

National Association of Letter Carriers

Branch 782

E.A. Baker Union Update



ARVIN
CALIFORNIA CITY
McFARLAND
TAFT

AVENAL
DELANO
MOJAVE
TEHACHAPI

BAKERSFIELD
EDWARDS AFB
RIDGECREST
TRONA

BORON
LAMONT
SHAFTER
WASCO



CHARTERED FEBRUARY 25, 1891

WEB VERSION @WWW.782NALCCOM

AUGUST 2011

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 that to let you explore some additional insights provided by other Letter Carriers around the country. Obviously, this "digest" reflects selections that caught my interest. But, 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??? (Of course, you probably remember reading that newsletter that arrived in your mailbox, right?)

Pages 8 and 9 offer some more info on the attacks being made on the USPS. "Tea Party" members really need to understand some of these concepts on page 18. Do you have a TSP? Hmmm...see page 19. What's it like calling in sick in some places? See page 20. What's it like working in another location? See page 21. Thinking about retiring or have some questions about Social Security? Look at the info on page 22. If you are dealing with the aftermath of something like a dog bite, do you know anything about "Third Party Claims?? You might profit from reading the information on page 23. Maybe you're not dealing with a "traumatic injury", but you have problems because of the nature of the long-term effects of the work that we do. You might want to take a look at pages 24 and 25? Maybe you are getting close to the end of your career and have some questions about Medicare. If you do, you might profit by reading the info on page 25. Have you ever thought that *maybe* you might have been "shorted" on a paycheck? Well, you might learn a little on pages 26 and 27 that might surprise you. I'm fairly sure that the issue described on page 28 never occurs where you work, right? Can you be interviewed for possible disciplinary action? **THIS IS IMPORTANT!** See pages 29 and 30!!! Early outs??? Search page 30...

Most importantly: Don't forget to check out Fred Acedo's cartoons! They are absolutely amazing!!!

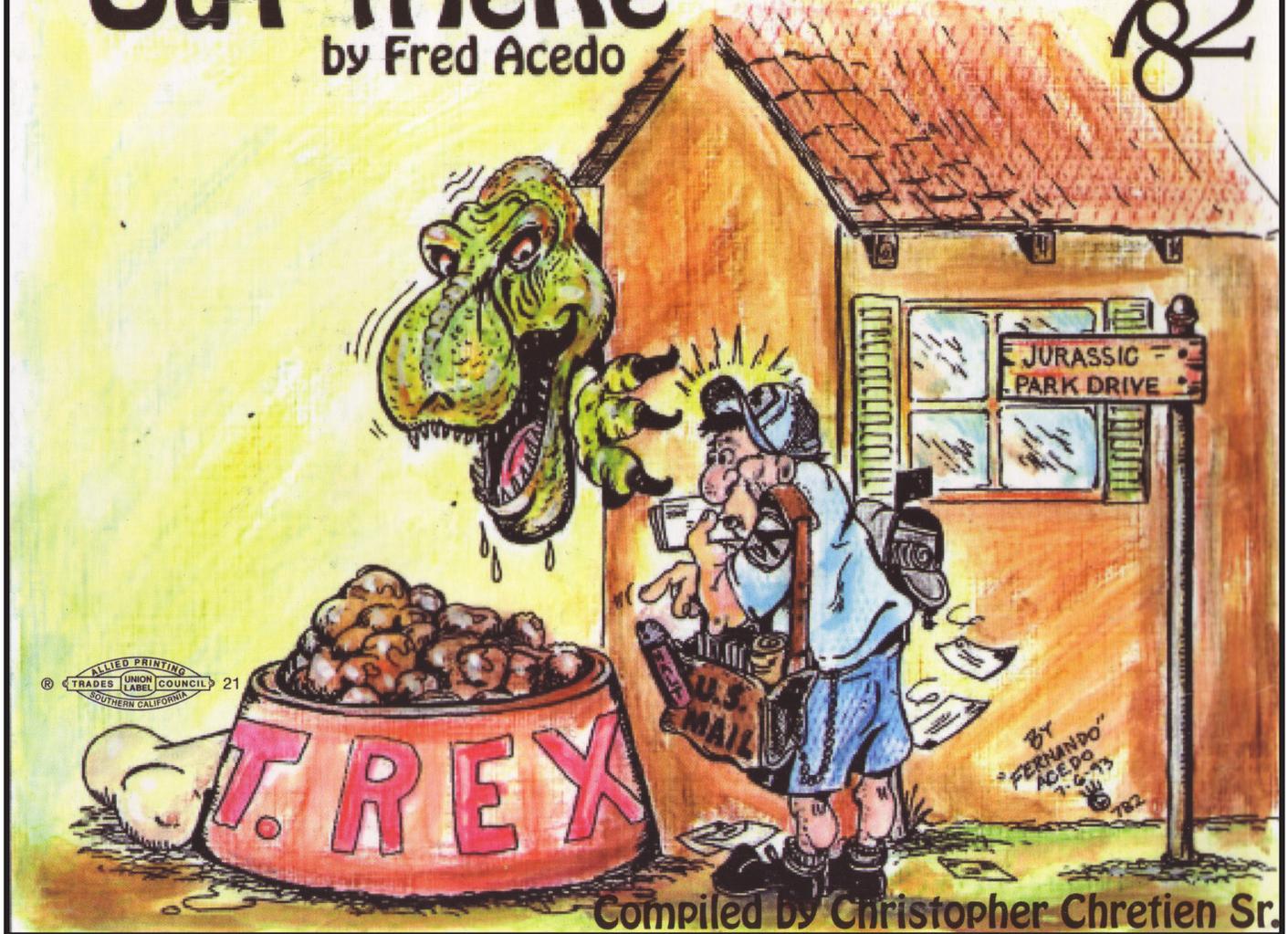
Electronically Yours,
Basil Zuniga, Branch 782 Editor-guy

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

"Out there"

by Fred Acedo

BRANCH
782



Compiled by Christopher Chretien Sr.

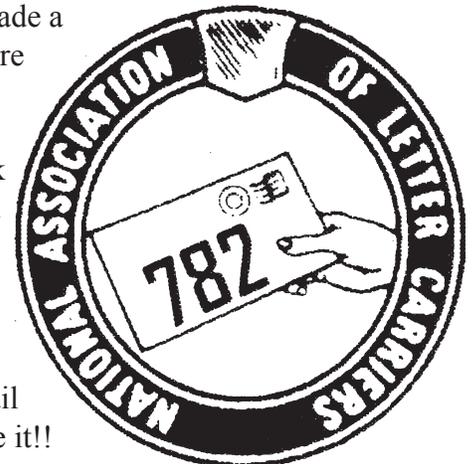
So what is this advertising message about? **THIS** is an MDA fundraiser. We are asking for **YOUR** help!!!!!!

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 made a 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: "kgerdes91@hotmail.com". Please help us out. We'd appreciate it!!



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VOLUME LXXXII NUMBER 8

AUGUST 2011

at the



Mike:

The Postal Service has decided to set the tone of the upcoming negotiations by announcing through the news media and through mandatory stand-ups on the work room floor that they want to by-pass reasonable negotiations.

They will ask Congress to—among other things—void the no lay-off clause, take over both retirement plans for current *and* retired Postal Employees, *and* administer its own health benefit plan for all Postal employees.

The Postal Service would own, manage and administer a Postal Service Retirement Plan for the existing 480,000 annuitants and the 600,000 active employees from CSRS and FERS.

They propose to have a tiered approach (?) which would give them the flexibility to change cost-of-living adjustments, contribution levels and benefits.

Who in their right mind would believe they would propose this if they wanted to give *better* retirement and health benefits? If you like the Flat Sorting Machine fiasco, can you even imagine the same individuals at USPS headquarters being in charge of *your* retirement and health benefits???

Is this just a negotiation strategy since negotiations begin in about a week or an attempt to make congress address the overpayments? I sure hope so. But, with the anti-union and anti-postal congressmen that have (so far) ignored all the facts, it concerns me deeply. ***I would think that it would concern each and every one of you enough to become motivated and get involved...***

It is time for ***EVERY*** active and retired Postal Employee (regardless of whether we are craft or management) to realize that there is a plan to strip all of us of our rights, benefits and wages. While I am totally confident our National Officers are ready to fight this blatant attempt to destroy the Postal Service, they need everyone of us to help.

Continued on next page...

Remember, the current financial crisis of the USPS was created by Congress with their pre-funding requirements. That can be corrected through current proposed legislation. *Now* is the time to write your Congressman and Senators! *Now* is the time to write letters to the Postmaster General protesting his insulting proposals!

Now is the time to get involved if you value your job, retirement and health benefits! *Now* is the time to for each of you to realize that it is **YOUR** job and benefits and retirement plans which are on the line!

Now is the time to stop supporting and electing all those in Congress whose only goal is to destroy the Postal Service and particularly the unions! *Now* is the time to tell Congressmen Issa and Ross that their plans to destroy the Postal Service will not work and that it is time for them to go back to where they came from!

Now is the time to wake up and realize you can lose everything gained in the last 40 years!

Now is the time to stop pretending that the majority party in Congress cares about you and not their millionaire friends! *Now* is the time to admit that all their talk about creating jobs is a lie when they are willing to destroy 228,000 middle class jobs!

Now is the time to stop complaining about little things and do all you can to assist your local union officers in saving your jobs and benefits!

I want to leave you with just one question:

**“IF NOW IS NOT THE TIME,
THEN WHEN WILL IT EVER BE TIME?”**

MIKE TOWERY
NALC Branch 782 President

Johnny on the Spot



MAKING WORKERS PAY

“Tea Party” groups are building public and congressional support for H.R. 2309, legislation sponsored in the U.S. House of Representatives by Reps. Darrell Issa (R-CA) and Dennis Ross (R-FL)

The Tea Party.net claims to have generated more than 100,000 letters and email messages to lawmakers demanding passage of Issa’s bill. The group provides very little information about the reasons for USPS

financial problems or how the Ross-Issa bill would fix them. Instead, it provides a link to a House Web page controlled by Issa that claims postal workers are overpaid and that the legislation would avoid a taxpayer “bailout” of the USPS.

Another activist group, Citizens Against Government Waste, is also blaming “unmanageable labor costs” as well as “excess infrastructure” for USPS deficits. The organization has put members of Congress on notice that votes on H.R. 2309 “will be among those considered in CCAGW’s 2011 Congressional Ratings,” a legislative scorecard used to determine which members of Congress they will deem worthy of re-election.

Neither group informs the public about the principal reason for USPS deficits: a congressional mandate imposed by Congress in the 2006 that requires the USPS to “pre-fund” healthcare benefits for future retirees at a cost of more than \$5 billion per year for 10 years. This is a burden no other business or government agency is forced to bear. Absent the pre-funding requirement, the Postal Service would have experienced a cumulative surplus of \$611 over the last four years, despite the worst recession in many decades.

Neither group mentions that the federal government is holding billions of dollars of excess postal payments to FERS and CSRS. (The USPS has a surplus of \$6.9 billion in its Federal Employee Retirement System account, and, according to two independent actuarial studies, has overpaid the Civil Service Retirement System account by \$50 billion to \$75 billion.)

The Ross-Issa bill will do *nothing* to correct USPS overpayments to its pension accounts or loosen the financial chokehold caused by the prefunding requirement. Instead, it holds us—the workers—accountable for USPS financial problems. H.R. 2309 would create a “solvency authority” with the power to UNILATERALLY MODIFY COLLECTIVE BARGAINING AGREEMENTS any time the USPS defaults on any obligation to the federal government for more than 30 days. (For example: When the USPS can’t make the \$5.5

Continued on next page...

billion dollar prefunding payment) the solvency board would have the authority to **CUT WAGES, ABOLISH BENEFITS, AND END OTHER PROTECTIONS**. The bill would also increase our costs for healthcare coverage and life insurance, and would effectively eliminate the right to bargain over these benefits. *WE WOULD LOSE OUR RIGHT TO COLLECTIVE BARGAINING!!* Sound familiar? Think about what is happening in Minnesota.

A BETTER WAY

The NALC along with the other postal unions and the postal business community are urging legislators to support H.R. 1351, a bill introduced by Rep. Steve Lynch (D-MA) that would allow the USPS to use the pension account overpayments to meet the retiree healthcare prefunding demand. Please contact your Congressman and let them know you would like their support on H.R. 1351.

