Change Is Not Impossible:
NAPS Continues the Fight for Fair Pay
In This Issue

September 2019

FEATURES

14 NAPS Sues U.S. Postal Service Over Pay, Representation for Nearly 50,000 Management Personnel The NAPS Executive Board voted unanimously to initiate legal proceedings against the Postal Service regarding EAS pay and NAPS’ right to represent all EAS employees, including postmasters and Headquarters and area personnel.

34 Working with a Multi-Generational Workforce Soon, there will be up to five generations in the workplace. A multi-generational environment can present challenges, as well as opportunities. Supervisors need to help employees use their strengths to work to ensure a positive workplace.

RESIDENT OFFICERS

3 Robbing EAS to Pay EAS Brian J. Wagner

4 We All Should Care Ivan D. Butts

5 Going the Distance Chuck Mulidore

COLUMNS

28 Legislative Update Bob Levi

38 The NAPS Postmaster Vanessa Cobb and Sammie Jones

DEPARTMENTS

6 NAPS Training Calendar

8 NAPS of Note

13 Louis M. Atkins Presidential Student Scholarships

26 Views from the Vice Presidents Marilyn Walton

29 Quarterly Financial Report For the period ended May 31, 2019

31 2019 SPAC Contributors

32 SPAC Scoreboard

38 Thrift Savings Plan July 2019

39 Notes from the National Auxiliary Mary Caruso
Robbing EAS to Pay EAS

After a very long pay consultation and fact-finding process, NAPS received the Postal Service’s final FY16-19 EAS field pay decision on May 15. Although the Federal Mediation and Conciliation Service-commissioned fact-finding panel found in its report that the USPS Pay-for-Performance (PFP) system is “seriously flawed”—the panel’s characterization, not mine—the Postal Service elected not to commit to reforming PFP in any meaningful way. Unfortunately, its decision to keep the same PFP system in place will sacrifice future EAS salaries and pensions. Here’s the scoop!

A review of PFP payouts over the past decade reveals a significant downward trend in PFP rewards to EAS employees. When you examine the Postal Service’s PFP history from FY10 to FY19, a decline in PFP payouts is clearly evident. The chart on the right compares FY10, FY11-18 and new FY19 PFP percentage payouts; it clearly shows the downward trend.

For example, the Postal Service reduced PFP payouts under the FY11-15 EAS pay decision, compared to PFP payouts under the earlier FY07-10 pay decision. The reductions in FY11-15 ranged from .5% to 3% lower in PFP cells 4-15. Thus, EAS employees who achieved higher performance by their placement in the higher-performance cells ultimately received less pay than before under the FY11-15 pay package.

As members will recall, EAS salaries were frozen in FY11 and FY12. We received only a 1% pay increase for FY13. In providing payouts in FY19 under the FY16-19 EAS pay decision, the Postal Service once again lowered the payouts, compared to FY18 payout levels.

During the USPS-NAPS pay consultation process leading up to the FY16-19 EAS pay decision, the Postal Service initially insisted on a zero pay increase in cells 2 and 3. NAPS urged the USPS to provide PFP payouts in cells 2 and 3 that were greater than zero. Alternatively, NAPS urged the Postal Service to provide lump-sum payments in cells 2 and 3 and retain PFP payouts in cells 4-15 at FY18 levels. NAPS also maintained that the entire PFP system was broken and required an overhaul—a position the fact-finding panel confirmed.

In its initial June 28, 2018, pay decision, the USPS elected to use a 10-cell PFP matrix with lump-sum and base-salary increases in cells 2 through 10 for FY19. Once again, reductions in PFP payouts dominated the Postal Service’s approach. Base-salary increases were considerably lower for FY19 than those a year earlier in FY18.

When the Postal Service ultimately issued its modified pay decision for the FY16-19 period on July 20, 2018, the Postal Service reverted to a 15-cell PFP matrix for FY19 and eliminated all lump-sum payouts except for a 1% payout in cell 3. But cell 2 was back to zero with no payout. To add insult to injury, FY19’s base-salary increases for cells 4-15 were reduced from FY18 PFP payout levels.

For example, the FY19 PFP base-salary increase in

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*FY19 Cell 3 lump-sum PFP payment—1.00%
music legend Billy Joel was the voice of Dodger, a character in Disney’s 1988 “Oliver and Company” movie, an animated version of “Oliver Twist.” Dodger sings, “Why Should I Worry?” The song is a wonderfully upbeat way to introduce the street-wise dog from New York City.

The song’s last refrain is “Why should I worry? Why should I care? And even when I cross that line, I got street savoir faire.” As promised in my previous article, I will touch on examples of leadership that could make one believe that integrity has no value in the USPS.

I once represented a senior post office operations manager (POOM) in addressing the district manager’s (DM) failed attempts to implement the Performance Improvement Plan (PIP) process with the POOM. This was a highly successful POOM. NAPS, at times, questioned their engagement method. However, the POOM was generally viewed as a fair and reasonable manager.

Then the district assigned a new DM. Unfortunately for this POOM, the new DM viewed the POOM’s years of outstanding work performance as poor work habits.

In meeting with the DM and senior POOM on the PIP, the DM’s conduct was extremely bizarre and out of the norm, even though I had been advocating for about 15 years and thought I had seen every type of leadership model—good and bad. However, this experience was a first. So much so that it prompted me to find out how this DM had conducted themselves at their previous work location.

To my surprise, I discovered this leader was a Postal Career Executive Service (PCES) Postmaster (PM) at their previous work location. This meant this bad manager was promoted to a DM. This manager’s job performance as a PM was so horrible, they were receiving death threats as a result of their treatment of employees.

This prompted me to look further into this manager’s leadership history. I contacted local NAPS leadership at another facility and found the manager had been the PM there. This means the manager was promoted to a PCES PM. The manager’s job performance as a PM was almost equally as bad as it was at the other two assignments I researched.

This analytical look at this manager’s ascension made me think of the aforementioned lyrics, “Why should I worry, why should I care?” At every step of this lousy leader’s way in the Postal Service, they were rewarded for their bad leadership with promotions: from a PM to a PCES PM to a DM. Why would this manager think there was anything wrong with their engagement model? A survey result summary?

I’ve recently seen this leadership model being played out again. We have a leader who is a hostile PM. NAPS successfully advocated for this manager’s removal from the hostile work environment to work with them on their engagement skills. Unfortunately, this manager returned no better than when they left. NAPS was in the process of documenting the manager’s hostile conduct at the facility where, supposedly, the improved engagement skills were to be taught.

So, this manager returns to work as ineffective as when they left and ultimately was moved to the area. Now, NAPS has received word this manager is being assigned as a DM. So, I ask again, why should this manager think there is anything wrong with their engagement model? A survey result summary?

No. I believe these types of leaders feel like Disney’s Dodger: “Why should I worry? Why should I care? And even when I cross that line, I got street savoir faire.”

Despite these examples of conduct by some USPS leaders, there are things EAS employees must continue to do. As EAS employees who stand at the front line of providing mail service for America’s Postal Service, we must maintain our integrity in documented accountability to our customers, senior leadership and employees.

This is in keeping with fulfilling our duties and responsibilities in accordance with the solemn oath taken by those of us who are managers in the United States Postal Service.

In solidarity …

naps.ib@naps.org

On the Move?

Have you moved or are planning a move? Let NAPS know, too!
Keeping your mailing address current at NAPS Headquarters helps us keep The Postal Supervisor coming to you without interruption and avoid unnecessary “Address Service Requested” charges.
Please let us know your new address and its effective date as soon as you know it. Address changes may be mailed to NAPS at 1727 King St., Suite 400, Alexandria, VA 22314-2753, or faxed to (703) 836-9665.
legendary boxing champion Muhammad Ali is quoted as saying: “Impossible is just a big word thrown around by small men who find it easier to live in the world they’ve been given than to explore the power they have to change it. Impossible is not a fact. It’s an opinion. Impossible is not a declaration. It’s a dare. Impossible is potential. Impossible is temporary. Impossible is nothing.”

During our pay consultations with the Postal Service, NAPS offered several new pay proposals that would have ensured all EAS employees are properly rewarded for their efforts each year with a pay increase, a fair wage to raise their families, pay for their kids to go to college, afford a new car and so much more. We do not fear change; in fact, NAPS embraces it.

We tried to explain to postal leaders the benefits that would accrue to the Postal Service if all EAS employees were able to receive regular pay increases. Yet, we were told by postal officials that such ideas were “not possible” or “there’s too many systems to change” or “this agency is too big to make those kinds of changes.” Thus, the words of Ali ring so true and clear to us.

Perhaps for postal officials it’s easier to live in the world they have designed rather than explore the power they have to change that world. If only they would—and they could—but they won’t. So, NAPS is willing to use all the tools we have at our disposal to push to make this necessary change happen. Unlike

NAPS Member Percentage Report
June 2019

The Postal Supervisor
2019 Production Schedule

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*Copy must be received by this day; see page 2 for submission information.
our sister management association, which accepted the pay package presented by USPS senior officials, NAPS chose to stand up and fight.

We took our case to a fact-finding panel of mediators who essentially found the Postal Service’s EAS pay system has “serious flaws” and did not meet the requirements of Title 39 to provide a compensation system that attracts and retains qualified career managers and supervisors, provides a reasonable differential in pay between supervisors and the employees they manage and reflects a well-motivated workforce to improve the effectiveness of postal operations. The fact-finding panel essentially agreed with NAPS’ longstanding complaints.

Even then, though, the Postal Service could not bring itself to see that “impossible” only was an opinion and the potential for change was not impossible. Thus, as the fact-finding recommendations were rejected by the USPS, NAPS felt it necessary to move forward and continue the fight for fair pay, to accept the dare of impossible and work to make change happen.

On July 26, the NAPS Executive Board voted to take the matter to the U.S. District Court to seek to remedy the injustice of an inadequate and unfair system of EAS compensation that provides neither pay nor performance. Also, to seek to expand our rights to represent all EAS employees—area and Headquarters employees, as well as postmasters—in pay and benefit consultations.

You see, there is only one postal management organization with the financial resources, the strength, the vision and the courage to stand up to the USPS and seek the change that our members have demanded and well deserve. As NAPS moves forward from round 1 of this fight, the great Muhammad Ali again echoes in our minds: “You lose nothing when fighting for a cause ... In my mind the losers are those who don’t have a cause they care about.”

Rest assured, NAPS has a cause we care about. It’s you, our members and all EAS employees in the Postal Service. Is the outcome certain? No, it is not. Is the path fraught with unknowns? Yes, it is.

The fight is a just one. And we promise to carry the fight to the end, wherever that path may lead. We are committed to going the distance.

naps.cm@naps.org

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**NAPS Training Calendar**

**Southeast Area Training**

**Sept. 28, 2019**

**Conducted by:** Southeast Area Vice President Bob Quinlan

**Location:** Embassy Suites by Hilton, Ft. Myers-Estero, 10450 Corkscrew Commons Dr., Estero, FL 33928; (239) 949-4222

**Hotel Rate:** $114

**Registration Fee:** $35

**Instructors:** Southern Region Vice President Tim Ford on how to stay out of trouble; A/Senior Plant Manager Don Shandor, Sun Coast District; more TBD

**Central Region Training**

**Oct. 4-5, 2019**

**Conducted by:** Central Region VP Craig Johnston, Illini Area VP Luz Moreno, North Central Area VP Dan Mooney, Michiana Area VP Kevin Trayler and MINK Area VP Bart Green

**Location:** Hyatt Regency Bloomington near Mall of America, 3200 East 81st St., Bloomington, MN 55425; (952) 922-1234 or (800) 233-1234; the hotel offers a free, daily shuttle to and from the airport; parking at the hotel is free. Room block cutoff is Sept. 1.

**Hotel Rate:** $109/one king or two queens; $139/Regency Club one king or two queens; $209/one king suite—tax is additional

**Registration Fee:** $135 until Sept. 1; $175 thereafter. Fee includes Friday reception and hospitality room, snack breaks, Saturday lunch and training materials. Make checks payable to NAPS Headquarters. Branch and state presidents are asked to bring a $50 gift item for SPAC.

