

# 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, 1901**



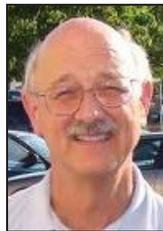
NUMBER 8

WEB VERSION

AUGUST 2015

at the

# Mike:



**It has now been almost two months since I worked my last day at the Post Office and I can honestly say that I have not regretted the decision for one minute.**

I do miss seeing many of my “postal family” each day. However, with my union duties I am busy and I do get to stop in a couple times a week to see them. I wanted to congratulate Doug O’Neal, Rick Cartier and Teresa Bozeman for joining the rest of us Retirees. I wish all of them the best in their retirement years!

There are many dedicated and talented individuals who are part of our Branch and work tirelessly for the Carriers. I really appreciate all of them. One such individual who deserves recognition is Mark Ramirez, our Health Benefit Representative. He was there as a Shop Steward while he was working at the Lamont station. He is always there to help, was an integral part of all the local negotiations with the Postal Service, and was on the building committee when we purchased and renovated the union office fifteen years ago. Mark is a man of many talents and recently he has written a number of poems about a lot of us but recently he wrote a poem entitled “The Post Office Must Survive! Authorized by the U.S. Constitution of 1775”. (See pages 8 - 9 in this newsletter to read it.) Framed copies were sent to NALC President Rolando and State Association President John Beaumont. Mark has a way of eloquently putting together the ideas of the Postal Service. I am proud to be his friend and to call him our “Branch 782 Poet”.

On another note, I wanted to congratulate the latest City Carrier Assistants, Marty Martinez, Ana Aldaco, Jason Boutwell, Whitney Moreci and Jonathan Carrera, which were converted to full-time on July 25 after approximately three and one-half years as CCA’s. Their conversion is a direct result of the contract and memorandums negotiated by the NALC. For all the CCA’s that are left: Remember, there *IS* light at the end of the tunnel.

MIKE TOWERY

# **OFFICIAL NOTICE OF NOMINATION AND ELECTION OF NALC "GOLDEN EMPIRE" BRANCH 782 DELEGATES TO THE 2016 NATIONAL CONVENTION**

## **NOMINATIONS**

Nominations for the election of NALC Branch 782 delegates to the 2016 National Convention will be held at the regular Branch meeting on September 22, 2015 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 24, 2015 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 24, 2015, 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 23.

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

# Vice-President Round-up

by John Serwach, Vice-President  
NALC Branch 3126

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## ***“Hey Mailman, is it hot enough for you?”***

— Customer on any given route, on any day in July or August in Michigan.

## ***“Hey Mailman, you order this weather?”***

— Customer on any given route, on any random day where it is either abnormally hot or abnormally cold.

## ***“I expect the field times to be much higher in July and August because the Carriers will need to take extra breaks to compensate for this heat.”***

— District Manager, USPS Fantasyland District, Zip code 32830 (look it up)

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Two out of the three statements above I have heard many times throughout my Postal Career. The third I am still waiting for. So, too, was Letter Carrier John Watzlawick, from Independence Missouri.

On July 23, 2012, John was carrying his route. It was extremely hot that day. Around noon he called the Post Office and explained to his Supervisor that he wasn't feeling well. In fact, John was feeling so poorly he asked to go home. His Supervisor pressured him to keep going,

I'm not sure what was said, but we've all heard the rah-rah speeches before “Come on, we're down routes. You can do it. Drink some Gatorade....besides, I've got no one else to carry the route.”

At 2:00 pm another Carrier in the same station called asking for help. The heat was unbearable. Management eventually sent him help at 5:00 pm. That Carrier went to the hospital and was admitted for heat related illness.

Two Carriers spoke up. Two Carriers felt pressured to soldier on, in spite of what their bodies were telling them. One was admitted to the hospital.

John made it home that night.

The next day, the 24th, John Watzlawick again reported for work. At 12:15 he again called his Supervisor, he had symptoms of heat related illness. His Supervisor again pressured him to keep going, to man up, get it done.

John tried and at 2:50 pm he collapsed on the route. It was 102 degrees, the humidity was 28%, the heat index was 104. At the hospital, John's core temperature was 108.7 degrees. He didn't go home that night, in fact he never left the hospital.

John Watzlawick died as a result of management pressuring him to work beyond the physical limitations of his own body and the heat that day in Missouri.

In response to the incident, OSHA issued a citation and, of course, USPS Management fought it tooth and nail. They weren't responsible, the Letter Carrier was.

At the trial Management acknowledged: “Heat is No Excuse” Defense. From the very top of the management chain down to the floor supervisor, the message was clear: “Heat is not an excuse for performance issues.” The acting Officer-In-Charge at the time of the incident gave sworn testimony that he and other managers were instructed that heat does not matter and that employees should be able to perform within their expected delivery parameters regardless of the weather...

This is further supported by the series of emails that were sent between the various managers in the Mid-America District. That message was relayed to lower-level supervisors, who—in turn—conveyed the same message to the Letter Carriers.

Management lost the trial. They were found guilty and fined \$70,000. \$70,000 for a mans life.

It hardly seems fair.

Of course they appealed, citing as one of many reasons that the additional labor cost of extra breaks because of heat needed to be factored into the decision. OSHA declined to hear the request.

A Letter Carrier I represented in one of our stations was recently given a Letter of Warning for causing “over \$600 in damage” to a Postal Vehicle. What kind of discipline should *they* get for being responsible for someone losing their life?

At the end of the day, Management and the Union entered into an agreement, “Heat Abatement Program - Independence, Missouri” (NALC #M-01860).

It was a specific agreement for that installation and its branches. But, it read in part: “...While this agreement applies solely to the Independence, Missouri, Post Office, including its stations and branches, the parties recognize that heat abatement is an essential element of on-the-job safety for city letter carriers in all locations where city letter carriers are exposed to excessive heat...”

This summer when the temperatures are in the 90's and you feel you can't go on, don't. Take an extra break, get a drink of water, get out of the heat and somewhere cool. When Management is giving that service talk about the heat, pay attention.

Remember what happened in Independence, Missouri to John Watzlawick!

At the end of the work day, remember the most important job you have! The most important job you have is not making it back by 17:00 or 18:00 or whatever arbitrary time management comes up with on any given day. ***Your most important job is coming home to your family the same way you left them that morning!!***

Be safe Brothers and Sisters, and look out for each other! No one else will.

