

## **NRLCA Protocol for Mail Count Disagreements and USPS Requirements for Disagreements**

“Although we have gone through numerous mail counts it seems that each year we hear the same questions concerning what needs to be done if the carrier does not agree with the accuracy of the mail count. The following is provided as a reminder of what to do should there be a disagreement.

Many times there are questionable items and issues during mail counts. When there are disagreements between the carriers and postmasters or supervisors concerning the proper credit of an item, every effort must be made at the time to resolve the dispute. When the dispute pertains to a letter or flat, an attempt must be made to resolve the issue before the mail in question is cased. If carriers are unable to resolve the differences, documentation of all information regarding the item or issue in dispute is critical. Include in the documentation: the issue in dispute, the number of articles, and any other relevant information such as dimensions that will be helpful in resolving the disagreement.

The totals of all columns on PS Form 4239 must be transferred to PS Form 4241 daily.

Carriers will be given two days to review PS Form 4241 following its completion.

Upon review of PS Form 4241 the carrier must do one of the following:

- 1) Sign to certify the count and forms as being correct; or
- 2) If the carrier disagrees with the count, he or she is not obligated to sign the form as being correct.
- 3) However, the carrier must promptly submit written comments to the postmaster explaining in detail the reason(s) for objecting and the exact nature of the errors or omissions.

Note: The 4241 contains two (2) signature blocks for the regular carrier to sign. One block pertains to the certification of the mail count totals. REMEMBER, the carrier should not sign this block if he/she disagrees with the count totals. The second block is signed if the regular carrier is eligible to elect the higher route classification. By signing the rural carrier agrees to use sufficient annual leave during the guarantee period to assure that the total actual work hours will not exceed 2080 during the guarantee period. Failure to sign will result in the route being classified in the low option or result in the route being adjusted to a lower classification.

When a carrier refuses to sign PS Form 4241 and submits a detailed explanation of the reasons for his rejection of the accuracy of the count:

- 1) The District is responsible for providing a prompt written reply to the postmaster advising of their decision; and
- 2) The postmaster must advise the carrier, in writing, of the District's decision.

If a carrier is not satisfied with the District's decision, the carrier's remaining recourse is the timely initiation of a grievance.” [Source: NRLCA Steward Link, March 2003]

Preparing Mail Count Grievances

The following article is designed to help the local steward represent the carrier at Step 1 of the grievance procedure with mail count grievances. To be successful with a mail count grievance, it is imperative that full, detailed documentation be obtained and included in the file.

All files that you prepare should include a request for information from the grievant and a request for information from the Postal Service. It is also important that the grievant is advised to maintain a daily record of the items in dispute. It is not enough for the grievant to just make a statement that they did not receive proper credit for various items during the mail count.

The grievant should provide specific documentation such as:

1. item in dispute;
2. how many;
3. measurement of the item;
4. any relevant time functions; and any other pertinent information.

If the issue in dispute deals with a timed function, it is imperative that the function is timed daily during the mail count and this documentation is included in the file.

#### Documentation Tools

The following documents are provided in the December 2002 Steward Link which can be accessed on the NRLCA website under Steward Operations: Steward Link December 2002 as additional information that you may find useful when preparing the grievances assigned to you:

- 1.Examples of types of documentation needed for various mail count situations (with a sample sheet)
- 2.Tracking sheet for documentation of items in dispute

#### 8191 Examples

In the Steward Link Article (NRLCA website: Steward Operations, Steward Link, December 2002) you will find four examples of PS Form 8191 prepared for mail count grievance issues. They include the following:

- 1.Safety talks
- 2.Individual mark-up credit
- 3.Time to place mail in the CFS/CMU case
- 4.Box Count

These sample grievances should assist you in determining the appropriate language for the union portions of the 8191, as well as the contractual provisions.

#### Step 4 or National Arbitration Issues

Items that are currently at Step 4 or National Arbitration do not require a new grievance to be filed, but the items in question must be documented in order to gain any credit if favorable decisions are received in the future. [Source: NRLCA STEWARD LINK, December 2002]