



## NATIONAL ASSOCIATION OF POSTAL SUPERVISORS

*National Headquarters*  
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March 5, 2026

# ***NAPS Newsbreak***

## **NAPS to USPS: Your MOU with UPMA is Misleading and Deceptive**

Today NAPS President Ivan Butts addressed the recent Memorandum of Understanding between the USPS and UPMA over the scope of UPMA representation. In a letter to Michael Elston, USPS Vice President, Labor Relations, President Butts said:

USPS purports to “voluntarily” recognize UPMA as “the representative of non-supervisory, non-managerial employees” in the Postal Service. The suggestion that a distinct group of “non-managerial” employees exists within the EAS is specious and contrary to the legislative history of 39 U.S.C. § 1004(b), its judicial interpretation, USPS history, and common sense.

President Butts reminded the Postal Service that NAPS has consistently and vigorously represented all EAS personnel. "Over the past decade, NAPS consulted with USPS numerous times in connection with the pay of thousands of employees in non-supervisory positions throughout the EAS., Butts wrote. “USPS has never questioned NAPS’s eligibility to represent these non-supervisory employees in the managerial ranks, nor has it ever characterized their positions as ‘non-managerial.’” Indeed, it appears that the reason the Postal Service would prefer to deal with UPMA is that UPMA has been far less vigorous in advocating for its own members.

President Butts concluded his letter to Mr. Elston by reaffirming NAPS's mission, writing "...Regardless of any agreement the USPS may elect to reach with UPMA concerning the scope of that organization’s representation, " Butts wrote, "NAPS will continue to proudly represent all supervisory and other managerial personnel of the United States Postal Service, consistent with the mission of our association and the dictates of the law."



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*Office of  
National President*

March 5, 2026

Mr. Michael J. Elston  
Vice President, Labor Relations  
United States Postal Service  
475 L'Enfant Plaza SW  
Washington, DC 20260-4101

## **Re: Scope of NAPS's Representation**

Dear Michael:

I continue to await a reply to my February 26 letter regarding the Memorandum of Understanding between the U.S. Postal Service and the United Postmasters and Managers of America addressing the scope of UPMA's representation. In the meantime, I wanted to reiterate NAPS's views regarding the scope of its own representation, aside from any agreements USPS may enter into with other management associations.

As NAPS has always maintained, its scope of representation as a "supervisory organization" under 39 U.S.C. § 1004 is broad and extends to all personnel of the Executive and Administrative Schedule (EAS). The correctness of our position was affirmed by the United States Court of Appeals for the District of Columbia Circuit in its landmark 2022 decision, *National Association of Postal Supervisors v. United States Postal Service*, 26 F.4th 960 (D.C. Cir. 2022). The appeals court recognized NAPS as a "supervisory organization" entitled to represent all "supervisory and other managerial personnel" under 39 U.S.C. § 1004(b). *Id.* at 977, 980. The court's reasoning relied on its 2017 decision, in which it stated: "Section 1004(b) provides that representatives of supervisory and other managerial personnel [who are not subject to collective-bargaining agreements under the Act] are entitled to participate directly in the development of Postal Service compensation programs and policies." *Id.* at 974, quoting *National Association*, 602 F.2d 420, 436 (D.C. Cir.1979).

In its recent MOU with UPMA, USPS purports to "voluntarily" recognize UPMA as "the representative of non-supervisory, non-managerial employees" in the Postal Service. The suggestion that a distinct group of "non-managerial" employees exists within the EAS is specious and contrary to the framework of 39 U.S.C. § 1004(b), its judicial interpretation, USPS history, and common sense. The Postal Service's reasoning follows the line of reasoning that the D.C. Circuit characterized in its 2022 decision as "sparse and self-serving." As the Court observed, "We reject the Postal Service's position that it may deny employees the representation rights granted by Congress by simply declaring employees not to be supervisory or other managerial personnel." 26 F.4th at 976.

Historically, NAPS has vigorously represented all supervisory and other managerial personnel in the Postal Service, including those in the "non-supervisory" positions referenced in the USPS-UPMA MOU. Over the past decade, NAPS consulted numerous times with USPS in connection with the pay of thousands of employees in non-supervisory positions throughout the EAS. For example:

- In 2018, the USPS consulted with NAPS over the establishment of a Learning Development & Diversity Specialist (EAS-16) position. In 2019, the USPS further consulted with NAPS over the classification of the position and ultimately reversed its original determination that the position was exempt and provided for backpay for overtime worked in this position.
- In 2018 and 2022, the USPS consulted with NAPS over the pay and supervisory differential of the incumbents of Safety Specialist (TL) (EAS-17), a position eliminated by restructuring in 2022.
- In 2019, the USPS consulted with NAPS over changes in pay policies, schedules, and fringe benefit programs for Field EAS employees in the position of Administrative Assistant (FLD). Consultation resulted in the upgrade of these positions from EAS-12 to EAS-15 and a 2% basic salary increase to incumbents in that position.
- In 2021, the USPS consulted with NAPS over the pay of IT Client Support Specialist III (EAS-23), both in Field and Headquarters IT positions.
- In 2025, the USPS consulted with NAPS over the scheduling of Delivery Support Specialists (DSSs) on Sundays as part of Sunday safety blitzes.

USPS has never questioned NAPS's eligibility to represent these managerial employees, nor has it ever characterized their positions as "non-managerial." The value of these professional, technical, administrative, or clerical employees that places them within the EAS managerial ranks is due to their specialized knowledge and expertise rather than their responsibility for managing people. That is in keeping with the standard exclusion of professional and administrative personnel from bargaining units in order to maintain the integrity of the management-labor relationship, prevent conflicts of interest, and ensure professionals can exercise independent judgment on behalf of the organization.

In conclusion, regardless of any agreement the USPS may elect to reach with UPMA concerning the scope of that organization's representation, NAPS will continue to proudly represent all supervisory and other managerial personnel in the United States Postal Service, consistent with the mission of our association and the dictates of the law.

Sincerely yours,



Ivan D. Butts  
National President