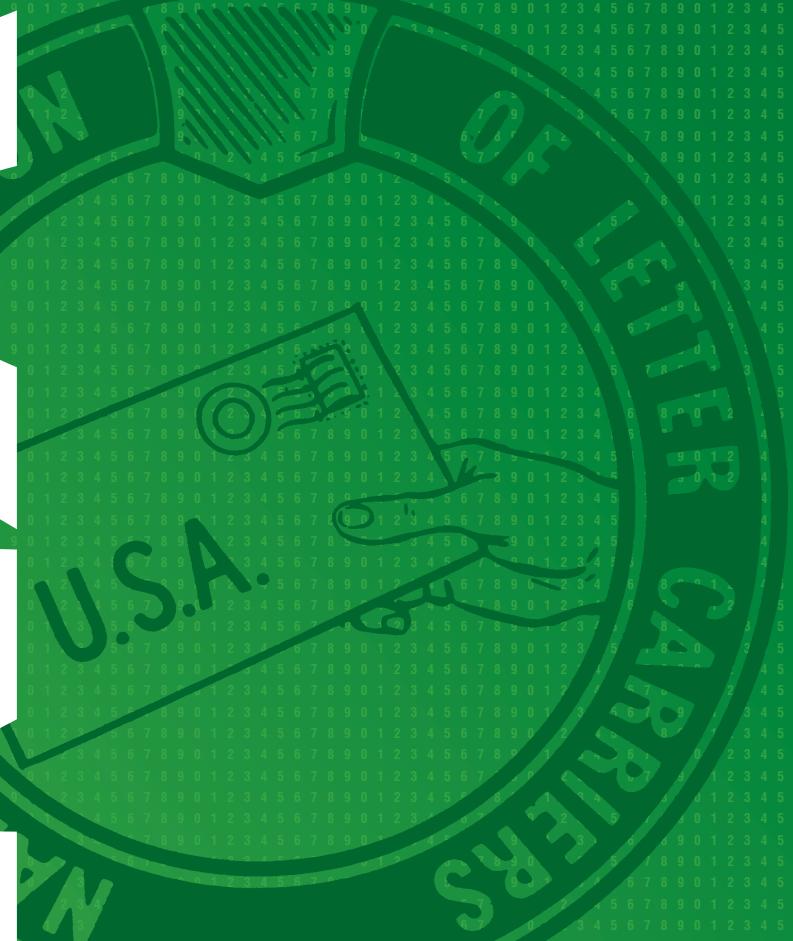# THE **NALC GUIDE** TO **IDENTIFYING INTENTIONAL FALSE EDITING** OF **CLOCK RINGS**

**NALC**

U.S.A.

## Dear NALC Representative:

This guide was created to assist union representatives in identifying contractual violations and filing successful grievances when management falsely edits letter carriers' clock rings.

On a daily basis, supervisors edit letter carriers' clock rings to fix errors or omissions as recorded in the actual time figures recorded in USPS' Time and Attendance Collection System (TACS). Such editing is necessary to fix incomplete clock ring entries or lack of moves by letter carriers from one function or route to another. When these time entry errors are noticed, supervisors should change the recorded time in TACS to reflect when the clock ring should have been made. While the editing of a letter carrier's clock rings in these situations is proper, management must ensure their edits are accurate.

This guide will teach you how to read the TACS Employee Everything Report, which contains specific information related to a letter carrier's pay, and identify inaccurate edits or entries. Once you learn how to read the Employee Everything Report, spotting inaccurate edits and entries becomes easy.

This guide will also provide advice on educating the members you represent, advice on how to file a successful grievance challenging instances of intentional false editing of clock rings, and ideas for future prevention and resolution of this problem. This guide is intended to serve in addition to existing resources, and it is hoped you will find it and the included grievance handling tools useful. The goal of those tools is to help you build the kind of case file that will provide the best chance for resolution at the lowest possible step of the Dispute Resolution Process.

Sincerely and fraternally,

Fredric Rolando
President

Christopher Jackson
Director of City Delivery

# Introduction

The Time and Attendance Collection System (TACS) is a computer program the Postal Service uses to track the hours worked by its employees. While this program generates many reports, one report in particular contains the information union representatives need to determine if a letter carrier's clock rings have been falsely edited. This report, the Employee Everything Report, details every time input and change to those inputs for every letter carrier that swipes a badge to record their time. Learning to read and comprehend the data on this report is the key to determining if a carrier is being paid for all the time he or she is working.

In some cities across the country, NALC has recently become aware of some occurrences of intentional false editing of letter carrier clock rings. In most instances, managers were deliberately changing the end-of-tour clock rings made by letter carriers to reflect an earlier time when they were actually still working. These edits ranged from just a few minutes to several hours, and resulted in letter carriers not being paid for time they actually worked. Throughout the cities where this took place, letter carriers as a whole were shorted tens of thousands of dollars in pay.

It is very fortunate that NALC representatives in those cities identified these cases of false editing of clock rings, filed subsequent grievances on those actions, and ensured the affected letter carriers were made whole for the pay they rightfully earned. The objective of this guide is to teach all union representatives exactly how to do the same.  By the time you finish studying this guide, you should know how to:

- Read TACS clock rings on the Employee Everything Report;
- Properly identify intentional false editing of clock rings;
- File a successful grievance on any violations;
- Request appropriate remedies for those violations; and
- Prevent future intentional false editing of clock rings.

This guide is broken down into the following four main sections, titled:

1. Obtaining Information
2. The Anatomy of a Clock Ring
3. Putting Your Knowledge to Use
4. Prevention and Resolution

Seven days a week, letter carriers work very hard delivering the nation's mail and they deserve to be fully compensated for every minute of that work.

# Section 1 - Obtaining Information

Obtaining the proper information is the key to determining if supervisors are falsely editing clock rings. Articles 17.3 and 31.3 of the National Agreement allow union representatives to review all information necessary to determine whether to file a grievance. The information necessary in this type of investigation includes:

- TACS *Employee Everything Report*
- PS Form 1017-A, *Time Disallowance Record*
- PS Form 1260, *Non-EBR Card*
- The name and employee identification number (EIN) of all employees who have TACS access to edit letter carriers' clock rings

Why this information is pertinent to investigations involving alleged intentional false editing of clock rings will be discussed later in this guide. Union representatives should always make a request for this information in writing.

If you are requesting information that covers a large number of employees or an extended period of time, the amount of documentation may be quite extensive. Keep in mind that per Handbook AS-353, *Guide to Privacy, the Freedom of Information Act, and Records Management*, the Postal Service has a right to charge NALC for information and time searching for information in excess of the first 100 pages of duplication, the first two hours of manual search time, and the first two hours of computer search time. If the fee is less than $10, there is no charge.

There are many ways management may provide this information other than on paper. Management can make this information available on an office computer and let you review the documents first. Another option, and probably the best way to review this information, is for the union to provide management with a flash drive, a CD, or a DVD to copy the information onto in the form of a PDF file. If the PDF file is small enough, it can also be sent to your email.

Obtaining the information in a PDF can be very beneficial to union representatives because the cost of providing the information this way is minimal. PDF files are also searchable and provide a quick and easy way to look for certain terms and codes which may help identify intentional false editing of clock rings. Using this search feature will be discussed in greater detail in "The Anatomy of a Clock Ring" section of this guide.

The following pages contain a sample request for information form, a sample request for steward time form, and a sample supervisor interview form which union representatives may find beneficial to use as part of their investigation. These forms should be tailored to fit your particular circumstances and requests. Use of the interview form may not always be necessary. Union representatives should develop their interview questions on a case-by-case basis.

# National Association of Letter Carriers
## Request for Information

To: _____ Date _____
    (Manager/Supervisor)

_____
    (Station/Post Office)

Manager/Supervisor _____,

Pursuant to Articles 17 and 31 of the National Agreement, I am requesting the following information to investigate a grievance concerning a violation of Articles 5, 19, 34, and 41 of the National Agreement.

