS representative representing an employee in a matter under investigation by the OIG wishes to make such an assertion to the OIG or to ask for status information about the investigation, the OIG should be contacted about such a request. Investigations should be completed properly. Whether durations are too short or too long are not matters addressable in this consultative process.