**Training Topics:** Legislative advocacy, retirement, OIG, financial controls, advocacy, NPA, ELM 650, Delivery Management, membership branch officer training, sexual harassment, HERO profile, informed visibility, attendance control and NAPS national officers Q&A

**Instructors:** Resident officers, Kevin Trayler, Dan Mooney, Glenn Smith, Esmeralda Dominguez, Steve Dillard and others
Robbing EAS to Pay EAS
Continued from page 3

cell 4 was down to 1.75%, which represented a .25% reduction from the 2% payout in cell 4 a year earlier. It does not take a PhD in economics or a CPA to understand that lowering the FY19 PFP base-salary increases in cells 4-15 from FY18 levels will result in slower growth in EAS salaries and reduced value in FERS pensions.

Furthermore, the Postal Service’s FY19 pay decision provided only a 1% lump-sum payment in cell 3, instead of a 1% increase in salary, as urged by NAPS. As a result, over 10,000 EAS employees who occupy cell 3 will receive no increase in their base salary for FY19—only a lump-sum payment.

Besides the 10,000 in cell 3, there are approximately 3,000 EAS employees currently in cells 1 and 2 who will receive no base salary increase or PFP lump-sum payment for all their hard work throughout the USPS fiscal year. So long as EAS employees continue to receive only annual lump-sum payouts without increases in their base salaries or no PFP payout at all, the value of their FERS pensions will trend lower.

Looking ahead, if reduced PFP payout percentages in cells 4-15 remain the same, the USPS will reap further savings on the backs of the EAS workforce. Broadly speaking, reduced levels of PFP funding have lowered PFP payouts over the course of the past decade. Even with the Postal Service providing lump-sum payments to cell 3 occupants, these payments are being offset by reduced PFP payouts in the higher cells. This zero-sum approach toward FY19 PFP payouts could be called the “Robbing EAS to Pay EAS” pay program.

Experts tell us that well-designed pay-for-performance programs focused on changing employee behavior produce higher levels of workplace engagement and productivity, bringing positive results to the organization’s bottom line. More active engagement, the thinking goes, merits higher compensation paid by the organization to its employees—not from its employees.

Unfortunately, the Postal Service has rejected that kind of thinking, along with most of the fact-finding panel’s recommendations. The Postal Service has chosen to continue to embrace a seriously flawed (again, the panel’s words—not mine) pay-for-performance program that badly is in need of an overhaul.

It is not only disappointing, but very maddening to those who also recognize the truth about the flaws with PFP. The Postal Service’s actions bring to mind Albert Einstein’s definition of insanity: doing something over and over again and expecting a different result. Inevitably, that kind of thinking must end.

I think it’s time to end this article with my September ice-cream-flavor-of-the-month recommendation: midnight chocolate madness.

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NAPS of Note

NAPS is saddened to report the death of former National Auxiliary President Grace S. Sweeney; she died June 30. Her husband, the late Bernard Leo Sweeney, retired in 1981 as assistant postmaster at Alexandria, VA. Grace worked as an equal opportunity specialist at the U.S. Army Materiel Command when she served as Auxiliary president.

Maryland Legislative Chair Tony Jones (left) and Capitol-Atlantic Area Vice President Troy Griffin (right) met with Rep. Elijah Cummings (D-MD), chairman of the House Oversight and Reform Committee, at an event on June 27.

Butts recognized former Southeast Area Vice President Jerry Sebastian as the newest President’s Ultimate SPAC contributor.

Central Florida Branch 406 President Bobby Bock, VMF supervisor, received a service award from Manager Dennis Lopez.

NAPS President Brian Wagner (left) and Heart of Illinois Branch 255 President Dan Rendleman (right) attended a Federal-Postal Coalition fundraiser for Rep. Mike Bost (R-IL) on July 11 in Washington, DC. Rendleman, a constituent of Bost, had one-on-one time with Bost to discuss many legislative and postal issues important to NAPS members.

Former NAPS Secretary/Treasurer John Aceves met with Rep. Ann Kirkpatrick (D-AZ) at her Labor Issues Roundtable meeting on July 30. The meeting included various southern Arizona union and federal representatives.

Executive Vice President Ivan D. Butts (fifth from left) met with members of Clearwater, FL, Branch 386 in July.

Butts recognized former Southeast Area Vice President Jerry Sebastian as the newest President’s Ultimate SPAC contributor.
Pacific to Sierras Branch 244 has been reorganizing since the death of Branch President Mary Burkhard last year. Several retired members have stepped up and supported the branch in that effort. The California State Branch and Pacific Area and Western Region officers continue to support the branch as it moves forward. Former Western Region Vice President Wayne Rascati also has lent his support.

California State Branch President Marilyn Jones installed new branch officers in July. Front row, from left: Delmy Alarcon, sergeant-at-arms; Shahid Shalkh, area vice president; Stephen Koblisinka, executive vice president; Steve Preulisky, treasurer; Clarissa Bognot, area vice president; and Sarah Stiles, parliamentarian.

Executive Vice President Ivan D. Butts and Secretary/Treasurer Chuck Mulidore joined Rep. Brenda Lawrence (D-MI) at the July 23 Nationals baseball game. Lawrence is a retired USPS manager and NAPS member who serves on the House Oversight and Reform Committee. NAPS Director of Legislative & Political Affairs Bob Levi took the photo.

USPS Long Island District held a Career Awareness Conference on Sunday, Aug. 4. Guest speakers included USPS Headquarters Chief Information Officer and Executive Vice President Kristen Seaver and USPS Northeast Area Vice President Eric Chavez. Long Island District Manager Frank Calabrese invited NAPS Long Island Branch 202 to participate. From left: Branch 202 Vice President Jay Singh, Branch 202 President Tom Barone, Long Island District Manager Frank Calabrese and NAPS New York Area Vice President Jimmy Warden.

Executive Vice President Ivan D. Butts and Secretary/Treasurer Chuck Mulidore joined Rep. Brenda Lawrence (D-MI) at the July 23 Nationals baseball game. Lawrence is a retired USPS manager and NAPS member who serves on the House Oversight and Reform Committee. NAPS Director of Legislative & Political Affairs Bob Levi took the photo.
The Northwest Area held its five-state convention and training in Kalispell, MT, June 21-22.

James E. Park Jr. Northern Virginia District Branch 526 held its annual retirement celebration dinner meeting at Elks Lodge #2188 in Fairfax, VA, on July 20.

Branch 526 President Lloyd Cox, his Executive Board and NAPS President Brian Wagner presented retirement certificates of appreciation to retirees Kenneth Marshall, Marilyn Drake and Tommy Liu.
The Postal Supervisor / September 2019  11

The New York Area held its annual Branch Presidents Meeting at Cyclone Stadium in Brooklyn. Thanks to Postal Police Supervisors Branch 51 President Butch Maynard for taking the photos.

Sundance, UT, Branch 139 hosted its annual steak fry in July in the Wasatch National Forest near Salt Lake City. Branch 139 President Jeff Fratto fired up the grill, cooking hamburgers and hot dogs for the kids and steaks for the adults. There were games and hiking.

Special guests were NAPS Secretary/Treasurer Chuck Mulidore, Rocky Mountain Area Vice President Myrna Pashinski and Western Region Vice President Marilyn Walton. Former Rocky Mountain Area Vice President Steve Gerber and former Utah Legislative Chair Melissa Gerber also attended. A SPAC fundraiser netted $440. Thanks to Branch 139 Vice President Jill Jensen and Treasurer Kristin Tresner for this great NAPS family event.

President Brian Wagner had the honor of throwing the game’s first pitch. He made NAPS members proud as the crowd cheered and the ball hit right in the glove of Cyclones pitcher Jarred Biddy. The ballpark was celebrating Dominican heritage that night; all the players’ shirts read “Jeffe,” which is Spanish for boss.

NAPS leaders also attended the meeting. President Brian Wagner updated attendees on pay; other concerns were discussed at the hour-long meeting. From left: NAPS Secretary/Treasurer Chuck Mulidore, Executive Vice President Ivan D. Butts, Northeast Region Vice President Tommy Roma, New York Area Vice President Jimmy Warden and President Brian Wagner.
NAPS and USPS leadership at the Pioneer Area Tri-State Convention, Aug. 1-4, in Youngstown, OH, were, from left: NAPS Executive Vice President Ivan D. Butts, Pioneer Area Vice President Tim Needham, USPS Eastern Area Vice President Dr. Joshua Colin, NAPS Capitol-Atlantic Vice President Troy Griffin, USPS Northern Ohio District Manager Sharon Young, Ohio Valley District Manager Melvin J. Anderson, Appalachian District Manager (A) Raschelle Parker, Akron Plant Manager (A) Dexter Florence and NAPS Eastern Region Vice President Richard L. Green Jr.

NAPS leaders and the “Marvelettes”

Former Eastern Region Vice President Dotty Wileman and her husband Ron

Pioneer Area Tri-State Convention

USPS leadership held a Q&A with attendees.

Former Capitol-Atlantic Vice President John Geter conducted training.

Golf outing participants
The Louis M. Atkins Presidential Student Scholarships are awarded to honor former President Louis Atkins and other former NAPS presidents for their dedication to NAPS members and their families. These scholarships are sponsored solely by NAPS.

Applicants for this scholarship must be the children or grandchildren of a living NAPS member, active or associate, at the time of drawing. Furthermore, the children or grandchildren must be attending or have been accepted by an accredited two- or four-year college or university.

NAPS will award five $1,000 Louis M. Atkins Presidential Student Scholarships. One winner will be randomly selected from each of the NAPS regional areas: Northeast, Eastern, Central, Southern and Western.

Scholarship winners will be announced in January 2020. In addition, the scholarship winners will be listed in the March 2020 issue of The Postal Supervisor.

Members whose child or grandchild have been awarded a Louis M. Atkins Presidential Student Scholarship will receive a check, payable to the college or university listed in the application, in January 2020. Scholarships may be used to pay expenses in the student’s current or following semester.

Applications must be received no later than Dec. 27, 2019. Online applications only will be accepted using the NAPS website. Please go to www.naps.org under the “Members” tab to apply for the Louis M. Atkins Presidential Student Scholarships, or go to https://naps.org/Members-Scholarship.

Online applications only: https://naps.org/Members-Scholarship
The NAPS Executive Board met via teleconference on July 26, 2019, to discuss NAPS representation issues and the final USPS May 15, 2019, EAS pay decision. All board members were present.

After a briefing from NAPS’ legal counsel, the resident officers—Brian J. Wagner, Ivan D. Butts and Chuck Mulidore—offered the following motion, seconded by Richard Green, Eastern Region vice president:

WHEREAS, The National Association of Postal Supervisors (NAPS) during 2017 and 2018 sought to consult with the U.S. Postal Service to achieve a fair and reasonable FY16-19 EAS pay decision, and

WHEREAS, The Postal Service’s final EAS pay decision, issued June 28, 2018, and modified July 20, 2018, did not adhere to the statutory requirements of 39 U.S.C. §§ 1003 and 1004, and

WHEREAS, The USPS rejected most of the findings and recommendations of the April 30, 2019, report of the fact-finding panel convened by the Federal Mediation and Conciliation Service to review the EAS pay decision, and

WHEREAS, The Postal Service failed to recognize NAPS as the representative of all USPS EAS Headquarters and area personnel and to consult with NAPS on their pay and benefits in connection with the EAS pay decision, and

WHEREAS, NAPS’ membership includes at least 20% of EAS postmasters and the USPS has denied NAPS’ right to represent postmasters over pay and benefits in consultation with USPS under 39 U.S.C. § 1004(i)(4), therefore be it

RESOLVED, That the Executive Board of the National Association of Postal Supervisors authorizes the association to initiate legal proceedings against the U.S. Postal Service and pursue all declaratory and injunctive relief necessary to correct the above-described failures of the Postal Service to properly administer EAS pay and recognize NAPS’ entitlement to represent all EAS employees, including postmasters and Headquarters and area personnel.

