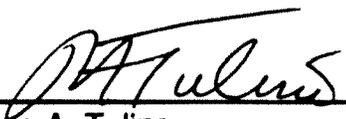


Due to the implementation and utilization of the new Revamped Maintenance Selection System, the parties mutually agree to the following Memorandum of Understanding which contains specific language modifications to Article 38 of the 2006-2010 Collective Bargaining Agreement between the United States Postal Service and the American Postal Workers Union, AFL-CIO.



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Doug A. Tulino  
Vice-President  
Labor Relations



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William Burrus  
President  
American Postal Workers Union – AFL-CIO

Date June 1, 2009

**MEMORANDUM OF UNDERSTANDING (MOU)  
BETWEEN THE  
UNITED STATES POSTAL SERVICE  
AND THE  
AMERICAN POSTAL WORKERS UNION, AFL-CIO**

**SUBJECT: Revamped Maintenance Selection System (RMSS)**

The United States Postal Service (USPS) and the American Postal Workers Union (APWU) mutually agree to the following amendments to work rules governing the Maintenance Selection System. All other work rules will remain in effect, except where explicitly changed by this agreement.

1. In accordance with Article 38.5.B.1, all employees under the current Maintenance Selection System (MSS) who, prior to the signing of this document, have participated in the MSS and received an eligible rating will be placed at the top of the Promotion Eligibility Registers (PER) for each occupational group.
2. The employees identified in paragraph 1 above will be ranked in accordance with Section 5.B.8.a and 5.B.8.b of Article 38 of the 2006-2010 APWU/USPS Collective Bargaining Agreement. Each individual, eligible, incraft MSS rating for each employee shall remain valid and shall not expire.
3. Employees, other than those who applied during the 2009 MSS Open Season, who have begun the MSS process prior to May 27, 2009 and are awaiting scheduling and completion of the process, including Promotion Eligibility Updates pursuant to the current Article 38.5.D, or are awaiting their results shall continue to be processed and if they receive an eligible rating shall be ranked on the appropriate PER with the employees according to paragraphs 1 and 2 above.
4. Except for application of the above, the Revamped MSS shall be effective upon the signing of this document. The Revamped MSS consists of Examination 955 and a Review Panel. To implement the Revamped MSS, the parties made modifications to certain Maintenance Craft Knowledge, Skill and Abilities (KSAs) contained in qualification standards for maintenance positions. The purpose of the KSA modifications was solely to facilitate the Revamped MSS testing process for Maintenance Craft positions.

5. Employees receiving an eligible rating from the Revamped MSS process will be ranked on the PER below the employees identified in paragraphs 1 through 3 above.
6. A new item c. will be inserted into Article 38.5.B.8 of the 2006-2010 APWU/USPS Collective Bargaining Agreement (with the current Article 38.5.B.8.c and 8.d re-lettered to d and e respectively) as described below:

**The provisions in Section 5.B.8.a and Section 5.B.8.b above do not apply to employees under the Revamped Maintenance Selection System. The employer will convert all employees achieved scores into banded scores as indicated below and all employees who are determined to be eligible under the Revamped Maintenance Selection System shall be ranked on the appropriate PER by their banded score. All achieved scores within a listed band will be considered as a tie (or the same score) for all successful applicants within each specific band.**

**90.0 – 100.0**

**80.0 – 89.9**

**75.0 – 79.9**

**70.0 – 74.9**

7. Due to the implementation and utilization of the Revamped MSS, the parties agree that Article 38.5.D of the 2006-2010 APWU/USPS Collective Bargaining Agreement will be revised as follows with the exception that the sentences that are being deleted shall remain in effect and citable for any MSS dispute, grievance or issue currently pending:

~~Upon notification from an employee of the acquisition of new or additional training, education, or experience pertinent to the qualifications for the position, the Employer will request from NTAG the necessary training material within 7 calendar days of receipt of such notification. The employer shall have an additional 30 days to complete the update process. Such employee notification must be furnished within thirty days of the acquisition of such additional training, education or experience.~~ **Employees under the Revamped Maintenance Selection System shall be permitted to update by retaking the Incraft RMSS process no earlier than 120 days from the generation of their last MSS rating. This is applicable to both eligible and ineligible ratings obtained under any current or previous MSS process. Upon such**