This extremely important article is courtesy of the Royal Oak, Michigan Merged Branch 3126 *New Vision* which was published in August 2015.

Thank you to John Serwach and Branch 3126 President Paul Roznowski!

# Minutes of the July 2015 General Meeting

The regular meeting of Branch 782 was called to order by President Mike Towery at 7:00 p.m. on the 27th day of July, 2015 at the branch office, Bakersfield. The flag salute was led by Sargeant-at-Arms Jerry Patterson. All members of the Executive Board were present except Trustee Frank Martinez. The Stewards were present from Arvin, Avenal, Brundage, Camino Media, Downtown, Edwards, Hillcrest, Lamont, McFarland, Oildale, South, Stockdale, and Taft. Also present was the Newsletter Editor and Social & Recreation Committee member Basil Zuniga; S.A.N.E. Fred Acedo; Webmaster Rick Plummer; Photographer Anita Holderman; Assistant Treasurer Debbie Guillet and OWCP Representative Rick Gerdes. The Minutes of the January 27, 2014 meeting were read and accepted with no additions or corrections.

**APPLICATION FOR MEMBERSHIP:** Applications were received from Jose Guterrez, Stockdale; Lovepreet Singh, Wasco; Shana Anderson, Delano; Melissa Nagel, South; Gerald Crossman, Stockdale; Jasmine Tejeda, Brundage; Daniel Barrera, Downtown; Gilroy Manglicmont, Brundage; Ericka Moya, Hillcrest and Stephen Ivory, California City.

**REPORTS OF STANDING AND SPECIAL COMMITTEES:** Teresa Ortega reported that the Picnic will be at Yokuts Park this year because Jastro was already booked. Basil Zuniga reported that there was some confusion about which station was supposed to fold the newsletter. Next month will be EB/ Brundage station's turn. He talked about the article in the newsletter about President Mike Towery. He asked that everyone pay special attention to the cartoons. Retiree Alex Dang was the grand marshal of the neighborhood Fourth of July parade on his old route. Molly Biggar reported that there were no book sales this month. There are still 1188 books remaining.

**GOOD OF THE ASSOCIATION:** Mike showed a video that a carrier posted on the internet "The Day in the Life of a Postman." Basil discussed the problems that he is having, a tray of mail was stolen from his vehicle. He has been off work since it happened and is waiting to hear from management. Mike Towery presented Alex Dang with a framed copy of *The Californian* article regarding his retirement.

**IMPROVEMENT OF THE ASSOCIATION:** Mike Towery reported that he has been retired for one month and has no regrets.

**FINANCIAL SECRETARY'S REPORT:** Anita Holderman reported that \$12,631.12 was collected for the month of July.

**TREASURER'S REPORT:** Molly Biggar reported

Beginning Balance	\$64,334.05
Dues and Income	\$17,588.12
Total Balance	\$81,922.17
Total Expenses	\$ 9,204.27
Ending Balance	\$72,717.90

The 50/50 Food Drive card drawing was won by Bonnie Whitbey.

The drawing for \$500.00 would have been won by Lynnel Howell if she had been present.

There were 37 members and two young guests present.

The meeting adjourned at 7:29 p.m.

Respectfully submitted,

KIM GERDES  
NALC Branch 782 Recording Secretary

"Out there"



N.A.L.C. BR.782-BAKERSFIELD, CA.

## Non-Member List July 2015\*

### Downtown Station

S. Kirby  
J. Cruz  
D. Zuniga

### South Station

**100% UNION!!!**

### Brundage/East Bakersfield

D. Kinglee  
J. M. Gonzalez

### Hillcrest

**100% UNION!!!**

### Dole Court

D. Morris  
S. Hancock

### Stockdale

J. Oh  
M. Martinez

### Camino Media

C. Rodriguez  
P.S. Dhillon

### Arvin

**100% UNION!!!**

### Avenal

J. A. McCulloch

### California City

**100% UNION!!!**

### Delano

C.V. Quebral  
D. Barreto

### Lamont

**100% UNION!!!**

### Ridgecrest

G.D. Weaver

### Shafter

M. D. Voights  
L. M. New

### Taft

A. Veach  
B. M. Krier  
K. J. Hughes

### Tehachapi

B. C. Den Beeman

### Trona

**100% UNION!!!**



### Wasco

**100% UNION!!!**

\*CCA names are in Italics

There are 21 non members

## Community Service: NALC and MDA's History

### The "Porch Light Brigade MDA"

The NALC embraced the Muscular Dystrophy Association as its "official charity" in 1952, becoming the first official national sponsor of the group founded in 1950.

The union's first nationally coordinated campaign to raise funds for MDA came during Thanksgiving Week in 1953. *Tens of thousands of Letter Carriers in more than 800 cities returned to their routes for a second time after completing their holiday-heavy mail deliveries.*

The all-volunteer effort was called "The Letter Carrier March for Muscular Dystrophy."

Individual Letter Carriers repeated their appointed rounds in the evening, soliciting donations door to door. Because of the late hour the volunteers got the nickname "the Porch Light Brigade." Many carried their now-empty leather mail satchels as badges of authenticity to reassure donors these men and women could be trusted with their hard-earned nickels, dimes and quarters. At the end of the week, the results were mind boggling, even by today's standards — nearly \$4 million collected!

### AND THAT WAS JUST FOR STARTERS!

In the decades since that first porch light brigade, NALC members have used scores of techniques to raise money for MDA, from raffles, pancake suppers and golf tournaments to canister collections at road blocks and backyard carnivals with dunk tanks or bowl-a-thons.

The tireless efforts of Letter Carriers to raise funds for MDA made them guests on Jerry Lewis' famous Labor Day MDA Telethon almost from its beginning in the early 1960s. After all, it was only fitting that the American public have an opportunity to see the true heroes of NALC's fundraising efforts.

Thanks to the efforts of thousands of concerned Letter Carriers combined with the contributions of millions of other caring citizens across this country, MDA research has realized dramatic research breakthroughs in recent years.

NALC's steady contributions over the last half century have been instrumental in opening a new era in muscular dystrophy research, even as every year finds NALC members carrying on the tradition of the Porch Light Brigade—delivering hope to people with neuromuscular diseases.

