

National Association of Letter Carriers

Branch 782 E.A. Baker Union Update

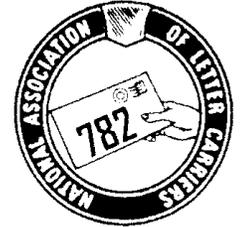


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CHARTERED FEBRUARY 25, 1891

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FEBRUARY 2012

If you're "here", you've gotten to the latest "web" version of the *NALC BRANCH 782 E.A. BAKER UNION UPDATE*. Thank you for taking a look! For context, our web version augments the printed material published in our regular monthly newsletter. And, we build on it to let you explore some additional insights provided by other Letter Carriers around the country. Obviously, this "digest" reflects selections that caught my interest...

Why do I do this? It is prohibitively expensive to publish our newsletter with a bunch of pages. However, ***THERE IS JUST SO MUCH RELEVANT INFORMATION OUT THERE THAT IS AVAILABLE IN THE MANY NALC NEWSLETTERS FROM ALL OVER THIS GREAT COUNTRY OF OURS!!*** This format provides us a great opportunity for sharing pertinent information with any individual Branch 782 member who wants more.

So...what kinds of things can you find as you electronically "flip" through the pages that weren't in the original print version??? (For perspective, the February 2012 print version had twelve pages, the web version has 32 pages.)

Pages 6-7 are from Greater East Bay Branch 1111 and reprint a speech made by NALC President Rolando that addresses some information you should know. Page 8 (from the Oregon State Association of Letter Carriers newsletter *The Satchel*) and page 9 (from the *Houston Letter Carrier*) present additional political points. Read about a special neighborhood project spearheaded by Letter Carriers in New York City on page 16. Have you heard the phrase: "Deviating from the Route"? Page 17 reprints an article from the Tarpon Springs, FL Branch 2008 *Suncoast Letter Carrier's Update* that you should be aware of. If you are a PTF, the information on page 18 is something that you should be aware of...it might be something that might make you able to become a Regular employee more quickly. You can thank the members of Dallas, TX Branch 132 for the help. Those of you who are contemplating retirement might want to take a look at some of the suggestions from Lexington, KY Branch 14 on page 19. Another article from Branch 14 which is on page 20 also shares some info about what is going on with the Overtime Desired List in that area. Page 21 shares the insight of the Buffalo, NY Branch 3 President about how important it is to have a Congressman who is sympathetic to the needs of Letter Carriers. No one ever believes that they are going to have to deal with "getting hurt on the job"...but it *does* happen. Page 22 offers some changes in the way that OWCP deals with on-the-job injury that were originally presented in the NALC Branch 4374 *Front Lines* published in Center Line, MI. Page 23 reprints a message from a Carrier in Lancaster, CA who is frustrated by the impact of excessing in his office. That same page begins a reprint of an article which continues on page 24 and lets you know that Carriers in Pittsburgh, PA are being forced to come in on their scheduled days off. DOIS? Have you heard your supervisor refer to DOIS? Read the info on page 25. Pages 26 and 27 shares info from the NALC members in Seattle, WA and their Branch 79er. It is pretty interesting and might just make you appreciate the manager in your office... For some of you old-timers, info from the Fresno, CA Branch 231 *Postman's View* on pages 28-29 might feel like a personal history lesson about something called "E.I." My friend, retiree Don Hastings, has some good insight for you.

Electronically Yours,
Basil Zuniga, Branch 782 Editor-guy

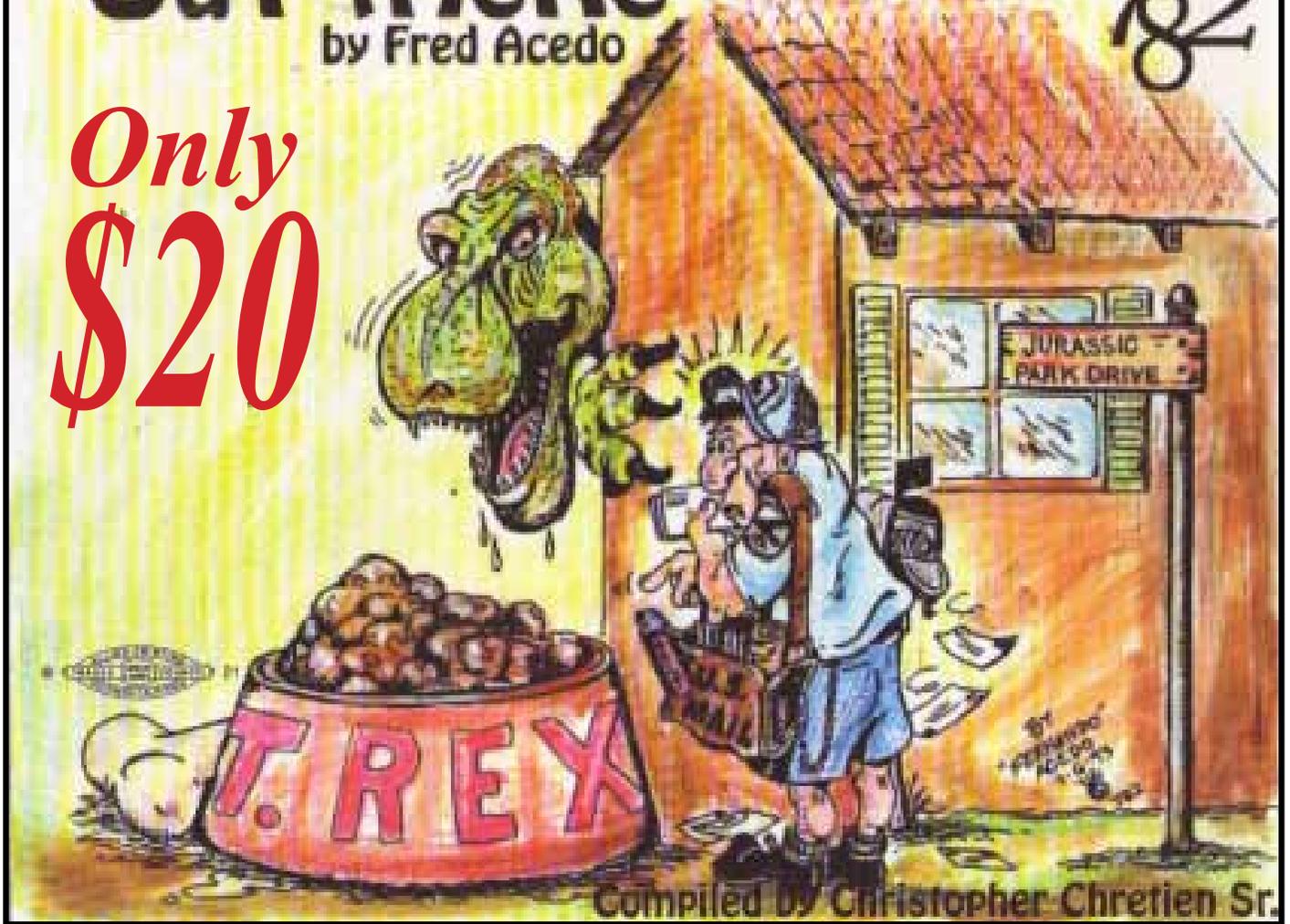
***And now???* An Adversisement for a great, great, GREAT book that you can own...**

“Out tHeRe”

by Fred Acedo

BRANCH
782

Only
\$20



So what is this advertising message about? **THIS** is an MDA fundraiser. We are asking for **YOUR** help!!!!!!

We envisioned that all 2,500 copies of this book would be sold at the national NALC Convention in Anaheim in 2010. Didn't happen. We still have about 1500 copies of this book waiting to be sold before we can make our anticipated MDA donation. And—to add a little twist—a member motion at our general meeting that we had to sell **ALL** of the books before we could make our donation...

The book (about, for and by members of the NALC) chronicles the work of Branch 782 S.A.N.E Fred Acedo through the first nine of his nineteen years producing outstanding glimpses into who we are.

So...you may ask, what can you do? **ORDER A BOOK!!!**

Contact Kim Gerdes at (661) 301-9676; or, try her at the following e-mail address: “krgerdes91@hotmail.com”. **PLEASE** help us out!



National Association of Letter Carriers

Branch 782

E.A. Baker Union Update



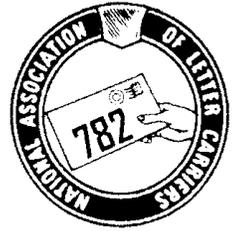
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CHARTERED FEBRUARY 25, 1891



VOLUME LXXXII NUMBER 11

FEBRUARY 2012

Johnny on the Spot



**IF AT FIRST
YOU DON'T
SUCCEED
WITH A
LETTER...
TRY:
E-MAIL?**

This is my response to a letter that I finally received from Congressman Kevin McCarthy on preserving 6 day delivery.

But before you read it, let me tell you how this finally happened.

In March of 2009, I was afforded the opportunity to travel across this great nation as part of the NALC West Coast Lobby Trip to Washington DC. My group had a meeting scheduled with the aforementioned Congressman. We proceeded to check in at his office and awaited our meeting outside of his office in the hallway.

Try to visualise this as if you were there as part of our group...

There were five of us ready to speak with the Congressman. (In fairness, the office waiting areas are *usually* too small to accommodate a group this size. However...)

A few minutes later an aide emerged from the office, immediately closing the door behind him and pulled us together outside the office in the hallway. We were going to conduct our business out in the hallway. **THE AIDE WOULDN'T EVEN LET US GET INTO THE OFFICE TO SHARE CONCERNS THAT LETTER CARRIER CONSTITUENTS HAD FOR OUR CONGRESSMAN...**

This was a not so subtle hint about how receptive Congressman McCarthy was to issues that are important to us.

Continued on next page...

The aide informed us that Congressman McCarthy was very busy but that he would be presenting all of our concerns to the Congressman.

We conducted our business with the aide and—***WHILE THAT MEETING WAS BEING CONDUCTED***—I saw Congressman McCarthy walking to his office. He gave a glance over at us and then quickly ducked into his office.

We finished our meeting and gave the aide our contact information so that the Congressman could respond to our concerns.

NO RESPONSE.

A couple of months later, we scheduled a follow up meeting at his field office here in Bakersfield. We met with an aide and again presented him with our concerns, left our contact info etc. etc.

NO RESPONSE.

We then found out that our Congressman was going to conduct a town hall meeting here in Bakersfield. There were about twelve of your fellow Brothers and Sisters there in support of preserving 6 day delivery. We all had t-shirts on in favor of 6-Day Delivery.

The meeting ran long and the Congressman had to stop taking questions from the microphones in the audience.

To his credit, he remained to take questions one-on-one from his constituents. When we got the chance to ask him to support 6-Day Delivery, he mentioned that he noticed our group sitting in the audience because of the shirts. He also said that he liked getting his mail and that he had a son away in college who he mails things to.

He said (and I quote him), “If the bill to preserve 6 Day Delivery is what you say it is after I read it, you can count on my support”.

We left our contact info etc. etc. etc.

NO RESPONSE.

So after that first trip to DC in 2009, I found myself in March of 2011 in another hallway meeting etc. etc. And...

NO RESPONSE.

Another follow up visit here locally etc, etc.

NO RESPONSE.

Then, there were the “Save the Post Office” rallies nationwide. Locally, a very large group of over a hundred people participated. More than 1000 signatures on petitions were submitted to the Congressman’s office.

But, he ducked us that day, too. He had to leave early to conduct some “personal business”.

We again left our contact info etc, and etc. and etc.

While he took the time to issue a statement to the local news stations about about not wanting to “bail out” the post office, he still did not respond to us directly.

NO RESPONSE.

Then about a month ago, as I sat on my computer at home while having a relaxing refreshment I got the idea of sending him an e-mail. Couldn’t hurt right?

Well, as you will soon read, it *FINALLY* got a response.

While I am sure this letter is just a blanket statement from him, he did leave the door wide open for us when he said to stay in contact with him.

The only downer is he says to do it by e-mail instead of a hard copy letter... Hey! Beggars can’t be choosers. I will continue to let him know our concerns as they arise.

But, I have to ask you to *PERSONALLY* do something! ***PLEASE JOIN ME!!!*** (kevinmccarthy.house.gov). Let him know that YOU, his voting constituents don’t want to be ignored anymore! ***AND...*** if he asks *US* to vote for him to continue to be our Congressional Representative, maybe we should give him what he has given us...

NO RESPONSE!!!

***PLEASE THINK ABOUT THAT,
CONGRESSMAN MCCARTHY!!!***

Really.

