

# Delivery Point Sequencing issue and adjudication



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**T**his article concerns an annoying Delivery Point Sequencing (DPS) problem that some of you deal with on a daily basis, and for no good reason. We will describe the issue, give you some historical background and offer some guidance for correcting this problem through the grievance procedure.

### The problem

**Do you have mail included in your DPS trays each day that is sorted to the main address (100 Main St.), but not properly sorted to the secondary addresses (Suite A, B, C, etc.), and is kicked to the front of the main address because it is an out-of-delivery order for the secondary address?**

This mail has the same primary address, but also has a secondary address that requires sorting before delivery in locations such as strip malls, medical buildings with multiple delivery points, or apartment complexes with cluster boxes in different locations. In some cases, this mail gets kicked to just before the first secondary address (100 Main St., Suite A) in the DPS, while in other cases, the whole main address (100 Main St.) is like a shuffled deck of cards and all of it needs to be sorted before attempting delivery.

Those of you who experience this problem either collate this mail in or at the vehicle before delivery, or go back where the DPS mail is staged, fish it out and sort it in the office each morning. You should not have to make this choice. This mail is supposed to be brought to your case with the rest of your residual letter mail and sorted (cased up) in the office. If/when it is not, it is not only an annoying and inefficient problem, it is also a contract violation.

### Historical background

**The principle that any letter mail included in your DPS** must be in delivery sequence order has deep roots in our bargaining history. DPS principles, work methods, implementation guidelines, etc., were all jointly developed and implemented by USPS and NALC.

This started with a series of memoranda of understanding (MOUs) that were signed on Sept. 17, 1992, and that appear on pages 239-249 in the 2019-2023 National Agreement. The national parties followed these MOUs by releasing a joint training guide called *Building Our Future by Working Together* on Nov. 19, 1992 (M-01306). National trainers were then employed to deliver this training

to the local level all over the country. Any questions that arose from this process were forwarded to the national parties for a joint response. The national parties published a series of MOUs (M-01151, M-01152 and M-01153) that contained 80 Q&A's concerning any aspect of DPS letter mail that anyone had a question about. There were just two questions concerning the bedrock principle that mail in the DPS does not require additional sorting on the street before delivery.

M-01153 covered questions 55-80. Q&A 64 and 69 state:

Q-64 - At what point does DPS mail trigger "residual mail"?

A - Residual mail is any mail that is not in DPS order once a delivery unit starts receiving DPS mail.

Q-69 - If DPS mail is received in a delivery unit on more than one dispatch, does that meet the requirement of putting mail in DPS order for two or more consecutive weeks considering the need to collate the bundles?

A - DPS mail is one bundle of mail in delivery point sequence. Mail that must be collated before delivery is not considered DPS mail. The number of dispatches is irrelevant.

These Q&A's support the facts that DPS is, and always has been, one bundle of mail that requires no additional sorting on the street before attempting delivery, and any letter mail that requires additional sorting on the street does not belong in the DPS trays.

### Arbitration experience

**This issue has been arbitrated regionally on four occasions** over the past few years. NALC has been successful in each case. The USPS position on the issue has changed with time.

In both of the first two cases, arbitrated by Arbitrator Nixon – Marietta, GA (C-33659) and Arbitrator Miles – Decatur, AL (C-34279), management acknowledged that it had violated the National Agreement when it included secondary address mail that is not in delivery order (residual mail) in the DPS trays. Each arbitrator ordered USPS to cease and desist the practice of including secondary address mail not in delivery order in the trays of DPS mail.

In the third case, decided by Arbitrator August – Deland, FL (C-34983), management did not acknowledge a contract violation. Instead, it took the position that the mail in question was not residual mail that needed to be sorted in the office, but DPS sort errors which did not have to be removed from the DPS trays. Arbitrator August rejected this argument and ruled:

Management violated the National Agreement, specifically the M-01306, and M-01153, when they failed to remove residual mail from the DPS, which the parties have agreed re-

quire casing in office. The Service will “cease and desist” including “residual mail” in the DPS trays at the Deland, FL., Post Office Installation. Management shall work with (AMS) and In-Plant Support to correct the residual mail issues in the DPS.

