

Implementation Agreement Reached for Clerk Craft Jobs MOU Remedy

The Clerk Craft and the Postal Service have agreed to an implementation process in order to comply with the national-level award by Arbitrator Stephen Goldberg in Case #Q10C-4Q-C-15174956. The Goldberg award centered around the Clerk Craft Jobs Memorandum of Understanding (MOU) and the Postal Service's failure to create all 800 administrative and technical jobs that the MOU required. Goldberg not only ordered USPS to create and post the additional 362 jobs that were needed to reach the agreed-upon 800 jobs, he also awarded a make whole remedy.

The make whole remedy included "all pay and benefits lost as a result of that violation". Goldberg further ordered, "Employees affected by the violation include those employees who would have successfully bid on one of the promised administrative or technical positions at the time that those positions should have been filled. Also included among the employees affected by the violation are those who would have been the successful bidders on the vacancies created by the employees who would earlier have been placed in an administrative or technical position had the Postal Service complied with the MOU in a timely fashion".

The awarded remedy created a "trickle down" effect that was time-consuming for the parties to ensure that all affected employees were identified and properly compensated. This resulted in an extremely detailed implementation agreement that outlines what the make whole remedy is, rates of pay, the proper compensation for PTFs and PSEs who were affected by the violation, how the payments will be made, the timeline for payments, and who to contact when an affected employee does not receive payment.

Payments will be manually inputted via GATS over a span of three pay periods, reflecting on payroll checks, with annotation code "40-36" reflecting a lump sum payment, on August 4, 2023, August 18, 2023 or September 1, 2023. **Any payments over \$100, 000.00 will be paid via a paper check. Please read the attached Implementation Agreement MOU in its entirety, as it outlines the remedy award and complete payment process. There is NO need to contact anyone about not**

receiving a payment until September 5, 2023, at which point, all payments should have been completed.

APWU Clerk Craft Director Lamont Brooks stated, “The implementation of the Goldberg award has been a long and tedious process, but the Clerk Craft is satisfied that we did our utmost to ensure proper compliance. This was a situation where we had to follow the remedy awarded by Arbitrator Goldberg and not an instance where the parties reached a mutual agreement to settle a case”. In a perfect world, these payments would not be necessary, if only the Postal Service would adhere to the Collective Bargaining Agreement.

Director Brooks further stated, “He would like to thank Clerk Division Assistant Director, Sam Lisenbe, who diligently challenged any discrepancies in the process, and Mike Barrett (Buffalo Area Local) for all their assistance with completing this implementation process. Clerk Division Assistant Director, Lynn Pallas Barber filed the national dispute. Sam Lisenbe will be in charge of the implementation process.”

APWU President Mark Dimondstein stated, “The struggle continues as we make every effort to secure good jobs for our members. I would like to thank the Clerk Division for all their efforts in helping to achieve this win.”

The implementation agreement is linked to this article for easier reference.