If you've read any of this to this point, let me get to the heart of what all of this is about...

POSTAL SERVICE PROPOSES TO CUT 228,000 CAREER JOBS

The Postal Service proposal plan cuts nearly 228,000 career jobs between now and 2015. This figure is even larger than what the Postal Service has included in its discussion paper as it reflects employment levels at the end of June.

The total number of jobs lost—if they are successful—will be because the Postal Service also wants to increase the number of non-career employees by over 50%.

The relevant paragraphs of the Postal Service's discussion paper are as follows:

“Our most significant area of cost is in compensation and benefits, and one key driver of those costs is simply the sheer size of our workforce. Therefore, the Postal Service has to be able to reduce the size of our workforce if we are to have any hope of insuring that our costs are less than our revenue. Based on current revenue and cost trends, and assuming a move to 5-day delivery, the Postal Service can only afford a total workforce by 2015 of 425,000, which includes approximately 30% lower cost, and more flexible, non-career employees.

Attrition and certain other measures will allow us to achieve a portion of the savings needed to match expenses with revenue by 2015. We estimate that attrition will only result in a staff reduction of approximately 100,000. However, in order for the Postal Service to reduce complement to meet projected volume degradation, we must eliminate roughly 220,000 career positions between now and 2015.

In order to eliminate the remaining 120,000 career positions by 2015, to restore the Postal Service to financial viability, it is imperative that we have the ability to reduce our workforce rapidly. Unfortunately, the collective bargaining agreements between the Postal Service and our unionized employees contain layoff restrictions that make it impossible to reduce the size of our workforce by the amount required by 2015. It is not likely that the Postal Service will be able to eliminate these layoff protections through collective bargaining, given the nature of collective bargaining and interest arbitration. Therefore, **A LEGISLATIVE CHANGE IS NEEDED TO ELIMINATE THE LAYOFF PROTECTIONS IN OUR COLLECTIVE BARGAINING AGREEMENTS.**”

This plan—and ideas like this—are being presented to Congress on a regular basis. It appears the Postal Service plans on throwing as many of us as they can overboard. We must do what we can to protect our jobs. *We* must stand up and fight the fight! **WE NEED FRIENDS IN CONGRESS TO THWART PLANS LIKE THESE**. Please donate to COLCPE to help ensure we have a voice on Capitol Hill. If you need help signing up to donate, you may contact Pam Smith, Branch 782 COLCPE Coordinator, or me. Our numbers are listed on page 15 of this month's newsletter

JOHN ORTEGA
Branch 782 Vice-President

Frankly Speaking

I have not written an article for the newsletter in over five years; but, considering what I have seen in the news and read in the paper, we are in a dire time for our country and the Postal Service. If you ever are to be politically motivated, **NOW** is the time.

Now is the time to call Congressman McCarthy and demand help for the Postal Service and its hundreds of thousands of employees. If the Postal Service downsizes (no Saturday delivery, closes Post Offices or contract out work) Postal employees *will* lose their jobs. These will be good middle income jobs and it might be your job eventually.

The last few years have proved that those that yell the loudest will get the help.

I remember when our local Congressman was Bill Thomas and he wanted to balance the budget by changing my retirement from an average high 3 years to an average high 5 years. That would have reduced my retirement by about \$100 a month. When past Congressman Thomas wanted to reduce my retirement, I flooded his office with letters and phone calls.

If all that is proposed to cut the deficit is spending cuts, we are going to lose a lot of middle class jobs. I just read in the paper today that Federal money was utilized to add more teachers in Kern County. Take that away and I guarantee we will lose those jobs. There are a lot of ways to reduce spending by reducing graft and corruption in our Federal Programs.

This is no new situation. There have been recessions in the past and there will be more in the future. The only thing is, are *you* going to be active or passive.

Let your Congressman know that the Postal Service needs his help and one way includes giving back to the Postal Service the billions of dollars that it has been overcharged for years through a Congressional mandate.

Go to your Monthly Union Meeting and they will tell you how to help. I recently sent the following letter to Congressman McCarthy and challenge those that care to do the same.

Congressman Kevin McCarthy,

I am writing you to express my concern over the current budget crisis. As one of your constituents, I want you to support President Obama's budget position of reasonable cuts and increased tax revenue. I believe that the wealthiest can afford to pay a little more in taxes to help in this time of budget crisis. I don't believe that revenue cutting of services such as Medicare or social security should be considered. I believe that you should look at eliminating entitlements and tax loopholes that some corporations enjoy while making unbelievable profits (such as the oil companies and insurance companies when our elderly are required to go on Medicare). I do not support the position that tax breaks for the wealthy create jobs as it seems that unemployment continues to be a major problem. I would like a written response to my request.

Sincerely,

Frank & Janet Thomasy

Editor-guy note...

Frank Thomasy was Branch 782 President from October 1988 through December 2006. He has been retired for quite some time. He has maintained his NALC membership and knows the value of working in union with others to accomplish goals. *And, he also knows that his retirement benefits are at risk...*

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Is still the
WRONG WAY

President Rolando denounces PMG's latest 'radical' legislative proposals

August 11, 2011 – NALC President Fredric V. Rolando has issued a statement to denounce Postmaster General Patrick Donahoe's latest "radical" legislative proposals:

Today, city letter carriers across the country received a mandatory stand-up talk from supervisors as part of a concerted campaign by top postal management to convince Congress to slash postal employees' health and pension benefits and override lay-off protection provisions in the postal unions' contracts.

Just days before we formally open collective bargaining negotiations, the Postal Service has sent a clear message: It intends to use the financial crisis caused by the deep recession and the crushing congressional pre-funding mandates to strip postal employees of our bargaining rights.

Although we are prepared to seriously bargain over any proposal, we will resist this blatant attempt to subvert and circumvent collective bargaining.

In addition to the stand-up talk, the Postal Service issued a press release to the media and distributed two "white papers" to congressional decision-makers. One paper, "Postal Service Health Benefits and Pension Programs," asks Congress to allow the USPS to set up its own health plan and pension plans outside the FEHBP and FERS/CSRS systems for all other federal employees. The other paper, "Workforce Optimization," takes the extraordinary step of asking Congress to void the lay-off protection provisions of the various postal labor contracts.

Although the stand-up talk claimed that the postal unions had been "briefed," the reality is quite different. The USPS developed their plans without any discussion or negotiation with NALC or any of the other unions. Not surprisingly, the health and pension proposals would dramatically cut employee benefits below those earned by other federal employees. Let me be clear: We would never agree to any benefit plan unilaterally designed by postal management.

I issued the following statement to the press:

The issues of lay-off protection and health benefits are specifically covered by our contract. Each of them has historically been covered in collective bargaining between NALC and USPS. The Congress of the United States does not engage in contract negotiations with unions and we do not believe they are about to do so.

Of course, pension benefits for federal employees, including postal employees, are set by law. But rather than advocating pie-in-the-sky proposals, we believe USPS and Congress should focus on pending legislation (H.R. 1351) that would allow the USPS to recover massive surpluses in its CSRS and FERS pension accounts. Under the bill, which has 181 co-sponsors from both parties, the surpluses would be used to cover the unfair burden of pre-funding future retiree health benefits—a burden that no other company or agency bears and which accounts for 100 percent of the Postal Service's losses over the past four years.

Contract negotiations for NALC open Thursday, August 18.

USPS is free to bring these issues to the table. If they do so, we will bargain in good faith.

These new legislative proposals constitute a transparent attempt to gut our benefits and reduce our bargaining rights without negotiations. Indeed, the USPS admits in the two white papers that if these radical proposals were to be put before an impartial interest arbitrator, the USPS would not likely prevail. It's time for postal management to negotiate; the time for unilateral legislative end-runs is over.



SCUTTLEBUTT DOUG ARNOLD, EDITOR



I am an opinionated guy. When I feel strongly about something I'm generally not too shy about letting you know. Some of you are the same way. I occasionally get feedback from people regarding my articles. Sometimes they call, sometimes they write a letter, sometimes it's just a 1 fingered peace sign. Oddly enough though, the ones that complain the most are not on the mailing list. Non members & supervisors are the ones who don't agree with what I write. I firmly believe that everyone is entitled to their opinion. However, there is a distinct difference between disagreeing with an opinion and a downright attack on a person.

Some things change by the time my article gets to print. I write it roughly 2 weeks before it shows up in your mailbox. Last month I spoke of the new scan labels on all packages. It seems these are for 'internal use only'. I translate that as 'to be used for discipline only'. I could be wrong, but well, you know.

I once made a joke about FOX news and was told I needed to give time to the 'other side'. I'm here to tell you that isn't going to happen. Ever. As long I'm the Editor. I would sooner not do this job than to repeat anything as vile and misleading as I've seen and read on that "news" network and give it some sort of validity.

This issue has quickly become the COLCPE issue for Branch 245. As you'll see on pages 9, 10 & 11 I have presented for you numerous ways to contribute to our Political Action Committee. Let me be as clear and blunt about this as I can: I don't care what you think about anything except your job! That's right. I said it. COLCPE is there for your employment. Period. Your thoughts, opinions and beliefs on any other subject besides keeping your job and your benefits intact is irrelevant to both me and the causes for which COLCPE fights. I am not here to sway your opinion on abortion, the death penalty, illegal immigration, or any other hot button issue. I have my beliefs, you have yours. I won't change your mind on those issues and I can assure you, you will not change mine. But the common ground that we DO have is that we all want to keep our jobs, our incomes, our benefits, our job security, our pension and our retirements. That is what COLCPE is for-to be your voice on Capitol Hill.

You have 2 voices to be heard. Your vote and your wallet. \$5 per paycheck is not much. But 447 members of Branch 245 each contributing \$5 per paycheck is \$2,235 bi weekly. \$58,000/year combined. For 5 measly bucks. We have many new members on the "Gimme 5" page found on page 12. Take the time to thank them for doing their part. Ask them how easy it was to sign up.

Being a "Cheesehead" by birth and still having family in Wisconsin I watched events unfold in Wisconsin with Scott Walker and his cronies going after public unions with particular interest. One thing I kept reading was about his political backing from the Koch brothers. I'm certain I can't have the influence on a politician that the Koch brothers can buy. However, me and 200,000+ of my closest friends could make a dent. Call me if you need help signing up. Here's what I need to do it for you: Your employee ID number, your Postalease PIN, how much you'd like to contribute and in some cases, your number from your Postal Record mailing label (for those hired after August, 2009-my latest list.) If it's easier you can simply text me your ID#, PIN and amount and I'll set it up for you and send you a receipt. It's that easy. I've done it for many people from our Branch and around the country at Convention. My cell number is 815-621-8526. That is not the article complaint line though. ☺

Dougie

Article courtesy of the *Branch 245 Newsletter* published by NALC Branch 245 in Rockford, IL. Thanks, to another Editor-guy!!!

Postal Service is a vital hub for America *By William B. Cook*

I am writing this essay on behalf of the 800 members and their families of Northeastern New York Branch 358 National Association of Letter Carriers, of which I am a member and the president. Branch 358 represents the letter carriers in the Glens Falls region that this newspaper serves. On June 26,

The Post-Star printed an editorial that declared the Postal Service as broken and inefficient. This message is replete with inaccuracies.

For the record, since 1982 the Postal Service has not received any taxpayer support and does not need it now. We deliver to 150 million American homes and businesses six days a week. In fact, the customer base is not shrinking; it is increasing at the rate that equals the size of Houston, Texas, every year.

Like many businesses in this trying time, the Postal Service faces financial challenges due in part to the recession. However, unlike private business, the Postal Service and its employees are required by law to pay into the federal government all monies for pension and health benefits. In turn, the federal government is to use that money for the benefit of the 575,000 employees and the retirees.

The federal government is requiring the Postal Service and its employees to pre-fund 75 years of health benefit obligations in 10 years for all current and future employees/retirees. No other federal agency and no private business are required by law to do this. At the same time, Congress is refusing to allow the Postal Service to access and use monies in two pension funds that are permanently and significantly overfunded to the tune of \$81.5 billion.

The Postal Service and the National Association of Letter Carriers have supported legislation to provide a permanent and simple fix by allowing the Postal Service and its employees to use the excess money to fully fund the health benefit fund for the past four years. If Congress had passed the legislation the Postal Service would be on solid financial ground today and would have made profits in two of the last four years. How many other businesses could say that? Failing to act, Congress has made the Postal Service the most successful business to be on the brink of insolvency.

