The cover features a grey textured background with a black and white diamond border. A central white rectangular box contains the title. Above and below this box are white diamond shapes pointing towards the center. The title 'MAINTENANCE' is in a large, bold, serif font, and 'ISSUES' is in a slightly smaller, bold, serif font below it. The volume number 'VOLUME 3' is in a smaller, bold, sans-serif font at the bottom of the central box.

MAINTENANCE ISSUES

VOLUME 3

APWU Maintenance Officers/Executive Council

National Officers

Jim Lingberg

Nat'l APWU Maintenance Director

Edgar Williams

Nat'l APWU Assistant Maintenance Director A

"Jake" Jackson

Nat'l APWU Assistant Maintenance Director B

Bobby Donelson

Nat'l APWU Maintenance Rep at Large

1300 "L" Street, N.W.
Washington, D.C. 20005
Phone 202 842-4213/4214

* * * * *

Regional Maintenance National Business Agents

Gary Kloefer

Maintenance NBA

Central Region APWU

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513 277-2798

Don Foley

Maintenance NBA

Central Region APWU

1001 E. 101st., Ter Suite 390

Kansas City, MO 64131

816 942-7788

Charlie Wilcox

Maintenance NBA

Northeast Region APWU

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Peabody, MA 01960

508 531-1120

Eddie Fuch &

Bennie Frizzell

Maintenance NBA's

Southern Region APWU

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972 721-0063

Doug Mirowski

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Eastern Region APWU

10 Melrose Avenue Suite 210

Cherry Hill, NJ 08003

609 427-0027

I. Balogun

Maintenance NBA

Western Region APWU

150 E. Colorado Blvd. # 208

Pasadena, CA 91105

818 585-1404

* * * * *

All Craft NBA's

Denise G Hernandez

Alaska NBA

PO Box 60034

Fairbanks, AK 99706

907-452-3212/3237

Nilda Chock

Pacific NBA

Box 1432

Kailua, HI 96734

808 945-0770

Carlos Rodriquez

Caribbean NBA

GPO Box 363983

San Juan, PR 00936-3983

809 758-7985

* * * * *

Moe Biller - National APWU President

1300 "L" Street, N.W.

Washington, D.C. 20005

**MAINTENANCE ISSUES
VOLUME 3
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LABOR RELATIONS

UNITED STATES POSTAL SERVICE
475 L'ENFANT PLAZA SW
WASHINGTON DC 20260-4100

June 28, 1994

Mr. James Lingberg
Director, Maintenance Division
American Postal Workers
Union, AFL-CIO
1300 L Street, N.W.
Washington, DC 20005-4128


Dear Mr. Lingberg:

This letter is in further regard to discussions between you and Thomas J. Valenti of my staff concerning requests for local maintenance staffing surveys.

Pursuant to Article 31, Section 3, "Requests for information relating to purely local matters should be submitted by the local union representative to the installation head or his designee." Therefore, as agreed, requests for staffing surveys should follow the aforementioned contractual path. Further, once the request is received, local management will release the staffing survey (if available) to the union.

If there are any questions regarding the foregoing, please contact Thomas J. Valenti of my staff at (202) 268-3831.

Sincerely,


F. C. William J. Downes
Manager
Contract Administration (APWU/NPMHU)
Labor Relations

RECEIVED

JUL 06 1994

JAMES W. LINGBERG
MAINTENANCE DIVISION

UNITED STATES POSTAL SERVICE

Washington, DC 20260

DATE: September 26, 1985

OUR REF: LR100:JRMularski:mrb:4110-37

SUBJECT: Schedule Change for Employees Returning Home from Training

TO: Regional General Managers
Maintenance Management Division

The purpose of this memorandum is to restate USPS policy with respect to schedule changes for employees returning home from USPS sponsored training.

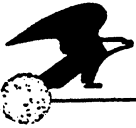
It is imperative all maintenance managers understand the application of Section 434.62 of the Employee and Labor Relations Manual. Employees may request a schedule change in order to attain a reasonable amount of personal time for rest and relaxation prior to reporting to work. Such a request is subject to prior approval of the employee's union steward and supervisor. The employee will not be eligible for out-of-schedule premium as a result of these schedule changes.

When an employee does not request a schedule change, and the return time (which equates to the end of the official training) is within ten hours of the employee's regular scheduled tour, managers will (prior to the beginning of training) identify the training schedule as extending through the employee's first nonscheduled day following completion of classes. In such circumstances, this schedule change is considered to be required as a part of the training and the employee will not be eligible for out-of-schedule premium.

Please disseminate this information to your field managers for their guidance and implementation.


James C. Wilson
Acting Director
Office of Maintenance Management

cc: P. Jacobson
D. Weitzel
S. Henry
W. Downes
E. Ward



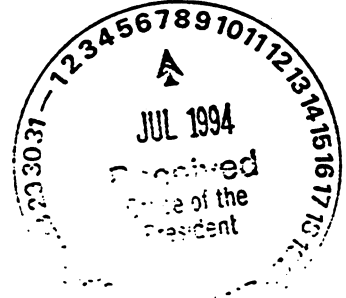
LABOR RELATIONS

UNITED STATES POSTAL SERVICE
475 L'ENFANT PLAZA SW
WASHINGTON DC 20260-4100

P030 683 086

June 28, 1994

Mr. Moe Biller
President
American Postal Workers
Union, AFL-CIO
1300 L Street, N.W.
Washington, DC 20005-4128



Dear Moe:

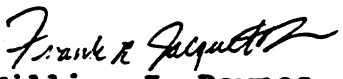
This letter is to advise the APWU of the procedure which will be used to effectuate retroactive per diem payments to the appropriate employees who traveled to Norman, OK, from January 20, 1994, through May 25, 1994, in accordance with the pre-arbitration settlement recently signed by the parties.

1. Each employee affected will need to submit an amended travel voucher, PS Form 1012, to the San Mateo Accounting Service Center for payment.
2. The amended travel voucher should be marked "Amended Voucher - Norman, OK" on the upper right corner. The front of the voucher should be completed in the normal manner. The back of the voucher should state "Retroactive Per Diem Per HQ Settlement," the number of per diem periods, and the amount of the retroactive payment.
3. The amended travel voucher must be approved in the same manner as a regular travel voucher.
4. The San Mateo Accounting Service Center will match the amended travel vouchers received with the list of affected employees submitted by the Training Center in Norman, OK.

The instructions and a copy of this letter have been forwarded to all Area Managers, Customer Service and Sales and Area Managers, Processing and Distribution.

If there are any questions, please contact Peter Sgro of my staff at 202-268-3824.

Sincerely,


c.c. William J. Downes
Manager
Contract Administration APWU/NPMHU
Labor Relations

REGULAR ARBITRATION PANEL

**In the Matter of the Arbitration
between
UNITED STATES POSTAL SERVICE
and
AMERICAN POSTAL WORKERS UNION,
AFL-CIO**

**Grievant: CLASS ACTION
Post Office: Chattanooga, TN
Case No.: H90T-1H-C-93012127
SOT-3P-C-15927**

BEFORE: RODNEY E. DENNIS,

Arbitrator

APPEARANCES:

For US Postal Service

ALLEN G. SAUL

-

Labor Relations Specialist

For the Union

CLIFF LOWERY

-

**National Business Agent,
Maintenance Division,
Southern Region, APWU**

JAMES W. LINGBERG

-

**Director, Maintenance Division,
APWU**

Date of Hearing: April 5, 1994

Place of Hearing: Chattanooga, TN

AWARD: The grievance is sustained.

Date of Award: April 11, 1994

BACKGROUND OF THE CASE

On August 27, 1992, a grievance was filed by the APWU Maintenance Craft Director in Chattanooga, Tennessee, protesting the installation of computers by Executive Administrative Schedule (EAS) personnel in Postal facility offices in Chattanooga. The initial grievance involved five 486 computer systems and cable hookups. It was expanded by agreement with Management on September 8, 1992, to include a Dell 325SX computer installed in the Finance Office, as well as computers activated in eleven 374 suboffices. These computers were all installed by the same EAS personnel, Randy Bowen and Don Turney, who were Automation Readability Specialists, EAS-15.

The grievance reads as follows:

On Monday Aug. 24, 1992 this union was informed that Randy Bowen had installed five (5) 486 computer systems, hooked these systems to the VAXserver 3100 system by running phone cables to these systems and removed the old computer systems. On 9/3/92 we were informed that Randy Bowen had installed another computer, a Dell 325SX. On 9/4/92 we were informed that EAS personal (Don Turney) had installed eleven (11) computers at the 374 sub offices.

Management would have you believe that this work belongs to them! How can the installation of any type of equipment or computer system be the work of EAS personal. This work is a part of the postal

job description for an Electronic Technician. It is not a part of the postal job description of the two EAS personal who did the work. Just because management, local or division, states that this is the way they do it and that it is the responsibility of EAS personal does not make it correct!

Corrective Action Requested

For the violation by EAS personal doing maintenance (E.T.) work, we ask that the E.T.'s on the overtime desired list be made whole.

We ask six hours pay @ 1 & 1/2 times level 9 step 12 (0) for the five (5) computers that were installed, hooked to the VAXserver 3100 system and old computers removed. We ask four (4) hours pay @ 1 & 1/2 times level 9 step 12 (0) for the other twelve (12) computer systems. This to be divided equally among the E.T.'s on the overtime desired list.

The grievance was denied by the Postal Service at each step of the grievance procedure and progressed to arbitration.

THE ISSUE

Did the Postal Service violate Article 1, Section 6, of the National Agreement by allowing EAS personnel to install computers in the offices in Chattanooga, TN? If so, what shall the remedy be?

FINDINGS

The basic facts of this case are not in dispute. EAS personnel installed and hooked up seventeen new computers in the front offices and suboffices of the Postal facility in Chattanooga. The precise tasks that EAS personnel performed (i.e., running wires, cables, unpacking of equipment, assembly of systems, getting the new systems on line, etc.) were not specified by either party in terms of how much work was performed or how long this work took, nor were any of the details of the operation provided.

The Union basically argued that the installation of computers is work belonging to Electronic Technicians, Level 9, and that all aspects of computer installation should be done by these employees. The position description of an Electronic Technician 9 clearly states that installation assembly or disassembly of computers is a basic function.

It also argued that EAS personnel are Management employees and that, as such, they are not allowed to perform bargaining unit work in Post Offices of more than one hundred employees. It cites Article 1, Section 6, of the National Agreement in support of its position.

The Postal Service, on the other hand, argues that this work does not belong to maintenance people exclusively and that, in the interest of efficiency, it can assign this work to those individuals who did it. The two people involved are experts in computer utilization and they are more than qualified to install computers.

The Postal Service also argued that as the computers were installed in the offices of the facility, they have nothing to do with the movement of mail. Therefore, Maintenance Craft personnel have no claim to the work.

To support its position, the Postal Service invoked the July 3, 1990, award by National Arbitrator Carlton Snow that addressed the authority of Postal Supervisors to perform bargaining unit work. It claims that the Snow Award clearly allows Supervisors to perform bargaining unit work when, in the judgment of Management, the assignment of the work promotes more efficient service or operations.

After reviewing the material contained in the record and the arguments presented by the parties, I must conclude that the Union has the more justifiable position in this instance. The Union cites the position description of an

ET-9, which clearly states that the basic function of an ET-9 will include

All phases of maintenance, testing and troubleshooting on digital and analog electronic circuitry as found in various special purpose and/or general purpose computers, and inspection, modifications, installations, assembly and disassembly of computers and computer systems.

The position description of the Automation Readability Specialists, EAS-15, who did the installations in question makes no mention of computers or in any way implies that this category employee is intended to be used as an installer of computers.

The Union suggest that Bowen and Turney are Supervisors, and that, as such, Article 1, Section 6, of the National Agreement prohibits Supervisors from performing bargaining unit work in Post Offices with one hundred or more bargaining unit employees, except under the following conditions:

1. in an emergency;
2. for the purpose of training or instruction of employees;
3. to assure the proper operation of equipment;
4. to protect the safety of employees;
- or
5. to protect the property of the USPS.

The Union's arguments in this instance are persuasive. There is no question that the installation of these computers was work that ET-9's should have been assigned to perform. It is bargaining unit work and, as such, it should be assigned to bargaining unit members. While the contents of a position description do not guarantee that all of the tasks mentioned are reserved exclusively for the bargaining unit or to a specific job title, it is reasonable to conclude that some preference should be given when assigning tasks to those employees whose job descriptions indicates that they should do the work. In this case, it is the ET-9's.

The Postal Service argued that the Snow Award disposed of the issue at hand and that, since the computers involved had nothing to do with the movement of the mails, craft personnel had no claim to the work.

I am familiar with the Snow Award and I have reviewed it again in relation to this case. I find nothing in it that covers the issue presented here. The Snow Award addresses the issue of a Supervisor having the right to perform certain clerical and financial functions normally done by Clerks. Snow discusses the need of Supervisors to be able to perform certain tasks, which Clerks also do, to

do their jobs more efficiently. For example, Supervisors need to be able to perform some time-keeping functions, density and proficiency checks, take calls, fill out 397's, carry out some financial functions, and handle accountable paper stock on occasion. If one reviews the Snow Award, it is clear that it is concerned, for the most part, with Supervisors being allowed to perform many clerical functions that the Postal Service considers essential to its efficient operation to make more sound decisions.

The Snow Award cannot be stretched to cover the issue of an Automation Readability Specialist, EAS-15, having the right to install computers, even if he does know how to do the work. Even if Bowen and Turney are classified as Supervisors, the Postal Service failed to make any connection between the task of installing computers in Postal Offices and the increased efficiency of a Readability Specialist or his ability to deliver services to the public.

The Postal Service also argued that since the computers were not used to move mail, but rather were office computers, craft personnel had no claim to the work of installing them. The installation could be assigned to whomever local Management selected. This argument, however, is not persuasive and has no basis in any rules or regulations that

were a part of the record or the National Agreement. No distinction is drawn in the National Agreement or in the ET-9 position description between computers installed on the workfloor or in front offices. Work orders submitted by the Union indicate that ET-9's are called on to work on computers in work areas other than on the workroom floor.

In the final analysis, ET-9's should have been assigned to perform the tasks of unpacking, assembling, and installing the new computers. For some reason not demonstrated in these proceedings, local Management chose to have non-bargaining unit employees, outside of the Maintenance Department, do the work. The Postal Service could point to no authority to support this assignment of work. While user support personnel are technical experts on various software programs and are used to load various software packages in the systems, this is not a basis for their performing the basic task of installing computers.

The Maintenance Craft has a legitimate complaint in this instance. The ET-9 position description clearly indicates that the installation of computers is part of the basic function of the job. Management should not disregard this fact when assigning such duties. To decide this case

in Management's favor would be to agree that any task delineated in the ET-9 position description could be assigned to whomever Management desired. I do not think that this was the intent of the parties to the National Agreement nor is such a position supportable by current practice in the Postal Service.

As to the remedy requested, I have no way of knowing from the record how long it took to install the seventeen computers, nor do I have any way of knowing how many craft people were available to perform the disputed work. Neither party addressed the requested remedy during the arbitration. I therefore will award the remedy requested by the Union and leave it to those at the local level to work out its distribution.

AWARD

The grievance is sustained.


Rodney E. Dennis
Arbitrator

April 11, 1994

POSTAL EMPLOYEES

Competitive Areas for the Postal Service Organization as of January 31, 1995

Federal regulations and guidance from the Office of Personnel Management require agencies covered by reduction-in-force (RIF) procedures to establish Competitive Areas and to publish a list of those Competitive Areas to their employees. Competitive Areas are the major organizational units located in geographic commuting areas and under separate management authority within which employees compete during a reduction-in-force.

Competitive Areas for the Postal Service organization prior to the 1992 restructuring were published in *Postal Bulletin* 21881 (11-24-94). Listed below are the Competitive Areas for the Postal Service organization as of January 31, 1995. Future changes to the Competitive Areas will be published as they occur.

The list does not signal any reason for concern on the part of any employee. It is published solely as information and in compliance with regulations.

United States Postal Service

Definition of Headquarters Competitive Areas as of January 31, 1995

1. Offices of the Chief Executive Officer/Postmaster General, Deputy Postmaster General, and Chief Operating Officer/Executive Vice President
2. Office of the Senior Vice President and General Counsel, including the Chief Field Counsel, Washington
3. Office of the Senior Vice President, Finance
4. Office of the Senior Vice President, Marketing
5. Office of the Vice President and Controller
6. Office of the Vice President, Product Management
7. Office of the Vice President, Technology Applications
8. Office of the Vice President, Marketing Systems
9. Office of the Vice President, Employee Relations
10. Office of the Vice President, Labor Relations
11. Office of the Vice President, Corporate Relations
12. Office of the Vice President and Consumer Advocate
13. Office of the Chief Inspector
14. Office of the Vice President, Diversity Development
15. Office of the Vice President, Information Systems
16. Office of the Vice President, Quality
17. Office of the Vice President, Legislative Affairs
18. Office of the Judicial Officer
19. Office of the Vice President, Operations Support
20. Office of the Vice President, Operations Redesign

Definition of Headquarters Competitive Areas as of January 31, 1995—Continued

21. Office of the Vice President, Sales
22. Office of the Vice President, Engineering
23. Office of the Vice President, Facilities
24. Office of the Vice President, Purchasing
25. Office of the Vice President, Workforce Planning and Service Management

United States Postal Service

Definition of Field Competitive Areas as of January 31, 1995

1. Chief Field Counsel, Chicago
2. Chief Field Counsel, Philadelphia
3. Chief Field Counsel, Windsor
4. Chief Field Counsel, Memphis
5. Chief Field Counsel, San Bruno
6. Chief Field Counsel, Atlanta
7. Chief Field Counsel, Salt Lake City
8. National Customer Support Center
9. Philatelic Fulfillment
10. Rates and Classification Service Center, Alexandria
11. Rates and Classification Service Center, New York
12. Rates and Classification Service Center, Chicago
13. Rates and Classification Service Center, Memphis
14. Rates and Classification Service Center, San Bruno
15. Diversity Development Specialists, Northeast Area Office
16. Diversity Development Specialists, New York Metro Area Office
17. Diversity Development Specialists, Allegheny Area Office
18. Diversity Development Specialist, Cincinnati District
19. Diversity Development Specialist, South Jersey District (Bellmawr)
20. Diversity Development Specialist, Greater Indiana District (Indianapolis)
21. Diversity Development Specialist, Detroit Bulk Mail Center
22. Diversity Development Specialist, Chicago Bulk Mail Center
23. Diversity Development Specialist, Greensboro District
24. Diversity Development Specialist, Columbia District
25. Diversity Development Specialist, Baltimore District
26. Diversity Development Specialist, Milwaukee District
27. Diversity Development Specialist, Hawkeye District (Des Moines)
28. Diversity Development Specialist, Northland District (Minneapolis)
29. Diversity Development Specialist, Kansas City (KS)
30. Diversity Development Specialist, New York City District

Definition of Field Competitive Areas as of January 31, 1995—Continued

31. Diversity Development Specialist, Caribbean District (San Juan)
32. Diversity Development Specialist, New Jersey Bulk Mail Center (Jersey City)
33. Diversity Development Specialist, Long Island District (Hauppauge)
34. Diversity Development Specialist, Western New York District (Buffalo)
35. Diversity Development Specialist, Boston District
36. Diversity Development Specialist, Albany District
37. Diversity Development Specialist, Long Beach District
38. Diversity Development Specialist, Los Angeles District
39. Diversity Development Specialist, Sacramento District
40. Diversity Development Specialist, Honolulu District
41. Diversity Development Specialist, San Diego District
42. Diversity Development Specialist, Alabama District (Birmingham)
43. Diversity Development Specialist, South Florida District (Pembroke Pines)
44. Diversity Development Specialist, North Florida District (Jacksonville)
45. Diversity Development Specialist, Suncoast District (Tampa)
46. Diversity Development Specialist, San Antonio District
47. Diversity Development Specialist, New Orleans District
48. Diversity Development Specialist, Houston District
49. Diversity Development Specialist, Oklahoma District (Oklahoma City)
50. Diversity Development Specialists, Mid-Atlantic Area Office
51. Diversity Development Specialists, Southeast Area Office
52. Diversity Development Specialists, Great Lakes Area Office
53. Diversity Development Specialists, Mid-West Area Office
54. Diversity Development Specialists, Southwest Area Office
55. Diversity Development Specialists, Western Area Office
56. Diversity Development Specialists, Pacific Area Office
57. Diversity Development Specialist, Philadelphia District
58. Diversity Development Specialist, Cleveland District
59. Diversity Development Specialist, El Paso
60. Diversity Development Specialist, Anchorage District
61. Diversity Development Specialist, Salt Lake City District
62. Diversity Development Specialist, Seattle District
63. Diversity Development Specialist, Portland District

Definition of Field Competitive Areas as of January 31, 1995—Continued

64. Diversity Development Specialist, Phoenix District
65. Management & Employee Development, Chicago
66. Management Training Center, Los Angeles
67. William F. Bolger Academy
68. Northeast Field Training Center, Windsor
69. Southern Field Training Center, Memphis
70. Midwest Field Training Center, Oakbrook, IL
71. Technical Training Center, Norman
72. Training Material Distribution Center, Beltsville, MD
73. HRIS Support Unit
74. National Test Administration Center
75. Stamped Envelope Unit, Williamsburg, PA
76. National Stamp Depository, Kansas City, MO
77. International Accounts Center, St. Louis
78. Accounting Operations, including Accounting Service Center, Ft. Snelling, MN
79. Accounting Service Center, St. Louis
80. Accounting Service Center, San Mateo
81. Philadelphia Major Facilities Office
82. Memphis Major Facilities Office
83. Atlanta Facilities Service Office
84. Chicago Facilities Service Office
85. Columbia Facilities Service Office
86. Dallas Facilities Service Office
87. Denver Facilities Service Office
88. Greensboro Facilities Service Office
89. New York Facilities Service Office
90. Kansas City Facilities Service Office
91. San Bruno Facilities Service Office
92. Windsor Facilities Service Office
93. Statistical Programs Service Center, Alexandria
94. Statistical Programs Service Center, San Bruno
95. Statistical Programs Service Center, Memphis
96. Computer Operations Service Center, Ft. Snelling, MN
97. Computer Operations Service Center, San Mateo
98. Field Computing Services, Raleigh
99. Field Information Systems Programs
100. Information Systems Programs Coordinator, Raleigh
101. Information Systems Programs Coordinator, San Mateo
102. Information Systems Programs Coordinator, Windsor
103. Information Systems Programs Coordinator, St. Louis
104. Hardware/Software Management
105. Information Systems Service Center, Wilkes-Barre
106. Information Systems Service Center, San Mateo
107. Information Systems Service Center, JFK
108. Information Systems Service Center, Ft. Snelling, MN