**employee update request the employer shall have thirty-seven (37) days to complete the process including notification of the result to the employee. The promotion eligibility register shall not be updated during the period of time a vacant position is in the process of being filled. Employees shall be listed on this register in order of qualifications, and all listed positions for promotion shall be awarded to the best qualified applicants, except those positions set forth in Section 5.B.2 of this Article.**



Doug A. Tulino  
Vice-President  
Labor Relations



William Burrus  
President  
American Postal Workers Union – AFL-CIO

Date June 1, 2009

Mr. Steven Raymer  
Director, Maintenance Division  
American Postal Workers Union, AFL-CIO  
1300 L Street, NW  
Washington, DC 20005-4128

RE: Q06T-4Q-C 09136271/A19T20092  
Q06T-4Q-C 09148152/A19T20094  
Washington, DC 20260-9998

Dear Mr. Raymer:

Recently, the parties met to discuss the above-captioned grievances which are pending at National Level Arbitration of the grievance/arbitration procedures. The parties mutually agree to resolve the issues as follows:

These grievances concern the Revamped Maintenance Selection System (RMSS) to include the following two letters:

1. Re: Follow-up to the Maintenance Selection System (MSS) Revision – Qualification Standards and Examination 955 which the American Postal Workers Union initiated as an Article 19 Appeal to Arbitration on February 27, 2009.
2. Re: In Accordance with Article 19 the USPS is Revising Handbook EL-304 – Maintenance Selection System (MSS) which the American Postal Workers Union initiated as an Article 19 Appeal to Arbitration on March 3, 2009.

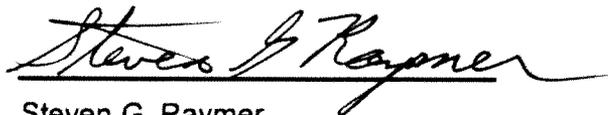
The Memorandum of Understanding (MOU) between the United States Postal Service and the American Postal Workers Union, AFL-CIO, dated June 1, 2009, Subject: Revamped Maintenance Selection System (RMSS) applies to these issues. Additionally, the implementation of the RMSS required the parties to agree to minor modifications of Maintenance Craft Qualification Standards and changes to the Handbook EL-304, Maintenance Selection System.

1. The attached June 2009 EL-304 is the agreed upon Maintenance Selection System handbook applicable to the RMSS including Examination 955.
2. As a result of creating the 2009 EL-304, which governs the Maintenance Selection System, the parties made minor modifications to Maintenance Craft Knowledge, Skill and Abilities (KSAs) contained in qualification standards for maintenance positions. The purpose of the KSA modifications was solely to facilitate the Revamped MSS testing process for Maintenance Craft positions.

Please sign and return this decision as your acknowledgment of the agreement to settle and withdraw these cases from the pending National Level Arbitration listing.



Ronald J. Scott  
Labor Relations Specialist  
Contract Administration (APWU)  
United States Postal Service



Steven G. Raymer  
Director  
Maintenance Division  
American Postal Workers Union, AFL-CIO

Date: 6/3/09

## Questions & Answers

### Re: Revamped Maintenance Selection System (RMSS)

The following questions and answers are to be applied for issues involving the RMSS and the Handbook EL-304 agreed to by the parties on June 3, 2009 and does not alter, amend or modify the National Agreement. The Questions and Answers are self-explanatory and are not intended to, nor does it increase or decrease the rights, responsibilities, or benefits of the parties under the National Agreement. As additional questions or issues from the field arise, the national parties agree to mutually address such questions and/or issues and/or clarifications.

#### **Q1. Why was the MSS changed to the RMSS?**

A: Advances in technology and equipment have changed Maintenance work since the last full review of the MSS, which occurred in 1984. The RMSS permits rating and selection using predictors of success as a Maintenance Craft employee as well as current maintenance knowledge, skills and abilities. The RMSS updates testing procedures for better efficiency and timeliness of notification of results.

#### **Q2. How are selections for maintenance positions now made?**

A: Effective June 1, 2009, the RMSS is to be used to create and/or update Incraft, In-Service and Entrance registers. Previous Incraft registers are maintained intact with those qualifying under RMSS ranked below those on the current PER. Inservice and Entrance registers established prior to June 1, 2009 are closed and replaced by the RMSS.

#### **Q3. Will the Revamped RMSS process result in vacancies being filled?**

A: Yes.