With the failure of Congress to act to free up the \$81.5 billion that belongs to the Postal Service and its employees, the Postal Service is taking drastic steps. However, it is not accurate to say that the Postal Service is "no longer contributing to its employee's pension fund." The Postal Service has stopped paying its employer portion into one of the two pension funds that is overfunded by \$6.5 billion. All other contributions are being made into the two pension funds.

Another step the Postal Service is taking is closing post office stations in cities. Note that it is not only the cities, such as Glens Falls, Schenectady and Albany that are at risk of and being affected with closures. In this region, Keene and Keene Valley are also affected, for example. If the residents of the Glens Falls area are unhappy about what is happening to their local post offices, then I strongly urge you to contact U.S. Rep. Gibson's office to ask him for help. Ask him to support fixing the Postal Service.

Rep. Gibson is only one of five of 28 members of the New York State House of Representatives delegation who has not supported releasing the money that belongs to the Postal Service and its employees. Continued failure to act will most likely mean further unnecessary contraction in postal services in the Glens Falls area.

The United States Postal Service is indisputably the most efficient postal service in the entire world. The Postal Service has the confidence of 83 percent of all Americans. It generates \$65 billion in sales annually, serving as a hub of a \$1.3 trillion mailing industry that includes paper manufacturers, magazines, shippers, financial service providers, direct mailers and merchants of all kinds. This industry employs some 7.5 million Americans. Millions of American citizens and businesses depend on mail delivery six days each week. In fact, the only way we can get our prescription drugs by mail, according to statute, is if the Postal Service delivers six days a week.

While the industry is changing, we are not obsolete as this editorial suggests.

This reprint from NALC Branch 358 appeared in and undated NALC Branch 458 Oklahoma City, OK *Sooner Script*

Minutes of the July 2011 General Meeting

The regular meeting of Branch 782 was called to order at 7:00 p.m. on the 26th day of July, 2011, by President Mike Towery at the branch office, Bakersfield. All members of the Executive Board were present. The stewards were present from Arvin, Avenal, Brundage, Camino Media, Downtown, East Bakersfield, Hillcrest, Lamont, Oildale, Shafter, Taft and Wasco. Also present was the Newsletter Editor, Basil Zuniga; OWCP Rep. Rick Gerdes; Legislative Rep. Diana Herrera; Webmaster Rick Plummer and Photographer Anita Holderman. The minutes of the June 28, 2011 meeting were read and accepted with no additions or corrections.

REPORTS OF STANDING AND SPECIAL COMMITTEES: Teresa Ortega reported that she was looking at changing the date of the picnic. Basil Zuniga reported that South Station did a great job with the newsletter; they finished by 7:15 and were "outta here" by 7:45. Next month will be EB's turn. Emma Gonzalez of the Social and Recreation Committee reported that she did not receive notification of the meeting until she returned from the street. Mabel Bullis reported that one book was sold this month with 1552 remaining.

NEW BUSINESS: Molly Biggar reported that the gross book sales total is \$18,720.00. The sales tax on the books total \$1544.00 which Molly paid online. Molly reported that a handheld credit card machine for book sales at the convention would cost \$17.95 per month plus 3.2% for a wireless terminal and 32 cents per transaction. Mike Towery reported that Norma Hamer volunteered to be the MDA coordinator. She will be working on the "Fill the Satchel" campaign. Mike thanked her for volunteering.

GOOD OF THE ASSOCIATION: Mike reported that there will be an Audit on August 2 and a Budget meeting on August 3 at 7:00. Mike discussed the possible move of East Bakersfield Station to Brundage. Fellows, Posey and Tupman are also on the list for possible closure. Basil informed the

members that he has read about offices back east that were moved to an entirely different city. Mike and Molly discussed the requirement by the insurance company that the branch get an alarm system. The initial cost for equipment is \$325.00 and \$15.00 per month for monitoring. Molly will get more information before we make a purchase. Diana Herrera urged everyone to contact their Congressman regarding HR-2434 to keep "protected 6 day delivery." John Ortega reported that he read an article in the USA Today that the PMG will close ½ the Post Offices by 2017 and could see three day delivery within 15 years. He reported that volume has increased 1% from the same quarter last year. First Class mail is down 6%, Second Class is up 5.9% and parcels are up 1.1%. The Post Office actually took in more revenue than they spent; they are up \$400 million. Anyone wanting more information should check out the *Washington Examiner* website.

FINANCIAL SECRETARY'S REPORT: Anita Holderman reported that \$17,582.68 was collected for May and \$12,005.04 was collected for June.

TREASURER'S REPORT: Molly Biggar reported:

Beginning Balance	\$63,894.75
Dues and Income	\$11,291.26
Interest Income	\$ 7.90
Balance	\$75,193.91
Expenses	\$12,609.60
Ending Balance	\$62,584.31

The MDA 50/50 Drawing was won by Rick Plummer.

The \$300.00 would have been won by Maria Gutierrez if she had been present.

There were 37 members present.

The meeting adjourned at 7:38 p.m.

Respectfully submitted,

KIM GERDES
NALC Branch 782 Recording Secretary

Membership Meeting Drawing

\$350.00!!!*

**Fine Print: As a Branch 782 member, YOU have a chance to win \$250 this month!! But, you HAVE to be present at the meeting when names are drawn...*

NON-MEMBER LIST MARCH 2011

DOWNTOWN STATION

D. Pearce
J. Cruz

SOUTH STATION

100% Union!!!

EAST BAKERSFIELD

100% Union!!!

HILLCREST

100% Union!!!

BRUNDAGE

D. Kinglee

DOLE COURT

S. Hancock

STOCKDALE

A. White
J. Oh
G. S. Saran
P.M. Russel

CAMINO MEDIA

100% Union!!!

ARVIN

C. J. Brown

AVENAL

100% Union!!!

BORON

100% Union!!!

CALIFORNIA CITY

100% Union!!!

DELANO

C.V. Quebral
L.A. Campos

EDWARDS

100% Union!!!

LAMONT

100% Union!!!

McFARLAND

100% Union!!!

MOJAVE

100% Union!!!

RIDGECREST

S. R. Pierce
H.G. Blanco
L.M. Montano

SHAFTER

I. M. New
M. D. Voights

TAFT

B. W. Krier
K.J. Hughes

TEHACHAPI

100% Union!!!

TRONA

100% Union!!!

WASCO

100% Union!!!



Basil: We have 394 total Carriers in the complement assigned to all of the cities represented by our Branch—and, of those, *only 18 are non-members*—that means that we are 95% organized!

KIM GERDES, Branch 782 Recording Secretary

Post office makes a profit Congress won't let it keep

Editor, *Times-Dispatch*:

Robin Beres' Commentary column eloquently discussed the value of the U.S. Postal Service but incompletely depicted its financial status. Let me provide some context about an agency that doesn't use a dime of taxpayer money and hasn't for more than a quarter-century. Its revenue comes from selling its products and services.

USPS financial problems have little to do with delivering the mail. In the four fiscal years since 2007, despite the worst recession in 80 years, despite Internet diversion, revenues from postal operations exceeded costs by \$611 million.

The problem lies elsewhere: the 2006 congressional mandate that the USPS pre-fund future retiree health benefits for the next 75 years, and do so within a decade — an obligation no other public agency or private firm faces. The more than \$5 billion annual payments since 2007 — \$21 billion total — are the difference between a positive and negative ledger. That's the elephant in the room . . . not Saturday mail delivery, not labor costs — which

have been declining for years. Postal management has consistently praised the unions for their cooperation.

Remove this onerous pre-funding and the Postal Service would have been profitable even during this economic downturn. But we're not even asking that it be removed. What USPS management, unions and key Republican and Democratic legislators seek is to let the Postal Service stop depleting its operating funds to make these payments and instead allow an internal transfer of funds from its pension surpluses. This transfer, with zero taxpayer involvement, would leave pensions and retiree health benefits fully funded while restoring the USPS budget to financial soundness.

While waiting for Congress to act, letter carriers will continue the dedication that has led the country to name us the most-trusted federal workers six years in a row.

Fredric Rolando,
President, National Association of Letter Carriers.
Washington, DC

August 11, 2011 -- NALC President Fredric V. Rolando's letter to the editor of the *Richmond Times-Dispatch* (VA) was published on Thursday, August 11.

Route Adjustments ARE Generated by You

by John Pfiffner, Vice-President
NALC Branch 373

3999 DEDUCTIONS: “1 minute or more for not having the satchel loaded with the first loop. 1 minute 40 seconds for having to punch in the numbers on a bad parcel bar code. Deductions made when Carriers got out of LLV to deliver mail to a blocked box. (That’s right! Management tells you to get out at blocked boxes, then nails you when you do!) Deductions made when Carriers punched in the clock rings after pivoting a part. 25 seconds for a carrier blowing his nose. 40 seconds for a Carrier drinking water. 5 seconds (I don’t know what it was for, I refused to look it up.) 3 minutes 53 seconds for a TE doing office functions on street time because TEs are not allowed to clock in on office time. Carriers writing the 3849s up in the LLV instead of at the door waiting for patron.”

These are just *some* of the many deductions that examiners made when editing the 3999s.

The great majority of these time deductions were put back into the 3999s. One Carrier had several customer contacts, which were all put back in. I timed the postmaster when she was doing it. On a 16 second deduction, it took her 30 seconds to make the correction.

Where Carriers had two 3999s conducted, I took the longer one. One of these was 60 minutes longer than the one management selected. Any wonder why management had two done? *BECAUSE THEY WANT TO DRIVE THEIR NUMBERS.* The postmaster and I spent 3 full days correcting bad deductions.

After that, Sandy and I compared mail volumes between the average street time and the 3999 time. I created an Excel spread sheet that compared the two. Sandy did not like this.

It was her position that we were creating a spread sheet that was not in the JARAP memo. I countered that the memo stated we were to compare the 3999s and see if they were representative of the data period. How can you do this if you don’t look at mail volumes?

On every consultation script it stated, “No mail volume during 3999.” Needless to say, it was true. An average of 500 or more pieces less on 98% of the routes.

If you could have sat in on this whole process, you would truly learn that management is not our friend. This is serious business. *THEY ARE OUT TO CUT ROUTES.* And the sooner Carriers can get that in their heads, the better.

It doesn’t matter how fast you run for them, they want more. It doesn’t matter that you pivoted 3 routes in the morning on top of carrying your own route; screw up and they will discipline you.

And it seems (at least to me) some Carriers are not our friends either. One Carrier—on the mounted part of his route—backed up the LLV to the previous mailbox to deliver a missed letter... *while the examiner was in the back seat.*

Many of the Carriers took only 7 to 8 minute breaks, or short lunches. Stupid! These Carriers lost time to their routes. When the Carriers took a 25 minute lunch, their routes became 5 minutes shorter. It is better to go over on your breaks and lunch for 30 to 60 seconds and have those seconds deducted then to give time away.

Carriers had several minutes of time deducted from their routes because they did office functions on street time after unloading.

Let me repeat this with emphasis: **Carriers had several minutes of time deducted from their routes because they did office functions on street time after unloading.**

One more time... ***CARRIERS HAD SEVERAL MINUTES OF TIME DEDUCTED FROM THEIR ROUTES BECAUSE THEY DID OFFICE FUNCTIONS ON STREET TIME AFTER UNLOADING.***

READ your SOP and these deductions won’t happen. *Every minute should count to us because it counts to management.*

The Regular Carrier is on extended leave. The “swinger” ran the route in 4 hours 43 minutes. How is this helping the Regular or the office in general?

I hope you’ve been reading this to this point...

It is important to realize something. When Carriers run their routes, they are not just hurting themselves but their neighbor routes as well. When territory is shifted, *everyone is affected*.

If you didn’t like what happened as a result of MIARAP, you will definitely not like what COR does. It *truly* scrambles all the routes. Ever play 52 card pickup? That’s COR!

JARAP gives the Union say in how COR is used but we do not have absolute control.

We, the DEAT, will begin CORing Zones 2 & 5, then the others after that. I don’t like using the word ‘we’ because I am truly not a willing partner in this. At the same time I simply do not want management doing this by itself. Have you ever seen management do anything that would be helpful to Carriers? Someone has to be in there putting the brakes on this insanity.