Definition of Field Competitive Areas as of January 31, 1995—Continued

109.	Information Systems Service Center, St. Louis
110.	Information Systems Service Center, Raleigh
111.	Management Support Service Center, Ft. Snelling, MN
112.	Management Support Service Center, St. Louis
113.	Facility Support Unit, Raleigh
114.	Management Support Service Center, San Mateo
115.	National Network Service Center, Raleigh
116.	Production Operations, Raleigh
117.	Maintenance Technical Support Center, Norman
118.	Somerville Materiel Distribution Center
119.	Topeka Materiel Distribution Center
120.	Label Printing Center, Topeka
121.	Inventory Support Office, Topeka
122.	Inventory Control Office, Topeka
123.	Mail Equipment Shops, Washington
124.	Systems Integration, Topeka
125.	Topeka Purchasing Center
126.	Automation Purchasing, Merrifield, VA
127.	Purchasing Service Center, Windsor
128.	Purchasing Service Center, East Orange
129.	Purchasing Service Center, Philadelphia
130.	Purchasing Service Center, Greensboro
131.	Purchasing Service Center, Memphis
132.	Purchasing Service Center, Minneapolis
133.	Purchasing Service Center, Chicago
134.	Purchasing Service Center, Dallas
135.	Purchasing Service Center, Aurora, CO
136.	Purchasing Service Center, San Bruno
137.	Expedited Hub Operations, Indianapolis
138.	Support and Repair Facility, Memphis
139.	Stamp Distribution Network, Kansas City, MO
140.	Stamp Distribution Network, Sterling, VA
141.	Forensic and Technical Services Division, Inspection Service
142.	Forensic Laboratory, Inspection Service, Chicago
143.	Forensic Laboratory, Inspection Service, Memphis
144.	Forensic Laboratory, Inspection Service, New York
145.	Forensic Laboratory, Inspection Service, San Bruno
146.	Operations Support Group, Inspection Service, Jersey City
147.	Operations Support Group, Inspection Service, Bala Cynwyd
148.	Operations Support Group, Inspection Service, Chicago
149.	Operations Support Group, Inspection Service, Memphis
150.	Operations Support Group, Inspection Service, San Bruno
151.	Career Development Division, Inspection Service
152.	Office of the Inspector in Charge, Atlanta Division

Definition of Field Competitive Areas as of January 31, 1995—Continued

153.	Office of the Inspector in Charge, Boston Division
154.	Office of the Inspector in Charge, Buffalo Division
155.	Office of the Inspector in Charge, Charlotte Division
156.	Office of the Inspector in Charge, Chicago Division
157.	Office of the Inspector in Charge, Cincinnati Division
158.	Office of the Inspector in Charge, Cleveland Division
159.	Office of the Inspector in Charge, Denver Division
160.	Office of the Inspector in Charge, Detroit Division
161.	Office of the Inspector in Charge, Ft. Worth Division
162.	Office of the Inspector in Charge, Houston Division
163.	Office of the Inspector in Charge, Kansas City Division
164.	Office of the Inspector in Charge, Los Angeles Division
165.	Office of the Inspector in Charge, Memphis Division
166.	Office of the Inspector in Charge, Miami Division
167.	Office of the Inspector in Charge, New Orleans Division
168.	Office of the Inspector in Charge, New York Division
169.	Office of the Inspector in Charge, Newark Division
170.	Office of the Inspector in Charge, Philadelphia Division
171.	Office of the Inspector in Charge, Phoenix Division
172.	Office of the Inspector in Charge, Pittsburgh Division
173.	Office of the Inspector in Charge, Richmond Division
174.	Office of the Inspector in Charge, San Diego Division
175.	Office of the Inspector in Charge, San Francisco Division
176.	Office of the Inspector in Charge, San Juan Division
177.	Office of the Inspector in Charge, Seattle Division
178.	Office of the Inspector in Charge, St. Paul Division
179.	Office of the Inspector in Charge, St. Louis Division
180.	Office of the Inspector in Charge, Tampa Division
181.	Office of the Inspector in Charge, Washington Division
182.	Corporate Relations Service Center, Northeast Area
183.	Corporate Relations Service Center, New York Metro Area
184.	Corporate Relations Service Center, Allegheny Area
185.	Corporate Relations Service Center, Mid-Atlantic Area
186.	Corporate Relations Service Center, Southeast Area, Memphis
187.	Corporate Relations Service Center, Southeast Area, Atlanta
188.	Corporate Relations Service Center, Great Lakes Area
189.	Corporate Relations Service Center, Mid-West Area
190.	Corporate Relations Service Center, Southwest Area
191.	Corporate Relations Service Center, Western Area

Definition of Field Competitive Areas as of January 31, 1995—Continued

192.	Corporate Relations Service Center, Pacific Area, San Francisco
193.	Corporate Relations Service Center, Pacific Area, Los Angeles
194.	Office of the Vice President, Northeast Area
195.	Office of the Vice President, New York Metro Area
196.	Office of the Vice President, Allegheny Area
197.	Office of the Vice President, Mid-Atlantic Area
198.	Office of the Vice President, Southeast Area
199.	Office of the Vice President, Great Lakes Area
200.	Office of the Vice President, Mid-West Area
201.	Office of the Vice President, Southwest Area
202.	Office of the Vice President, Western Area
203.	Office of the Vice President, Pacific Area
204.	Atlanta District
205.	Connecticut District (Hartford)
206.	Dallas District
207.	Denver District
208.	Gateway District (St. Louis)
209.	Greater Indiana District (Indianapolis)
210.	Houston District
211.	Milwaukee District
212.	Northern New Jersey District (Newark)
213.	Northland District (Minneapolis)
214.	San Antonio District
215.	San Diego District
216.	Suncoast District (Tampa)
217.	Tennessee District (Nashville)
218.	Akron District
219.	Alabama District (Birmingham)
220.	Albany (NY) District
221.	Appalachian District (Charleston, WV)
222.	Arkansas District (Little Rock)
223.	Baltimore District
224.	Capital District (Washington)
225.	Central Florida District (Orlando)
226.	Central Illinois District (Chicago)
227.	Central New Jersey District (New Brunswick)
228.	Central Plains District (Omaha)
229.	Cincinnati District
230.	Cleveland District
231.	Columbia (SC) District
232.	Columbus (OH) District
233.	Detroit District
234.	Fl. Worth District
235.	Greensboro District
236.	Greater Michigan District (Grand Rapids)
237.	Harrisburg District
238.	Hawkeye District (Des Moines)

Definition of Field Competitive Areas as of January 31, 1995—Continued

239.	Kentuckiana District (Louisville)
240.	Lancaster District
241.	Long Beach District
242.	Long Island District
243.	Mid-America District (Kansas City, MO)
244.	Mid-Carolinas District (Charlotte)
245.	Middlesex-Central District (North Reading, MA)
246.	Mississippi District (Jackson)
247.	New Orleans District
248.	Northern Illinois District (Carol Stream)
249.	North Florida District (Jacksonville)
250.	Northern Virginia District (Merrifield)
251.	Oakland District
252.	Oklahoma District (Oklahoma City)
253.	Philadelphia District
254.	Phoenix District
255.	Pittsburgh District
256.	Portland (OR) District
257.	Providence District
258.	Richmond District
259.	Royal Oak District
260.	Sacramento District
261.	San Francisco District
262.	San Jose District
263.	Santa Ana District
264.	Seattle District
265.	South Georgia District (Macon)
266.	South Florida District (Pembroke)
267.	South Jersey District (Bellmawr)
268.	Triboro District (Queens)
269.	Van Nuys District
270.	Westchester District (Mt. Vernon, NY)
271.	Western New York District (Buffalo)
272.	Albuquerque District
273.	Anchorage District
274.	Billings District
275.	Caribbean District (San Juan)
276.	Dakotas District (Sioux Falls)
277.	Erie District
278.	Honolulu District
279.	Las Vegas District
280.	Maine District (Portland)
281.	New Hampshire District (Manchester)
282.	Salt Lake City District
283.	Spokane District
284.	Springfield (MA) District
285.	Boston District, including Boston Post Office

Definition of Field Competitive Areas as of January 31, 1985—Continued

286.	Los Angeles District, including Los Angeles Post Office
287.	Chicago District, including Chicago Post Office
288.	New York District, including New York City Post Office
289.	Atlanta Processing & Distribution Center
290.	Baltimore Processing & Distribution Center
291.	Boston Processing & Distribution Center
292.	Chicago Processing & Distribution Center
293.	Cleveland Processing & Distribution Center
294.	Dallas Processing & Distribution Center
295.	Denver Processing & Distribution Center
296.	Detroit Processing & Distribution Center
297.	Houston Processing & Distribution Center
298.	Los Angeles Processing & Distribution Center
299.	Miami Processing & Distribution Center
300.	Oakland Processing & Distribution Center
301.	Philadelphia Processing & Distribution Center
302.	Phoenix Processing & Distribution Center
303.	Pittsburgh Processing & Distribution Center
304.	San Francisco Processing & Distribution Center
305.	Seattle Processing & Distribution Center
306.	St. Louis Processing & Distribution Center
307.	Washington Processing & Distribution Center
308.	Birmingham Processing & Distribution Center
309.	Brooklyn Processing & Distribution Center
310.	Buffalo Processing & Distribution Center
311.	Carol Stream Processing & Distribution Center
312.	Charlotte Processing & Distribution Center
313.	Cincinnati Processing & Distribution Center
314.	Columbus Processing & Distribution Center
315.	Des Moines Processing & Distribution Center
316.	Dominick V. Daniels Processing & Distribution Center (Kearny, NJ)
317.	Fl. Worth Processing & Distribution Center
318.	Greensboro Processing & Distribution Center
319.	Hartford Processing & Distribution Center
320.	Honolulu Processing & Distribution Center
321.	Indianapolis Processing & Distribution Center
322.	Irving Park Road Processing & Distribution Center (Chicago)
323.	Jacksonville Processing & Distribution Center
324.	Kansas City Processing & Distribution Center
325.	Louisville Processing & Distribution Center
326.	Memphis Processing & Distribution Center
327.	Mid-Island Processing & Distribution Center (Hicksville, NY)
328.	Milwaukee Processing & Distribution Center
329.	Minneapolis Processing & Distribution Center
330.	Margaret L. Sellers Processing & Distribution Center (San Diego)

Definition of Field Competitive Areas as of January 31, 1985—Continued

331.	Nashville Processing & Distribution Center
332.	New Haven Processing & Distribution Center
333.	New Orleans Processing & Distribution Center
334.	Newark Processing & Distribution Center
335.	Northern Virginia Processing & Distribution Center
336.	New York City Processing & Distribution Center
337.	Morgan Processing & Distribution Center (New York City)
338.	Oklahoma City Processing & Distribution Center
339.	Orlando Processing & Distribution Center
340.	Portland (OR) Processing & Distribution Center
341.	Providence Processing & Distribution Center
342.	Queens Processing & Distribution Center
343.	Richmond Processing & Distribution Center
344.	Royal Oak Processing & Distribution Center
345.	Sacramento Processing & Distribution Center
346.	Salt Lake City Processing & Distribution Center
347.	San Antonio Processing & Distribution Center
348.	Santa Ana Processing & Distribution Center
349.	South Jersey Processing & Distribution Center (Bellmawr)
350.	South Suburban Processing & Distribution Center (Chicago)
351.	Southern Maryland Processing & Distribution Center (Capitol Heights)
352.	Springfield (MA) Processing & Distribution Center
353.	St. Paul Processing & Distribution Center
354.	Tampa Processing & Distribution Center
355.	Van Nuys Processing & Distribution Center
356.	Akron Processing & Distribution Center
357.	Albuquerque Processing & Distribution Center
358.	Anchorage Processing & Distribution Center
359.	Austin Processing & Distribution Center
360.	Baton Rouge Processing & Distribution Center
361.	Bronx Processing & Distribution Center
362.	Cedar Rapids Processing & Distribution Center
363.	Charleston (WV) Processing & Distribution Center
364.	Chattanooga Processing & Distribution Center
365.	Colorado Springs Processing & Distribution Center
366.	Columbia (SC) Processing & Distribution Center
367.	Dayton Processing & Distribution Center
368.	Dulles Processing & Distribution Center (Sterling, VA)
369.	El Paso Processing & Distribution Center
370.	Fox Valley (IL) Processing & Distribution Center
371.	Fresno Processing & Distribution Center
372.	Fl. Meyers Processing & Distribution Center
373.	Grand Rapids Processing & Distribution Center
374.	Hackensack Processing & Distribution Center
375.	Jackson (MS) Processing & Distribution Center

Definition of Field Competitive Areas as of January 31, 1995—Continued

376.	Kalamazoo Processing & Distribution Center
377.	Kirmer (NJ) Processing & Distribution Center
378.	Knoxville Processing & Distribution Center
379.	Lancaster Processing & Distribution Center
380.	Lansing Processing & Distribution Center
381.	Lehigh Valley (PA) Processing & Distribution Center
382.	Lexington Processing & Distribution Center
383.	Macon Processing & Distribution Center
384.	Madison (WI) Processing & Distribution Center
385.	Manassas (FL) Processing & Distribution Center
386.	Manchester (NH) Processing & Distribution Center
387.	Mid-Florida Processing & Distribution Center (Orlando)
388.	Middlesex-Central Processing & Distribution Center (Woburn, MA)
389.	Norfolk Processing & Distribution Center
390.	North Bay Processing & Distribution Center (Oakland)
391.	Church Street Processing & Distribution Center (New York City)
392.	Pasadena Processing & Distribution Center
393.	Paterson Processing & Distribution Center
394.	Portland (ME) Processing & Distribution Center
395.	Raleigh Processing & Distribution Center
396.	Roanoke Processing & Distribution Center
397.	Rochester Processing & Distribution Center
398.	San Juan Processing & Distribution Center
399.	Santa Barbara Processing & Distribution Center
400.	South Florida Processing & Distribution Center (Miami)
401.	Spokane Processing & Distribution Center
402.	Springfield (IL) Processing & Distribution Center
403.	St. Petersburg Processing & Distribution Center
404.	Stamford Processing & Distribution Center
405.	Stockton Processing & Distribution Center
406.	Suburban Processing & Distribution Center (Rockville, MD)
407.	Syracuse Processing & Distribution Center
408.	Tacoma Processing & Distribution Center
409.	Toledo Processing & Distribution Center
410.	Trenton Processing & Distribution Center
411.	Western Nassau Processing & Distribution Center (Long Island)
412.	Wichita Processing & Distribution Center
413.	Worcester (MA) Processing & Distribution Center
414.	Bakersfield Processing & Distribution Center
415.	Baltimore Processing & Distribution Center
416.	Billings Processing & Distribution Center
417.	Boise Processing & Distribution Center
418.	Brockton Processing & Distribution Center
419.	Canton Processing & Distribution Center

Definition of Field Competitive Areas as of January 31, 1995—Continued

420.	Corpus Christi Processing & Distribution Center
421.	Erie Processing & Distribution Center
422.	Fargo Processing & Distribution Center
423.	Fayetteville Processing & Distribution Center
424.	Flint Processing & Distribution Center
425.	Fl. Wayne Processing & Distribution Center
426.	Gary Processing & Distribution Center
427.	Green Bay Processing & Distribution Center
428.	Greenville (SC) Processing & Distribution Center
429.	Lakeland (FL) Processing & Distribution Center
430.	Mid-Hudson Processing & Distribution Center (Newburgh, NY)
431.	Mobile Processing & Distribution Center
432.	Monmouth (NJ) Processing & Distribution Center
433.	Montgomery Processing & Distribution Center
434.	Pensacola Processing & Distribution Center
435.	Reno Processing & Distribution Center
436.	Rockford Processing & Distribution Center
437.	Saginaw Processing & Distribution Center
438.	Shreveport Processing & Distribution Center
439.	Sioux Falls Processing & Distribution Center
440.	South Bend Processing & Distribution Center
441.	Springfield (MO) Processing & Distribution Center
442.	West Jersey Processing & Distribution Center (Summit)
443.	White River Junction (VT) Processing & Distribution Center
444.	Youngstown Processing & Distribution Center
445.	Cheyenne Processing & Distribution Center
446.	Tyler Processing & Distribution Center
447.	Albany (NY) Processing & Distribution Center
448.	FL Lauderdale Processing & Distribution Center
449.	Harrisburg Processing & Distribution Center
450.	Industry Processing & Distribution Center (Alhambra, CA)
451.	Inglewood Processing & Distribution Center
452.	Kansas City (KS) Processing & Distribution Center
453.	Las Vegas Processing & Distribution Center
454.	Little Rock Processing & Distribution Center
455.	Long Beach Processing & Distribution Center
456.	North Houston Processing & Distribution Center
457.	North Metro Processing & Distribution Center (Atlanta)
458.	North Texas Processing & Distribution Center (Dallas)
459.	Omaha Processing & Distribution Center
460.	Palatine Processing & Distribution Center
461.	San Bernardino Processing & Distribution Center
462.	San Jose Processing & Distribution Center
463.	Southeast Processing & Distribution Center (Devon, PA)

Definition of Field Competitive Areas as of January 31, 1995—Continued

464.	Tulsa Processing & Distribution Center
465.	West Palm Beach Processing & Distribution Center
466.	Westchester Processing & Distribution Center (Mt. Vernon, NY)
467.	Wilmington (DE) Processing & Distribution Center
468.	Amarillo Processing & Distribution Facility
469.	Anaheim Processing & Distribution Facility
470.	Binghamton (NY) Processing & Distribution Facility
471.	Bridgeport (CT) Processing & Distribution Facility
472.	Charleston (SC) Processing & Distribution Facility
473.	Charlottesville Processing & Distribution Facility
474.	Columbia (MO) Processing & Distribution Facility
475.	Daytona Beach Processing & Distribution Facility
476.	Eugene Processing & Distribution Facility
477.	Evansville Processing & Distribution Facility
478.	Everett (WA) Processing & Distribution Facility
479.	Gainesville Processing & Distribution Facility
480.	Johnstown Processing & Distribution Facility
481.	Lincoln Processing & Distribution Facility
482.	Midway Processing & Distribution Facility (San Diego)
483.	New Castle Processing & Distribution Facility
484.	Oshkosh Processing & Distribution Facility
485.	Oxnard (CA) Processing & Distribution Facility
486.	Peoria Processing & Distribution Facility
487.	Reading Processing & Distribution Facility
488.	Rock Island (IL) Processing & Distribution Facility
489.	Rockland Processing & Distribution Facility (Monsey, NY)
490.	Rocky Mount (NC) Processing & Distribution Facility
491.	Salem (OR) Processing & Distribution Facility
492.	San Diego Processing & Distribution Facility
493.	Savannah Processing & Distribution Facility
494.	Scranton Processing & Distribution Facility
495.	Staten Island Processing & Distribution Facility
496.	Tallahassee Processing & Distribution Facility
497.	Topeka Processing & Distribution Facility
498.	Utica Processing & Distribution Facility
499.	Waterbury (CT) Processing & Distribution Facility
500.	Wilkes-Barre Processing & Distribution Facility
501.	Asheville Processing & Distribution Facility
502.	Augusta (GA) Processing & Distribution Facility
503.	Bangor Processing & Distribution Facility
504.	Beaumont Processing & Distribution Facility
505.	Champaign Processing & Distribution Facility
506.	Clarksburg (WV) Processing & Distribution Facility
507.	Duluth Processing & Distribution Facility
508.	Elmira (NY) Processing & Distribution Facility
509.	Florence (SC) Processing & Distribution Facility
510.	Frederick (MD) Processing & Distribution Facility

Definition of Field Competitive Areas as of January 31, 1995—Continued

511.	Gulfport (MS) Processing & Distribution Facility
512.	Hickory (NC) Processing & Distribution Facility
513.	Huntsville Processing & Distribution Facility
514.	Huron (SD) Processing & Distribution Facility
515.	Lafayette (IN) Processing & Distribution Facility
516.	Lubbock Processing & Distribution Facility
517.	Lynchburg Processing & Distribution Facility
518.	Marysville Processing & Distribution Facility
519.	McAllen Processing & Distribution Facility
520.	Midland Processing & Distribution Facility
521.	Muncie Processing & Distribution Facility
522.	Portsmouth (NH) Processing & Distribution Facility
523.	Salinas (CA) Processing & Distribution Facility
524.	Sioux City Processing & Distribution Facility
525.	Waco Processing & Distribution Facility
526.	Waterloo Processing & Distribution Facility
527.	Wausau Processing & Distribution Facility
528.	Bismarck Processing & Distribution Facility
529.	Bloomington (IL) Processing & Distribution Facility
530.	Bowling Green Processing & Distribution Facility
531.	Burlington (VT) Processing & Distribution Facility
532.	Buzzards Bay (MA) Processing & Distribution Facility
533.	Cape Girardeau Processing & Distribution Facility
534.	Easton (MD) Processing & Distribution Facility
535.	Eau Claire Processing & Distribution Facility
536.	Huntington (WV) Processing & Distribution Facility
537.	Iron Mountain (MI) Processing & Distribution Facility
538.	Kinston (NC) Processing & Distribution Facility
539.	Kokomo Processing & Distribution Facility
540.	Lafayette (LA) Processing & Distribution Facility
541.	Mankato (MN) Processing & Distribution Facility
542.	Norfolk (NE) Processing & Distribution Facility
543.	Olympia Processing & Distribution Facility
544.	Panama City Processing & Distribution Facility
545.	Pasco (WA) Processing & Distribution Facility
546.	Rapid City Processing & Distribution Facility
547.	Rochester (MN) Processing & Distribution Facility
548.	St. Cloud Processing & Distribution Facility
549.	Terre Haute Processing & Distribution Facility
550.	Traverse City Processing & Distribution Facility
551.	Williamsport (PA) Processing & Distribution Facility
552.	Ashland (KY) Processing & Distribution Facility
553.	Fayetteville (AR) Processing & Distribution Facility
554.	Grand Island (NE) Processing & Distribution Facility
555.	London (KY) Processing & Distribution Facility
556.	Paducah Processing & Distribution Facility
557.	Atlanta Air Mail Center
558.	Boston Air Mail Center

Definition of Field Competitive Areas as of January 31, 1995—Continued

559.	Cleveland Air Mail Center
560.	Dallas Air Mail Center
561.	Detroit Air Mail Center
562.	Houston Air Mail Center
563.	Miami Air Mail Center
564.	Newark Air Mail Center
565.	Philadelphia Air Mail Center
566.	San Francisco Air Mail Center
567.	Seattle Air Mail Center
568.	Twin Cities Air Mail Center (Minneapolis-St. Paul)
569.	Washington Air Mail Center (Arlington, VA)
570.	Baltimore Air Mail Center
571.	Charlotte Air Mail Center
572.	Denver Air Mail Center
573.	Dulles Air Mail Center (Chantilly, VA)
574.	Indianapolis Air Mail Center
575.	Kansas City (MO) Air Mail Center
576.	LaGuardia Air Mail Center (Long Island)
577.	Memphis Air Mail Center
578.	New Orleans Air Mail Center
579.	Phoenix Air Mail Center
580.	Pittsburgh Air Mail Center
581.	Salt Lake City Air Mail Center
582.	St. Louis Air Mail Center
583.	Greensboro Air Mail Center
584.	Milwaukee Air Mail Center
585.	Nashville Air Mail Center
586.	Raleigh Air Mail Center
587.	Las Vegas Air Mail Center
588.	JFK Air Mail Center (Jamaica, NY)
589.	O'Hare Air Mail Center (Chicago)
590.	World Way Air Mail Center (Los Angeles)
591.	Bradley Airport Mail Facility (Hartford)
592.	Anchorage Airport Mail Facility
593.	Cincinnati Airport Mail Facility
594.	Columbus (OH) Airport Mail Facility
595.	Jacksonville Airport Mail Facility
596.	Norfolk Airport Mail Facility
597.	Omaha Airport Mail Facility
598.	Portland (OR) Airport Mail Facility
599.	Sacramento Airport Mail Facility
600.	San Diego Airport Mail Facility
601.	San Juan Airport Mail Facility
602.	Albuquerque Airport Mail Facility
603.	Birmingham Airport Mail Facility
604.	Buffalo Airport Mail Facility
605.	Columbia (SC) Airport Mail Facility
606.	Dayton Airport Mail Facility
607.	Grand Rapids Airport Mail Facility