In the fourth case, decided by Arbitrator Bahakel – Warner Robins, GA (C-35023), management pulled out all the stops and strained the slightest appearance of credibility. It began by arguing that this issue is not arbitrable for several reasons:

1. The mail in question is not residual mail, but actually the result of DPS sort errors, and therefore, Step 4 decision M-01356 resolved the issue in this case.
2. The *Building Our Future by Working Together* joint training guide (M-01306) set out a process for disputes concerning DPS mail to be resolved through a joint body at the national level. This means that the parties have agreed that DPS questions will not be ruled on by regional arbitrators.
3. Part of the NALC position letter for the 2011 interest arbitration and the resulting Das award somehow made it to where this case could not be heard by a regional arbitrator.

The arbitrator rejected each of these arguments. When that hocus pocus did not work, management declared this case to be interpretive and sent it to Headquarters for review by the national parties. We jointly agreed that the case did not involve any interpretive issues and remanded it back to regional arbitration.

Management then argued that the mail in question could not be considered residual mail because it had been sorted through the DPS machine to the correct main address (100 Main St.) and should be dealt with through the local 3M process.

NALC argued that management violated M-01306, M-01153 and M-01246 via Article 15 of the National Agreement and Section 121.1 of the *M-41 Handbook* via Article 19 of the National Agreement by including residual mail in the DPS trays, and this mail must be removed from the DPS and cased by the carriers prior to leaving the office.

The arbitrator ruled:

The testimony presented at the hearing established that carriers are being required to sort the mail in question while on the street so that it can be properly delivered. The intent of the DPS process is to sort mail for the carriers and have it in delivery order for the street without any further processing. The mail in question here is not in complete delivery order. It has been presorted to the main address, but for various reasons not sorted any further. After considering all of the above, it is my determination that the mail in question here

is residual mail as defined by the parties in the M-01153 and should be cased by the carriers in the office and not sorted on the street.

...I find that the mail that is in question here is residual mail if it meets each of the following parameters: 1) Is in DPS order only to the main address 2) Is not properly sorted to the secondary address 3) Has been included in the carrier’s DPS mail, but kicked to the front of the main address because it is out of delivery order for the secondary address.

...The grievance is sustained. Management is found to have violated the National Level settlements M-01306 and M-01153 and Section 121.1 of the *M-41* handbook when it included secondary address mail that was not in delivery sequence order in carriers DPS mail. The Postal Service shall cease and desist from including secondary address mail not in delivery sequence order in the DPS trays...

## Guidance

**If you are a letter carrier who is affected by this problem,** you can request to see your shop steward and ask him or her to file a grievance, but you will have to write down which addresses in the DPS trays on your route require you to sort mail before attempting delivery.

If you are a shop steward in an office that has this problem and are interested in getting it corrected, we have created some help for you. There is a grievance starter that covers this issue available through your national business agent’s office. This grievance starter comes with an interview sheet that takes less than five minutes to fill out. Here is the recipe:

1. Obtain the interview sheets and grievance starter through your national business agent’s office.
2. Ask the regular letter carrier for each route to fill out an interview sheet. Use the carrier technician or someone on a hold-down for vacant routes. The interview sheets are the key to success with this issue in the grievance procedure. Please do not file a case without them.
3. Use the grievance starter and make any adjustments as needed based on your local circumstances.

Hopefully, management will just acknowledge that placing secondary address mail in the DPS trays that requires further sorting before attempting delivery is a contract violation and take this mail out of DPS like they did in the first few cases referenced above. If not, and you follow the simple recipe above, you will be ready to go the distance on this issue.

**In closing, I’d like to take this opportunity to recognize and thank Assistant to the President Greg Dixon for his efforts.** He has been leading the charge on this issue for NALC.