Management was given a 3 week extension to get all of the routes in Cedar Rapids adjusted. Instead of proceeding with DOIS adjustments so the time extension is met, management insists on using COR. It will take 3 weeks just to do one zone. So management is sending two COR techs to CR to run two zones at the same time with me. One will do Zone 2 and the other will do Zone 5.

They expect me to run COR on both zones at the same time. I let them know that I work only 8 hours per day and THAT I DON’T MULTI TASK! One of these ladies will just have to cool her heels. COR is too important and it demands very meticulous attention to details.

When I discussed this with Mike Birkett in St. Louis, he said that National is concerned about what management would do if we did not adjust routes under JARAP. National fears that the Postal Service would come in and do full blown route inspections...and ***THEN*** use COR to adjust routes. This is what I have seen and written about before.

JARAP gives us an excellent seat at the table, and a level playing field, to work through adjustments. Hence, management is not getting the outcomes they would like. This has been true heart-burn this JARAP session because Gail Duba (and her henchwomen) have been interfering...trying to get managers on the DEATS to run the numbers *their* way.

My goal is to try and preserve seniority and to try and limit the damage to current route configurations.

I AM FULLY AWARE THAT CARRIERS HAVE BID THEIR ROUTES BECAUSE OF THE WAY THEY ARE. And I also

know that, even though other union reps don’t believe so, these are our routes and we don’t like them changed! Unfortunately, COR will drastically change our routes.

When COR generates a solution, I don’t even bother to look at the map. I ask the tech to run a Route Relations Summary Report. This lists every route with the proposed makeup. This is just an example of how the report would look for zone 5:

Route 502	24	50%
	25	19%
	26*	10%
	28	21%

Route 502 is just a fictitious number that I am using for this article. This is how you read the report: Look for the asterisk and stay with me as I interpret the numbers.

Route 526 has only 10% of its existing stops remaining on the route in the proposed COR adjustment, with 90% new stops coming from routes 524, 525 and 528.

What do I do on this report? I list in one column the route numbers in seniority and then the percentages after that. It helps me to decide if this scenario is workable. Obviously, it isn’t when a senior Carrier will lose 90% of the stops!

I then run scenarios till one has a majority of the routes keeping 50% of their stops. I then look at the proposed map to see if territory can be moved to make it more workable to protect seniority.

The Route Relations Summary Report is the most important tool there is to see if a scenario is worth saving and working on! And guess what? This very report will be eliminated in the next version of COR. This way the DEATs cannot see what is being done with the scenario. Imagine that!

When I was at the COR Tech training in Oklahoma, all the NALC reps howled when we heard this. In the future, it will be just more time consuming because reps will have to carefully compare maps. USPS IDIOTS, USPS IDIOTS, USPS IDIOTS!!

Yes, management is idiotic if they think we will ever roll over for them. I hope Sandy and the COR techs bring their anti-acid tablets, because they are going to need them with me. Me? I’m bringing high grade *MOUNTAIN DEW!*

So, as I work through COR, I will *try* and limit the damage.

I will ***TRY*** to preserve seniority in geographical areas and ***try*** to keep routes as close to their original configuration as I can.

But, COR is run off of numbers that have been generated by you. And, I cannot control what you have done to your routes...

This article is courtesy of the August 2011 *Parlor City News* published by Cedar Rapids, Iowa NALC Branch 373

2011 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

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
National Library of Medicine	http://www.nlm.nih.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
Muscular Dystrophy Association	http://www.mdusa.org
Your Personal Health Record	http://www.nalc.org/depart.hbp
Asthma Information Center	http://www.ama.assn.org/special/asthma

Check out this PPO: Concentra Urgent Care
9500 Stockdale Highway Suites 100 & 101
Bakersfield, California 93309
Phone: (661) 282-4900
Hours>M-F 8:00 am - 9:00 pm; Sat & Sun 9:00 am - 7:00 pm

** Failure to pre-certify will result in a \$500 reduction in benefits paid by our Plan. MUST notify the Plan prior to hospital admission with doctor name and dates.*

*** 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
(661) 834-5011
YOUR NALC Branch 782
Health Benefits Representative

FMLA Procedure Changes

Rack Williams, Vice President
NALC Branch 84

The Family and Medical Leave Act (FMLA) has changed throughout the years but it's still the best way to protect yourself against disciplinary action in the event of a medical issue. We, at the Branch office, always recommend Carriers apply for FMLA protection; however, the way you make that application is changing.

As you all know, the USPS is presently downsizing much of the support departments at the GMF by centralizing the local Human Resources to Greenville, North Carolina. One of the latest moves is the FMLA department. It used to be that if you had a problem with applying for your FMLA, you would be able to call an actual person at the GMF and have the problem addressed. And although you can still talk to a person—Michelle Dugas—until the end of August by calling (412) 359-1485, beginning in September, craft employees will have to call PostalEase at (877) 477-3273 if there are any questions concerning FMLA.

It's supposed to be simple to just check the box "For FMLA Leave" on the leave slip (PS Form 3971) and in a couple of days an FMLA envelope came to your home mailbox. You would take to your doctor and he or she would send it to the address included with the directions. What complicates the system now is that the delivery supervisor is the one who is supposed to initiate the action that gets the envelope sent to you from Topeka, Kansas that contains the FMLA form and directions.

Yes... The person who has consistently entered you as LWOP when you requested sick leave is who is now responsible for supplying you with the tools to keep you out of discipline. Unnderstand that? (And he/she will get to it as soon as he/she is finished giving you a PDI concerning attendance.) The delivery supervisor is responsible for entering your leave into Enterprise Resource Management System (eRMS) and once your FMLA is approved the program will notify him/her.

There used to be an easier way to apply for FMLA when the national website carried a less-complicated form. However this past January, the NALC

national website pulled the simplified union FMLA forms that were available for printing out and taking to your doctor.

Now if you go to www.nalc.org and click onto "Departments" and then click "Contract Administration" and you'll notice the FMLA tab on the far left margin. Once you click onto that, scroll down to where you can download and print a WH-381 Notice for Eligibility and Rights & Responsibilities (Family and Medical Leave Act) form and have your doctor fill it out. This form requires more detailed information from your doctor that seems to border on HIPAA law violations. The Department of Labor certified this form to use by anyone in any field of work.

Even though the hoops to jump through to get FMLA approval seem to be smaller, the Branch office still recommends that you jump through them to guard you against any disciplinary action that may be waiting for you when you come back to work.

Article courtesy of *The Greater Pittsburgh Letter Carrier* published by Pittsburgh, Pennsylvania NALC Branch 84

OUT THERE



For assistance with submission of traumatic injury or occupational disease claims, contact:

Rick Gerdes at 661-834-2059 or "kgerdes91@hotmail.com"

ADVENTURES IN THE SPEED BIZ

By Ernie Carlson

I think I have a fairly good idea for the USPS to make some money.

It involves mail, of course—but not the mail you're used to working with and making a living from. It's the *other* mail: e-mail. And no, I'm not talking about delivering e-mail. The idea combines regular mail with email.

I got the idea from a woman on my route. She left her e-mail address on the hold mail card she gave me. Why? Pretty simple. She wanted her Letter Carrier to notify her if anything went wrong at her house while she was gone.

Ten years ago, if someone went on vacation or moved, they were, so to speak, incommunicado. It took forever to reach them, if they could be reached. Not anymore. Most people are just an e-mail, cellphone, or Facebook page away.

The US Postal Service should have an area on all their hold mail and change of address cards for postal patrons to write in their e-mail addresses, cellphone numbers, or social media contacts, so they can be contacted right away if something develops. There should also be an area set aside for contact information on all USPS mail forms. If the sender puts down a bad name or address...or no name or address, we could contact them. We could get the mistake corrected, and make the delivery to the right address.

Our customers would probably prefer that over receiving the now battered, marked-up package they sent out two weeks ago (return packages almost always look like they came from a war zone).

The benefits of putting contact information on hold cards are numerous. The customer has more peace of mind knowing they can be reached if something happens on their property while they're gone.

No other government agency-or private business has the reach or resources we have. The police, fire department, or local utility company won't stop by an empty house unless

there's a good reason to do so, and not everyone knows their neighbors.

We can fill in that gap. *We* can be there.

With their contact information, we can let our customers know if something happens at their house while they're gone.

AND WE CAN PROVIDE OTHER SERVICES.

We can let them know if another delivery company has left a package on their porch. We can let them know if a check or a package has arrived; and, perhaps, for a small fee or the cost of new postage (since the letter or package arrived at its intended destination) we can ship it to where they're vacationing.

Hold cards could also have a box on it the customer could mark off if they want to be notified about what mail has come in. If a son or daughter wants to get away for awhile, they could have us check on their parents or grandparents and let them know how they're doing. Or if they live far away from their relatives, a Carrier in the city or town their relatives live in could—for a small fee—send them a daily or weekly update on their family member's condition.

These last two sentences might sound kind of "Big Brother-ish", but I'd add this could only be done with both parties' consent—the family members asking us to keep an eye on their relatives and the relatives we're keeping an eye on; plus, we'd eliminate some guilt and worry, which would be a good thing)

How would we do all this?

Computers at every case and/or every vehicle would, I think, be sufficient. Otherwise, we could save a supervisor's job or two and let them do this. It would be a nice step towards that nearly forgotten, almost never heard, increasingly hard to do concept that made us what we are today: *Customer Service.*

Article courtesy of the July 2011 Duluth, MN
Zenith Branch News published by NALC Branch 114

THE USPS NEEDS TO DO MORE THAN GIVE LIP SERVICE TO GENERATING REVENUE.

A Real DIS-Connect!!!

by Ken Nunn,
President NALC Branch 231

Over the past several months, I have participated in many telecons with our Business Agent, Chris Jackson, and National NALC Vice-President George Mignosi. With the upcoming contract negotiations set to begin in August, it was decided between the three of us it would look much better if we were involved in the “Customer Connect” program and I reluctantly agreed.

When I attended a “Customer Connect” kickoff standup at Cardwell Station on Wednesday June 22, one of the Carriers asked Fresno OIC Eve Forrest if the USPS is so short of money why don’t they send her back where she came from and quit paying her rent and per diem. (Remember, she gets her lodging paid for and approximately \$1,800.00 per month for food.)

The Carrier further stated, “Mike Mirides is getting the same type of payment up North where he is currently working on a temporary assignment.” Two very good examples for a cash strapped company.

The response from the OIC was hostile and unprofessional.

First off, she made her usual comment every time someone asks her a question, “That’s a good question”. But then she never directly answers the question, just the usual management drivel and excuses as though, “Who are *we* to question her benefits and perks?”

As the Carrier pointed out, there still seems to be an abundance of money for management perks. Think about all the other Postmas-

ters, MPOO’S and other Management types that are not in their own position and reaping these benefits.

As I stated previously in this column, I attended “Customer Connect” stand-ups in three offices on Wednesday June 22, with NBA Chris Jackson and OIC Eve Forrest. OIC Forrest and I conducted two more stand-ups on Thursday the 23rd. We were supposed to do the last two on Friday the 24th, but—as expected—OIC Forrest just couldn’t make it on Friday... What a surprise!

Two days after we agreed to participate in the program, Management drops the ball—*AGAIN*.

If they can’t actively participate in the program for longer than forty-eight hours, I have no faith they will do the right thing in the future.

After giving the entire program more consideration I have reached my final decision as it relates to the “Customer Connect” program.

I personally will not support the program ever again. I will no longer conduct stand-ups related to “Customer Connect”.

There will not be another flip flop on my part. I am done with this program forever. Management continues

to spend money like drunken sailors on things that enrich themselves, but offers no real solution to our current financial status.