Definition of Field Competitive Areas as of January 31, 1995—Continued

608.	Greenville (SC) Airport Mail Facility
609.	Louisville Airport Mail Facility
610.	Oakland Airport Mail Facility
611.	Oklahoma City Airport Mail Facility
612.	Ontario Airport Mail Facility
613.	Richmond Airport Mail Facility
614.	San Antonio Airport Mail Facility
615.	Tulsa Airport Mail Facility
616.	Boise Airport Mail Facility
617.	Reno Airport Mail Facility
618.	Albany Remote Encoding Center (Cohoes, NY)
619.	Akron Remote Encoding Center
620.	Beaumont Remote Encoding Center
621.	Birmingham Remote Encoding Center
622.	Chattanooga Remote Encoding Center
623.	Des Moines Remote Encoding Center
624.	Greensboro Remote Encoding Center
625.	Lehigh Valley Remote Encoding Center (Allentown, PA)
626.	Little Rock Remote Encoding Center (North Little Rock, AR)
627.	Keamy (NJ) Remote Encoding Center
628.	Salt Lake City Remote Encoding Center
629.	Wichita Remote Encoding Center
630.	Charleston (WV) Remote Encoding Center
631.	Syracuse Remote Encoding Center (East Syracuse, NY)
632.	Laredo (TX) Remote Encoding Center
633.	Lumberton (NC) Remote Encoding Center
634.	Lynchburg Remote Encoding Center
NOTE: 36 additional Remote Encoding Centers will be established between March 4, 1995, and July 20, 1996. Each will be a separate Competitive Area.	
635.	Atlanta Bulk Mail Center
636.	Chicago Bulk Mail Center
637.	Cincinnati Bulk Mail Center
638.	Dallas Bulk Mail Center
639.	Denver Bulk Mail Center
640.	Des Moines Bulk Mail Center
641.	Detroit Bulk Mail Center
642.	Greensboro Bulk Mail Center
643.	Jacksonville Bulk Mail Center
644.	Los Angeles Bulk Mail Center
645.	Memphis Bulk Mail Center
646.	Minneapolis-St. Paul Bulk Mail Center
647.	Philadelphia Bulk Mail Center
648.	Pittsburgh Bulk Mail Center
649.	San Francisco Bulk Mail Center
650.	Seattle Bulk Mail Center

Definition of Field Competitive Areas as of January 31, 1995—Continued

651.	St. Louis Bulk Mail Center
652.	New Jersey Bulk Mail Center (Jersey City)
653.	Boston Mail Equipment Facility
654.	Chicago Mail Equipment Facility (Forest Park, IL)
655.	Cincinnati Mail Equipment Facility
656.	Edgewater (NJ) Mail Equipment Facility
657.	Emeryville (CA) Mail Equipment Facility
658.	Landover Mail Equipment Facility (Capitol Heights, MD)
659.	Los Angeles Mail Equipment Facility (Bell, CA)

Definition of Field Competitive Areas as of January 31, 1995—Continued

660.	Philadelphia Mail Equipment Facility
661.	St. Louis Mail Equipment Facility
662.	St. Paul Mail Equipment Facility
663.	Independent Mail Transfer Center (Worcester, MA)
664.	Post Offices: Each of our 28,657* Post Offices (including "Host" Post Offices) constitutes a separate Competitive Area.

*Number is subject to change as a result of closures, consolidations, discontinuances, and/or emergency suspensions.

Pay Changes—Bargaining Unit COLA Roll-In

This article provides personnel offices with the cost-of-living adjustment (COLA) roll-in information necessary to administer personnel actions for career bargaining unit employees covered by the 1990–1994 U.S. Postal Service–American Postal Workers Union/National Association of Letter Carriers (USPS-APWU/NALC) National Agreement and paid under the Postal Service (PS) schedule (RSCP).

The new salary schedules appear on pages 00. This COLA roll-in results in both the regular and retiree eligible (RES) versions of these schedules being identical. It is necessary to maintain both schedules in the system pending future determinations on the disposition of current COLA.

COLA Roll-In

Effective February 4, 1995, Pay Period (PP) 4-95, eligible employees in the regular (or non-RES) version of the PS schedule (i.e., those employees who did not elect option to roll in COLA) will have rolled in to basic salary the \$2,517 per year (\$1.21 per hour) COLA amount accumulated under the 1987 national agreement.

Also receiving a COLA roll-in effective February 5, 1995, are employees covered by the regular version of the following salary schedules: Mail Equipment Shops and Material Distribution Centers (MEDC), and Operating Services Division/Facilities Services Section (OSD/FSC). Schedules for these nonnational agreements are not pub-

lished in this Bulletin but are distributed directly to affected facilities.

Exclusions

The following employees are not eligible for the COLA roll-ins discussed in this Bulletin and will continue at their current rates of pay:

1. Employees in the Retiree Eligible (RES) versions of the schedules listed above.
2. Casual employees.
3. Transitional employees (Note: The schedule included in this Bulletin is for reference only; it is identical to the September 3, 1994, transitional employee schedule).

Impact on Net Pay

Although there will be no change in the annual base salary, the employee's basic salary will increase by the amount of the COLA roll-in. This will result in a slight decrease in net pay for those employees who receive the COLA roll-in. This decrease in net pay is due to mandatory deductions from basic salary for retirement, life insurance, and, if the employee is enrolled and elected a percentage deduction, the Thrift Savings Plan.

Implementation

The COLA roll-ins discussed in this notice are effective on February 4, 1995 (PP 4-95), and will appear in paychecks distributed on February 24, 1995.

—Employee Relations, 2-16-95

Banded Stamped Envelopes

Self-Service Vending Equipment. The 25-cent size 10 Thirteen Star embossed stamped envelope, *Item 2150*, and the 25-cent size 9 Hologram stamped envelope, *Item 2140*, are now available in banded units of five, which sell for \$1.50 each in multicommodity vending machines.

For customer information and convenience, an ordering form for printed stamped envelopes is enclosed with each banded unit of five envelopes. A copy of the ordering form follows:

—Philatelic and Retail Services Dept., 8-23-90

Stamp Transparencies Use and Availability

Field division directors of marketing and communications are reminded that stamp transparencies are sent to them from the Stamp Product Development Branch for promotional use. Once a design has been released through philatelic releases or the *Postal Bulletin*, offices may receive and display the designs publicly, even if a stamp has not yet been issued.

Offices are using licensees to reproduce a design on merchandise, it is their responsibility to provide the transparencies. They may duplicate transparencies if they need more than one. Do not refer licensees or vendors to the Stamp Product Development Branch.

Sectional center directors of marketing and communications office postmasters should consult the field division director of marketing and communications to obtain transparencies.

—Philatelic and Retail Services Dept., 8-23-90

Privacy Act Statements—Forms

Any postal form—national or local—that requests or collects information about an individual *directly* from that individual must include a Privacy Act statement. The information is usually tagged with a personal identifier, such as name or social security number, used by the Postal Service to retrieve that information. See *Administrative Support Manual (ASM)* 353.232.

The Records Office at Headquarters must review and approve any new or revised form that may require a Privacy Act statement. Recent amendments to the Privacy Act systems also obligate the Records Office to review any current form scheduled for reprinting, if it collects personal information. Privacy Act statements are drafted to conform to the applicable Privacy Act system of records notice in the appendix of the ASM.

For new and revised forms as well as reprints, originators at Headquarters must complete Form 794, *Request for New or Revised Form*. Originators should work with the Document Control Division and the Records Office to ensure compliance with the provisions of the Privacy Act.

Originators of locally approved forms in field divisions must complete Form 794-A, *Field Request for New or Revised Form*. If the form collects personal information, a copy of the proposed form or form to be reprinted must be attached to Form 794-A and mailed directly to:

US POSTAL SERVICE
RECORDS OFFICE
475 LENFANT PLAZA SW RM 10670
WASHINGTON DC 20260-5010

—Records Office, 8-23-90

Handbook EL-311 Revision

Bargaining Unit Selection Changes

Effective October 20, 1990, subchapters 510 and 520 of Handbook EL-311, *Personnel Operations*, are revised completely, as printed on pages 32-55. Subchapter 510 contains general policies on the assignment, reassignment, and promotion of employees. These revisions define terminology commonly used in selection. Subchapter 520 contains procedures for filling bargaining unit positions. These revisions clarify, expand, and change, to some extent, the procedures used to fill senior and best qualified positions. A more specific summary of the changes is included below.

New Forms 1796-A, *Qualifications Rating Sheet for Senior Qualified Positions*, and 1796-B *Qualifications Rating Sheet for Best Qualified Positions* (both dated April 1990), are printed as Exhibits 527.22 and 527.32. These forms will replace the current Form 1796, *Qualification Rating* (dated April 1971), on October 20, 1990. The new forms are available from the materiel distribution centers.

These revisions will be reflected in a future edition of Handbook EL-311.

—Employee Relations Dept., 8-23-90

Chapter 5 Assignment, Reassignment, and Promotion

510 General Policies

511 Introduction

511.1 Organization of Chapter. Most postal positions, except entrance-level positions, are filled by the assignment, reassignment, or promotion of postal employees. This chapter includes policies and procedures for filling positions by means of those personnel actions. Subchapter 510 contains general policies applicable to filling positions by assignment, reassignment, or promotion. Subchapters 520-540 contain additional specific policies and procedures for the following different kinds of positions:

- 520--Bargaining-Unit Positions
- 530--Initial-Level Supervisor Positions
- 540--Other Nonbargaining-Unit Positions

Note: Each subchapter lists any exclusions to the position coverage.

511.2 EEO Policy

511.21 Assignment, Reassignments, and Promotion. Equal opportunity for assignment, reassignment, and promotion will:

- a. Be based on merit and the relevant experience, training, knowledge, skills and abilities required for the positions being filled.
- b. Comply with the provisions of the applicable collective-bargaining agreements.

511.22 Nondiscriminatory Selection. Effective utilization of employees requires that selections be made without discrimination because of race, color, sex, religion, age, national origin, or mental or physical handicap.

511.3 Eligibility

511.31 Type of Appointment. An employee serving under a career appointment is eligible for assignment or promotion. An employee serving under a temporary or casual appointment is not eligible for promotion.

511.32 Restricted Positions. Restrictions on filling certain positions by preference eligibles (see 262) do not apply to inservice placement.

511.33 Other Limitations. Eligibility for consideration for some positions is limited to employees in specific grades, occupations, geographic areas, or organizations. These limitations are described in the following subchapters.

511.4 Definitions. The following definitions clarify and standardize the terminology used in selection.

511.41 Requirements. The knowledge, skills, abilities, experience, and physical and other conditions which pertain to a position (or duty assignment) and which an individual needs to successfully perform the duties of the position upon entry. Not all of the items listed above as possible requirements are necessarily used or permitted in all cases.

511.42 Qualifications. The knowledge, skills, abilities, experience, and physical and other conditions which pertain to an applicant or bidder. Applicants and bidders must meet the requirements, which means that they must possess as *qualifications* the same knowledge, skills, abilities, etc. that are *requirements* for the position. It also means that bidders must demonstrate that they possess each of these qualifications at a level which is sufficient for satisfactory (as opposed to unsatisfactory) performance in the position.

Note: For senior qualified positions, see 527.14 for procedures regarding the timing for meeting the requirements.)

511.43 Special Conditions. Special conditions are needs of an assignment which are essential to satisfactory performance at entry and which relate to the applicant's willingness to perform a duty or task (e.g., willingness to travel frequently; willingness to work irregular hours). Special conditions are applicable only to nonbargaining positions.

511.44 Special Requirements. Special requirements are needs of the duty assignment which are essential to satisfactory performance at entry. Oc-

asionally, these may relate to the applicant's or bidder's willingness to perform a duty or task (e.g., travel). However, special requirements are most likely to be a knowledge, skill, or ability which should reasonably be included as a requirement given the particular needs of a specific installation or job assignment. Special requirements are applicable only to bargaining-unit positions.

511.45 Qualification Standard. An official document, published in Handbook EL-303, *Qualification Standards -- Bargaining-Unit Positions*, which states the requirements of bargaining-unit positions that are needed upon entry into the position. The requirements listed are not necessarily an exhaustive list of requirements for continued satisfactory performance in the position.

511.46 Desirable Qualification. A knowledge, skill, ability, or other condition which is not a requirement of the position but which, if the applicant possesses, will be of benefit in performing a specific job duty or duties.

Note: Desirable qualifications apply only to best qualified positions.

511.47 Factors. Clusters of related knowledge, skills, and abilities evaluated as a single requirement. Factors occur only in postmaster and management associate selection.

511.48 Vacancy Announcement or Job Posting. An official document, developed locally, which provides specific information about a vacancy to be filled. Normally, *job posting* (sometimes called *bid posting*) is used when referring to the filling of bargaining-unit senior qualified bid positions; *vacancy announcement* is used when referring to the filling of entrance positions, best qualified positions, or nonbargaining positions. (The terminology *posting* may occasionally refer to best qualified positions.) An announcement or posting will contain either a list of requirements needed upon entry into the position, an indication of the qualification standard number, or an attached qualification standard. Requirements given on a vacancy announcement are not necessarily an exhaustive list of requirements for continued satisfactory performance in the position.

511.5 Philosophy of Selection. The philosophy underlying all selections is that a person placed into a position must be qualified, i.e., that the person meets the requirements of the position. For senior qualified positions, selection is based on a determination of whether the senior bidder is qualified. For best qualified and nonbargaining-unit positions, selection is based on a determination of who best meets the requirements of the position from among those qualified.

511.6 Current Information. Employees are responsible for providing current information about their experience, education, training, and other qualifications in order that their personnel records are up-to-date. Employee relations personnel must furnish employees any assistance needed to properly document this information.

511.7 Physical Requirements. Normally, employees must meet the physical requirements for the positions to which they are assigned. (See 320 for an explanation, including situations in which physical requirements are waived.)

511.8 Positions Not Filled Permanently

511.81 Situations. A position may be filled only temporarily when (a) a career employee has been granted reemployment rights to it, or (b) the regular incumbent is temporarily absent. Examples of such situations are when an employee is:

- a. On active military duty;
- b. Serving as a national officer of a postal employee organization;
- c. Temporarily assigned or temporarily promoted to another position; or
- d. Appointed as an officer-in-charge or MAS master instructor.

511.82 Understanding. Temporary assignment, reassignment, promotion, or appointment to fill a position to which another employee has reemployment or incumbent rights must be made with the candidate's understanding that the candidate will be returned to the present position upon the return of the absent employee. See specific requirements in 513 (Temporary Assignment) and 514.4 (Temporary Promotion).

512 Reassignment

512.1 Definition. A reassignment is the permanent assignment, with or without relocation, of an employee (a) to another established position with the same grade in the same salary schedule or (b) to a position with an equivalent grade in another salary schedule.

512.2 Reassignment to Bargaining-Unit Positions. The appropriate collective-bargaining agreement contains general policies and procedures governing reassignments to positions within the bargaining unit. Detailed policies and procedures are described in 520.

512.3 Reassignment to Nonbargaining Positions

512.31 Management Option. Authorized management officials may reassign nonbargaining-unit employees without following regular competitive procedures.

512.32 Employee Self-Nomination. Employees who desire reassignment may nominate themselves in the same way as employees who desire promotion consideration (see subsequent subchapters for appropriate procedure).

512.33 Unassigned Employees. Unassigned employees (i.e., employees whose positions have been abolished) are reassigned in accordance with ELM 354.

512.4 Mutual Exchanges. Career employees may exchange positions (subject, when necessary, to the provisions of the appropriate collective-bargaining agreement) if the exchange of positions is approved by the officials in charge of the installations involved. Part-time flexible employees are not permitted to exchange positions with full-time employees, nor bargaining-unit employees with nonbargaining-unit employees, nor nonsupervisory employees with supervisory employees. Mutual exchanges must be between positions at the same grade. An exchange of positions does not necessarily mean that the employees involved take over the duty assignments of the positions.

Note: A regular rural carrier may exchange only with another regular rural carrier at a different installation.

513 Temporary Assignment

513.1 Definition. A temporary assignment is the placement of an employee in another established position for a limited period of time to perform duties and responsibilities other than those specifically contained in the regular assignment position description and when a formal reassignment and/or promotion personnel action is not required.

513.2 Bargaining-Unit Positions. The appropriate collective-bargaining agreement contains policies and procedures governing higher-level assignments (i.e., details to higher-grade positions) within the bargaining unit.

513.3 Nonbargaining-Unit Positions

513.31 General Policies.

513.311 Temporary assignments to nonbargaining-unit positions are to be made only for the shortest practical time limits and may be authorized to meet emergencies caused by abnormal workload, change in mission or organization, or unanticipated absences. In the absence of a nonbargaining-unit employee (except a postmaster or sectional center manager), the appointing official will first attempt to have the duties of the absentee's position absorbed by other employees of the same or higher grade. If this is not feasible, a qualified employee may be temporarily assigned to the position under the policies and procedures described in the following sections. Such assignments must be carefully monitored by management to confirm their continued necessity.

513.312 Any qualified employee who best meets service needs may be temporarily assigned by the appointing official or designee. (See 537.3 on temporary assignments to initial-level supervisor positions and 544.8 on temporary assignments to other nonbargaining-unit positions.) Normally, priority is given to unassigned employees (i.e., employees whose positions have been abolished). Policies and procedures governing the temporary assignment of unassigned employees are in ELM 354.

513.313 Employees recuperating from serious injury or illness who are unable to perform their regularly assigned duties may be temporarily assigned (if administratively feasible) to such duties as they can perform for a short period of time

pending their recovery. Generally, the employee should be required to present acceptable medical evidence.

513.314 A temporary assignment may be terminated at any time by management, either at its own discretion or at the request of the employee.

513.32 Time Limits

513.321 Temporary assignment of an employee to a position at the same grade or at a lower grade may not exceed 90 calendar days, which may be extended by the next higher level of management above the appointing official. See 513.33 for time limits on temporary assignment to a higher-grade position.

513.322 Use Form 1723 to document temporary assignments.

513.33 Higher-Grade Temporary Assignment.

513.331 All managerial and supervisory personnel must ensure that no one is temporarily assigned into a higher-grade nonbargaining-unit position *unless* such an assignment is absolutely essential to the effective operations of the Postal Service and the person selected assumes the full *core responsibilities* of the higher-grade position.

513.332 Division, MSC and BMC managers are required to approve in advance any higher-grade temporary assignment of 30 or more calendar days in an organization under their respective jurisdictions.

513.333 Temporary assignment to a higher-grade position, *during the absence of the incumbent*, is limited to a maximum period of 90 calendar days, which may be extended with the prior approval of the Regional Postmaster General.

513.334 Temporary assignment to a higher-grade vacant position, *pending selection of a person for permanent assignment*, is limited to a total of not more than 60 calendar days. If the employee on temporary assignment is a candidate for the vacant position, the higher-grade assignment must be terminated before the 61st day. If that employee is not a candidate, the next higher level of management above the appointing official may approve an extension of that employee's temporary assignment beyond 60 days, until a selection is made and approved, and the new incumbent assumes the position. *Exception:* This

policy does not apply to temporary higher-grade assignments to postmaster, sectional center manager, or initial-level supervisor positions.

513.335 Any exceptions to the policies in 513.331-334 require prior approval by the SAPMG, Human Resources Group.

513.336 Rules governing higher-level pay for temporary assignment to higher-grade nonbargaining-unit positions are in ELM 417.

514 Promotion

514.1 Definition. A promotion is the permanent assignment, with or without relocation, of an employee (a) to an established position having a higher grade than the position to which the employee was previously assigned in the same schedule or (b) to a position with a higher-than-equivalent grade in another schedule. (See ELM 413.)

514.2 Bargaining-Unit Positions. The appropriate collective-bargaining agreement contains general policies and procedures governing promotions to positions within the bargaining unit. Detailed policies and procedures are described in 520.

514.3 Nonbargaining-Unit Positions

514.31 General Policies. Sections 351 and 353 of the ELM describe the general policies governing promotions to nonbargaining-unit positions. The rest of this chapter describes specific policies.

514.32 Immediate Relatives. Section 312.3 of this document explains restrictions on the promotion (or recommendation for promotion) of immediate relatives.

514.33 Absent Employees. Employees with restoration rights by reason of military duty will be considered for promotion if otherwise eligible. Employees on extended leave, including leave without pay, will also be considered provided they are otherwise eligible and have applied for promotion. If the employee is selected for promotion, the personnel action is effected upon return to postal duty. The date placed on the personnel action is the date the promotion would have occurred had the employee not been absent. Upon selection and while the personnel action is

pending, notation of the selection is made in the employee's official personnel folder and on Form 7, *Service Record*, if that form is maintained.

514.34 Selection. Selection for promotion to nonbargaining-unit positions will be made from among the best qualified candidates who are eligible, interested, and available.

514.35 Unassigned Employees. Promotions of unassigned nonbargaining-unit employees (i.e., employees whose positions have been abolished) are made in competition with other eligible employees, unless otherwise specifically provided.

514.36 Applicability to Other Personnel Actions. Competitive promotion procedures apply to all promotions, including temporary promotions (see 514.4), except as otherwise indicated in this handbook. In addition, competitive promotion procedures also apply to the following actions:

a. Filling a higher-grade position by selection from among *postal employees* on an entrance register.

b. Selecting an employee for training where the training is required for promotion. When training is given primarily to prepare employees for advancement and is required for promotion (i.e., an employee is not eligible for promotion unless training has been completed), selection for the training is made under competitive promotion procedures.

514.37 Exceptions to Competitive Promotion Procedures. The following promotion actions are excepted from competitive promotion procedures:

a. Promotion of the incumbent to a position reevaluated at a higher grade without significant change in duties and responsibilities.

b. Promotion and assignment of certain present or former nonbargaining-unit employees to higher-grade nonbargaining-unit positions under the specific conditions described in 536 and 543. This includes employees with retreat (or return) rights, employees previously reduced in grade or serving with saved grade, MAS master instructors, management associates, and management trainees.

c. Promotion of an employee who satisfactorily completes an approved training program which specifically provides for promotion if the employee was selected for the program under competitive procedures, and the fact that selec-

tion could lead to promotion was made known to potential candidates for the program.

514.4 Temporary Promotion

514.41 Use. Temporary promotion should be limited to situations in which a higher-grade position cannot practically be filled through other temporary means (see 513). Such situations include, but are not limited to, the long-term absence of the incumbent, or when action to begin to fill the vacant position on a permanent basis must be deferred for a lengthy period of time.