The motion passed unanimously.

On Friday, July 26, 2019, the National Association of Postal Supervisors filed a complaint in federal district court seeking declaratory and injunctive relief against the U.S. Postal Service for its failure to pay its supervisors, managers and other professional and administrative employees in accordance with federal law, which, among other things, requires compensation comparable to the private sector and an adequate differential in pay between supervisors and the clerks and carriers they supervise.

NAPS also asked the court to overturn the Postal Service’s refusal to recognize the rights of postmasters and Headquarters and area personnel to be represented by the association. NAPS filed the lawsuit in the United States District Court for the District of Columbia following unanimous approval of the action by the NAPS Executive Board.

The lawsuit represents a new chapter in the ongoing dispute between NAPS and the Postal Service over pay for the almost 50,000 managers, supervisors, postmasters and other professional and administrative employees employed by the Postal Service and paid under its Executive and Administrative Salary Schedule (EAS).

The lawsuit follows the Postal Service’s rejection of most of the findings and recommendations of a fact-finding panel convened by the Federal Mediation and Conciliation Service at the request of NAPS to review the 2016-2019 pay package issued by the Postal Service in 2018. The panel found that EAS compensation is not comparable to private-sector compensation, that the pay-for-performance system is “seriously flawed” and that the current Supervisor Differential Adjustment is unreasonably calculated and inadequate.

NAPS’ lawsuit seeks retroactive pay to compensate all EAS-covered employees at levels equal to comparable private-sector positions from Oct. 1, 2015 (the start of the 2016-2019 pay package) to the date of the court’s final judgment in the matter, along with other relief to align EAS pay policies with what the law requires. In addition, NAPS seeks declaratory relief recognizing its right to represent all Headquarters and area EAS personnel and all postmasters who are members of NAPS.

“The USPS pay system for its managers and supervisors is broken and inconsistent with the expectations of the law,” said Brian J. Wagner, NAPS president. “Given continued USPS resistance to the fair administration of the law, we have no choice but to seek the relief to which all supervisors, managers and postmasters are entitled,” he said.
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NATIONAL ASSOCIATION OF
POSTAL SUPERVISORS
1727 King Street, Suite 400
Alexandria, VA 22314

Plaintiff,

v.

UNITED STATES POSTAL SERVICE
475 L’Enfant Plaza, SW
Washington, DC 20260

Defendant.

Case No. 1:19-cv-2236

COMPLAINT

The National Association of Postal Supervisors ("NAPS") files this complaint against the United States Postal Service ("USPS" or "the Postal Service") for failing to meet statutory requirements regarding compensation for postal supervisors, managers, and other professional and administrative employees who are not covered by collective bargaining agreements, and alleges as follows:

INTRODUCTION

1. By failing to adequately compensate its Executive and Administrative Schedule ("EAS") employees—the nearly 50,000 managers, supervisors, and other middle-management employees who are not members of collective-bargaining units—the Postal Service violates the Postal Reorganization Act of 1970 ("the Act"), 39 U.S.C. §§ 101, 1003, and 1004, and contributes to the Postal Service’s terrible morale problems. After the Postal Service belatedly announced its “final” pay package for “Field EAS employees” for Fiscal Years 2016-2019 in June 2018, NAPS, pursuant to the Act, sought and obtained review by a three-person fact-finding panel convened by the Federal Mediation and Conciliation Service, as provided by the Act. In April 2019, that fact-finding panel issued a unanimous report and recommendation, finding that the Postal Service was and is violating the Act by inadequately compensating its EAS employees in a variety of manners, and that this inadequate compensation contributes to severe morale problems, as well as problems with the attraction and retention of qualified supervisors and managers. In May 2019, the Postal Service rejected most of the fact-finding panel’s substantive recommendations and issued a new “Final Field EAS Pay Package” that suffers from the same deficiencies—and violates the Act in the same manners—as the previous “final” pay package. This lawsuit also challenges the Postal Service’s refusal to consult with NAPS regarding compensation for EAS employees classified by the Postal Service as “Headquarters” or “Area” EAS employees (subcategories that are not recognized by the Act) and the Postal Service’s refusal to recognize NAPS as the representative of the thousands of postmasters who are members of NAPS, also in violation of the Act.

PARTIES

2. Plaintiff National Association of Postal Supervisors is a “recognized organization of supervisory and other managerial personnel” employed by the United
States Postal Service “who are not subject to collective-bargaining agreements.” 39 U.S.C. § 1004(b). NAPS represents approximately 27,000 active and retired USPS managers, supervisors, postmasters, and other professionals. NAPS’ headquarters is located in Alexandria, Virginia, and has almost 280 local branches across all 50 states, as well as Guam, Puerto Rico, and the U.S. Virgin Islands.

3. Defendant the United States Postal Service is an independent federal agency that delivers 47% of the world’s mail to nearly 159 million delivery points. It has approximately 625,000 employees and annual revenue exceeding $70 billion. The USPS’ headquarters is located in the District of Columbia.

JURISDICTION AND VENUE

4. This Court has jurisdiction pursuant to 39 U.S.C. § 409(a), which states that “[e]xcept as otherwise provided in this title, the United States district courts shall have original but not exclusive jurisdiction over all actions brought by or against the Postal Service.” The Court also has jurisdiction under 28 U.S.C. § 1339, which states that “[t]he district courts shall have original jurisdiction arising under any Act of Congress relating to the postal service.”

5. Venue is proper under 28 U.S.C. § 1391(e), which provides that a suit against a federal agency is appropriate where “a defendant resides,” “a substantial part of the events or omissions giving rise to the claim occurred or a substantial part of the property that is the subject of the action is situated,” or the “plaintiff resides.” USPS headquarters is located in the District of Columbia, the decisions challenged in this case were made at that headquarters, and a substantial number of NAPS members affected by those decisions work or reside in the District.

STATEMENT OF FACTS

A. Background

6. Approximately 49,000 of the Postal Service’s 625,000 employees are EAS employees—managers, supervisors, postmasters, and other professionals and administrative employees who, under the direction of the organization’s approximately 500 executives, manage its approximately 442,000 career and 133,000 non-career employees (carriers, clerks, and others who are represented by four bargaining units).

7. EAS employees are distributed among over 1,000 job titles and job levels.

8. The Postal Reorganization Act of 1970 requires the Postal Service to compensate its employees, including its EAS employees, comparably to employees at similar jobs in the private sector. 39 U.S.C. § 1003(a). The Postal Service must ensure that both the “rates and types of compensation” that it pays its officers and employees are comparable to those in the private sector. 39 U.S.C. § 101(c).

9. Under the Act, id. § 1004(a), the Postal Service must also:

   a. “provide compensation, working conditions, and career opportunities that will assure the attraction and retention of qualified and capable supervisory and other managerial personnel;

   b. “provide adequate and reasonable differentials in rates of pay” between carriers and clerks and supervisory and other managerial personnel; and

   c. “establish and maintain continuously a [compensation and promotion] program … that reflects the essential importance of a … well-motivated force to improve the effectiveness of postal operations.”

10. As a “recognized organization of supervisory and other managerial personnel who are not subject to collective-bargaining agreements,” NAPS is entitled to “participate directly in the planning and development of pay policies and schedules, fringe benefit programs, and other programs relating to supervisory and other managerial employees.” Id. § 1004(b).

11. The Act sets out a timeline for engagement between the USPS and NAPS on pay policies and schedules and fringe benefit programs. See id. § 1004(d)-(e).

12. NAPS is entitled to review and make recommendations with respect to any USPS proposed pay policies and schedules and fringe benefit programs, and the USPS must give NAPS’ recommendations “full and fair consideration.” Id.§ 1004(d)(1).

13. If NAPS believes that any USPS final decision regarding pay policies and schedules and fringe benefit programs does not meet the statutory requirements for EAS compensation, NAPS may request that the Federal Mediation and Conciliation Service (“FMCS”) convene a fact-finding panel concerning the decision. Id. § 1004(f)(1).

14. The panel must recommend standards for pay policies and schedules and fringe benefit programs affecting NAPS members, consistent with the policies of the Act. Id. § 1004(f)(3).

15. Within 15 days of the panel’s recommendation, the USPS must provide NAPS with its final decision, giving “full and fair consideration to the panel’s recommendation.” Id. § 1004(f)(5).

NAPS Sues U.S. Postal Service
B. The Postal Service’s 2016-2019 EAS Pay Package Decision

16. In September 2017, after reaching a retroactive collective-bargaining agreement with the National Association of Letter Carriers for the years 2016-2019, the Postal Service sent a proposed “EAS Pay Package Proposal/Fiscal Years 2016-2019/Field EAS Employees” to NAPS.


18. Between September 2017 and June 2018, NAPS and the Postal Service consulted via meetings, letters, and emails regarding the proposed pay package.

19. The Postal Service rejected most of NAPS’ recommendations regarding the EAS Pay Package and issued a “final” decision on June 28, 2018, which it revised slightly on July 20, 2018.

20. On July 6, 2018, NAPS wrote to the FMCS to request the fact-finding process provided under 39 U.S.C. § 1004(f).

C. The Postal Service Fails to Compensate EAS EmployeesComparable to Similar Jobs in the Private Sector

21. The Postal Service’s compensation for its supervisors, managers, professionals, and administrators (i.e., all of its non-postmaster EAS employees) is significantly below compensation that comparable private-sector companies provide for comparable jobs.

22. The Postal Service has not ensured that EAS compensation matches market compensation for comparable private-sector jobs, nor has it ensured that its compensation keeps pace with increases in the private sector.

23. The Postal Service neither conducted nor obtained any surveys or studies regarding private-sector compensation between 2012 and its July 2018 final EAS Pay Package Decision for Fiscal Years 2016-2019. In preparation for the fact-finding hearing in December 2018, the Postal Service commissioned a study of nationwide salaries for eight of its approximately 1,000 EAS positions, but that study did not consider the total compensation for any of those positions, nor did the study look at what the private sector pays in high-wage locations. Thus, the Postal Service does not regularly maintain data to ensure that its EAS compensation is comparable to compensation for similar jobs in the private sector.

24. Unlike the rest of the federal government and all employers with nationally dispersed worksites, the Postal Service does not provide for locality pay. Thus, in high-wage areas such as New York, San Francisco, and Washington, DC, the Postal Service’s compensation is more than 20% below what private companies pay for comparable jobs.

25. It also is standard practice in the private sector to provide for annual or biennial reviews of market compensation and make adjustments to salary levels as needed to remain competitive. But EAS employees receive no pay increase tied to increases in market rates of pay or inflation due to USPS policy.

26. Instead, all EAS pay increases (other than by promotion or as a result of the Supervisor Differential Adjustment, discussed below) are determined by the Postal Service’s Pay for Performance (“PFP”) system. As found by the fact-finding panel, “the PFP system, as constructed and implemented by the Service, does not satisfy the statutory criteria of comparability and the maintenance of a well-motivated workforce.”

27. In many years, all or a substantial number of EAS employees (even employees who perform well) receive no pay increase or minimal pay increases, even when market rates increase substantially. In 2012 and 2013, no EAS employee received a pay increase, and in 2014, they all received only a 1% pay increase. In 2015, the average increase was less than 2%. In 2016, the average increase was only 1.3%, and over 11,500 EAS employees (over 38% of non-postmasters) received no pay increase. In 2017, the average increase was 2.6%. In 2018, the average pay increase was only 1.3%, and over 5,000 EAS employees (16%) did not receive any pay increase.

28. In 2019 (based on the FY18 PFP), the average increase for EAS salaries was again under 2%. In 2019, 18.5% of EAS employees received a 2.5% raise, 38.2% received a 2.0% raise, and 38.5% (over 16,500 EAS employees) received no pay increase at all. Less than 5% of EAS employees received a raise greater than 2.5%.

29. According to the Postal Service, in the nine years from FY09 to FY18, the average Field EAS salary increased by a total of 6%.