Respectfully,

JOHN ORTEGA
NALC Branch 782 Vice-President

February 1, 2012

Dear John:

Thank you for contacting me regarding the postal service.

In this time of rising costs and economic uncertainty, I appreciate hearing your thoughts on the issue of reducing the number of delivery days. Since we are in an age of many forms of communication, such as cell phones, e-mails, text messages, etc., the U.S. Postal Service has been experiencing a reduction in revenue. The onset of the global economic crisis has caused a sharp downturn and the Postal Service has been examining ways to reduce costs. Ideas that the Postal Service has been considering include reducing the number of days of mail service, closing offices in rural parts of the country, and further raising the price of postage. Many people are affected by any change in the mail delivery system so the Postal Service must continue to carefully examine the effects of any of these cost saving efforts before making any changes. As your Representative in Congress, be assured that I have noted your comments and will keep them in mind should legislation to reform the U.S. Postal Service comes to the House floor for a vote.



The onset of the global economic crisis has caused a sharp downturn and the Postal Service has been examining ways to reduce costs. Ideas that the Postal Service has been considering include reducing the number of days of mail service, closing offices in rural parts of the country, and further raising the price of postage. Many people are affected by any change in the mail delivery system so the Postal Service must continue to carefully examine the effects of any of these cost saving efforts before making any changes. As your Representative in Congress, be assured that I have noted your comments and will keep them in mind should legislation to reform the U.S. Postal Service comes to the House floor for a vote.

Thanks again for contacting me on issues of importance to you. If you would like additional information on services my office can provide you, my votes and positions on issues facing our nation, and to subscribe to receive periodic "e-newsletters," please visit my website at <http://kevinmccarthy.house.gov/>.

Sincerely,

KEVIN MCCARTHY
Member of Congress

P.S.- As your Representative, I want to make it a priority that we continue our conversation so I can hear your concerns. One of the ways we can stay in touch is through email. Periodically, I send email updates about what is happening in Congress and surveys to hear from you about the issues. You can also stay in touch with me through: Facebook: <http://www.facebook.com/CongressmanKevinMcCarthy> Twitter: <http://twitter.com/ChiefDeputyWhip> YouTube: <http://www.youtube.com/user/RepKevinMcCarthy>



Dear Branch Presidents, NBA, State and Branch Officers, CDLs, and Activists:

We wish to thank everyone who took the time to call back to DC and voice your concern over the provisions inserted in the Payroll Tax Cut Extension. Unfortunately today, the House and Senate passed this legislation that increases the federal and postal employee pension contribution from the current .8 percent to 3.1 percent for new employees. House Democrat Steny Hoyer, from Maryland said Friday he would not vote for the bill due to the pension contribution increases. Hoyer stated for the record "This Congress is on the path to be the most anti-federal worker Congress that I have served in." He added, "Nobody is targeted in this bill other than federal employees. You can tell I'm angry about that because that's not fair. And that's not how you want to treat our employees, America's employees. America's public servants we call them."

IT IS IMPORTANT TO NOTE THAT THIS AGREEMENT DOES NOT PRECLUDE A PENSION CONTRIBUTION INCREASE FOR CURRENT FEDERAL EMPLOYEES THAT MAY BE BROUGHT UP IN THE UPCOMING BUDGET OR ANY FURTHER LEGISLATION THIS YEAR. We must **ALL** sound off loud and clear!!! Our membership needs to know that we are under serious attack and who the enemy is...

2012 will be the most important political fight we have been involved in to date. We need to start mobilizing now for the upcoming elections this fall.

In unionism,
John Beaumont President – California State Association of Letter Carriers

THE FUTURE OF THE USPS



Instead of my usual monthly article, I am offering you the transcript of NALC President Fred Rolando's address to the National Press Club on November 21, 2011. President Rolando here eloquently explains the current position of the Postal Service and what should be done in order to ensure our survival well into the future. It discusses the NALC position in our current contract negotiations, as well as the necessity of continuing universal, six day delivery.

My apologies to anyone who has already read the President's remarks, but I think this is important enough to read again.
~Robert Rutter, Branch 1111 President

Thank you for coming here today. My name is Fred Rolando. For 20 years, I delivered the mail in South Florida and for the last two years, I have had the privilege of leading a union that represents nearly 200,000 men and women who deliver letters and packages all over America. As a long-time employee of the United States Postal Service, I would like to share with you some thoughts about how my union—the National Association of Letter Carriers—intends to deal with the very real challenges that the Postal Service faces.

There is no doubt that the Postal Service faces big problems. In fact, hearing some of what has been said, one could be forgiven for concluding that the Postal Service—while an important part of America's past—has no real role in the country's future. It is seldom dangerous to steal from Mark Twain, so let me say up front that the reports of the Postal Service's demise have been greatly exaggerated.

We know the Postal Service faces very serious problems. As letter carriers, we know them better than most. But, we also know that the Postal Service, if properly restructured, can be as relevant for the 21st century as it was for the 18th, 19th and 20th. And we are prepared to work with all interested stakeholders to craft a comprehensive plan to take the Post Office from where it is—to where it needs to be.

Today I want to put forward one very large and very specific idea and point the way toward a number of other ideas that, taken together, will do just that

Now let me be clear: Nothing that we are suggesting today requires Congress to appropriate one dime of taxpayer money to support the Postal Service. The Postal Service has not received taxpayer support since the early 1980s, and we intend to keep it that way.

But what we do ask of Congress is that—in the words of the famous Hippocratic Oath—it does no harm. We need Congress to understand that reducing and degrading our network or the services that the Postal Service provides to the American people—like going to 150 million addresses six days each week—is not the way to save the Postal Service.

Tens of millions of Americans depend on a strong Postal Service. Half the country's monthly bills are paid through the mail. The nation's letter carriers still carry 170 billion pieces of mail a year. They still deliver trillions (with a "T") of dollars per year in financial transactions. Rural communities, the elderly, and a huge percentage of Americans who do not use their computers still rely on their letter carriers.

Recklessly reducing service will irreparably damage the

Postal Service's most valuable asset—and that's the Postal Service's comprehensive delivery network—thus making it harder and less efficient for customers to use the mail. Ending Saturday service or eliminating door-to-door delivery will put the Postal Service into a death spiral. It would dismantle—NOT save—America's Postal Service.

And Congress can certainly help the Postal Service survive by undoing the grievous harm that it caused the Postal Service in 2006 when it required it to do something that no other private or public sector enterprise is required to do. In 2006, Congress insisted that each year the Postal Service use \$5 billion of its precious cash flow to cover the cost of future retirees' health care. This money could have been used to re-invest in new technology and other plans to reduce the cost of delivering the mail, but instead this money was diverted to a fund, that while laudable, is totally unnecessary, especially under today's conditions.

Here's a fact: without that one requirement, the USPS would have broken even over 4 of the past 5 years—despite the recession and despite the decline in First Class Mail and other changes associated with the rise of the Internet.

Letter carriers are in the midst of contract negotiations with the Postal Service. Our current five-year contract was set to expire last night at midnight. For the past week, every day, every night, up to the wee hours of the morning, negotiators for the NALC and the Postal Service were hard at work. And we will be back at the bargaining table very soon – last night we agreed to extend our talks until at least December 7, 2011.

These negotiations, and our bargaining process under federal law, will produce a contract. Everyone will still get their mail, every day, on time, from their friendly letter carrier. And that new contract will recognize and deal with the new realities of postal volume and finances.

We have put forward serious and innovative proposals designed specifically to produce billions of dollars in cost reductions for the Service. We have already started to do the hard work to reinvent this public service to preserve its core function in an efficient and economically responsible way.

For example, we are negotiating a new approach to health benefits that could save the Postal Service up to \$20 billion over the next ten years if it were applied to all postal employees through a combination of legislation and agreements negotiated by other bargaining units and managerial groups. These savings would derive from the adoption of best practices on disease management and wellness care, improved purchasing power for drugs and other medical services, and the sensible integration of our members' health insurance plans with Medicare benefits, among other sources.

NALC's decades of experience in running one of the best rated health plans in the Federal Employees Health Benefits Program have been brought to bear in our negotiations with postal management, and the two sides have engaged broadly on reducing health care costs. We will continue to advance that engagement in the weeks ahead and look forward to successfully negotiating a historic agreement.

We are also looking to deepen the role of letter carriers in the promotion of competitive products with an enhanced commitment to our Customer Connect program that uses letter carriers to find new customers for Priority Mail, Parcel Post and Express Mail. We have also discussed the creation of an innovation task force to directly engage American businesses of all sizes to find new ideas and uses for our networks.

Let me emphasize that we are by no means opposed to creating efficiencies where they make sense for the interests of the Postal Service and its customers. But a responsible strategy under which the Postal Service would adapt to better meet society's evolving needs is critical—not panic-driven slashing and burning that are akin to killing a patient to save it.

Beyond the bargaining table, the NALC has hired a world-renowned financial advisory firm, Lazard and Ron Bloom, who has more than 30 years of experience restructuring major industries, and who most recently served as the Obama administration's lead in restructuring the automobile industry. These experts will help us develop an alternative business model for the Postal Service—one that will build on the Postal Service's last-mile strengths and grow the organization, instead of following a self-defeating path of endless downsizing.

Meanwhile, there is also now serious congressional attention on cutting the huge burden imposed by Congress in 2006. The numbers are enormous and the actuarial concepts and principles involved are complex and well beyond what we can get into here. But the basic facts are undeniable and easy to grasp.

As I mentioned earlier, the Postal Service is the only company or agency—public or private—that is required to pre-fund its future retiree health benefits. We have to fund retiree health care the way companies fund ordinary pension benefits. The 2006 law, passed at a time when the economy and the Postal Service were strong, mandated \$5.5 billion annual prefunding payments for 10 years! This crushing burden, which hit the USPS just as the economy dropped off a cliff, siphoned \$21 billion from postal resources, accounting for 100 percent of the Postal Service's reported losses between 2007 and 2010. Now, as this is literally bankrupting us, we have been trying to convince Congress to reform this burden ever since.

The most practical answer to this pre-funding burden is to let the USPS use the undisputed \$11-plus billion surplus in its main pension plan and the \$50+ billion surplus in its other pension plan that private sector expert auditors have identified, using methods that even the General Accountability Office have acknowledged are "reasonable." But if Congress won't do this, it should at least repeal the pre-funding burden because the Postal Service has already set aside enough

money to fund retiree health benefits for decades to come. As I stand here before you today, this very minute, the nation's 200,000 letter carriers are doing their daily job of delivering 560 million pieces of mail to 150 million addresses. That's 170 billion pieces of mail a year. They are driving the Postal Service's fleet of 200,000 vehicles. They are operating out of 17,000 postal facilities in every village, town and city in America. They are doing it for half the price of the next cheapest postal service in the world.

In other words, we are a crucial part of the nation's economic infrastructure. The Postal Service and my members lie at the heart of a set of industries -- publishing, printing, advertising, commercial distribution and related sectors --- that employ 7.5 million workers, generating \$1.3 trillion dollars annually. That's 8% of the entire national economy.

Yes, the Internet has changed the world. And yes, e-mail has eaten into postal volume.

But huge areas of American commerce—and American citizens, especially the elderly and rural residents—depend on the last-mile delivery network of letter carriers.

The National Association of Letter Carriers is committed to saving America's Postal Service. And we will embrace and lead the changes required for the Postal Service to remain a vital institution that will serve our nation for decades to come. But we need to be given a chance to succeed—Congress must resist poorly thought-out and radical downsizing plans and reform the pre-funding burden.

Let me conclude with three simple messages:

To postal management, we say that the NALC is ready to work with you jointly to develop a plan that both saves on cost and taps the Postal Service's huge potential for growth. Our proposals are ready and our doors are open.

To our leaders on Capitol Hill: Don't recklessly eliminate crucial postal services like door-to-door and Saturday mail delivery. It will hurt the American people—especially our elderly and rural citizens, and it will do permanent harm to the Postal Service. Let us use our own funds to cover the cost of retiree health pre-funding, or let us handle these costs as it done in the private sector. And to the American people, don't give up on the Postal Service. Give us a chance to reinvent this valuable national treasure. Let us work together with management and the postal industry to restructure the Postal Service for the 21st Century. Thank you. I will now take questions.

Reprinted article courtesy of the December 2011 *Branch 1111 News* published by Greater East Bay, California

Consider this: "If asked, how would you explain to someone the problems that face the USPS? More importantly, could you present information in a way that would make them understand?"