514.42 Selection. Competitive promotion procedures are used in making a temporary promotion. Regular competitive procedures are used again if the position is subsequently to be filled on a permanent basis by promotion. An employee who has served on a competitive temporary promotion in the position is eligible to recompetete, regardless of the duration of the temporary promotion.

514.43 Duration. A temporary promotion may be made for 1 year or less, depending upon the need. *Exception:* Temporary promotion to replace a person assigned as a MAS instructor is not time-limited, but expires upon return of the instructor to the regular assignment. Candidates for temporary promotion must be informed of the conditions relating to it, including the expected duration. Persons selected must be assured of return to their regular position when no longer needed in the temporary assignment whether or not the expected period has ended. To avoid any misunderstanding at a later date, the following statement is obtained from any employee selected for temporary promotion:

I understand that my selection for the position of (position title) is temporary and that I will be returned to my present permanent position on termination of the temporary promotion.

514.44 Review and Extension. If the employee's services are still needed in the temporary assignment after the initial period expires, a review must be made to determine whether it actually is a temporary situation. If it is no longer a temporary situation, the position should be filled permanently. A temporary promotion may not be extended beyond a total of 1 year without prior approval of the Field Director, Human Resources. No temporary promotion may last more than 2 years.

514.45 Termination. Unless extended, a temporary promotion automatically terminates on the specified date. However, it may be terminated at any prior time at the discretion of management. The adverse action procedures do not apply when employees are returned to their regular position.

514.5 Vacancy File. For promotions made under competitive procedures, a vacancy file is established. (See 520 to 540 for the contents of the file and instructions for its maintenance.)

520 Bargaining-Unit Positions

521 Filling Positions

521.1 General Requirement. The filling of bargaining-unit positions through assignment, reassignment, or promotion is subject to the applicable provisions of the appropriate collective-bargaining agreements.

521.2 Restriction. Except as provided for excess employees and ill or injured employees in any applicable collective-bargaining agreements, vacancies must be filled by promotion or reassignment within the appropriate craft and installation if qualified bidders or applicants, as applicable, are available (see 216).

522 Part-Time Flexibles

Promotions to positions where full-time employees and part-time flexible employees are authorized are usually to part-time flexible positions. A full-time regular position is not normally filled by promotion, reinstatement, reassignment, transfer, or appointment if qualified part-time flexible employees of the same designation or occupational code are available for conversion to the position. Part-time flexible employees must be changed to full-time regular positions within the installation in the order specified by the applicable collective-bargaining agreement.

523 Area of Consideration

The *area of consideration* is described in the appropriate collective-bargaining agreement. If necessary, the area may be expanded as follows:

- a. To other eligibles in other crafts at the same installation, then
- b. To eligibles at other postal installations.

524 Requirements

Requirements for positions may be indicated in qualification standards, vacancy announcements, or job postings. (See definitions, 511.4. These requirements pertain to assignment, reassignment, or promotion. For employment suitability requirements, see chapter 3.) In some cases, a vacancy announcement or job posting may indicate requirements in addition to those on the applicable qualification standard (only typing and/or driving requirements or special requirements may be added -- see 527.121). Qualification standards are available for most bargaining-unit positions and are published in Handbook EL-303, *Qualification Standards -- Bargaining-Unit Positions*. When a qualification standard is not available for a specific bargaining-unit position, refer to 527.122.

525 Special Requirements

525.1 Identification, Justification, and Documentation. Special requirements must be related to the job in question and must be justified to show that the particular requirement will enable applicants to perform critical job duties that they would otherwise not be able to do satisfactorily. Offices must ensure that sufficient documentation is available on these requirements to allow a clear determination of job relatedness. Special requirements must not establish an unreasonably high standard for the position. Personnel officials or persons handling personnel functions must keep all documents used in the development of special requirements for a period of 2 years from the date they were used for a selection. The documents may be kept in the vacancy file.

525.2 Examples

525.21 Appropriate Special Requirements. In general, write special requirements for bargaining-unit positions as knowledge, skill, or ability statements. If justifiable for a particular duty assignment, some examples of appropriate special requirements are:

- a. Knowledge of a language other than English.
- b. Knowledge of a particular computer programming language which cannot readily be acquired after selection.

- c. Ability to make written or oral presentations.

525.22 Inappropriate Special Requirements. Educational attainments (e.g., bachelor's degree) or *length of experience* (e.g., 6 months' experience) are not appropriate as special requirements; do not add them locally. If education or experience requirements are listed on a qualification standard, do not modify them. Some other examples of inappropriate special requirements are:

- a. A requirement which could readily be met by a brief initial period of orientation and familiarization in the assignment.
- b. A requirement which unduly restricts the number of eligible candidates or favors a particular candidate.
- c. A requirement not essential to performance in the immediate position (such as one based on a possible future assignment), except in the case of a trainee position when ability and potential to advance to higher grades in the occupation are required.

526 Posting

526.1 General. All vacant craft duty assignments that are not to be reverted must be first posted within the craft for filling in accordance with the applicable collective-bargaining agreement. Bidders must meet all requirements prior to being placed into the position. When posting does not result in successful bidders or applicants, as appropriate, the assignment may be filled by assignment, change of full time, reassignment, promotion, reinstatement, transfer from another federal agency, or appointment.

526.2 Entry Positions in PS-5 and Below. Entry level promotional opportunities to residual vacancies remaining after exhausting the bidding procedures outlined in 526.1 need not be posted; however, procedures must be developed locally to inform lower-level employees about promotional opportunities and to arrange for appropriate inservice administration of examinations for employees who have not already qualified. Management's efforts must be directed toward encouraging employees to apply and toward extending every opportunity for promotion to employees who are eligible, qualified, and available before recruiting from outside sources.

526.3 Senior Qualified PS Positions. Senior qualified positions must be posted for promotional opportunities in accordance with the provisions of the appropriate collective-bargaining agreement.

526.4 Best Qualified PS Positions. Best qualified positions must be posted for promotional opportunity in accordance with the provisions of the appropriate collective-bargaining agreement. This section does not cover those positions controlled by 526.3. The posting must:

- a. Identify the position by title, number and grade level, and state the duties involved.
- b. Include location and tour of duty and scheduled workweek.
- c. Identify any existing requirements. (If a qualification standard is published in Handbook EL-303, it must be used.)
- d. State where to send applications, the date by which applications must be submitted, and where additional information can be obtained.
- e. Specify that all applications must be in writing.
- f. Specify that selection will be made from among the best qualified applicants who are eligible and available.
- g. Designate craft, in accordance with provisions of applicable collective-bargaining agreement.
- h. Include a statement on equal opportunity.
- i. Include a statement on prohibition of political recommendations.

527 Selection Procedures

527.1 General

527.11 Goal. The goal of bargaining-unit selection procedures, whether for entry or inservice positions, is to ensure that qualified people are selected to fill the positions. Eligibles selected, promoted, or reassigned at any level must meet all of the requirements of the position as stated on the qualification standard, vacancy announcement, or job posting.

527.12 Requirements

527.121 Qualification Standards. Qualification standards are available for the majority of bargaining-unit positions and are published in

Handbook EL-303. The qualification standards indicate the requirements which all applicants or bidders must meet to be considered eligible for placement in the position. (See 527.17 regarding placement.) The qualification standards in Handbook EL-303 are applicable when filling both entry and inservice positions. Additional requirements for positions may be established in only two ways: (1) through the local option to require typing and/or driving (see Handbook EL-303, 142), or (2) through applying special requirements under 525 in this subchapter. These additional requirements must be specified on the job posting or vacancy announcement. (See also Handbook EL-303, section 150, for further instructions on using the qualification standards.)

527.122 No Qualification Standard. Some bargaining-unit positions do not have qualification standards. For these positions, requirements must be developed locally. These are then included in the vacancy announcement or job posting to indicate the requirements which all applicants or bidders must meet. Personnel officials or persons handling personnel functions must keep appropriate documentation used to develop requirements for a period of 2 years from the date used for selection. The documentation may be kept in the vacancy file.

527.13 When to Evaluate Qualifications. Human Resources officials always have the obligation to ensure that successful bidders have demonstrated that they meet all of the requirements of the position. However, as indicated below, depending on the bidder's previous positions and the position currently bid, Human Resources officials may make certain assumptions regarding the qualifications of bidders. Whether the position is a *typical* or *nontypical* entry position (as used below) is the decision of the Human Resources officials.

a. Typical Entry Positions. When a bid is to a *typical* entry position (e.g., Distribution Clerk, Machine), the senior bidder is normally expected to possess the qualifications which meet the *General Proficiency Requirements* as given on the qualification standard for these positions. In these cases, offices must not subject senior bidders to unreasonable requests for demonstrating qualifications. However, this assumption of qualifications does not apply to other requirements which may be given on the job posting (i.e., typing requirements, driving requirements, special re-

quirements, scheme requirements) or on the qualification standard (such as *Special Proficiency Requirements*, *Examination Requirements*, *Experience Requirements*, or *Additional Provisions*). Responsible officials must ensure that all other requirements are met and that the assumption of qualifications on the *General Proficiency Requirements* is a reasonable assumption.

b. Nontypical Entry Positions. Many positions which are filled through bidding procedures (e.g., Air Records Processor, Accountable Paper Supply Clerk, Mailing Requirements Clerk) have qualification standards which differ in requirements from typical entry positions. In these cases, it may be necessary to request bidders to demonstrate their qualifications as indicated in 527.24. Responsible officials must ensure that successful bidders have demonstrated that they meet all of the requirements of the position.

c. Bidding for a Change in Schedule. If a person is bidding a position of the same title and level in order to obtain a change in the work schedule, an evaluation of qualifications is limited only to typing or driving requirements and special requirements (if any) which may be different from those in the current position.

d. Bidding to Return to a Position Previously Held. If a person bids to return to a position previously held, offices must review appropriate records to determine if the requirements for the position are the same as when the person originally obtained the position. If any requirements have changed, the bidder must meet all new requirements (regardless of how long it has been since the person left the position). An eligible bidder may be disqualified on a current bid if the bidder was previously removed from the same or other position because of unsatisfactory performance specifically related to performing the tasks of the bid position under consideration. Similarly, a record of impending removal in a previous position may also be grounds for disqualification. In both cases, the amount of time passed between *bidding out* and *bidding back* and the bidder's record in the interim must be considered.

527.14 Timing and Sequences of Evaluation. There are timeframes and sequences appropriate to the evaluation process indicated elsewhere in this chapter and in the National Agreement. In these procedures, where it states that applicants and/or bidders must *meet the requirements* of the

position, not all requirements must necessarily be demonstrated at the same time. There may be some cases where a particular requirement is normally demonstrated, or permitted to be demonstrated, at another time. For example, for positions with training requirements, after a senior bidder has been found to meet all other requirements of the position, the bidder is placed into training and must then demonstrate satisfactory completion of the training. Also, applicants and bidders may be awarded a position pending the obtaining of a government driver's license. Evaluators, review committees, and selecting officials must take these sequences into account when evaluating qualifications or requesting that applicants and bidders demonstrate their qualifications.

527.15 Evaluating Qualifications. When evaluating qualifications in accordance with 527.13 and 527.2, applicants and bidders have the obligation to demonstrate that their qualifications meet the requirements. (Note: A bidder has no such obligation until after the close of the job posting; see 527.23.) If an applicant or bidder does not meet all of the requirements of the position, including an examination, the person is not qualified and, therefore, not eligible for further consideration. (See 511.42 for an explanation of *meeting the requirements* and 527.14 regarding when requirements must be met.) For promotions to positions filled through best qualified procedures, the highest examination score must not be the sole consideration in the selection.

527.16 Pertinent Information. In evaluating qualifications, evaluators must consider available pertinent information which tends to show that the employee does or does not possess the qualifications. Pertinent information may include, but is not limited to, any of the following:

- a. Interviews.
- b. Supervisory appraisals.
- c. The written application specifying experience, education, and training (accuracy of these should be checked).
- d. Certificates of course completion or transcripts (accompanied by the school catalog specifying course content when requested).
- e. Examination results.

f. Personnel records.

Note: Interviews for best qualified positions must be used as indicated in 527.35. For senior qualified positions, interviews must be used as indicated in 527.253.

527.17 Placement

527.171 Senior Qualified Procedures. When an employee is placed into a position filled through senior qualified procedures, such placement must be based on the following:

- a. The employee's eligibility to bid.
- b. The employee's seniority.
- c. The senior bidder's qualifications in relationship to the requirements.
- d. The employee's successful completion of training, if any.

527.172 Best Qualified Procedures. When an employee is placed into a position filled through best qualified procedures, such placement must be based on:

- a. The employee's eligibility to apply.
- b. The best qualifications among those who have met the requirements.
- c. The employee's successful completion of training, if any.

527.2 Senior Qualified Positions

527.21 General. Qualifications determine whether the career employee who is senior and eligible to bid is designated the senior qualified bidder. Senior qualified bidders, having met the requirements of the position as given on the qualification standard or job posting (see 527.14), are either placed in the position or into training for the position in accordance with the applicable collective bargaining-unit agreement. Human Resources officials are responsible for ensuring that qualifications are evaluated for bids to all senior qualified positions.

527.22 Documentation. In many cases there will be no formal documentation for the evaluation of qualifications. Where documentation is required (see 527.252 and 527.261), the evaluator must complete Form 1796-A, *Qualifications Rating Sheet for Senior Qualified Positions*. (See Exhibit 527.22.)

527.23 Bidding and OPF Review. Prior to the close of the job posting, bidders for senior qualified positions are required to submit only Form 1717, *Bid for Preferred Assignment*, or other agreed-upon form consistent with collective bargaining-unit agreements. Upon close of the posting, offices must evaluate the senior bidder's qualifications through a review of the bidder's Official Personnel Folder (OPF) and other pertinent information (see 527.13). If there is information available in the OPF and/or other pertinent information to demonstrate that the senior bidder meets the requirements of the position (see 527.14), the senior bidder is qualified. Similarly, if there is information available to demonstrate that the senior bidder does not meet the requirements of the position, the senior bidder is not qualified. If there is insufficient information available to make this determination, bidders must be requested to address the requirements of the position in writing.

527.24 Addressing Requirements

527.241 General. If there is insufficient information in the senior bidder's OPF to determine qualifications or sufficient doubt about the senior bidder's qualifications, offices must use these procedures.

527.242 Procedures. When responsible officials have determined the need to use these procedures, the office must identify the five most senior bidders for the position. Personnel officials must ask each of these bidders to address the requirements for the position by indicating their qualifications in writing. (See Handbook EL-303, 134 and 152 for further instructions on addressing requirements.) (Note: If any of the five senior bidders are *currently qualified* in accordance with provisions of the National Agreement, such bidders must not be requested to address the requirements in writing. See also 527.13d.) Form 991, *Application for Promotion or Assignment*, may be used for the purpose of addressing requirements. A supervisory evaluation must not be requested. A copy of the qualification standard (and the B-element questions, if applicable) must be provided to these bidders for this purpose. If the position does not have a qualification standard, a copy of the posting indicating the requirements must be provided to the five senior bidders. Offices must allow bidders not less than 3 days to respond. If a test is required, and if the test is normally given after close of the posting, a

minimum of five most senior bidders are scheduled to take the test, unless currently qualified on that test. If there are fewer than five bidders for a position, these procedures apply to all those who bid.

527.243 Obligations of Bidders. Bidders must demonstrate that they meet the requirements of the position through their written statements (see 527.14). Bidders must address all of the requirements of the position as given on the qualification standard or on the posting (see 527.14). Bidders must return these written statements to the designated office by the deadline.

527.25 Evaluating Qualifications

527.251 Evaluator. An appropriate supervisor or manager from Human Resources (e.g., Supervisor, Employment and Placement) is responsible for the evaluation, although preliminary work may be done by an appropriate staff person. Exception: In associate offices, the postmaster or a designated manager is responsible for the evaluation. A functional area supervisor or manager may participate in the evaluation process.

527.252 Procedures. The evaluation must take place after all applicable test scores have been obtained. The evaluator considers first the senior bidder's qualifications in comparison to the requirements for the position. The evaluator may review the employee's OPF and other official USPS records containing pertinent information. If written statements have been obtained, the evaluator must consider these statements at this stage. Evaluators who wish to clarify specific information contained in written statements, or other documentation, may contact the bidder for an interview or an appropriate supervisor and/or manager to obtain clarification of, or additional information about, the specific items. If written statements have been obtained, evaluators must complete Form 1796-A on the senior bidder to document the evaluation.

Note: See *Selection*, 527.27. Form 1796-A is completed on the senior bidder first, and only the senior bidder. Only if the senior bidder is found to be not qualified will the next senior bidder be evaluated and Form 1796-A completed on that next senior bidder. If the senior bidder is qualified on the basis of the written statements, do not evaluate the qualifications of the other bidders.

527.253 Interviews. For senior qualified positions, interviews must be used only to supplement the written record with regard to establishing whether or not a bidder meets specific requirements. If an office chooses to interview for a senior qualified position, the use of the interviews must be consistent with procedures for filling senior qualified positions. Interviews for senior qualified positions must not be used to rank or selectively choose among bidders.

527.26 Use of Form 1796-A

527.261 Purpose. The purpose of Form 1796-A is to document the determination of whether or not the senior bidder's qualifications meet all of the requirements of the position (see 527.14). Evaluators are not required to complete this form if the senior bidder is determined to be qualified from the OPF review (527.23). However, if the five most senior bidders have been requested to address their qualifications in writing, the evaluator must complete Form 1796-A to document the evaluation of the senior bidder (see *Note*, 527.252). Specific instructions are contained on the form.

527.262 Column A, Identification of Requirements.

In this column of the form, the evaluator lists all of the requirements for the position including examination requirements, the knowledge, skills, and abilities (which may be written in B-element format -- see 134 of Handbook EL-303) and any other requirements.

527.263 Column B, Demonstration. For senior qualified positions, the evaluator must decide only whether or not the senior bidder has demonstrated each requirement based on the information available.

Note: If the bidder failed a required examination, the bidder is not qualified. There is no need to complete this section for other requirements. Also, a bidder who does not have a required license (i.e., OF-346, *U.S. Government Motor Vehicle Operator's Identification Card*) at the time of the evaluation may still be considered further and awarded the position pending obtaining the government license for the appropriate type of vehicle.

527.264 Column C, Measurements Used. The evaluator must indicate briefly for each requirement how the determination was made. The purpose of this column is to provide enough

information to enable the evaluator to recall the facts which led to the decision. These statements need not include all facts considered. (This column need not be completed for examination requirements.)

527.265 Section 3, Finding. If the bidder demonstrated every requirement, the bidder is qualified. If the bidder did not demonstrate every requirement (i.e., the evaluator checked No in column B for one or more requirements), the bidder is not qualified. (See 527.14 regarding different sequences for meeting some requirements.)

527.27 Selection. After the evaluation has been completed, the senior bidder is selected if qualified. Only if the senior bidder is found *not qualified* will the evaluator consider the next senior bidder's qualifications. No comparison of qualifications among bidders for a position is permitted. Appropriate documentation, including Forms 1796-A (if completed), Forms 1717, the posting, and written statements (if obtained) must be maintained with employee bidding records (see Item #20 of the ELM appendix).

527.3 Best Qualified Positions

527.31 General. Qualifications determine the relative standing for selection of career employees who are eligible to apply for such positions based on the collective bargaining-unit agreements. Of those applicants who meet all of the requirements, the applicant who is found to be the best qualified on the basis of total qualifications will be selected. This determination is made on the basis of a comparison of total qualifications among applicants for the position.

527.32 Documentation. Form 1796-B, *Qualifications Rating Sheet for Best Qualified Positions*, is used as documentation for the initial determination of qualifications. (See Exhibit 527.32.) (It does not document the entire selection process.) The review committee or, in the absence of a review committee, the selecting official must complete one form for each applicant. More information on this form is covered in 527.36. Any notes made by individual review committee members to assist in evaluating applicants are considered the members' own property and not records of the USPS. Such notes may be discussed only among other committee members; they must not be circulated, nor are they to be included in the vacancy file.

527.33 Selecting Official. For filling best qualified positions, the selecting official is normally the supervisor or manager with the vacancy. Bargaining-unit employees serving as acting supervisors must not serve as selecting officials. The selecting official has a number of options with regard to the review committee and interviews. These options are explained in the following sections. If recommendations are made to the selecting official from a review committee, the selecting official may have access to all information used by the review committee, including completed Forms 1796-B. This does not include personal notes made by individual review committee members to assist in evaluating candidates.

527.34 Evaluating Qualifications

527.341 Procedures. Applicants are required to describe their qualifications in writing (see Handbook EL-303, 152.2). Form 991 may be used for this purpose. The installation head may set a policy on whether to obtain supervisory evaluations on Form 991. The policy should pertain equally to all best qualified positions in the installation. The qualifications of all applicants are compared to the requirements of the position as stated on the vacancy announcement. At a minimum, review committees and selecting officials must review the employees' written statements of qualifications. The employees' OPFs and other official USPS records may be reviewed. It is recommended that the selecting official review the OPF of the person to be selected before finalizing the selection. All information used in making decisions regarding applicants must be pertinent to the vacant position.

527.342 Obligations of Applicants. Applicants for best qualified positions must demonstrate that they meet or exceed the requirements of the position through their written statements. Applicants must address each of the requirements listed on the qualification standard or posting. If the posting indicates that there are desirable qualifications for the position, applicants should also address these in their written statements. Applicants must turn their written statements into the designated office by the posted deadline.

527.343 Use of Review Committee. The selecting official can choose whether or not to use a review committee. Normally, this decision ought to be based on the number of applicants and the time available to the selecting official to review the

applications. The selecting official may also choose to have the review committee make the determination of the best qualified applicant. In this case, the review committee does not make recommendations to the selecting official.

527.344 Review Committee Functions. The function of the review committee is to evaluate the applicants' qualifications. Review committees may also interview applicants (see 527.35). Normally, the review committee will make recommendations to the selecting official on the best qualified applicants. If the review committee wishes to clarify specific information contained in written statements, the committee may contact the applicant, or an appropriate manager or supervisor, to obtain clarification of the specific items.

527.345 Review Committee Structure. The installation head is responsible for designating review committee members. This responsibility may be delegated to the Human Resources function. All committee members must be nonbargaining employees. In large field offices, the review committee will normally consist of two nonbargaining employees from the functional area of the vacancy and one from outside the functional area. (Note: This may not be possible in small field offices or headquarters' facilities.) At least one of the committee members must be a minority or female. The Division Field Director, Human Resources (or corresponding person for the headquarters' facilities), may authorize exceptions to this rule in individual cases if the installation head is unable to locate a minority or female employee to serve on the committee. If the review committee is to make recommendations to the selecting official, this official must not be a member of the review committee. However, if the selecting official has chosen to have the review committee determine the best qualified applicant, the selecting official may also choose to be a member of the committee. In this case, the installation head, or Human Resources designee, is still responsible for designating the other two members of the committee. The review committee must elect a chairperson who is responsible for completing Forms 1796-B and performing any other necessary administrative duties.

