

"ORDER of CONSIDERATION"

(in covering the route when the regular carrier is absent)

1. Primary assigned leave replacement (Entitled to weekly Evaluated Hours when covering route for full week - and then may be replaced to avoid overtime or additional overtime) [Article 30.2.O.]

When a leave replacement is needed on a day-by-day basis, if the primary substitute, RCA or RCR leave replacement is available, they must be scheduled for work on their primary assignment, even if the hours worked will result in compensation at the overtime rate. (They may be required and/or request to take a relief day on J or K routes) [Article 30.2.H.]
Note: This does not have to be the same relief day as the regular.

(See: 3/14/05 Pre-Arbitration Settlement G00R-4G-C 02139495)

2. Any available PTF rural carrier (within office/installation) may be utilized before a Sub, RCA or RCR on any route except for the primary assignment of a leave replacement or a six-day auxiliary route assignment.

3. Assign 2nd Person on the matrix for that route. (No Entitlement to Overtime)

4. Assign 3rd person listed on the matrix for that route. (No Entitlement to Overtime)

5. Offer by seniority to "Qualified" substitute, RCA or RCR in that delivery unit. (Qualified means previously trained on or been utilized on the route). (No Entitlement to Overtime)

6. Management contractually has these (4) Options

Designate an other leave replacement in the office [installation]. [Art.30.2.D.4.] This includes other Subs, RCA, RCR, and TRC.

Assign a qualified TRC in the delivery unit.

Split route to RCAs or RCA serves regular & auxiliary route (12 hours or under)

Go to the Regular Carrier on the "Relief Day Work List" [Art. 8.5.] Select regulars on the list in order of seniority on a rotating basis. Regular carriers used on the "Relief Day Work List" have three ways to be paid. **(at the carriers option):**

"R" Code - Carrier/Manager agree when "X" Day taken, do 3971, within 12 weeks.

"3" Code - 50% additional pay, manager selects when "X" Day taken, within 12 weeks.

"5" Code - 150% additional pay, no "X" Day.

Note: You may pass over any regular carrier from working a relief day if it will cause them to exceed 2080/2240 or 56 hours within (1) week. This includes RDWL, voluntary, or mandatory (Article 8.5.C)

7. Accept a regular who volunteers not on the "Relief Day Work List". DACA "3" Only

8. Require regular, who is not on the list or does not volunteer, by juniority. All options above must be utilized before forcing a regular to work. DACA "3" Only

9. Any other leave replacement from another Post Office [PTF, Sub, RCA, RCR, TRC] (See Sept 1, 2000 letter signed by Andrea B. Wilson)

10. Emergencies: Any "suitable" non-rural, postal employee may be designated by management. [Article 30.2.D.5.]

Note: This page is a manager's aid, the National Agreement, MOUs, Step 4s, F21, Postal Bulletins, ect., must be adhered to. *Also, see Analysis of Changes to the Extension of the 1995-1999 Agreement, Q & A's page 40-42 ** "R" Day. The "X" day is to be immediately scheduled, or scheduled no later than the day the relief day is worked, by mutual agreement between the carrier and the Employer. The scheduled "X" day must be within the next twelve (12) weeks. PS Form 3971 will be completed for the mutually agreed "X" day.

Please note that in both cases where the Employer schedules the "X" day to be taken within the next twelve weeks, proper scheduling will assist managers in controlling having carriers with a large balance of "X" days and/or avoid the payment of the additional 100% [DACA 5]. Any "X" days earned prior to the beginning of the guarantee period are held until after the end of the Christmas period. Also during this period, carriers who work their relief day must take an "X" day within the same pay period. The twelve-week count is stopped during this period and resumes at the end of the designated Christmas period.

In addition, in situations where compensation at 50% of the daily rate of pay plus an "X" day was intended for the carrier working the relief day [DACA 3], and the carrier exceeds 56 hours in the work week, compensation will be provided at 150% of the daily rate of pay for the relief day worked and no "X" day will be received [DACA 5]. Keep in mind a change from a "X" day owed to a DACA 5 will not reduce 2080 hours and will show those hours worked only toward 2240 hours.