Gates Opinion

by Tom Gates, OSA Education Director

The concerned citizens who participated in the recent public hearing regarding the proposal to close the Eugene mail processing center received a rare insight into the decision making process used by the Postal Service. Many participants ultimately concluded that their needs and concerns were falling on deaf ears.

Some commented that the decision seemed to have already been made and that the hearing was simply pro forma. They also learned that the decision's impact on the community and the local economy was not considered. I believe that those people were absolutely correct. Their conclusions are consistent with those of other groups of unhappy citizens at dozens of similar hearings across the country.

There is little doubt that the Postal Service faces immense challenges. The requirement that the Service continue to pay billions of dollars into an account that is already over funded by billions of dollars is ludicrous, but that's the law and the inequity needs to be fixed. To be sure, the drop in first class mail volume is a serious concern that requires adapting to a new reality.

I think that there is a more systemic problem that must be corrected. That problem is the decision making process used by the Postal Service. Having spent more than thirty years observing that process closely I must conclude that, using the words of the Postmaster General, it's "deeply flawed."

Rather than use something like Ben Franklin's method of comparing all the pros and cons on a proposal before mak-

ing a decision, my experience is that the Postal Service makes a decision and then seeks out supporting arguments while ignoring dissenting opinions. That's clearly apparent in the current proposals to close Postal facilities and degrade service in an effort to cut costs.

That very narrow focus on cutting costs ignores the fact that degrading service will reduce revenues creating the

need to further cut costs. It ignores the fact that lowering service standards will put the Postal Service into a downward spiral that will eventually result in the death of the Postal Service. It also ignores the fact that the Postal Service is the second largest civilian employer in the country and supports a \$1.3 trillion dollar industry that employs more than 7.5 million private sector employees. It's not as simple as the question, "Do you want mail delivery on Saturday?" It's much broader than that.

In 1788, Article 1, Section 8 of the United States Constitution gave Congress the authority to create the Post Office which came into being in 1792. The Post Office was created to provide a service to the American public. The Post Office Department became the Postal Service in 1971 through a change in the law which reads in part, "The United States Postal Service shall be operated as a basic and fundamental service provided to the

people by the Government of the United States." The Postal Service continues to be defined by law as a universal service to the American public even though it has received no taxpayer money since 1982.

Over the years, service has taken a back seat to cost. Mail was delivered on Sundays until the 1830's, and was delivered twice daily to residences until 1950 and to businesses until the mid-1960's. Thirty years ago, first class mail earned overnight delivery from Eugene to Portland. Now, we're hearing about three day delivery from Eugene to Springfield.

These changes move the Postal Service further and further away from its core mission of providing a service

The American voter is the key to turning this situation around.

to the public. I was once told that "efficient" is defined as "going fast," and "effective" is defined as "going fast in the right direction." The Postal Service may become more efficient, but I believe that, at the same time it is becoming less and less effective and the American public is being shortchanged.

The American voter is the key to turning this situation around. When an organization which is created by and continues to exist by legislative action, fails to fulfill its duties the only way to correct its course is through legislative action.

The American people can turn this around, but only through their elected representatives in Washington. Those representatives need to hear loudly and frequently from their constituents that the Postal Service needs to return its focus to providing a service to all Americans. ☺

Article courtesy of the Oregon State Association of Letter Carriers *Satchel* published in the February/March 2012 issue.



H OUSTON LETTER CARRIER

OFFICIAL PUBLICATION OF THE NATIONAL ASSOCIATION OF LETTER CARRIERS, AFL-CIO - BRANCH 283

VOL. XLI, No. 10
October 2011

COLD HARD FACTS...

Brothers and Sisters, I want you to have the right facts about what is happening with the Postal Service.



Today when you read your newsletter, you will not find lavish articles, flattering pictures or advertisements. Why? There is a hodgepodge of misinformation circulating, through media communications, and widespread erroneous speculation.



This issue is dedicated to the **COLD HARD FACTS**. As your President, I want you to take this time to thoroughly read the facts about the future of our jobs. The Postal Service is in a fragile financial situation. Be not fooled by media hype and management's biased opinions. The Postal Service is facing one of the worst down turns since the history of its existence.

The struggle to stay alive is real. The Postal Service is not crying 'Wolf' and this is no 'scare tactic'. We must be diligent in our efforts to support the union... eActivist, COLCEP, and Carrier Corps. This fight is partisans, meaning it does not matter whether you are Democrat, Republican, or Liberal. The union is lobbying to get the majority of congress to support our issues. Contacting your congressperson is essential... **Ask: Seek: Get Answers** whether they support keeping your job or not. Knowing who is on board to **SAVE THE POSTAL SERVICE** should influence our decision who to vote for. Congress needs to know where we stand.

We support HR 1351: Refunding the pre-funded mandate of retirement funds; H. Res. 137: Keep 6-Day Delivery.



Basil!

*Please pass on this message from California State Association of Letter Carriers John Beaumont to Shop Stewards and **EVERY** other member! Spread the word! Thanks!!!*

*Diana Herrera
Branch 782 Legislative Liaison*

--- On Tue, 2/7/12, csalc-pres@juno.com <csalc-pres@juno.com> wrote:

From: csalc-pres@juno.com <csalc-pres@juno.com>
Subject: Keep up Membership Pressure n S 1789

Dear Branch Presidents, NBA, Branch and State Officers, CDLs, and Activists:

Here is the up to date status on S 1789:

Senator Boxer agrees with our arguments against reducing delivery to 5 day and the problems eliminating door to door delivery will cause but has not taken an official position yet on S 1789. Feinstein has not taken an official position either and has been hard to pin down her staff has revealed that the Senator is aware that all of labor is opposed to the 5-day delivery.

Our national lobbyist will be meeting with Senator Feinstein this Thursday and I will be talking with her this Saturday. Regardless of the outcome of either of these meetings we must keep the heat up on both Senators using every venue we have.

On the bill itself, the Senate just learned that the bill would cost an unexpected \$6 billion to implement the changes as it is currently drafted. This, as well as increased pressure from the public, has caused them to slow down their current fast tracking of the bill and now it appears it will come up at the earliest the end of this month or the first part of March.

Taking this new timetable into account please get your members, friends, and families to write and call both Senators ASAP. Attached again are the sample letters previously sent out.

Please call both Senator Boxer and Senator Feinstein at the phone numbers below:

Senator Barbara Boxer
(202) 224-3553

Senator Dianne Feinstein
(202) 224-3841

OBAMA vs. U.S. Postal Service

Bakersfield Californian, Wednesday, February 15, 2012, page 23.

President Obama's budget proposal supports allowing the U.S. Postal Service to end Saturday mail deliveries, raise the price of stamps above the rate of inflation and recalculate how it plans to pay for the future retirements of postal workers. The budget proposals mirror plans he presented to the fiscal "supercommittee" in September that the panel didn't adopt..... Question: Does the union STILL support this guy?

Bill Curtis retired & sick of this...



Legislative changes, not office closures, best way to deliver postal service

By JO ANN PYLE
National Association of Letter Carriers

Who's that man or woman you see in your neighborhood six days a week? It's your letter carrier. Letter carriers like me are in every community delivering your mail almost every day. Some carriers have had the same route for 10, 20, even 30 years. Often letter carriers are so well known in the community that children are named after us, retirement parties are thrown for us and tears are shed when we are gone.

We care about the communities we serve. Letter carriers conduct the largest single food drive in the nation. We pay attention when our elderly customers don't pick up their mail for several days. Letter carriers have rescued customers from burning buildings and provided aid when necessary.

But postal employees are under attack.

The U.S. Postal Service has been in the news lately. The primary focus of the stories is our financial troubles. There is no doubt the company is facing financial difficulty but this is not the whole story.

The USPS has not used a dime of taxpayer money for over 30 years. All of our revenue comes from postage and the few mailing supplies we offer. Of course with email, Facebook and automatic bill paying, Americans are sending less first class mail through the post office.

The immediate financial trouble facing the Postal Service is the result of a 2006 law, which requires the USPS to prepay 75 years' worth of future retiree health benefits within 10 years. This amounts to \$5.5 billion annually.

This number will increase to \$5.8 billion by 2016. No other company or agency has such a requirement. This law needs to be changed. With the recession, the USPS would have broken

The immediate financial trouble facing the USPS comes from a 2006 law requiring we prepay 75 years' worth of retiree benefits within 10 years. This law needs to be changed

even if it weren't required to make these prefunding payments.

In addition to changing this law, we also need to correct a financial miscalculation, one that led the USPS to overpay more than \$50 billion in future retirement costs. This money belongs to the post office and is over and above what we actually need to cover our current estimated debt of \$14 billion.

What is the answer? Other than legislative action, the company needs to find creative ways to cut costs and increase revenue. It is difficult to increase revenue by raising stamp prices alone, since every time postal rates increase our mail volume decreases. It is a vicious cycle.

We also disagree with cutting service to the point of causing irreparable harm to the company. Our country needs the Postal Service. The path to survival is not eliminating the service the American public has grown to count on. Closing post offices, reducing delivery standards and cutting out a day of delivery does not make sense. Rural communities, small businesses and older Americans rely on the Postal Service six days a week.

The drastic cuts proposed by postal management would also hurt postal employees. The proposals to cut service could result in an additional 120,000 unemployed postal workers. That is not good for our economy.

National Association of Letter Carriers President Fredric Rolando stated recently, "The nation's 200,000 letter carriers are doing their daily job of delivering 560 million pieces of mail to 150 million addresses. That's 170 billion pieces of mail a year. They are driving the Postal Service's fleet of 200,000 vehicles. They are operating out of 17,000 postal facilities in every village, town and city in America. They are doing it for half the price of the next cheapest postal service in the world."

In other words, we are a crucial part of the nation's economic infrastructure. The Postal Service and its letter carriers lie at the heart of a set of industries — publishing, printing, advertising, commercial distribution and related sectors — that employ 7.5 million workers, generating \$1.3 trillion annually. That's 8 percent of the entire national economy."

The Postal Service has agreed to a moratorium on closing or consolidating any post offices or mail-processing facilities until May 15. Congress has also agreed to delay the \$5.5 billion retiree benefits payment until August. Both of these delays are good for short-term survival, but May and August will be upon us very soon and we might be right back where we started.

Please call and write your congressional representatives and senators and ask them to help save the Postal Service without cutting the service you deserve. Please urge them to support HR-3591 and S-1853. These bills are titled "The Postal Service Protection Act" and they address the issues I've written about here.

Thank you for continuing to support the USPS and the members of the National Association of Letter Carriers who serve you. We'll see you around the neighborhood. ■

*Jo Ann Pyle, President, Branch 79,
National Association of Letter Carriers*

This article was originally printed in the January 2012 *Real Change* magazine, Volume 19 Number 2.

Minutes of the January 2012 General Meeting

The regular meeting of Branch 782 was called to order by President, Mike Towery at 7:00 p.m., on the 24th day of January, 2012 at the branch office, Bakersfield. The flag salute was led by Sgt. at Arms, Darryl Holderman. All members of the Executive Board were present. The stewards were present from Avenal, Brundage, Camino Media, Downtown, East Bakersfield, Lamont, Oildale, Shafter, South, Stockdale, Taft and Wasco. Also present was the Newsletter Editor, Basil Zuniga; OWCP Rep., Rick Gerdes; Photographer, Anita Holderman; Asst. Recording Secretary, Mable Bullis; Legislative Rep., Diana Herrera and Frank Martinez of the Social and Recreation Committee. The minutes of the December 20, 2011 meeting were read by Asst. Recording Secretary, Mabel Bullis and were accepted with no additions or corrections.

APPLICATION FOR MEMBERSHIP: An application was received from Gurminder Saran and Oscar Salazar.

REPORTS OF STANDING AND SPECIAL COMMITTEES:

Teresa Ortega said that she had nothing to report. Basil Zuniga reported that Stockdale folded the newsletter last month. Next month will be Camino Media. Mabel Bullis reported that no books were sold last month. Frank Martinez reported that the Committee will help fund the Bowling Tournament, Andrew Garcia will get the information regarding a Softball Tournament to the committee and there are still movie tickets available for \$6.75 each. Basil pointed out to the members present that they can attend the Social and Recreation Committee meetings.

NEW BUSINESS: Mabel Bullis made a motion that the branch pay the compensated delegates the cost paid for airfare for those delegates who want to drive to the convention. Seconded by Anita Holderman. A discussion was held and the motion passed. Molly Biggar reported that the Audit and Budget Meetings will be on February 22 following the Steward Meeting. Mike reported that the Steward Meetings for February will be on the 8th and 22nd. Molly Biggar made a motion to transfer \$1700. from the rental account to the checking account to cover the cost of the tree removal, the alarm system and the yearly maintenance for the air conditioner. Seconded by Anita Holderman and passed.

