

## STARTING TIME, LEAVING TIME, AND DPS TO THE STREET

Historically, one of the most treasured and envied benefits of being a rural carrier working under the evaluated system has been the right to sign out and leave the post office once the day's work has been completed. This benefit, however, is not without limitations. Management has the right to establish starting times, which in turn have a direct correlation to when carriers finish their work. Knowing the criteria which management is required to use when establishing schedules can help prevent arbitrary, capricious, or even punitive behavior from eroding our treasured benefit of completing our work duties as early as possible each day.

Article 30.1.G lays out management's basic right to establish schedules. That language is as follows:

### **Scheduling**

*Scheduling is the responsibility of the Employer. Schedules shall be realistic, based upon the receipt and availability of the mail, the route evaluation, and other related service considerations. The rural carrier will receive reasonable advance notice when the schedule is to be changed.*

In this article, management is clearly given the right to set rural carrier schedules, but at the same time, those schedules need to be **realistic** and based upon **receipt and availability of the mail**, and the **route evaluation** as determined by the most recent mail count or interim adjustment. Clearly, it is not realistic to expect to be able to start work before the mail arrives at your post office. Nor is it reasonable for management to set your starting time an hour or more after the clerks have finished the sorting process.

Since the advent of the relatively recent Rural Delivery Standard Operating Procedures (RDSOP), there has been a renewed interest by management at the highest level of the Postal Service to require local managers to calculate starting times and leaving times for each individual rural route in their respective offices. The obvious irritation to higher level management is our negotiated but limited right to case DPS. The third word in RDSOP gives a pretty obvious clue that Postal Service Headquarters would prefer all procedures related to rural delivery to be standardized. Some of us casing DPS, some of us taking DPS to the street, and some of us combining casing DPS and taking it to the street hardly fits the mold of standardization. Add individual differences related to the casing speed of rural carriers to the mix, and management is faced with a fairly complex solution for the relatively simple goal of ensuring that no mail is left in the hot case each day. To meet this goal, schedules are set with the objective in mind that all carrier-cased mail will be in each carrier's case at roughly the same time on any given day, so all of the day's hot case mail will be available to all of the carriers (rural and city) before any of them leave for their routes.

To make this task even more difficult to accomplish, headquarters management has chosen to consider missorted (intended for another route in the office) DPS mail as delayed when cased in the office, but not delayed when the carrier takes DPS to the street. Thus if some carriers actually choose to take DPS to the street, and local management insists that nothing be left in the hot case, the "take-it-to-the-street" carriers will have start later in order to not wait for the "case-it" carriers to finish casing. News

flash to management: starting later is not an incentive to take DPS to the street! The only incentives for taking DPS to the street include getting out earlier on the route and not creating quite so much wear and tear on your hands, arm, and shoulder. At least for carriers who have to furnish their own route vehicles, the extra time on the street, the increased exposure to accidents, and the extra uncompensated gasoline and wear and tear on the vehicle clearly qualify as disincentives.

Not surprisingly, management has chosen to leave their own irrational and inconsistent definition of delayed hot case mail intact and instead go after the carriers who choose to case their DPS. As I referenced above, the right to case DPS is not without limits. As referenced in the April 26, 1999, National Joint Steering Committee minutes, *"The NJSC still supports the carrier's right to case DPS mail in accordance with Part 150 of Handbook PO-603. The carrier may leave late, but not so significantly as to cause delays in the customer anticipated delivery window. In addition, carriers who cannot return to the office as scheduled or cannot, on a consistent basis, meet the overall evaluation of the route may be required to take their DPS directly to the street without casing."* Also, the November 26, 2003, letter from William P. Galligan, Acting Vice President Delivery and Retail (at USPS Headquarters) stipulated that, *"The carrier may be required to take DPS directly to the street if it is anticipated that they will be unable to meet the overall evaluation of the route for the week."* But the best language of all also found in the Galligan letter states, *"The decision to carry DPS directly to the street should be made on a case-by-case basis and may not minimize total actual work hours if the carrier normally cases the DPS mail and will not perform efficiently on the street."*

