

## **SUPPLEMENTAL AWARD TO 2002 MAIL COUNT ARBITRATION AWARD ISSUED**

Late Friday afternoon we received National Arbitrator Dana Eischen's Supplemental Award concerning remedy. At issue were several remedial questions raised after the 2002 National Mail Count award issued on May 15, 2006.

In implementing that award, the Postal Service proposed to issue letters of demand to regular and relief carriers serving on approximately 8,300 routes where the pre-2002 data for Columns J-Q-R were lower than the tainted 2002 National Mail Count results.

The Postal Service also proposed that carriers serving on routes created after the September 2000 mail count or on routes where the Postal Service did not retain the data necessary to determine the hybrid evaluation should not be entitled to a remedy.

Arbitrator Eischen rejected the Postal Service's implementation plan in these three areas: No letters of demand may be issued. Carriers serving on routes created after the September 2000 mail count or on routes where the Postal Service did not retain the data necessary to determine the hybrid evaluation will have 13.18 minutes added to the Columns J-Q-R data set from the discredited 2002 National Mail Count. The addition of 13.18 minutes to these routes will undoubtedly result in higher evaluations for some carriers and a back pay award.

While Arbitrator Eischen did not accept our request for pre-Award interest, he did hold open the possibility that post-Award interest may be awarded "in the event the Association makes a persuasive showing of undue delay on the part of the Postal Service in adhering to the terms of the May 15, 2006 Award and the ... Supplemental Award No.1 Concerning Remedy of June 15, 2007."

The Supplemental Award modifies and clarifies the May 15, 2006 Award. It does not affect carriers on approximately 21% of the routes counted in 2002 who are clearly entitled to a remedy because the hybrid evaluations on their routes were higher than the tainted 2002 evaluations.

We will be diligently monitoring compliance with the May 15, 2006 Award and this Supplemental Award and will continue to apprise you of new developments and the Postal Service's progress in making payments to the affected rural carriers.