GOOD OF THE ASSOCIATION: Mike Towery reported that

“Go ahead punk-make my day”

It was the last bright sunny morning of pre-winter. Park Branch letter carriers, diligently casing their mail, were looking forward to yet another fine day of above temperatures and sunny skies to make this most unusual winter season one to remember.

Why, back in November, patrons would warn me that this good weather would not last long. December, more reminders that the comfortable temp's and dry walking were coming to an end soon. January started off where December ended, with more great weather for delivering the mail.

Then, it happened. The cold weather started inside the Park Branch office the morning of the 11th. The Postmaster was giving the office a once over. Soon, the “POOM” (the postmaster's boss) came out from the managers office. Our Branch manager was present as well. At the boss' desk, the floor supervisor was filling out paperwork before going through the parcel post. Something was up.

The first gust of cold air swept the office as the postmaster stood glaring at the letter carriers working at their cases sorting the mail. One could feel the attitude of “go ahead punk, make my day” from the scowl. I know first hand, that with all the postal service issues, a carrier taking a minute moment to share a thought with their neighbor or not holding the mail just right, will bring about swift consternation. The postmaster then joined the POOM at the desk surveying information on the computer.

Long about 8:30 it became clear as to why this attention was bestowed upon the Park, the District Manager arrived for his tour of the office. I am guessing he was the District Manager, as nobody cared to share with the workers, who anybody was that was gracing our humble abode.

Thus here is my take on the event unfolding behind me. Here is the District Manager, who tells the POOM, who tells the postmaster, who tells the office manager, who tells the floor supervisor, who tells me to deliver the mail. And this is just up to the district level, you still have to go through the Area and national levels. And I am the reason the USPS is in financial straits?

However, this is the saddest part of the event that Tuesday morning in the Park Branch. Five levels of management walked through the building and not one of them acknowledged the pee-ons actually working the mail and delivering it to the costumers. You got the feeling we were the oarsmen working a slave ship and if you looked up into the face of the masters, you would get keel-hauled. Would it have been too much damage to the almighty numbers, to take the small amount of time to introduce the guests to the regular office workforce?

And postal life goes on.

This article by Branch 245 Assistant Steward Jerry Pyfer originally appeared in the February 2012 Rocford, Illinois *Branch 245 Newsletter*

the Contract Negotiations will be sent to mediation and then arbitration, it will be summer before we hear anything. Basil Zuniga informed the members that management has been instructed not to give employees FMLA forms when requested. Employees will be instructed to contact Shared Services. Call the branch if you have any difficulty with the forms. Jerry Patterson asked if it was possible to get a copy of the Branch By-Laws. Mike told him that they are available to all members and that he can make a copy of them. Jerry also inquired as to how to submit changes to the By-Laws. Mike informed him that all changes should be submitted to the By-Laws Committee, they will be printed in the newsletter and the membership will vote on them at the meeting. Diana Herrera reported that 1 million signatures were collected. If you still have some petitions, get them to Diana so she can send them in. There are 218 co-sponsors for HR137 and 228 co-sponsors for HR1351. She encouraged everyone to contact Congressman McCarthy by letter or call the office and speak to an aide, be sure to request a response in writing.

TREASURER'S REPORT: Molly Biggar reported:

Beginning Balance	\$64,144.07
Dues and Income	\$11,670.01
Interest Income	\$ 8.04
Total Balance	\$75,822.48
Expenses	\$11,909.65
Ending Balance	\$63,912.83

The MDA 50/50 Drawing was won by Shari Sharp.

The Drawing for \$500.00 was won by Bill Marchand who was present!!!!

There were 38 members present.

The meeting adjourned at 7:34 p.m.

Respectfully submitted,

KIM GERDES
NALC Branch 782 Recording Secretary

FINANCIAL SECRETARY'S REPORT: Anita Holderman reported that \$6,318.40 was collected for December 2011 and \$11,882.29 was collected for January 2012 for a total of \$18,198.69.

NON-MEMBER LIST DECEMBER 2011

AVENAL (93203)
100% UNION!!!

ARVIN (93209)
100% UNION!!!

DELANO (93215)
L. A. Campos
C. V. Quebral

LAMONT (93241)
100% UNION!!!

McFARLAND (93250)
100% UNION!!!

SHAFTER (93263)
L. M. New
M. D. Voights

TAFT (93268)
M. R. Marin
B. W. Krier
K. J. Hughes

WASCO (93280)
100% UNION!!!

DOWNTOWN (93301)
D. Pearce
J. Cruz

EAST BAKERSFIELD (93305)
G. S. Saran

HILLCREST (93306)
A. White

BRUNDAGE (93307)
D. Kinglee

DOLE COURT (93308/12)
S. Hancock
D. Morris

STOCKDALE (93309)
J. Oh
P. A. Medrano
P. M. Russell

CAMINO MEDIA (93311/13)
100% UNION!!!

MOJAVE (93501)
100% UNION!!!

CALIFORNIA CITY (93504)
100% UNION!!!

BORON (93516)
100% UNION!!!

EDWARDS AFB (93526)
100% UNION!!!

TEHACHAPI (93561)
100% UNION!!!

TRONA (93562)
100% UNION!!!

RIDGECREST (93555)
B. J. Leroy
L. M. Montano
H. G. Blanco
S. R. Pierce

We are an "Open Shop". **MEMBERSHIP IS VOLUNTARY.**
369 Letter Carriers are in the complement assigned to cities represented by our Branch. **ONLY 21 ARE NON-MEMBERS.** We are 94.3% organized!

We Had a General Meeting Drawing Winner!!!

Branch 782 Retiree Bill Marchand had his name drawn—and more importantly—he was at the meeting to win the \$500!!!

2012 NALC HBP Info

At a glance...



NALC Health Benefit Plan	1-888-636-6252
*Hospital Pre-Certification	1-877-220-6252
Mental & Substance Precertification	1-877-468-1016
**Drug Prescription Retail	1-800-933-6252
CareMark Specialty Pharmacy	1-800-237-2767
Durable Medical Equipment	1-888-636-6252
NURSE ASSISTANT (24/7)	1-877-220-6252
CareMark Pharmacist	1-888-636-6252
Enhanced Eldercare Services (24/7)	1-877-468-1016
CIGNA PPO Dr's & Facilities	1-877-220-6252
CIGNA Transplant Approval	1-800-668-9682
Quit Power (Smoking Cessation)	1-877-521-0244
CIGNA Health Rewards (Discounts)	1-800-870-3470
CIGNA Dental Discount Program	1-877-521-0244
Disease Management Program	1-800-227-3728
MEDICARE Managed Care Plan	1-800-633-4277
OPM Retirement Info Center	1-888-767-6738
Federal Information Center	1-800-688-9889
Social Security Administration Info	1-800-772-1213
PostalEase Human Resources USPS	1-877-477-3273
Quest Lab Services (Bakersfield)	(661) 631-8520
LabCorp Lab Services	(661) 631-9258

NALC Health Benefit Plan
20547 Waverly Court
Ashburn, Virginia 20149

NALC Prescription Drug Program
P.O. Box 94467
Palatine, Illinois 60094-4467

NALC Drug Prescription
"Claims" Program
P.O. Box 521926
Phoenix, Arizona 85012-2192

Optimum Health Behavioral Solutions
P.O. Box 30755
Salt Lake City, Utah 84130-0755
Questions: 1-877-468-1016

"Non"-Medicare Claims Submit to
CIGNA (Payor I.D. 62308) or mail
to P.O. Box 18804, Chatanooga, TN
37422-8004.

Preferred Provider (PPO)
Cost: \$20.00
Co-pay per office visit

Preferred Provider
(PPO) Deductible:
\$300 Individual,
\$600 Self & Family—
Per Calendar Year

Some Websites for You...

Center for Disease Control	http://www.cdc.gov
American Public Health Assoc.	http://www.alpha.org
American Cancer Society	http://www.cancer.org
American Heart Association	http://americanheart.org
American Lung Association	http://www.lunusa.org
Diabetes Foundation	http://www.diabetes.org
YOUR Personal Health Record	http://www.nalc.org/depart.hbp
Asthma Information Center	http://www.ama.assn.org/special/asthma

Accupuncture!! Must be a state licensed or certified accupuncturist. Chiropractic! State licensed chiropractor or D.O. only.

Check out this PPO: Sendas Northwest Urgent Care
3409 Calloway Suite 101
Bakersfield, California 93312
Phone: (661) 587-2500
Hours: M-F 8:00 am - 9:00 pm; Sat & Sun 9:00 am - 7:00 pm

* *Failure to pre-certify for in-patient hospitalization will result in a \$500 reduction in benefits paid by our Plan. **YOU MUST** notify the Plan prior to undergoing radiology/imaging with doctor name and dates. Call: 1-877-220-6252.*

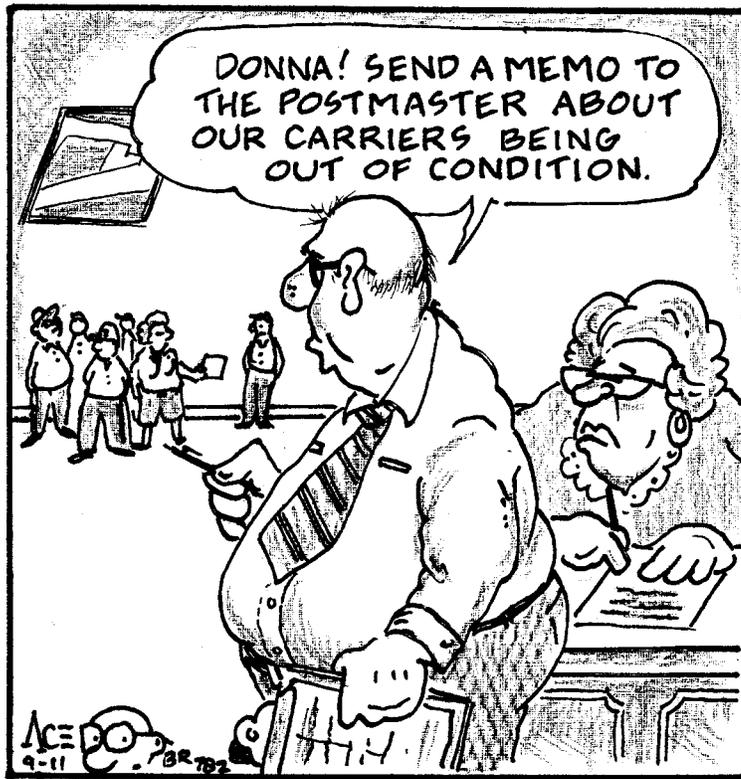
** NALC Drug Prescription Program is **MANDATORY** generic (unless specified by your doctor, at additional cost to member). Preferred retail pharmacy 1st and 2nd fills, you pay 20% of cost of generic/30% of name brand. **MAIL ORDER PRESCRIPTIONS** when NALC is primary: 60 day supply \$8 generic, \$43 name brand; 90 day supply \$12 generic, \$65 name brand; 90 day supply \$5 for NALCSELECT generics (certain drugs); 90 day supply \$7.99 NALCPREFERRED generic (certain drugs), **MEDICARE PROGRAM** (when Medicare is primary); Retail network pharmacy: you pay 10% of cost of generic, 20% of cost for name brand, **MEDICARE PRIMARY** (mail order); 60 day supply \$7 generic, \$37 name brand; 90 day supply \$10 generic \$55 name brand; 90 day supply \$4 for NALCSELECT generic (certain drugs); 90 day supply \$4 for NALCPREFERRED generic (certain drugs); NALCSENIOR generic antibiotics are available; **FREE** for a 30 day supply, when Medicare is primary (certain antibiotics only).

MAIL ORDER SPECIALTY DRUGS (Bio-Tech drugs—**VERY EXPENSIVE**): *Your* cost for a 30 day supply is \$150; 60 day supply is \$250; and, 90 day supply is \$350. Some drugs (e.g. bio-tech asthma, diabetes, organ rejection, etc.) require prior approval before dispensing. You **MUST** call the Plan 1-800-237-2767.

Mark Ramirez, NALC Branch 782 HBP Rep.
(661) 834-5011

*Basil, I have a couple of jokes for our newsletter...
Some say: "Laughter lowers blood pressure." It just
makes me wet my pants! Mark Ramirez, HBP REP.*

OUT THERE



A golfer was standing over his tee shot—looking up, looking down, measuring the distance, figuring the wind direction and speed. His partner says, "What's taking so long?"

