



NATIONAL ASSOCIATION OF POSTAL SUPERVISORS

National Headquarters
1727 KING STREET, SUITE 400
ALEXANDRIA, VA 22314-2753
(703) 836-9660

NAPS Newsbreak

Judge Rules that USPS Violations of Postal Compensation Laws are “Not Subject to Judicial Review”

July 23, 2020

On July 17, a federal trial court dismissed NAPS’s lawsuit against the U.S. Postal Service for violations of federal law relating to compensation of supervisors, postmasters, and other managerial employees, as well as to the scope of NAPS’s representation of those employees, ruling that the rights established by the Postal Reorganization Act (PRA) are “not subject to judicial review.”

The decision of the federal district court for the District of Columbia is the latest twist in the ongoing dispute between NAPS and the Postal Service over pay for the almost-50,000 managers, supervisors, postmasters, and other professional and administrative employees paid under the USPS Executive and Administrative Schedule (EAS). In December 2018, a three-member factfinding panel, convened at NAPS’s request by the Federal Mediation and Conciliation Service, held a two-day hearing to review the 2016-2019 pay package issued by the Postal Service in 2018. In April 2019, the factfinding panel unanimously found that EAS compensation was not comparable to private sector compensation, that the pay-for-performance system is “seriously flawed,” and that the current Supervisory Differential Adjustment is unreasonably calculated and inadequate, resulting in thousands of postal supervisors and postmasters being paid less than the clerks and carriers they supervise. The Postal Service then rejected most of the panel’s findings and recommendations, prompting NAPS to file its lawsuit in July 2019.

Judge Royce C. Lamberth of the U.S. District Court for the District of Columbia did not reach the issue of whether the Postal Service’s compensation system violates the law. Instead, he held that any fix of the situation lies more immediately with Congress, rather than the courts. Under Judge Lamberth’s interpretation of the law, postal supervisory organizations cannot challenge Postal Service decisions in court because the statute governing postal compensation does not expressly provide for such a right of judicial review. For the same reason, Judge Lamberth also did not address whether the PRA requires the Postal Service to recognize the rights of postmasters and headquarters and area personnel to be represented by NAPS.

NAPS is considering its next steps, including appealing all or part of the decision, asking Congress to amend the PRA (which was passed in 1970), or both. “While we are disappointed with the court’s decision, NAPS will continue to advocate for our members’ rights,” said Brian J. Wagner, NAPS president. “As the factfinding panel found, the USPS pay system for managers and supervisors is broken and inconsistent with the law. We look forward to the day when Congress, the courts, or both require the Postal Service to comply with the law, so supervisors, managers, and postmasters are paid fairly and appropriately.”

Representing supervisors, managers and postmasters in the United States Postal Service