B. Probationary Period

1. The probationary period for a rural carrier associate shall be 90 days actually worked or one calendar year, whichever comes first. All other applicable provisions of Article 12, Section 1, shall apply.
2. A change from rural carrier associate to regular rural carrier shall not interrupt or otherwise change the running of the time counted toward completion of the probationary period.
3. A change from substitute or rural carrier associate to part-time flexible rural carrier shall not require a new probationary period.
4. A change from substitute, rural carrier associate, or part-time flexible rural carrier to regular rural carrier shall not require a new probationary period.
5. **A change from rural carrier relief employee to rural carrier associate shall not require a new probationary period.**

C. Assignment to or Utilization on More Than One Regular Route

1. Part-time flexible rural carriers may be assigned as the primary leave replacement on more than one regular route. The part-time flexible may also be utilized on any regular route where the primary leave replacement is not available and any auxiliary route where the assigned leave replacement is not available.
2. When necessary or desirable, a substitute, rural carrier associate, or rural carrier relief employee who is assigned to one route may be utilized on up to three routes. However, the employee's prime responsibility is to the assigned route.
3. Not more than one part-time flexible rural carrier, substitute, rural carrier associate, or rural carrier relief employee will be assigned for each regular rural route.
4. When a regular rural carrier is on extended leave without pay for National Rural Letter Carriers' Association official business, the person serving the route of such a rural carrier shall be entitled to a leave replacement.

30.2.D. Unavailability of a Leave Replacement

1. A leave replacement assignment list showing the primary leave replacements assigned to each route and the second and third leave replacements to be utilized on each route, if any, will be posted in each office. Qualified substitutes, rural carrier associates, and rural carrier relief employees will be designated as the second and third leave replacements for each route based on the longest period of continuous service in the office. In no instance will these employees be shown as leave replacements on more than three routes on the assignment list.

2. Whenever the leave replacement assigned to serve a route is temporarily unavailable or no leave replacement is assigned to the route, the Employer may require a part-time flexible rural carrier to serve the route prior to requiring those substitutes, rural carrier associates, or rural carrier relief employees who are the second or third leave replacements designated for that route on the leave replacement assignment list.
3. If the second and third leave replacements designated for the route are unavailable, and a part-time flexible rural carrier has not been designated to serve the route, the route shall be assigned to qualified substitutes, rural carrier associates, or rural carrier relief employees assigned to that delivery unit in the order of the longest period of continuous service in the office. Qualified is defined for Subsection D.1. and 3. as having received training on or been utilized on the route.

Delivery unit is defined for this purpose as a physical location containing one or more five digit zip codes under the control of one postmaster or station/branch manager. This does not include annexes, stations, or branches under the control of a different postmaster or station/branch manager.

4. If no qualified substitutes, rural carrier associates, or rural carrier relief employees within the delivery unit are available, the Employer may designate any other leave replacement prior to selecting a regular rural carrier to work in accordance with Article 8 Section 5.
5. In emergencies, when the services of a substitute, rural carrier associate, or rural carrier relief employee are not available, another qualified employee may be designated by the Employer.

E. Filling a Leave Replacement Vacancy

1. When a vacancy occurs in the leave replacement ranks, the assignment(s) shall be offered, at the time of the initial vacancy, to qualified substitutes, rural carrier associates, and rural carrier relief employees in that office in the order of the longest period of continuous service in the office, without regard to classification. If the vacancy continues to exist and the route has been substantially changed (i.e., classification, relief day, or assignment of vehicle) the assignment(s) shall be offered again to qualified substitutes, rural carrier associates, and rural carrier relief employees in the office in the order of the longest period of continuous service in the office, without regard to classification. The Employer may assign a part-time flexible rural carrier to the residual vacancy in the leave replacement ranks in accordance with Article 30, Section 2, Subsection C.1.
2. If a part-time flexible rural carrier vacancy exists, the Employer will have the option of eliminating the part-time flexible rural carrier position or posting the assignment in accordance with Article 30, Section 2, Subsection A.3.