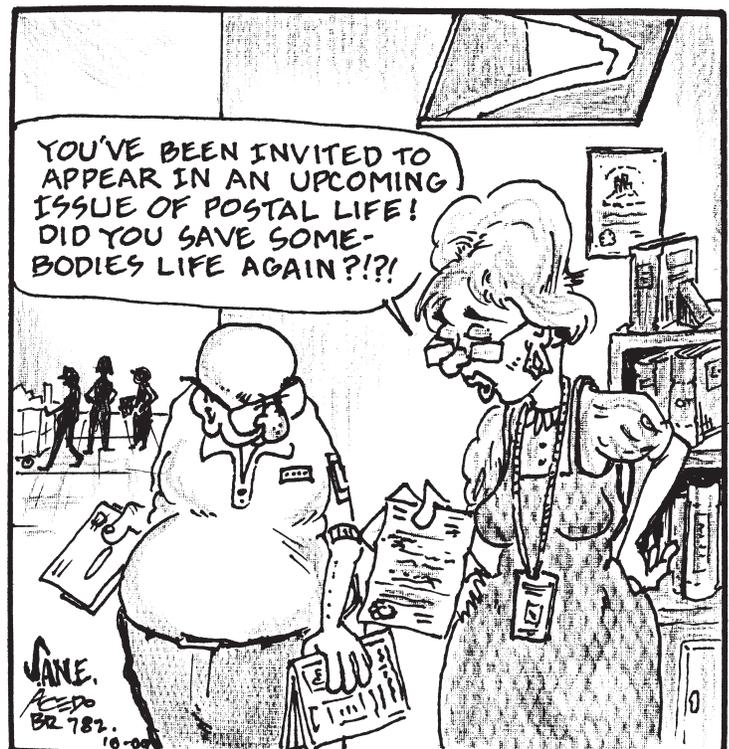
I personally find their arrogance and ignorance unacceptable and cannot find a good reason to provide them more money to waste.

Something you might like to know is that during a recent meeting with the OIC, we were having a discussion about “Customer Connect”. As I was telling her our Branch submits more leads than any other Branch in the Sacramento District, she stated, “That is true, but your leads don’t generate much revenue”.

Wow, thanks for the support Eve! That comment is a slap in the face to each of you that has taken the time to submit a lead. Your leads are not good enough for her.

You can do what you want, but I will no longer support this program in any fashion, you can make up your own mind and participate if you wish.

Article courtesy of the
July 2011 *Postman’s View* published
by NALC Branch 231 from Fresno, California



A political commentary

Joe Tea Party

Joe gets up at 6 a.m. and fills his coffeepot with water to prepare his morning coffee. The water is clean and good because some tree-hugging liberal fought for minimum water-quality standards. With his first swallow of water, he takes his daily medication. His medications are safe to take because some stupid commie liberal fought to ensure their safety and that they work as advertised. All but \$10 of his medications are paid for by his employer's medical plan because some liberal union workers fought their employers for paid medical insurance - now Joe gets it too. He prepares his morning breakfast, bacon and eggs. Joe's bacon is safe to eat because some girly-man liberal fought for laws to regulate the meat packing industry. In the morning shower, Joe reaches for his shampoo. His bottle is properly labeled with each ingredient and its amount in the total contents because some crybaby liberal fought for his right to know what he was putting on his body and how much it contained.

Public transportation

Joe dresses, walks outside and takes a deep breath. The air he breathes is clean because some environmentalist wacko liberal fought for the laws to stop industries from polluting our air. He walks to the subway station for his government-subsidized ride to work. It saves him considerable money in parking and transportation fees because some fancy-pants liberal fought for affordable public transportation, which gives everyone the opportunity to be a contributor.

Joe's deposit to the bank is federally insured by the FDIC.

Employment benefits

Joe begins his work day. He has a good job with excellent pay, medical benefits, retirement, paid holidays and vacation because some lazy liberal union members fought and died for these working standards. Joe's employer pays these standards because Joe's employer doesn't want his employees to call the union. If Joe is hurt on the job or becomes unemployed, he'll get a worker compensation or unemployment check because some stupid liberal didn't think he should lose his home because of his temporary misfortune.

Bank insurance

It's noontime and Joe needs to make a bank deposit so he can pay some bills. Joe's deposit is federally insured by the FDIC because some godless liberal wanted to protect Joe's money from unscrupulous bankers who ruined the banking system before the Great Depression. Joe has to pay his Fannie Mae-underwritten mortgage and his below-market federal student loan because some elitist liberal decided that Joe and the government would be better off if he was educated and earned more money over his lifetime. Joe is home from work.

He has a job with excellent pay, medical benefits, retirement, paid holidays and vacation.

Rural electrification

He plans to visit his father this evening at his farm home in the country. He gets in his car for the drive. His car is among the safest in the world because some America-hating liberal fought for car safety standards. He arrives at his boyhood home. His was the third generation to live in the house financed by Farmers' Home Administration because bankers didn't want to make rural loans. The house didn't have electricity until some big-government liberal stuck his nose where it didn't belong and demanded rural electrification.

Social security

He is happy to see his father, who is now retired. His father lives on Social Security and a union pension because some wine-drinking, cheese-eating liberal made sure he could take care of himself so Joe wouldn't have to.

Talk radio

Joe gets back in his car for the ride home, and turns on a radio talk show. The radio host keeps saying that liberals are bad and conservatives are good. He doesn't mention that the beloved Republicans have fought against every protection and benefit Joe enjoys throughout his day. Joe agrees: "We don't need those big-government liberals ruining our lives! After all, I'm a self-made man who believes everyone should take care of themselves, just like I have."

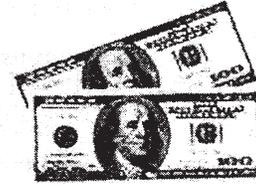
Originally posted on John Gray's website in 2004

(This is an internet-circulated tongue-in-cheek item. The date posted regarding the origin seems incorrect. The subheads and drop quotes are added.—Ed.)

Financial Security in Wayne's World



Contact at hitaga@fntos



by Wayne Volkl

CAN THE FEDS HAVE YOUR TSP & 401K?

Yes, this is a legitimate question being circulated around Washington DC. Unbelievable but true! Some 60 million American households own approximately \$ 15 Trillion in 401K's, IRA's, and Health Savings Accts. Guess what.....U.S. politicians are working on tapping into this source of revenue. The US national debt is now at \$ 14.2 Trillion...go to www.USdebtclock.org. What a very underhanded approach to solving THEIR spending crisis!

The federal government is working on a plan that establishes "Guaranteed Retirement Accounts (GRAs)." It would be a universal 401K plan that the federal government would manage. It would enable everyone to avoid stock market risk and would guaranty a 3% annual return on top of inflation. Also under this plan, 50% of your GRA automatically goes to the government upon passing, not your heirs. Future tax deferments to 401Ks and IRAs would be scrapped in exchange for a supposedly guaranteed 3% annual real return.

A proposed 5% debit from Americans paychecks would continue to be a source of revenue flows for Uncle Sam. Since individuals would have no say over asset allocation within the government accounts to which they would be forced to contribute, no ability to access funds (except through a government approved annuity upon retirement) and little or no ability to pass on the accounts to heirs. These accounts would make millions of retirees ENTIRELY dependent on government to release their retirement income. Betting everything upon government promises and guarantees is a VERY dangerous strategy.....just look at Social Security today.

Here is the REAL DANGER of allowing the government to "cabbage onto your retirement cash" right now. The US Treasury and the Federal Reserve Bank are devising a plan to put US Treasury notes/bonds into the portfolios of America. They want to take some of your cash and exchange it for US debt. They will attempt to convince the American public this is a wonderful idea.....the theme will go along these lines: your retirement will be more stable with US investments. You will not experience the extreme volatility that Wall Street exposure gives you.

Do you really think the government is looking after your personal welfare.....NOT! They are looking for \$ 15Trillion dollars to bail out their bad decision making. Nobody wants to buy anymore US Bonds.....not China, not India, not Japan.....not even the Federal reserve bank (they have been buying 70% of the US debt). Henceforth, let's force the American taxpayer to become the "Buyer of Last Resort". Think about this plan when it gets proposed to the American public. I don't know about you but why would I want to own US debt? I do not want to be the last sucker in line if the country goes into default.

Article courtesy of the *Parlor City News* published by NALC Branch 373 in Cedar Rapids, IA

VICE PRESIDENT'S REPORT



by *Santos Garcia*

The following story is true, only the names have been changed to protect the innocent. It's Monday morning, 6:00 AM and Tom is feeling lousy. He is supposed to report to work this morning but he knows that it's not gonna happen. He stumbles out of bed and makes the call to the automated call in system. Feeling the effects of a fever, he can barely concentrate enough to get through the call much less write down the confirmation number that he is given. I will make a doctor's appointment later he thinks; right now I just want to go to bed. But as he falls back to sleep, he is blissfully unaware that Aliens, bent on world domination, (**resistance is futile!**) have destroyed the satellite which was supposed to record his phone call. With no notification on his computer about the sick call, and Aliens wrecking havoc on his DOIS reports, his supervisor, Dick, marks his absence at work as AWOL. Later that day, Tom leaves his doctor's office with medication and a note indicating that he had been seen that day.

The next morning after reporting to work, Tom is brought into the office by his supervisor for a "day in court". Knowing his Union rights, he requests that his shop steward, Harry, accompany him. Tom is genuinely surprised to learn that he was marked down as AWOL the previous day. After all, he had made the call to the automated system, (which never makes mistakes) and he had a doctor's note, wasn't that enough? No, supervisor Dick said, there is no record of your phone call in our records and your doctor's note doesn't cover you for not

Aliens!

calling in. Tom receives a Letter of Warning for being AWOL. Shop steward Harry prepares a grievance, included in his requests for documentation is the USPS Leave Usage Log List Report, which records employee requests for leave under the automated system. Sure enough, Tom's request was not documented that day. Stupid Aliens!

Next, Harry turned to Tom's phone company for help. Surely Verizon would do everything it could to help a valued customer. But Verizon was dragging its feet. Weeks went by with no phone records showing up. Meanwhile the grievance had to move forward to the next level and then the next. The Step B team in Sacramento reviewed the Union's case and agreed that the LOW was excessive. But they would need proof from the phone company's records that the phone call was made before the discipline could be removed from his file. If Tom could produce the documents, the LOW would be removed. But where were the documents from Verizon? Surely two months were enough to produce the needed documents? Frantic phone calls to numerous customer service representatives and the supervisors over them had produced nothing.

Finally, a far off voice in the phone company wilderness heard his plea. The records were promptly dispatched and lo and behold there it was! The phone call made at 6:02 AM to the 1-877 numbers. Finally, proof that Tom was not a liar! He had made the phone call and here was proof! With documented proof on "official company letterhead", the LOW was removed, the AWOL was changed to eight hours of sick leave and Tom was vindicated. The moral of this story is that we should not blindly place our trust in automated systems of any kind. Tom was victimized by the automated call in system, his doubting station managers and his phone company. The easy thing to do is place the blame squarely on the shoulders of Aliens. But what about the phone company's responsibility? Is your phone company as user friendly as you expect? We know that many companies say that they are readily available online, but so did Verizon.

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Article courtesy of the NALC Branch 231 *Postman's View* published in July 2011

The View from the Country Club

By Dave Chelseth

One day, while at the main office or “Downtown”, I’d heard great tales of this place up north called “The Country Club”. Mt. Royal...a carrier’s utopia I was told.

Now I’ve been at the Country Club for five months.

I had no idea how true their words had been!

Why, at Mt. Royal, there isn’t even a need to sign up on any overtime list! Why bother to waste ink? No, at the country club OT is served up on a silver platter. If you want 10 hours of OT you’ll get 12...without even asking! Same goes for those not on the OTDL: You can almost guarantee that by the time Friday rolls around the OTDL will be going home early and the supervisors will be carrying the silver platter-- doling out OT to just about everybody! Well, not everybody exactly. At the club we don’t have any of those pesky TEs running 2 routes in 10 hours. They’re all down at the main office covering one of the 56 vacant routes. At the club there are NO vacant routes. Fully staffed=no OT, right? Well, except when 5 routes are open every week due to vacations. Why use TEs on vacation routes when it’s so much easier to spread the wealth of the post office in the form of overtime pay on a silver platter?

Speaking of spreading the wealth reminds me of the comedy hour here at the club. Just the other day we watched a video by an out of town comedian named Tony Williams. I can’t recall all of his jokes, but I do remember the one where the punch line was, “We need to reduce overtime hours to reduce our costs”. That line went over really well at the club. The OTDLers who were being sent home with pay after reaching 60 hours for the week had a really good belly laugh on hearing that one.

Another fine feature of the country club is the weight loss clinic. It’s free of charge! And the beauty of the program lies in its simplicity: add an excessive heat warning to 10 hours of walking street time and ‘walla’, instant weight loss! There’s also the program where you can be fooled into weight loss: here again, take one part excessive heat warning and then add one part sweatbox, (a vehicle with no air conditioner and a nice little fan to blow hot air at the driver), and again, ‘walla’ instant weight loss!