Source: NALC Website, NALC and MDA's History

*Letter Carriers — working together in a Common Cause — can achieve so much more than when they try to accomplish something individually!!!*

# 2015 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
CVS/CareMark Specialty Pharmacy	1-800-237-2767
Durable Medical Equipment	1-888-636-6252
<b>NURSE ASSISTANT (24/7)</b>	<b>1-877-220-6252</b>
CVS/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 Organ Transplant Approval	1-800-668-9682
Quit Power (Smoking Cessation)	1-877-521-0244
CIGNA Health Rewards (Discounts)	1-800-558-9443
<b>CIGNA Dental Discount Program</b>	<b>1-877-521-0244</b>
Disease Management Program	1-800-227-3728
OPM Retirement Info Center	1-888-767-6738
Federal Information Center	1-800-333-4636
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
Shared Services (Retirees Info!!!)	1-877-477-3273

**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 85072-2192**

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

**NALC Consumer Driven Health Plan and Value Option**  
**P.O. Box 18223**  
**Chattanooga, TN 37422-7223**  
**Phone: 1-855-511-1893**

**CVS Pharmacy**

**Some immunizations may require your doctor call in a prescription.**

**Also, not all CVS pharmacies have "Minute Clinics".**

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

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

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

Out there



\*\* 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/45% non-formulary. MAIL ORDER/ CVS PRESCRIPTIONS (when NALC is primary): 60 day supply \$8 generic, \$43 name brand, \$58 non-formulary; 90 day supply \$12 generic, \$65 name brand, \$80 non-formulary; **MEDICARE PROGRAM** (when Medicare is primary) Retail network pharmacy: you pay 10% of cost of generic, 20% of formulary, 30% non-formulary. **MEDICARE PRIMARY** (mail order); 60 day supply \$7 generic, \$37 formulary, \$52 non-formulary; 90 day supply \$10 generic, \$55 formulary, \$70 non-formulary; 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.

Our PPO doctors and facilities—through (OPA Network) CIGNA—save us and the Plan thousands of dollars and it is top notch care at a discount rate. You don't lose anything. You are saving money for the best care!!! For example: \*CIGNA Weight Loss Program (877) 220-6252

**Mark Ramirez, NALC Branch 782 HBP Rep.**  
**(661) 398-6075**

As Letter Carriers, we are all very aware of the dangers of dogs on our routes. They are territorial and can be aggressive. Always be aware of their presence!!!

## ***BUT, NOW, IF IT IS YOUR OWN DOG THAT'S DIFFERENT..***

**Some words that might describe your very own DOG:**

My goal in life, is to be as good of a person my dog thinks I am.

Dogs are not our whole life, but they make our lives whole.

*Roger Caras*

A dog wags his/her tail with their heart. Your family dog, is a 24/7 alarm, just food, water, and lots of love, to activate.

Dogs lives are too short, that's their only fault....really.

*Agnes Sligh*

If your dog doesn't like someone, you probably shouldn't either.

If your dog is fat, you aren't getting enough exercise.

The reason a dog has so many friends, is that he wags his tail, instead of his tongue.

I loathe people who keep dogs. They are cowards, who haven't got the guts to bite people themselves.

When a man's best friend is his dog, that dog has a problem.

*Edward Abbey*

I love a dog. He does nothing for political reasons.

*Will Rogers*

OUT THERE



WE DO LOVE OUR OWN DOGS,  
AND OTHER ANIMALS...

Just a few things to think about as you go about your day...

When the vapors fill the room with that smelly invisible FOG, who always gets the blame? .....the innocent family DOG.

MARK RAMIREZ  
NALC Health Benefit Representative.  
Golden Empire Merged Branch 782

# ***Health Prescription: Humor from Mark!***

OUT THERE



N.A.L.C. BR. 782 - BAKERSFIELD, CA.

Dear Basil,

I'm beginning this missive under somewhat less than "full disclosure" rules as it is still TUESDAY morning --- But there aren't that many song titles with TUESDAY in them --- "RUBY TUESDAY" by the ROLLING STONES being the only other one which comes immediately to mind --- And I also want to get this into today's outgoing mail....

Last Wednesday (30th 29, 2015 to be exact), I received my monthly copy of THE BEST NALC newsletter in existence. (Never mind that the editor-guy neither seeks or wants any attention/mention of this fact). It now becomes a welcome ritual, occurring like clockwork towards the end of every single month since my FREE (how good is that?) subscription began.

You did an absolute bang up FANTASTIC job on PRESIDENT MIKE & his retirement: 4 very engaging pages from the man himself, appropriate related cartoon with Mike on car hood, kind words from NORMA HANER, poem from MARK RAMIREZ, a highly specialized CAREER MIKE related cartoon (most likely specially commissioned by S.A.N.E) and WONDERFUL - one-in-a-lifetime PHOTOS from ANITA HODDERMAN. BRAVO BASIL! Best ever tribute/sund off/recognition of a LETTER CARRIER in print! You can be proud of what you've done.

And then we the highly anticipated column from the "editor-guy" (a great

\* MOODY BLUES (DERAM 1968)

"TUESDAY AFTERNOON (FOREVER AFTERNOON)" \*

AUGUST 4, 2015

"Out there"



N.A.L.C. BR. 782 - BAKERSFIELD, CA.

namesake...love it!). WITHOUT A DOUBT one of your very best columns yet... certainly in the top 5 at the very least.... A beautiful and engaging piece of work... with the photo which takes it to another level & really puts it over the top.... Extremely well written & a very clever idea.

I laughed & relished the article as I eagerly gobbled it up.... Arriving at the end I had some "dejavu" because here I was (once again) in the pages of the E.A. BAKER UNION UPDATE! Granted I'm not sure ANYTHING can or will compare to the shock/feeling I got when I leisurely paged thru the JANUARY 2014 issue to find my letter to you, in my exact handwriting BEING USED AS THE CENTERFOLD! HOWEVER, NOTWITHSTANDING, it was a big time surprise/shock. Dedicated monthly followers of ~~the~~ fine publication may wonder if this BURTON is the same BURTON in the recently published Acedo masterpiece (Burton's OMS scan to scan tracking as old PONG video game), but I'm certainly not offended so no harm done and I'm thrilled at the mention....