527.346 Review Committee Procedures. Review committee procedures follow the principles of independent work followed by consensus decision-making. Specific steps are as follows:

a. Each committee member should independently determine if the applicants have demonstrated each requirement.

b. Members should discuss their decisions and arrive at a consensus for each requirement for each applicant.

c. The committee chairperson must complete Form 1796-B through column B based on this consensus for each applicant. Applicants found not qualified at this stage are removed from further consideration for this vacancy. For those applicants who are not qualified, the chairperson completes column D and section 5, and obtains signatures for section 6 of Form 1796-B.

d. For those applicants who are qualified, review committee members should then independently determine the level of demonstration of each requirement by each applicant.

e. Members should discuss their decisions and, again, arrive at a consensus on the level of demonstration of each requirement by each applicant.

f. The chairperson completes, and all members sign, Form 1796-B on each applicant.

g. If the review committee conducts interviews, it will select applicants based on the highest point totals on Form 1796-B. (There is no set minimum or maximum number to interview.) Applicants who are tied in point totals must be treated the same; either they are all interviewed or none of them are. Note: Applicants found not qualified must not be interviewed.

h. If the review committee makes recommendations to the selecting official, but does not interview, approximately three to five applicants (there is no set minimum or maximum number) will be recommended based on the highest point totals on Form 1796-B. Applicants who are tied in point totals must be treated the same; either they are all recommended or none of them are. The review committee must prepare a signed memorandum to the selecting official indicating, in alphabetical order, the names of the recommended applicants.

i. If the review committee interviews and makes recommendations to the selecting official, approximately three to five applicants (there is no set minimum or maximum number) will be recommended. There is no formal method for incorporating the results of the interview (see 527.35). The review committee must recommend only

those applicants who best meet the requirements of the position based on the point totals from Form 1796-B, the interview, and any other pertinent information reviewed during the evaluation. The review committee must prepare a signed memorandum to the selecting official indicating, in alphabetical order, the names of the recommended applicants.

j. If the selecting official wishes the review committee to determine who is the best qualified applicant, then there are no recommendations to the selecting official. In this case, the review committee must interview. The review committee determines who is the best qualified applicant based on the point totals from Form 1796-B, the interview, any other pertinent information reviewed during the evaluation, and consideration of desirable qualifications, if any. The review committee must prepare a signed memorandum to the Director of Human Resources (or corresponding person in headquarters' facilities) indicating the names of the best qualified applicant and two alternates (in rank order).

527.35 Interviews. The purpose of the interview is to provide a further basis for comparing the qualifications of applicants. Either the selecting official or the review committee must conduct interviews; but both *may* conduct interviews. Whoever conducts interviews must do so after Form 1796-B has been completed. No documentation is required. The review committee must reach consensus on how the outcome of the interview will be combined with the point totals from Form 1796-B and with other pertinent information reviewed to reach final recommendations or final determination of the best qualified applicant.

Note: Postal Data Center officials are reminded that the collective bargaining-unit agreement for the data centers contains language concerning the use of interviews.

527.36 Use of Form 1796-B

527.361 General. Form 1796-B serves two purposes: first, to document if the applicants demonstrated that they meet all of the requirements of the position; and second, for those who did, to document the level of their qualifications. Form 1796-B does not serve as documentation for the interview. See Exhibit 527.361, *Flow Chart of Best Qualified Selection Process*.

527.362 Column A, Identification of Requirements. In this column, the review committee or selecting official lists all of the requirements for the position. On the form, the requirements are divided into three areas:

- a. Examination requirements.
- b. Physical and driving requirements.
- c. Knowledge, skills, and abilities (some of which may be in B-element format), experience, and other requirements. **Note:** If desirable qualifications are listed on the qualification standard, do not list these as requirements. (See 527.37 for instructions related to desirable qualifications.)

527.363 Column B, Demonstration. In order to complete this column, the review committee determines whether or not the applicant has demonstrated each requirement. The materials used as a basis for evaluating all requirements are those found in the applicant's OPF or other official USPS records, including the description of the applicant's qualifications. If an applicant does not meet all of the requirements (i.e., if the evaluator checked No under Demonstrated for any requirement), the applicant is not qualified. In this case, it is not necessary to complete column C.

Note: If applicants fail a required examination, they are not qualified; therefore, it is not necessary to evaluate other requirements for them. Applicants who do not have a required license (i.e., OF-346) at the time of the evaluation may still be considered further and awarded the position pending obtaining the government license for the appropriate type of vehicle.

527.364 Column C, Points. Complete this column for those applicants only who meet all of the position requirements (as established by column B). In this column, the review committee or selecting official assigns points to indicate the level at which the applicant has demonstrated possession of the necessary qualifications. No points are assigned for driving or physical requirements.

527.365 Column D, Measurements Used. For each requirement, the review committee or selecting official must indicate briefly how the decision was

made. These statements need not include all facts considered.

527.366 Section 4, Score Calculation. Instructions on the form indicate how to determine the total points. The points in column C are totalled, then averaged, and multiplied by 20. The maximum points that can be earned from the evaluation is 100. The examination score (if any) is then added to this to obtain the grand total of points.

527.367 Section 5, Finding. This section summarizes the results of the evaluation of the applicant's qualifications.

527.37 Desirable Qualifications. If desirable qualifications are identified on the qualification standard, the selecting official, or review committee (if it makes the selection), will consider them in the final phase of the selection process following completion of Form 1796-B. Desirable qualifications may be addressed in the interview. If the review committee is making recommendations, it must not consider desirable qualifications when determining whom to recommend to the selecting official.

527.38 Selection. Selection for the position will be based on total qualifications considering the point totals on Forms 1796-B, the results of the interview, desirable qualifications (if any), and any other pertinent information reviewed during the evaluation. The personnel office must maintain in the vacancy file full documentation supporting the decision. This includes a copy of the posting, the qualification standard, applications, Forms 1796-B, a list of review committee members, and the name of the selecting official.

527.4 Selection Oversight The installation head is responsible for ensuring that committee members and selecting officials for best qualified positions, and evaluators for senior qualified positions, know their responsibilities and the principles of selection. It is recommended that large field offices place a Human Resources nonbargaining person on the review committee for best qualified positions to ensure that proper procedures and principles of selection are followed.



Qualifications Rating Sheet for Senior Qualified Positions

(Instructions on page 4)

Employee's Name			Present Position and Level		Bid Position and Level	
(A) Identification of Requirements <i>As found on Qualification Standard and/or Job Posting / Vacancy Announcement</i>			(B) Demon- stration Yes No		(C) Measurements Used <i>To determine Demonstration (B)</i>	
(1) Examination Requirements						
Test Number	Eligible	Ineligible	Yes	No		
(2) Knowledge, Skills, Abilities, and Other Requirements						

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Exhibit 527.22, Form 1796-A, Qualifications Rating Sheet for Senior Qualified Positions (p.1)

Exhibit 527.22, Form 1796-A, Qualifications Rating Sheet for Senior Qualified Positions (p.2)

[illegible]

Exhibit 527.22, Form 1796-A, Qualifications Rating Sheet for Senior Qualified Positions (p.3)

INSTRUCTIONS

COLUMN A — Identification of Requirements

Requirements for positions are found on a qualification standard (see EL-303, *Qualification Standards—Bargaining Unit Positions*), and/or on a job posting or vacancy announcement.

1. If the position has examination requirements, enter the test number in Section 1. Note whether the bidder's examination score is rated as eligible or ineligible and check the appropriate part headed "Eligible" or "Ineligible."

a. If the bidder's score is rated as eligible, also place a checkmark in the "Yes" part of Column B ("Demonstration").

b. If the bidder's score is rated as ineligible, also place a checkmark in the "No" part of Column B ("Demonstration"). Proceed to Section 3 ("Finding") on page 3 and check the box "Bidder is not qualified." Then complete the form by filling out Section 4 ("Evaluator").

2. Enter in Section 2 the requirements from the qualification standard (knowledge, skills, abilities, and other requirements, including experience and physical requirements if applicable). If the position does not have a qualification standard, enter the requirements as given on the job posting or vacancy announcement.

Note: See Handbook EL-303, 143, regarding physical examinations for inservice employees.

3. Review the job posting or vacancy announcement to see whether any typing, driving, or special requirements were added as local options. If so, those requirements must be entered in the appropriate section. (Typing requirement goes in Section 1; driving and special requirements, Section 2.)

COLUMN B — Demonstration ("Yes" or "No")

1. Review all pertinent information available regarding the bidder. (See both Handbook EL-303, 152, and Handbook EL-311, *Personnel Operations*, 527.16 and 527.25.)

2. For the requirements listed in Section 2 of Column A, determine whether the bidder has demonstrated that he or she meets each requirement. Meeting a requirement may be demonstrated by any combination of training, education, and experience. The following definitions apply:

Demonstration ("Yes")

There is pertinent information available to indicate that the bidder meets the requirement.

Demonstration ("No")

There is no pertinent information available to indicate that the bidder meets the requirement, OR there is pertinent information to indicate that the bidder does not meet the requirement.

3. Place a checkmark in the appropriate part of Column B for each requirement.

COLUMN C — Measurements Used

1. Cite the specific evidence used to determine the bidder's demonstration of each requirement in Column B. Generally, the evaluator would use one or more of the following to support a rating (the numbers and letters may be used in Column C rather than writing out the words):

1. Work experience (including volunteer work)

- (a) Direct line of work
- (b) Related line of work

2. Education and training

- (a) Academic courses
- (b) Vocational or technical courses
- (c) USPS training
- (d) PEDC courses

3. Other evidence

Specify, e.g., awards, letters of commendation, medical examinations, disciplinary actions, etc.

SECTION 3 — Finding

1. If the bidder has demonstrated every requirement, check the box "Bidder is qualified."
2. If the bidder has not demonstrated any one or more of the requirements (including an examination), check the box "Bidder is not qualified."

SECTION 4 — Evaluator

After the rating has been completed, the evaluator must print or type his or her name and title before signing and dating the form.



Qualifications Rating Sheet for Best Qualified Positions

(Instructions on page 4)

Applicant's Name			Present Position and Level		Position Applied for and Level	
(A) Identification of Requirements As found on Qualification Standard and/or Job Posting / Vacancy Announcement			(B) Demon- stration Yes No		(C) Points 1, 2, 3, 4, or 5	
(1) Examination Requirements						
Test Number	Eligible	Ineligible	Yes	No		
(2) Physical and Driving Requirements						
(3) Knowledge, Skills, Abilities, Experience, & Other Requirements						

PS Form 1796-B, April 1990 (Page 1 of 4)

Exhibit 527.32, Form 1796-B, *Qualifications Rating Sheet for Best Qualified Positions* (p.1)

[illegible]

Exhibit 527.32, Form 1796-B, *Qualifications Rating Sheet for Best Qualified Positions* (p.2)

Applicant's Name		Present Position and Level		Position Applied for and Level	
(A) Identification of Requirements <i>As found on Qualification Standard and/or Job Posting / Vacancy Announcement</i>	(B) Demon- stration Yes No	(C) Points 1, 2, 3, 4, or 5	(D) Measurements Used To determine Demonstration (B) and Points (C)		
(3) Knowledge, Skills, Abilities, Experience, & Other Requirements					

(4) Score Calculation		
Total the number of points in Column C	+	
Count the number of requirements assigned points in Section 3	÷	
Divide the total of points by the number of requirements assigned points to find the applicant's point average	=	
Multiply that average by 20	x 20	
Add the applicant's examination score, if any	(+)	
To arrive at the applicant's GRAND TOTAL OF POINTS :	=	

(5) Finding	(6) Review Committee Members									
<input type="checkbox"/> APPLICANT IS QUALIFIED <input type="checkbox"/> APPLICANT IS NOT QUALIFIED	<table style="width: 100%; border: none;"> <tr> <td style="width: 60%; border-bottom: 1px solid black;">Name and Title (Printed or Typed)</td> <td style="width: 20%; border-bottom: 1px solid black;">Signature</td> <td style="width: 20%; border-bottom: 1px solid black;">Date</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Name and Title (Printed or Typed)</td> <td style="border-bottom: 1px solid black;">Signature</td> <td style="border-bottom: 1px solid black;">Date</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Name and Title (Printed or Typed)</td> <td style="border-bottom: 1px solid black;">Signature</td> <td style="border-bottom: 1px solid black;">Date</td> </tr> </table>	Name and Title (Printed or Typed)	Signature	Date	Name and Title (Printed or Typed)	Signature	Date	Name and Title (Printed or Typed)	Signature	Date
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	Name and Title (Printed or Typed)	Signature	Date							
Name and Title (Printed or Typed)	Signature	Date								

PS Form 1796-B, April 1990 (Page 3 of 4)

Exhibit 527.32, Form 1796-B, Qualifications Rating Sheet for Best Qualified Positions (p.3)

INSTRUCTIONS

COLUMN A — Identification of Requirements
Requirements for the positions are found on a qualification standard (see Handbook EL-303, *Qualification Standards—Bargaining Unit Positions*), and/or on a job posting or vacancy announcement.

1. If the position has examination requirements, enter the test number in Section 1. Note whether the applicant's examination score is rated as eligible or ineligible.

- If the applicant's score is rated as eligible, place a checkmark in the "Yes" part of Column B ("Demonstration").
- If the applicant's score is rated as ineligible, place a checkmark in the "No" part of Column B ("Demonstration"). Proceed to Section 5 ("Finding") on page 3 and check the box "Applicant is not qualified." Then complete the form by filling out Section 6 ("Review Committee Members").

2. If the position has physical and driving requirements, enter those requirements in Section 2. (See Handbook EL-303, 143, regarding physical examinations for inservice applicants.)

3. Enter in Section 3 the knowledge, skills, abilities, experience, and other requirements as given on the qualification standard. If the position does not have a qualification standard, enter the requirements as given on the job posting or vacancy announcement.

4. Review the job posting or vacancy announcement to see whether any typing, driving, or special requirements were added as local options. If so, those requirements must be entered in the appropriate section. (Typing requirement goes in Section 1; driving requirement, Section 2; and special requirements, Section 3.)

COLUMN B — Demonstration ("Yes" or "No")

1. Review all pertinent information available regarding the applicant. (See Handbook EL-311, *Personnel Operations*, 527.16.)

2. For the requirements listed in Sections 2 and 3 of Column A, determine whether the applicant has demonstrated that he or she meets each requirement. Meeting a requirement may be demonstrated through any combination of training, education, and experience. The following definitions apply:

Demonstration ("Yes")

There is pertinent information available to indicate that the applicant meets the requirement.

Demonstration ("No")

There is no pertinent information available to indicate that the applicant meets the requirement. OR there is pertinent information to indicate that the applicant does not meet the requirement.

3. Place a checkmark in the appropriate part of Column B for each requirement.

4. If the applicant has demonstrated every requirement, proceed to Column C. If the applicant has not demonstrated any one or more of the requirements, the applicant is not qualified for this position. Complete Column D, then proceed to Sections 5 and 6 on page 3. (It is not necessary to complete Column C and Section 4 if the applicant is not qualified.)

Note: At the time of the evaluation, applicants who do not have the required government driver's license (OF-346, *U.S. Government Motor Vehicle Operator's Identification Card*) may still be considered further and awarded the position pending obtaining the government driver's license for the appropriate type of vehicle.

COLUMN C — Points

1. The applicant's demonstrations of the knowledge, skills, abilities, experience, and other requirements (Section 3) are each evaluated and rated on a point system of 1, 2, 3, 4, or 5, with 5 as the highest level. When an applicant's experience is evaluated, the quality of that experience is more important than the length of that experience.

PS Form 1796-B, April 1989 (Page 4 of 4)

Quality includes: relevancy of the experience to the position to be filled, breadth of the experience, and demonstration of knowledge gained or projects completed.

Note: For Postal Data Center promotions, the collective bargaining-unit agreement contains language concerning the evaluation of qualifications.

2. For positions that require examinations (Section 1), the applicant's score will be considered in Section 4. Physical and driving requirements (Section 2) are not evaluated and rated for points. The applicant either meets or does not meet those requirements. Therefore, no points are to be entered in Column C for Sections 1 and 2.

3. The following definitions apply to the points assigned to the knowledge, skills, abilities, experience, and other requirements:

- 1 point - The applicant's record demonstrates a possession of this requirement at a minimal level. People at this level would generally perform marginally with regard to this requirement.
- 2 points - The applicant's record demonstrates a possession of this requirement at an adequate level. People at this level would generally perform acceptably with regard to this requirement.
- 3 points - The applicant's record demonstrates a possession of this requirement at a proficient level. People at this level would generally perform well with regard to this requirement.
- 4 points - The applicant's record demonstrates a possession of this requirement at a high level. People at this level would generally perform very well with regard to this requirement.
- 5 points - The applicant's record demonstrates a possession of this requirement at an expert or superior level. People at this level would generally perform outstandingly with regard to this requirement.

COLUMN D — Measurements Used

1. Cite the specific evidence used to determine the applicant's demonstration of each requirement in Column B and the points assigned in Column C. Generally, the reviewers would use one or more of the following to support a rating:

1. Work experience (including volunteer work)
 - (a) Direct line of work
 - (b) Related line of work
2. Education and training
 - (a) Academic courses
 - (b) Vocational or technical courses
 - (c) USPS training
 - (d) PEDC courses
3. Other evidence

Specify, e.g., awards, letters of commendation, medical examinations, disciplinary actions, etc.

SECTION 4 — Score Calculation

Total the points earned in Column C. Divide that total by the number of requirements in Section 3 to determine the average number of points earned by the applicant. Multiply the resulting figure by 20 in order to arrive at a "percentage" score based on 100. Add the examination score (if any) for a grand total.

SECTION 5 — Finding

1. If the applicant has demonstrated every requirement, check the box "Applicant is qualified."

2. If the applicant has not demonstrated any one or more of the requirements (including an examination), check the box "Applicant is not qualified."

SECTION 6 — Review Committee Members

After the evaluation has been completed, each review committee member must print his or her name and title, then sign and write in the date. If there is no review committee, the selecting official prints his or her name and title before signing and dating the form.

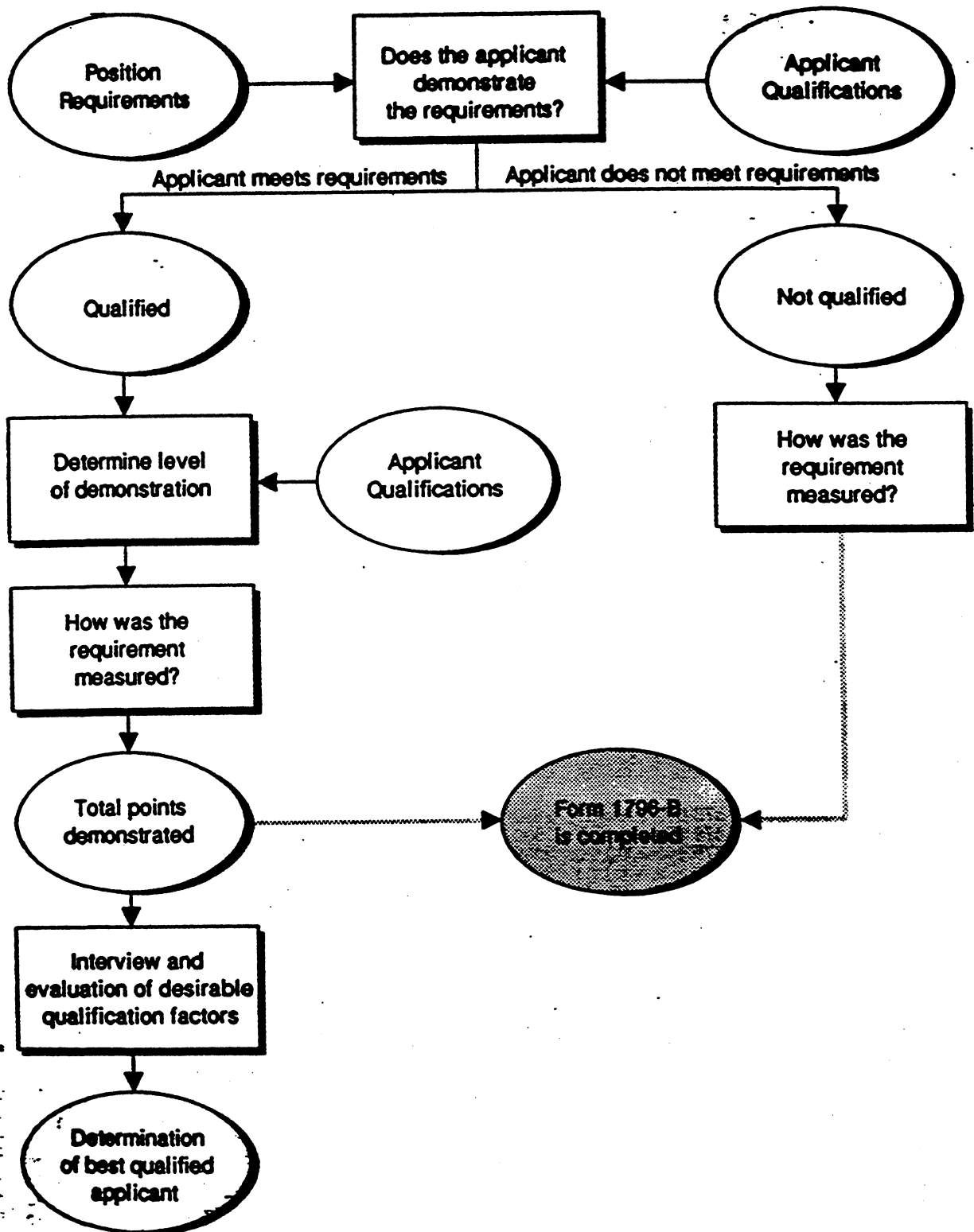


Exhibit 527.361, Flow Chart of Best Qualified Selection Process



maintenance management order

SUBJECT: Dock Levelers, Safety Lockout
and Maintenance Procedures

DATE: November 10, 1994

NO: MMO-055-94

TO: 1. Maintenance Capable Offices
2. Human Resources-Safety
3. Customer Service & Sales, Area Offices

FILE CODE: P4

dewa:MM94190AA

This Maintenance Management Order (MMO) provides generic safety and maintenance procedures for Dock Levelers. Managers must recognize that there is little, if any, standardization between Dock Levelers currently being utilized in the Postal Service. Dock Levelers used at any one office may not be the same because they may be from different manufacturers, they may be different models from the same manufacturer, they may be old designs vs. newer designs, or a variety of other reasons. Because of this non-standardization, the Maintenance Manager and the servicing Safety Officer at each site are jointly responsible for the development, implementation, training, inspection, documentation, and certification of specific safety, lockout, and maintenance procedures for Dock Levelers used at their site.

Attachment 1 to this MMO provides generic procedures. Each office must develop specific written local procedures to ensure safe servicing, repair, and maintenance of Dock Levelers. Attachment 2 provides generic safety guidelines to be observed while any Postal employee is working under a Dock Leveler. Consult the manufacturer's operations & maintenance instructions and, where necessary, contact the manufacturer to ensure that the latest information is available.

The Maintenance Manager, in consultation with the servicing Safety Office at each site utilizing Dock Levelers, is responsible for providing specific written procedures for each machine type based, as a minimum, on the generic guidelines provided in Attachments 1 and 2. The Maintenance Manager is to provide a copy of this information to the servicing Safety Officer. For additional information, refer to the OEM Manual(s) for the particular Dock Leveler(s) at your location.