With all of the above in mind, what is management's authority to schedule starting and leaving times and what are the rules and regulations pertaining to that authority? These questions are easily answered by Article 8, Section 2 of our Contract, which states, *"Daily schedules shall be established to coincide with the daily evaluation of the route and adjusted periodically as required. The carrier's work day may vary above or below the daily evaluation of the route as mail volume fluctuates and road and weather conditions change."* The important phrase for rural carriers in this language is, ***"The carrier's work day may vary above or below the daily evaluation of the route..."*** Also, as mentioned earlier, Article 30.1.G states in part that, *"Schedules shall be realistic, based upon the receipt and availability of the mail, the route evaluation, and other related service considerations."* Management likes to use the city delivery criteria of 80% of the mail having to be worked before mail is considered available. We do not have anywhere I have been able to locate the 80% language in our handbooks and manuals pertaining to rural delivery, but I suspect that it would be an uphill fight to challenge management on this standard.

Once it has been determined the earliest any carrier can start, management attempts to calculate the starting and leaving times for all carriers in the office. The primary goal regarding leaving time, as I'm sure you will recall, is to arrange the schedules so no mail is left in the hot case. The leaving time needs to be calculated using the data from the most recent mail count. The route book for each route should contain a PS Form 4241-A from the last time the route was counted. On the 4241-A, there will be a total listed for office time and route time. The times listed are weekly hours for each of the categories. If, for instance, the time indicated for route time was 18 hours, then the evaluation for that route would assume three hours a day as the delivery time the rural carrier should spend on the route. (18 divided by 6 = 3 hours a day) In a similar fashion, if the office time is

listed as 24 hours on the 4241-A, it would be assumed that the total morning and afternoon office time should be four hours a day. (24 divided by 6 = 4)

What needs to be checked is how much of the daily allotted office time is credited for the morning and how much is credited for the afternoon. The morning/afternoon breakdown should be realistically based on the percentage of office time utilized in the morning, versus the percentage used in the afternoon. If, for instance, a review of a rural carrier's trip sheets (PS Forms 4240) shows that over a reasonable period of time, the rural carrier has been using 90% of the office time in the morning, and 10% in the afternoon, then those same percentages need to be applied to the daily office time as calculated above from the most recent 4241-A.

To continue the example above, 90% of the four hours of daily office time would mean that the rural carrier would have 3.6 hours of morning office time to complete the morning duties before leaving on the route. (3 hours 36 minutes) So if the rural carrier in this example is scheduled to begin work at 7:00 a.m., then the calculated leaving time would be 10:36 a.m. To partially make up for the irregularity in mail flow, an additional 20 minute leeway is allowed, so theoretically the rural carrier would need to leave by 10:56 a.m. to be in compliance with the calculated leaving time.

Remember that before management can require a rural carrier to take DPS to the street, it has to be shown that the rural carrier has been exceeding the **weekly**, not the daily, evaluation of the route. Therefore, management is not permitted, on the day after a holiday, for instance, to require a carrier to take DPS directly to the street simply because that rural carrier will exceed the calculated leaving time or the daily evaluation.

Once your schedule has been set, it is important to bear in mind the following stipulations from Handbook PO-603, Rural Carriers' Duties and Responsibilities:

### **152.2 Leaving Schedule**

*Maintain the schedule for leaving established on Form 4240. A maximum of 20 minutes' delay in leaving time is permitted if approved by your postmaster or supervisor. An exception is made only when preferential mail cannot be cased and tied out within the 20 minutes' leeway or as provided in 153.3.*

### **153.3 Earlier Arrivals**

*Management may schedule you, or you may request, to report earlier on days when the mail volume is greater than normal in order to maintain regularly scheduled leaving time.*

A worthwhile reminder has to do with working off the clock. Some carriers decide that the best way to get home early and/or avoid being forced to take DPS directly to the street is to start working before their scheduled starting times and misreport the time they started working. Still others come in on holidays or the Sundays before holidays, and do not report their time worked. Either way, such reckless behavior risks discipline up to and including removal for the falsification of official documents. Even if management doesn't catch the offenders working off the clock and/or looks the other way, the rural craft suffers from the artificial reporting of their work time, which when considered as a whole for all such offenders gives the impression to the Postal Service that the rural craft works more under our cumulative evaluations than is actually the fact. It's extremely difficult for your

National officers to negotiate a contract beneficial to our craft when it looks like we are able to complete our work duties in less time than was actually expended.

Using all of the references provided above, common sense, and accurate time reporting, we will preserve the benefit of being able to sign out and leave the post office once the day's work has been completed.

Charles Alexander  
WARLCA State Steward