And finally, where else but at the country club would you come to work every Thursday to find your work vehicle all sparkly clean in the morning... cleaned by little elves the post office contracts out to clean our vehicles? No need to use valuable street time waiting in line for a car wash, what a concept! Yes sir... rain, shine, freezing temps, snow, no matter what, your vehicle gets washed whether it needs it or not. There’s a real joy in driving out of the club with your shiny new vehicle and hitting that first mud-filled pothole. It’s like saying, “look at me community, I work at a place that even washes vehicles when it’s freezing cold or raining... how’s that for money well spent!” Not only that, but in the winter they’ll even give the carriers lock de-icer so that we can get back into our frozen vehicles! Now, that’s thoughtful!

There is one thing that’s exactly the same at the main office as it is at the country club: the carrier’s dedication to the job. The mail gets through. It would be nice if it got through to the customer BEFORE they were washing up their dinner dishes, but that’s another story for another month.

Customer service and penalty overtime...somehow the two don’t seem to belong in the same sentence.

Article courtesy of an undated issue of the Duluth, MN *Zenith Branch News* published by NALC Branch 114

Retiree's Corner
Jim Reid
Director of Retired Members

I have gone through the NALC retirement manual and written articles on each chapter, but even though I have covered some subjects numerous times, I still get the same questions, so I have come to the conclusion that many carriers who are still years away from retirement probably skip my articles. Since I believe this is the case, and that knowing about retirement is important, I have decided to repeat those articles. This month's article last appeared in the January 2010 newsletter.

As a Postal employee, we are (were) covered by the basic life coverage from the Federal Employees' Group Life Insurance (FEGLI) program. In addition to the basic coverage, options are available (options A, B & C) at a charge which is deducted from your paycheck. Basic life insurance and the options can be carried over into retirement, but you must have one or more of the options as an active employee in order to carry that option or options into retirement. I will not go into detail here because it can be somewhat confusing, except to say that it is something that anyone close to retirement will want to look into and think about thoroughly.

The insurance cost depends on the coverage for the options and the age of the annuitant and generally goes up as you get older. In addition, if you choose to carry over the basic insurance (You can't carry over any of the options without carrying over the basic) you will have the option of having it reduced in value as you get older until it is reduced by 75%, 50% or even not reduced at all. Each of these options costs different amounts, and it may be a hard decision as to what, if any, insurance you want to extend into retirement.

Last month, I discussed carrying over health benefits and basically encouraged all retirees to do so. I can't say the same for life insurance, the options, options on the basic and costs of all of this would be strictly an individual matter and would depend on each individual situation which is why it should be checked closely before a decision is made.

When you get close to retirement and request information from personnel, information will be sent to you concerning life insurance and the proper forms to fill out after you have made your decision. As usual, questions can be directed to personnel services, or you can contact me for more information.

Article courtesy of the NALC Branch 791
Monthly Report published in July 2011

It's Time to Lift the Cap on Social Security Payroll Tax

by Gerald Small, NALC Branch 114

Currently, there is an upper limit, or cap, on the amount of earnings taxed for Social Security contributions. That limit is \$106,800 for this year. That means that even if a person has earnings of several hundreds of thousands of dollars, or even millions, that person contributes no more in total to the Social Security Trust Fund than a person earning \$106,800.

Since it is a flat rate and ends at a certain value, this payroll tax is regressive. (The benefit calculation also is limited by this cap.) In recent years, more than one-sixth of all earned income was above this limit and was exempted from paying a percentage to the Social Security Trust Fund and receiving an additional benefit from it. Because of increasing income disparity, this fraction of exempted income continues to increase, and the anomaly becomes more acute. And the prospect of future shortfalls in Social Security funds is greater.

In a Sept. 26 paper for Congressional Research Services — "Social Security: Raising or Eliminating the Taxable Earnings Base" — Janemarie Mulvey, a specialist in aging and income security, demonstrates that if Social Security would cover all earnings and pay higher benefits on those earnings, "95 (percent) of the projected shortfall in the Social Security program would be eliminated."

To achieve full solvency for the full 75-year projection period, it would only be necessary to raise the total payroll tax rate by an additional 0.1 percent, from 12.4 percent to 12.5 percent, or do some other slight change to cover the remaining marginal shortfall. Her research was based on Social Security Administration data and projections.

We can avoid any short-term shortfall and continue Social Security benefits for another 75 years and beyond by ending this payroll tax break on high-income earnings. What are we waiting for?

Article courtesy of an undated issue of the Duluth, MN *Zenith Branch News* published by NALC Branch 114

Third Party Claims

Summer is again upon us. With summer's arrival, more drivers are on the streets and more people are out and about. As a result, letter carriers' chances of being injured while performing their job duties by someone not connected to the Postal Service increase. While you should be particularly aware and careful this time of year, it is not always possible to avoid injury. If the worst occurs and you are injured, important and valuable legal rights are available to you. Through this article, I hope to provide information to assist you in protecting your legal rights.

Injuries caused by a person not connected to the Postal Service are called third party injuries. Claims against these persons for the injuries are called third party claims. Therefore, if you are injured due to the negligent actions or inactions of a third party, you have a third party claim against that party/person. You may be able to receive money to compensate you for the injury and damages caused by the negligence. This may include compensation for reasonable and necessary medical bills, lost earnings (regular and/or overtime income), lost sick leave, lost annual leave, mental anguish, physical pain and/or impairment, and disfigurement. If your injuries are permanent, you may also be able to obtain money to compensate you for these items in the future. In some cases, your spouse may also be able to recover money to compensate them for their injuries and damages resulting from the third party's negligence.

Like many of our rights, if you do not enforce your rights they may be lost forever. For example, injured individuals in Texas must usually pursue their claims within two years of the date of injury by filing and serving the third party with a lawsuit. If this is not done, the injured individual may not be allowed to pursue the claim and it will be lost forever. Additionally, some claims require notice to the wrongdoer within a much shorter time period, for example, thirty days. Thus, if you wait too long, you may lose the ability to pursue your claim against the negligent person. Therefore, it is very important not to wait.

If you are injured on the job, the Postal Service will most likely ask for permission to pursue a claim against the negligent person on your behalf. You have the right to reject this and have your own attorney pursue the claim instead. I have never seen the Postal Service object to a letter carrier's choice to pursue a claim using their own attorney.

If you are injured on your route, you should immediately contact Postal Service management and your Union.

In most cases, there is no problem getting immediate medical treatment. If you need further medical attention you should immediately request authorization from Postal Service management. In either case, you should inform your doctor as fully and completely as you can of what happened. You should tell the doctor how the incident occurred, what your injuries are and describe the pain and discomfort you are experiencing. This holds true throughout your treatment and recovery. If you are unable to perform your job due to the injury or the pain and discomfort, immediately inform Postal Service management, your doctor, your co-workers, and the Union.

Today almost everyone has a phone which will take photographs or videos. It is true that "a picture is worth a thousand words" and video is better! Particularly if you are attacked or bitten by a dog or other animal, try to photograph or video tape the animal. What looked and acted like a rabid beast when it attacked you will be made to appear like Bambi or Lassie when you pursue your claim. If you are involved in a vehicle collision, photograph or videotape the scene and the damage to the vehicles. It is also important to photograph or videotape bite wounds or other visible injuries. This should be done from immediately after the attack throughout your recovery. In dog or animal attacks, it is important to determine if any of your fellow letter carriers have experienced attacks or aggressive behavior from the dog or animal. For example, determine if mail delivery has ever been suspended due to the presence of the dog or animal. You should also save any torn or bloody uniforms.

Obviously, everyone hopes and works to ensure your safe return to the station after a day performing your job. However, injuries do occur. If the injury is caused by a third party's negligence, remember to take steps to protect and enforce your rights. While other people are available to help you, ultimately, it is up to you to protect your important and valuable rights.

It has and continues to be my pleasure and honor to represent Branch 283. I truly hope the information provided here is valuable to you in the unfortunate event you are injured by the negligence of a third party. Meanwhile, if you have any questions, or we can be of assistance, do not hesitate to call our office at 713-526-1998.

*Eric H. Nelson
Attorney and Counselor
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Occupational Disease

Vice President
Ron Kania

A few months ago, I wrote an article giving some advice and information about traumatic injury claims. In this article, I will address some of the basic information necessary when claiming an occupational disease or illness. Keep in mind that it is your burden of proof when you claim that you have sustained an on-the-job injury regardless of the type of injury.

According to the Federal Employees' Compensation Act (FECA), an occupational disease or illness is a condition produced by the work environment over a period longer than one workday or shift. The condition may result from infection; repeated stress or strain; or repeated exposure to toxins, poisons, fumes, or other continuing conditions of the work environment. An occupational disease or illness usually develops slowly and does not occur at a specific time and place.

Occupational disease claims are filed on Form CA-2, *Notice of Occupational Disease and Claim for Compensation*. To establish a claim for an occupational disease, you want to file a CA-2 as soon as possible after you become aware of the connection between your occupational disease and your work. Although you have up to three years to file a claim, it is always best to file a claim as soon as possible. For example, you might be feeling pain or discomfort in a part of your body. You can't make a claim that your injury is caused by work until you are diagnosed as to the medical condition you are suffering from. After the diagnosis is made, it is up to you and your doctor to determine if your employment caused or contributed to the diagnosed condition. Your claim should be approved if your doctor can prove your diagnosed condition was caused by your employment.

Once you file a CA-2, the employer should provide the employee with two copies of a checklist listing the information needed for the specific disease claimed. The Office of Workers Compensation Program (OWCP) uses these checklists so employees and employers will know what evidence is required to be included in the file. The forms are numbered as CA-35 A-H, depending on the type of occupational disease you are claiming. For example, a CA-35A is the checklist of evidence required to support a claim for any general

type of occupational disease, and a CA-35H is the checklist of evidence required to support a claim for work-related carpal tunnel syndrome.

Return the CA-35 with attachments of the required evidence and include with your CA-2. The CA-35 lists the items as "required evidence," and it is your responsibility to ensure you include the necessary evidence in order for your claim to be approved.

The CA-35 lists what is needed in your claim, but I wanted to give you a bit more information. You will need to write two employee narratives to help with the adjudication of your claim. The first one should list a detailed description of the duties you perform each day. Try to avoid using postal lingo since anyone outside of the USPS will have little or no idea as what you are talking about. The second narrative needs to list the parts of your job you find to be responsible for either causing or aggravating the medical condition that you are claiming as an occupational disease.

You need to ensure that medical evidence is submitted which states a diagnosis and supports causal relationship to the claimed injury. You will want to include dates of examinations and treatments, tests given, results of x-rays, etc. It is best if the physician you are seeing is a specialist in the applicable field of medicine, but it is not a requirement.

You might be wondering how causal relationship is established. According to FECA, "A medical connection between the injury and the condition found must be shown, based entirely on medical evidence provided by physicians who have examined and treated the employee.

Opinions of the employee, supervisors, or witnesses are not considered, nor is general medical information in published articles. The fact that a condition appears during Federal employment does not establish causal relationship between the two. Likewise, the employee's belief that work factors caused or aggravated the condition does not establish causal relationship.

Where a pre-existing condition involving the same part of the body is present, the physician must provide a medical opinion which states both the effects of the work-related condition and those of the pre-existing condition."

You need to have your physician write a detailed narrative medical report (in addition to the medical evidence needed to prove your claim) including

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Occupational Disease

Continued from previous page...

the connection to your work duties and your diagnosed condition, a definitive diagnosis, the medical reasons for the physician's opinion, and the extent of the disability. If the disability is partial, the physician must describe the work restrictions.

Compensation for an occupational disease is a bit different than it is for a traumatic injury. When you file a CA-2, you are not entitled to Continuation of Pay. You can use sick leave, annual leave, or leave without pay when you need to take time off of work due to your medical condition. Once your claim is approved, you can do a leave buy back for the leave you used while waiting

for your claim to be approved. Keep in mind that if you use sick or annual leave after your claim is approved, you will not be able to claim compensation for that time.

If you use the appropriate CA-35 form to ensure that you include the required evidence to meet your initial burden of proof in cases involving occupational disease or illness, you should have little or no trouble with your claim.

