


**Questions and Answers (27)
NALC Transitional Employees**

The attached jointly-developed document provides the mutual understanding of the national parties on issues related to NALC Transitional Employees. This document will be updated as agreement is reached on additional matters related to transitional employees.



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City Letter Carrier Transitional Employees
Joint Questions and Answers

1. When may Transitional Employees be hired under the terms of the 2006 National Agreement?

Transitional Employees may be hired after the national agreement was ratified (September 11, 2007) under either the provisions of Article 7 or the Memorandum of Understanding, RE: Transitional Employees (Flat Sequencing System), provided that the national and district caps are not exceeded.

2. In determining the NALC TE caps are the number of employees "rounded up" for percentage purposes?

No. Under Article 7.1.B of the 2006 National Agreement the number of Transitional Employees shall not exceed 3.5% of the total number of on-rolls career city carriers nationwide, and may not exceed 6% of the total number of career city carriers employed in the district. Regarding FSS Transitional Employees the number shall not exceed 8% of the authorized city carrier complement for the district.

3. The Memorandum of Understanding Re: Transitional Employees (Flat Sequencing System) includes the following requirement: "In any district, the number of these TEs shall not exceed 8% of the authorized city carrier complement for that district." What is the authorized city carrier complement for a district?

For the purposes of defining the subject Memorandum, "authorized city carrier complement for that district" means the number of on-rolls career city carriers employed in the district.

4. How will Transitional Employee caps be monitored for compliance?

The caps will be monitored at the national level. The Postal Service will provide the national union with separate reports for each type of Transitional Employee (Article 7.1 and FSS MOU). These reports will be provided to the national union every other pay period and will identify both nationally and by district the number of Transitional Employees and percentage compared to career letter carriers on rolls.

5. What are the occupational codes and designation activity codes for Transitional Employees?

Transitional Employee occupational codes are as follows: Transitional Employees employed under Article 7.1.B of the National Agreement are either 2310-0030 City Carrier (Transitional Employee) CC-01 or 2310-0040 Carrier Tech (Transitional Employee) CC-02. Transitional Employees employed under the Memorandum of Understanding, Re: Transitional Employees (Flat Sequencing System) are either 2310-0031 City Carrier (Transitional Empl-MOU) CC-01 or 2310-0041 Carrier Tech (Transitional Empl-MOU) CC-02. The designation activity code for all city letter carrier Transitional Employees is 834.

6. Are Transitional Employees employed under the Memorandum of Understanding, Re: Transitional Employees (Flat Sequencing System) limited to sites directly impacted by FSS?

No, but the number of this type of Transitional Employee is limited to 8,000 nationwide through the duration of all phases of Flat Sequencing System (FSS) implementation. In any district, the number of these TEs shall not exceed 8% of the authorized city carrier complement for that district.

7. If casuals are "converted" to Transitional Employee, must they have an immediate break in service?

Yes, the casual must have at least a five day break in service prior to being appointed as a Transitional Employee.

8. May city letter carrier Transitional Employees be assigned to work in other crafts?

Only under emergency conditions, as defined by Article 3 of applicable collective bargaining agreements.

9. Is there a limit on the number of hours Transitional Employees may be scheduled on a workday?

Yes, Transitional Employees are covered by Section 432.32 of the Employee and Labor Relations Manual, which states: *Except as designated in labor agreements for bargaining unit employees or in emergency situations as determined by the PMG (or designee), employees may not be required to work more than 12 hours in 1 service day. In addition, the total hours of daily service, including scheduled work hours, overtime, and mealtime, may not be extended over a period longer than 12 consecutive hours. Postmasters, Postal Inspectors, and exempt employees are excluded from these provisions.* (Emphasis added)

10. Do Transitional Employees have a work hour guarantee?

Yes, Article 8, Section 8.D of the National Agreement provides the following: *Any transitional employee who is scheduled to work and who reports for work shall be guaranteed four (4) hours' work or pay.*

11. Are Transitional Employees covered by leave provisions of Articles 10 and 30 of the National Agreement?

No. The granting of annual leave to Transitional Employees is covered by the Memorandum of Understanding, Re: *Transitional Employees – Additional Provisions.*

12. May Transitional Employees carry over leave from one appointment to another?

No. Transitional Employees may be paid for any accrued leave pursuant to the Memorandum of Understanding, Re: *Transitional Employees – Additional Provisions.*

13. Are Transitional Employees covered by the Memorandum of Understanding, Re: *Bereavement Leave*?

Yes, except that they do not earn sick leave.