1. Copies of the TACS Employee Everything Reports from **[date(s)]** to **[date(s)]** for **[Name(s)]** in **[format (i.e. hard copy, pdf emailed, pdf on a cd, etc.]**

2. Copies of all PS Forms 1017-A for **[Name(s)]** from **[date(s)]** to **[date(s)]**.

3. Copies of all PS Forms 1260 for **[Name(s)]** from **[date(s)]** to **[date(s)]**.

4. The names and EIN's of all employees that have TACS access to edit city letter clock rings at the **[Station/Post Office]**.

I'm also requesting time to interview the following individuals:

_____    _____

_____    _____

Your cooperation in this matter will be greatly appreciated. If you have any questions concerning this request, or if I may be of assistance to you in some other way, please feel free to contact me.

Sincerely,
_____ **[(Union Representative) (Name)]**

Request received by: _____ Printed: _____

Date: _____

# National Association of Letter Carriers
## Request for Steward Time

.
To: _____ Date_____
   (Manager/Supervisor)


   _____
   (Station/Post Office)

Manager/Supervisor _____,


Pursuant to Article 17 of the National Agreement, I am requesting the following steward time to investigate a grievance.  I anticipate needing approximately _____ (hours/minutes) of steward time, which needs to be scheduled no later than _____ in order to ensure the timelines established in Article 15 are met.  In the event more steward time is needed, I will inform you as soon as possible.

Your cooperation in this matter will be greatly appreciated. If you have any questions concerning this request, or if I may be of assistance to you in some other way, please feel free to contact me.

Sincerely,

_____ **[(Union Representative) (name)]**

Request received by: _____ Printed: _____

Date: _____

# National Association of Letter Carriers
## Supervisor Interview

Interviewer: _____    Date and Time: _____

In attendance:
_____

Location: _____
       (Station/Post Office)

Manager/Supervisor _____,

Article 17 Section 3 and National Step 4 M-00988 provide stewards the right to interview supervisors. I am requesting your cooperation in answering honestly the following questions pertaining to clock ring edits identified by the union as being potentially incorrect.

1. Please state your name, title, and your Employee Identification Number (EIN).
_____
_____
_____

2. On **[date]**, your EIN identified you as editing Letter Carrier **[name]**'s clock ring, resulting in a loss of __**[hrs/units]**__. What was the reason for the change?
_____
_____
_____

3. Were you instructed by a higher authority to edit Letter Carrier **[name]**'s clock rings?
_____
_____
_____

*Note to union representatives – If during your investigation, you receive copies of PS Form 1017-A and/or PS Form 1260, you may want to ask the following questions:*

4. Did you complete a PS Form 1017-A for the time disallowance, and, if so, did you notify Letter Carrier **[name]**?

   _____
   _____
   _____

5. Did you instruct Letter Carrier **[name]** to complete a PS Form 1260?  If so, why?

   _____
   _____
   _____

Interviewer_____ Interviewee_____

**[Union Representative]    [name]         [Supervisor/Manager]    [name]**
NALC                                       USPS

# Section 2 - The Anatomy of a Clock Ring

The image below is an example of an Employee Everything Report (otherwise referred to as clock rings) which is generated in TACS. Although it may look complicated, all clock rings are essentially the same with some being slightly more difficult to read than others due to the number of entries and edits.

Throughout this section of the guide, every aspect of the Employee Everything Report will be discussed in detail to provide a thorough understanding of the information contained within these reports. Understanding these reports is essential to identifying potential false editing of clock rings.

**UNITED STATES POSTAL SERVICE ®**

| | | | User ID: A1BCD2 |
|---|---|---|---|
| Report: | TAC500R3 v3.005 | Restricted USPS T&A Information | Date: 01/03/18 |
| YrPPWk: | 2018-01-1 | Carrierville - United States | Time: 07:42 AM |
| Fin. #: | 38-9999 | Employee Everything Report | Page: 1 |

YrPPWk: 2018-01-1        Weekly

Sub-Unit: 0000

| Pay Loc/Fin. Unit | 003 / 0000 | | Variable EAS | N | Annual Lv Bal. | 06.00 | FMLA Hrs | 2180.79 |
|---|---|---|---|---|---|---|---|---|
| Employee ID | 01234567 | | Borrowed | N | Sick Lv Bal. | 143.74 | FMLA Used | 96.00 |
| Employee Name | Frank | C  M | Auto H/L | N | LWOP Lv Bal. | 00.00 | SLDC Used | 00.00 |

| Job | D/A | LDC | Oper/Lu | RSC | Lvl | FTF | FLSA | Route # | Fin. # | Loaned Fin. # | Effective Start | Effective End | Begin Tour | End Tour | Lunch Amt. | 1261 Ind. | Schedule | OOS | Day |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Base | 13-4 | 2100 | 7220-03 | Q0 | 01 | N | N | 003014 | 38-9999 | | 2018-01-1 | 2018-01-1 | 08.00 | 16.50 | 0.50 | N | S--TWTF | | |

**Processed Clock Rings**

Saturday
      Base         05800: 008.00
  EBR #

Tuesday
      Base         05200: 008.52    05300: 000.52
  EBR #

| 000-0000 | BT | 12/26 | 08.00 | EST | 38-9999 | 7220-03 | 003014 | __.__ | 04014999 | 12/27 | 07.88 | (W)Ring Deleted From PC |
| | | | | | | | | | 09990266 | 12/27 | 12.78 | |
| 801-15 | BT | 12/26 | 08.00 | EST | 38-9999 | 7220-03 | 003014 | __.__ | __-__-__ | __/__ | 00.00 | |
| | | | | | | | | | __-__-__ | __/__ | 00.00 | |
| 801-14 | MV | 12/26 | 11.32 | EST | 38-9999 | 7210-03 | 003014 | __.__ | __-__-__ | __/__ | 00.00 | |
| | | | | | | | | | __-__-__ | __/__ | 00.00 | |
| 000-0000 | OT | 12/26 | 16.00 | EST | 38-9999 | 7220-03 | 000000 | 00.50 | 04014999 | 12/27 | 07.92 | (W)Ring Deleted From PC |
| | | | | | | | | | 09990266 | 12/27 | 12.78 | |
| 000-0000 | OT | 12/26 | 16.50 | EST | 38-9999 | 7220-03 | 000000 | 00.55 | 09990266 | 12/27 | 12.78 | |

At the top of the report is a shaded section. The left side of this section contains the date range of the report and the finance number of the unit in which the employee works.



The middle of this section contains the delivery unit and the type of report. The far right provides the user ID of the supervisor that generated the report, the date and time the report was generated, and the page number of the report. If a report is more than one page, these items will appear at the top of every page.

The next shaded section down on the report contains an employee's specific information. This section is bisected in the middle horizontally. If the report for the employee is more than one page only the information in the top half of this bisected and shaded section will be shown on each page. The information in the bottom half will only be shown on the first page.

Here the employee's name is listed as well as their employee identification number (EIN). Below this information lists the carrier's designation code, base operation, and level. Level 01 is a Grade 1 city letter carrier and Level 02 is a Grade 2 carrier technician.

Farther to the right are the employee's route and finance numbers. If this report is generated for a CCA or a PTF, the route will show as blank or "000000". Full-time flexible letter carriers, carrier technicians, and unassigned regulars may also show route numbers in this area that may not be correct, as they are not always assigned to one specific route.

In addition to documenting the employee's leave details, the far right of the second shaded portion identifies which pay week the report covers, the employee's normal begin and end tour, the amount for the normal lunch period, and the normally scheduled work days for the pay week. For the example below, the employee has normally scheduled work days of Saturday, Tuesday, Wednesday, Thursday, and Friday.

Moving down the report, the section below the line that reads "Processed Clock Rings" lists time input information specific to each day of the week. Listed at the top of each day's clock rings are certain workhour codes as well as the total number of hours associated to each code. In the example below, these codes show the employee worked 8.52 hours total (052) on this specific day, with 0.52 hours of that time being regular overtime (053).



