

President's Update, Dec. 9, 2011

Postmasters' anxiety continues as we meet with Postal Headquarters to establish a RIF-avoidance process that offers Voluntary Early Retirements (VERs) and incentives for those who are eligible. We are working diligently to get this issue resolved before the New Year.

I want to update you on where we are with two of our pending issues:

**CFR 241:** League President Mark Strong and I are scheduled to have a telecon with our legal counsel to discuss the Postal Regulatory Commission's decision to deny our complaint to renew an expedited complaint or request a stay to prevent the Postal Service's Final Rule from going into effect on Dec. 1, 2011. The rule allows the Postal Service to convert a post office into, or replace it with, another type of USPS-operated retail facility (including a station or branch) without following the discontinuance process. The rule also allows a post office to be operated or managed by a Postmaster or another type of postal employee at the direction of a Postmaster, including when the Postmaster is not physically present.

It appears we have three options to consideration; these will be shared at a later date. As a result of the calls received from different areas of the country, we also discussed this issue with USPS COO Megan Brennan on Dec. 6. Instructions from Postal Headquarters to the areas followed our meeting. Please review Charlie Moser's latest "Breaking News" on our website for more information.

**Fact-finding:** On Nov. 17, 2011, NAPUS and the League jointly submitted a request to the director of the Federal Mediation and Conciliation Service (FMCS) to convene a fact-finding panel (pursuant to 39 USC, Section 1004) to consider our objections to the Postal Service's Nov. 9, 2011, decision. On Nov. 28, we received a list of seven individuals with instructions for NAPUS to pick one and the Postal Service to pick one; the two members selected would pick the final member from the remaining panel. The Postal Service objected to the individuals named on the grounds they are not "recognized experts in supervisory and managerial pay" as per 39 USC, Section 1004. We were prepared to submit our selection on Dec. 6.

On Tuesday, Dec. 6, while this issue was pending, Strong and I met with Postmaster General Pat Donahoe and agreed it would be in everyone's best interests if we engaged in further discussions directed at resolving the dispute concerning the merits of the decision issued by the Postal Service.

On Dec. 7, Tony Vegilante, chief HR officer and executive VP; Doug Tulino, VP, Labor Relations; Strong; and I held a teleconference with the director of the FMCS. We followed up with a written request that the director hold the panel selection process in abeyance until Jan. 27, 2012.

We owe it to our membership to go the extra mile and make every attempt to resolve our differences from within. Donahoe's offer to meet with Brennan and Tulino to discuss our

differences is encouraging; we are willing to give it one more attempt. If no agreement has been achieved by Jan. 27 concerning the decision, we will continue the fact-finding process.

There is a lot going on in the world and our work life. Please don't lose sight of what is going on in your family life. This is the season to enjoy and appreciate family. Happy holidays.