Area Office Managers of Maintenance Support are requested to make distribution of this MMO to the district offices in their geographic area of responsibility. The district offices are to provide a copy of this MMO to all non-maintenance capable sites to ensure they are made aware of this safety issue.

Direct any questions or comments concerning this bulletin to the Maintenance Technical Support Center, P.O. Box 1600, Norman, OK 73070-6706; telephone FTS 2000 (405) 573-2123 or toll free (800) 366-4123.



Rex M Gallaher
Manager
Maintenance Technical Support Center
Maintenance Policies and Programs

- Attachments: 1. Generic Guidelines
2. Safety Guidelines for Working
Under a Dock Leveler

ATTACHMENT 1
GENERIC GUIDELINES
TO ENABLE
SAFE SERVICING, REPAIR, AND MAINTENANCE
OF
DOCK LEVELERS

Each office employing Dock Levelers of any kind must:

1. Have any effective energy control (lockout) program consisting of an energy control procedure which requires:
 - a. The identification of qualified and competent personnel to implement the program at the site;
 - b. Coverage of electrical, pneumatic, hydraulic, and mechanical energy lockout;
 - c. Employee training before any employee attempts to perform any servicing, repair, or maintenance of any Dock Leveler where the unexpected energizing, start-up, manual operation, or release of stored energy could occur and cause injury or death;
 - d. That the program procedures would be effectively implemented.
2. Ensure that specific written procedures have been developed, validated, documented, and implemented for each type Dock Leveler utilized at the local site. Ensure that such procedures are in compliance with OSHA's 29 CFR 1910.147.
3. Provide adequate training to ensure that employees acquire the knowledge and skills required to accomplish the energy control (lockout) procedures.
4. Ensure that stored energy control (lockout) procedures are applied or performed on the Dock Levelers by trained, qualified, and authorized personnel identified by the local site Maintenance Manager.

The Occupational Safety and Health Administration (OSHA) has developed guidelines for the implementation of stored energy control (lockout/tagout) procedures. The following warning appears in many Dock Leveler Owner's Manuals:

WARNING

When working with electrical or electronic controls, make sure that the power source has been locked out and tagged according to OSHA regulations and approved local electrical codes.

It is an OSHA requirement, in addition to posting safety warnings and barricading the work area, including but not limited to the trucking area and loading docks, that the power supply has been locked in the OFF position or disconnected. It is mandatory that an approved lockout device is utilized. The proper lockout procedure requires that the person responsible for the servicing, repair, or maintenance is the only person who has the ability to remove the lockout device.

In addition to the lockout device, it is also an OSHA requirement to tag the power control in a manner that will clearly note that servicing, repair, or maintenance are underway and state who is responsible for the lockout condition. Tagout devices must be constructed and printed so that exposure to weather conditions or wet and damp locations will not cause the tag to deteriorate or become unreadable.

- 5. Maintain written documentation identifying currently authorized Postal employees and/or qualified commercial vendors that can be utilized for the servicing, repair, and maintenance of Dock Levelers. Postal personnel so authorized to work on Dock Levelers must also have been trained on the proper use of energy control (lockout) procedures and have periodically demonstrated same.**
- 6. Maintain current written documentation certifying that periodic inspections of energy control (lockout) procedures have been accomplished.**
- 7. Ensure that the work area around the Dock Leveler is free from recognized hazards that are likely to cause serious physical harm or death to employees. For instance, ensure that employees working on or near the ramp and dock access area are not exposed to hazards associated with uncontrolled motor vehicle traffic and operations where employees load and unload mail.**
- 8. Require that barricades are erected and safety instruction signs are utilized to warn employees that work is underway in the loading dock area or that servicing, repair, and maintenance of Dock Levelers is in process.**
- 9. Ensure that maintenance struts (usually on newer style Dock Levelers) are located in their normal storage location and available for servicing, repair, and maintenance tasks on the Dock Levelers. When maintenance struts were not provided with the Dock Leveler, ensure that adequate bracing is available as recommended by the manufacturer.**

ATTACHMENT 2

SAFETY GUIDELINES FOR WORKING UNDER A DOCK LEVELER

WARNING

Failure to follow the following guidelines while servicing, repairing, or maintaining Dock Levelers may result in serious injury or death!

Only currently authorized repair personnel are allowed to work under a Dock Leveler. Refer to the local written documentation covering energy control (lockout) procedures (see Attachment 1, item 5) for the list of Postal personnel and commercial vendors currently authorized to work under a Dock Leveler. Any Postal person working on a Dock Leveler as a minimum must comply with the following guidelines:

1. **ALWAYS** barricade the work area both on the dock and in the driveway area around the Dock Leveler and place safety instructional signs around the work area in locations they would most likely be seen by and warn passersby.
2. **ALWAYS** make sure the electrical power supply is in the OFF position or disconnected and install and tag a proper lockout device to prevent anyone from energizing the Dock Leveler while it is being serviced.
3. **NEVER** be under a Dock Leveler unless it is securely held in its raised position by two separate forms of bracing or support (neither of which are the leveler's own springs) that cannot be moved or forced out of position. In particular:
 - a. **ALWAYS** use two adequate means of support.
 - b. **ALWAYS** use bracing that will support the weight of the leveler.
 - c. **ALWAYS** position bracing so that it is vertical and trapped securely and firmly in position and will not slip or move. Examples of holding the leveler securely in position could be one of the following:
 - 1) When provided as part of the Dock Leveler, position the maintenance strut so that the strut is fully seated in the pre-positioned cups. If necessary, replacement maintenance struts should be ordered from the original manufacturer of the Dock Leveler.

WARNING

NEVER place wood bracing on the lip or outside of the leveler frame. Also, do not use wood bracing unless adequate trapping both top and bottom can be made.

- 2) Position 4-inch by 4-inch wood supports (or larger, as required) (1) so that the top of the support is inside the front header of the deck plate and between the C-channels under the leveler platform; (2) so that the bottom of the support is just inside the front frame angle of the Dock Leveler frame; and (3) so that the support is held firmly in place by the downward force of the deck plate.
4. **NEVER** be under an unsupported leveler.
5. **NEVER** be under a Dock Leveler unless properly supervised and fully trained and certified in the servicing, repair, and maintenance of the specific leveler, including training in the proper bracing procedures.
6. **NEVER** remove springs from a Dock Leveler unless the leveler is properly braced as described above. Unless leveler is securely braced, removal of a spring will cause leveler to fall, causing serious injury or death.
7. **ALWAYS** comply with all OSHA and USPS safety requirements applicable to your facility.

NATIONAL ARBITRATION PANEL

In the Matter of the Arbitration
between

UNITED STATES POSTAL SERVICE

-and-

AMERICAN POSTAL WORKERS UNION

GRIEVANT: D. Colley
Amarillo, TX

CASE NO. HOT-3T-
C 14424

BEFORE: Richard Mittenthal, Arbitrator

APPEARANCES:

For the Postal Service: Howard Kaufman, Attorney
Office of Labor Law

For the APWU: Lee W. Jackson, Attorney
(O'Donnell Schwartz &
Anderson)

Place of Hearing: Washington, D.C.

Dates of Hearing: April 19 & Dec. 19, 1994

Date of Post-Hearing Briefs: February 15, 1995

AWARD: The grievance is denied.

Date of Award: March 16, 1995.



Richard Mittenthal
Arbitrator

BACKGROUND

This grievance involves the retirement incentive program instituted by the Postal Service in August 1992. It claims that Management's refusal to bargain with APWU over the exclusion of certain maintenance craft employees from this retirement incentive was a violation of Management's obligations under federal law and hence a violation of Article 5 of the 1990 National Agreement. The Postal Service disagrees.

Marvin Runyon became Postmaster General in early July 1992. He promptly set in motion wide-ranging internal discussions about ways to improve the Postal Service. His major goals were to enhance the quality of customer service, to reduce "overhead positions" (that is, anyone who did not touch the mail), and to slash a projected two billion dollar deficit to zero in the fiscal year. One of the proposals arising from these internal discussions was to encourage "accelerated attrition." Management hoped to accomplish this through a retirement incentive, both for those who were then eligible to retire and for others who would become eligible under a proposed early retirement option. The latter was subject to the approval of the Office of Personnel Management (OPM).

The Postal Service recognized, according to the testimony of S. Cagnoli, the then Assistant Postmaster General for Labor Relations, that Management "needed to bargain relative to our plans to offer a [retirement] incentive to any bargaining unit employees..." She therefore met with the two principal APWU officers, President Biller and Executive Vice President Burrus, on July 23, 1992. She explained that the retirement incentive was being seriously considered. She explained too that there were other options available including a layoff among bargaining unit employees and a reduction in force (RIF) among others. She went on to say that Management wished to avoid layoffs and RIFs and favored a retirement incentive. She asked for their reaction and she says they replied they had no objection to Management offering a retirement incentive.

The following week APWU had its national convention in California. Cagnoli telephoned Biller in late July or early August to advise him that the Postal Service had decided to reduce the work force through a retirement incentive and had sought OPM's approval for an early retirement plan. She added that any such early retirement plan would not include

rural letter carriers, postal inspectors, postal police officers, and two maintenance craft jobs, namely, Electronic Technician (ET) and Mail Processing Equipment Mechanic (MPE). Management believed there was no need to reduce the size of these classes of employees. Indeed, it anticipated an increasing demand for the services of ETs and MPEs due to its automation program. Cagnoli asked for Biller's reaction to this particular exclusion. She says he replied that this "would pose no problem for him..." Biller insists, however, that his reply was something to the effect that APWU "would not be happy about that [exclusion]" and "were going to do something about that."

Runyon telephoned Biller a few days later and went over much the same material as Cagnoli had covered. When he mentioned that ETs and MPEs would not be covered by the retirement incentive, Biller contends he stated, "I thought it [the exclusion] was wrong." Runyon did not testify at the arbitration hearing. A teleconference was held on August 7, immediately after the end of the convention. Runyon described the retirement incentive to APWU members on the convention floor.

Essentially, the retirement incentive provided a lump sum payment equal to six months' wages to employees then eligible for "voluntary retirement" or "early retirement." To receive this lump sum payment, an eligible employee had to retire between August 17 and October 3, 1992. The eligibility requirements for "voluntary retirement" were no different than they had been prior to August 1992: (a) age 55 or older with at least 30 years of service; (b) age 60 or older with at least 20 years of service; or (c) age 62 or older with at least 5 years of service.¹ The eligibility requirements for "early retirement" were: (a) age 50 or older with at least 20 years of service; or (b) any age with at least 25 years of service. Letters to this effect were sent to eligible employees on August 7. None of the ETs and MPEs received such a letter because they were not included in the retirement incentive. Had they been included, roughly 700 would have qualified under "voluntary retirement" criteria and 1200 would have qualified under "early retirement" criteria.

¹ One other group of employees was eligible under the Federal Employees Retirement System.

Shortly after the APWU officers returned to Washington following the convention, the retirement incentive was discussed. A decision was made to request bargaining with respect to the exclusion of ETs and MPEs. A letter to that effect was sent from Biller to Cagnoli on August 12, 1992. It read in part:

This letter responds to your recent communications about the voluntary early retirement program developed by the Postal Service. The [APWU]...has no objection to the program, which was communicated to the Union in writing and in our discussions, except as to the exclusion of certain categories of maintenance employees. We look forward to the Postal Union's implementation of the program on schedule as announced.

The Union does have a problem with the exclusion of [ETs]...and [MPEs]... We think it is unfair to deprive these employees of the opportunity to participate in the program. Accordingly, the Union requests bargaining over this aspect of the program as soon as possible.

Of course, the fact that our request to bargain is limited should not be viewed as a waiver of the Union's right to bargain over all aspects of this or any similar program, or its rights to insist on its approval to modify Article 21.3 in any respect. Having said this, you may be assured that the APWU does not seek to delay the implementation of the announced program, and specifically requests that it proceed as scheduled... (Emphasis added)

Article 21.3 of the National Agreement, cited in the above letter, is entitled "retirement" and states that "the provisions of 5 U.S.C. Chapter 83 and any amendments thereto shall continue to apply to employees covered by this Agreement."

The Postal Service made one change in the retirement incentive in late August 1992. It decided that eligibility for the incentive, a lump sum payment, for those choosing "voluntary retirement" would be subject to Management "being able to set the effective date of the retirement" beyond October 3, 1992. This change arose from Management's concern that large numbers of people might opt for

retirement and that such an "abrupt loss of critical skills" could have a serious adverse impact on the processing and delivery of mail. Management was reserving the right to have certain employees continue work for "a short period beyond October 3." Anyone who retired and refused the additional period of work, if requested, would not receive the lump sum payment. This change was not applicable to employees choosing "early retirement."

This revision in the retirement incentive prompted another letter from Biller to Cagnoli on August 24, 1992. This letter stated that APWU "does not object to the early retirement program and wishes to see that program implemented on schedule as announced." It added that it was "unfair to require selected...employees to work an additional month or more in order to take advantage" of the retirement incentive and that APWU wished to bargain with the Postal Service concerning this revision to the retirement incentive.

The Postal Service did not respond in writing to either APWU letter. Its position was that Management was not obliged to engage in any bargaining with APWU in mid- to late August 1992 given APWU's consent to the retirement incentive program. APWU disagreed and filed unfair labor practice charges with the NLRB on October 9, 1992, and again on April 9, 1993, alleging that the Postal Service had violated the National Labor Relations Act by failing and refusing to bargain in good faith. Each of these charges was later withdrawn by APWU.

In this arbitration, APWU relies on Article 5 (Prohibition of Unilateral Action) of the National Agreement:

The Employer will not take any actions affecting wages, hours and other terms and conditions of employment as defined in Section 8(d) of the National Labor Relations Act which violate the terms of this Agreement or are otherwise inconsistent with its obligations under law. (Emphasis added)

DISCUSSION AND FINDINGS

The Postal Service promised in Article 5 "not [to] take any actions affecting...terms and conditions of employment ..." if such actions are "inconsistent with its obligations

under law." Retirement benefits are "terms and conditions of employment." Such benefits were plainly "affect[ed]" by the Postal Service's retirement incentive program. The issue therefore is whether the Postal Service, in establishing this retirement incentive in August 1992, acted in a manner "inconsistent with its obligations under law."

One of those "obligations" under federal law concerns the duty to bargain. Section 8(a)(5) of the NLRA states: "It shall be an unfair labor practice for an employer - to refuse to bargain collectively with the representatives of his employees..." Section 8(d) elaborates on the significance of 8(a)(5) in these words, "to bargain collectively is the performance of the mutual obligation... to meet...and confer in good faith with respect to...terms and conditions of employment..." Section 8(d) goes on to say that this duty to bargain "shall not be construed as requiring either party to discuss or agree to any modification of the terms and conditions contained in a contract for a fixed period, if such modification is to become effective before such terms and conditions can be reopened under the provisions of the contract."

The Postal Service recognized in July-August 1992 that Article 21.3 of the National Agreement did not include a retirement incentive program. It recognized further that pension benefits would be enhanced by such a retirement incentive and that the incentive program it contemplated would be a mid-term modification of the National Agreement. Hence, Management acknowledges it was required to bargain with the Unions, including APWU, over "our plans to offer a [retirement] incentive to any bargaining unit employees." It insists it satisfied this duty to bargain.

APWU disagrees. It believes that the Postal Service violated 8(a)(5) and thus Article 5 by "unilaterally, without first bargaining with the Union, deciding to exclude and excluding MPEs and ETs from eligibility for the early retirement incentives implemented...in 1992." It contends that the Postal Service did not provide APWU with sufficient "notice" of its decision to implement the retirement incentive, did not "bargain to impasse" over the incentive program, did not make any written proposals, and did not confirm in writing any alleged agreement between the parties. It maintains there was "no mutual agreement" regarding the conditions for implementing the retirement incentive. In its opinion, therefore, the Postal Service violated Article 5 by carrying out this mid-term modification of the National Agreement.

With respect to the great majority of APWU employees, that is, all but ETs and MPES, the evidence clearly shows that APWU consented to the Postal Service's implementation of the retirement incentive.

Cagnoli met with Biller and Burrus on July 23, 1992, and explained that Management had concluded there was an immediate need for a large downsizing of the work force. She reviewed the options under consideration and stated Management's wish to achieve its goal through a retirement incentive rather than a layoff. The APWU officers said they had no objection to such a retirement incentive program. Management had not then made a final decision on the matter and APWU did not request bargaining at that time. Sometime the following week, Cagnoli advised Biller by telephone that Management had decided to introduce a retirement incentive and described the nature of the incentive and the exclusion from the program of ETs and MPES as well as other groups not represented by APWU. A few days later, Runyon called Biller and went over this same material. A written report of the incentive program was also provided to APWU.

Notwithstanding all of this information, APWU requested bargaining only with respect to the exclusion. It plainly accepted the rest of the retirement incentive program. Its letter to Management on August 12, 1992, stated that it "has no objection to the program which was communicated to the Union in writing and in our discussions..." and that it "look[ed] forward to the Postal Service's implementation of the program on schedule as announced." APWU had notice of the retirement incentive before it was implemented. It was consulted; its opinion was sought. It had an opportunity to request bargaining on the entire program but chose instead to limit its request to the exclusion. It embraced the program in all other respects, presumably because it thereby was able to avoid layoffs and to improve the retirement benefit for many employees. The absence of formal bargaining over the program does not diminish in any way the fact that APWU consented to the retirement incentive. That consent was not couched in the form of a written "memorandum of understanding." But it is precisely that consent to the mid-term modification of retirement benefits which precludes a finding that the Postal Service violated 8(a)(5) by introducing this program. The Postal Service simply did what APWU agreed it could do.

There remains the question of whether the Postal Service's refusal to bargain over the exclusion of ETs and MPES, as requested by APWU in its August 12, 1992 letter,

was a violation of 8(a)(5).

To begin with, the Postal Service maintains that APWU consented to the exclusion as well. This matter turns on the content of conversations between Biller and Postal Service officials. According to Cagnoli, Biller said the exclusion "would pose no problem...". According to Biller, however, he told Cagnoli that APWU "would not be happy about that [exclusion]" and "were going to do something about that." Biller says he also advised Runyon that the exclusion was "wrong." There seems to have been a misunderstanding. Management apparently viewed the absence of an express objection by Biller as consent. Biller thought his spoken reservations clearly showed a refusal to consent. The testimony, in short, does not persuade me that APWU consented to the exclusion.

Under Section 8(d), neither the Postal Service nor APWU is required to bargain over a proposed mid-term modification of the National Agreement. APWU could have withheld its consent to the retirement incentive program and refused to discuss the matter. In such circumstances, Management could not have instituted the program. But APWU did agree to a program which covered the vast majority of those in APWU crafts. ETs and MPES were not included. However, their retirement rights were no different after August 1992 than they had been before. Their retirement benefits were neither enhanced nor diminished. Their retirement situation was not affected by the incentive program. Hence, no mid-term modification occurred with respect to ETs and MPES. Having already agreed to a mid-term modification for everyone else, APWU sought bargaining as to ETs and MPES. But that would have entailed a mid-term modification of their rights under the National Agreement. The Postal Service could have chosen to bargain but was plainly not obliged to do so. Its refusal was not a violation of 8(a)(5) and hence not a violation of Article 5.

It could be argued that Management, by not including ETs and MPES in a retirement incentive program which covers all other APWU people, has in effect changed ET and MPE retirement rights. No doubt the latter employees believe that this type of disparate treatment was unfair. But the prohibition against "unilateral action" in Article 5 has nothing to do with subjective feelings and does not demand that any Management change be uniformly applied to every position in every postal facility. Article 5 is aimed at objective change. And, as explained earlier, there was no objective change in ET and MPE retirement benefits.

Management's decision not to act regarding ETs and MPES cannot reasonably be translated, on the facts of this case, into a "unilateral action" within the meaning of Article 5.

My point can be illustrated through an analogy suggested by the Postal Service. Suppose, for instance, that Management wishes to make a mid-term modification of the National Agreement by raising the wages of a few skilled positions because of difficulties in recruiting qualified people for such work. Suppose further that APWU consents to these wage increases. Such an agreed-upon arrangement, however, could not result in Management being required under 8(a)(5) to bargain over the wages of all other positions. By the same token, the agreement to create a retirement incentive program for the vast majority of APWU people cannot result in Management being required to bargain over those employees not included in the program.

Finally, it should be emphasized that the Postal Service had a perfectly sensible reason for its decision not to include ETs and MPES. Management's concern was to reduce the work force in those areas where a reduction would not adversely affect postal operations. It knew that ETs and MPES were highly skilled people who were not easy to replace. It knew too that replacements are likely to require some period of orientation and training. Perhaps most important, it knew that the automation program then underway was bound to increase the demand for ET and MPE skills. Management obviously needed as many of these employees as possible. Given these circumstances, it did not wish to encourage retirement by ETs and MPES. Hence, it did not include them in the program.

Accordingly, there has been no violation of 8(a)(5) and thus no violation of Article 5. This opinion deals only with Management's refusal to bargain over its failure to include ETs and MPES in the retirement incentive program. It does not address the further question raised by APWU's August 24, 1992 letter concerning a request to bargain over Management's decision to revise the program so as to require some retirees to work a somewhat longer period of time before becoming eligible for the retirement incentive. That question does not appear to be before me in this case.

AWARD

The grievance is denied.

Richard Mittenthal

Richard Mittenthal, Arbitrator



Maintenance management order

SUBJECT: Clarification of CFC Issues

DATE:

NO:

TO: All Maintenance Capable Offices

FILE CODE: (tfer.filename)

DRAFT

This MMO is an addition to MMO-37-93. It's purpose is to clarify some of the questions that have been raised since the implementation of 40 CFR Part 82, Section 608 of the Clean Air Act that establishes a recovery & recycling program for ozone-depleting refrigerants. Attachments 2 thru 12 in this MMO contains answers to questions concerning work practices. These answers are direct quotes from EPA. Attachment 13 covers Refrigerant Storage Requirements.

We are In the process of developing a Memorandum of Understanding with the Defense Logistics Agency for the handling, storage and distribution of CFC refrigerants. When this is completed, procedures will be issued.

Direct any questions or comments concerning this bulletin to the Maintenance Technical Support Center, P.O. Box 1600, Norman OK 73070-6708; telephone FTS 2000 (405) 573-2123 or toll free (800) 366-4123.