The following list is not all inclusive, but shows many of the common workhour codes listed on an Employee Everything Report:

| Code | Description | Code | Description |
|------|-------------|------|-------------|
| 024: | AWOL | 058: | Holiday Leave |
| 043: | Penalty OT Hours | 059: | Partial Day LWOP |
| 048: | Holiday Premium | 060: | Full Day LWOP |
| 049: | OWCP LWOP | 061: | Court Leave |
| 052: | Work Hours | 067: | Military Leave |
| 053: | Overtime Hours | 069: | Blood Donor Leave |
| 054: | Night Differential | 070: | Steward Time |
| 055: | Annual Leave | 071: | Continuation of Pay |
| 056: | Sick Leave | 084: | Union Leave |
| 057: | Holiday Work | 093: | No Lunch Punch |

If the report is generated after the end of the week, the workhour codes and the total hours for the week will be at the bottom of the report and will be labeled as TACS Hours (shown in the example below). These totals represent the time that was actually input into TACS during that pay week, up until the pay week was closed. Edits can be made in TACS through the Monday after the end of the pay week. If there is a holiday on Monday, normally adjustments may be made through Tuesday.

If the entire pay period (both pay weeks 1 and 2) has closed, the Paid Hours will generate above the TACS Hours. If an adjustment to the carrier's time is made at a later date, the Paid Hours in TACS will change to reflect this. The TACS Hours will continue to reflect the original entries. In the example below, the employee was input for OWCP LWOP (049) for 40.00 hours, however an adjustment was made after the pay period closed to change 38.48 of those hours to Continuation of Pay (071). This left only 1.52 hours being coded as OWCP LWOP (049).



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Daily details of the clock ring are listed under each day of the week identified on the report. The far left under each day shows the Electronic Badge Reader (EBR) number.  An EBR is a time clock that enables an employee to swipe a time card to record their work hours and each EBR has a unique number. If an employee's time card is swiped at an EBR a number will show up in this column.  If a delivery unit has more than one EBR you can differentiate which was used based on the code found in this column. In the example below there are two EBRs used by this employee. One EBR has the number "801-15" associated to it and the other EBR is recognized as "801-14".

If "000-0000" appears in this column, such as in the example below, it means a manual input was made via a computer for the employee's time. Management is required to fix errors in TACS for when employees forget to: clock in or clock out, move to the street, move to another route when providing auxiliary assistance, etc. All these errors must be corrected in TACS with a manual input by management. Management must also approve overtime in TACS, place carriers on higher level, and input time that a carrier incorrectly or failed to input.  In any of these situations where a supervisor changes or adds time entries the numbers "000-0000" will appear next that that entry.



The next two columns show the function and the date the function was input for. Common functions are begin tour (BT), end tour (ET), move (MV), out to lunch (OL), in to lunch (IL), no lunch (093), and OT (overtime authorization).

What time the function took place comes next, followed by the time zone and the finance number of the office where the employee works. The time zone will be discussed in more detail later.



While there is more information in the middle columns of this report, this information does not affect an employee's pay.

The next pieces of information on an Employee Everything Report that can help determine if clock rings are being falsely edited appear on the right hand side of the clock ring. While inspecting this data it is important to consider the EBR codes to the left side of the report. Remember the zeros show a manual input.

Certain actions generate information on the right hand side of this report. One example is when an employee swipes their time card badge on the EBR and manually inputs a time for that function which is different than the actual time on the EBR. This can occur when a carrier completes auxiliary assistance on an assignment other than their own and they input the route number and time spent performing the assistance retroactively.

Such an action triggers three things to happen. The system records: 1) the carrier's EIN who made the retroactive clock rings; 2) the date they were made; and 3) the time the badge was swiped on the EBR. This time is always recorded in Central Time because TACS is housed in the USPS Eagan Accounting Service Center in Eagan, MN, which is located in the Central Time Zone.

In the example below, Carrier Brown's EIN is 04599999. The highlighted clock ring shows he made a move on 10/07 at 17.80 Central Time.



Carrier Brown's clock rings show he is in Eastern Daylight Time. As such, you must add one hour to the time the clock ring shows the move was made in order to get the actual time of the move. So Carrier Brown actually input this time at 18.80.

If you are in the Eastern Time Zone you must add one hour to the time on the right. In the Central Time Zone it is the actual time recorded. In the Mountain Time Zone you must subtract one hour. In the Pacific Time Zone you subtract two hours. The Alaska Time Zone subtracts three hours from the recorded time and the Hawaii-Aleutian Time Zone subtracts four hours.

The same three items are recorded anytime a supervisor, manager, or whomever else has TACS access changes, deletes, or enters an input. The date can be different in these circumstances. Pay weeks close on Friday, but normally edits can be made until Monday (or Tuesday in cases of a holiday).

In the example below, a manager with EIN 02551234 made a time disallowance on 10/07 at 18.07. The actual time would be 19.07 as this clock ring is from the Eastern Time Zone.

| Pay Loc/Fin. Unit | 000 / 0000 | | | | Variable EAS | N | Annual Lv Bal. | 28.00 | FMLA Hrs | 2371.44 |
|---|---|---|---|---|---|---|---|---|---|---|
| Employee ID | 04599999 | | | | Borrowed | N | Sick Lv Bal. | 00.00 | FMLA Used | 00.00 |
| Employee Name | BROWN | | A  L | | Auto H/L | N | LWOP Lv Bal. | 00.00 | SLDC Used | 00.00 |

| Job | D/A | LDC | Oper/Lu | RSC | Lvl | FTF | FLSA | Route # | Fin. # | Loaned Fin. # | Effective Start | Effective End | Begin Tour | End Tour | Lunch Amt. | 1261 Ind. | Schedule | OOS | Day |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Base | 84-4 | 2100 | 7220-00 | Q0 | 01 | N | N | 000000 | 38-9999 | | 2017-21-2 | 2017-21-2 | 06.00 | 14.50 | 0.50 | N | SSMTWTF | | |

**Processed Clock Rings**

Saturday

| | Base | | | 05200: 010.00 | | 05300: 002.00 | | 05400: 000.75 | | | |

| EBR # | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 000-0000 | BT | 10/07 | 08.00 | EDT | 38-9999 | 6220-00 | 000000 | __.__ | 02551234 | 10/07 | 18.05 | (W)Ring Deleted From PC |
| | | | | | | | | | 02551234 | 10/07 | 18.07 | |
| 555-24 | BT | 10/07 | 08.00 | EDT | 38-9999 | 7700-59 | 000000 | 00.25 | __.__ -__.-__ | __/__ | 00.00 | (W)Ring Deleted From PC |
| | | | | | | | | | 02551234 | 10/07 | 18.03 | |
| 000-0000 | BT | 10/07 | 08.25 | EDT | 38-9999 | 6220-00 | 000000 | __.__ | 02551234 | 10/07 | 18.07 | (W)Time Disallowed |
| | | | | | | | | | __.-__.-__ | __/__ | 00.00 | |
| 000-0000 | MV | 10/07 | 09.00 | EDT | 38-9999 | 7280-00 | 077021 | __.__ | 02551234 | 10/07 | 18.05 | |
| | | | | | | | | | __.-__.-__ | __/__ | 00.00 | |
| 555-25 | MV | 10/07 | 10.97 | EDT | 38-9999 | 7270-00 | 077021 | __.__ | __.-__.-__ | __/__ | 00.00 | |
| | | | | | | | | | __.-__.-__ | __/__ | 00.00 | |
| 000-0000 | OT | 10/07 | 16.75 | EDT | 38-9999 | | | | | | | |
| 000-0000 | OT | 10/07 | 16.75 | EDT | 38-9999 | | | | | | | |
| 555-25 | MV | 10/07 | 17.00 | EDT | 38-9999 | | | | | | | |
| 000-0000 | MV | 10/07 | 18.48 | EDT | 38- | | | | | | | |
| 555-25 | MV | 10/07 | 18.48 | | | | | | | | | |

Callout box:

```
02551234      10/07    18.03
02551234      10/07    18.07  (W)Time Disallowed
__.-                            00.00
02551234      10/07    18.05
__.-__.-___   __/__    00.00
```

**- Manager EIN**

| | | | | | | | | 02551234 | 10/07 | 18.05 | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | -00 | 000000 | __.__ | 02551234 | 10/07 | 18.05 | (W)Time Disallowed |
| | | | | | | | __.-__.-__ | __/__ | 00.00 | |
| 555-25 | ET | 10/07 | 18.88 | EDT | 38-9999 | 7220-00 | 000000 | 00.25 | __.-__.-__ | __/__ | 00.00 | (W)Ring Deleted From PC |
| | | | | | | | | | 02551234 | 10/07 | 18.05 | |

Management's responsibilities when disallowing a letter carrier's time will be discussed later in this guide.