F. Reassignment (Transfer) to Another Office



Dale A. Holton, President
National Rural Letter Carriers'
Association
1630 Duke Street, 4th Floor
Alexandria, VA 22314-3465

Re: GOOR-4Q-C 02139495
Blankenship
Willis, TX 77378-9998

Dear Dale:

The parties recently met in pre-arbitration discussion regarding the above-referenced case.

The issue in this case is whether management may utilize a temporary relief carrier (TRC) to avoid using a substitute, rural carrier associate (RCA) or rural carrier relief (RCR) leave replacement on overtime, when an employee is needed to cover a regular route on a day by day basis.

The parties agree that management may choose to utilize a TRC on an assignment when such assignment would have resulted in compensation at the overtime rate for a substitute, RCA or RCR leave replacement, provided the assignments are in accordance with Article 30.2.D of the National Agreement. Specifically:

1. When a leave replacement is needed on a day-by-day basis, if the primary substitute, RCA or RCR leave replacement is available they must be scheduled, even if the hours worked on the primary assignment would result in compensation at the overtime rate.
2. When the primary leave replacement is not available, management may assign a part-time flexible (PTF) before using the second or third employee on the matrix.
3. If the primary leave replacement is unavailable, no PTF is assigned, and the second and third leave replacement on the matrix are unavailable or if assigning them would result in compensation at the overtime rate, management may assign the route to other qualified substitutes, RCA or RCR employees in the delivery unit.
4. If other qualified substitutes, RCAs, or RCRs in the delivery unit are unavailable, or if assigning them would result in compensation at the overtime rate, management may assign any other leave replacement, including a TRC, prior to selecting a regular rural carrier to work in accordance with Article 8 Section 5.

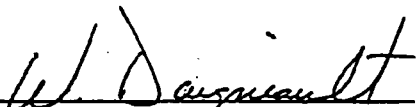
It is further agreed that management may bypass a substitute, RCA or RCR when making assignments to routes other than their primary route, if such assignment would result in the leave replacement exceeding 40 hours at the end of the work week. Therefore, if the

substitute, RCA or RCR has worked 28 hours as of Wednesday and is scheduled to work their primary route on Friday, management may bypass the leave replacement for any assignment on Thursday (e.g., second or third on the matrix) except the primary route.

The parties agree that this settlement does not address or change any previous agreements regarding scheduling of leave replacements to cover a regular route on a weekly basis, or to cover auxiliary routes. The parties agree that the provisions of this settlement are effective upon receipt and do not grant back pay claims for such employees previously affected.

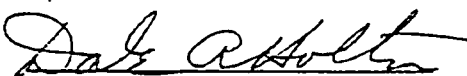
Please sign and return the enclosed copy of this letter as your acknowledgment of agreement to settle the above captioned case and remove it from the pending national arbitration listing.

Sincerely,



William Daigneault
Manager
Contract Administration (NRLCA)

Date: 3/14/05



Dale A. Holton, President
National Rural Letter Carriers'
Association

Date: 3/14/05

Articles 10 and 21 shall apply to substitute rural carriers only to the extent of maintaining their current benefit levels, if any, except as provided in Article 10, Section 5.

M. Discipline Procedure

Article 16, except for the day of reflection, shall apply to part-time flexible rural carriers, substitute rural carriers, rural carrier associates, and rural carrier relief employees.

In addition to the provisions of Article 16, the following actions shall constitute just cause for removal of rural carrier associates and rural carrier relief employees: repeated unavailability for work, failure to maintain the regular schedule within reasonable limits, delay of mail, and failure to perform satisfactorily in the office.

N. Grievance-Arbitration

Part-time flexible rural carriers, substitutes, rural carrier associates, rural carrier relief employees, and auxiliary rural carriers shall have access to Article 15, Grievance and Arbitration Procedure, to appeal an alleged violation of the applicable provisions of Article 30 or the applicable provisions of any other Articles in which they are specifically named.