However, I am not the PRESIDENT of Fred's fan club... NO WAY! That honor goes to you. Perhaps I can be vice president or PRESIDENT/REPRESENTATIVE for the northern California branch, but after learning a good deal of Fred's cartooning history - SURPRISED by: & fully supported by you (and we are talking the real deal here ladies & gentlemen - as in the CASH put out for Fred's book AND his position on the staff as S.A.N.E.) going WAY BACK.... No sorry Basil I'm a Johnny come lately to the world of being "OUT THERE". The thank yous, the kudos go to you and that comes straight not only from me, but the horse's mouth....

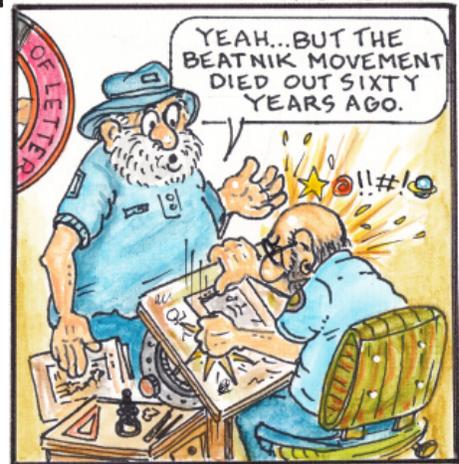
Keep thrashin  
Cheers, Pete



OUT THERE



BY FRED ACEDO



N.A.L.C. BR. 782 - BAKERSFIELD, CA. 6-15

ACEDO

# DOHERTY & DONELON SCHOLARSHIPS

**Deadline: This form must be returned to NALC Headquarters no later than December 31, 2015.**

## Eligibility

- Applicant must be the son, daughter or legally adopted child of a letter carrier NALC member in good standing—active, retired or deceased. Stepchildren and grandchildren are eligible if they live with the letter carrier in a regular parent-child relationship.
- Applicant's parent must be a member in good standing of NALC for at least one year prior to making application.
- Applicant must be a high school senior when making application and must submit the form provided at right, signed by the NALC member and an officer of the member's NALC branch. This form must be returned to NALC Headquarters by December 31, 2015.

## Requirements

- All applicants must take the Scholastic Assessment Test (SAT) or the American College Test (ACT) in either their junior or senior year. A copy of the official scores from the administering organization must be received at NALC Headquarters by midnight, March 31, 2016. (Computer-generated printouts of test scores will not be accepted.)
- All biographical questionnaires and secondary school reports must be received at NALC Headquarters by midnight, March 31, 2016.

## Regulations

- Scholarship is to be used toward pursuing undergraduate

degree at an accredited college of recipient's choice.

- Winners may accept other college scholarship assistance in addition to the NALC award.
- Any change of schools or course of study must be done only with the permission of the NALC Scholarship Committee.
- A transcript of grades must be forwarded to the committee at the end of each school year.
- If winner suffers certified serious illness, scholarship will be held in abeyance for not more than one year.
- If unusual conditions are going to require an interruption in schooling, recipient must state reason(s) in writing to the Scholarship Committee and request that the scholarship be held in abeyance. Request(s) will be reviewed by the Committee and a decision rendered.
- If the NALC member is suspended by his/her local NALC branch or enters supervision, scholarship will be cancelled.

## Terms of awards

- The official scholarship judges will award one William C. Doherty Scholarship in each of the five USPS Regions and one John T. Donelon Scholarship. Winners are judged on the basis of secondary school records, personal qualifications and test scores. As in the past, the scholarship judges will consist of experienced persons in the educational field. Decisions of the judges will be final.
- Doherty Scholarship awards will be \$4,000 per year and the

Donelon Scholarship award will be \$1,000 per year. Each scholarship is renewable for three consecutive years thereafter providing the winner maintains satisfactory grades. Award money will be deposited annually with the college. It will be credited to the winner's account to be drawn upon under the rules and regulations which the college has established for handling scholarship funds. Award money is to be used for required college fees, including room and board and transportation fees.

- Children of NALC national officers are not eligible.

In honor of NALC's president from 1941 to 1962, the **William C. Doherty Scholarship Fund** will again award five \$4,000 scholarships to children of members in good standing. The **John T. Donelon Scholarship Fund** will award one scholarship in honor of Donelon, longtime NALC assistant to the president. Applicants must be high school seniors and must meet all of the following eligibility criteria to be considered.

## SCHOLARSHIP APPLICATION

Date \_\_\_\_\_ (Please print clearly)

Please send instructions as to how I can compete for a scholarship award. I am a senior in the 2015-16 school year.

I am the  daughter  son of  active  
 \*stepdaughter  \*stepson  retired  
 \*granddaughter  \*grandson  deceased

letter carrier \_\_\_\_\_

of Branch No. \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

My name is \_\_\_\_\_

My address is \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Phone No. \_\_\_\_\_

Signature of NALC parent member (or spouse if deceased)	Signature of branch officer
Printed name of NALC parent member (or spouse if deceased)	Printed name of branch officer
NALC parent's Social Security No.	Title Date

This form must be returned no later than December 31, 2015, to the NALC Scholarship Committee, in care of the National Association of Letter Carriers, 100 Indiana Ave. NW, Washington, DC 20001-2144.

\* Stepchildren and grandchildren are eligible if they live with the letter carrier in a regular parent-child relationship.