The example below illustrates that Letter Carrier Brown swiped his badge five times on this day. This is noted by the five EBR numbers listed in the far left hand column of the report. The carrier made a begin tour at 08.00. The next clock ring was a move to the street at 10.97. After that was another move at 17.00. Then came a move at 18.48. And finally, the carrier ended tour at 18.88. The carrier automatically has a 30 minute (.50 hours) lunch deducted after six hours of work.



In this example, Carrier Brown should have been paid for 10.38 hours on this day. The total hours are calculated by starting with the carrier's end tour of 18.88, subtracting the begin tour of 08.00, and finally subtracting the carrier's 30 minute lunch (.50 hours) for a total of 10.38 hours worked. This further breaks down into 8.00 hours of straight time pay, 2.00 hours of overtime pay, and 0.38 hours of penalty overtime pay. The carrier would also be eligible for .88 hours of night shift differential for working past 18.00 hours.

The following examples utilize the same clock rings for Carrier Brown but highlight some changes made by a supervisor. In the example below a supervisor with EIN 02551234 deleted the carrier's 08.00 begin tour. This deletion occurred at 19.03 on 10/07. This was replaced with a begin tour of 08.25 on 10/07 at 19.07. Remember, this is an Eastern Time Zone clock ring and it is necessary to add one hour to the time shown on the report. This change in Carrier Brown's begin tour time deducted .25 hours of time from the employee's pay.



- Supervisor deleted begin tour and changed it from 08.00 to 08.25

The supervisor also made changes to the carrier's end tour. The carrier-input end tour of 18.88 was deleted on 10/07 at 19.05 and replaced with an end tour of 18.75. This edit reduced the carrier's time by another 0.13 hours.



- Supervisor deleted end tour and changed it to from 18.88 to 18.75

The carrier's total hours for the day are now reduced to 10.00 hours. The 0.25 hours lost in the morning and the 0.13 hours lost in the evening resulted in a loss of 0.38 hours of penalty overtime, as well as 0.13 hours of night shift differential.



In the example below, Carrier Long made eight separate clock rings using her time card badge. Four of those clock rings directly affect her pay; she began tour at 08.25, she clocked out to lunch at 12.95, she clocked in from lunch at 13.18, and she ended tour at 18.29. These clock rings should result in Carrier Long being paid for 9.81 hours (8.00 hours of straight time pay, 1.81 hours of overtime pay, and .29 hours of night shift differential.

In this case, the supervisor didn't make any edits to change the carrier's begin tour or end tour. However, the supervisor with EIN 02551234 deleted the carrier-input out to lunch and in from lunch clock rings at 22.77 on 05/16. This resulted in the auto-deducted 30 minute (.50 hours) lunch being taken from the carrier on this date rather than the 0.23 hour lunch she manually recorded on the EBR.



Earlier in this guide it was explained that when "000-0000" appears in a clock ring under the EBR number it means a manual edit was made. However, that doesn't mean every time an edit is made the "000-0000" will appear. As in the example above, if management deletes a lunch clock ring made by the employee's time card, the "000-0000" won't show it.

The deletion of the lunch clock rings resulted in Carrier Long being shorted 0.27 hours of overtime pay on this date.

| Pay Loc/Fin. Unit | 201 / 0000 | | | Variable EAS | N | Annual Lv Bal. | 175.58 | FMLA Hrs |
|---|---|---|---|---|---|---|---|---|
| Employee ID | 04299999 | | | Borrowed | N | Sick Lv Bal. | 276.00 | FMLA Used |
| Employee Name | LONG | | W L | Auto H/L | N | LWOP Lv Bal. | 00.00 | SLDC Used |

Processed Clock Rings

Tuesday

Base　05200: 009.54　05300: 001.54　05400: 000.29

EBR #

## 05200: 009.54　　05300: 001.54　　05400: 000.29

| | | | | | | | | | | 00.00 |
|---|---|---|---|---|---|---|---|---|---|---|
| 000-0000 | OT | 05/16 | 10.75 | EDT | 38-9999 | 7220-00 | 000000 | 01.3 | 51234 05/16 | 21.78 |
| | | | | | | | | | | 00.00 |
| 506-25 | MV | 05/16 | 10.95 | EDT | 38-9999 | 7280-00 | 077005 | | | 00.00 |
| | | | | | | | | | | 00.00 |
| 506-25 | OL | 05/16 | 12.95 | EDT | 38-9999 | 7270-00 | 077005 | | | |
| 506-25 | IL | 05/16 | 13.18 | EDT | 38-9999 | 7220-00 | 077005 | | | |
| 506-25 | MV | 05/16 | 18.20 | EDT | 38-9999 | 7280-00 | 077005 | | | |
| 506-25 | ET | 05/16 | 18.29 | EDT | 38-9999 | 7220-00 | 077005 | | | 00.00 (W)NonScheduled End Tour |
| | | | | | | | | | | 00.00 |

- Carrier was shorted .27 hours of overtime

Some clock rings are more difficult to identify because clock rings sometimes roll into the next day or show up at the end of the week as unprocessed rings. In the example below the clock ring has rolled over into the next day on the Employee Everything Report. In this example there is an EBR-generated end tour of 20.50 for 08/14 showing up with the manually-input overtime authorization and begin tour for 08/15.

**Processed Clock Rings**

Tuesday

Base　0520

EBR #

| 802-60 | ET | 08/14 | 20.50 | | |
| 000-0000 | OT | 08/15 | 08.50 | ED | 011015 |
| 000-0000 | BT | 08/15 | 09.00 | ED | |

- Sometimes some clock rings are processed the next day

| | | | | | 01055555 | 08/14 | 17.32 |
|---|---|---|---|---|---|---|---|
| | | | | | 01055555 | 08/14 | 17.32 |
| | | | | | | | 00.00 |
| | | | | 011013 | 01144321 | 08/17 | 14.57 (W)NonScheduled End Tour |
| | | | | | | | 00.00 |

| Pay Loc/Fin. Unit | 011 / 0000 | | | Variable EAS | N | Annual Lv Bal. | 80.00 | FMLA Hrs |
|---|---|---|---|---|---|---|---|---|
| Employee ID | 04444444 | | | Borrowed | N | Sick Lv Bal. | 16.00 | FMLA Used |
| Employee Name | NORUN | | M M | Auto H/L | N | LWOP Lv Bal. | 08.00 | SLDC Used |

Processed Clock Rings

Tuesday

Base　05200: 009.50　05300: 002.00　05400: 001.50

EBR #

| 802-60 | ET | 08/14 | 20.50 | EDT | 38-9999 | 7220-00 | 011013 | | | | 00.00 (W)Ring Deleted From PC |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | 01144321 | 08/17 | 14.55 |
| 000-0000 | OT | 08/15 | 08.50 | EDT | 38-9999 | 7220-00 | 000000 | 10.00 | 01144321 | 08/17 | 14.60 |
| | | | | | | | | | | | 00.00 |
| 000-0000 | BT | 08/15 | 09.00 | EDT | 38-9999 | 7220-00 | 000000 | | 01055555 | 08/16 | 19.73 (W)NonScheduled Begin Tour |
| | | | | | | | | | | | 00.00 |

The carrier in this example made only three clock rings on this date; the begin tour at 09.85, the move to the street at 11.50, and the end tour at 20.50.



