

DISPUTE RESOLUTION TEAM  
GREATER MICHIGAN / LAKELAND DISTRICTS  
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**GREATER MICHIGAN / LAKELAND DISTRICT  
NALC / USPS STEP B  
DISPUTE RESOLUTION TEAM  
LEVERICH & SMITH**

**DISTRICT GRIEVING  
BALTIMORE**

Decision: **RESOLVED**  
USPS Number: **K11N-4K-C 1665 2461**  
Grievant's Name: **Class Action**  
NALC Number: **01-16-LH-201**  
Branch #: **3825**  
Installation: **Frederick, Maryland**  
Incident Date: **01-11-2016**  
Date Step A Initiated: **01-13-2016**  
Step A Meeting Date: **07-21-2016**  
Date Received at Step B: **08-04-2016**  
Step B Decision Date: **08-11-2016**  
Issue Code: **19.0000**  
NALC Code: **600139**  
Original Step B Received Date: **07-28-2016**  
Date Sent To Assisting Team: **08-03-2016**

**ISSUE:** Did Management violate Article 15 and 19 of the National Agreement, to include but not limited to Sections 665.16 and 661.2 of the Employee and Labor Relations Manual (ELM), M-00605, and Section 126.42 of the Handbook M-39, "Management of Delivery Services" when using inaccurate and/or inappropriate time codes in (TACS) clock rings? If so, what is the appropriate remedy?

**DECISION:** The Dispute Resolution Team has **RESOLVED** this dispute. Management violated Article 19 of the National Agreement via Handbooks F-21 and M-39. Management improperly altered, entered and/or instructed carriers to use improper clock ring entries resulting in data integrity issues for the Frederick installation between PP 15-1, 2015 and PP 14-1, 2016. The clock ring data for this time period shall be designated as having data integrity issues. Management shall cease and desist altering carrier clock rings improperly and shall ensure all supervisors and managers that handle clock rings in the Frederick Main office complete a refresher course as agreed to in the Formal A agreements of June 13, 2016 included in the case file. Management improperly recorded the weekly safety meetings under operation 782, causing route values to be misrepresented. Management improperly altered PM office time as operation 743, causing route values to be misrepresented. Carriers shall normally make the clock ring entries to record work hours according to the function or activity performed. Management shall correct and keep route base data up to date.

**EXPLANATION:** The case file indicates this dispute arose when the Union found clock ring discrepancies over an extensive period of time while working on other grievances. The case included approximately 785 pages TACS clock rings between PP 14, 2015 and PP 15, 2016.

**The Union** contends Management improperly placed carriers in the wrong bid assignments, improperly deleted time from carriers, improperly moved codes, changed employees clock rings, changed office and street times, and that carriers' route information is incorrect. In addition, carriers were placed on "phantom routes" and carriers were placed in wrong operations. Management improperly charged safety talks and informational meetings to operation code 782 (training). Management did not complete Form 1017-A as required. Handbook F-21 states that PS Form 1017-A serves as a permanent and cumulative record of disallowed time. Supervisors must prepare a PS Form 1017-A when disallowing employee time. An old, out of date log (1017-B) was offered to the Union when Union requested 1017-A's. No other information was provided.

Management moved carriers from office/street to another function without the appropriate cause and/or documentation. This included, but was not limited to waiting (354) and training (782) time. The Postmaster's response to the union about these altered clock rings was that Management needed to account for weekly stand up talks given every Thursday. The Union explained that these Thursday stand up talks regarding safety should be included in normal clock rings of 727 office time, since they occur weekly, and not under code 782 which is formal training. The TACS training manual warns supervisors of changing clock rings without appropriate cause and documentation.