# Subject. “*EVERY* Drop Counts”

1. **NEVER** put water down the drain when there may be another use for it such as watering the plants, garden, or cleaning.
2. **Avoid** flushing the toilet unnecessarily. Dispose of tissues, insects, and other such waste in the trash rather than the toilet.
3. **DO** take shorter showers. Make sure you are using your ultra-low flow version.
4. Use the **MINIMUM** amount of water needed for a bath by closing the drain first and filling the tub 1/3 full. Stopper tub before turning on water. The initial burst of cold water can be warmed by adding hot water later.
5. **DON'T** let water run while shaving or washing your face. Brush your teeth first while waiting for water to get hot, then wash or shave after filling basin.
6. Operate automatic dishwashers and clothes washers **ONLY** when they are fully loaded or properly set the water level for the size of load you are using.
7. When washing dishes by hand, fill one sink or basin with soapy water. Quickly rinse under a slow-moving stream from the faucet.
8. Store drinking water in the refrigerator rather than letting the tap run **every** time you want a cool glass of water.
9. **DO NOT** use running water to thaw meat or frozen foods. Defrost food overnight in the refrigerator or by using the defrost setting on you microwave.
10. Kitchen sink disposals require lots of water to operate properly. Start a compost pile as an alternate method of disposing food waste instead of using a garbage disposal. Garbage disposals also can add 50 % to the volume of solids in a septic tank which can lead to malfunctions and maintenance problems.
11. When adjusting water temperatures, instead of turning water flow up, try turning it down. If the water is too hot or cold, turn the offender down rather than increasing water flow to balance the temperatures.
12. **DO NOT** hose down your driveway or sidewalk. Use a broom to clean leaves and other debris from these areas. Using a hose to clean a driveway can waste hundreds of gallons of water.
13. **DO** use a commercial car wash that recycles water.
14. **DO** create an awareness of the need for water conservation among your children.
15. Be aware of and follow **ALL** water conservation and water shortage rules and restrictions in your area.
16. Report **ALL** significant water losses (broken pipes, open hydrants, errant sprinklers) to local authorities or your water management district.
17. **CONSERVE WATER BECAUSE IT IS THE RIGHT THING TO DO.** Don't waste water just because someone else is footing the bill.
18. Try to do **ONE** thing **EACH** day that will result in a savings of water. Don't worry if the savings are minimal.

“EVERY drop counts. Every person can make a difference.”

“Just another day in Paradise”

JEFF HARRINGTON\*

Driver Safety Instructor  
Sierra Coastal District (BLT)  
3400 Pegasus Dr. Bakersfield, Ca 93308  
\*Member of NALC Branch 782

**Could  
YOU  
Really  
Win  
\$500?**

Each and EVERY month, Branch 782 sponsors a drawing to encourage **YOU** to come to our Meeting\*. There was no winner in July 2015...

**AND THE POINT IS?**

**YOU** really do have a chance to win \$500 on August 25!!! Be there!

**Membership has rewards...**

\*The fine print: TO WIN THE MONEY **YOU** HAVE TO BE PRESENT WHEN **YOUR** NAME IS DRAWN!

# My name is Mark Ramirez, I am a retired Letter Carrier. I delivered mail for the U.S. Postal service out of the Lamont, California post office for thirty-one years.

I joined the National Association of Letter Carriers (NALC) when I was hired as a Part-Time Flexible Letter Carrier in 1977, and I have been an NALC union member for 38 years. I was the NALC union steward in the Lamont office for twenty-nine years, and I have been the NALC Health Benefit Representative for NALC Branch 782 for the last twenty-six years.

I wrote "The Post Office Must Survive!" out of respect to my union, the NALC, and for all Letter Carriers —present and past — who have devoted their lives to keeping the U.S. Postal Service viable and available for *all* Americans.

If it were not for my union —NALC members and elected Officers — greedy members of Congress (who have been bought off by large corporations) would exploit the revenues generated by the USPS. There would be no Postal Service. The USPS would be well on its way to privatization (for profit) but not for the good of our nation!

This poem is my open letter to *all* NALC members and to the American public. It touches on tactics that foes arrayed against our U.S. Postal Service have brought to bear. Furthermore, it emphasizes the excellent job ALL Letter Carriers do *EACH and every day* for the American public.

As employees of the U.S. Postal service we are the eyes and ears in all neighborhoods as we carry out our appointed rounds *each and EVERY day*. We keep an eye out for potential dangers, and contact the authorities if necessary.

Letter Carriers are recognized every year by many, many communities all over the United States of America for individual acts of herosim or for our awareness of situations which have led to saving the lives of many elderly or ill patrons. The U.S. Postal Service has an 80% approval rate from our patrons ages 19 to 29, while the US Congress has an 8% approval rate. Simple math shows Letter Carriers and the US Postal Service are an essential, appreciated component of everyday life in these United States of America.

MARK RAMIREZ  
NALC Golden Empire  
Merged Branch 782



## CALIFORNIA STATE ASSOCIATION OF LETTER CARRIERS

NATIONAL ASSOCIATION OF LETTER CARRIERS  
Affiliated with AFL-CIO California State Federation of Labor



July 31, 2015

Mark Ramirez  
[Redacted]

I came back from a recent assignment this week to notice a very large package addressed to me sitting against my office door. I immediately noticed the mysterious package was from you. I took the package into our conference room sat it on a table and started to methodically remove the carefully wrapped item. First I must say you really have a knack for packaging items, the way it was wrapped I could have sworn it was something that must have been made out of fine crystal. Needless to say the item inside was in perfect shape as I finally removed the last bit of tape, bubble wrap, and foam edging.

To my surprise what was inside was a beautifully framed copy of your most recent poem, "The Post Office Must Survive! Authorized by the U.S. Constitution of 1775". To say I was touched by both the words you eloquently put together and the presentation of this poem is an understatement.

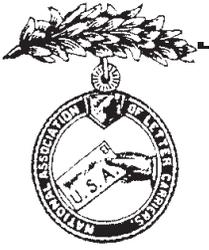
It is very easy to see all of the thought you put into crafting this work. While most members have at one time or another put forth some of these ideas and thoughts I cannot recall anyone putting them together in such a thoughtful and artistic way.

On behalf of the California State Association I would like to thank you, Mark for sending us a copy of this poem. It will hang prominently for all to see in the CSALC building here in Burlingame.

In Solidarity and Friendship,

John Beaumont  
President  
California State Association of Letter Carriers

cc: Mike Towery, Branch 782 President



# NALC Branch 782

ARVIN  
CALIFORNIA CITY  
McFARLAND  
TAFT

AVENAL  
DELANO  
MOJAVE  
TEHACHAPI

BAKERSFIELD  
EDWARDS AFB  
RIDGECREST  
TRONA

BORON  
LAMONT  
SHAFTER  
WASCO



*CHARTERED FEBRUARY 25, 1901*

## **THE POST OFFICE MUST SURVIVE!** **AUTHORIZED BY THE U.S. CONSTITUTION OF 1775**

Is the U.S. Postal Service, just a cash cow!?  
Self-sufficient with no subsidy funds!,  
With an excellent delivery network,  
Universal cost, to everyone !