Subtracting the begin tour from the end tour and then deducting the 30 minute (.50 hours) lunch results in 10.15 hours worked on this date. However, a supervisor with EIN 01144321 deleted the carrier-input end tour of 20.50 on 08/17 at 15.55. This is three days after the fact.

The same supervisor input an end tour of 18.35 on the same date the carrier-input end tour of 20.50 was deleted.



Monday

| | | | | | 05200: 008. | **- Supervisor input an ET of 18.35** | | | | | 05.13 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| EBR # | | | | | | | | | | | | |
| 000-0000 | OT | 08/14 | 07.50 | EDT | 38- | | | | | | | |
| 802-60 | BT | 08/14 | 09.85 | EDT | 38-9999 | | 011013 | __.__ | __-__-__ | __/__ | 00.00 | (W)NonScheduled Begin Tour |
| | | | | | | | | | | | 00.00 | |
| 802-60 | MV | 08/14 | 11.50 | EDT | | 7210-00 | 011013 | 04444444 | | __-__-__ | 11.65 00.00 | |
| 000-0000 | OL | 08/14 | 18.35 | EDT | 38-9999 | 7220-00 | 011013 | __.__ | 01144321 | 08/17 | 14.57 | from PC |
| | | | | | | | | | | | 00.00 | |
| 000-0000 | MV | | | | | | | | | | | |
| 000-0000 | ET | 08/14 | 18.35 | EDT | 38-9999 | 7220-00 | 011013 | __.__ | 01144321 | 08/17 | 00.00 14.57 | (W)NonScheduled End Tour |
| | | | | | | | | | | | 00.00 | |

| Pay Loc/Fin. Unit | 011 / 0000 | | Variable EAS | N | Annual Lv Bal. | 80.00 | FMLA Hrs |
|---|---|---|---|---|---|---|---|
| Employee ID | 04444444 | | Borrowed | N | Sick Lv Bal. | 16.00 | FMLA Used |
| Employee Name | NORUN | M M | Auto H/L | N | LWOP Lv Bal. | 08.00 | SLDC Used |

Processed Clock Rings

Tuesday

| | Base | | 05200: 009.50 | 05300: 002.00 | 05400: 001.50 | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| EBR # | | | | | | | | | | |
| 802-60 | ET | 08/14 | 20.50 | EDT | 38-9999 | 7220-00 | 011013 | __.__ | __-__-__ | __/__ | 00.00 (W)Ring Deleted From PC |
| | | | | | | | | | 01144321 | 08/17 | 14.55 |
| 000-0000 | OT | 08/15 | 08.50 | EDT | 38-9999 | 7220-00 | 000000 | 10.00 01144321 | 08/17 | 14.60 |
| | | | | | | | | | | | 00.00 |
| 000-0000 | BT | 08/15 | 09.00 | EDT | 38-9999 | 7220-00 | 000000 | __.__ | 01055555 | 08/16 | 19.73 (W)NonScheduled Begin Tour |
| | | | | | | | | | | | 00.00 |

This edit by the supervisor was made for the carrier's clock rings on their non-scheduled day. Therefore, the 2.15 hours loss of pay (20.50 hours – 18.35 hours) cost the carrier 2.15 hours of penalty overtime and the same amount of night shift differential.



Monday

05200: 008.00    05300: 008.00    05400: 000.35

| EBR # | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 000-0000 | OT | 08/14 | 07 | | | | | | | | |
| 802-60 | BT | 08/14 | 09 | **05200: 008.00** | | **05300: 008.00** | | **05400: 000.35** | | | Begin Tour |
| 802-60 | MV | 08/14 | 11 | | | | | | | 00.00 | |
| 000-0000 | OL | 08/14 | 12.00 | EDT | 38-1776 | 7220-00 | 000000 | 01055555 | 08/14 | 14.57 (W)Ring Deleted From PC |
| | | | | | | | | 01055555 | 08/14 | 17.32 |
| 000-0000 | MV | 08/14 | 12.50 | EDT | 38-1776 | 7210-00 | 011 | 01055555 | 08/14 | 17.32 |
| | | | | | | | | | | 00.00 |
| 000-0000 | ET | 08/14 | 18.35 | EDT | 38-1776 | 7220-00 | | __.__ | 01144321 | 08/17 | 17.30 (W)NonScheduled End Tour |
| | | | | | | | | | | 00.00 |

| Pay Loc/Fin. Unit | 011 / 0000 | | EAS | N | Annual Lv Bal. | 80.00 | FMLA Hrs |
|---|---|---|---|---|---|---|---|
| Employee ID | 04444444 | | ed | N | Sick Lv Bal. | 16.00 | FMLA Used |
| Employee Name | NORUN | | | | | | C Used |

Processed Clock Rings

Tuesday

**- Carrier's NSD, so all work over 8 should have been penalty. Carrier was shorted 2.15 hours.**

| | Base | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| EBR # | | | | | | | | | | |
| 802-60 | ET | 08/14 | 20.50 | | | | | | | d From PC |
| 000-0000 | OT | 08/15 | 08.50 | EDT | 38-9999 | 7220-00 | 000000 | 10.00 01144321 | 08/17 | 14.60 |
| | | | | | | | | | | 00.00 |
| 000-0000 | BT | 08/15 | 09.00 | EDT | 38-9999 | 7220-00 | 000000 | __.__ | 01055555 | 08/16 | 19.73 (W)NonScheduled Begin Tour |
| | | | | | | | | | | 00.00 |

On this day the letter carrier should have been paid for 10.15 total hours with 8.00 hours of regular overtime pay, 2.15 hours of penalty overtime pay, and 2.50 hours of night shift differential. Instead, because his supervisor falsely edited his clock rings, he was only paid for 8.00 total hours (all regular overtime pay) and only .35 hours of night shift differential.

Having a complete understanding of each aspect of a letter carrier's clock rings and how edits can be made to those clock rings is very important for union representatives to properly identify if management is falsely editing the reports that directly affect an employee's pay.
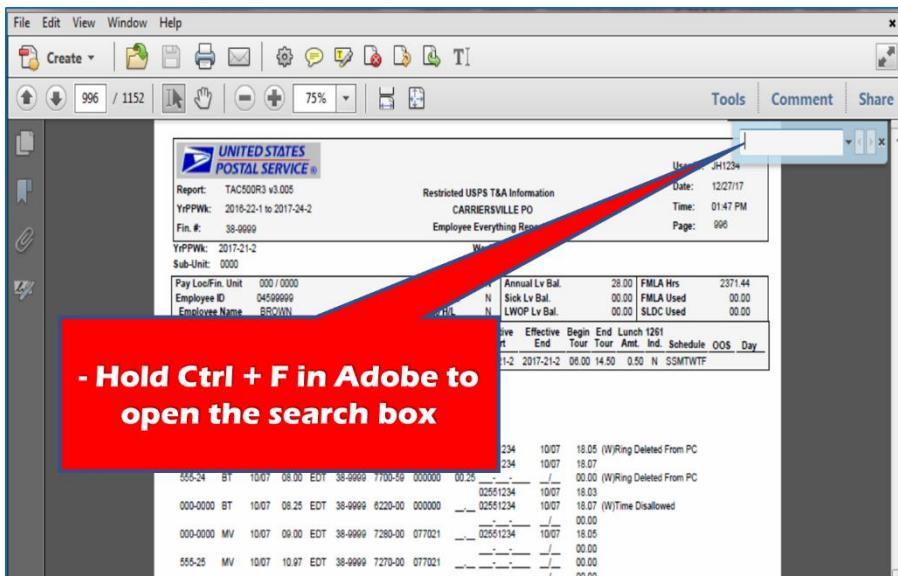
# Section 3 - Putting Your Knowledge to Use

