

CCA Rights Opting Rights Under Article 41

As a City Carrier Assistant, you have the right to voluntarily opt, or hold down, on a route that has been temporarily vacated by a full time regular carrier and those rights are found in Article 41 of the National Agreement. This article will outline those rights as well as management's responsibilities when you exercise them.

The right to place opt is not governed by your probationary period; however, you must have been employed for 60 calendar days to have this right. To start counting these days, begin with the Saturday before you began orientation as this was your first day as an employee. If you have any questions about this date, refer the Form 50 that you were issued when you started. This form can be found in your online personnel file located at www.liteblue.usps.gov.

The assignment must be open for a minimum of 5 working days before you can opt on the route and they begin on Monday and end on Saturday. It is important to note that one of these days may include a holiday, even though the regular carrier would not work on this day. The only time that a route would not be available for opting is when the regular carrier would have the weekend off during the week that they are scheduled to be absent. This is because regular would only be scheduled to work 4 days during the week, with the skipper working on the route on the weekend. However, if the regular is going to be off for more than one week, you would be able to opt on the route and you would begin on the assignment on the Monday of the first week.

Once you have opted on a route, you are required to work the assignment for the duration that it is vacant. This means that you stay on the route until the regular carrier returns to work, even if they return to work for less than a full day. There are limited circumstances in which management can remove you from a hold down before it ends. All of the rules regarding a CCA being bumped from the opt are too long to describe in one article, but what boils down to is that management can temporarily remove a CCA from a hold down in order to provide 8 hours of work to a full time employee. If you are being removed from a hold down, you need to as to speak to the shop steward so that they can investigate whether or not the removal was legitimate. In my experience, it is very rare that this is done properly.

You also have the right to work the hours of the assignment, which means that you have the right to start at the regular starting time as the regular carrier. Management cannot tell you to start later in the day because they want to have another carrier case the route for you and then assign you more time on the street. Also, management does not have the right to take time off of the opt to keep you from working overtime. If there are 8 hours' worth of work available on the route, you have the right to work 8 hours that day; however, keep in mind that you do not have the right to work the OT on the route. If any of these things happen, you need to as to see your steward so that they can initiate a grievance on your behalf. Unfortunately, you do not have the right to have the off day of the route that you are holding down and if you are told to work on this day, you do not have the right to work the route even if it is open that day.

The specific rules for choosing a hold down assignment vary depending on whether you work in the City of Cincinnati or an associate office, but the general rules are the same everywhere. I will go over the procedure for Cincinnati and if you have questions about how it works in your office, you can either ask your steward or call the Union Hall. First, management is required to post a list of all routes that will be open for opting by Saturday of the week prior to the beginning of the opt assignment. Second, no later than the close of business on the following Tuesday, you would have to submit your choice of assignment in order of preference. I would strongly suggest submitting your choices in writing and keeping a copy for yourself or having a witness that you turned them in to management. Third, management must post the assignments no later than the close of business on Wednesday, awarding the routes based on the relative standing in the station. For example, let's say that the route will be

open beginning the week of July 20, 2015, management would have to post the list by July 11, 2015, you would have to submit your choices no later than July 14, 2015, and management would have to post the schedule by the close of business on July 15, 2015.

In closing, please bear in mind that the rights and procedures listed above only apply to vacancies on regular routes, they do not apply to filling skipper strings that are going to be temporarily vacant. If you have questions regarding the procedure for filling vacant strings or if you are unsure about the procedure listed above, please feel free to call the Union Hall or come to the monthly membership meeting so that we can answer them for you.