The first guy says, "My wife is standing on the clubhouse porch, so I want to make a perfect shot." His partner looks over at the clubhouse for a moment, turns back to his friend and says: "Forget it! You'll never hit her from here."

LAST CONFESSION

Pat was dying.

His wife, Kristi, was maintaining a candlelight vigil by his side. She held his fragile hand, tears running down her face. Her praying roused him from his slumber. He looked up, and his pale lips began to move slightly. "My darling Kristi," he whispered. "Hush, my love, she said. "Rest. Shhh. Don't talk."

He was insistent. "Kristi," he said in his tired voice. "I have something I must confess to you."

"There's nothing to confess," replied the weeping Kristi. "Everything's all right. Go to sleep."

"No, no. I must die in peace. Kristi, I slept with your sister, your best friend, and your mother!"

"I know, my love," Kristi whispered softly.

"Rest now, and let the poison do its work."

LISTEN TO THE RADIO

An elderly couple are sitting in their recliners, listening to the radio. There is a preacher talking on the radio.

The preacher says: "I can heal the sick. Yes, I *can* heal the sick. If you are within the sound of my voice, and close to the radio. Place one hand on the radio, and the other hand on your ailing heart, liver, stomach, etc. I can heal your ailment."

The wife places one hand on the radio, and the other hand on her weak heart. With much excitement, the wife says, "I feel the preacher's power working! It's a miracle!!!" The wife reclines in her chair, closes her eyes and appears to be asleep.

The old fella, looks around, places one hand on the radio, and slowly places the other hand on his manhood.

The wife opens one eye and says, "The preacher said he could heal the sick...not raise the dead"

CHEEK TO CHEEK

A married couple was in a terrible accident, where the wife's face was severely burned. The doctor told the husband, that he couldn't graft any skin from her body, because she was too thin. The husband offered to donate skin from his body. However, the only skin on his body that was suitable, would have to come from his buttocks.

The husband and wife agreed that they would tell no one about where the skin came from, and requested that the doctor also honor their secret. After all, this was a very delicate matter.

After the surgery was complete, and the healing process was over, everyone was astounded at the woman's new beauty. She looked more beautiful than she had before! All her friends and relatives just went on and on about her youthful looks.

One day, she was alone with her husband, and was overcome with emotion at his sacrifice. She said, "Dear, I just want to thank you for everything you did for me. There's no way I could ever repay you."

"My darling, he replied, "I get all the thanks I need, every-time I see your mother kiss you on the cheek.

MARK RAMIREZ
Branch 782 HBR/MBA Representative



TONY ORTIZ RECORDING SECRETARY

Giving Back!

The carriers in Hellgate Station always get involved in whatever is necessary to help Branch 36. For example, have a softball game to raise money for M.D.A., give to COLCPE, the Food Drive, and attend rallies. But one thing that was always in the back of their minds was what can they do to help the community? Mike Perdomo put his mind to work and asked the carriers how do they feel about feeding the community in Spanish Harlem on Thanksgiving Day? All the carriers said "Yes." The clerks, the mailhandlers, and management asked if they could be involved. Of course the answer was yes.

Mike went hunting for a location and found one at 121st Street between Third and Lexington Avenues called Cadasa Community Center. After all the carriers donated \$10.00 each, Mike hunted for a sponsor and the manager of C-Town Supermarket across the street from Hellgate Station agreed to co-sponsor this event. From 2006, when this event started, to 2010, approximately 450 people were fed each year. In 2011, the C-Town Supermarket closed and Cadasa Community Center was shut down due to budget cutbacks. This did not deter Mike, nor the carriers in Hellgate. They were determined to continue feeding the community. Mike found a new location on his route which is the Edwin Gould Academy at 55 East 110th Street. He had seven businesses on his route help with the sponsoring, and posted advance flyers throughout the community. The carriers posted the flyers in the buildings they delivered to and posted flyers in a pantry located at 8 East 109th Street. Residents from Mike's route volunteered to cook along with a young lady named Vicki who lives on a different route. They cooked 16 turkeys, rice and peas, macaroni salad, potato salad, corn bread, and desserts. They fed 350 people. There was so much food, Mike and the other volunteers went outside looking to feed as many people as possible. Mike saw two elderly women wandering around and asked them to join everyone inside. They were hesitant because they didn't know anyone, but after they became convinced, not only did they enjoy a hot meal, they spent Thanksgiving with other people rather than being home alone. They thanked everyone. They were given a plate of food to take home. Mike, Rick Pabon, and Onel Irizarry hosted this year's event. Previous helpers in past years were Helen Amill, Joanne Rice (clerk), and Alberto Alvelo. Many other carriers would have liked to help, but because of family obligations, or their church obligations, were unable to do so.

Also, many carriers aside from donating money helped in other ways to make this yearly event a total success. The food that was left over was donated to the Edwin Gould Academy, where there is a foster program for kids over 18 years of age.

We at Branch 36 know there are many stations that do wonderful service for their community. President Heege would like to know which stations do, so that their stories can be shared by everyone.

Article courtesy of the New York City *N.Y. Letter Carriers' Outlook*
published in January/February 2012

*Letter Carriers
all over the
country are
involved in
many activities
to help out
people in their
communities.*

*Congratulations
to our Brother
and Sister*

*Letter Carriers
who work at
New York City's
Hellgate Sta-
tion for spear-
heading this
great effort!*

*They are an
inspiration to
all of us!!!*

Deviation from Route - President Steve Halkias

Recently, a number of questions from letter carriers has prompted me to pass on some information I am not sure everyone knows about. In the past few months, two letter carriers were involved in serious accidents on their way to work.

The question came up, when are you covered under compensation? As most of you are aware, you're not covered on the way to work or on the way home from work, but are you aware that under certain situations you are not covered while you are on your route? Let me explain. Recently, there was a question of authorized lunch locations and some information was sent to me by the National Business Agent. In this information was an article written by Bert Doyle for the Postal Record. The following are excerpts from that article.

The general rule in workers' compensation law concerning deviations usually cites employees on business trips. "An identifiable deviation from a business trip for personal reasons takes the employee out of the course of his employment until he returns to the route of the business trip, unless the deviation is so small as to be disregarded as insubstantial. In some jurisdictions, the course of deviation is deemed reasonable if, having completed his personal errand but without having regained the main business route, the employee, at the time of the accident was proceeding in the direction of his business destination." For all practical purposes, letter carriers are on "business trips" each day, the assigned route (and the travel between the route and the employing agency) constituting the confines of the trip, and an identifiable deviation from the route for a personal reason will remove a letter carrier from the protection of the Federal Employees Compensation Act (FECA) if the deviation is considered by the Office of Workman's Compensation Programs (OWCP) to be other than insubstantial."

* A supervisor directed a letter carrier to make a special trip to a town some distance away to pick up mail and he was authorized to have lunch along the way. He was not told

which route to take; and he did not take the most direct route in order to have lunch at a familiar restaurant. OWCP rejected the claim and the Employee Compensation Appeal Board (ECAB) affirmed OWCP, finding that the letter carrier deviated 2-1/2 miles for the purpose of a personal mission and concluded, "At the time of the accident, he had not resumed his journey and was not engaged in any activity reasonably incidental to his employment mission."

* A letter carrier was authorized a specific period for lunch and two breaks during the day at designated locations. OWCP determined that he was injured 1.3 miles from his designated route on his way to a restaurant at a time outside his authorized lunch period and at a place away from his designated afternoon break location. The ECAB affirmed OWCP finding that the letter carrier left his assigned route and that, "His journey constituted a personal mission and his injury, as sustained under such circumstances, is not compensable."

* While on an approved lunch hour, a letter carrier walked several blocks from his route in the opposite direction from the place authorized by the employing agency for his lunch. OWCP rejected the claim and the ECAB affirmed OWCP, finding that it did not matter whether the deviation was 6/10 of a mile (as stated by OWCP), or 3/10 of a mile (as argued by the letter carrier's representative), and concluded, "Appellant's deviation from his route and his authorized lunch stop was substantial and constituted a personal mission."

In all of the above cases, the letter carrier was injured while deviating in the direction of a restaurant. In no case had the letter carrier ended the deviation and resumed travel back to the assigned route. If such was the case, then the OWCP decision *may* have been different. However, there is no assurance that it would be, without the facts and circumstances being fully known. The lesson to be learned from this is that a letter carrier should not engage in a substantial deviation from his or her assigned route without official written authorization from postal management.

These instances only address compensation issues. Management could also take action for deviation from your route without authorization. Don't leave yourself open to problems. If you need to deviate, get permission.

This article is courtesy of the January 2012 issue of *The Suncoast Letter Carrier's Update* published by NALC Branch 2008 in Tarpon Springs, FL.

PTF CONVERSIONS

Beginning on page 7-19 of the JCAM, maximization provisions are found:

7.3 Section 3. Employee Complements

Maximization of Full-Time Employees. Article 7, Section 3 contains the National Agreement's main "maximization" language, setting forth management's obligations to create *full-time regular* letter carrier positions.

Sections 3.A-3.D set forth the following requirements.

7.3.A A. The Employer shall staff all postal installations which have 200 or more workyears of employment in the regular work force as of the date of this Agreement with 88% full-time employees in the letter carrier craft.

7.3.B B. The Employer shall maximize the number of full-time employees and minimize the number of part-time employees who have no fixed work schedules in all postal installations; however, nothing in this paragraph B shall detract from the USPS' ability to use the awarded fulltime/part-time ratio as provided for in paragraph 3.A. above.

7.3.C C. A part-time flexible employee working eight (8) hours within ten (10), on the same five (5) days each week and the same assignment over a six month period will demonstrate the need for converting the assignment to a full-time position.

7.3.D D. Where a count and inspection of an auxiliary city delivery assignment indicates that conversion to a full-time position is in order, conversion will be made.

Here are some items that come into play when getting a PTF converted:

Regardless of who worked the hours, the senior PTF in the installation is the one converted to full-time flexible. An installation is not necessarily a station; it is usually the city in which the carrier works.

The PTF is converted to a full-time flexible, which means the carrier will still have flexible hours, but will be guaranteed 40 hours a week. The carrier will also now have bidding rights.

Several grievances for violations of this provision have been filed in Dallas, but very few of the PTFs cited in the grievances have qualified under this rule.

Common problems are:

The PTF worked 40 or more hours, but they weren't spread over five days. For instance, the PTF may have worked four 10-hour days, and then one 6-hour day – this would disqualify the PTF. The PTF must work at least 8 hours on each of 5 different days in every week for six months to qualify. The opposite is also true – the 40 hours cannot be spread out over six or more days – it must be worked over five days, no more and no less.

The PTF takes off when there is work available, and either doesn't use their leave, or management does not properly charge the time to available leave. Approved leave does count towards the 40-hour requirement. It can be tempting to leave a few hours early on Friday, and it can be tempting to save one's leave instead of using it, but when a PTF does that, they are no longer qualifying for conversion under Article 7. PTFs and stewards also need to watch management and be sure that management is properly charging time off to leave when it should be. If management instead puts the PTF in non-scheduled time (also known as cross-foot time), then it appears on paper as if the PTF was not working because there was no work available for them, and that means that there is not a violation of Article 7.

By monitoring their hours to ensure that they meet the guidelines in Article 7, PTFs can help accelerate their conversions to full-time positions. Just remember that it is the senior PTF that is converted, not necessarily the one that works the hours. This is not an exhaustive list of what you need to do, but it will get you moving in the right direction.

Article courtesy of the January/February 2012 NALC Branch 132 *Metro Letter Carrier* published in Dallas, TX.

Top 10 Ways to Prepare for Retirement

Facts:

- Fewer than half of Americans have calculated how much they need to save for retirement.
- In 2009, 13 percent of private industry workers with access to a defined contribution plan (401(k)/Thrift Savings) did not participate.
- The average American spends 20 years in retirement.

10 Ways

1. Start Saving, keep saving, and stick to your goals.
2. Know your retirement needs.
3. Contribute to your employer's retirement savings plan.
4. Learn about your employer's pension plan.
5. Consider basic investment principles.
6. Don't touch your retirement savings.
7. Ask your employer to start a plan. (If one does not already exist).
8. Put money into an Individual Retirement Account.
 - You can put up to \$5,000 a year in an IRA; you can contribute even more if you are 50 or older. IRA's provide tax advantages, too.
9. Found out about your Social Security benefits, SSA—(800) 772-1213 or www.ssa.gov.
10. Ask Questions:
 1. NALC members contact: NALC Retirement Benefits—Ernie Kirkland, Director of Retired Members @ (202) 393-4695, ext. 887 or (800) 424-5186 toll free.
 2. NALC/non NALC members: USPS Shared Services @ (877) 477-3273, go to option 5; you will need your EIN, employee identification number.
 3. Call Employee Benefits Security Administration at (866) 444-3272 and request the following brochures for more information:
 - Savings Fitness: A Guide to Your Money and Your Financial Future
 - Taking the Mystery Out Of Retirement Planning
 - What You Should Know About Your Retirement Plan
 - Filing a Claim for Your Retirement Benefits
 - Women and Retirement Savings
 - Choosing a Retirement Solution for Your Small Business

Information retrieved from Department of Labor)

Article courtesy of the February 2012 NALC Branch 14 Newsletter published in Louisville, KY.