The USPS cites the budget,  
An issue, for many years!,  
Letter Carriers have only one layer,  
Postal management, has 17 tiers!

Some in Congress, and large corporations,  
Want our service, to "go under!"  
Not for the benefit, of our nation,  
Just for the \$Billions, they could plunder!

Anti-union, is still, alive and well,  
One party claims, "Job Creator!"  
With their eye on the Postal Service,  
I see a corporate raider !

One key, to stimulate our economy,  
Middle class jobs, are what we need!  
Those pushing for privatization,  
Their motivation, is corporate greed !

Congress is elected, to serve our nation,  
Not just spend, and then debate!"  
If congress produced, like Letter Carriers,  
It would boost their approval rate!"

If pre-funding is required,  
We will gladly, pay our share!,  
But, mandate one, then mandate all,  
Just make pre-funding fair !

COLCPE is our leverage,  
We're in the game, we'll get the ball!,  
It is "not" a level playing field,  
This game, is political!

Letter Carriers, do more than deliver,  
We "give back," to our nation!,  
Through MDA and our "Food Drive,"  
Collected, at every station!

The Postal Service, will micro-manage,  
Their agenda, is still the same!,  
Money spent, on programs, that often fail,  
The Letter Carriers, are who they blame!

Over 240 years, in existence,  
We will continue to weather the storm!,  
Men, women and veterans are all proud Carriers!,  
And we wear, the uniform!

We do have "friends" in congress,  
Together, we must all unite!,  
With our middle-class, union jobs, at stake,  
They are "Damn Well," worth the fight!,

Letter Carriers "Love" this country,  
Union pride, we do instill!,  
Will we back down, from our enemies?  
"Our answer: The Hell we Will!"

by Mark Ramirez  
(5-18-2015)  
Golden Empire NALC Branch 782

# *i*FAQ: On-the-Job

INCREDIBLY FREQUENTLY ASKED QUESTIONS

**Nothing encountered during our career can create more confusion and devastating impact than getting injured on the job. What should we do when injured? Here's a basic overview should you incur an on-the-job injury:**

## **Was your injury due to a specific event?**

### **What to do when you have a traumatic injury**

A traumatic injury is defined as:

“A wound or other condition of the body caused by external force, including stress or strain, which is identifiable as to the time and place of occurrence and member or function of the body affected. The injury must be caused by a specific event or incident or series of events or incidents within a single work day or work shift.”

The key to this definition is that an event or events must have occurred during a single workday or work shift.

### **Step 1: Notifying your supervisor**

Immediately notify your supervisor and request:

**Form CA-1**, Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation (must be supplied immediately)

**Form CA-16**, Authorization for Examination and/or Treatment (must be supplied by your manager with 4 hours)

**Form CA-17**, Duty Status Report (must be supplied immediately)

Forms CA-1 and CA-17 are available at the Department of Labor website.

### **Step 2: The CA-1**

If you do not need immediate medical attention, fill out the CA-1. The burden of proof in every OWCP case rests on the injured worker; you must be an active participant in the claims process. Be thorough in describing the accident and related factors.

Fill out the CA-1 yourself – do not let a supervisor fill it out for you! At the bottom of the CA-1, question number 15 allows you to choose either Continuation of Pay (COP) or Sick leave. If you elect COP you will be paid your regular pay for 45 calendar days.

For the first three days of COP, you must use either sick leave, annual leave or leave without pay. After that, you will continue to get paid every two weeks as if you were working. If your absence exceeds 14 days, ask the Postal Service to convert your 3 days to COP and credit the proper leave account. You must supply medical evidence of your injury, signed by a doctor within 10 days to qualify for COP. Once you have reviewed and signed your CA-1, physically hand the completed CA-1 to your supervisor. Do not leave it on your supervisor's desk or inbox. Request that your supervisor gives you the signed receipt (page 4) immediately. Once you are certain that the CA-1 has been properly completed, request a copy for your file.

The CA-1 receipt establishes a record of your injury and the date you filed your claim. The Postal Service has 10 working days to submit the CA-1 to the Office of Worker's Compensation Programs, (OWCP). Once management has completed their portion of the CA-1, get a copy of it for your files. Build a file of every document related to your injury, including medical reports and documents from the Postal Service and OWCP.

### **Step 3: Seeking medical treatment**

Form CA-16 authorizes payment for medical treatment and provides an initial medical report. Make sure the Postal Service properly fills out their portion of the CA-16, signing and dating it and putting OWCP's address in Box 12. The CA-16 is a payment voucher for medical treatment for on the job injuries. You can use the CA-16 to see the doctor of your choice.

*You have the right to seek treatment from your own doctor. If the Postal Service insists that you go to their doctor, you have to be seen by them but you do not have to be treated by them.*

If you are examined by a physician's assistant or nurse practitioner, your medical report must be counter-signed by a doctor.

Provide the doctor with a copy of the CA-17. The Postal Service is responsible for filling out the job requirements on the left (side A) of the CA-17. Your doctor fills out the right (side B) of the CA-17, listing any medical restrictions. Make a copy of the completed CA-17 and give one copy to your supervisor. The Postal Service has 10 business days to send your claim to OWCP. OWCP will send you a notification including your claim number. If you do not receive a notice from OWCP with your claim number contact your shop steward or National Business Agent's office.

Your medical records are protected by the Privacy Act. Your Postmaster, manager and supervisor are not entitled to your personal medical records. OWCP is responsible for the protection of all of your medical records.

# Injury

## **Step 4: Continuing treatment/Returning to work**

Follow your doctor's restrictions. Delivering mail is physically demanding work, and returning to work before you have healed can lead to life-long debilitating injuries. Take a CA-17 to every medical appointment and provide a copy to your supervisor. The Postal Service has an obligation to offer you work within your restrictions. The completed CA-17 must be provided to the Postal Service to determine if there is work available within your restrictions. If the Postal Service offers you work and you are uncertain if you can do it, you have the right to request a written job offer to take to your doctor. Medical reports should be sent directly to OWCP, not the Postal Service. Your doctor may send the reports directly to OWCP or you can upload them into your file via ECOMP.