Properly identifying falsely edited clock rings begins with knowing where to look and having a good understanding of the best ways to spot the violations.  As discussed earlier in this guide, just because "000-0000" does not appear in a clock ring under the EBR number does not mean a manual edit was not made.  While spotting those zeros may possibly mean a false edit was made, that's not an all-encompassing way of finding the violation.
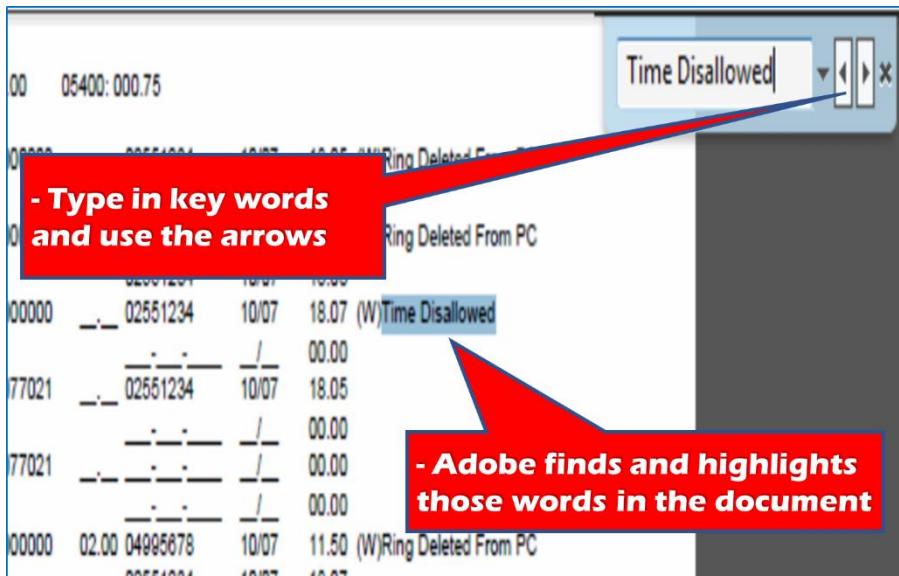
Again, if management deletes a lunch clock ring made by the employee's time card the "000-0000" won't show it. If a carrier is sent back out after clocking out and the call back time is deleted, you can't identify that by the "000-0000" either.  Additionally, TACS doesn't always state "Time Disallowed" when time is taken out.  With that in mind, union representatives should pay special attention to each of the following items and actions when investigating potential false editing of clock rings:

|  |  |
|---|---|
| - Changes to BT | - 093: No Lunch Code |
| - Changes to ET | - Time Disallowed |
| - OL: Out to Lunch | - Ring Deleted from PC |
| - IL: In from Lunch | - 000-0000 |

The best way to search for the above items is by using a computer with the Adobe PDF Reader program.  Using Adobe you can search the document for any text you wish. To do so, hold the Ctrl key and press "F" to bring up the search box.

Type in the key word you wish to search and press enter or right click the forward arrow in the search box with your mouse. The search field is not case sensitive and you can even search using partial words. When using the search option, Adobe will find the next instance of that key word being used in the document and highlight it. The "000-0000" and "Ring Deleted from PC" are very labor intensive searches; these most likely will be reoccurring throughout the document.



Remember, not every "Ring Deleted From PC" is a violation. Management is required to correct discrepancies in TACS.

In the previous example the words "Time Disallowed" were used in the search box. Whenever a union representative encounters the disallowance of a letter carrier's time, he or she should always remember to see if that disallowance was documented on PS Form 1017-A, *Time Disallowance Record*.

Section 432.711 of the ELM states management must complete PS Form 1017-A anytime they disallow time an employee spent on the clock. They must also prepare a written entry on the form as to the factual basis for his or her knowledge that the employee was not working during the period of time disallowed. This form is pictured below.



The form also requires the supervisor to notify the letter carrier of the disallowance and record the date the carrier was notified. Union representatives should make sure the letter carriers they represent inform them anytime their supervisor notifies them that part of their time was disallowed. Union representatives should always investigate the appropriateness of the disallowance.

# Section 4 - Prevention and Resolution

## Educate Letter Carriers

Educating letter carriers to properly enter their own clock rings is a necessary element to preventing future violations of false editing of clock rings.  If the letter carriers know how to do this, management has less need to input changes in TACS, which could result in cleaner clock rings for NALC representatives to search through.

Something else letter carriers should be educated on is the proper use of a PS Form 1260, *Non-EBR Card* (pictured below).  A possible indication of false editing of clock rings is when carriers have a time card badge but they are being told not to clock out or being told to use a PS Form 1260 to record their time.

A PS Form 1260 is used by employees in offices that employ the Time and Attendance Collection System (TACS) and Electronic Badge Readers (EBR) to report time worked on an exception basis, i.e. when the Badge Reader system is not functioning, the employee's badge is unavailable, or when the employee is assigned to a work location where a Badge Reader is not available. Employees complete PS Form 1260 and submit it to the appropriate supervisor for approval and recording of the time worked in TACS.  Letter carriers should be informed to contact a union representative if they receive instructions to use a PS Form 1260 in contradiction to the above reasons.

| Name (Last, First, MI) | | | | EIN (8 digits) | | Pay Loc. |
|---|---|---|---|---|---|---|
| | Date (MM/DD/YYYY) | Ring Type (BT, OL, IL, MV, ET) | OPN-LU (6 digits) | Route (6 digits) | Finance No. (6 digits) | Time Hrs/100's |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| Supervisor Name (Print) | | | | Comment(s): | | |
| Supervisor Signature & Date | | | | | | |

PS Form **1260**, July 2012, *(Page 1 of 2)* PSN 7530-01-000-9268          **NON-EBR CARD**

While there are times when union representatives review employees' clock rings for errors, the best way to identify if false editing of clock rings is happening in an office is for each letter carrier to take an active role in monitoring their hours and resulting pay.

Many letter carriers already keep a log of the hours they work and, at the end of the pay period, check their pay to make sure it reflects the time they actually worked.  It's very important letter carriers track their hours by the day, not just by the week.  In some instances supervisors have been found moving overtime from one day to another to avoid the payment of penalty overtime.  Such a scenario would add up to the same amount of hours paid at the end of the week or pay period, but the amount of pay would be less.

With that idea in mind, NALC created the NALC Work Hour Tracker, explained in detail next, for each letter carrier to use to keep track of the hours they work each day.  NALC representatives should encourage the letter carriers they represent to use the tracker to monitor their work hours.  If they notice their paycheck doesn't reflect all of those hours, no matter how minimal the discrepancy may be, they should immediately inform a local NALC branch representative for further investigation and to file a grievance if necessary.

## NALC Work Hour Tracker

The NALC Work Hour Tracker was developed and made available to NALC members through the local branches and 15 national business agents.  It will also be issued in the future to all new CCAs who join the union. The tracker contains 53 pay periods worth of fillable tracking forms, a detailed instruction page that explains how to properly track hours and figure overtime for full-time regular, part-time flexible, and city carrier assistant letter carriers, and a USPS pay period calendar and time conversion table.  It even has a page for each pay period to take notes.

| Notes | | | | | | | | YEAR ___ PAY PERIOD ___ |
|-------|--|--|--|--|--|--|--|--|
|       |  |  |  |  |  |  |  |  |

| Week 1 | Sat. | Sun. | Mon. | Tue. | Wed. | Thu. | Fri. | Weekly Total |
|--------|------|------|------|------|------|------|------|--------------|
| Begin Tour Time | | | | | | | | |
| End Tour Time | | | | | | | | |
| Lunch Amount | | | | | | | | |
| Total Straight Time | | | | | | | | |
| Total Regular Overtime | | | | | | | | |
| Total Penalty Overtime | | | | | | | | |

| Week 2 | Sat. | Sun. | Mon. | Tue. | Wed. | Thu. | Fri. | Weekly Total |
|--------|------|------|------|------|------|------|------|--------------|
| Begin Tour Time | | | | | | | | |
| End Tour Time | | | | | | | | |
| Lunch Amount | | | | | | | | |
| Total Straight Time | | | | | | | | |
| Total Regular Overtime | | | | | | | | |
| Total Penalty Overtime | | | | | | | | |

YEAR ___ PAY PERIOD ___

The instructions for using the NALC Work Hour Tracker are included on the following pages.