30. These increases contrast with comparable private-sector employees, whose average and median salaries have increased by approximately 3% annually for the last several years.

31. These salary gains in the private sector do not reflect total compensation, since typical private-sector employees also earn bonuses of 7% to 10% of their salary, which EAS employees do not receive.
32. The meager or non-existent EAS pay increases also contrast with the members of USPS bargaining units (the employees supervised and managed by the EAS employees), all of whom received annual pay raises in the 2016-2019 contracts negotiated with the Postal Service.

33. In addition, EAS employees at the top of the salary ranges for their pay grades are eligible only for a lump-sum payment rather than an increase in base salary. Thus, for 2018, the approximately 4,000 EAS employees at the top of their pay grades received no pay increase, but at most a lump-sum payment if they were in box 4 or higher of the 15-box PFP pay matrix (since boxes 1 through 3 provide for no increase at all).

34. As a result of these multiple failures of the Postal Service to ensure that EAS employee salaries keep pace with their private-sector peers, the midpoint of salary ranges for EAS employees is almost always below the national average. After accounting for additional cash compensation widely offered in the private sector (bonuses, stock options, etc.) and for locality pay, EAS total cash compensation lags far behind the private sector. Thus, EAS compensation is not comparable to the rates and types of compensation paid in the private sector for comparable jobs, in violation of 39 U.S.C. §§ 1003(a) and 101(c).

D. The Postal Service Does Not Provide an Adequate Differential Between What It Pays Clerks and Carriers and What It Pays Its Supervisors and Managers

35. Despite the statutory requirement for “adequate and reasonable differentials in the rates of pay” between clerks and carriers and the EAS employees who supervise and manage them, thousands of EAS employees supervise tens of thousands of craft employees whose base salary exceeds their supervisor’s, despite the fact that supervisors generally work the same or longer hours. Once overtime is taken into account, tens of thousands more craft employees earn more than their supervisors (on an hourly basis).

36. The Postal Service uses a Supervisor Differential Adjustment (“SDA”) that purports to ensure that EAS employees earn more than the clerks and carriers they supervise but, in practice, fails to meet that statutory requirement.

37. Three interrelated problems with the way the Postal Service calculates its SDA result in thousands of EAS employees earning less than the craft workers they supervise: The first problem involves the Postal Service’s use of a lower-paid clerk position (rather than a higher-paid and more populous carrier position) as the benchmark for the calculation of the SDA minimum for the “all other” category of EAS positions. The second problem involves the ability of craft employees to earn overtime at a substantially higher rate than their supervisors, quickly surpassing their supervisors in total cash compensation. The third problem involves the inadequacy of the 5% differential, which contributes to problems 1 and 2.

38. For over a decade, the Postal Service has calculated its SDA by grouping all front-line supervisors into four categories (Plant Maintenance, Vehicle Services, Postal Police, and All Other Eligible) and then (until recently) adding 5% to the salary of the most populous craft position supervised by EAS employees in each category. The fourth category of supervisors, “All Other Eligible” EAS employees, lumps a wide range of EAS positions into one category, ignoring the fact that some of those positions supervise craft employees who earn substantially more than the salary for the clerk position that the Postal Service uses to set the “SDA minimum” for the entire “All Other Eligible” category. The fact-finding panel found that this “overly broad approach” to calculating the SDA “has, in many instances, resulted in … unreasonable and inadequate pay differentials when applied to individual supervisors.”

39. For example, for the 2016-2019 EAS Pay Package, the Postal Service has refused to calculate the SDA minimum salary for supervisors of Customer Service based on the salary of the city carriers they supervise ($64,413 as of November 2018), despite the fact that there are 105,000 city carriers, Step O, making it the most populous position and step in the entire Postal Service. Instead, it calculates the SDA for supervisors of Customer Service based on a lower clerk salary ($60,737 as of September 2018). The result is that in FY19, over 4,100 supervisors of Customer Service, the vast majority of whom supervise city carriers, received an SDA minimum salary of $63,774 (105% of $60,737) that is over $600 less than the $64,413 base salary for the city carriers they supervise.

40. The inadequacy of the SDA is compounded by the fact that clerks and carriers earn overtime after fewer hours worked than their supervisors and at a higher rate than their supervisors. Craft employees are entitled to time-and-a-half pay for overtime after eight hours (and double-pay after 10 hours), while supervisors are, at most, paid for extra hours at their usual hourly rate after eight-and-a-half hours. Many supervisors and managers get no overtime pay at all. Many clerks and carriers work substantial overtime, and thus many craft employ-
ees (even those whose base salary is less than their supervisors') earn more than their supervisors who work the same hours. This problem of significant numbers of line employees using overtime to out-earn their supervisors is not a problem in the private sector, as private employers typically maintain considerably higher pay differentials between front-line supervisors and the workers they supervise (generally 20% to 30% or more) that leaves an adequate differential even if the workers earn substantial overtime.

41. The larger pay increases that craft employees receive compared to EAS employees contribute to undermining the supervisor differential. The clerks and carriers whom EAS employees supervise have received, and continue to receive, pay raises (including retroactive raises), cost-of-living increases, and step increases that have narrowed and often eliminated whatever small pay differential previously existed between front-line supervisors and craft employees, especially when craft workers' overtime pay is accounted for. Thus, the USPS' pay rates and schedules for Field EAS employees violate 39 U.S.C. § 1004(a) in this manner, as well.

E. The Postal Service Does Not Provide Adequate Compensation to Its EAS Employees Sufficient to Maintain a Well-Motivated Workforce

42. The Postal Service's inadequate compensation to its EAS employees contributes to the organization's distressing morale, which in turn affects the agency's success and productivity.

43. According to the Postal Service's own internal surveys, 75% of its workforce is either “Not Engaged” or “Actively Disengaged.” These results place the Postal Service in the first percentile (the lowest possible) of Gallup's survey of “Grand Mean Company-Level Engagement.”

44. The survey data for engagement among Field EAS employees tracks the poor engagement of Postal Service employees overall, with levels of engagement between the 10th and 13th percentile of managers nationwide.

45. In 2016, NAPS conducted its own survey of member morale that confirmed the poor results from the Gallup survey.

46. The PFP determines the maximum amount of a pay increase that EAS employees may receive through a complex formula of over 30 metrics and multiple sub-indicators reflecting corporate and unit performance in the previous fiscal year that are largely out of employees' control. As the fact-finding panel found, “[t]he corporate and unit criteria utilized by the Service [to calculate the PFP scores] are so complex and numerous that they are dissociated and attenuated from the work of the EAS supervisors and managers. As a result, the program fails to effectuate its goals, namely to motivate its supervisors and managers to effectuate the Service's mission.”

47. The Postal Service's EAS pay policies, including for base salary levels and annual adjustments in pay, translate into a poorly motivated workforce, in contravention of the requirements of the Postal Reorganization Act.

F. The Postal Service Does Not Provide Adequate Compensation to Its EAS Employees Sufficient to Attract Qualified and Capable Supervisory Personnel

48. The Postal Service often has difficulty filling EAS positions with qualified and capable people. Over one-fifth of EAS grade-17 jobs (the jobs that most frequently directly supervise clerks and carriers) nationwide are not filled within 90 days of being posted. The actual number of unfilled jobs is likely higher than that, as the Postal Service “manages” that statistic by taking down job postings and then re-posting them.

49. Qualified craft employees do not wish to apply for supervisory jobs that entail longer hours and greater stress for the same or less pay.

50. The difficulty recruiting for supervisory positions is particularly acute in high-wage cities.

51. The Postal Service's EAS pay policies, including those in the EAS Pay Package for Fiscal Years 2016-2019, prevent it from meeting its statutory obligation to attract qualified and capable supervisory personnel. See 39 U.S.C. § 1004(a).

G. The Postal Service Did Not Allow NAPS to Directly Participate in the Planning and Development of the 2016-2019 EAS Pay Package

52. Despite the Postal Reorganization Act's requirement that NAPS “be entitled to participate directly in the planning and development of pay policies and schedules, fringe benefit programs, and other programs relating to supervisory and other managerial employees,” 39 U.S.C. § 1004(b), and that the Postal Service give any recommendations from NAPS “full and fair consideration in deciding whether or how to proceed with the program,” the Postal Service rejected nearly every recommendation from NAPS in developing and finalizing the 2016-2019 EAS Pay Package proposal, including those recommendations later echoed by
the FMCS fact-finding panel.

53. Further, the Postal Service did not provide NAPS with reasons for its 2016-2019 EAS Pay Package decision, the information on which the decision was based, or the reasons the Postal Service rejected NAPS’ recommendations.

54. The Postal Service simply provided NAPS with its draft and then final decisions, with no explanation or support.

55. The Postal Service also has failed entirely to consult with NAPS regarding compensation and benefits for “Headquarters” and “Area” employees.

56. During the 2017-2018 pay talks between the USPS and NAPS regarding the Postal Service’s FY16-19 EAS Pay Package Proposal, the Postal Service distinguished between “Field” EAS employees on the one hand, and “Headquarters” and “Area” EAS employees on the other.

57. NAPS represents over 7,500 employees located throughout the country whom the Postal Service categorizes as “Headquarters” or “Area” EAS employees, as opposed to “Field” EAS employees. This includes employees who perform supervisory and managerial responsibilities associated with a range of functions, including vehicle maintenance, shared services, financial, sales, and marketing.

58. The Postal Service has acknowledged that NAPS represents EAS employees in the sales and vehicle maintenance divisions, as well as certain other positions, for disciplinary representation purposes, despite those employees being “Headquarters” employees.

59. The Postal Service has failed entirely to consult with NAPS, let alone allow NAPS’ participation, with respect to pay and benefits talks for all Headquarters and Area EAS employees.

60. The full name of the pay package proposed by the Postal Service for Fiscal Years 2016-2019 was “EAS Pay Package Proposal Fiscal Years 2016-2019 Field EAS Employees.” The proposed package applied only to the subset of EAS Employees categorized as EAS Field employees, as reflected in the title.

61. On Sept. 4, 2018, NAPS wrote to the Postal Service to point out that it had never received any proposed pay package for the Headquarters and Area EAS employees it represents. NAPS also raised the issue in the pre-hearing briefing submitted to the fact-finding panel.

62. On Dec. 28, 2018, without any consultation with NAPS (or even any notice to NAPS), the Postal Service issued a document titled, “Area and Headquarters EAS and Pay-Band Pay Package Through Fiscal Year 2019” that purports to be a final pay package for “Area” and “Headquarters” EAS employees. However, that document begins with a statement that “this pay package will not apply to those Headquarters and Area positions who are represented by the National Association of Postal Supervisors (NAPS)” and provides a list of the positions that the Postal Service recognizes as represented by NAPS, but reflects the Postal Service’s position that it will not recognize NAPS’ representation of other Headquarters and Area EAS positions (the majority of such positions).

63. The Postal Service has provided no explanation for treating EAS “Field” employees differently from “Headquarters” and “Area” employees, or for its failure to consult with NAPS regarding compensation for Headquarters and Area EAS employees.

H. The Factfinding Panel’s Report and Recommendations

64. The fact-finding panel convened pursuant to 39 U.S.C. § 1004(f) and held a two-day fact-finding hearing on Dec. 10 and 11, 2018, during which both the USPS and NAPS presented evidence through exhibits and witnesses.

65. Both parties also engaged in post-hearing briefing at the request of the panel.

66. The panel issued its report and recommendations on April 30, 2019.

67. The panel’s findings included the following:
   a. The Postal Service violated its obligations under the Postal Reorganization Act by issuing its July 20, 2018, EAS Pay Package decision without conducting any market survey examining comparable levels of work in the private sector;
   b. The Postal Service’s use of an exceedingly broad-based calculus for the SDA and its failure to adequately increase EAS salary maximums has resulted in unreasonable and inadequate pay differentials between EAS supervisors and managers and the craft employees they supervise;
   c. The SDA, as applied, contributes to the Postal Service’s failure to attract qualified and capable supervisory staff;
   d. The PFP system, as constructed and implemented by the Postal Service, does not satisfy the Postal Service’s statutory obligations regarding comparability and maintenance of a well-motivated workforce; and
   e. The proof submitted during the fact-finding hearing clearly demonstrated a reasonable basis for
establishing locality pay in certain areas of the country. The Postal Service’s failure to examine the issue of locality pay prior to issuing its 2016-2019 EAS Pay Package decision contributed to its failure to satisfy its obligations under the Act, and the lack of locality pay may adversely impact employee motivation.