Do They Care?

by David Mudd, NALC Branch 14 Vice -President

Well we finally got a decision back on the Article 8 arbitration where management was forcing the non ODL carriers to work overtime prior to maximizing the ODL. The Arbitrator agreed with the NALC that management had violated the rights of the non ODL carriers and ordered management to pay the non ODL carriers an additional one hundred percent pay at the straight time rate. What this boils down to is that management ended up paying the non ODL carriers two and one half times the basic rate to carry mail, where as it would have cost them only two times the basic rate to have the ODL carry the mail. One would think that with the current economic problems with the Post Office, management would make better decisions with their money. Do they care?

This arbitration was the first of 31 arbitrations, over the same violations of Article 8, which are currently awaiting arbitration. I have met with management several times trying to get them to settle these cases before going in front of the arbitrator. Management is not willing to settle these cases. Management feels that they can win these cases even though they lost the first one. Let's get down to the real numbers on these cases. There are a total of 31 cases for arbitration. The ODL carriers will be paid 11,000 dollars regardless. The only aspect of the case that is in dispute is what to pay the non ODL carriers. The NALC is asking for the same one hundred percent at the straight time rate and management wants to pay fifty percent at the straight time rate. We offered to settle these cases before they went to the B team for fifty percent at the straight time rate but management scoffed at our offer. The total hours improperly worked by the non ODL carriers were 194.40 hours. We are asking to pay the non ODL carriers \$5,248.00. Management wants to pay the non ODL \$2624.00. There is a \$2624.00

difference between the two parties. We currently have the next arbitration scheduled for February 17, 2012, and another one scheduled for February 24, 2012. Each one of these arbitrations will cost the Post Office three thousand dollars. One would think that with the current economic problems with the Post Office, management would make better decisions with their money. Do they care?

To top it all off, we were just informed by several stewards at different stations, that management wants all carriers back off the street by 4:55 p.m. daily. Acting Postmaster Wendy English told Branch President Allen Harris, that management would not violate the contract by requiring non ODL carriers to work overtime and that if the ODL was out past 4:55 p.m. that the supervisors would have to take the mail to the plant. I have talked with several station managers and it appears that what Wendy English told Allen is not what the managers were told. It looks like management is willing to continue to work the non ODL carriers, in violation of the National Agreement, at a higher pay rate than they would have to pay the ODL carriers not in violation of the National Agreement. One would think that with the current economic problems with the Post Office, management would make better decisions with their money. Do they care?

Article courtesy of the February 2012
NALC Branch 14 Newsletter published in Louisville, KY.





AKRON, ALDEN, ALLEGANY, AMHERST, ANGOLA, ARCADE, ATTICA, BATAVIA, BLASDELL, BOLIVAR, BOWMANSVILLE, BUFFALO, CATTARAUGUS, CENTRAL PARK, CHEEKTOWAGA, CLARENCE, CUBA, DEPEW, EAST AURORA, EASTSIDE, EDEN, ELLICOTT, FALCONER, FRANKLINVILLE, FREDONIA, GOWANDA, GRAND ISLAND, HAMBURG, HILER, JAMESTOWN, KENMORE, LACKAWANNA, LANCASTER, LaSALLE, LEWISTON, LOCKPORT, MAYVILLE, MEDINA, MIDDLEPORT, NEWFANE, NIAGARA FALLS, NIAGARA SQUARE, NORTHSIDE, OAKFIELD, OLEAN, ORCHARD PARK, RANDOLPH, SALAMANCA, SILVER CREEK, SOUTHSIDE, SPRINGVILLE, TONAWANDA, WESTFIELD, WEST SENECA, WESTSIDE, WILLIAMSVILLE, YOUNGSTOWN

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ANNUAL REVIEW FROM THE PRESIDENT

HIGGINS LEADING FIGHT TO SAVE AMERICA'S POSTAL SERVICE

At the January 4th public hearing to discuss the closing of the mail processing plant at 1200 William Street, Congressman Brian Higgins was the first speaker after the USPS presentation from District Manager Kathleen Burns. Rep. Higgins was in top form; he lambasted postal management for the insufficient notice provided to the public about the hearing, their shoddy and incoherent proposal, the phony aspect of the study to close the plant and the outrageous plan to slow the delivery of first class mail. Since January 4th, Rep. Higgins has gotten repeated coverage in the Buffalo News on the issue, as well as TV coverage of a press conference with local business leaders. He has requested a meeting with the Postmaster General and he is seeking support from other Congressional representatives. Louise Slaughter and Kathy Hochul are firmly in our corner as well. Considering the weak publicity for the hearing, it was very well attended. There were many small business owners there to object to changing postal delivery standards, along with individual citizens trying to protect our constitutional right to a strong and effective post office. I spoke on the issue as well as APWU President Frank Resatarits and Mail Handlers President David Wilkin. An enthusiastic crowd was on hand to exhibit their passionate support for our nation's postal service. Unlike management, we're not willing to allow our Postal Service to be destroyed. It's extremely unfortunate that we cannot depend on local management to stand up for the greatest delivery network in the world instead of performing as shills for their headquarters bosses who should be removed from their positions of responsibility. As this is being written, we don't know how this will turn out, but we can be proud of our Congressional delegation for fighting for the working people and the citizens of WNY.



Senator Kirsten Gillibrand has co-sponsored legislation, S 1853, that would protect the Service, postal employees and the American people. Senator Schumer has not yet signed onto this bill. All members and their families should immediately contact Sen. Schumer and ask him to do so. A companion bill has just been introduced in the House, HR 3591. Please contact Rep. Slaughter and thank her for introducing the bill and let Rep. Higgins, Hochul or Reed know that we need them on this legislation, just like we appreciate all of them previously signing onto HR 1351. These bills would correct the overpay-

ments on pensions, stop the pre-funding of future retiree health benefits and protect service standards, including 6-day delivery.

NATIONAL LABOR RELATIONS BOARD

The NLRB is the federal agency that is supposed to protect the rights of workers and enforce federal labor law. Over the years, some of their enforcement decisions, on a national basis, have been questionable. It can all depend on who is appointing to the Board. If an anti-labor president is making the appointments in many cases, the Board members will be there primarily to protect business owners, employers and their corporate donors. Even though we were disappointed with President Obama's statement in support of possibly going to 5-day delivery, there is still no question that he is generally supportive of unions. Recently it was a very positive development when he appointed three new Board members to vacancies on the Board to join the current two members, including as the Chair of the Board, Mark Pearce, of the law firm of Catherine Creighton, the attorney for Branch 3. This was done over the objections of the Republicans in the Senate who would rather the Board cease to exist than have it be an effective avenue for unions and working people. In fact, very recently Rick Perry and Newt Gingrich stated that if they were elected president, they would abolish the NLRB.

The NALC, including Branch 3, has needed the NLRB on occasion to force the USPS to obey the law. Most recently, the NLRB forced the Postal Service at East Side Station in Buffalo to post a notice for 60 days, in effect acknowledging that management violated the law by failing to provide information to our union stewards in a timely manner. The posting is a starting point concerning this type of violation and if it occurs again; our requested remedy would substantially increase.

These appointments are an example of what we hope is President Obama's realization that the other side is not going to cooperate with him in any way, so he might as well move forward and do the right thing to further his administration and protect those who have supported him. As our fight in Congress continues toward some kind of conclusion, we very well may need him again.

~ In Unity and Solidarity, Robert J. McLennan, President

COMPENSATION OFFICER

New OWCP Procedures

The Department of Labor has made changes in the processing of the CA forms.

Anyone with a recent injury may have had the form filed electronically on the computer with your supervisor entering the information on the form itself. This is the EHS system, which submits the form to the local Injury Compensation office. If the situation presents itself, it is proper to file an injury form this way. However, always get a copy of the completed form. You need to know when that form was filed and the date it was sent to be processed. You have a contractual right to the completed form, always ask for it. You have control over what is said on the form, it should always be your description of the injury, in your own words.

OWCP has a new location for the forms to be processed; the Central Case Create is in Jacksonville, FL. Previously all forms were sent to the London, KY address and sent to the appropriate district office designated by geographical location of the injury. Now this task is performed by Jacksonville, FL, who has always processed their own district's paperwork, but now has a room nearby at the same address that will generate claim numbers and submit the CA forms to the rest of the nation. The Central Case Create procedure will receive the forms from the injured worker via the local district injury compensation office. They will generate a claim number and forward it on to the proper OWCP district that will develop the claim. Nothing will change for the letter carrier filing an injury claim; initial filing remains the same, and the time limits for management to submit your form has not changed.

The new procedure is threefold:

OWCP will no longer automatically provide the injured worker with the claim number.

CA-7's will be returned to the employing agency if the form is filed for future dates.

The CA-16 is included as one of the forms that the postal service must send to the Central Create address.

Jeanne Larch



These all could be big problems if something does not go according to the expected procedure.

This means that you have to rely on management to get you your claim number. You will still receive a postcard in the mail showing that the central case create has gotten your injury form. After two days ask your supervisor for the claim number. If you are under your doctor's care related to the injury, you need the claim number as soon as possible. Even if you are back to work in a few days or the next day the medical bills are processed with your claim number. If your doctor needs to submit more medical information in regards to the nature and diagnosis, the paperwork has to have your claim number on it to get to your file. Knowing the claim number gives you access to the CQS, Claimant Query System, to look up information regarding your claim. Most important, documents sent to your file will not be scanned and sent to your file if there is no claim number on that information.

It has been said that Postal Service headquarters could implement a policy that includes an automatic and timely notification to claimants when the claim number is received from OWCP. There is no such policy in effect at this time, so be sure to ask for your claim number. If you do not get it, talk to your steward or call the union office.

The forms that will be processed through the new central case create procedure are:

CA-1	CA-6	CA-16
CA-2	CA-7	
CA-2a	CA-7a	
CA-5	CA-7b	

Again, do not change the way that you file a claim form. The follow-up is most important and it is up to you to keep on top of it and get help if you need it.

Article courtesy of the February 2012 NALC Branch 4374 *Front Lines* published in Center Line, MI.

How I See It...

It seems the longer I work at the post office, the less seniority I accrue.

As I'm sure most of you know, the Lancaster Post Office has acquired new Carriers whose routes were eliminated in their offices. This is very frustrating. No one should be losing their routes, let alone be forced from their home offices.

But, when they came into our office, they were able to keep their seniority. So—all the time that myself and 20+ other Carriers have put in has been bumped back.

At this rate, none of us are going to be able to bid on the preferred routes or get the prime slots for annual leave.

It just upsets me that the toes of many were stomped on to favor the few. I don't know if Lancaster was the only office with available routes, if these Carriers were given a choice of what office they could go to.

In my personal experience, I chose to come here—and in doing so—lost any seniority. Shouldn't it be the same for others?

ERICK POWERS

Article courtesy of the February 2012 NALC Branch 4430
Voice published in Lancaster, CA.

Branch 782 Editor-guy note...

Many Branch 782 members haven't taken the time to understand the impact that "excessing" can have. Letter Carriers *do* find themselves "excess to the needs of their unit" and—if they are Regular employees—have their Rights protected by Article 12 of the National Agreement between the NALC and the USPS. Protecting those Rights might very well impact other employees who are Part-Time Flexibles...

Forced in on SDO Gary Bluestone, President

When you talk to people outside the Postal Service and tell them that carriers are being disciplined for not working on the scheduled off day (SDO), you get the strangest looks. But, welcome to reality in the understaffed, over-managed world of the USPS – 2012 edition.

This is probably my most disappointing issue. Despite how long this has been going on, we have yet to get a defining grievance decision on how this is to be handled. We do currently have two cases pending at the pre-Arbitration level which address both sides of the issue: one for someone who came in on the SDO, but should not have been forced, and another for someone being disciplined for not showing.