## **Step 5: Managing your claim**

Once you have filed your claim, OWCP has three options:

### **1. Request more information**

OWCP will notify you if your case lacks enough information to make a decision in your case. They will send you a development letter requesting more information listing a series of questions for both you and your doctor to answer. These letters always give you exactly 30 days from the date on the letter to respond.

It is important that you act quickly to get the questions answered within the 30-day time limit. Make an appointment with your doctor as soon as possible. Bring the OWCP letter to your appointment, and ask your doctor to thoroughly answer the questions. OWCP must receive the information within the 30 days, a postmark is insufficient. Make sure your doctor understands the urgency. Use ECOMP to upload your documents directly to your file if necessary.

Never forward documents without first making copies for your own records. You need to organize your records to be ready to respond to OWCP. If you have problems with your claim, contact a branch officer or National Business Agent to find an NALC representative to assist you. FECA gives you the right to appoint a representative of your choice.

### **2. Claim acceptance**

In accepting your claim, OWCP has determined the documentation provided was sufficient. If you are on COP and it appears you will not return to work after 45 days, the Postal Service is required to provide you with form CA-7 to request wage-loss compensation after 45 days. The CA-7 comes with instructions on how to properly fill it out and submit it.

If you do not receive a CA-7 from the Postal Service, request one from your supervisor or print one from the DOL's website. Submit the completed CA-7 every two weeks, usually on the last Friday, to your district Health Resource Management, HRM office. Send a written request for a copy of the completed CA-7, including management's portion, for your file every time you submit it to HRM.

Ask your supervisor for the HRM office's address and fax number. The Postal Service has five working days to complete their portion of the CA-7 and send it to OWCP. Always keep a copy of your CA-7 for your file.

If the Postal Service notifies you that they have a Limited Duty Job Offer (LDJO) for you, you need to examine it and see if it falls within your doctor's restrictions listed on your most recent CA-17. If the job offer looks reasonable and is within your medical restrictions, accept the job offer and begin working it. If you think the job offer exceeds those limitations, you have the right to take the job offer to your doctor and let the doctor determine if the job offer is within your medical restrictions. Never refuse a job offer. If management demands you accept or reject a job offer, accept the offer and write "pending doctor's approval" next to your signature. FECA regulations allow you to have your doctor review any job offer for compliance with your medical restrictions.

You should take the job offer to your doctor as soon as possible and give a copy of the response to the Postal Service and OWCP. The Postal Service may make you multiple job offers and you should follow the procedures above every time.

OWCP has the sole authority to determine whether the LDJO is suitable. If OWCP determines that the job offer is suitable, it is required to notify the employee in writing and give the employee 30 days to begin the job.

### **3. Claim denial**

If OWCP denies your claim, they will normally list the reason(s) why. Along with the denial, OWCP will give you a list of your appeal rights. Each venue has specific time limits that are absolute. In order to successfully appeal a denial, you must address OWCP's reason(s) for the denial. It often involves further medical documentation and new medical opinions from your doctor or a specialist. Contact a branch officer or NBA's office to solicit help in choosing the proper venue for appeal.

*Continued on next page...*

## Did your injury occur over more than one day?

How to file a CA-2 for an occupational disease

Occupational diseases are defined as injuries that occur over a period longer than one day or one work shift. To file a claim for an occupational disease, letter carriers need to provide a description of their work duties and a medical narrative that makes a causal connection between the injury and work factors. The burden of proof in every OWCP case rests on the injured worker; you must be an active participant in the claims process.

### Step 1: Employee narrative

For your doctor to formulate a medical opinion that your duties as a letter carrier caused, aggravated, accelerated or precipitated your medical condition, you need to explain your day to day duties as a letter carrier. A written explanation of your job duties as a letter carrier provides your doctor with the information to form a rationalized medical opinion regarding causation. Most doctors are very busy, so keep you need to keep your explanation to one page.

Describe an average day on your route. Mail volume and deliveries fluctuate every day so avoid exact numbers. Describe how long you sort and deliver mail. Estimate mail volumes, weights, distances and repetitions. Never exaggerate. Use action words that describe your work factors like walking, carrying, reaching, pushing, pulling etc.

### Step 2: The doctor's narrative

Once you have your job description completed, print a copy of it and take it to your doctor. The medical opinion of a board-certified specialist with expertise in your particular injury will have more weight with the Office of Workers' Compensation Programs (OWCP), than a general practitioner. You can research doctors online or ask your general practitioner for a referral. Not all doctors will accept Federal Worker's Compensation claims, so ask them if they do.

OWCP requires a rationalized medical narrative that describes the causal relationship between the work factors described in your explanation and the diagnosed injury. The narrative must be based on objective medical evidence such as tests, x-rays, or MRIs. In this medical narrative, your doctor will need to describe the physiological mechanism(s) by which the work factors outlined in your job description caused the diagnosed condition.

### Step 3: Submitting the CA-2

Once you have the medical narrative describing the causal relationship between your work and your medical condition, ask your supervisor for a CA-2, Notice of Occupational Disease and a CA-17, Duty Status Report.

As you fill out the CA-2, you will come to question 11; Date you first became aware of the disease or illness, and question 12; Date you first realized the disease or illness was caused or aggravated by your employment. Answer question 11 as best as you can, your injury may have been ongoing for years, OWCP needs to have a rough idea of when you had an initial diagnosis. When it comes to question 12, even though you may have felt your injury was work related, OWCP will only accept the date your doctor tells you it is work related. The date your doctor signs his rationalized medical opinion will be the date you enter in question 12.

You should file the CA-2 as soon as possible, preferably within the 30 days from the date listed in question 12. However, the CA-2 will meet the statutory time requirement if filed no later than 3 years after the injury.

Complete your portion of the CA-2, make a copy of it and hand the original along with your narrative to your supervisor, do not place it on their desk or in their inbox. Get the signed receipt portion of the CA-2 from your supervisor. Make sure the supervisor has signed it and properly completed it, including placement of your name on it. Request a copy of the completed CA-2 for your file.

The Postal Service is required to send your CA-2 to OWCP within 10 working days of receiving it from you. Once OWCP gets your CA-2 they will assign you a claim number and send you a letter. If you do not receive a letter from OWCP, call your OWCP district office and ask for your file number.