14. Does a Transitional Employee who receives a career appointment go through a probationary period as a career employee?

Yes.

15. Does the Memorandum of Understanding, Re: Transfers, still apply?

Yes, the Transfer Memorandum was not altered by either the revision to Article 7.1 of the National Agreement or the Memorandum of Understanding, Re. Transitional Employees (Flat Sequencing System). Accordingly, unless hiring Transitional Employees to fill or backfill for residual assignments being withheld pursuant to Article 12 of the National Agreement, the "at least one in four" or "at least one in six" rules for reassignments remain in effect when hiring.

16. Will Transitional Employees have access to the grievance procedure if removed?

Yes, consistent with the Memorandum of Understanding, Re: *Transitional Employees – Additional Provisions*, which states:

Transitional employees may be separated at any time upon completion of their assignment or for lack of work. Such separation is not grievable except where the separation is pretextual. Transitional employees may otherwise be removed for just cause and any such removal will be subject to the grievance-arbitration procedure, provided the employee has completed ninety (90) work days, or has been employed for 120 calendar days, whichever comes first. Further, in any such grievance, the concept of progressive discipline will not apply. The issue will be whether the employee is guilty of the charge against him or her. Where the employee is found guilty, the arbitrator shall not have the authority to modify the discharge. In the case of removal for cause, a transitional employee shall be entitled to advance written notice of the charges against him/her in accordance with the provisions of Article 16 of the National Agreement.

17. Can a Transitional Employee serve as a union steward?

Yes.

18. Will the union be allowed to address Transitional Employees during new employee orientation?

Yes. The provisions of Article 17.6 of the National Agreement apply to Transitional Employees. Accordingly, the union is to be provided ample opportunity to address newly hired city carrier Transitional Employees during orientation. This rule applies to city carrier casuals who are appointed to Transitional Employee positions.

19. Are Transitional Employees allowed to participate in the Federal Employees Health Benefits Program?

The Memorandum of Understanding, Re: Transitional Employees – Additional Provisions, provides the following: "After an initial appointment for a 360-day term and upon reappointment to another 360-day term, any eligible noncareer transitional employee who wants to pay health premiums to participate in the Federal Employees Health Benefits (FEHB) Program on a pre-tax basis will be required to make an election to do so in accordance with applicable procedures. The total cost of health insurance is the responsibility of the noncareer transitional employee."

20. To qualify for Health Benefits must a Transitional Employee serve the entire 360 day initial appointment before a second 360 day appointment?

Yes. Transitional Employees must serve the initial 360 day appointment and be appointed to a second 360 day appointment in order to be eligible to enroll in the Federal Employee Health Benefits Program.

21. Are Transitional Employees entitled to higher level pay under Article 25 of the National Agreement?

No. Article 25 does not apply to Transitional Employees. However, Article 9.7 of the National Agreement requires that Transitional Employees be paid at Step A of the position to which assigned. Accordingly, if a Transitional Employee is assigned to a vacant Carrier Technician position, the employee will be paid at Step A of CC-02.

22. May Transitional Employees be assigned to vacant duty assignments?

Yes, consistent with the following: The posting and bidding provisions of Article 41.1.A and the opting provisions of Article 41.2.B, and provisions of Article 25 for temporarily filling higher level vacancies still apply. However, Transitional Employees may be assigned to cover residual or temporary vacancies not filled through those procedures.

23. Will Transitional Employees be allowed to opt on vacant duty assignments?

No.

24. May a Transitional Employee be assigned to a residual vacancy rather than converting an available part-time flexible city letter carrier to full-time?

Unless the residual vacancy is being withheld pursuant to Article 12 of the National Agreement, the assignment should normally be filled pursuant to Section 722 of Handbook EL-312, which states: "A *full-time residual position* is filled by assigning an unassigned full-time employee or a full-time flexible employee. The conversion to full-time of a qualified part-time flexible employee with the same designation or occupation code as the vacancy should occur only after unassigned full-time employees have been assigned. Part-time flexible employees must be changed to full-time regular positions, if appropriate, within the installation in the order specified by the applicable collective bargaining agreement."

25. Will city carrier Transitional Employees attend the carrier academy?

Newly hired Transitional Employees will attend the carrier academy if it is part of the hiring and training process used in the district, provided the employee did not previously attend the training. This also applies to the classroom portion of the training for city carrier casuals who are appointed to Transitional Employee positions.

26. Can a Transitional Employee act as a temporary supervisor (204-B)?

Yes.

27. Will Transitional Employees be assigned an Employee Identification Number and a PIN?

Yes.