**TACS: Time and Attendance Collection System, supervisor training (pages 30-31): "Any time a ring is changed, TACS records the social security number of the individual who changed it. NOTE: the inspection service audits timekeeping records, and changing clock rings without appropriate cause and documentation is illegal."**

Based on the preponderance of evidence the Union contends that management intended to mislead or deceive the Postal Service and employees by purposely altering employee's clock rings. The Union also contends Management in the Frederick facility changed codes and manipulated times of carriers causing them to lose out on time taken for normal duties in and out of the office. The Union does not see this as an "honest mistake" because this was brought up time and time again yet management has not corrected the issue. Missing time on a work load report would hinder the correct information.

**Management** contends it has the right to alter clock rings to correct employee errors to reflect accuracy and or to make them whole if necessary. For example: An employee forgets to punch in or out to lunch as shown on the 1260 (Non-transactor card) provided by the Union on several occasions. In another instance employees may forget to end tour or begin tour thus requiring Management to input or alter a time code. Management contends it has the right to input a training code for the safety talks given on Thursdays because Frederick is a unique office in that it has a large hearing impaired staff for which the law requires a certified sign language interpreter be present during these stand up talks. To be cost effective we have set aside 15 to 30 minutes each Thursday as the designated day for the talks in lieu of the typical 5 minute daily talks. Management is responsible for providing documentation when necessary to the Human Resource department to verify that we are giving the talks on a consistent basis and that all hearing impaired personnel are given a fair opportunity to participate. Management has learned from past experience that when the employees are asked to input this specific time into their daily tasks; the end results are even more clock rings errors which require additional adjustments by management. Management contends it does not alter or input codes to show inaccurate times. In 99% of the situations the alteration is to the advantage of the employee. For example, by correcting and showing the accurate clock rings for the carriers performing the duties on auxiliary route 21701C048, the route was proven to be more than 8 hours and converted to a full time route. It is never the intention of Management to misuse or do anything unethical in the matter of the clock rings as far as inputting codes or altering rings.

**The DRT** thoroughly reviewed all documentation provided in this extensive case file. The file contained TACS clock rings beginning in pay period 15, 2015 through pay period 14, 2016. The case file substantiates the Union's position that clock rings were altered which resulted in data integrity issues for the routes of the Frederick installation. All employees must use correct clocking procedures to ensure that hours are recorded in the operation, local unit, finance number where the work is performed.

The case file documents the following issues with the altered/deleted clock rings resulting in data integrity issues:

- Carriers were routinely put on Operation 743 by supervisors .17 hours (10 minutes) after returning to the office in the PM. There is no evidence they were performing any duties covered by this operation.
- Carriers were put on operation 354 (stand by time) at the exact same time for the exact time period without any supporting documentation showing there was no work to be performed.
- Carriers were on operation 228 which is a NON-carrier delivery of Express Mail function. Management offered no explanation for the use of this operation.
- Carriers were put on operation 782 and 743 for a time period when they had already punched to their street operation resulting in their street times being inaccurate.
- Loading parcels for carriers' own routes on operation 733 outside the Christmas season.
- Route assignments in route base information not correctly recorded.
- Out to lunch / in from lunch moves when the carrier has street function time.
- Carrier using operations 228 and 743 without identifying a route.
- Weekly use of operation 782 for safety meetings for 10, 15 or 20 minutes.

The DRT refers the parties to the following operation definitions and uses:

**Handbook M-32**

**354 Standby Delivery Services LDC 21/20**

**Work hours of customer services employees who are kept on the clock, but are idle as a result of:**

1. Storms, power failures, lack of workload, lack of containers or equipment for the processing, or transportation of mail.
2. This does not apply to temporary equipment breakdowns of 10 minutes or less.

**354** (Standby Delivery Service) Normally, stand-by time is used when there is insufficient work available, unplanned, low-work-volume period on a particular day or days, or unplanned events such as equipment or communication breakdowns.

**743 Carrier Customer Service Activities LDC 26**

**Delivery activities supporting carrier case labeling and AMS-related activities.**

**743** (Carrier Customer Support Activities) this operation code is reserved for AMS and other customer support activities that are out of the ordinary such as reviewing lines of travel after a route adjustment, putting in new case labels, or going out to the street with an AMS Tech for an audit.