68. The panel made the following recommendations:

a. All Field EAS employees should receive retroactive raises in base pay and lump sums, including that “each NAPS-represented employee receive, in addition to raises and/or lump-sum payments already received, the following retroactive increases in base salary for the following fiscal years, with the caveat that the amount by which any such increase exceeds the maximum of an employee’s salary grade will be paid in the form of a lump-sum payment:
   FY17—1.10%; FY18—2.15%;
   b. Changes made as part of the July 20, 2018, Pay Package decision should be applied as of that date;
   c. The Postal Service should establish a joint work group to address the failure of the SDA to provide adequate and reasonable differentials in rates of pay between supervisors and managers and their subordinates, including reviewing how the SDA is calculated and salary range minimums and maximums;
   d. The PFP system should be included among the issues to be explored and resolved by a joint work group because the program as currently designed and administered is “seriously flawed;
   e. The joint work group, with the assistance of a compensation expert, should examine the issue of locality pay;
   f. The joint work group should examine the establishment of a permanent cost-of-living adjustment for career, non-bargaining unit employees in Field EAS positions;
   g. The joint work group should engage a mutually selected mediator and compensation expert;
   h. The joint work group should issue a report and recommendations on these issues no later than six months after the Postal Service’s final decision on the matters covered by the fact-finding; and
   i. The Postal Service should provide NAPS with written reasons for not accepting and implementing any recommendations of the joint work group or the mediator.

I. The Postal Service’s Response to the Panel’s Recommendations

69. On May 15, 2019, the Postal Service issued its final decision concerning changes to pay policies, schedules, and fringe benefits for EAS employees.

70. The Postal Service rejected most of the findings and recommendations of the panel.

71. The final EAS Pay Package decision through Fiscal Year 2019 for Field EAS Employees maintains the same PFP matrix contained in the Postal Service’s July 20, 2018, EAS Pay Package decision.

72. The Postal Service did not change the way the SDA is calculated, nor did it adjust the differential used from its existing level of 5%.

73. The Postal Service did not agree to provide any retroactive salary increases, nor did it make any changes in the decision retroactive to July 20, 2018 (the date of its “final” pay package for FY16-19).

74. While the Postal Service agreed to convene a work group to explore resolving issues regarding Field EAS salaries and grades, locality pay, the PFP program, and how salary range minimums and maximums are established, it did not agree to engage a mediator or compensation expert for the work group.

J. The Postal Service Has Refused to Recognize NAPS’ Right to Represent Postmasters

75. NAPS’ membership includes over 4,100 postmasters.

76. Other than the United Postmasters and Managers of America (“UPMA”), NAPS represents the highest share of postmasters in the country.

77. The majority of postmasters (including almost all of the approximately 8,400 Level-18 postmasters) have no supervisors who report to them.

78. On Oct. 1, 2018, NAPS wrote to the Postal Service requesting that the Postal Service recognize NAPS’ right to represent postmasters.

79. The Postal Service did not respond until Feb. 25, 2019, when it wrote that “the Postal Service cannot lawfully recognize NAPS as a representative of postmasters in addition to supervisors.”

COUNT I

Failure to Pay Comparably to the Private Sector in Violation of 39 U.S.C. § 1003(a) and 39 U.S.C. § 101(c)

80. Plaintiff incorporates the allegations in the preceding paragraphs.

81. The Postal Reorganization Act, 39 U.S.C. § 1003(a), requires the Postal Service to “maintain compensation and benefits for all officers and employees on a standard of comparability to the compensation and
benefits paid for comparable levels of work in the private sector of the economy.”

82. Section 101(c) of that statute requires that the Postal Service “achieve and maintain compensation for its officers and employees comparable to the rates and types of compensation paid in the private sector.”

83. The Postal Service has failed to conduct or obtain any studies to evaluate the comparability of EAS employees’ compensation with compensation in the private sector for comparable work.

84. The Postal Service also has failed to appropriately adjust minimum and maximum salary ranges to ensure that EAS employees’ salary ranges keep pace with the market.

85. Unlike the private sector, the Postal Service does not provide any annual salary adjustments for its EAS employees.

86. Unlike the private sector, the Postal Service has refused to implement locality pay adjustments to account for the compensation paid for comparable private-sector jobs in high-wage areas.

87. As a result, the compensation of EAS employees in the Postal Service lags behind that of employees who do comparable work in the private sector, in violation of the statute.

COUNT II

Failure to Provide for an Adequate Supervisory Differential Adjustment, in Violation of 39 U.S.C. § 1004(a)

88. Plaintiff incorporates the allegations in the preceding paragraphs.

89. The Postal Reorganization Act, 39 U.S.C. § 1004(a), requires the Postal Service to “provide adequate and reasonable differentials in rates of pay between employees in the clerk and carrier grades in the line workforce and supervisory and other managerial personnel.”

90. The Postal Service uses an SDA of only 5%, while comparable employers in the private sector pay their front-line supervisors at least 15% to 20% more than the employees they supervise.

91. The Postal Service also uses an overly broad method of calculating the SDA, such that many supervisors earn less than the craft employees they supervise, especially after overtime is taken into account.

92. The Postal Service has thus failed to ensure that there are “adequate and reasonable differentials in rates of pay” between EAS employees and the clerk and carrier employees they supervise.

COUNT III

Failure to Provide Compensation Sufficient to Attract and Retain Qualified and Capable Supervisory and Managerial Personnel, and Failure to Establish and Maintain a Compensation Program Adequate to Maintain a Well-Motivated Workforce, in Violation of 39 U.S.C. § 1004(a)

93. Plaintiff incorporates the allegations in the preceding paragraphs.

94. The Postal Reorganization Act, 39 U.S.C. § 1004(a), requires the Postal Service to “provide compensation … that will assure the attraction and retention of qualified and capable supervisory and other managerial personnel.”

95. 39 U.S.C. § 1004(a) also requires that the Postal Service “establish and maintain … a [compensation] program … that reflects the essential importance of a … well-motivated workforce.”

96. As a result of the Postal Service’s inadequate pay policies and schedules, experienced line employees are generally unwilling to apply to be supervisors.

97. As a result of the Postal Service’s inadequate pay policies and schedules, the Postal Service has trouble attracting qualified and capable supervisory and managerial personnel.

98. As a result of the Postal Service’s inadequate pay policies and schedules, the Postal Service has not and cannot maintain a well-motivated workforce. The Postal Service has commissioned its own studies that demonstrate abysmal employee engagement among its managers and supervisors, as well as its front-line workers, but has not changed its pay policies and schedules to address the problem. Also, as described above, NAPS has surveyed its own members and similarly found abysmal morale among EAS employees.

99. Thus, the Postal Service has violated its obligation to “provide compensation … that will assure the attraction and retention of qualified and capable supervisory and other managerial personnel,” as well as its obligation to “establish and maintain … a [compensation] program … that reflects the essential importance of a … well-motivated workforce.”

COUNT IV

Failure to Consult with NAPS Regarding Compensation and Benefits for “Headquarters” and “Area” Employees, in Violation of 39 U.S.C. § 1004(b)

100. Plaintiff incorporates the allegations in the preceding paragraphs.
101. The Postal Reorganization Act does not distinguish between Field EAS employees and Headquarters or Area EAS employees.

102. All EAS employees—whether they are categorized as Field, Headquarters, or Area EAS—qualify as “supervisory and other managerial personnel who are not subject to collective-bargaining agreements,” and so are represented by NAPS. 39 U.S.C. § 1004(b).

103. As NAPS is the representative of all EAS employees (other than the portion of postmasters who are represented by UPMA), the Act requires the Postal Service to consult with NAPS in formulating new policies and procedures relating to all EAS employees, including those whom the Postal Service denominates as “Headquarters” or “Area.”

104. The Postal Service has failed entirely to consult with NAPS with respect to Headquarters and Area EAS employees.

105. Among other shortcomings, the Postal Service did not provide NAPS with advance notice of its proposed decision-making regarding pay policies for Headquarters and Area EAS employees, sufficient reasons underlying its proposal, or an opportunity to make recommendations on the proposals.

106. Accordingly, the Postal Service has violated its obligation under 39 U.S.C. § 1004(b) to permit NAPS to “participate directly in the planning and development of pay policies and schedules, fringe benefit programs, and other programs relating to” Headquarters and Area EAS employees.

COUNT V
Refusal to Recognize NAPS’ Representation of Postmasters, in Violation of 39 U.S.C. § 1004(b)

107. Plaintiff incorporates the allegations in the preceding paragraphs.

108. 39 U.S.C. § 1004(b) provides three distinct options for eligibility for consultation under the statute: (1) a supervisory organization that represents a majority of supervisors; (2) an organization other than those representing supervisors that represents at least 20% of postmasters; or (3) a managerial organization (other than an organization representing supervisors or postmasters) that represents a substantial percentage of managerial employees. This language is in the disjunctive.

109. NAPS qualifies under the first avenue—it is a supervisory organization that represents a majority of supervisors.

110. By the statute’s terms, once an organization qualifies under any of those three options, such “organization or organizations shall be entitled to participate directly in the planning and development of pay policies and schedules, fringe benefit programs, and other programs relating to supervisory and other managerial employees.” 39 U.S.C. § 1004(b) (emphasis added). The statute confers consultation and participation rights to a qualifying organization—not a limited subset of its members. Those rights include the right to consult on behalf of all its “supervisory and other managerial employees.”

111. Postmasters are a subset of “supervisory and other managerial employees” (as that term is used in § 1004(b)) and thus are within the scope of employees represented by NAPS.

112. The title of § 1004 also employs the broad “supervisory and other managerial” formulation. By not separately delineating postmasters, the statute conveys that postmasters are encompassed within that title.

113. Because NAPS is a qualifying organization, it is entitled to consult on behalf of the over 4,100 postmasters it represents, including by “participat[ing] directly in the planning and development of pay policies and schedules, fringe-benefit programs, and other programs relating to” those postmasters.

114. The Postal Service has violated 39 U.S.C. § 1004(b) by refusing to recognize NAPS’ right to represent postmasters in pay and benefit consultations and other programs relating to postmasters.

115. The Postal Service also has deprived the over 4,100 postmasters who have joined NAPS as their chosen representative in pay and benefit consultations.

PRAYER FOR RELIEF

116. WHEREFORE, Plaintiff National Association of Postal Supervisors prays that this Court grant judgment in its favor and against Defendant United States Postal Service as follows:

A. Declare, pursuant to 28 U.S.C. § 2201, that the United States Postal Service has violated and continues to violate the Postal Reorganization Act, 39 U.S.C. §§ 101(c), 1003(a), and 1004(a) and (b), by

i. Failing to achieve and maintain compensation for all EAS employees comparable to the rates and types of compensation paid in the private sector for comparable jobs;

ii. Failing to maintain compensation and benefits for all EAS employees on a standard of comparability to the compensation and benefits paid for comparable work in the private sector of the economy;
iii. Failing to provide for an adequate and reasonable differential in rates of pay between employees in the clerk and carrier grades in the line workforce and supervisory and other managerial personnel;

iv. Failing to provide compensation sufficient to attract and retain qualified and capable supervisory and managerial personnel;

v. Failing to provide a compensation system adequate to maintain a well-motivated workforce;

vi. Refusing to recognize NAPS as the representative of all non-postmaster EAS employees, including all “Headquarters” and “Area” EAS employees; and

vii. Refusing to recognize NAPS as the representative of all postmasters who are active members of NAPS and refusing to allow NAPS to participate in the planning and development of pay policies and schedules, fringe benefit programs, and other programs relating to postmasters.