While management has the right to manage as outlined in Article 3 of the National Agreement, the ELM and other manuals require them to properly staff offices to meet those service requirements. Article 8, on the other hand, is not designed to show how to schedule overtime when needed. Its primary function is to keep those who don't want the overtime ~~from~~ being forced. Forcing non-ODL carriers into overtime off their bid assignments is contractually the last alternative; and, forcing someone to work on their SDO should come even after the non-ODLs who are schedule that day are maximized. Neither management nor Labor Relations has fought us on that contention.

So, the first issue is: was it necessary to force someone in on their SDO? If management could have covered the hours with overtime volunteers, PTFs, TEs and even non-ODL carriers who were already scheduled in, the answer is no. In today's understaffed carrier craft, there are times that the answer might be yes, they need to force someone in on their SDO. Again, before that happens, management should explore other options: could they borrow a TE from another office, could someone switch an off day with an ODL volunteer, etc. We're pretty sure that isn't happening in most forcing situations.

The second issue is: once you've determined that it is absolutely necessary to force a non-ODL on their SDO, did you force the right person? The contract is very explicit that forced overtime should be in juniority order on a rotating basis. It's not the same person every time. If I get forced this week,

Continued on next page...

it's the next most junior guy's turn next time they're required to force. This requires management to keep track of who has been forced; and we know they're not doing that.

Thirdly, even if they're doing everything procedurally correct, a pattern of constantly having to force non-ODLs in on SDO indicates that they do not have the office properly staffed. While this is a longer and more difficult violation to build into, grievances have been won in other parts of the country where even if we can't force them to hire, they're paying penalties to the carriers who are being forced.

[Their silly window of operation (WOO) comes into play on a part of this. Arbitrators have ruled that if they adhere to the WOO, they can restrict the ODL volunteers to the window, or less than the 10 or 12 hours they've signed on to do.]

I urge you to file grievances when you're being forced in on your SDO. One of these three things is almost assuredly wrong. Many carriers are coming in as assigned to avoid the constant conflicts and hassles. That doesn't mean that there isn't a violation. If you're in but shouldn't have been forced, get the people who should have worked the overtime paid and ask for a penalty payment for yourself. If you were properly forced, let's build it towards a staffing grievance.

The other side of this equation is the discipline that is being threatened and issued for failing to come in on your SDO. And, once again, scheduling is the first consideration. Are you truly scheduled in if the supervisor is notifying you on the way out the door the night before or leaving a note on your timecard? Conversely, if they are scheduling you in on an SDO several days or a week in advance, have they exhausted other avenues to cover that time?

The second consideration is conflicting orders. It is true that the overriding rule is to follow the instruction first, then grieve later. But doesn't their instruction to work your SDO clash with what they've been instructing you for years and years: to schedule your personal appointments and business on your day off? We schedule doctor's appointments, day care for our kids, weekend getaways, etc. based on our SDO because that is what we've been instructed to do for our whole career. And, these are not things that can be rescheduled at 4:30 in the afternoon the day before. In some offices, carriers have been successful in explaining to the supervisor about pre-scheduled

commitments and discipline has either not been issued or expunged in the grievance process. We've had less cooperation from other stations, but we have yet to get a definitive ruling.

[This raises another side issue. If you do cancel an appointment or other plans to report on your SDO, you should claim any financial loss (i.e. doctor's cancellation fee or forfeiting a deposit) against the Post Office.]

Obviously, if you do have plans – and those plans don't have to involve doctors nor do they have to be disclosed to management – try to be reasonable and explain that you cannot work your SDO. If it eventually leads to a PDI and/or discipline, we will use the above arguments and anything special to your circumstances in your defense. I'd love to tell you that logic will prevail and the Arbitrator would eventually give that same strange look that I mentioned at the top of this article, but I can't guarantee that.

What I will guarantee is that this situation isn't going away any time soon. We can't force management to hire, which is the only long-range solution to this problem. As long as they keep holding out for 5-day delivery, and as long as our contract negotiations are not settled, we figure to continue to be understaffed. And, the Western PA District is more severely impacted than most of the country.

My best advice is to file the grievances when non-ODLs are coming in on their off-day. Yes, it will most likely cause them to more aggressively go after those who can't come in, but if we can get those being forced a penalty payment, we can make them think twice and look for alternatives before they force. We don't feel that they're doing it properly or are justified in issuing discipline, but I don't have Step B or Arbitration rulings to back that up, but we're working on that.

This article was continued from page 19... Just in case you wondered how you happened to get here.

Aside from that, this article illustrates an important point: Just because your particular unit doesn't seem to be dealing with certain issues doesn't mean that you won't have to in the future— hopefully, that makes a little bit of sense to you.

This article is courtesy of the February 2012 NALC Branch 84 Greater Pittsburgh Letter Carrier published in Pittsburgh, PA.

Stop Being a Victim

by Steve Devereaux, OSA Past President

For most letter carriers the worst part of the job is the morning sparring match with your supervisor over that day's workload. They come around spouting DOIS numbers that say you should be off in eight hours or you have under time. There's a chance you might disagree and a confrontation often ensues. Some supervisors can't handle any disagreement with their computer numbers so they'll resort to bullying and implied or explicit threats of discipline if you don't meet their expectations. Know anyone like that?

Hoping to avoid a confrontation, or discipline, carriers will cut short their lunch period and street break or just skip them altogether. Worse yet they'll work unsafely thus putting themselves and the public at risk of personal injury which will most certainly lead to discipline just to make the numbers. It's a horrible way to work and for many it has become a daily routine.

Are you one of those carriers? If so, there are steps you can take to make your daily morning bouts with management at your letter case less stressful. First you must accept that you share some of the blame for creating your personal work atmosphere. How so? Well, if you don't know your duties and responsibilities when it comes to evaluating your workload, you are allowing your supervisor, and the computer, to do it for you. That is the flash point for confrontation.

Knowing the proper procedures for assessing your daily workload, and following those procedures at all times, is a key to avoiding confrontations

over volume and route times. Knowing your contractual rights is the key to handling the confrontation when, not if, it happens. That's easier said than done, but not impossible. Following procedure in the face of an intimidating and demanding manager takes backbone. It takes both a willingness to educate yourself and a willingness to use that knowledge so that you are in control of the morning debate over your workload. More importantly, it takes a letter carrier that won't be pushed around. That letter carrier can be you.

Having backbone doesn't mean being confrontational: it does mean being assertive. An assertive person is one who acts confidently when advancing a plan or agenda. Your confidence (your assertiveness) in these moments will come from knowing your rights and responsibilities and utilizing them to protect yourself.

There is protection in doing your route the same way (by the book) every day on the street. The same is true in the office. But first you have to know what those office responsibilities are and what is true and what isn't when it comes to making the "numbers."

Understand that your job doesn't depend on meeting their expectations or the DOIS numbers they regurgitate. Your job depends on giving a fair's day work for a fair day's pay. It's really that simple. On the other hand their job (and their performance bonus and their upward mobility) does depend on you meeting their numbers. So of course the supervisor wants you to believe that the DOIS projections are absolute, wouldn't



you? But clearly that's not the case. A 2007 national level grievance settlement (M-01664) states in relevant part "DOIS projections are not the sole determinant of a carrier's leaving or return time, or daily workload. As such, the projections cannot be used as the sole basis for corrective action."

It's a win for us but attempts to discipline letter carriers based solely on failing to meet volume-based office and/or street projections is nothing new. There are several other national level grievance settlements addressing this issue dating from as early as 1979. In the "Contract Talk" section of the November 2011 Postal Record there is an excellent discussion of those previous settlements. Do yourself a favor and read it. Then go to the NALC website at NALC.org. In the red menu bar under "Departments" click on "Contract Admin" which will take you to the Contract Administration page; under "Topics" click on "USPS Manuals." Click on M-41 and read section 131.4 "Reporting Requirements" and Section 28 "Carrier-Auxiliary Control." Then click on M-39 and read section 122 "Scheduling Carriers."

Stop being a victim and start training yourself. Once you've done that start training your supervisor. ☺

Article courtesy of the Oregon State Association of Letter Carriers *Satchel* published in the February/March 2012 issue.



The Seventy-Niner

Volume LXXXV, Number 11



November 2011

President's Report

Another Case of . . .

“The Truth is Stranger Than Fiction”

- Jo Ann Pyle -

Recently I received a call from the shop steward at Columbia Station informing me that on his day off he observed his new station manager delivering mail. This was the station manager's first day at the station and he delivered about two hours of a route.

This isn't the strange part, since this particular manager has a long history of delivering mail at several prior stations. What he didn't expect was that he would be caught and more importantly that he would be caught by the shop steward.

But here's where the story gets strange. That morning several carriers left pieces of their routes at the station for delivery by the ODL carriers or other auxiliary assistance. The pieces ranged from one hour to three hours for a total of 11.5 hours from six routes. When the ODL carriers returned to the office they were told to go home and the pieces were left at the station and not delivered. This mail included DPS, cased mail, parcels and SPRs. Much of it was first class and priority mail. The station manager stated he did not want to use penalty overtime. He made the determination to delay a lot of first class mail so that his overtime numbers would look good.

Some of the delayed mail was cased back into the cases for delivery the next day. The next morning I called the station to let them know I was coming for a station visit. The station manager answered the phone and as soon as we finished the call he took a 1075 (buggy) and trays and began feverishly pulling the mail back out of the cases.

But wait, there's more. He then hid the trays of mail in the bottom of an orange pumpkin cart and piled parcels on top of it. Employees at the station observed this and I actually saw the mail hidden under the parcels. If the manager believed he made the right decision to delay all of this mail why would he have felt the need to hide what he had done? The manager claimed later that the only reason he hid the mail was because he was afraid I would write about it in *The Seventy-Niner*. (Of course by doing such a dumb thing he got his article.)

As soon as I returned to my office I sent a letter to the postmaster. I was assured that an investigation would be conducted. The investigation consisted of an area manager talking to the station manager. Carriers were not interviewed. Clerks were not interviewed. The steward was not interviewed. I was not interviewed. As far as I can tell no documents were reviewed. And based on what the area manager relayed to us the station manager did not tell the truth about what happened. Surprise. This station manager also has a history of not telling the truth so why wasn't a real investigation conducted? The station manager told the area manager that he ONLY delayed 300 pieces of mail but it was actually over 1,000 pieces.

Some of the delayed mail was not delivered until several days later. This was not just bulk mail. As mentioned earlier, it was also DPS first class mail and priority packages. On one day a TE was sent out to deliver the DPS that was delayed from Monday while the regular carrier was delivering the other mail on the same route. Many customers wondered why they didn't receive any mail on Monday and why they received two deliveries on another day. Others may not even have been aware that their mail was delayed multiple days. Some customers thought their mail had been stolen and they went out and purchased locking boxes. All because the manager decided that looking good on his first day was more important than delivering the mail.

When this was brought to the postmaster's attention the defensive reaction from the station manager and the postmaster's staff was that we are just picking on this poor manager. Boo Hoo.

This manager who we are accused of picking on is the same one who in 2006 falsified clock rings to pay a craft employee for hours he did not work. He stole from the post office and then was temporarily demoted but was repromoted again to his current level. He never even had to pay back the money he inappropriately and intentionally took from the Post Office.

Why is this person still a postal employee at all? Why is he allowed to supervise and manage a station? Why is he allowed to continue in a po-

sition of responsibility? The falsification in 2006 is just one of many numerous allegations of this person falsifying records, falsifying express mail and other delivery scans, delaying mail and not telling the truth.

Even now at Columbia Station, much of the mail that is curtailed by the carriers disappears before they get back from the street. Where does it go? It's not in the case. Is it discarded? Is it put back in the mail stream? Did the manager deliver it? Any of these scenarios are possibilities. Especially when we have a manager with this history.

Is it true that I have an issue with this manager? Absolutely. This person has no business working for the Postal Service and should have been fired back in 2006. I remember one of the Seattle area managers saying to me some time ago that this person may have changed. Based on what recently happened at Columbia Station I submit that he has not changed and has probably done many more inappropriate things that we don't even know about.

We are not what's wrong with the Post Office.

I want to thank the shop steward at Columbia Station and the carriers who did such a good job investigating and documenting this behavior. Keep up the good work.

From the Editor-guy: I shared this article with members who attended the February Branch 782 general membership meeting. As I share it, once again, in this February 2012 web version of the *E.A. BAKER UNION UPDATE*, let me repeat something—it's good to know about things that happen in other locations...

**If you don't know your Rights...
If you don't protect your Rights...
Eventually, You won't have any Rights.**

— Once Upon a Time... ...Yet Not so Very Long Ago

by Don Hastings, Retiree

Yet, not so very long ago it will seem I am telling a fairy tale but this really happened in the la-la land known as the USPS. In the mid-1980's, USPS management introduced a new program. The program was called **Employee involvement: Quality of Work life**; within the rest of this article I will refer to this program as **EI**.