# Instructions for Using the NALC Work Hour Tracker

The NALC Work Hour Tracker was developed to help letter carriers track their hours and ensure they are properly compensated for all the hours worked. The total hours documented in both week 1 and week 2 of the pay period should reflect the hours received on your pay check the following Friday. This tracker contains 53 pay periods, or more than two years' worth, of fillable forms. Write in the pay period and year on the right hand side of the tracker and keep the form for your records. Should an issue arise, this tracker could help the union determine if you were paid correctly.

Each day of the week is broken down into 6 line-items:

**Begin Tour Time**
**End Tour Time**
**Lunch Amount**
**Total Straight Time**
**Total Regular Overtime**
**Total Penalty Overtime**

The Postal Service uses a unique timekeeping system. It is a variation of the military 24-hour clock, but records time in hundredths of an hour rather than minutes. The line-items listed above should always be recorded in hundredths as shown on the time clock. A time conversion table found on the back of a PS Form 1260, *Non-EBR Card* is included on the last page of this booklet to aid in the conversion of minutes to hundredths and vice versa if necessary.

**Begin Tour Time:** The carrier should record his/her begin tour as is shown on the Electronic Badge Reader (EBR) at the start of each morning.

**End Tour Time:** The carrier should record his/her end tour as is shown on the EBR at the end of the work day.

**Lunch Amount:** The total lunch time is in hundredths of an hour (for example a ½ hour lunch = .50). It is important to remember a 1/2 hour lunch (.50 hours) is automatically deducted after 6 hours of work unless a "no lunch" was requested and approved.

The total hours for the day is figured by subtracting the lunch time and begin tour time from the end tour time:

|   |                    |                          |
|---|--------------------|--------------------------|
|   | **End Tour Time**   | **16.50**                |
| - | **Begin Tour Time** | **08.00**                |
| - | **Lunch Amount**    | **00.50**                |
| = |                    | **08.00 hours worked**   |

This should be completed daily by the letter carrier. At the end of each week, the hours should be tallied then combined for the pay period and compared to the carrier's pay check.

To track your paid hours correctly, you need to understand how you earn overtime. The rules for how you accrue overtime are different based on your classification, and are outlined next.

## Full-Time Regular Carriers:

- Any time worked after 8 hours on a regularly scheduled day[1] or 40 hours in any one service week are paid at the overtime rate, which is 1 and ½ times the base hourly rate.
- Any time worked after 10 hours in a service day or 56 hours of combined straight time and regular overtime in a service week will be paid at the penalty overtime rate, which is 2 times the base hourly rate.
- If working your first non-scheduled day, the first 8 hours of work are paid at the overtime rate. Any hours over 8 on your non-scheduled day are paid at the penalty overtime rate. If you work both non-scheduled days, the second day is paid at the penalty overtime rate.
- If you work overtime on all five regularly scheduled days, overtime on the fifth day is paid at the penalty rate.

### Part Time Flexible Carriers and City Carrier Assistants:

- Any time worked after 8 hours in a service day or 40 straight time hours in any one service week are paid at the overtime rate, which is 1 and ½ times the base hourly rate.
- Any time worked after 10 hours in a service day or 56 hours of combined straight and regular overtime in a service week will be paid at the penalty overtime rate, which is 2 times the base hourly rate.

*Exception for all employees: Penalty overtime pay will not be paid for any hours worked during four consecutive service weeks around December as identified each year in the Postal Bulletin.*

The tracker includes a notes page for each pay period. Here carriers can record things that occurred during the pay period such as which routes they carried, if they took a lunch for shorter or longer than 30 minutes, if they left early to go to a doctor's appointment, etc. These notes could be invaluable if it's determined after the pay period is over that an edit in clock rings resulted in a loss of pay.

The tracker should also be used to record leave taken during the pay period to ensure the proper amounts are entered. Management's failure to enter the correct leave amounts will impact letter carriers' pay for the week.

---

[1] Handbook F-21, *Time and Attendance* provides that if a full-time carrier works over or under eight hours on a regularly scheduled work day by five minutes or less (.08 hours) the carrier will be paid for an eight-hour day.

Enter the amount of leave used on the Total Straight Time line of the tracker[2].   For partial days of leave, add the leave used to the hours worked and if the total is at least eight hours, enter "8.00" on the Total Straight Time line.  Any amount over eight hours is entered on the appropriate overtime line. Notate on the notes page the days and amounts of leave used.

**Grievance Advice**

Anytime a supervisor falsely edits a clock ring union representatives should make sure a timely grievance is filed. As with any other grievance, a successful grievance challenging false editing of clock rings must contain a proper issue statement, a detailed statement of the facts, a well-prepared series of contentions, and a proper remedy for the situation. Provided below are some guidelines that can be used to help successfully grieve instances in which management has failed to adhere to our contract when editing clock rings.

**Issue Statements:**

A basic issue statement for grievances involving falsely-edited clock rings should at a minimum read:

> Did management violate Article 5, specifically the Fair Labor Standards Act (FLSA), Article 34 Section A, Article 41 Section 3.K, along with ELM Sections 432.712, 665.16, and 665.44, and Sections 146.25 and 146.26 of Time and Attendance Handbook F-21 via Article 19 at the **[Station/Post Office]** by falsely editing letter carrier time clock rings?  If so, what should the remedy be?

Of course, each issue statement should be tailored to the particular violation(s) being grieved.  Keep in mind it may be appropriate to add an additional violation(s) to the issue statement.  Some examples of additional violations can be found in the following facts and contentions.

**Facts:**

The following is a list of facts that could be used in a grievance.  The list isn't meant to be exhaustive as each situation is unique based on the circumstances.  Following the facts is a starter list of what may be needed to document the violation.

---

[2] Part-Time Flexible and City Carrier Assistant letter carriers cannot use leave once they have worked 40 straight-time hours during a pay week.

1. Letter Carrier(s) **[Name(s)]** worked at the **[Station/Post Office]** on **[date(s)].** This fact is documented with the employee everything report(s) and the PS Form 1260, *Non-EBR Card* in the case file.

Documentation:  Carrier statement(s), Employee Everything Report, PS Form 1260.

2. On __**[date]**_ , **[Supervisor/Manager]** ___**[name]**___ edited  Letter Carrier ___**[name]**___ work hours resulting in a loss of __**[hrs/mins]**__ at the **[regular/ot/penalty]** rate.

Documentation:  Employee Everything Report, PS Form 1017-A, PS Form 1260 (or lack of).

3. Letter Carrier(s) **[Name(s)]** did not agree to a work hour time edit. This fact is documented in the case file with signed statement(s) from the letter carrier(s).

Documentation:  Carrier statement(s) (to include statements from others who may have heard the conversation between the letter carrier and supervisor).

4. Article 34, Section A of the National Agreement provides:

   *A. The principle of a fair day's work for a fair day's pay is recognized by all parties to this Agreement.*

Documentation:  Carrier statement(s), Employee Everything Report, PS Form 1017-A, PS Form 1260 (or lack of).

5. Article 41, Section 3.K of the National Agreement provides:

   *K.  Supervisors shall not require, nor permit, employees to work off the clock.*

Documentation:  Carrier statement(s), Employee Everything Report, statements or TACS Reports showing management official's name and EIN, PS Form 1017-A, PS Form 1260 (or lack of).