B. Enter an injunction requiring the Postal Service to

i. retain a neutral compensation expert to conduct a market survey to determine, for each year from FY16 to the present, (a) the national average salary in the private sector for each EAS position, (b) the national average total compensation (including bonuses) for each EAS position; and (c) locality pay differentials in high-wage areas (i.e., the additional compensation paid by the private sector in and around cities such as New York, San Francisco, and Washington, DC);

ii. pay all EAS employees total cash compensation comparable to the total cash compensation paid for comparable positions in the private sector, including retroactive pay to compensate for any and all difference between the compensation that the Postal Service paid to its EAS employees from Oct. 1, 2015, to the date of final judgment and the total cash compensation paid for comparable positions in the private sector;

iii. either (a) pay all EAS employees total compensation comparable to the total compensation paid for comparable jobs in the highest-paid location in the country or (b) implement a locality pay adjustment that will assure that EAS employees in high-wage areas are paid comparably to what the private sector pays in that area;

iv. pay each and every EAS employee eligible for a Supervisor Differential Adjustment a salary with a reasonable and adequate differential above the salary that the Postal Service pays to bargaining-unit employees supervised by the position held by that EAS employee (no less than the 15% to 20% differential that is the low end of the typical private-sector differential), including retroactive pay based on that formula from Oct. 1, 2015, to the present;

v. recognize NAPS as the representative of all non-postmaster EAS employees, including all “Headquarters” and “Area” EAS employees; and

vi. recognize NAPS as the representative of all postmasters who are active members of NAPS; and

C. Grant Plaintiff such other relief as this Court deems just and proper.

Respectfully submitted,

Andrew D. Freeman (pro hac vice pending)
Jean M. Zachariasiewicz
Joseph B. Fink
Brown, Goldstein & Levy, LLP
120 E. Baltimore Street, Suite 1700
Baltimore, Maryland 21202
Tel: (410) 962-1030
Fax: (410) 385-0869
adf@browngold.com
jmz@browngold.com
jbe@browngold.com

Counsel for Plaintiff National Association of Postal Supervisors

Dated: July 26, 2019

NAPS Sues U.S. Postal Service
# NAPS Executive Board Directory

## Resident Officers

The resident officers may be contacted at 1727 King St., Suite 400, Alexandria, VA 22314-2753; (703) 836-9660; (703) 836-9665 (fax)

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brian J. Wagner</td>
<td>President</td>
<td><a href="mailto:naps.bw@naps.org">naps.bw@naps.org</a></td>
</tr>
<tr>
<td>Ivan Butts</td>
<td>Executive Vice</td>
<td><a href="mailto:naps.ib@naps.org">naps.ib@naps.org</a></td>
</tr>
<tr>
<td>Chuck Mulidore</td>
<td>Secretary/Treasurer</td>
<td><a href="mailto:naps.cm@naps.org">naps.cm@naps.org</a></td>
</tr>
</tbody>
</table>

## Regional Vice Presidents

### Central Region (Areas 6, 7, 8, and 9)

- **Craig O. Johnson**
  - 9305 N. Highland Ct., Kansas City, MO 64155-3738; (816) 914-6061 (C)
  - craigj23@sbcglobal.net

### Southern Region (Areas 10, 11, 12, and 13)

- **Tim Ford**
  - 6214 Klonndike Dr., Port Orange, FL 32127-6783; (386) 767-FORD (H)
  - (386) 679-3774 (C)
  - seareavp@aol.com

### Western Region (Areas 14, 15, and 16)

- **Marilyn Walton**
  - PO Box 103, Vacaville, CA 95696-0103
  - (707) 449-8223 (H)
  - marilynwalton@comcast.net

## Area Vice Presidents

### Northeast Region (Areas 1 and 2, including all NJ, except Branch 74)

- **Thomas Roma**
  - 385 Colon Ave., Staten Island, NY 10308-1417; (718) 605-0357 (H)
  - (917) 685-8282 (C)
  - troma927@cs.com

### Eastern Region (Areas 3—DE, PA and NJ Branch 74—4 and 5)

- **Richard L. Green Jr.**
  - 7734 Leyland Cypress Lane, Quinton, VA 23141-1377
  - (804) 928-8261 (C)
  - rgreen151929@aol.com

### Southeast Area (FL/GA)

- **Bob Quinan**
  - PO Box 490363, Leesburg, FL 34794-0363; (352) 217-7473 (C)
  - (352) 728-5992 (fax)
  - bqinquan@aol.com

### Texas Area (TX)

- **Jaime Elizondo Jr.**
  - PO Box 1357, Houston, TX 77251-1357
  - (832) 722-3737 (C)
  - jaimeeliz@att.net

### Pacific Area (CA, HI, Guam, American Samoa)

- **Chuck Lum**
  - 95-12222 Moee St., Mililani, HI 96789-5965
  - (808) 227-5764 (C)
  - lump013@hawaii.rr.com
Seattle Branch 61 Jazz Brunch

By Marilyn Walton
Western Region Vice President

Seattle Branch 61 recently hosted a jazz brunch at Salty’s on Alki Beach in Seattle. Attendees were treated to the vocal sounds of Josephine Howell Productions. Branch 61 Vice President Michael Ware was emcee. Special guests were NAPS Secretary/Treasurer Chuck Mulidore, Northwest Area Vice President and branch member Cindy McCracken and me.

Ware recognized Branch President Bjoren Gruetzmacher who welcomed the guests and thanked members and their families for attending. He encouraged members to reach out to their fellow EAS employees and urge them to join NAPS. Gruetzmacher said NAPS helps its members be informed and involved. As a result of the many opportunities while being involved, Gruetzmacher said he had just received a promotion.

McCracken encouraged members to be informed about the do’s and don’ts in the workplace and to supervise and manage operations with integrity. I shared that everyone should reach out and share information and don’t be afraid to ask for clarification when preforming daily duties; don’t hesitate to ask for help.

Mulidore brought greetings from his fellow resident officers and provided an overview of the recent pay talks. He also shared future strategies for increasing focus on positive postal legislation.

Attendees enjoyed a fabulous array of buffet foods, including Salty’s signature fish dishes. The brunch committee conducted an aggressive SPAC fundraiser. There was a 50-50 raffle and a large assortment of gift baskets and household and other useful items on display for attendees to purchase tickets and direct their tickets to the selected choice. The raffles raised $900 for SPAC.

The balance of the afternoon was spent enjoying the jazz music, the fantastic view and taking pictures on the balcony with the beautiful Seattle skyline as the backdrop.

Los Angeles Branch 39 Family Fun Day

Branch 39’s Fun Day was held at Westchester Park in Los Angeles on July 7. Branch 39 President Marilyn Jones encouraged all her members, families and guests to attend the third annual picnic event. The organizing committee arranged hidden egg searches, scavenger hunts, sack races and other fun games to entertain the kids and adults. Attendees enjoyed a Fresh

Continued on page 29
Black Plank & Black Asbestos Floors

Step 1
Detco’s low odor quick acting floor stripper. Dilute and mop on **Mega-Strip 4**: 1 with water for heavy buildup and 8:1 for light to medium buildup.

Use low speed buffer with pad or scrubbing machine. **Mega-Strip** immediately starts to reliquify old waxes and finishes.

Pick up stripper residue with mop, wet vac or floor machine. Wet rinse 2-3 times with mop or floor machine and then dry with blower if available. Floor should be dry to touch before going to step 2.

Step 2
Apply 3 thin coats of Detco’s **Black Beauty II**. Drying time is normally 20-30 minutes per coat and a fan or blower may be utilized after each coat dries 10 minutes on it’s own. Alternate directions of application of coats to ensure proper coverage.

Step 3
Make sure the last coat of **Black Beauty II** is dry before applying 3 thin coats of Detco’s **Magna Gloss 25** finish. Alternate directions of applying coats. No Buffing is needed to apply the sealer or finish.

Maintain with sweeping and Detco’s **Kwik Mop** 64:1 with water. **Kwik Mop** | 5 Gal Pail | #81632325 PSN 7930160008436

Use **ShurFloor** to remove odors from urinals and drains while leaving the floor clean. **Shurfloor** | 5 Gal Pail | #64568108 PSN 7930160008439

To order contact your local MSC representative 800.645.7270 | www.mscdirect.com
For Detco Product Support: 800.282.2133 | Phil Morrison Floorcare Specialist

www.detco.com
Before departing for its five-week-long summer recess, the U.S. Senate confirmed three new members to the Postal Service Board of Governors. As a consequence, for the first time since 2014, the Board of Governors will have a quorum of five presidentially appointed members. The previous absence of a quorum made it difficult for the Postal Service to fully exercise the authority it is granted in statute.

The three new members are Ron Bloom, Ramon Martinez IV and John Barger. The three governors all hail from the financial services sector of the economy. Bloom, who was an investment banker and also a union consultant, was an adviser on certain postal issues to the National Association of Letter Carriers.

Martinez also was an investment banker and retired as managing director for investment banking for the no-longer-existent Lehman Brothers. Barger, a California attorney, served as director of investment and retirement boards for the Los Angeles County Employees Retirement Association.

The new governors will join current governors Robert Duncan (chairman) and David Williams. The partisan composition of the Board of Governors is three Republican members (Duncan, Martinez and Barger) and two Democrat members (Williams and Bloom). Postmaster General Megan Brennan and Deputy Postmaster General Ron Stroman also serve on the board.

In addition, before leaving the U.S. Capitol, the Senate confirmed the nominations of two new members to the Postal Regulatory Commission: Ann Fisher and Ashley Poling. The commission already had its full complement of members, but two were in their hold-over year—meaning their statutory terms expired, but they are permitted to continue to hold the position of one year or until the Senate confirms a presidentially nominated replacement, whichever comes first.

Fisher replaced Tony Hammond; Poling replaced Nanci Langley. Both women have extensive postal and legislative experience, having served on the staffs of senators who sat on the Homeland Security and Governmental Affairs Committee.

Fisher was on the staff of the late Sen. Thad Cochran (R-MS) and Sen. Susan Collins (R-ME). In addition, she worked in the Government Relations Department of the Postal Service and, for the past 12 years, at the PRC. Poling was on the staffs of Sens. Jon Tester (D-MT), Heidi Heitkamp (D-ND) and Gary Peters (D-MI).

The new members will join commissioners Robert Taub (chairman), Mark Acton and Michael Kubayanda. The partisan composition of the PRC remains three Republican members (Taub, Acton and Fisher) and two Democrat members (Kubayanda and Poling).

Also, I would be remiss if I did not express disappointment over Congress’ failure to consider, or even introduce, meaningful postal legislation before the August recess. With each passing week, the task becomes more daunting. Activity on the House Oversight and Reform Committee has tilted toward investigations of the Trump Administration, resulting in an extremely personal attack by President Trump against Chairman Elijah Cummings (D-MD) and Baltimore, the city he represents.

It is premature to predict how this attack will impact the capability of committee members to craft the bipartisan postal legislation envisioned at the beginning of the year. Nevertheless, hope springs eternal in the postal world.

Regardless, Rep. Peter DeFazio (D-OR) introduced H.R. 2382, NAPS-supported bipartisan legislation to repeal the current requirement that the Postal Service prefund future retiree health obligations. Enactment of the bill would relieve the agency of a major burden that, over the past 13 years, has forced the agency to divert about $49 billion into the Postal Retiree Health Benefits Trust Fund—funds that could have been used to invest in postal infrastructure and improve the financial condition of the Postal Service.

Before the August recess, 213 members of the House co-sponsored the bill. NAPS members can go to the NAPS website and click on the “Legislative Center” tab to access NAPS-supported legislation to see if their representative is a co-sponsor. If not, a call should be made to their representative’s office.

Over the past month, NAPS Chat, NAPS’ weekly podcast covering legislative and political affairs, hosted a number of notable guests, including postal Board of Governors member David Williams, House Government Operations Chairman Gerry Connolly (D-VA) and USPS Inspector General Tammy Whitcomb.