I advise you to always respond in a timely manner to any correspondence you receive from the Department of Labor as your case moves forward. As always, I am willing to help any NALC member who needs help with their OWCP claim.

Article courtesy of the NALC Branch 2
Pioneer published in July 2011

Do I Need Medicare???

by Manuel Calderon, NALC Branch 231 Health Benefits Officer

I am always asked, "Do I need to get Medicare if I have a health plan from the post office?" This is not an easy question to answer, because everyone has different health needs. The main issue is cost.

A married couple with NALC insurance pays \$327.00 per month, if you also have Medicare that will cost \$115.00 a month each, for a total of 557.00. The yearly cost would be 6684.00. For a single person it would be \$275.00 a month, \$3300.00 a year. This is a big part of a monthly budget.

Advantages of having both are: never having to pay anything out of pocket, no co-pay, no precertification for hospitalization and you can go to any doctor that is covered by Medicare. You will probably never pay any cost- ever. You would be completely covered for everything.

You do not have to take Medicare, you can decline it when you turn 65, but if you wanted to sign up later on, you must pay a penalty of 10 percent for each year that you wait to enroll. If you wait 3 years, your monthly cost would be \$115.00 x 30% which would be 35.40, so you would now have to pay \$150.40 a month from now on instead of \$115.00. What should you do, carry both, carry only one? That is a personal issue and only you can answer. It's like your house insurance, should you have full coverage or coverage with a big deductible; it depends what you feel comfortable with. You should be aware that if you ever drop your health insurance plan with the postal -Service you can never rejoin any plan, this is very important to remember. You can put your federal employees health plan in "suspension", which allows you to rejoin later on, but check with office of personnel management (OPM) to see what is necessary so that you never lose your right to enroll again.

Medicare only pays 80 percent of your medical cost, so you would have to have a Medicare advantage plan to cover your prescriptions and the 20 percent you would be liable for. This costs extra. There are many different advantage plans and the cost varies by what their coverage includes. When you turn 65 you will be bombarded with mail from all these plans to join theirs.

Which one should you decide on? As I stated earlier, that is a personal choice only you can make. I think the NALC has a very good plan and covers our members as well as any other plan in the Federal Employees Health Benefit Plan program. It all depends how secure you feel with your plan, or if you feel you need more coverage and how much your budget can afford. Good luck with your decision and call me if you need any questions answered.

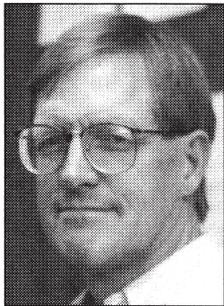
Article courtesy of the NALC Branch 231 *Postman's View* published in August 2011

Getting paid for all your time: Falsifying documents, disparate treatment and hypocrisy in the Postal Service

By Bill Thornton, Vice President

A report from the Office of Inspector General (OIG) dated March 31, 2011, Subject: Audit Report-Allegations of Inaccurate Time and Attendance Records (Report Number HR-AR-11-001), was devastating in listing fraudulent practices by management.

This report presented "...the results of inaccurate time and attendance records (PROJECT Number 10YG017HR000)...objective was to assess whether the US Postal Service has adequate controls to ensure the accuracy of employees work hours..."



The audit resulted from congressional inquiries, etc. regarding such practices in five (5) post offices around the country.

Their conclusion: "Management controls over time and attendance at the locations included in our audit were not adequate to ensure employees work hours were recorded accurately...we could not determine with

certainly the reasons supervisors altered employee time and attendance records."

So right on page one of the report two words came to mind: Cover Up.

Not filling out required forms

The study found that management was not completing required forms, including 1017As (Time Disallowance) and 3971s (Request for or notification of absence).

A report listed widespread inaccurate time and attendance records

"Questionable deletions" were found in various post offices. These deletions included deleting work hours when employees' 8 hour schedule was exceeded, and adjusting clock rings to meet DOIS reports or established hours for operations.

These kinds of activities are governed by EL and F-21 Time and Attendance Manual.

"Supervisors did not follow procedures for documenting out-of-schedule changes in TACS," the report said.

Supervisors in one post office "improperly charged safety talks and informational meetings to operation code 782." This is something the union has encountered locally.

Why they say they did it

The supervisors' responses to the deletions of the clock rings included:

Adjusting clock rings to "conform to expectations."

Did not provide any reasons for the deletions.

Recommendations:

"...controls in Time and attendance Collection System to document supervisors justification of changes to employees time.

The words that come to mind on one page of the reports are "cover up".

"...importance of completing Postal Service Form 1017-A, and PS Form 3971..."

"...review and approval process to ensure time disallowance are appropriate and documented as required..."

"...periodic monitoring of clock ring deletions to ensure employee work hours are recorded accurately.

According to the report, management agreed with the report and "...Payroll Manager will investigate the costs associated with creating a TACS-based electronic record of reasons for the clock ring changes by January 2012..."

"...management stated they will develop a training webinar by May 31, 2011."

Complaints about time from various places

The postal service OIG received a congressional request from an Oregon Congressman on behalf of a constituent from Salem, OR, the APWU. Similar revelations regarding time and attendance procedures had occurred in Oakland, CA and Manchester, NH.

There was also a congressional request from a New Hampshire NALC Branch regarding supervisors deleting time from carriers, improperly moving codes, etc.

And there was a congressional inquiry after employees complained in Ohio regarding management changing clock rings and changing office and street times to training and carrier miscellaneous duties.

Retaliation threatened to whistle blowers

Employees expressed concerns about "harassment and retribution" for raising these issues.

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V I C E - P R E S I D E N T

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Among the findings:

Employee clock rings were deleted to conform to management reports or time limits for specific tasks.

“Investigations disclosed instances where either a postmaster or supervisor made entries into TACS which apparently denied employees of paid time...”

The investigations found many instances in various parts of the country of management failure to properly use Form 1017-A Time Disallowance.

They noted that “TACS prompts supervisors when they are disallowing time that they should complete a PS Form 1017-A...The managers and postmasters at the sites visited stated that completing the form was not a priority.”

“Questionable deletions” were found.

Unauthorized overtime must be documented on 1017Bs.

Numerous problems with calculations of Out of Schedule pay were found.

How management wants to fix it

Among the management recommendations, in addition to the webinar and review processes, was one to investigate the costs of “...creating a TACS based electronic record of reasons for clock ring changes...this system could be used to augment and review proper usage of the PS Form 1017-A...Target date for completion is January 2012...”

Management’s own TACS training warns supervisors of changing clock rings without appropriate cause and documentation.

The Postal Service has a history of problems with issues of paying employees for all time worked and for improperly altering time records. Old timers remember

Five post offices, from New Hampshire to Oregon, were investigated.

a settlement of \$2000 per carrier in San Francisco years ago after long periods of management time shaving.

Paying people for all hours worked is the law

FLSA came into being in 1938 under the worker friendly legislation of President Franklin Roosevelt and the New Deal. The Division of Labor Standards had been established in 1934. It established minimum wage, overtime pay, and record keeping, etc. for the private sector and federal, state and local government. For example,

you must receive overtime for work hours over 40 hours per week. Postal service regulations largely piggyback on this federal law.

The use of time disallowance is governed by F-21 Time and Attendance Manual, page 64, Time and Attendance Collection System:

There was improper use of code 782 for safety talks.

“If an employee’s ring generate overtime, we have to pay that overtime. The only way not to pay the overtime is if you observe the employee not working that overtime, document it on Form 1017A and obtain the employee’s signature on that form.

If Form 1017A was not properly completed and filed and you changed the ring anyway, you would be committing fraud.”

So, if management shaves your time that you worked without following the procedures as described above, they are essentially violating FLSA. The union will insist that carriers are paid for all time worked in accordance with FLSA law and requirements of Postal Service manuals.

Missing 3971s

In the use of 3971s, OIG found that in four locations analyzed, 68 % of 3971s were missing when employees took leave.

The post office has a history of not paying for time worked, including San Francisco.

A local problem?

The OIG report documenting widespread/nation wide management problems regarding accurately recording employee clock rings and failures to comply with regulations in these regards hits close to home.

There are currently allegations and investigations concerning improper clock ring changes. Branch 214 Executive Vice President Karen Eshabarr has gone the extra mile in scouring management records to uncover violations and enforce compliance.

Carrier day to day protection

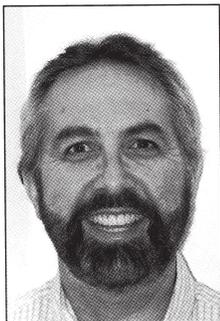
Keep exact track of time. Unless specifically instructed otherwise, do your own clock rings. And report suspicious activity like instructing carriers not to clock out.

Finally, wondering aloud, if these alleged violations were committed by carriers/craft employees, would the Postal Service resort to educational corrective programs (“webinars”!) or would we be out on the street on a 16.7?

Article courtesy of the San Francisco, California NALC Branch 214 *Voice* published in July/August 2011

ANSWER THE PHONE!

By Paul Drapkin, Senior Vice President



So, do you think that you have what it takes to become a Supervisor? I hope that you have the guts to at least be able to answer the phone. Clearly the current group of Supervisors that we have doesn't. One of the skills that you will need is the ability to answer the phone. After all, as a Supervisor, how hard can it be? You sit in an air conditioned office late in the afternoon doing your paperwork or computer inputting and if the phone rings, you answer it. Oops, I forgot, this is the Woodland Hills P.O. where Supervisors avoid answering the phone the same way you might avoid someone who has the bubonic plague.

For as long as I can remember in my Postal career, one of the cardinal sins that we as Carriers were always taught was not to be broken was to not make it back to the office by a certain time without having first called management and let them decide what they wanted you to do.

I always liked the rule myself. After all, if for whatever reason I was not going to make it back, I let management decide what they wanted me to do. It relieved me of the pressure to attempt to do anything unsafe that might lead to an accident or to attempt to run my ass off just to help my Supervisor.

Well guess what. That part of the job just became even easier here in Woodland Hills. As of April 15, 2011, due directly to all of you who stood up and participated in a class action grievance that was filed on your behalf, the rules have now changed...somewhat!

You still have to call from the street if you are not going to make it on time. As of this writing, it is 3:00pm. But it really does not matter, chances are nobody is going to answer the phone no matter what time you call, and this is where it just became easier for you.

When the union filed the grievance on your behalf, management of course denied that they had any responsibility to fix the problem of having to answer the phone, God forbid that the Postmaster at the time actually admit to her poor leadership skills and take some responsibility. Management claimed that since everyone has their cell phone numbers, you can always get a hold of them. That is a complete fallacy. Not everyone has their cell phone numbers. I know that I do not have all the Supervisors phone numbers. And that leads me to the next misconception. Even if you do have the Supervisors cell phone numbers, you are not required to use it anyway. You are only required to call one central location if you are not going to make it on time...It's called the Woodland Hills

Post Office.

The result of the grievance that was filed on your behalf was sent to the Dispute Resolution Team (DRT). The DRT agreed and handed down a decision that I thought would have brought management to the conclusion that they had better answer the phone. The DRT decision stated that *"Management is directed to put appropriate measure into place so that the telephones are staffed and answered when Carriers call from the street seeking guidance and instructions from management."*

Well guess what, management failed to put any kind of measure into place to insure that the phones are answered when you call from the street. Evidence the fact that shortly after the decision came from the DRT I was telling a few Carriers at the time clock just prior to clocking out for the day about the decision. One of the Carriers pulled out her cell phone and dialed the P.O. phone number. As the phone began to ring, the several of us who were standing at the time clock turned to the Supervisors stand up desk and watched as the Supervisor completely ignored the phone that had now rung at least 6 or 8 times. The only reason that this Carrier hung up her cell phone was because it had now become time to end tour for the day and she wanted to go home. This as we all laughed at the continued ineptness of management's inability to accomplish the very basic task of answering the phone.

When you do call, and if nobody answers the phone here are the new and improved Woodland Hills rules. I did not make these up. They are documented in the labor/management meeting minutes from April 15, 2011.

If you are an OTLD or a Work Assignment Carrier and you call by the designated time indicated by management and nobody answers the phone, you automatically have permission to continue on delivering the route. You are required to call again; however this does not mean that every 5 or 10 minutes you are required to call. It means that you must use common sense and when you have an opportunity to make the call again, do so. But, if you do go into an overtime status and you really did call from the street and nobody answered the phone, good luck to management in any attempt to discipline you!