6. The Employee and Labor Relations Manual (ELM), Section 432.712 provides:

*Allowed Time*

*Supervisors must credit employees with all time designated as work time under the Fair Labor Standards Act. Examples of time that must be credited as work time if the supervisor knows or has reason to believe the activities are being performed during the time, include:*

*a. Time spent by employees in performing duties that are part of, or related to, the employees' principal work activity, such as pulling mail from a distribution case, collecting tools or supplies, and adjusting rest bars.*

*b. Time spent continuing to work after a tour ends in order to correct an error, to prepare records, or to finish up a task.*

*c. Time spent working during meal periods.*

*d. Time spent distributing work to work stations.*

Documentation:  Carrier statement(s), Employee Everything Report, statements or TACS Reports showing management officials name and EIN, PS Form 1017-A, PS Form 1260 (or lack of).

7. The Employee and Labor Relations Manual (ELM), Section 665.16 provides:

*Behavior and Personal Habits*
*Employees are expected to conduct themselves during and outside of working hours in a manner that reflects favorably upon the Postal Service. Although it is not the policy of the Postal Service to interfere with the private lives of employees, it does require that postal employees be honest, reliable, trustworthy, courteous, and of good character and reputation. The Federal Standards of Ethical Conduct referenced in 662.1 also contain regulations governing the off-duty behavior of postal employees. Employees must not engage in criminal, dishonest, notoriously disgraceful, immoral, or other conduct prejudicial to the Postal Service. Conviction for a violation of any criminal statute may be grounds for disciplinary action against an employee, including removal of the employee, in addition to any other penalty imposed pursuant to statute. Employees are expected to maintain harmonious working relationships and not to do anything that would contribute to an unpleasant working environment.*

Documentation:  Carrier statement(s), Employee Everything Report, PS Form 1017-A, PS Form 1260 (or lack of).

8.  The Employee and Labor Relations Manual (ELM), Section 665.44 provides:

*Falsification in Recording Time*
*Recording the time for another employee constitutes falsification of a report.*
*Any employee knowingly involved in such a procedure is subject to removal or other discipline. Failure of a supervisor to report known late arrivals is regarded as condoning falsification. These practices may also result in criminal prosecution.*

Documentation:  Carrier statement(s), Employee Everything Report, PS Form 1017-A, PS Form 1260 (or lack of).

9.  Handbook F-21, Section 146.251 (a) and (b) provide:

*PS Form 1017-A, Time Disallowance Record*
*a. PS Form 1017-A serves as a permanent and cumulative record of disallowed time. Supervisors must establish a PS Form 1017-A for every nonexempt employee with disallowed time by completing the name and Social Security number blocks. The forms should be placed in a notebook binder by pay location or work section; (i.e., Carrier Section, Distribution Clerks, Window Units, etc.), and secured from unauthorized access in locked file cabinets or desk drawers. Postmasters are responsible for the control of disallowed time/unauthorized overtime. Only time on the clock, which has been documented as time not worked by the employee's supervisor, may be disallowed.*

*b. Document incidence of time disallowance on PS Form 1017-A as follows:*

| | |
|---|---|
| *Block 1:* | *Date of the incident.* |
| *Block 2:* | *Year.* |
| *Block 3:* | *Pay period.* |
| *Block 4:* | *Week.* |
| *Block 5:* | *Day.* |
| *Block 6:* | *Total clock time in hours and hundredths.* |
| *Block 7:* | *Total time disallowed in hours and hundredths.* |
| *Block 8:* | *Initials of supervisor annotating the disallowance.* |
| *Block 9:* | *The date the employee was notified of the disallowance.* |

*The applicable disallowance code (codes appear on the reverse of PS Form 1017-A).*

Block 11: *Enter remarks documenting reason for disallowance.*

10. Handbook F-21, Section 146.26 provides in part:

   **Creditable Work Time**
   *Supervisors must credit employees with all time designated as work time under the Fair Labor Standards Act (FLSA).*

11. Article 5 prohibits management from taking actions contradicting their obligations under the law, specifically the Fair Labor Standards Act (FLSA) which requires management by law to pay carriers for all time spent working.

## Contentions:

While it is very important to establish the documented facts of the grievance, it is equally important to correlate those facts to the violations of the cited contractual provisions. The following is a list of some appropriate union contentions as they relate to the documented facts listed above.

1. Management has failed to provide any evidence Letter Carrier(s) **[Name(s)]** was not performing letter carrier duties during the time edited and disallowed by management. This is documented by a copy of (or lack of) the PS Form 1017-A, *Time Disallowance Record* in the case file.

2. **[Supervisor/Manager] [Name(s)]**'s false editing of Letter Carrier **[Name]** work hours resulted in a loss of pay for **[hrs/units]** at the **[regular/ot/penalty]** rate.

3. Also as a result of time lost, Letter Carrier(s) **[Name(s)]** was denied **[hrs/units]** of **[annual leave/night shift differential/sick leave/TSP contributions]**.

4. Management violated Article 5 of the National Agreement when they failed to adhere to the Fair Labor Standards Act by not paying carriers for all time spent working, as is their obligation under the law.

5. Management violated Article 34, Section A of the National Agreement at the **[Station/Post Office]** by not paying Letter Carrier(s) **[Name(s)]** for all hours worked on **[date]**.

6. Management violated Article 41, Section 3.K of the National Agreement at the **[Station/Post Office]** by requiring/permitting Letter Carrier(s) **[Name(s)]** to work of the clock as a result of falsely editing their work hours.

7. Management violated Handbook F-21, Section 146.25 when no written documentation was provided for his/her knowledge that the employee was not working during the time disallowed.

8. Handbook F-21, Section 146.26 was violated when falsely editing letter carrier clock ring entries which resulted in letter carriers not being credited with all time designated as work time.

9. Management violated Section 665.16 of the ELM when falsely editing clock rings and resulting in the loss of pay for work performed. These actions are egregious and criminal. Such conduct erodes the harmonious environment and the working relationship between the carrier and management as well as the union and management.

**Request the Appropriate Remedy**

Finally, make sure the remedy you request in your grievance is appropriate. Make sure management agrees to cease and desist editing clock rings falsely. Letter carriers also need to be made whole for the time lost and the benefits associated with it. A lump sum should not be used as a remedy as this does not necessarily make a grievant whole for these benefits. Future audits of the clock rings by the union should be granted at no cost to the union to ensure management is in compliance. Last, you should receive interest at the federal judgment rate as outlined in ELM, Section 436.73.

If we find the issue is egregious or repetitive, you should ask that supervisors who falsely edit clock rings lose their access to TACS. This will ensure they don't do it again. Also you may decide to request an additional monetary award on the time lost. Make sure you can show the harm with witness statements and other documentation. Not every violation will warrant the same remedy in this instance.

**Remedy:**

1. Management at the **[Station/Post Office]** shall cease and desist the practice of falsely editing letter carrier clock rings.

2. Make Letter Carrier(s) **[Name(s)]** whole for _____ hours/units at the appropriate rate of pay and for all benefits associated with the loss. A

copy(s) of the adjustment(s) made will be provided to the local union within 14 days.

3. Interest shall be paid at the federal judgment rate on all time lost.

4. Any other remedy the Step B team or an arbitrator deems appropriate.

5. To ensure future compliance of proper time keeping practices, management will provide clock rings upon request of the local union for the purpose of auditing for possible discrepancies. Such auditing of clock rings will be performed on the clock and at no cost to the union.

***In cases where the actions are repetitive in nature consider including the following requested remedies:***

6. **[Supervisor/Manager] [Name]** will no longer have access to letter carrier time keeping by having their TACS access revoked.

7. Additional monetary remedy to ensure future compliance.


## Conclusion

As an NALC representative of this union, it is our everyday function to watch out for our fellow letter carriers and ensure they are being paid for the hours they work, and at the appropriate rate of pay. Letter carriers are responsible for recording their times daily by making accurate clock rings, and they deserve to be paid for every minute they work.

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