Rex M Gallaher
Manager
Maintenance Technical Support Center
Maintenance Policies and Programs

- Attachments:**
1. General Information
 2. Refrigerant Recycling- Acid test.
 3. Refrigerant Recycling- Electrical Transformer.
 4. Handling Used Refrigerant Oils
 5. Refrigerant Recycling-Recovery Equipment Available.
 6. Refrigerant Recycling-Refrigerant sale - Equipment Sale.
 7. Refrigerant Recycling-Purging-Recovering.
 8. Refrigerant Recycling-Maintenance-Manual & Automatic Purging.
 9. Refrigerant Recycling-Oil Sample.
 10. Refrigerant Recycling-Disposal-Contract Verification.
 11. Refrigerant Recycling-Hoses-Purging.
 12. Refrigerant Recycling-Leak Dection.
 13. Refrigerant Storage.
 14. Area Environmental Coordinators.
- DRAFT**

Attachment 1

GENERAL INFORMATION

Maintenance Activities

Practice refrigerant recovery whenever equipment repair, service or replacement requires opening the refrigerant side of a closed system that requires a major repair. A major repair is defined by the EPA "as maintenance, service, or repair that involves removal of the appliance compressor, condenser, evaporator, or auxiliary heat exchanger coil." Refrigerant recovery is the process of removing refrigerant from a system and storing it in an external container. This process applies to both in-house and contracted maintenance. When refrigerant recovery is performed, ensure that all refrigerant is removed, both liquid and vapor. **Non-contaminated refrigerants recovered from postal equipment may be reused in any postal equipment, at any postal site, that uses the same refrigerant type.** An acid test that checks for both water and acid may be used to identify contaminated refrigerant. **Only certified technicians are permitted to work on the refrigerant side of air conditioning systems.**

Leak Detection and Repair

Implement diligent leak detection practices. As a minimum, perform thorough leak inspections on all HFC, CFC and HCFC containing equipment (including storage containers) on an annual basis. (See MS-1 and MS-24 for leak detection guidelines.) Schedule repair of detected leaks as soon as possible.

Use leak detection equipment and methods compatible with the refrigerant to be detected, which are acceptable to the refrigeration equipment manufacturer. New fluorine based refrigerants like HFC-134a do not contain chlorine and therefore, are very difficult to detect with traditional halogen leak detectors. Use of newer electronic leak detectors is recommended. High alarm sensitivity and slow probe movement are necessary with the new alternative refrigerants. Because refrigerants are heavier than air, start at the top and move to the bottom of the equipment. Frequent purge operation or excessive refrigerant usage are an indication of equipment leaks or improper service practices.

To detect leaks in low pressure CFC-11 & CFC-113 centrifugal chillers, they should be pressurized with hot water or electric resistance heating to a maximum of 8 psig. Higher pressure can cause the Pressure Relief Device to open releasing refrigerant. The use of nitrogen injection to pressurize the chiller is discouraged because additional refrigerant can be lost when the nitrogen is purged.

Replacing equipment

At this time the USPS is in the process of implementing a National Refrigerant Control Plan. Part of this plan is to collect refrigerant from Postal sites where equipment is being replaced or converted and redistribute to sites that may need it. If you are having the equipment at your site replaced, you must recover the refrigerant. See Attachment 13. Report the type of refrigerant.

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and the amount to your Refrigerant Coordinator at the Area Office. When the final storage plan is in place, you will be notified where to ship it. (See cover letter)

Owners of discarded refrigerant systems and equipment are ultimately responsible for safe disposal of it's refrigerant and oil. When refrigerant containing equipment is identified for disposal, ensure that the receiving party complies with all federal, state, and local requirements for safe refrigerant and oil disposal or recycling. Refrigerant and oil recovered for recycling are not considered hazardous under federal law; however, local regulations must be considered and applied.

Refrigerant Oils

In large Chillers (100 tons and larger) the oil should only be changed when indicated by spectrographic oil analysis. Oil analysis should be performed every 2,000 to 2,500 hours of operation. According to 40 CFR section 261.3 (1993), used refrigerant oils are not considered hazardous wastes, providing the following conditions exist:

- used oils are not mixed with other hazardous wastes;
- used refrigerant oils will be recycled or reclaimed for future use;
- used refrigerant oils are not mixed with used oils from other sources.

When refrigerant oils do not contain any contaminants, such as heavy metals, it will prove to be non hazardous waste when analyzed using the Toxicity Characteristic Leaching Procedure per 40 CFR section 261.24 (1993). It is the responsibility of the generator of a potentially hazardous waste to determine whether a material should be classified as a hazardous waste. State and local regulations may be more stringent than federal regulations. To ensure compliance with local and most current (handling and disposal) requirements, contact your Area Office Environmental Compliance Coordinator. See Attachment 12.

Record Keeping

Maintain a local record of all refrigerant purchases, returns, buy backs, off-site reclamation's, and disposals.

All equipment that contains refrigerant must be inventoried and records kept on site.

EPA requires an individual record of refrigerant usage for each piece of equipment with 50 or more pounds of refrigerant charge, along with all service work performed on that equipment.

Records of each person certified and certified Recovery & Reclamation equipment must be kept.

When any equipment containing refrigerant is disposed of, records must be kept with the following information; name of the company it went to and who removed the refrigerant and oil. PS Form 4772 can be used to record all applicable information. Be sure to record & file all service information, including the amount of refrigerant used.

EPA can require copies of the above at any time.

Certification Clarification

The EPA has developed four types of certification.

Type I For servicing small appliances.

Type II For servicing or disposing of high or very high-pressure appliances, except small appliances and MVAC.

Type III For servicing or disposing of low-pressure appliances.

Universal For servicing all types of equipment.

A small appliance is defined by EPA as; "any of the following products that are fully manufactured, charged, and hermetically sealed in a factory with five (5) pounds or less of refrigerant: Refrigerators and freezers designed for home use, room air conditioners (including window air conditioners and packaged terminal air conditioners), Packaged terminal heat pumps, dehumidifiers, under-the counter ice makers, vending machines, and drinking watercoolers.

Persons with a Type I Certificate can work on the above.

High Pressure and Very High Pressure are defined by EPA as; "appliances that use a refrigerant with a boiling point between -50 and +10 degrees C at atmospheric pressure (29.9 inches Hg.). This would include equipment using CFC's R-12, R-114, R-500, R-502 and R-22." Persons with a Type II Certificate can work on the above.

The EPA defines a low pressure appliance as; "appliances that use a refrigerant with a boiling point above +10 degrees C at atmospheric pressure (29.9 inches Hg.). This would include equipment using CFC's R-11, R-113, and HCFC-R-123." Persons with a Type III Certificate can work on the above.

Persons with a Universal Certificate can work on all the above.

Refrigerant Purchasing

After November 14, 1994, the sale of refrigerant in any size container will be restricted to Technicians certified by an EPA approved testing organization. The following people can buy any type of refrigerant under the sales restriction, except for "small cans" containing less than 20 Lbs. of CFC-12. Technicians that have received a Type I, Type II, Type III, or Universal certificate. Employers of certified technicians, or the employers' authorized representatives, if the employer provides the wholesaler with evidence that he or she employs at least one certified technician.

To have an "authorized person" such as a maintenance control clerk or other employee purchase refrigerant for the USPS you must provide the wholesale house with the name of a certified employee, and a copy of the certificate. Some refrigerant wholesale house's will want to make their own copy of the certificate for their files. Larger facilities should consider having more than one certified technician for contingency planning and maintenance work.

The certificate obtained by an individual, is their certificate, not the USPS's. When the employee is not on the clock they have the right to use the certificate for any legal use they choose. The

refrigerant purchased by an individual with a certificate for the USPS, belongs to USPS. The responsibility for that refrigerant goes with that ownership

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ATTACHMENT 2

Section 608 - Refrigerant Recycling

This is an official determination made by EPA interpreting Clean Air Act requirements. For further information, contact the Stationary Source Compliance Division in the Office of Air and Radiation.

Record Number: 4

DRAFT

Keywords: Acid test; moisture test

Question:

A device provides a method of testing the refrigerant in an air conditioning or cooling system for the presence of acid or moisture. This device is attached to a unit's Schraeder fitting and refrigerant is allowed to bleed through a test tube containing chemical indicators. After ten minutes the device is removed from the unit and the indicators are read to determine the acid and moisture content of the refrigerant. The amount of refrigerant which is released into the atmosphere during operation of the device is limited by a critical orifice and valve to one half ounce or less.

Does the use of this device constitute a violation of the section 608○(1) prohibition on venting?

Response:

Section 608○(1) of the Act states in part, "Effective July 1, 1992, it shall be unlawful for any person, in the course of maintaining, servicing, repairing, or disposing of an appliance or industrial process refrigeration, to knowingly vent or otherwise knowingly release or dispose of any class I or class II substance used as a refrigerant in such appliance (or industrial process refrigeration) in a manner which permits such substance to enter the environment." the use of this device allows refrigerant to escape into the environment when refrigerant bleeds through the test tube. This release is a violation of the section 608○(1) prohibition.

However, if this device is not used to test the acid or moisture levels of refrigerant, then an oil sample must be removed from the appliance for testing. This removal of the oil in itself allows refrigerant to escape into the atmosphere because the refrigerant which is entrained in the oil sample escapes. Also, the removal of the oil necessitates the opening of the appliance, which also results in the release of refrigerant. These releases are likely to be at least as large as the release associated with the use of this device. Therefore, the Agency has determined at this time that the use of this or similar devices will not be considered a violation of section 608○(1). However, if the Agency subsequently learns that losses from using this device are greater than losses associated with withdrawing an oil sample, this determination will no longer apply.

References: Clean Air Act, §608C(1)

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Attachment 3

DRAFT

Section 608 - Refrigerant Recycling

This is an official determination made by EPA interpreting Clean Air Act requirements. For further information, contact the Stationary Source Compliance Division in the Office of Air and Radiation.

Record Number: 5

Keywords: appliance; refrigerant; electrical transformer

Question: Certain electrical transformers contain CFC-113 which is used as a dielectric fluid and a coolant. Do the regulations implementing section 608 apply to these transformers?

Response: Section 82.150(b) of the regulation states that the regulation "applies to any person servicing, maintaining, or repairing appliances...." The term "appliance" is defined in section 601(1) of the Act as "any device which contains and uses a class I or class II substance as a refrigerant and which is used for household or commercial purposes, including any air conditioner, refrigerator, chiller, or freezer."

It is EPA's determination that electrical transformers are appliances as defined in section 601. The CFC-113 contained in the transformer does serve as a refrigerant in that it acts to transport heat out of the transformer. The fact that the transport of heat is accomplished without the use of compressors or expansion valves does not alter the role of the CFC-113 which acts as a coolant.

Given this determination, the requirements imposed by the section 608 regulations apply to the maintenance, service, repair and disposal of electrical transformers which contain controlled substances.

ATTACHMENT 4
HANDLING USED REFRIGERANT OILS

DRAFT

In the course of operating most air conditioners and refrigeration units, chlorofluorocarbons, or CFCs, mix with the compressor oils in the equipment. Federal standards exist that are designed to "...protect the public health and the environment from hazards associated with recycled oil" are in place. As federal requirements must be authorized by individual states, different standards apply in different states. The following questions and answers are designed to clarify this difficult issue.

What is recycled used oil?

Recycled used oil is oil that is reused for any purpose, including used oil being re-refined or being processed into fuel. At this time EPA has adopted a "recycling presumption", which means that the Agency presumes that all used oils will be recycled. If the oil is not recycled, a hazardous waste determination is necessary.

What are the standards for recycling CFC-contaminated oils?

At this time there are actually two sets of standards for the management of used oils destined for recycling. The first set, described under 40 Code of Federal Regulations (CFR) Part 266, subpart E, was published in 1985 and is currently in place in most states. An updated and expanded set of these standards, described under 40 CFR Part 279 Subparts G and H, was published on September 10, 1992 and became effective on March 8, 1993; however, they do not take effect in a particular state until adopted as law. If your state has not authorized the new Part 279 Standards, Part 266 would apply.

Standards under Part 266

EPA regulations developed under Part 266 provide that used oil containing more than 1,000 parts per million (ppm) total halogen content is hazardous because it is presumed to be mixed with chlorinated hazardous waste. Individuals can, however, "rebut the presumption" of mixing by demonstrating through record keeping that the substance has not been mixed with chlorinated hazardous waste.

Oils with high halogen levels can be unsafe for recycling. For this reason, even when the oils do not contain chlorinated hazardous wastes, and therefore are not technically hazardous wastes, they must contain no more than 4,000 ppm to meet used oil specification limits. Substances registering higher concentrations are defined as "off-specification" used oil fuel. Off-specification fuels are used oils that cannot be recycled in non-industrial boilers and furnaces, but they can be burned on-site in small space heaters vented to ambient air. The off-specification standards are described in Part 266 subpart E.

Standards under Part 279

On September 10, 1992, EPA published regulations that recodified Part 266. In these new regulations, the rebuttable presumption discussed above was amended to exempt CFC-contaminated used oils. With this exemption, these used oils are not hazardous on the condition that they are not mixed with other used oils. In addition, used oils can mix with CFCs in the course of refrigerant recovery. The oil mixed in with CFCs removed from refrigeration units or air-conditioning equipment is not considered hazardous on the condition that technicians recycle or reclaim these CFCs (defined as purifying refrigerant to the ARI-700 standard). Even after recycling or reclamation, a significant quantity of CFCs still remain mixed in the used oil. These used oils are also not hazardous on the condition that they are not mixed with other oils.

In the current regulation, EPA continues to discourage the burning of used oils with significantly elevated levels of halogens in on-site space heaters or non-industrial furnaces or boilers. According to Part 279, these used oils must be burned at a facility that is in compliance with subpart G of part 279; these include industrial furnaces or boilers, utility boilers, oil fired space heaters, and incinerators. According to EPA's Office of Solid Waste, less than 1,000 facilities burn off-specification used oil.

What does all this mean?

Technicians with CFC-contaminated used oils do not have hazardous wastes. Most Americans still live in states where Part 266 standards must be followed; only Iowa, Alaska, Wyoming and Hawaii are covered by the new Part 279 regulations. This

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means that most individuals should always keep these used oils separate from all others and document their source (i.e., air-conditioning and refrigeration equipment). ***What are a technician's recycling options for handling CFC-contaminated used oils?***

Tests indicate that used oils from compressors in refrigeration or air-conditioning equipment typically contain above 5,000 ppm total halogen content. When recycling, technicians working with these oils can expect to be required to follow off-specification used oil standards. There are two options:

- (1) *Sell the CFC-contaminated oil to a used oil marketer.* Call the EPA RCRA Hotline for information about marketers in a particular area; these individuals generally have information on used oil recycling services. Additional sources of information include: the yellow pages; local service stations; and other tradesmen. In many regions, used oil collection and recycling services are provided at a fee.
- (2) *Recycle the oil in used-oil fired space heaters.* For energy recovery on-site, technicians must: use only the oil generated or oil from do-it-yourselfers; use a space-heater with a maximum capacity of 0.5 million BTU's (British thermal units) per hour, and vent the combustion gases into the air.

To find out more about used oil recycling, call RCRA Hotline, Monday-Friday, 8:30 a.m. to 7:30 p.m. EST. at (800) 424-9346. Ask for information on 40 CFR Part 266.E or Part 279 Subpart G.

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ATTACHMENT 5

Section 608 - Refrigerant Recycling

This is an official determination made by EPA interpreting Clean Air Act requirements. For further information, contact the Stationary Source Compliance Division in the Office of Air and Radiation.

Record Number: 18

Keywords: recovery equipment; available

Question: If a single location within a company is responsible for only charging refrigeration systems, is that location required to have a recycling/recovery unit? All other related work is handled at another location that has a recycling/recovery unit.

Response: Section 82.156(b) states, "Effective July 13, 1993, all persons opening appliances except for small appliances and MVACs for maintenance, service, or repair and all persons disposing of appliances except for small appliances must have at least one piece of certified, self-contained recovery equipment available at their place of business." In addition, section 82.152(o) defines "person" as "any individual or legal entity, including an individual, corporation, partnership, [or] association...." Therefore, if one company employs the individuals at both locations, then the requirements of section 82.152(b) are met if that company has at least one piece of self-contained recovery equipment. The division of the company which is responsible for charging the refrigeration systems need not have its own piece of equipment.

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References: 40 CFR 82.156(b)
40 CFR 82.152(o)

Attachment 6
Section 608 - Refrigerant Recycling

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This is an official determination made by EPA interpreting Clean Air Act requirements. For further information, contact the Stationary Source Compliance Division in the Office of Air and Radiation.

Record Number: 17

Keywords: refrigerant sale; equipment sale

Question: Is it permissible to sell equipment or facilities with equipment in them that contain refrigerant? Do any representations need to be made to the purchaser prior to the sale?

Response: Section 82.154(n) of the regulation states. "Effective November 14, 1994 no person may sell or distribute, or offer for sale or distribution, any class I or class II substance for use as a refrigerant to any person unless ... the refrigerant is contained in an appliance...." It is therefore permissible to sell equipment or facilities with equipment in them that contain refrigerant. The regulations require no representations to be made prior to the sale.

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References: 40CFR 82.154(n)

Section 608 - Refrigerant Recycling

This is an official determination made by EPA interpreting Clean Air Act requirements. For further information, contact the Stationary Source Compliance Division in the Office of Air and Radiation.

Record Number: 15

Keywords: purging; recovery

Question: In the process of recovering refrigerant into recovery cylinders, it is possible that air or other non-condensable gasses may need to be purged. Do the regulations permit this purging?

Response: Section 82.154(a) of the regulation states, "[N]o person maintaining, servicing, repairing, or disposing of appliances may knowingly vent or otherwise release into the environment any class I or class II substance used as a refrigerant in such equipment.... The knowing release of refrigerant subsequent to its recovery from an appliance shall be considered a violation of this prohibition." As long as no class I or class II refrigerants are released into the atmosphere during the purge, there is no violation. Therefore, it is permissible to purge non-condensable gases in the process of recovering refrigerant into recovery cylinders as long as no refrigerant is also purged.

The Agency understands, however, that it is impossible to completely separate the non-condensable gases from the refrigerant. Therefore, the purging of non-condensable gases will always entail the release of refrigerant. The purpose of the purge, however, is not to release class I or class II substances into the environment, but to remove non-condensable gases from the bulk of the refrigerant. Therefore, the release of class I or class II substances which are mixed in with non-condensable gases during the course of purging non-condensable gases from recovery cylinders or recovery equipment will not be considered a violation of the section 82.154(a) prohibition on venting refrigerants.

In making this determination EPA assumes that the release of the class I or class II substance is both small and unavoidable. If EPA determines that a person has released an excessive amount of refrigerant or that the release of refrigerant was avoidable, such person will be in violation of the section 82.154(a) prohibition.

References: 40 CFR 82.154(a))

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Attachment 8
Section 608 - Refrigerant Recycling

This is an official determination made by EPA interpreting Clean Air Act requirements. For further information, contact the Stationary Source Compliance Division in the Office of Air and Radiation

Record Number: 16

Keywords: maintenance; manual purging; automatic purging

Question: In the process of maintaining commercial refrigeration systems, a manual purge of non-condensables may be required to clear the condenser of nitrogen or air that may have been introduced into the system. Is this purge permitted by the regulation?

Response: Section 82.154(a) of the regulation states, "[N]o person maintaining, servicing, repairing, or disposing of appliances may knowingly vent or otherwise release into the environment any class I or class II substance used as a refrigerant in such equipment.... The knowing release of refrigerant subsequent to its recovery from an appliance shall be considered a violation of this prohibition." As long as no class I or class II refrigerants are released, the regulations do allow this type of manual purging.

The Agency understands, however, that it is impossible to completely separate the non-condensable gases from the refrigerant. Therefore, the purging of non-condensable gases will always entail the release of refrigerant. While the purpose of the purge is to remove non-condensable gases from appliances, a certain amount of refrigerant will always be mixed in with the non-condensables. Given the fact that this release is necessary in order to keep the appliance in working order and that the release is impossible to avoid, the release of class I or class II substances which are mixed with non-condensable gases during the course of purging non-condensable gases from appliances will not be considered a violation of the section 82.154(a) prohibition on venting refrigerants.

In making this determination EPA assumes that the release of the class I or class II substance is both small and unavoidable. If EPA determines that a person has released an excessive amount of refrigerant or that the release of refrigerant was avoidable, such person will be in violation of the section 82.154(a) prohibition.

References: 40 CFR 82.154(a)

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ATTACHMENT 9
Section 608 - Refrigerant Recycling

This is an official determination made by EPA interpreting Clean Air Act requirements. For further information, contact the Stationary Source Compliance Division in the Office of Air and Radiation.

Record Number: 6

Keywords: oil sample

Question: The U.S. Navy E-2C Hawkeye aircraft use refrigeration equipment for electronics cooling. The refrigerant used in the equipment is dichlorotetrafluoroethane (CFC-114), with a 1.5 percent charge of suspended oil for compressor lubrication. In order to ensure that a proper charge of oil is maintained, a 100 milliliter sample of the CFC-114 is drawn from each aircraft every 400 flight hours (approximately every 7 months). The CFC-114 is allowed to evaporate and the residual oil is measured. Do the regulations mandate the recovery of the CFC-114?

Response: It is EPA's determination that withdrawing the CFC-114 and allowing it to evaporate into the atmosphere constitutes a violation both of section 608©(1) of the Act and of section 82.154(a) of the regulations. Section 608©(1) of the Act states, "Effective July 1, 1992, it shall be unlawful for any person, in the course of maintaining, servicing, repairing, or disposing of an appliance or industrial process refrigeration, to knowingly vent or otherwise knowingly release or dispose of any class I or class II substance used as a refrigerant in such appliance...in a manner which permits such substance to enter the environment." The action described does result in the release of a class I substance in the course of servicing a refrigeration appliance, and is therefore in violation of both the statute and the regulation.

However, the regulations only mandate the recovery of class I or class II substances when opening appliances. Therefore, while this release is prohibited, the regulations do not require the use of certified recovery equipment in order to prevent the release. However, EPA has authority under Section 608(a) to establish requirements "that reduce the use and emission of such [class I or class II] substances to the lowest achievable level." Part of these requirements may address these leaks. Also, EPA is aware that low-loss fittings exist which can minimize refrigerant losses while connecting and disconnecting hoses. EPA encourages, but does not now require, the use of these low-loss fittings, though the use of such fittings may be mandated by regulation under authority if Section 608(a) at a later date.

References: Clean Air Act, §608©(1)
40CFR 82.154(a)

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ATTACHMENT 10
Section 608 - Refrigerant Recycling

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This is an official determination made by EPA interpreting Clean Air Act requirements. For further information, contact the Stationary Source Compliance Division in the Office of Air and Radiation.

Record Number 7

Keywords: disposal; contract verification

Question: According to Section 82.156(f), persons who take the final step in the disposal process must verify that the refrigerant has been removed from the appliances previously. This verification must include a signed statement which gives the name and address of the person who recovered the refrigerant or a contract that refrigerant will be removed prior to delivery of the appliances. Must this contract also include the name and address of the person who performs the recovery?

Response: The answer to this question is no. Section 82.156(f)(2) requires that a signed statement be obtained from the supplier of the appliances which must contain either (1) the name and address of the person who recovered the refrigerant or (2) a contract that the refrigerant will be removed prior to delivery. In the case of option (2) the statement need not contain the name and address of the person who recovered the refrigerant.

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References: 40 CFR 82.156(f)

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ATTACHMENT 11
Section 608 - Refrigerant Recycling

This is an official determination made by EPA interpreting Clean Air Act requirements. For further information, contact the Stationary Source Compliance Division in the Office of Air and Radiation.

Record Number: 1

Keywords: hoses; purging

Question: When appliances are being filled with refrigerant, refrigerant escapes into the atmosphere when the hoses are disconnected. Also, releases of refrigerant occur when hoses are purged of refrigerant or are connected or disconnected for the purpose of servicing appliances. Are such releases subject to the section 608©(1) venting prohibition?