The **EI** program has been the only program ever introduced by USPS management that was designed to invest in the knowledge that we, as Letter Carriers, have been uniquely trained to provide. We were to meet and come up with ideas and then brainstorm in a committee type setting. The ideas would help improve our jobs, work environment, service to our customers, etc. The committee would meet once a week and in attendance would usually be the **EI facilitators**; one management and one Union. Augie Tovar was the first management facilitator and if my memory serves me, Mel Mobley was appointed by past President Art Graf. At the station level there was a management representative and several Carriers. You can thank **EI** for being able to wear white socks, able to wear headphones, and even the radio station policies still complained about today. While appearing to be insignificant today, in 1985 these were huge advances for our work place.

EI also brought about the attempt to self manage. Self management is just what it says, the Carrier would come to work and plan the day and do what it would take to deliver the mail in a timely manner, without any harassment from the management at the Station. Sadly, the self management worked too well. **EI** died a quick death. The fact that the numbers jumped so quickly and dramatically everywhere self management had been instituted meant only one thing, it worked! It worked so well that in fact it was eliminated more quickly than any program I had ever witnessed at the USPS.

My point is this; we do not need all the management the USPS has in its employ. In my opinion, we could survive if 75% were rified. After all, who makes the money at the USPS? The various crafts is the one and only correct answer. We pay all management's bloated salaries, yet in spite of management's daily whip cracking and harassment (which seems to be the only endeavors these overpaid, underachieving, soulless lunks actually excel at) Letter Carriers and Clerks still manage to provide Service to the best of our ability.

We hear about too many rural Post Offices, well there are! Generally, these offices are staffed by a Postmaster and a clerk or two. I live in Clovis, near Prather. If I receive a parcel, I need to retrieve it at the Clovis Post Office. I drive 26 miles each way to

*“...creating the need for fewer managers
is the real way to tackle the future.”*

do this. I live only 5 miles from the Prather P.O., 7 miles from the Auberry P.O., and 8 miles from the Friant P.O. If management had really had foresight rather than no sight twenty or thirty years ago these types of P.O.s, that were only a few miles apart would have been consolidated. This would have eliminated thousands of management positions. The Clerks who actually do the work would have moved to the consolidated P.O.s and in most cases all the residents of the effected P.O.s would still have a much shorter drive to take care of their business than I do, living in Clovis.

(continued on next page)

I point to this type of failure by management to act responsibly several decades ago and do it right instead of the woeful attempts now to do the same thing in a matter of months. Letter Carriers across the country are working literally to the bone in order to cover these idiots' salaries, think about that! Management knew enough about the coming changes with the internet to announce to us in 1985 a thing called DPS and saying it was right around the corner. Ten years later DPS was actually rolled out in Fresno. A few years later, maybe five or six, the numbers DPS was required to reach to be considered worthwhile was actually achieved, occasionally! So, you see if management was aware 20 or 30 years ago that great changes would be needed to meet the future, why were the changes which management enacted only those that would eliminate Clerks and Carriers? I'll tell you why if you can't figure it out. Management only care about each other! The fact that we, the craft, make the money to pay those salaries hasn't even sunk into their lame brains.

If I seem to be attacking management I will have to award you a gold star for your foreheads! If you remember, in the first few paragraphs of this article I pointed out the attempt in the mid 1980's by some high level managers with real intelligence, to involve Carriers to the fullest, even self managing their routes and; yes, creating the need for fewer managers was the real way to tackle the future.

The future is now, and unfortunately, the reality is that the guys who brought EI to the USPS are history. We have in their place a bunch of morons who want to put an end to this institution. I really don't think they realize still, that without out us, the gravy train, otherwise known as USPS management, is history. **WHAT DUMMIES!**

Article courtesy of the December 2011 issue of the
Fresno, California NALC Branch 231's
Postman's View

**Don't
Forget...
We need
the help
of all
of us to
have a
great
Food
Drive in
May!!!**

from the editor-guy

I often find myself laughing at different things or situations that happen in my Letter Carrier world. Usually, they don't really have anything to do with something that I've done. I just happen to see something or someone.

But not always.

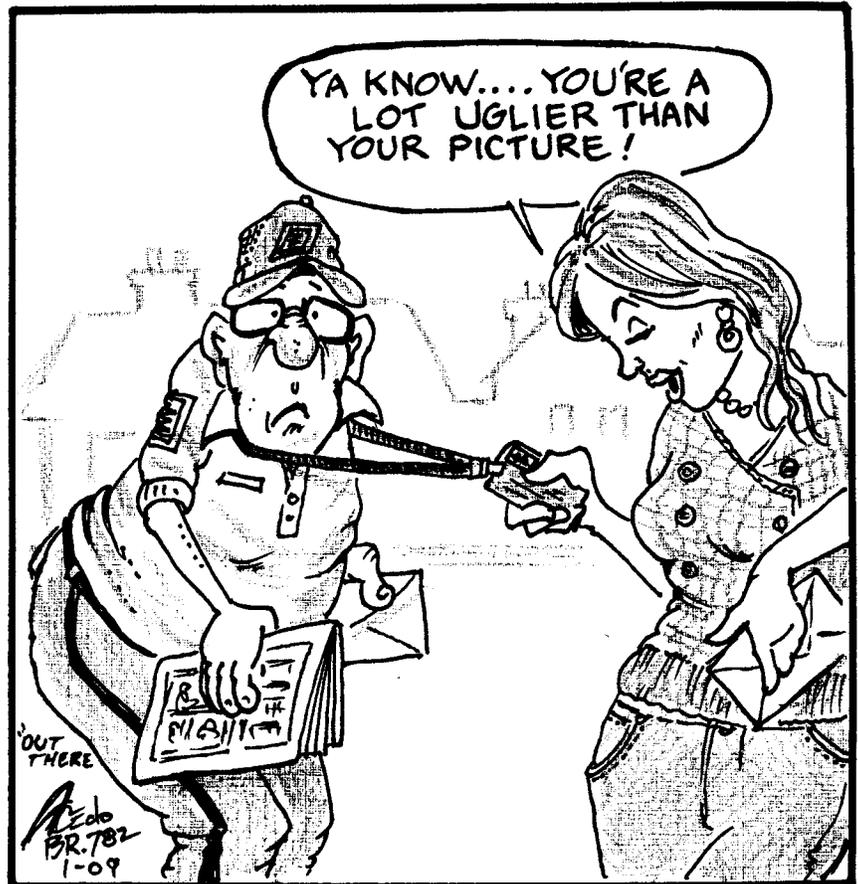
The other day, I was carrying a swing in an area that I don't usually get around to. As I turned a corner to deliver to a house, I noticed two small boys playing in the front yard. The youngest was about three years old and his brother looked to be about five.

As kids often do, they came running out to see if I would give them the mail. The youngest—who was about two feet tall—stopped about a foot away from me and just looked up. He did a slow blink.

And then? He ran back toward the house calling out that Santa Claus was delivering their mail!

For those who haven't seen me recently, my beard *has* gotten quite a bit longer. (I tell people that growing my beard is about the most expensive form of recreation that I can afford.)

When I shared this story with my wife, she smiled. Then she said, "Hmmm...I just had a thought. I suppose if you were a lot



thinner, he might not have been confused..."

Aside from that, I hope that you also laugh at the copy of a newspaper story that someone sent to me.

Portly yours, BASIL ZUNIGA

Assailant suffers injuries from fall

Orville Smith, a store manager for Best Buy in Augusta, Ga., told police he observed a male customer, later identified as Tyrone Jackson of Augusta, on surveillance cameras putting a laptop computer under his jacket. When confronted the man became irate, knocked down an employee, drew a knife and ran for the door.

Outside on the sidewalk were four Marines collecting toys for the Toys for Tots program. Smith said the Marines stopped the man, but he stabbed one of the Marines, Cpl. Phillip Duggan, in the back; the injury did not appear to be

severe.

After Police and an ambulance arrived at the scene Cpl. Duggan was transported for treatment.

"The subject was also transported to the local hospital with two broken arms, a broken ankle, a broken leg, several missing teeth, possible broken ribs, multiple contusions, assorted lacerations, a broken nose and a broken jaw...injuries he sustained when he slipped and fell off of the curb after stabbing the Marine," according to a police report.



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We invite all members to contribute articles for publication. Copy, if possible, should be double-spaced (but doesn't have to be) but **MUST** be signed by the contributor.

The Editor retains the right to edit, delete, or reject the article for the good of the Branch (and even this is subject to persuasion).

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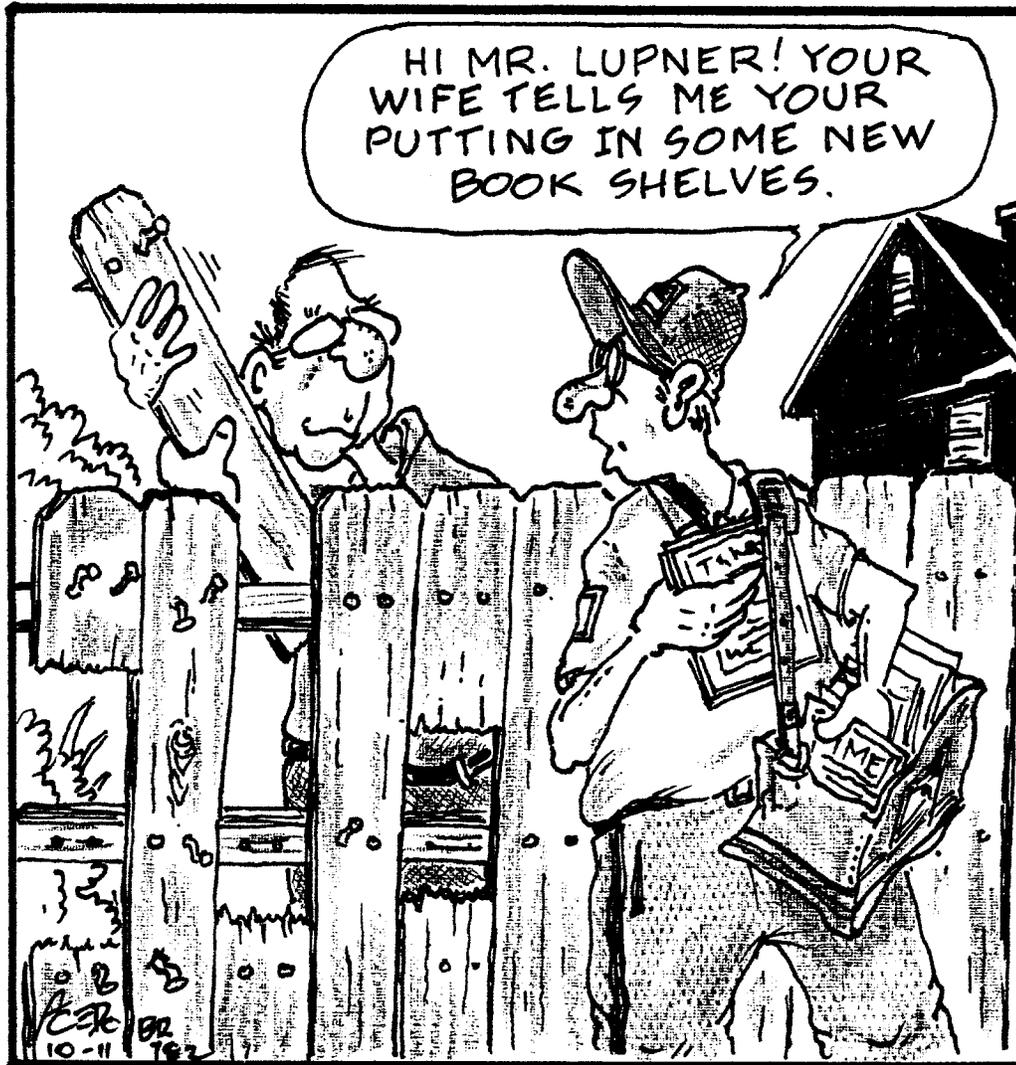
FORWARDING SERVICE REQUESTED

General Meeting

Tuesday
February 28, 2011
7:00 p.m.

Branch 782 Office
2628 "F" Street
Bakersfield, California

OUT THERE



There is a whole lot going on now that may impact your Postal lives.

Come to the meeting and find out if there is anything new...

Don't forget to check out the web version of this newsletter! More is better... Go to out WWW.782NALC.COM