#### **Q4. Did the “pecking order” for filling vacant Maintenance positions change?**

A: No. Article 38 and the Joint Contract Interpretation Manual contain the order in which maintenance vacancies are filled.

#### **Q5. Does the RMSS apply to Non-MSS maintenance positions?**

A: The process for filling Non-MSS maintenance positions is unchanged (reference step 4 Q98C-4Q-C 01234701).

**Q6. Why were changes made to the KSAs?**

A: Modification of the Maintenance Craft KSAs were agreed to in order to facilitate the improvements to the Maintenance Selection System process. KSAs are now addressed as part of rating a job group or job family. Individual KSAs are no longer separated out for rating in the Revamped Maintenance Selection System but are evaluated in the testing and/or review panel when rating the job group or job family.

**Q7. Did the modifications of the KSAs permit any changes in assignment of work, staffing, contracting, etc. to any particular occupational group?**

A: No. The KSAs were only modified to facilitate the testing process.

**Q8. Did the modifications to the KSAs allow for changes in the contracting of Maintenance Craft work?**

A: No.

**Q9. Were any changes made to the Standard Position Descriptions?**

A: No.

**Q10. If I am ineligible based on the ("old process") MSS, do I have to wait for the next Open Season to apply for PERs?**

A: No. Anyone with an ineligible Incraft rating from any MSS process uses the RMSS update process.

**Q11. Can an employee with an ("old process") MSS eligible rating update their rating?**

A: Yes, however the resulting RMSS score will rank the employee on the register below the ("old process") MSS Incraft register employees. Their ("old process") MSS Incraft register ranking would be removed from the register. All updates are done through the RMSS.

**Q12. What are the requirements for an employee to Update?**

A: You are no longer required to acquire additional training, education or experience related to a failed KSA(s) in order to update. In order to update under the RMSS:

- (1) You must have received an Incraft rating or set of ratings for the job families.

(2) You must be an applicant for at least one position in the job family (be on at least one register or list of ineligibles in the job family) you are asking to update. This does not include those who abandoned the process.

(3) You must not have participated in the examination in the last 120 days from the date the examination result was generated.

**Q13. What form do I use to request an Update?**

A: The employee must submit a request in writing to the Maintenance MSS Coordinator. There is no specific form for this written request. The request may also be submitted by email. The name, title, location and contact information for the Maintenance MSS Coordinator is required to be maintained as a permanent posting on the employee bulletin board.

**Q14. If multiple exam centers are available for selection, may the employee select any of them?**

A: If the employee is taking the exam on the clock the employee must select an available exam center nearest their work location. Exceptions for local circumstance may be granted at management's discretion.

**Q15. I know the proctored portion of Exam 955 will be taken at a test center. Will a computer station be available at my work location to take the unproctored portion of Exam 955?**

A: Human Resources will ensure a computer is made available.

**Q16. Will all applicants automatically participate in the unproctored online examination, the proctored online examination, and the review panel?**

A: No. Each successive step is contingent on receiving an eligible rating in the preceding step. An applicant receiving an Ineligible rating on the unproctored exam will not be scheduled for the proctored exam; an Ineligible rating on the proctored exam would not be scheduled for a Review Panel (Structured Interview).

**Q17. If I apply for only one position, will I receive an exam rating for all jobs within the job group?**

A: Yes. Exam ratings are obtained for all positions within a job group. An employee may update for any of the positions in that job group for which their installation is authorized.

**Q18. I have received an ineligible rating for a “Job Group” on the Notice of Results in Exhibit H. How do I know which Test Section caused me to be rated ineligible?**

A: No test section rating will force an ineligible result. Rather the final rating is a result of all the test sections taken together.

**Q19. What is the difference between a “job family” and a “job group”?**

A: There are five job families identified in EL-304 Exhibit B. These are the families for which an employee will receive a rating from the review panel. The notice of rating for the written exam (Exhibit H) lists four job groups. Because of differences between the written exam and the more specific review panel, job group 4 was split into job families 3 and 4 (the five job families are numbered 0 through 4).