Of course, NAPS Chat also had
visits from NAPS Executive Vice President Ivan D. Butts and our legal and legislative counsel, Bruce Moyer. We also conducted July 4th interviews with American postal customers who celebrated Independence Day on the National Mall. Please tune in at your convenience. Current and past chats are stored on the NAPS website's Legislative Center.

Finally, I invite state and branch SPAC chairs, as well as NAPS Auxiliary members who help collect SPAC contributions, to visit the “SPAC” tab in the Legislative Center on the NAPS website to view a new SPAC webinar. Just click on the link and you can view the program.

naps rl@naps.org

Los Angeles Branch 39
Family Fun Day
Continued from page 26

Mex buffet catered by a local group. Pacific Vice President Chuck Lum flew to the mainland from Hawaii to enjoy the event. Former Pacific Area Vice President and Branch 39 President Hayes Cherry stopped by to say hello and spend time with old friends.

I was able to attend in spite of the recent earthquakes that rattled a lot of nerves. Thankfully, it was quiet; there was no seismic shaking during our visit. It was a great day to bring a lawn chair, gather up the kids, find a shady spot and sit back and catch up with old friends and visit with new ones.

This annual branch-sponsored event is a benefit of being a NAPS member. There was no charge; it was a wonderful way to spend a summer afternoon with family. Be sure to let your non-members know about the many benefits of NAPS membership. Sign that non-member today!

marilynwalton@comcast.net

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NAPS Secretary/Treasurer’s
Financial Report  Chuck Mulidore

Article XIV of the NAPS Constitution requires the secretary/treasurer to “furnish financial reports quarterly and publish same in The Postal Supervisor.”

Statement of Financial Position (Balance Sheet)—May 31, 2019

Assets:
Cash and Investments $12,759,362
Dues Withholding Receivable 428,871
Prepaid Expenses and Other Assets 460,144
Total Current Assets. 13,648,377
Building and Equipment, Net of Accumulated Depreciation 2,997,039
Total Assets $16,645,416

Liabilities and Net Assets:
Accounts Payable $ 119,550
Accrued Expenses 481,150
Deferred Revenues 50,835
Dues to be Remitted to Branches 585,083
Total Liabilities. 1,236,619
Unrestricted and Designated Net Assets 15,408,797
Total Liabilities and Net Assets $16,645,416

Statement of Activities (Revenues and Expenses)
(For the period March 1, 2019, through May 31, 2019)

Revenues:
Dues and Assessments $ 1,947,468
Less: Dues Remitted to Branches 1,358,491
Net Dues and Assessment Revenue 588,977
NAPS Property, Inc. Net Income Before Depreciation $353,161
Less Depreciation (56,229)
NAPS Property, Inc. Net Income 296,932
Advertising Income From Postal Supervisor 860
Royalties 975
Legislative Conference Income. 700
National Convention Income. -
Training Fees 649
Other 104
Revenues Before Investment Income (Loss) 889,197
Investment Income (Loss) 76,832
Total Revenues For the Period 966,029

Expenses:
National Headquarters 487,923
Executive Board 142,414
National Conference. 9,000
The Postal Supervisor 82,365
Legal/Fact Finding/Pay Consultation 133,015
Legislative Counsel 24,263
Legislative Expenses 18,298
Legislative Training Seminar 41,216
Membership 13,550
Education and Training 260,966
Disciplinary Defense 112,472
Total Expenses 1,325,481

Expenses in Excess of Revenues (Change in Net Assets) $ (359,452)

Substantially all disclosures required by GAAP are omitted. The financial statements do not include a statement of functional expenses and cash flows. The financial statements do not include the financial position and operations of the SPAC. No assurance is provided on these financial statements.
To authorize your allotment online, you will need your USPS employee ID number and PIN; if you do not know your PIN, you will be able to obtain it at Step 3 below.

1. Go to https://liteblue.usps.gov to access PostalEASE.
2. Under Employee App-Quick Links, choose PostalEASE.
3. Click on “I agree.”
4. Enter your employee ID number and password.
5. Click on “Allotments/Payroll NTB.”
6. Click on “Continue.”
7. Click on “Allotments.”
8. Enter Bank Routing Number(from worksheet below), enter account number (see worksheet), enter account from drop-down menu as “checking” and enter the amount of your contribution.
9. Click “Validate,” then “Submit.” Print a copy for your records.

To authorize your allotment by phone, call PostalEASE, toll-free, at 1-877-477-3273 (1-877-4PS-EASE). You will need your USPS employee ID number and PIN.

1. When prompted, select one for PostalEASE.
2. When prompted, enter your employee ID number.
3. When prompted, please enter your USPS PIN.
5. When prompted, press “1” for allotments.
6. When prompted, press “2” to continue.
7. Follow prompts to add a new allotment.
8. Use the worksheet to give the appropriate information to set up an allotment for SPAC.

**PostalEASE Allotments/Net to Bank Worksheet**

On your next available allotment (you have three):

- Routing Number (nine digits): 121000248
- Financial Institution Name: Wells Fargo (this will appear after you enter the routing number).
- Account Number (this is a 17-digit number that starts with “77255555” and ends with your eight-digit employee ID number): 7 7 2 2 5 5 5 5 5 5 5 5 5 5 5 5 5

(Example: 77225555512345678).
- Type of Account (drop-down menu): Checking
- Amount per Pay Period (please use the 0.00 format; the “$” is already included): __________.
2019 SPAC Contributors

Top 2019 SPAC Contributor

<table>
<thead>
<tr>
<th>Name</th>
<th>Branch</th>
</tr>
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<tbody>
<tr>
<td>Butts, Ivan</td>
<td>PA</td>
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President’s Ultimate SPAC ($1,000+)

<table>
<thead>
<tr>
<th>Name</th>
<th>Branch</th>
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<tbody>
<tr>
<td>Boisvert, Michael</td>
<td>CA</td>
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<tr>
<td>Walton, Marilyn</td>
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<tr>
<td>Wong, John</td>
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<td>Franz, Kenneth</td>
<td>FL</td>
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<td>Gilbert, Belinda</td>
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<td>Mullins, Kym</td>
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<td>Randall, C. Michele</td>
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<td>Shawn, Steve</td>
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Wileman, Dotty       MD  Branch 923
Geter, John          NC  Branch 183
Amash, Joseph        NY  Branch 83
Gawron, Dennis       NY  Branch 27
Gawron, Steven       NY  Branch 27
Roma, Thomas         NY  Branch 68
Warden, James        NY  Branch 100
Butts, Ivan          PA  Branch 355
Aaron, Donna         TN  Branch 947
Austin, Jessie       TX  Branch 122
Green Jr., Richard   VA  Branch 98

SPAC Contribution Form

Aggregate contributions made in a calendar year correspond with these donor levels:

$1,000 — President’s Ultimate SPAC
$750  — VP Elite
$500  — Secretary’s Roundtable
$250  — Chairman’s Club
$100  — Supporter

Current as of February 2019

Federal regulations prohibit SPAC contributions by branch check or branch credit card.

Mail to:
SPAC
1727 KING ST STE 400
ALEXANDRIA VA 22314-2753

Contribution Amount $_________ Branch #_________
Name________________________________________________________
Home Address/PO Box___________________________________________
City_________________________ State__________ Date _________________
ZIP+4_________________________
Employee ID Number (EIN) or Civil Service Annuitant (CSA) Number ________________________________

Enclosed is my voluntary contribution to SPAC by one of the following methods:

☐ Check or money order made payable to SPAC; do not send cash
☐ Credit card (circle one): Visa American Express MasterCard Discover
Card number ___________ ___________ ___________ ___________ ___________
Security code (three- or four-digit number on back of card) ____________________
Card expiration date: _______ /______
Signature (required for credit card charges)__________________________________________

☐ In-Kind Donation (e.g., gift card, baseball tickets):
Describe gift _________________________________________ Value ______________

All contributions to the Supervisors’ Political Action Committee (SPAC) are voluntary, have no bearing on NAPS membership status and are unrelated to NAPS membership dues. There is no obligation to contribute to SPAC and no penalty for choosing not to contribute. Only NAPS members and family members living in their households may contribute to SPAC. Contributions to SPAC are limited to $5,000 per individual in a calendar year. Contributions to SPAC are not tax-deductible.
### SPAC Scoreboard

Statistics reflect monies collected from Jan. 1 to July 31, 2019

#### National Aggregate:

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<td>Pioneer</td>
<td>$3,878.10</td>
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#### Area Per Capita:

<table>
<thead>
<tr>
<th>Area</th>
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<tbody>
<tr>
<td>Southeast</td>
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#### State Aggregate:

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#### State Per Capita:

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#### Drive for 5

<table>
<thead>
<tr>
<th>Members by Region</th>
<th>Aggregate by Region</th>
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<tr>
<td>Central</td>
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<td>Western</td>
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### Area Per Capita:

<table>
<thead>
<tr>
<th>Area</th>
<th>Per Capita</th>
</tr>
</thead>
<tbody>
<tr>
<td>Southeast</td>
<td>$15.83</td>
</tr>
<tr>
<td>Capitol-Atlantic</td>
<td>$11.11</td>
</tr>
<tr>
<td>Pacific</td>
<td>$9.64</td>
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<tr>
<td>Mideast</td>
<td>$8.47</td>
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<td>Texas</td>
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<td>Pioneer</td>
<td>$4.08</td>
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<tr>
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</tr>
<tr>
<td>Northwest</td>
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<tr>
<td>Michiana</td>
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<tr>
<td>Central Gulf</td>
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</tr>
<tr>
<td>MINK</td>
<td>$2.62</td>
</tr>
</tbody>
</table>

### State Per Capita:

<table>
<thead>
<tr>
<th>State</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Florida</td>
<td>$19.65</td>
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<tr>
<td>California</td>
<td>$14.92</td>
</tr>
<tr>
<td>New York</td>
<td>$10.77</td>
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<tr>
<td>Texas</td>
<td>$10.31</td>
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<tr>
<td>Maryland</td>
<td>$9.81</td>
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### Aggregate by Region:

<table>
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<tr>
<th>Region</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Southern</td>
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<td>$11,796.35</td>
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### National Aggregate:

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### National Per Capita:

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### State Aggregate:

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<tbody>
<tr>
<td>Florida</td>
<td>$33,801.50</td>
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<td>$8,813.50</td>
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### Members by Region:

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### Drive for 5

- [ ] [ ] [ ] [ ] [ ]

Continued on page 36
Make Contributing to SPAC a Habit:

OPM Contributions to SPAC (for Retired Postal Supervisors)

Below are step-by-step instructions for making an allotment to SPAC through your OPM retirement allotment, using either OPM’s telephone-based account management system or the online “Services Online” portal.

Please note: The amount you key in will be your monthly allotment to SPAC. The start of your allotment will depend on the time of the month it was requested. If you make your request during the first two weeks of the month, expect the withholding to take place the first of the following month. If the allotment is requested after the first two weeks of the month, the change will take place the second month after the request.

By internet:
To sign up online, go to the OPM website at www.servicesonline.opm.gov, then:

• Enter your CSA number and PIN, and log in.

• Click on “Allotments to Organizations,” and then select “Start” to begin a new allotment.

• Click on “Choose an Organization.”

• Select “National Association of Postal Supervisors (SPAC).”

• Enter the amount of your monthly contribution and then click “Save.”

By telephone:

• Dial 1-888-767-6738, the toll-free number for the Office of Personnel Management (OPM)’s Interactive Voice Response (IVR) telephone system.

• Have your CSA number and Personal Identification Number (PIN) on hand when you call. You may speak to an OPM customer service representative or you may use the automated system.

• Simply follow the prompts provided in the telephone system.
Today, people are living and working longer; soon, we will have up to five generations in the workplace. A multi-generational environment can present challenges, as well as opportunities, for an organization. Supervisors need to understand what motivates and engages employees from different generations and how to help employees use their strengths to work to ensure a positive workplace for all.

