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FEB 27 2019

Per _____

DOUG A. TULINO
VICE PRESIDENT, LABOR RELATIONS



February 25, 2019

Brian J. Wagner
President
National Association of Postal
Supervisors
1727 King Street, Suite 400
Alexandria, VA 22314-2753

Dear Mr. Wagner:

This is in response to your correspondence and subsequent follow-ups requesting that the Postal Service recognize the National Association of Postal Supervisors (NAPS) as a postmasters' organization.

As you know, the Postal Service has recognized NAPS as a "supervisors' organization" within the meaning of 39 U.S.C. § 1004(i)(1). NAPS now also requests recognition as a "postmasters' organization" pursuant to 39 U.S.C. § 1004 (i) (4), which defines that term as "an organization recognized by the Postal Service under subsection (b) as representing at least 20 percent of postmasters." However, subsection (b) of Title 39 § 1004 (b) states, in pertinent part, that "[u]pon presentation of evidence satisfactory to the Postal Service . . . that an organization other than an organization representing supervisors represents at least 20 percent of postmasters . . . such organization shall be entitled to participate directly in the planning and development of pay polices and schedules, fringe benefit programs, and other programs relating to supervisory and other managerial employees." (Emphasis added). Because NAPS is an organization representing supervisors, the statute specifically prohibits the Postal Service from recognizing the organization as a "postmasters' organization."

Congress recognized this clear division of interests when it enacted the above-referenced statutory language in the Postmaster Equity Act of 2003. Pub. L. 108-86, §2 (a)-(c), 117 Stat. 1052 (2003). The accompanying Senate Report noted that "the key distinction between a postmaster and a supervisor is that front-line supervisors tend to be supervised by a postmaster at a post office and that the postmaster is the 'manager-in-charge' of the post office. These two groups of managers are under the same pay and compensation system, but they discuss these issues separately with the Postal Service." S. Rep. No. 108-112 at 4 (2003) (emphasis added). Thus, Congress determined that in light of the potential conflict of interests presented, no single organization should represent the interests of both postmasters and supervisors during pay consultations.

Given the plain language of the governing statute and the obvious intent of Congress, the Postal Service cannot lawfully recognize NAPS as a representative of postmasters in addition to supervisors.

Sincerely,

A handwritten signature in black ink that reads "Doug A. Tulino".

Doug A. Tulino



NATIONAL ASSOCIATION OF POSTAL SUPERVISORS

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

January 15, 2019

Mr. Doug Tulino
Vice President, Labor Relations
United States Postal Service
475 L'Enfant Plaza, SW Room 9014
Washington, DC 20260-4000

Re: USPS recognition of NAPS's representation of postmasters (follow-up)

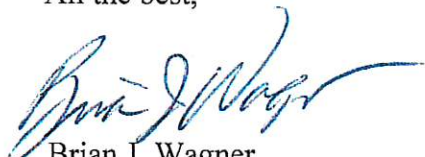
Dear Doug:

I hope you had a good holiday season and new year. Now that we are a couple of weeks into 2019, I wanted to follow-up on my October 1, 2018, letter to you regarding the National Association of Postal Supervisors' representation of postmasters and my clarification letter on that subject on October 24. I called your office on January 8th to follow up, but you were in a meeting at the time of my call.

When can NAPS expect to receive an answer to our request that the Postal Service (a) recognize that NAPS represents the interests of the postmasters who are members of NAPS and (b) include NAPS in consultations on issues related to postmasters?

As noted in my letter of October 1, NAPS looks forward to participating in consultations, along with United Postmasters and Managers of America, over policies and programs that affect postmasters.

All the best,


Brian J. Wagner
National President



NATIONAL ASSOCIATION OF POSTAL SUPERVISORS

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

October 24, 2018

Mr. Doug Tulino
Vice President, Labor Relations
United States Postal Service
475 L'Enfant Plaza, SW Room 9014
Washington, DC 20260-4000

Re: USPS recognition of NAPS's representation of postmasters

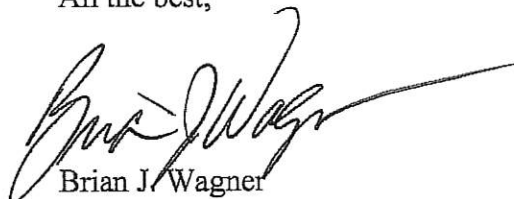
Dear Doug:

On October 1, 2018, the National Association of Postal Supervisors requested recognition by the Postal Service of NAPS's eligibility to represent postmaster interests under the consultation processes established by 39 USC 1004.

This is to clarify that NAPS's intent to represent postmaster interests and engage in consultation with the Postal Service is prospective in nature and does not extend to the retroactive representation of postmaster interests in the pending factfinding proceedings involving NAPS. I hope this assurance is helpful to you in connection with the Postal Service's action upon NAPS' request.

As noted in our letter of October 1, 2018, NAPS looks forward to participating in consultations, along with United Postmasters and Managers of America, over policies and programs that affect postmasters.

All the best,



Brian J. Wagner
National President



NATIONAL ASSOCIATION OF POSTAL SUPERVISORS

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

October 1, 2018

Mr. Doug Tulino
Vice President, Labor Relations
United States Postal Service
475 L'Enfant Plaza SW Room 9014
Washington, DC 20260-4000

Re: USPS recognition of NAPS's representation of postmasters

Dear Doug:

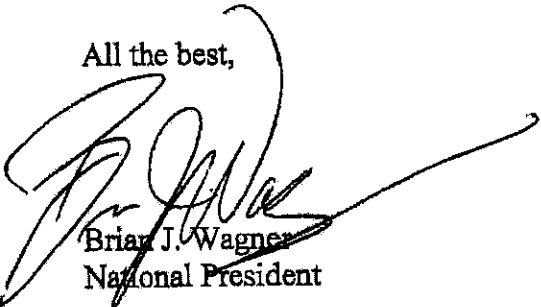
As you know, the National Association of Postal Supervisors' membership includes POSTMASTER, POSTMASTER (1), POSTMASTER (2), POSTMASTER (F), POSTMASTER (G), POSTMASTER (PTPO), and POSTMASTER (RMPO) positions. As of August 30, 2018, 3,840 postmasters in these positions are members of NAPS. The total number of postmasters reported by the USPS in 2018 to the Federal Data Center was 12,644. Accordingly, NAPS represents approximately 30.3% of USPS postmasters.

As defined by 39 U.S.C. § 1004(i)(4), "postmasters' organization" means an organization recognized by the Postal Service under subsection (b) as representing at least 20 percent of postmasters."

As NAPS's membership includes substantially more than the 20% of postmasters required for NAPS to be a "postmasters' organization," NAPS requests that the Postal Service recognize NAPS as a postmasters' organization for all purposes under Section 1004 and resume the procedures that apply when two or more postmasters' organizations exist, pursuant to 39 U.S.C. § 1004(h).

NAPS looks forward to working with United Postmasters and Managers of America (UPMA) in participating in consultations with the Postal Service with regard to policies that affect postmasters. Please confirm that, going forward, the Postal Service will recognize NAPS, along with UPMA, as a postmasters' organization for all purposes. If you have any questions regarding this request, please let me know.

All the best,


Brian J. Wagner
National President