

106TH CONGRESS
2D SESSION

S. 2703

To amend the provisions of title 39, United States Code, relating to the manner in which pay policies and schedules and fringe benefit programs for postmasters are established.

IN THE SENATE OF THE UNITED STATES

JUNE 8, 2000

Mr. AKAKA (for himself, Mr. DURBIN, Mr. SARBANES, Ms. MIKULSKI, Mr. EDWARDS, and Mr. BAUCUS) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To amend the provisions of title 39, United States Code, relating to the manner in which pay policies and schedules and fringe benefit programs for postmasters are established.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Postmasters Fairness
5 and Rights Act”.

1 **SEC. 2. POSTMASTERS TO BE COVERED BY AGREEMENTS**
2 **RELATING TO PAY POLICIES AND SCHED-**
3 **ULES AND FRINGE BENEFIT PROGRAMS.**

4 Section 1004 of title 39, United States Code, is
5 amended by redesignating subsections (g) and (h) as sub-
6 sections (i) and (j), respectively, and by inserting after
7 subsection (f) the following:

8 “(g)(1) The Postal Service shall, within 45 days of
9 each date on which an agreement is reached on a collective
10 bargaining agreement between the Postal Service and the
11 bargaining representative recognized under section 1203
12 which represents the largest number of employees, make
13 a proposal for any changes in pay policies and schedules
14 and fringe benefit programs for postmasters which are to
15 be in effect during the same period as covered by such
16 agreement.

17 “(2) The Postal Service and the postmasters’ organi-
18 zation (or, if more than 1, all postmasters’ organizations)
19 shall strive to resolve any differences concerning the pro-
20 posal described in paragraph (1).

21 “(3) If, within 60 days following the submission of
22 the proposal, the Postal Service and the postmasters’ or-
23 ganization (or organizations) are unable to reach agree-
24 ment, either the Postal Service or the postmasters’ organi-
25 zation (or organizations jointly) shall have the right to

1 refer the dispute to an arbitration board established under
2 paragraph (4).

3 “(4) An arbitration board shall be established to con-
4 sider and decide a dispute arising under paragraph (3)
5 and shall consist of 3 members, 1 of whom shall be se-
6 lected by the Postal Service, 1 by the postmasters’ organi-
7 zation (or organizations jointly), and the third by the 2
8 thus selected. If either the Postal Service or the post-
9 masters’ organization (or organizations) fail to select a
10 member within 30 days after the dispute is referred to
11 an arbitration board under this subsection, or if the mem-
12 bers chosen fail to agree on the third person within 5 days
13 after their first meeting, the selection shall be made by
14 the Director of the Federal Mediation and Conciliation
15 Service.

16 “(5) The arbitration board shall give the parties a
17 full and fair hearing, including an opportunity for each
18 party to present evidence in support of its claims and an
19 opportunity to present its case in person, by counsel, or
20 by such other representative as such party may elect. De-
21 cisions by the arbitration board shall be conclusive and
22 binding upon the parties. The arbitration board shall
23 render its decision within 45 days after its appointment.

24 “(6) Costs of the arbitration board shall be shared
25 equally by the Postal Service and the postmasters’ organi-

1 zation (or organizations), with the Postal Service to be re-
 2 sponsible for one-half of those costs and the postmasters’
 3 organization (or organizations) to be responsible for the
 4 remainder.

5 “(7) Nothing in this subsection shall be considered
 6 to affect the application of section 1005.”.

7 **SEC. 3. RIGHT OF POSTMASTERS’ ORGANIZATIONS TO PAR-**
 8 **TICIPATE IN PLANNING AND DEVELOPMENT**
 9 **OF PROGRAMS.**

10 The second sentence of section 1004(b) of title 39,
 11 United States Code, is amended by striking “or that a
 12 managerial organization (other than an organization rep-
 13 resenting supervisors) represents a substantial percentage
 14 of managerial employees,” and inserting “or that a mana-
 15 gerial organization (other than an organization rep-
 16 resenting supervisors or postmasters) represents a sub-
 17 stantial percentage of managerial employees, or that an
 18 organization qualifies as a postmasters’ organization,”.

19 **SEC. 4. POSTMASTERS AND POSTMASTERS’ ORGANIZATION**
 20 **DEFINED.**

21 Subsection (i) of section 1004 of title 39, United
 22 States Code, as so redesignated by section 2, is amended
 23 by striking “and” at the end of paragraph (1), by striking
 24 the period at the end of paragraph (2) and inserting a
 25 semicolon, and by adding at the end the following:

1 “(3) ‘postmaster’ means an individual who
 2 manages, with or without the assistance of subordi-
 3 nate managers or supervisors, the operations of a
 4 post office; and

5 “(4) ‘postmasters’ organization’ means, with re-
 6 spect to a year, any organization of postmasters
 7 whose membership as of June 30th of the preceding
 8 year included not less than 20 percent of all individ-
 9 uals employed as postmasters as of that date.”.

10 **SEC. 5. TECHNICAL AND CONFORMING AMENDMENTS.**

11 (a) Section 1001(e) of title 39, United States Code,
 12 is amended (in the matter before paragraph (1)) by insert-
 13 ing “agreements under section 1004(g),” after “regula-
 14 tions,”.

15 (b) Section 1003(a) of title 39, United States Code,
 16 is amended in the first sentence by inserting “section
 17 1004(g) of this title,” before “section 8G”.

18 **SEC. 6. EFFECTIVE DATE.**

19 The amendments made by this Act shall take effect
 20 after the end of the 90-day period beginning on the date
 21 of enactment of this Act.

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