Let’s introduce the generations, remembering that with all descriptions we will use some generalizations. It’s important to note that not everyone born in a particular era exhibits all the behaviors or characteristics normally associated with their generation. That said, the historical context of each generation, as well as the formative cultural events, contribute to preferences, styles and perspectives an employee brings to the workplace.

The youngest of the generation born between 1925 and 1946 are nearly 75 and comprise only 3% of the workforce. Known as the silent or traditionalist generation, these employees experienced World War II and felt the impact of the Great Depression. These events may have resulted in family separations during war, poverty or fear of it and difficulty finding work, which helped create core values that likely formed their work ethic.

Respect for authority, compliance and loyalty led to a disciplined, hard-working employee who understood the value of a secure job. Their communication style was primarily written and more formal than we are used to today. An employee from this generation worked in a very different postal service than we know today and brings with them a rich history. Having adapted to many changes over the course of their careers, they embody resilience.

The baby boomer generation, born between 1946 and 1964, entered the workforce between the mid-1960s and mid-1980s. Spanning the ages of 55 to 73, they are full of institutional knowledge; the oldest are nearing or already in retirement. For those who remain employed, it may be out of financial necessity or to maximize their benefits. The oldest of this generation grew up post-World War II and initially experienced a flourishing economy.

Families were larger, optimism was high and technology and space exploration took off. Conveniences that never before had been common became standard. By 1955, half of all American homes had television. But, just as boomers were entering adulthood, their generation was marked by great cultural unrest, as well as the continuing war in Vietnam.

President John F. Kennedy was assassinated in 1963, his brother Robert Kennedy and Martin Luther King Jr. in 1968. The serious questioning of civil and women’s rights led to protests and social activism not seen in decades. The impact was felt in
schools, churches and public spaces as new laws were passed. “Hippies” challenged authority and forged their own culture, creating tensions between parents and emerging adults.

Most boomers identify strongly with their work and even have been labeled workaholics with a “live-to-work” mentality. They are very family-oriented and sometimes refer to colleagues as their “work family.” Also known as the “me generation,” boomers can be competitive and feel their opinions matter. Most are well-educated, hard-working and loyal to the organization.

Boomers value cooperation and prefer face-to-face communication. It’s been said that boomers like meetings more than any generation in the workplace. And lest you harbor the misconception that boomers were not early IT adapters, consider that Steve Jobs and Bill Gates were born in 1955.

The post-boomer or “baby-bust” generation, known as Generation X, was born between 1965 and 1980 and currently is between the ages of 39 and 54. This generation also has been called the ignored generation, wedged between the louder and more numerous boomers and the flashier millennials.

As they were growing up, this generation saw the fall of the Berlin Wall, experienced an energy crisis, economic recession, the Challenger disaster, Watergate, Jonestown and Three Mile Island. While typically perceived to be disaffected and directionless, truth be told, Gen Xers have led many of the society-reshaping changes in the past 50 years and could be known as the innovation generation.

They grew up playing video games, were raised on cable news and MTV and are computer literate. This was a generation of latch-key kids with dual income families. With an increasing divorce rate among their parents, they were skeptical, independent and critical thinkers. Much more global in their perspective than previous generations, they accept and value diversity.

Gen Xers love flexibility and taking risks, but dislike being micromanaged. They place high value on family and personal time, tending to “work to live.” In today’s workplace, Gen Xers are mature, moving up the ladder and taking on positions of authority. They still possess the energy of youth and bring experience and a strong entrepreneurial spirit to their work. They are comfortable using their voice, collaborating with peers and socializing digitally.

Millennials, named for the generation that came of age in the new millennium, also known as Generation Y, were born between 1981 and 1996. They were between the ages of 5 and 20 when the 9/11 terrorist attacks occurred. They were between the ages of 12 and 27 during the 2008 presidential election that saw the first black president elected.

Their mindset was molded by philosophies such as “no child left behind” and “it takes a village.” This generation is the most ethnically and racially diverse to date, surpassed only by Generation Z that follows.

It’s hard to believe, but those millennials who stirred up so much controversy when they first entered the workforce in the early 2000s no longer are the fresh-faced disrupters. The oldest of this generation turns 38 this year; the youngest turns 23. Millennials became the largest generation in the labor force as of 2016. By 2020, the workforce will comprise 50% millennials.

Many first entered the workplace during the height of an economic recession that shaped their life choices. They already have a solid seat at the table, but likely are using a very different set of tools to get the job done than prior generations did. Millennials grew up with reality TV, Facebook and Google Earth and are enthusiastic users of social media. They have a mindset that prioritizes being socially conscious; they pay attention to how a business contributes to society.

Their impact already is changing how businesses interact with customers. Millennials are driven by convenience, connection, high-energy, authenticity and trust. They value experiences more than possessions and may seek to work remotely or with flexible schedules. Millennials crave feedback and want to work “with” an organization as opposed to “for” it.

Post-millennial employees are known as Generation Z or the iGeneration. Born 1997 to 2014, the oldest of this generation is 22; research already is predicting key differences between Gen Z and millennials. Gen Z is a large generation and by 2020 will make up one-third of the U.S. population. As businesses prepare to receive them as employees and consumers, it will be important to know what to expect.

Also called the Homeland Generation, their world has never felt safe. They grew up with global terrorism, economic uncertainty and school shootings. This generation that never has lived in a world without the internet has been described as addicted to their smart phones. They prefer texting and messaging on mobile apps or other online platforms over more traditional types of written or telephonic communication.

Because the internet has been available to them 24/7, they are comfortable multi-tasking and processing vast amounts of information. They perceive information visually...
and may have shorter attention spans. They like edgy marketing and products. They likely will respond well to structure and predictability in the workplace.

While personally frugal, cautious and more health conscious, Gen Zers tend not to judge others and are tolerant of differences. Their presence in the workplace will, no doubt, continue to change how work is performed.

How does a supervisor manage a multi-generational workforce?

Our formerly hierarchical workplaces are at a turning point. Now, the most experienced or senior person is not necessarily the oldest employee. In fact, more than 40% of Americans are working for a boss who is younger than they are. And while we have pointed out many differences among the generations, managing a multi-generational team doesn’t have to be difficult or frustrating. The key is that, while there are age differences, at work, everyone is a peer.

Initiate conversations that allow for an open exchange of perspectives. To get the most benefit from any diversity, differences should be embraced. Sit down in the break room with someone from another generation and see what you can learn from each other. Appreciate that a different outlook is not wrong or better. Challenge negative stereotypes should they arise.

Know your employees and encourage collaboration. Recognize that one person’s strength may be another person’s weakness. Older generations may bring attention to detail and experience, while younger employees can show up with energy and fresh perspective. Millennials and Gen Zers may learn better interpersonal skills from older employees while sharing digital knowledge and communication skills in return.

Strive to find common ground. When differences arise, look for what can be agreed on. Employees of all ages want to be respected—not judged. They all value recognition, positive feedback and the tools to do their jobs well. And no matter what stage of life they are in, everyone wants a quality life outside the workplace.

Set the tone. As a manager, if you are demonstrating respect for all generations, employees likely will follow your lead. Younger generations can respect the seniority and experience of long-time employees while having their own talents and potential acknowledged. Reinforce that the USPS is an evolving organization. Employees from every generation will need to continue to learn new ways of doing things to be successful.

Be flexible where possible. Many times, there is more than one “right” way to accomplish a task. Rather than spending a lot of time training someone to behave outside their norm, look for ways to accommo-

**SPAC Contributors**

*Continued from page 32*

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**Supporter ($100)**

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From tornadoes to floods and winter storms, many parts of the nation are experiencing extreme weather. The Postal Service is reminding employees they can turn to the Postal Employees Relief Fund (PERF). The fund helps postal employees and retirees whose homes were significantly damaged by natural disasters or house fires.

PERF is not an emergency relief or immediate needs replacement agency, such as the Federal Emergency Management Agency (FEMA) or the Red Cross or insurance companies that are paid to replace property. Rather, PERF (part of the Combined Federal Campaign) provides relief grants to help qualifying individuals get re-established after a loss, based on an application process.

You may make a contribution via personal check (a receipt for your tax-deductible donation will be mailed to you). Send your check to: PERF, PO Box 7630, Woodbridge, VA 22195-7630.
Leaving No One Behind

By Vanessa Cobb and Sammie Jones

Postmasters, who will you bring up behind you to make sure the Postal Service remains prominent after you retire? We have employees who want to become leaders in this organization; what are we doing to ensure that happens? How many of us are just sitting back, being content and doing our time until we are out the door, but not focusing on who will lead when we’re gone?

Postmasters, we have an important duty to the Postal Service to ensure we leave this organization in the hands of knowledgeable and capable individuals. Even though we are preparing for retirement, we can’t take our postal knowledge into retirement with us. It’s crucial for us to identify who’s coming behind us and convince them to step up and join our management team.

We are going to have to share our knowledge so those who follow can learn as much as possible from us and be successful managers. To guarantee this happens, we have to be willing to share our postal knowledge, coach, mentor and encourage our employees to seek upper-management. How do we do that?

First, we need to find an employee who has potential and is career motivated. Then, take that individual under our wings and start sharing all the knowledge we can with them. We also have to allow them to make mistakes so they can learn and grow from their mistakes while we are there to support them.

Second, we need to coach them. We have to find their strengths and weaknesses and tap into their strengths to get the most from them while requiring high productivity.

Third, we have to mentor them by sharing information about our own career paths, as well as providing guidance, motivation, emotional support and role modeling. This powerful development tool can enable persons to achieve or exceed their life’s goals and aspirations.

Finally, it’s time for us to encourage these individuals. We must give them courage and confidence to do something that might be out of their comfort zone, but always letting them know that, no matter what, “they are enough.”

Now, ask yourself, “Who do I see in my rearview mirror? Who will I not leave behind?”

Vanessa Cobb, Columbus, GA, Branch 281, is postmaster of Thomasville; Sammie Jones, president of Gainesville, FL, Branch 405 and district 1 vice president of Florida State Branch 911, is the retired postmaster of Trenton.

The NAPS Postmaster

Visit the TSP website at www.tsp.gov

The author of “The NAPS Postmaster” column in the August issue was erroneously identified as Joe Bodary. The correct author was well-traveled, retired postmaster Joe O’Donnell, Pittsburgh Branch 20 treasurer. We apologize for the error.
By Mary Caruso
MINK Area Vice President

When I was going to college, it was no big deal to turn in a six- to 10-page paper. Now, though, I have lost that skill. It’s difficult to come up with a new and interesting topic, so this column will be short.

Special events happen during different seasons. Children have gone back to school here, signaling fall isn’t far behind. In the Midwest, we see tree leaves changing color, frost on the pumpkin and, sometimes, an early snowfall.

With summer vacations over and NAPS branches back to holding regular meetings, the discussion always returns to how to get more members to attend meetings and how to recruit new members. There are no easy answers.

It usually comes down to branch officers getting out and talking to non-members or mailing them NAPS membership forms and talking to current members and urging them to attend meetings. The same problems affect the NAPS Auxiliary; it’s no easy task. But, by starting with one member or non-member, good results will happen.

Wouldn’t it be great that, after reading this short column, there is an increase in NAPS membership and more members in attendance at local meetings?

carusorj@aol.com

Working With a Multi-Generational Workforce

Continued from page 36

date strengths and preferences.

Be aware of your communication style. It can be helpful to tailor your communication to suit the recipient. Some employees need face-to-face interaction; others prefer communication on paper, email or text. It’s fine to ask employees what works for them. Be aware that you may need to learn new ways that take you out of your comfort zone.

Approach differences with curiosity and humor rather than with labeling and judgment. There may be circumstances where differences can cause a smile or even some embarrassment. As long as people can be open to learning from each other, conflicts that are sometimes associated with working with another generation can be avoided. In the end, while people may be from different generations, success in the workplace will be a reflection of the contributions of everyone.

Would you like to find out more about how you can get the best from your multi-generational team? The Employee Assistance Program is available to you and provides coaching and consultations. Give the EAP a call at 1-800-327-4968 (TTY: 877-492-7341).
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