30.2.O. Leave Replacement Working Evaluated Hours

When a substitute, rural carrier associate, or rural carrier relief employee assigned to a route is working the route as a leave replacement or serving full time on a vacant route, or where the carrier is on extended leave, the employee is entitled to work at least the evaluated hours of the assigned route and then may be replaced to avoid payment of overtime or additional overtime. A part-time flexible rural carrier is only entitled, on a weekly basis, to a combination of leave and evaluated hours equal to the total of one day's evaluation of each of the assigned primary routes. A part-time flexible rural carrier may not use leave to generate overtime.

P. Sunday Work

An office-wide list will be established for substitutes, rural carrier associates, and rural carrier relief employees who desire to work on Sunday. When there is a need to work leave replacements on Sunday, the Employer may require a part-time flexible rural carrier work prior to selecting qualified employees from the list. The Employer will make every reasonable effort to avoid requiring substitutes, RCAs, and RCRs not on the list to work.

Q. Additional Duties

Leave replacements may be required to perform duties in addition to the route assignment; such as, auxiliary assistance on other routes, express mail duties, etc. When performing additional duties, the leave replacement will receive compensation at the hourly rate, in addition to the daily evaluated hours for the assigned route.

If the employee elects to continue to serve on the auxiliary route rather than serve full-time on the regular route, (or revokes an election to serve full-time on the regular route prior to the effective date), the employee shall relinquish the primary leave replacement assignment at the end of the next full pay period, and the leave replacement vacancy shall be offered to other employees in accordance with Article 30, Section 2, Subsection E. Upon relinquishing the primary leave replacement assignment, the employee shall accept another primary leave replacement vacancy in accordance with Article 30, Section 2, Subsection E, or, if none is available, shall work the auxiliary route full-time in accordance with Article 30, Section 2, Subsection G.4. If the office subsequently reassigns relief days in accordance with Article 9, Section 2, Subsection C.5.b, the employee will be required to serve the auxiliary route full-time.

30.2.H. Relief Day on Vacant J and K Routes

When a substitute, rural carrier associate, or rural carrier relief employee is serving full-time on a vacant route or during the absence of the regular carrier, a relief day shall be granted, in the case of a J route or a K route, if requested by the employee and if a leave replacement is available, or if required by local management.

I. Excess Substitute, RCA, and RCR Determination

In the event a rural route at an office is eliminated for any reason, the determination of the excess employee shall be made in the following manner:

1. If there is a temporary relief carrier (TRC) serving as a leave replacement on a regular or auxiliary route in the office, that assignment will be offered to the substitute, RCA, or RCR whose route was eliminated.
2. If there are no such assignments available, and there are RCRs in the office, the RCR with the shortest period of continuous service in their position in the office shall be terminated.
3. If there are no RCRs in the office, the substitute or the RCA with the shortest period of continuous service in their position in the office shall be terminated.

J. Financial Liability

A part-time flexible rural carrier, substitute, rural carrier associate, rural carrier relief employee, or auxiliary carrier shall have any financial liability determined in accordance with Article 28, Employer Claims.

K. Non-Discrimination

Article 2 shall apply to part-time flexible rural carriers, substitutes, rural carrier associates, rural carrier relief employees, and auxiliary carriers.

L. Benefits for Substitutes

**QUESTIONS AND ANSWERS
ON THE EXTENSION TO THE
1995 NATIONAL AGREEMENT**

1. What is the effective date of the Extension?

A. The effective date of this Extension is April 26, 2000, except as otherwise noted.

Relief Day Work List

2. When is the relief day work list established?

A. During the two weeks immediately prior to the beginning of the guarantee period regular rural carriers desiring to work their relief days shall place their names on the relief day work list. This list is established by delivery unit.

3. How long is the relief day work list valid?

A. The relief day work list is effective from the beginning of the guarantee period until the completion of the guarantee period. For the 2001 guarantee period the list will be valid from November 4, 2000 through November 2, 2001.

4. Are there any occasions where a carrier may place their name on the relief day work list other than during the two weeks prior to the beginning of each guarantee period?

A. No. Regular carriers may place their names on the list only during the two weeks prior to the beginning of each guarantee period. There is no exception for newly appointed regular carriers.

5. Can a carrier remove their name from the relief day work list?

A. Yes. The carrier may remove his or her name from the list and it will remain off the list until the end of the guarantee period. Two weeks prior to the beginning of the next guarantee period, the carrier will have the opportunity to place his or her name on the new list.

