



NATIONAL ASSOCIATION OF POSTAL SUPERVISORS

National Headquarters
1727 KING STREET, SUITE 400
ALEXANDRIA, VA 22314-2753
(703) 836-9660

NAPS USPS November/December Consultative Meeting Agenda

12-09-01

NAPS has been made aware of a change in practice by USPS concerning ELM 652 appeal rights for EAS employees promoted from the craft serving an additional 1-year probationary period and completing a minimum of 12 months of combined service without a break of a workday in the same line of work in the Civil Service and the Postal Service. NAPS contends this is a change in policy and no consultation occurred with NAPS as required by 39 US Code Section 1004. NAPS is providing an email from previous Labor Relation Policies and Programs Director Bruce Nicholson indicating that USPS policy agrees there is no need for an EAS that has served a probationary period as a craft employee to serve an additional probationary period once promoted:

From: Nicholson, Bruce A - Washington, DC <bruce.nicholson@usps.gov>

Sent: Wednesday, January 5, 2022 9:44 PM

To: Ivan Butts <naps.ib@naps.org>

Cc: Chuck Mulidore <naps.cm@naps.org>; Jim Warden <naps.jw@naps.org>

Subject: RE: [EXTERNAL] FW: NAPS Issue with ELM 650 Hearing Correspondence to VP Labor Relations Kate Attridge

Ivan,

ELM 652.21 requires that an employee meets both A and B of the provision to be eligible to appeal a letter of decision before a hearing officer.

652.21 Coverage

Upon receipt of a letter of decision ordering an adverse action, the following employees may appeal:

- a. All nonprobationary EAS and PCES Level I employees; and
- b. EAS, and PCES Level I employees who have completed a minimum of 12 months of combined service, without a break of a workday, in positions in the same line of work in the Civil Service and the Postal Service – unless any part of this service followed a temporary appointment in the competitive service with a definite time limitation.

Although an argument was made to the hearing officer that the appellant did not meet the requirements of section A nor Section B of ELM 652.21, the hearing office nor Mr. Farley (and referenced in his attached denied hearing letter) based their decision on whether the appellant met the requirements of section A, a nonprobationary employee.

The appellant ... completed his probationary appointment as a bargaining unit employee. An employee must complete a probationary appointment and there are no additional appointments. Therefore, there is no disagreement with NAPS on whether the employee had served his probationary appointment.



NATIONAL ASSOCIATION OF POSTAL SUPERVISORS

National Headquarters
1727 KING STREET, SUITE 400
ALEXANDRIA, VA 22314-2753
(703) 836-9660

NAPS USPS November/December 2025 Consultative Meeting Agenda

Further USPS has denied even an ELM Chapter 650 Appeal to employees who fall under this change in USPS policy when facing an Adverse Action. NAPS is requesting USPS cease this practice, and at minimum, provide ELM Chapter 650 Appeal rights to any EAS who faces an Adverse Action with less than a year in the position. NAPS contends that denying ELM 652 appeal rights is in violation 39 USC 1001(b), specifically tenured employee rights to due process.

Response: There has not been a change in policy regarding *ELM 650 - Nonbargaining Disciplinary, Grievance, and Appeal Procedures*. Furthermore, NAPS request to provide ELM 650 appeal rights to any EAS who faces an adverse action with less than a year in the position is inconsistent with ELM 652.21.

652.2 Appeal of Adverse Actions

652.21 Coverage Upon receipt of a letter of decision ordering an adverse action, the following employees may appeal:

- a. All nonprobationary EAS and PCES Level I employees; and
- b. EAS, and PCES Level I employees who have completed a minimum of 12 months of combined service, without a break of a workday, in positions in the same line of work in the Civil Service and the Postal Service — unless any part of this service followed a temporary appointment in the competitive service with a definite time limitation.

Also, NAPS contended that the Postal Service was denying ELM 652 appeal rights in violation 39 USC 1001(b), regarding tenured employee rights to due process. The Postal Service disagrees and provides 39 USC 1001(b) in whole, which states:

(b) Officers and employees of the Postal Service (other than those individuals appointed under sections [202](#), [204](#), and [1001\(c\)](#) of this title) shall be in the postal career service, which shall be a part of the civil service. Such appointments and promotions shall be in accordance with the procedures established by the Postal Service. **The Postal Service shall establish procedures**, in accordance with this title, to assure its officers and employees meaningful opportunities for promotion and career development and to assure its officers and employees full protection of their employment rights by guaranteeing them an opportunity for a fair hearing on adverse actions, with representatives of their own choosing. (Emphasis added.)

As stated above, pursuant to USC 39 1001 (b), the Postal Service has established these procedures in the form of ELM 650 *Nonbargaining Disciplinary, Grievance, and Appeal Procedures*, including ELM 652.21.a and b.



NATIONAL ASSOCIATION OF POSTAL SUPERVISORS

National Headquarters
1727 KING STREET, SUITE 400
ALEXANDRIA, VA 22314-2753
(703) 836-9660

NAPS USPS November/December 2025 Consultative Meeting Agenda

12-09-02

NAPS was made aware of a Reduction in Force or Reorganization that occurred in Air Transportation (See Attachment). New jobs were created and not posted to all, in violation of EL-312 Section 743. NAPS is requesting an explanation of why these newly created jobs were not posted to all, and why no consultation occurred with NAPS in this RIF or Reorganization as required by 39 US Code Section 1004.