If you are not on any overtime desired list and you call by the designated time indicated by management and nobody answers the phone, you automatically have permission to bring the mail back in order for you to get off the clock within your 8 hour tour of duty.

Article courtesy of the NALC Branch 2902
Mail Bag News published in July-August 2011

Senior Vice President's Report

By **Brian Bump**
Senior Vice President



If you are subject to an investigatory interview by management, the Office of Inspector General (OIG), or the Postal Inspection Service, you have the right to have union representation at the interview. This is your Weingarten rights. Page 17-6 of the JCAM states:

Weingarten Rights Federal labor law, in what is known as the Weingarten rule, gives each employee the right to representation during any investigatory interview which he or she reasonably believes may lead to discipline. (NLRB v. J. Weingarten, U.S. Supreme Court, 1975)

Weingarten rights do not apply during an official discussion or a fitness for duty examination. The employee must exercise the Weingarten rights, they cannot be exercised by the Shop Steward for the employee and the employer is not required to notify the employee of the rights. An employee should **ALWAYS** exercise his/her Weingarten rights before answering **any** questions during an investigatory interview, regardless of whether the interview is conducted by management, the OIG or the Postal Inspectors.

In addition to the employees Weingarten rights, the OIG or Postal Inspectors may read the employee another warning. One of these is the Miranda warning, which most people are familiar with, and is required to be given by police in the United States to criminal suspects in police custody before they are interrogated. A typical Miranda warning:

You have the right to remain silent. Anything you say can and will be used against you in a court of law. You have the right to speak to an attorney, and to have an attorney pre-

sent during any questioning. If you cannot afford a lawyer, one will be provided for you at government expense.

In addition to the Miranda warning, which is read to the employee if they are taken into custody, the OIG or Postal Inspectors may give you the Garrity warning or the Kalkines warning. One of the reasons for these warnings is the ELM Section 665.3 requirement that an employee cooperate in any postal investigation.

The Garrity warning waives the government's right to discipline the employee for remaining silent, but still allows the Government the right to criminally prosecute the employee based on any statement the employee voluntarily makes. The Garrity warning can be easily mistaken for the Miranda warning if the employee does not pay attention. A typical Garrity warning is as follows (note the similarity to the Miranda warning):

You have the right to remain silent if your answers may tend to incriminate you. Anything you say or do may be used as evidence in both an administrative proceeding, and any future criminal proceedings involving you. If you refuse to answer the questions posed to you on the grounds that the answers may tend to incriminate you, you cannot be discharged solely for remaining silent. However, your silence can be considered in an administrative proceeding for its evidentiary value that is warranted by the facts surrounding your case. This interview is strictly voluntary and you may leave at any time.

The Kalkines warning maintains the government's right to discipline an employee for refusing to cooperate in the investigation but waives the right to use voluntary statements made by the employee in a criminal prosecution. A typical Kalkines warning:

You are going to be asked a number of specific questions concerning the performance of your official duties as an employee of the United States Postal Service. You have a duty to reply to these questions, and agency disciplinary proceedings resulting in your discharge, may be initiated as a result of your answers. However, neither your answers nor any information or evidence which is gained by reason of such statements can be used against you in criminal proceedings. You are subject to disciplinary actions up to and including dismissal if you refuse to answer or fail to respond truthfully and fully to any questions.

Regardless of which of the warnings you may be given, the OIG or Postal Inspector may ask you to sign an acknowledgement that you understand the warning, or may verbally ask you if you understand the warning. **DO NOT** acknowledge that you understand the warning if you do not understand it.

If, during the interview, you choose to exercise the rights in the warning you have been given, be sure to ask for that right. For instance, if you have been read the Garrity warning and later request to invoke your Miranda rights, the OIG or Postal Inspector will tell you that you are not under arrest and do not have Miranda rights. They will not inform you that the warning you were given was the Garrity warning, you have already acknowledged you understood that warning. If you do not remember the name of the warning you were given, tell the OIG or Postal Inspector which right you wish to invoke, for instance, for the Garrity warning, tell them "I wish to invoke my right to remain silent."

As noted above, you will not be given notice of your Weingarten rights. Even if you are assured the information will not be used for criminal proceedings, it may still be used to issue discipline. Before you answer

(Continued on Page 4)

Continued from previous page...

any questions during any type of investigatory interview, be sure you request and receive union representation. If you request union representation it must be provided. Page 17-7 of the JCAM states:

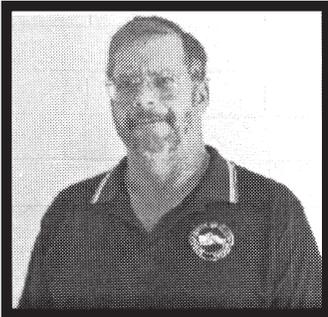
Although ELM Section 666.6 requires all postal employees to cooperate

with postal investigations, the carrier still has the right under Weingarten to have a steward present before answering questions in this situation. The carrier may respond that he or she protects you during the interview and helps the union to better represent you in any disciplinary action.

Be safe,
Brian

We hope you will never need this info, but...

This article courtesy of the Sacramento, California NALC Branch 133 Swing Room Gazette published in July 2011.



**Executive Vice -
President's Report
by Phillip Dufek
Annual & Sick Leave**

Almost every carrier knows requests for leave must be submitted and approved in advance in writing on PS Form 3971; Request For Notification of Absence. The only exception to the advance notification for Annual Leave is in cases of Emergency whereby management may require documentation evidencing the emergency situation. In one local case, the employee was returning from out of state and encountered a vehicle breakdown. Management approved the Request for Emergency Annual Leave however required documentation. He provided a dated receipt from the Auto Parts store where he obtained the part needed to repair his vehicle and return home.

Scheduling on SDO is Not Required

Most employees are familiar with management's insistence that carriers schedule medical appointments on their Scheduled Day Off, however this may not always be possible. ELM Section 513.32 recognizes that Medical, Dental, Optical examination or treatment are authorized conditions for Sick Leave. When combined with the requirement that sick leave absences are to be requested in advance on PS 3971 with the only exception being for unexpected illness or injury, it only seems logical that management would appreciate the advance notice, but that's not the case. Instead, in many cases management sees only Sick Leave usage and without hesitation denies the request, entering "denied, schedule for SDO," or, more recently, "slots full"? (Sick leave in Phoenix doesn't go on leave board during prime time.)

directly to Formal Step A to resolve the issue prior to the possible creation of an unsafe situation.

Documentation is Not Always Warranted

Even if approved, management may still request the employee provide medical documentation and, depending upon the circumstances, this also may not be appropriate. Simply because the employee went to the medical appointment should not be in and of itself reason to make them legitimize the absence. The fact the employee was already going to a doctor is not sufficient reason to require documentation and, invade the individual's privacy. The provisions for documentation are still in place; management must be able to demonstrate "what Postal interests required protection." Otherwise, it may only be an excuse to invade the privacy of an employee. Management's attitude that because they're management they can do it- is a load of _____. If that happens, provide the medical documentation (which only has to say you were unable to work due to medical treatment/ examination and the date). With a copy of this and the PS 3971, provide these to your steward.

Phillip Dufek, Exec Vice President

OIG and 'Early Outs' Also on the National front; the OIG recently produced a report taking the position that offering an "early out" or VERA to USPS employees could provide additional savings to the company. The position is based on USPS statement indicating that it has doubled in savings what was paid out (\$15,000.00) to clerks and mailhandlers in the most recent VERA. The \$15K was paid to 20,000 employees. Along the same lines, there are some areas of California that are offering "early-outs" (VERA) to city letter carriers. However, there are no cash or other incentives offered to these employees. The effective retirement dates fall between August and September.

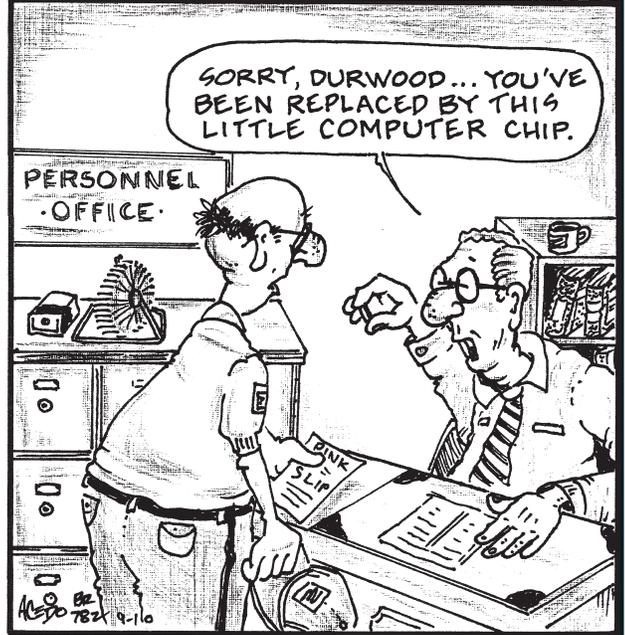
"Annual and Sick Leave" article (and the boxed "early out" excerpt information taken from Branch 576 President Michael D. Valdivia's article) courtesy of the Glendale, Arizona NALC Branch 576 Carrier published in August 2011.

OUT THERE



Out there

OUT THERE



OUT THERE



OUT THERE



OUT THERE



Maybe you have an idea for a cartoon from Fred...

Give him your idea and see what happens.

OUT THERE BY FRED ACEDO



S.A.N.E. - SPECIAL ASSISTANT NEWSLETTER EDITOR - P.O. Box 6532 BAKERSFIELD, CA. 93386



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The opions expressed in this publication are those of the writer and are not necessarily those of the publication staff or of the Officers of the Branch.

The information contained in this publication is true and complete to our best knowledge. All recommendations, on equipment and procedures are made without guarantees on the part of the authors or of the organization. Because the quality of equipment, services and methods are beyond our control, the organization and its publication authors disclaim all liability incurred in connection with use of this information.

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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).

In the hope that material contained here-in may be of benefit to the goals of the National Association of Letter Carriers, permission is hereby granted to other NALC Branches to copy or use material and/or cartoons promulgated in this publication with our best wishes...but remember to cite/give us some credit.

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Rick Plummer, Webmaster



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General Meeting

Tuesday

August 23, 2011

7:00 p.m.

Branch 782 Office
2628 "F" Street
Bakersfield, California

FORWARDING SERVICE REQUESTED

OFFICIAL NOTICE OF NOMINATION AND ELECTION OF NALC "GOLDEN EMPIRE" BRANCH 782 DELEGATES TO THE 2012 NATIONAL CONVENTION

NOMINATIONS

Nominations for the election of NALC Branch 782 delegates to the 2012 National Convention will be held at the regular Branch meeting on September 27, 2011 at 7:00 P.M. at the Branch 782 Union Office located at 2628 "F" Street, Bakersfield, California. Candidates must accept nominations at the time made or, if absent, in writing to the Branch Recording Secretary within three (3) days after the nominations is made. Nominations may be submitted in writing provided that they are received by the Branch Recording Secretary prior to the closing of nominations at the regular Branch meeting in September. Upon nomination, every nominee must certify that he or she has not served as a supervisor for the 24 months prior to being nominated.

By virtue of the position, Branch 782 President and Vice President shall be delegates to the National Convention.

ELECTION

The election will be conducted by secret ballot at the regular meeting on November 22, 2011 at 7:00 P.M. at the Branch 782 Union Office, 2628 "F" Street, Bakersfield, California.

Any member who, for any reason, will be unable to vote on November 22, 2011, may obtain absentee ballots by submitting a signed written request to the Election Committee, Golden Empire Branch 782, 2628 "F" Street, Bakersfield, California 93301-1816, at least two weeks before the election. Absentee ballots must be returned to the election Committee by November 21.

Write-in votes are not permitted.

ELIGIBILITY FOR BRANCH FUNDS

Of the delegates from the Bakersfield local area selected to the National Convention, the requirements of eligibility for Convention funds will be; attendance at (10) of the twelve (12) regular General Meetings just prior to the National Convention.

Of the delegates selected from the outlying Associate Offices (excess of thirty miles from Bakersfield), the requirements of eligibility for convention funds shall be: attendance at least two (2) meetings (any combination of regular General Meetings and/or Quarterly Area Meetings) in the twelve months just prior to National Conventions

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