

LABOR RELATIONS



July 14, 2000

TO: AREA MANAGERS, LABOR RELATIONS

SUBJECT: Article 12 – Reassignment

We are in an environment where it is becoming more and more necessary to reassign employees in accordance with Article 12 due to various initiatives e.g., automation and BPI. This memorandum serves as a reminder of the USPS' position with respect to when light and/or limited duty employees are part of the complement mix subject to Article 12 reassignment.

As stated in a June 11, 1990, correspondence from Joe Mahon to the APWU, management's interpretation of Article 12 of the contract is that when excessing occurs in a craft, either within the installation or to another installation, the sole criteria for selecting the employees to be excessed is seniority. Whether or not a member of the affected craft is recovering from either an on- or off-the-job injury would have no bearing on his/her being excessed.

In the case of other craft employees who are temporarily assigned to the craft undergoing the excessing, they would have to be returned to their respective crafts. This is in accordance with the provisions of Article 13, Section 4.C., which reads:

"The reassignment of a full-time regular or part-time flexible employee to a temporary or permanent light duty or other assignment shall not be made to the detriment of any full-time regular on a scheduled assignment or give a reassigned part-time flexible preference over other part-time flexible employees."

Also, remember that Section 546.221 of the ELM states:

"Collective bargaining agreement provisions for filling job vacancies and giving promotions and provisions relating to retreat rights due to reassignment must be complied with before an offer of reemployment or reassignment is made to a current or former postal employee on the OWCP rolls for more than 1 year."

Please ensure that we are in compliance with the above interpretation when applying Article 12 in the above circumstance.

If there are any questions concerning this matter, please feel free to contact me at (202) 268-3811.

A handwritten signature in black ink, appearing to read "PAS".
Peter A. Sgro
Manager
Contract Administration