Response: The changes that were implemented to Transportation Strategy in 2025 were complement neutral realignment of existing resources. All staff that were reassigned to a new reporting relationship in the same job, same level, supporting a new commodity. No encumbered positions were eliminated that resulted in the need for a Reduction in Force.

The changes were made due to the surface transportation network is experiencing significant change, resulting in a dramatic increase in the volume of work. With the rollout of the new air cargo network, the Postal Service's dependency on other air transportation providers has decreased, resulting in opportunities to consolidate teams within the commodity and maintain current levels of support. To increase the responsiveness of Transportation Strategy and improve the support it provides to its business partners, realigning teams within the organization is necessary.

No new vacancies were created with this change. All staff that were reassigned to a new reporting relationship in the same job, same level, supporting a new commodity. Employee were issued reassignments to the new team in alignment with ELM 353.

353.2 Reassignment

A reassignment is the permanent assignment, with or without relocation, of an employee:

- a. To another position with the same grade, or*
- b. To a position with an equivalent grade.*

353.21 Management Option

Authorized management officials may reassign nonbargaining employees without following regular competitive procedures (see Handbook EL-312, section 743.11).

Additionally for reference, even if the job was vacant, management could choose to select non-competitively. See EL 312 reference.

743.11 When to Consider Noncompetitive Applications

Management may consider qualified employees eligible for a noncompetitive voluntary lateral reassignment or change to a lower level at any of the following times:

- a. When applications are received.*
- b. Before the competitive announcement process begins.*
- c. During the competitive announcement process.*
- d. After the applications have been assessed.*

Employees selected in this manner must meet the qualification requirements for the position. Selection is solely at the discretion of the selecting official.



NATIONAL ASSOCIATION OF POSTAL SUPERVISORS

National Headquarters
1727 KING STREET, SUITE 400
ALEXANDRIA, VA 22314-2753
(703) 836-9660

NAPS USPS November/December 2025 Consultative Meeting Agenda

Individuals with a saved grade are considered noncompetitively for positions up to the level of their saved grade.

Employees seeking noncompetitive placement into a position at the same or lower level must submit a written request to the selecting official for consideration. If an employee with a disability seeks reasonable accommodation by reassignment to a position at the same or lower level, the employee must work with the appropriate reasonable-accommodation committee at the district, area, or Headquarters level.

12-09-03 NAPS has been made aware by EAS employees in the field of a change in the USPS new supervisor training program. NAPS was not made aware of any such changes, nor was NAPS consulted on these changes to the supervisory training program in violation of 39 US Code Section 1004.

Response: There have been no recent changes to the USPS new supervisor training program. NAPS will be notified if and when any updates are made.

12-09-04 See below correspondence from HQ Field HR... Is there now a national requirement that EAS employees must have a replacement to cover their absence prior to approval of annual leave requests? A NAPS member that is a secretary at an Area Office has approved leave but has been unable to get a replacement thus her manager told her she is going to disapprove the leave now based upon this directive. This policy is counterproductive to ELM Sections 511.23(c), 512.11 and 512.4. Nor is there is any mention in any USPS manuals or handbooks, nor on the USPS Form 3971, that a named replacement is required for the approval of annual leave. NAPS is requesting this directive be rescinded immediately, and if any change if annual leave approval policy is to be implemented, NAPS must be consulted.

From: Manning, Desiree - Headquarters Field Hr, UT <Desiree.Manning@usps.gov>

Sent: Monday, August 25, 2025 12:45 PM

Cc: _HQ DIRECTORS FIELD HR <HQDIRECTORSFIELDHR@usps.gov>; __HQ HR DISTRICT FIELD HR <HQHRDISTRICTFIELDHR@usps.gov>

Subject: Immediate Implementation: SWI – Preparing for Planned Leave

Additional recipients bcc'd

Field HR Team –

Effective preparation for planned leave is essential to maintaining continuity of operations, fostering clear team communication, and supporting a work-life balance.

Attached is the Standard Work Instruction (SWI) titled *Preparing for Planned Leave*. This resource outlines the key actions required to ensure your designated backup is fully equipped and that our processes continue seamlessly during your absence.



NATIONAL ASSOCIATION OF POSTAL SUPERVISORS

National Headquarters
1727 KING STREET, SUITE 400
ALEXANDRIA, VA 22314-2753
(703) 836-9660

NAPS USPS November/December 2025 Consultative Meeting Agenda

Thoughtful planning not only minimizes disruptions but also creates a valuable development opportunity for your backup, reinforcing team resilience and operational consistency. To fully realize the benefits of this standardized approach, the steps outlined in the SWI are effective immediately. **Please carefully review the document and plan to implement it without delay.**

Thank you for your proactive commitment to preparing for your well-deserved time away.

Best regards,

Desiree Manning

Senior Director Field Human Resources Ops

Response: The SWI on *Preparing for Planned Leave* is intended to be a resource that outlines key actions required to ensure that a designated backup is fully equipped, and that our processes continue seamlessly during an absence.

The SWI occurs only after leave has been approved and has no impact on whether a request is approved or denied. The process for reviewing and deciding on leave requests remains unchanged. The SWI comes into play only once approval is granted, to ensure, for example, meetings are forwarded and that systems such as ARIS, eACCESS, eBuy, and eRMS continue to function smoothly in the employees' absence.