**Q20. Why are Incraft employees with a current (“old process”) MSS eligible rating listed above those with an RMSS rating?**

A. The determination was already made that these employees are qualified for standing on the PERs by having received an eligible rating in accordance with the then current MSS examination process. That determination is still valid. It was not possible to merge together ratings obtained under the different processes (e.g. Candidate Supplemental Application (CSA) booklets and the supervisor evaluation are no longer utilized) and there was a requirement to maintain the existing Incraft registers. It is mutually agreed that requiring employees already determined to meet the minimum qualifications to re-establish their eligibility was not equitable.

**Q21. How does the RMSS effect the senior qualified positions in Article 38.5.B.2?**

A: Under Article 38.5.B.2, certain occupational groups are designated for placement on top of the Incraft PER for a promotion to a specific maintenance craft position. Once an employee is identified as qualified (eligible), if they are in one of the specified occupational groups, they will be ranked for promotion with all other PER eligible employees in that occupational group by their seniority. It does not matter under which selection process the employee established their eligibility. All other eligible employees are ranked in their proper order beneath those occupational groups identified in Article 38.5.B.2.

**Q22. In my office, I am currently a Laborer-Custodian on the Carpenter PER. I transfer to another installation which has both Carpenter and Plumber PERs. I do not have an eligible rating for the Plumber position but apply for it upon my arrival at my new installation and also request to be placed on the Carpenter PER. Will my rating/ranking on the Carpenter PER at my new installation be effected by updating my Plumber standing under the RMSS?**

A: No. The Carpenter position rating under the previous MSS transfers with you to the new installation. You will be placed on the Carpenter PER in accordance with the Revamped MSS MOU above those with RMSS scores. Your request for placement on the Plumber PER will require you to go through the RMSS and be ranked on the Plumber PER using your RMSS score for the Plumber position. There is no change to PER eligibility or ranking obtained under the prior MSS by your taking the RMSS for a different position.

**Q23. A maintenance employee applies for or updates for BEM in job family 3 and for Painter in job family 4. How does the notice of result (Exhibit H) show that the employee is eligible for the BEM and ineligible for the Painter?**

A: An employee's numerical rating for the Exam 955 will be indicated on the NOR for the Exam 955 (Exhibit H). The employee's final eligibility will be indicated on the NOR for the review panel (Exhibit I). Both a numerical rating on the Exam 955 NOR and an eligible rating on the review panel NOR will establish that the employee is entitled to be placed on the applicable PER using the numerical score (banded) from the Exam 955.

**Q24. An employee, prior to RMSS, was selected for promotion contingent on training. The employee was not successful in passing the required training. Under the JCIM (page 240 and page 243 Q#4), the employee would be declared as inactive on the PER and required to update. How will this situation be handled since updating can now only occur under the RMSS process?**

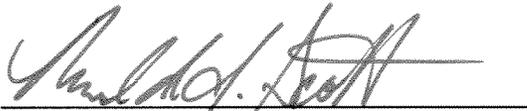
A: An employee ranked on the PER with an eligible rating prior to RMSS who is selected for promotion contingent on training and fails that training may have an asterisk placed by their name on the applicable PER indicating the employee has been deactivated from that PER. Such employee, on a one time only basis, may update to remove the asterisk using the RMSS update process. Removal of the asterisk is the only effect from successfully passing the RMSS update and the employee will remain in their place and ranking on the PER. Subsequently, refer to Question & Answer 11 for action to take and the result.

**Q25. Same scenario as Question 25, but the employee is on the PER using the RMSS process.**

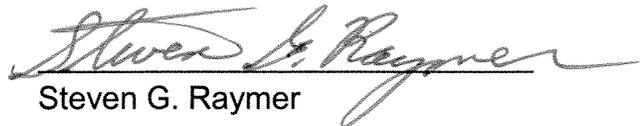
A: An employee already under RMSS who receives an asterisk, that employee cannot update to remove the asterisk for 120 days from when the training was failed. The JCIM will be updated.

**Q26. How are Part-Time Regulars (PTRs) ranked on the PERs under RMSS?**

A: As before, PTRs will be placed on the applicable PER below all Full-Time Regular (FTR) employees, including those FTR employees under RMSS. Within the category of PTR, these employees will be ranked consistent with the manner in which FTR employees are ranked. If an existing PTR becomes a FTR, their existing PER eligibility will be ranked the same as any other FTR employee.



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Steven G. Raymer  
Director  
Maintenance Division  
American Postal Workers Union, AFL-CIO

Date: August 10, 2009