**782 Training — Delivery Services LDC 92/92**

**Supervisor and non-supervisor work hours of employees undergoing training while on duty.**

**Includes the following activities:**

1. Classroom training.

**782** (Training Delivery Service) this operation code is used when carriers are actively engaged in training activities such as getting training on new equipment, participating in the dry run for a route inspection, etc. This operation is not to be used for the required safety talks as that is a normal office function and is considered part of the route time. The EL-801 Supervisors Safety Handbook instructs the Supervisor to have weekly safety talks and an annotated unit roster or other automated attendance document is acceptable to ensure who was in attendance.

**EL-801**

**1-7 Safety Talk Requirements**

Scheduled safety talks are intended to promote safety awareness. All line supervisors are required to conduct safety talks at least once a week with their employee groups, including temporary, casual, and relief personnel. It is important to make the topics of safety talks relevant to your work situation and interesting to your employees....

...You must keep a record of all safety talks on file for 3 years, including the following:

- a. The date, time, and unit where the safety talk was given.
- b. The name of the person giving the talk.
- c. The subject of the talk.
- d. The names of employees attending the safety talk. An annotated unit roster or other automated attendance document is acceptable.

#### 228 Express Mail Delivery LDC 48

Work hours used exclusively in the delivery of Express Mail by non-carrier employees. Supervisor hours used exclusively for the delivery of Express Mail is charged to this operation.

The M-32 Management Operating Data system manual states in pertinent part:

#### 4-4.4 Stand-by Operations

Paid hours guaranteed by contractual agreements with the bargaining units that cannot be applied to performance of work must be recorded as nonproductive work hours using stand-by operations.

#### 4.1 Definitions

Stand-by hours are hours recorded for which career bargaining unit employees are guaranteed work hours, as required by applicable national labor agreements, but for which there is insufficient work available. Normally, stand-by time is used for unplanned, low-work-volume periods on a particular day or days, or unplanned events such as equipment or communication breakdowns.

The Employee Badge Reader is used to track the hours worked by the operation number. If carriers are not identified to the correct operation those work hours will not be attributed to the route they are assigned to. The clock rings are used for many reports used in the evaluation of carrier routes and would be inaccurate if carriers were placed under the inappropriate operation code. The M-41 instructs the carriers to record their time by selecting the proper transaction on the EBR. Management should ensure all carriers are properly trained on using the EBR to record the work/moves performed on the correct operation.

#### M-41

##### 211.21 Badge Reader

- a. Select the proper transaction code by pressing one button in each of two rows.
- b. Insert employee badge so that slanted corner is down and to the right. This starts transaction.
- c. On-line light goes on and message is transmitted.
- d. On-line light goes out.
- e. If the repeat light does not go on, operator can remove his badge. Transaction is complete.
- f. If the repeat light goes on, push release button and remove badge. To repeat transaction, repeat all steps in this procedure.

The carrier shall perform the clock rings, but a Supervisor is permitted to correct clock ring errors and missing clock rings as stated in the F-21.

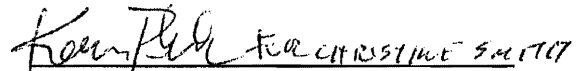
#### Handbook F-21

##### 144.31 Special Attention Required

Missing clock rings are a serious matter and require special attention. If a timekeeper discovers that a clock ring is missing from an employee's time card, the timekeeper should call it to the attention of the appropriate supervisor. The supervisor is permitted to manually enter the missing clock ring according to the supervisor's best estimate of the time that the clock rings would have been recorded.

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Quentin Leverich

  
Christine E. Smith

8/15/2016  
Date

8-15-2016  
Date

cc: Step A Representatives, NALC & USPS  
National Business Agent, NALC  
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