



CLASS ACTION or PERSON (Last Name First)	WORK LOCATION CITY, STATE, ZIP CODE (FROM LINE 10)	LOCAL GRIEVANCE NO.	NATIONAL GRIEVANCE NO.
Action, Class	Nashville,37217	053023RA3	EGS5-23-000784
DISCIPLINE (NATURE OF) OR CONTRACT (ISSUE)	CRAFT	DATE OF STEP 2	USPS GRIEVANCE NO.
Article 17	37 - Clerk	06/15/2023	

CORRECTIONS AND ADDITIONS

The union has identified several employees that were affected, with a particular emphasis on Alicia Nicholson, who was converted in December of 2022. Employees, including Clerk Nicholson, who did not receive the standard benefits package that is provided to all newly converted employees. Nor did she receive the four Hero Training Modules that management provides to newly converted career employees to inform them of benefits. The union has highlighted the timeline leading up to the grievance filing, pointing to the actions taken to address the issue even before the grievance was formally filed. The union's proactive approach in attempting to resolve the matter through communication and bargaining. The efforts made to engage with the Plant Manager, Human Resources, and Labor specialist to discuss the issues surrounding employee orientations and conversions. The union has emphasized in emails the timeline leading up to the filing of the grievance demonstrate a genuine desire to resolve without resorting to formal grievance procedures. But to allow affected employees an opportunity to enroll.

On May 13th emailed the plant manager exploring alternatives to a Class Action grievance. Or can we provide orientation and enrollment for recent converted employees, including mail handlers? Some employees receive packets late or not at all. Your help before formal action would be appreciated. The Plant Manager responded on May 15th, referencing a 4-hour online class for career conversion and for me to provide more information. On the same day, I indicated my plan to contact employees individually for details, suspecting that many hadn't completed the online training. I responded on May 23rd to Plant manager Attached is a list of names; I reached out to everyone except Sanaa Mikhail and Antonia Megwa. Tiffany Bell and Jessie Aguirre assisted in identifying those within the 60-day window. We successfully enrolled the remaining individuals over the weekend, including Shundra Reed on Monday. Notably, some didn't receive Insurance Books, and none completed Hero Training. No more response. Also, Briana Lockett was also affected and currently uninsured.

First the grievance is timely. Multiple extension where given. Almost exclusively to management to provide information requested. Is the reason for 06/28/23 Step 2 Appeal. That was not provided at any Step. Out of 3 Class Action that were filed for City Stations, Music City Annex and General Mail Facility. The union did identify certain employees that were affected with the primary focus on a clerk named Alicia Nicholson. Alicia Nicholson inadvertently helped provide insurance to others affected. Regarding the timing of the grievance, it's true that the grievance was filed after Ms. Nicholson's accident. Before conversion your insurance automatically rollovers unless you elect changes during open enrollment as a Postal Support Employee. Unless you are made aware. Article 17.6 is essential to enrollment process and the steps to be taken by employees to secure coverage. Even Management's Hero Training if was given could have provided the employees affected at least the basic information. Adherence to Postal Policy and Collective Bargaining Agreement would have also assisted by management.

Employee Labor Manual 520
523.1 Initial, which outlines the enrollment process for health benefits, specifically in relation to the 60-day enrollment deadline Each installation has a follow up system to ensure employees register within the 60-day deadline. This policy highlights the need for follow-up reminders to ensure employees register.

523.2 Employee Declines to Register, which outlines that when an employee declines to register or registers not to enroll, the employing installation contacts the employee and verifies the employee's intentions within the 60-day registration period, if practicable. If the employee refuses to register, the employing installation fills out SF 2809 with the employee's name, Social Security number, etc., and makes a notation in the Remarks section that the employee was contacted but declined to register.

523.31 Accepting Late Registration, management procedures for accepting late registration or changes in enrollment when an employee was unable to meet the prescribed time limits due to causes beyond their control. In particular, provides clarity regarding what constitutes causes beyond an employee's control. While the policy acknowledges that an employee's failure to register on time due to an error in judgment or failure to read informational material is not considered beyond their control, it also offers examples of valid reasons:

B. Employing installation failed to give new employee information concerning health benefits coverage.
523.33 Procedures for Documenting Late Registration, which summaries the procedures for documenting late registration or changes in enrollment when an employee was unable to register within the prescribed time limits due to causes beyond their control.

Article 21 Section 5. Section 5. Health Benefit Brochures
When a new employee who is eligible for enrollment in the Federal Employee's Health Benefit Program enters the Postal Service, the employee shall be furnished a copy of the Health Benefit Plan brochure of the Union signatory to this Agreement which represents the craft in which the employee is to be employed.

To Summarize Argument

- 1.No Proof of Delivery: Management acknowledges.
 2. Timely Awareness of Enrollment Status: The Union was made in a written statement by Alicia Nicholson. Multiple extensions were granted to attempt to enroll affected employee before the next Open Season.
 3. Responsibility of the Grievant: Postal Service also has a responsibility to ensure managing the health benefits enrollment process. The absence of any documented communication from management to the grievant(s) raises questions about their proactive efforts.
 4. Unique Case: Ms. Nicholson was not the only employee converted during that timeframe who encountered this issue. Brianna Lockett was unreachable before the deadline.
 6. Union's Role: The union is requested to address New Bargaining Unit Employees. We receive emails of when and what time from NCED for orientation. The Union does not schedule this orientation. Management informs the Union when these employees will be made available.
 7. Other Employees' Enrollment Status: There were multiple employees affected. And the Union were able to sign employees two weeks before deadline. (Paitlen Webb, Azia Kelton and Shaundra Reed over the phone).
- Management's ability to defend itself is limited by the absence of concrete proof of delivery. Its inability to provide information requested. Failure of management to provide orientation and deliver the benefits package to Ms. Nicholson and other employees.
Furthermore, it could be argued that employees, especially those who underwent conversion had ample time to review their benefits package, ask questions, and take appropriate actions to secure insurance coverage. It's reasonable to expect employees to be proactive in managing their own benefits, especially when they are provided with the necessary resources and information. Opportunity to address the newly converted employees. From the Union standpoint, one might argue that the absence of additional arguments and documentation could be seen as a weakness in the Management case.