Response: The actions described are releases of a class I or class II substance used as a refrigerant in an appliance in the course of maintaining, servicing, repairing, or disposing of the appliance. It seems clear, however, that releases from hoses while performing the procedures in question would be both small and unavoidable. Therefore, releases of refrigerant which result from connecting or disconnecting hoses associated with charging or filling appliances, servicing appliances or purging the hoses will not be considered violations of Section 608©(1).

However, EPA has authority under Section 608(a) to establish requirements "that reduce the use and emission of such [class I or class II] substances to the lowest achievable level." Part of these requirements may address these leaks. Also, EPA is aware that low-loss fittings exist which can minimize refrigerant losses while connecting and disconnecting hoses. EPA encourages, but does not now require, the use of these low-loss fittings, though the use of such fittings may be mandated by regulation under authority of Section 608(a) at a later date.

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References: Clean Air Act, §608©(1)

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ATTACHMENT 12
Section 608 - Refrigerant Recycling

This is an official determination made by EPA interpreting Clean Air Act requirements. For further information, contact the Stationary Source Compliance Division in the Office of Air and Radiation.

Record Number: 2

Keywords: leak detection

Question: Does the use of class I or class II substances as leak detection gases constitute a violation of Section 608©?

Response: Section 608© states that "it shall be unlawful for any person...to knowingly vent or otherwise knowingly release or dispose of any class I or class II substance used as a refrigerant...in a manner which permits such substances to enter the environment." (Italics added.) The action described is a release of a class I or class II substance used as a leak detection gas, not a release of a class I or class II substance used as a refrigerant. It is therefore not a violation of Section 608© to knowingly release a class I or class II substance used for leak detection purposes.

However, EPA also has authority under Section 608(a) to establish requirements "that reduce the use and emission of such [class I or class II] substances to the lowest achievable level." These requirements may address the use of class I or class II substances as leak detection gases and may at a later date impose restrictions on their use. In addition, EPA would like to encourage the use of alternative methods of performing leak checks which do not involve the release of ozone depleting substances.

References: Clean Air Act, §608©(1)

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Attachment 13

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Refrigerant Storage

Recommendations and Requirements

Introduction

Refrigerants, whether regulated or non-regulated, should be stored in a controlled environment. From a safety standpoint, it is important to limit access to refrigerants; some refrigerants are very toxic, flammable, or stored in high-pressure containers. With the implementation of production bans of chlorofluorocarbons (CFCs) in 1995, decreasing availability and increasing price, inventory control of refrigerants is very important. If possible, store refrigerants in a single location to provide better control and management. This will simplify managing refrigerant inventories and assure the necessary recordkeeping is being accomplished. If refrigerant is stored within an enclosed space, the area monitor and emergency ventilation system cost savings are significant if only one site is used; otherwise, all storage sites will require these systems.

Refrigerant Storage Requirements: Enclosed Space

Buildings, or areas within buildings, designed or used specifically as enclosed refrigerant storage facilities shall comply with ASHRAE 15-1994, *Safety Codes for Mechanical Room Design* (see Appendix J, *Application of ASHRAE Equipment Room Design Requirements*). ASHRAE 15-1994 limits the amount of stored refrigerant in a machinery room to not more than 330 lbs (150 Kg) of refrigerant, in addition to the charge in the equipment plus the refrigerant stored in a permanently attached receiving vessel. Whenever refrigerant is stored within a building, such as a refrigeration shop, it is preferable for it to be in an enclosed room. Otherwise, everyone in the shop is at constant risk of exposure and possible asphyxiation.

Refrigerant Storage Recommendations: Open Space

Currently, there are no regulations for the storage of refrigerants in a nonenclosed refrigerant storage facility, other than to follow safe refrigerant handling practices. The following practices are recommended.

- All storage areas should be under a roof to protect them from weather extremes and be of such a size as to keep direct sunlight off the refrigerant containers. The area should be enclosed, at a minimum, with a chain-link fence for security purposes.
- An open enclosure should preferably be a stand-alone entity.
- If an enclosure is located adjacent to a building with which it shares a common wall (with the other three sides open), it is recommended no door be installed in the common wall within the confines of the enclosure.

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Other Recommendations

Technicians, or anyone who has the potential to be working with or around refrigerants, should complete a training program which meets the minimum guidelines set forth by OSHA 1910.120, including training on the flammability and toxicity of refrigerants commonly used in the Postal Facility, and safe work practices and handling of refrigerants, especially when required to work in an enclosed space (for example, use of self-contained breathing apparatus (SCBA) and refrigerant vapor monitoring). Emergency procedures in response to accidents, spills, and exposure involving refrigerants should be provided during training.

Refrigerant Health and Safety Issues

There are many health and safety issues associated with all refrigerants, both the new, alternative refrigerants, and CFC refrigerants. Several of these issues will be addressed in the following sections.

Physical Properties of Refrigerants

Table C-1, *Physical Properties of Refrigerants*, provides a quick overview of the refrigerants used in air conditioning and refrigeration (AC/R) applications, including: type and designation number, chemical formula, boiling point, threshold limit value (TLV), acceptable exposure limit (AEL), short-term exposure limit (STEL), and immediately dangerous to life and health (IDLH) information. Values for some of these items are not readily available or have not been determined.

The refrigerants which are CFC, hydrochlorofluorocarbon (HCFC), and hydrofluorocarbon (HFC) compounds have been identified under refrigerant by replacing the "R" designation with the appropriate compound designation. The boiling point refers to the temperature at which the refrigerant will boil off as a gas at atmospheric pressure.

The various refrigerant concentration levels at which an individual can be safely exposed are usually time-dependent. These levels are indicated by the TLV, AEL, STEL, and IDLH and are expressed in parts per million (ppm). The compound TLVs are established by the American Conference of Government and Industrial Hygienists (ACGIH). TLVs are the maximum chemical vapor concentration in air to which workers can be exposed on a chronic basis (eight-hour work day and 40-hour work week for a working lifetime) without adverse affect. Several years can elapse before the TLVs for a new chemical are established.

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Table C-1. Physical Properties of Refrigerants

Refrigerant	Name	Chemical Formula	Boiling Point °C / °F	TLV (ppm)	AEL (ppm)	STEL (ppm)	IDLH (ppm)
<i>Group A1</i>							
CFC-11	Trichlorofluoromethane	CCl_3F	23.9/75	1,000	1,000	—	10,000
CFC-12	Dichlorodifluoromethane	CCl_2F_2	-30/-22	1,000	1,000	—	50,000
CFC-13	Chlorotrifluoromethane	CClF_3	-82/-115	—	—	—	50,000
R-13B1	Bromotrifluoromethane	CBrF_3	-57.8/-72	1,000	1,000	—	—
R-14	Tetrafluoromethane (carbon tetrafluoride)	CF_4	-128/-198	—	—	—	—
HCFC-22	Chlorodifluoromethane	CHClF_2	-40.6/-41	1,000	1,000	1,250	—
CFC-113	Trichlorotrifluoroethane	$\text{CCl}_2\text{FCClF}_2$	47.8/118	1,000	1,000	1,250	4,500
CFC-114	Dichlorotetrafluoroethane	$\text{CClF}_2\text{CClF}_2$	3.3/38	1,000	1,000	—	50,000
CFC-115	Chloropentafluoroethane	CClF_2CF_3	-38.9/-38	1,000	1,000	—	—
HFC-134a	1,1,1,2-Tetrafluoroethane	CH_2FCF_3	-26/-15.2	—	1,000	—	—
CFC-400	R-12 and R-114	$\text{CCl}_2\text{F}_2/\text{C}_2\text{Cl}_2\text{F}_4$		1,000	—	—	50,000
HCFC-401a	R-22/R-152a/R-124 (53%/13%/34% by wt)	$\text{CHClF}_2/\text{CH}_3\text{CHF}_2/\text{CHClFCF}_3$	-32.8/-27	—	800	—	—
HCFC-401b	R-22/R-152a/R-124 (61%/11%/28% by wt)	$\text{CHClF}_2/\text{CH}_3\text{CHF}_2/\text{CHClFCF}_3$	-35/-30.5	—	940	—	—
HCFC-402a	R-22/R-125/R-290 (30%/60%/2% by wt)	$\text{CHClF}_2/\text{C}_2\text{H}_5/\text{CHF}_2\text{CF}_3$	-49/-56.6	—	1,000	—	—
HCFC-402b	R-22/R-125/R-290 (60%/38%/2% by wt)	$\text{CHClF}_2/\text{C}_2\text{H}_5/\text{CHF}_2\text{CF}_3$	-47/-53.3	—	1,000	—	—
HFC-404a	R-143a/R-125/R-134a (52%/44%/4% by wt)	$\text{CH}_3\text{CF}_3/\text{CHF}_2\text{CF}_3/\text{CH}_2\text{FCF}_3$	-46.7/-52	—	1,000	—	—
CFC-500	R-12/152a (73.8%/26.2% by wt)	$\text{CCl}_2\text{F}_2/\text{CH}_3\text{CHF}_2$	-33.3/-28	1,000	1,000	—	—
CFC-502	R-22/115 (48.8%/51.2% by wt)	$\text{CHClF}_2/\text{CClF}_2\text{CF}_3$	-45/-49.7	1,000	1,000	—	—
CFC-503	R-23/13 (40.1%/59.9% by wt)	$\text{CHF}_3/\text{CClF}_3$	-88/-126	—	—	—	—
HFC-507	R-125/R-143a (50%/50% by wt)	$\text{CHF}_2\text{CF}_3/\text{CH}_3\text{CF}_3$	-46.7/-52	—	1,000	—	—
R-744	Carbon Dioxide	CO_2	-78/-109	5,000	—	30,000	50,000

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Table C-1. Physical Properties of Refrigerants

Refrigerant	Name	Chemical Formula	Boiling Point °C/°F	TLV (ppm)	AEL (ppm)	STEL (ppm)	IDLH (ppm)
Group A2							
CFC-142b	1-Chloro-1,1-Difluoroethane	CH ₃ CClF ₂	-10/14	—	1,000**	—	—
HFC-152a	1,1-Difluoroethane	CH ₃ CHF ₂	-25/-13	—	1,000**	—	—
Group A3							
R-170	Ethane*	C ₂ H ₆	-89/-128	—	—	—	—
R-290	Propane*	C ₃ H ₈	-42.2/-44	1,000	—	—	20,000
R-600	Butane	C ₄ H ₁₀	-0.6/31	800	—	—	—
R-600a	2-Methylpropane (Isobutane)	CH(CH ₃) ₃	-11.7/11	—	—	—	—
R-1150	Ethene (Ethylene)	C ₂ H ₄	-104/-155	—	—	—	—
R-1270	Propene (Propylene)	C ₃ H ₆	-47.8/-54	—	—	—	—
Group B1							
HCFC-123	2,2-Dichloro-1,1,1-Tri-fluoroethane	CHCl ₂ CF ₃	27.6/81.7	—	30	—	—
R-764	Sulfur Dioxide	SO ₂	-10/14	2	—	5	100
Group B2							
R40	Chloromethane (Methyl Chloride)	CH ₃ Cl	-24.4/-12	50	—	100	10,000
R-611	Methyl Formate	HCOOCH ₃	31.7/89	100	—	150	5,000
R-717	Ammonia	NH ₃	-33.3/-28	25	—	35	500

- Simple asphyxiant

** Work place Environmental Exposure Limit as defined by American Industrial Hygienists Association

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The compound AEL is determined by the manufacturer of a chemical or substance. It is listed in the material safety data sheet (MSDS) for the substance for guidance of personnel exposure. This value is typically used until ACGIH can establish TLVs. Often the AEL and TLV are equal and used interchangeably.

The STEL is defined by ACGIH as a 15-minute time-weighted average exposure which should not be exceeded at any time during a work day, even if the eight-hour time-weighted average is within the TLV. Exposures at the STEL should not be longer than 15 minutes and should not be repeated more than four times per day. There should be at least 60 minutes between successive exposures at the STEL. STEL represents the concentration to which workers can be exposed continuously for a short period of time without suffering from

- irritation;
- chronic or permanent tissue damage; or
- narcosis of sufficient degree to increase the likelihood of accidental injury, impair

self-rescue, or materially reduce work efficiency,

provided the daily TLV is not exceeded. It is not a separate, independent exposure limit.

Rather, it supplements the time-weighted average (TWA) limit where there are recognized acute effects from a substance whose toxic effects are primarily of a chronic nature.

STELs are recommended only where toxic effects have been reported from high, short-term exposures in either humans or animals. Very few refrigerants have had STEL values developed.

IDLH values are specified by the National Institute of Occupational Safety and Health (NIOSH). These values represent a vapor concentration level that, when present, results in oxygen concentrations to drop below 19.5 percent. The oxygen content of normal air at sea level is approximately 21 percent. Physiological effects of oxygen deficiency in humans are readily apparent when the oxygen concentration in the air decreases to 16 percent. These effects include impaired attention, judgment and coordination, and increased breathing and heart rate. Oxygen concentrations below 16 percent can result in nausea and vomiting, brain damage, heart damage, unconsciousness, and death. To take into account individual physiological responses and errors in measurement, concentrations of 19.5 percent oxygen or lower are considered to be indicative of oxygen deficiency.

Refrigerant Exposure

Refrigerants handled in accordance with the manufacturer's recommended exposure limits pose no acute or chronic inhalation toxicity hazard. However, there are certain precautions which should be undertaken and are as follows.

At room temperatures, refrigerant vapors have little or no effect on the skin or eyes. Inhaling high concentrations of refrigerant vapor may cause temporary central nervous system depression with narcosis, lethargy, and anesthetic effects. Other effects may be dizziness, intoxication, and a loss of coordination. Continued breathing of high concentrations of vapors may produce cardiac irregularities (cardiac sensitization), un-

consciousness, and, with gross overexposure, death. If any of the above symptoms are experienced, move to fresh air and seek medical attention. **DRAFT**

Cardiac sensitization can occur if vapors are inhaled at concentrations well above the AEL. This can cause the heart to become sensitized to adrenaline, leading to cardiac irregularities and possible cardiac arrest. The likelihood of these cardiac problems increases with physical or emotional stress. Immediate medical attention must be provided if exposure to high concentrations of refrigerants occurs.

Suffocation can occur when a large release of vapor occurs, such as from a large spill or leak. These vapors may concentrate near the floor or in low spots and will displace the oxygen available for breathing, causing suffocation. When a large spill or leak occurs, always wear appropriate respiratory and other personal protective equipment before entering the area.

When working with a piece of refrigeration equipment in an equipment room or enclosed area, ensure that the relief and purge vent piping has been routed outdoors, away from air intakes. Make certain the area is well-ventilated. If necessary, use auxiliary ventilation to move refrigerant vapors. Check that air monitoring equipment has been installed to detect leaks. Ensure the area is clear of vapors prior to beginning work.

Refrigerants that are liquid at room temperature tend to dissolve the skin's protective fat, causing dryness and irritation, particularly after prolonged or repeated contact. Protective clothing should always be worn when there is a risk of exposure to liquid refrigerants. Where splashing is possible, always wear eye protection and a face shield. If the eyes are splashed, repeatedly flush them with water for at least 15 minutes. When handling refrigerants, always wear lined butyl gloves to avoid prolonged skin contact and chemical splash goggles to avoid eye contact. SCBA must be used when required. **DRAFT**

Flammability Precautions

Typical AC/R refrigerants are nonflammable and nonexplosive. However, mixing refrigerants with flammable gases (such as air) or liquids can result in a flammable solution. Therefore, refrigerants should never be mixed with any flammable gas or liquid. Refrigerants should not be exposed to open flames or electrical heating elements. Though most refrigerants are not flammable at ambient temperatures and atmospheric pressure, tests have shown some types to be combustible at pressures as low as 5.5 psig at 177° C (351° F) when mixed with air at volumetric concentrations of generally more than 60 percent air. At lower temperatures, higher pressures are required for combustibility. Refrigerants should not be used or allowed to be present with high concentrations of air above atmospheric pressure.

Refrigerant Cylinders

Refrigerants are contained in both disposable and reusable shipping containers or cylinders. Since the refrigerant-containing cylinders can be pressurized, they are considered pressure vessels. They must comply with federal and state laws regulating transportation and usage of such containers.

Identifying Containers

Both disposable and reusable cylinders are painted (or otherwise distinguished) in a color code system. This code was voluntarily established by the refrigerant manufacturers to identify their products. The common refrigerant colors and identification are:

R-11	Orange
R-12	White
R-13	Light Blue
R-22	Light Green
R-113	Purple
R-114	Dark Blue
R-123	Light Gray (Silver)
R-134a	Light Blue (Sky)
R-401a	Coral
R-401b	Yellow Brown
R-402a	Sand
R-402b	Olive
R-404a	Orange
R-500	Yellow
R-502	Light Purple
R-503	Aquamarine
R-507	Teal
R-717	Silver
NH ₃	Silver

The shade of color may vary from one manufacturer to another. Verify contents by means other than color. Every refrigerant cylinder is silk-screened with product, safety, and warning information. Manufacturer technical bulletins and MSDSs are available upon request. Even though cylinders are designed and manufactured to withstand the saturated pressure of R-502 (the base refrigerant), it is not recommended any cylinder be repainted with a different color and used with another refrigerant.

Container Pressure

All refrigerant cylinders come equipped with a pressure-relief valve designed to prevent the cylinder from being over-pressurized, either during the filling of the cylinder with refrigerant or during the storage of the cylinder due to possible exposure of the cylinder to elevated temperatures. If the refrigerant pressure inside the cylinder exceeds the preset pressure of the pressure relief valve, the pressure-relief valve allows the automatic venting of refrigerant to reduce the pressure in the cylinder. Pressure-relief safety devices are of

the frangible (rupture) disc style, or spring-loaded relief integrated into the valve stem of the cylinder. Neither adjust nor tamper with pressure-relief valves.

Reusable Containers

Reusable cylinders meet Department of Transportation (DOT) specification 4BA-300, with a water capacity of 122.7 pounds. Low boiling point, high vapor pressure refrigerants such as R-13 and R-503 are supplied in cylinders with DOT specification 3AA-180 or 3AA-2015, respectively. These cylinders are characterized by a combined liquid/vapor valve, located at the top of the cylinder. A dip tube feeding the liquid valve is immersed to the bottom to allow liquid removal without inverting the tank. Refrigerant can be removed in either gas or liquid phase through selection of the gas or liquid valve. The large, reusable cylinders bear a stamp on the shoulder which provides the following information:

- OWNER'S NAME (abbreviated),
- DOT SPECIFICATION NUMBER for the cylinder,
- SERIAL NUMBER of the tank, • TEST DATE (month and year),
- MANUFACTURER'S SYMBOL, and
- WATER CAPACITY (in pounds weight).

Disposable Cylinders

DOT specifications require disposable refrigerant cylinders be rated for a service pressure of 260 pounds per square inch (psi). Under laboratory tests, one cylinder per 1,000 produced is pressurized to the point of failure. The cylinder must not rupture below 650 psi. These cylinders are constructed of common steel, which is prone to oxidation (rust). Rust can weaken the wall and seams of the cylinder to the point where the cylinder can no longer tolerate the pressure of the refrigerant inside. On the top of disposable cylinders is a single-acting plastic valve. Handles are provided, which can serve as rests for inverted liquid access from the cylinder. Disposable cylinders are to be stored in dry locations to prevent corrosion, and transported carefully to prevent abrasion of painted surfaces. They are not to be refilled. The penalty for transporting a refilled disposable cylinder is a fine up to \$25,000 and five years of imprisonment. Recycle disposable cylinders as scrap metal. When the cylinder is empty, ensure all pressure is released to zero psi. The cylinders should be rendered useless for any purpose.

Labels and Markings

DOT Requirements

Specific container labeling and marking requirements apply for all DOT-regulated hazardous materials. DOT hazardous materials designations should not be confused with EPA hazardous materials. They are solely concerned with material transportation issues, not environmental issues. For instance, DOT regulates material as hazardous if it is capable of causing injury or property damage due to an accidental release or failure of its packaging during shipment on public roads, railways, and airways. There are nine classes of DOT hazards. Only Class 2, Division 2.2 (nonflammable gases), is pertinent to the com-

mon refrigerants. This rating is attributable to the pressurized nature of the refrigerant in its container. The applicable AC/R refrigerants are R-12, R-22, R-134a, R-401a, R-401b, R-402a, R-402b, R-404a, R-500, R-502, and R-507 shipped in cylinders and ton tanks. They require marking and labeling. R-11, R-113, R-114, and R-123 are not DOT-regulated hazardous materials; therefore, DOT labeling and marking requirements do not apply.

Labeling

Each cylinder shall display a DOT diamond (square-on-point) "Nonflammable Gas" label. The 4-inch x 4-inch green diamond-shaped label may be printed on a tag and securely attached to the cylinder's valve protection cap prior to shipment. Ton tanks require two DOT Nonflammable Gas labels, one on each end.

Marking

Each container shall be marked with a proper DOT shipping name and appropriate United Nations (UN) four-digit chemical or hazard class identification number.

Precautionary Labels

Each container shall display a precautionary label prepared in accordance with ANSI Z129.1-88 and Compressed Gas Association C7-92. This label will include:

- product identity;
- antidotes;
- signal word;
- notes to physicians;
- statement of hazards;
- instructions in case of contact or exposure;
- precautionary measures;
- instructions in case of fire, spill, or leak; and
- instructions for container handling and storage.

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Warning Labels

Since May 1993, warning labels have been required on containers of DOT Class 2 Division 2.1 (flammable gases) and Division 2.2 substances, as well as products containing or made with either of these substances.

Transportation of Refrigerants

The shipper of recovered refrigerant is responsible for determining if there are any state or local regulations restricting transportation, such as classifying recovered refrigerant and oil mixtures as hazardous wastes. The EPA does not classify these materials as hazardous waste. Check with your local Environmental Coordinator to determine if local regulations require actions above those mandated by Federal EPA Regulations.

Shipping Papers

Shipping papers are required whenever refrigerant is transported using public roadways, railroads, and airways. This includes transfer of refrigerants between USPS facilities. The shipper is required to properly fill out the shipping papers when returning the recovered refrigerant. The shipping papers must always contain:

- the quantity and type of container used (for example, "2-RETURNABLE CYLINDERS");
- the total gross weight of recovered refrigerants;
- the shipping name (for example, Chlorodifluoromethane Mixture);
- the DOT hazard class (for example, "NONFLAMMABLE GAS"); and
- the UN identification number (for example, "UN1018").

For material not regulated by DOT as a hazardous material, the words "Not Regulated by DOT" are recommended, but not required.

Shipping Tags and Placards

When a full or partially-full container is shipped, the shipper will be required to affix a DOT hazard label to the container. Typically, this is a green, 4-inch square tag, reading "NONFLAMMABLE GAS", that can be tied to the valve cover. If a container is empty and has no residual pressure, a DOT hazard tag is not required. If the shipper is sending 1,000 pounds (gross weight) or more of a hazardous material on the truck, DOT regulations require the shipper to provide the motor carrier with four Nonflammable Gas place cards. For materials being transported in ton tanks, the placards must also include the appropriate UN 4-digit identification number. Affixing the placards to the truck is the responsibility of the motor carrier.

DEPT

ATTACHMENT 14

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DRAFT

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