6. If a carrier is on the relief day work list and is selected to work a relief day, does carrier have the option of removing his or her name from the list and thereby, avoid working the relief day?

A. The carrier may remove his or her name from the relief day work list at anytime. The carrier will no longer be selected to work a relief day once the name is removed from the list. However, if the carrier has been selected to work a relief day prior to removing his or her name, the carrier must work that scheduled relief day.

- 7. If a carrier is on the relief day work list and is selected to work a relief day, can the carrier decline to work the relief day?**
- A.** No, a carrier's name on the relief day work list means that he or she is ready and willing to work any relief day needed.
- 8. Are there any occasions where a regular rural carrier may be scheduled to work a relief day on other than his or her regular route?**
- A.** No.
- 9. When the needs of the service require, a regular rural carrier may be required to work on his or her scheduled relief day as an auxiliary assistant during the Christmas period. Must management use those regular rural carriers on the relief day work list to fill this need during the Christmas period?**
- A.** No. There is no requirement for management to utilize the relief day work list when requiring a regular carrier to work the relief day as an auxiliary assistant during the Christmas period.
- 10. Is it possible for a delivery unit to have a relief day work list of 5 regular carriers and the same carrier is selected to work on each occasion?**
- A.** Yes, if the selected carrier is the only carrier with the relief day needed.
- 11. If there is a need to work a regular carrier on the relief day due to an unscheduled absence, is management required to call a regular carrier on the relief day work list who is at home, to report to work?**
- A.** Yes, if that carrier is next on the list in the proper rotation and the carrier is not on authorized leave. In addition, when carriers on the relief day work list and volunteers are not available, management may call carriers not on the relief day work list at home, to report to work.
- 12. Can management bypass a regular carrier on the relief day work list if he or she is next in the rotation?**
- A.** Yes. Management may bypass any regular carrier on the list if the carrier is unable to fully perform the duties of the route, or if working the relief day will cause the carrier to exceed the annual guarantee or fifty-six (56) hours in one (1) workweek.
- 13. Can management bypass a regular carrier not on the relief day work list when requiring by juniority?**
- A.** Yes. Management may bypass a more junior regular carrier if the carrier is unable to fully perform the duties of the route, or if working the relief day will cause the carrier to exceed the annual guarantee or fifty-six (56) hours in one (1) workweek.

- 14. Can a carrier on the relief day work list defer to a junior carrier when selected to work the relief day?**
- A. No. A carrier on the relief day work list who is selected to work must work the relief day unless they are unavailable due to an authorized absence.
- 15. If management requires the junior regular carrier not on the list to work a relief day, does management bypass him or her on the next occasion and require the next senior carrier to work the relief day?**
- A. No. The junior carrier not on the list with the needed relief day will be required to work the relief day on each occasion. Management may only bypass the junior carrier if the carrier is unable to fully perform the duties of the route, or if working the relief day will cause the carrier to exceed the annual guarantee or 56 hours in 1 workweek
- 16. How is “administrative error” defined in Article 8.5.B?**
- A. An administrative error is defined as an “honest mistake or error”, a misunderstanding.
- 17. Are there means for correcting a situation where management made an administrative error in the selection of a regular rural carrier to work a relief day?**
- A. Yes, it would be appropriate to provide the regular rural carrier on the list that was bypassed a “make-up” opportunity to work a relief day the next occasion a regular carrier is needed on his or her relief day.
- 18. Which route will the leave replacement serve when the regular carrier on the route to which the leave replacement is assigned has now been scheduled to work the relief day?**
- A. The leave replacement may be required to work any route in the delivery unit.
- 19. Can a leave replacement be scheduled to work a route on which they are not qualified as a result of the regular carrier working the relief day?**
- A. Yes. The leave replacement may be required to work any route in the delivery unit, even if they have not worked the route previously. However, if the leave replacement is not qualified on the route needing coverage, management may change the daily assignment of one or more leave replacements to routes on which they are qualified. A leave replacement may not be moved off the scheduled route if they are working the primary assignment or six-day auxiliary assignment.