Medical reports should be sent directly to OWCP, not the Postal Service. Once you have the file number, you will need to mail all of the medical information – test results, medical narratives etc. directly to:

Office of Workers' Compensation Programs  
PO Box 8300  
London, KY 40742

When communicating with OWCP, it is essential to have your file number on every page, usually at the very top. Documents mailed to the London, Kentucky address get scanned; a page without a file number may never get into your claim file.

You can upload pdf's of your documents directly to your file via OWCP's ECOMP portal. Go to: <https://www.ecomp.dol.gov/#>, on the right side of the page, under Need to Upload a Document, click on the green Access Case and Upload Document icon. Follow the instructions on the next page and record the DCN number once your files have been uploaded. Uploading your information is faster and more reliable than mailing.

The Postal Service has an obligation to make every effort to find you work within your limitations. Request a copy of form CA-17 from your supervisor. The Postal Service is responsible for filling out the job requirements on the left (side A) of the CA-17. Your doctor fills out the right (side B) of the CA-17, listing any medical restrictions. Make a copy of the completed CA-17 and give one copy to your supervisor.

#### Step 4: Managing your claim

Once you have filed your claim, OWCP has three options:

##### 1. Request more information

OWCP will notify you if your case lacks enough information to make a decision in your case. They will send you a development letter requesting more information listing a series of questions for both you and your doctor to answer. These letters always give you exactly 30 days from the date on the letter to respond.

It is important that you act quickly to get the questions answered within the 30-day time limit. Make an appointment with your doctor as soon as possible. Bring the OWCP letter to your appointment, and ask your doctor to thoroughly answer the questions OWCP must receive the information within the 30 days, a postmark is insufficient. Make sure your doctor understands the urgency. Use ECOMP to upload your documents directly to your file if necessary.

Never forward documents without first making copies for your own records. You need to organize your records to be ready to respond to OWCP. If you have problems with your claim, contact a branch officer or National Business Agent to find an NALC representative to assist you. FECA gives you the right to appoint a representative of your choice.

##### 2. Claim acceptance

In accepting your claim, OWCP has determined the documentation provided was sufficient. To claim wage-loss compensation for lost time, you need to submit a CA-7 to the Postal Service.

If you do not receive a CA-7 from the Postal Service, request one from your supervisor or print one from the DOL's website. The CA-7 comes with instructions on how to properly fill it out and submit it. Submit the completed CA-7 every two weeks, usually on the last Friday, to your district Health Resource Management, HRM office. Send a written request for a copy of the completed CA-7, including management's portion, for your file every time you submit it to HRM.

Ask your supervisor for the HRM office's address and fax number. The Postal Service has five working days to complete their portion of the CA-7 and send it to OWCP. Always keep a copy of your CA-7 for your file.

If the Postal Service notifies you that they have a Limited Duty Job Offer (LDJO) for you, you need to examine it and see if it falls within your doctor's restrictions listed on your most recent CA-17. If the job offer looks reasonable and is within your medical restrictions, accept the job offer and begin working it. If you think the job offer exceeds those limitations, you have the right to take the job offer to your doctor and let the doctor determine if the job offer is within your medical restrictions.

NEVER refuse a job offer. If management demands you accept or reject a job offer, accept the offer and write "pending doctor's approval" next to your signature. FECA regulations allow you to have your doctor review any job offer for compliance with your medical restrictions.

You should take the job offer to your doctor as soon as possible and give a copy of the response to the Postal Service and OWCP. The Postal Service may make you multiple job offers and you should follow the procedures above every time.

OWCP has the sole authority to determine whether the LDJO is suitable. If OWCP determines that the job offer is suitable, it is required to notify the employee in writing and give the employee 30 days to begin the job.

##### 3. Claim denial

If OWCP denies your claim, they will normally list the reason(s) why. Along with the denial, OWCP will give you a list of your appeal rights. Each venue has specific time limits that are absolute. In order to successfully appeal a denial, you must address OWCP's reason(s) for the denial. It often involves further medical documentation and new medical opinions from your doctor or a specialist.

Contact a branch officer or NBA's office to solicit help in choosing the proper venue for appeal.

### Did you reinjure yourself?

CA2a Rule No. 1: Never file a CA2a unless your limited-duty job has been withdrawn or OWCP tells you in writing to do so. Always talk to your branch OWCP specialist or national business agent before filing a CA2a. Injured letter carriers should only file a recurrence if the Postal Service withdrew their limited duty job. Management often gives injured letter carriers a CA2a in error. If you have returned to work and re-injure the same body part, you need to file a CA-1 or CA-2. Filing a CA2a when you have been exposed to the same work factors will result in claim denial. If you are not sure if you should file a CA2a, call your national business agent's office.

### Did your claim get denied?

#### OWCP appeals

If your initial claim has been formally denied by OWCP, your denial letter should include one of three options for appealing the decision.

The three avenues and their time limits are:

- Hearings and Review for either an oral hearing or a review of the written record; 30 days
- Reconsideration; 1 year from the date of the last merit decision
- Employees' Compensation Appeals Board (ECAB); 180 days from the last decision

You can only request one form of appeal at a time. You must view each avenue of appeal based upon what you can tactically accomplish.

The three avenues should not be viewed as hierarchical, and the decision to appeal an adverse decision must be viewed as a strategic one.

You should always consult your branch OWCP specialist or your national business agent prior to selecting an appeal route.

Because an appeal to Hearings and Review must be done within 30 days of the formal decision, consultation should take place immediately upon receipt of the decision.

*Continued on next page...*

Here is a brief review of the 3 types of appeals.

### Hearings and Review

A request for an oral hearing or review of the written record must be submitted in writing within 30 days (as determined by postmark) of the date of the decision for which the hearing is sought, to the address specified in the decision. The date of the decision counts as Day 1.

While no special form is required to request an oral hearing or review of the written record, the claimant should provide the date of the decision he or she is appealing and the issue to be addressed by the hearing representative.

Claimants pursuing this avenue of appeal have the option of electing either an oral hearing before a hearing representative or a review of the case file by the hearing representative. A claimant may be represented by any responsible individual at an OWCP hearing: a friend, an attorney, an NALC branch officer, or a shop steward. Only one representative is permitted. The representative should be knowledgeable about the FECA, fully familiar with the claim, and have prior experience with FECA hearings. OWCP will furnish a copy of the transcript to the claimant or his or her representative and to the employing agency. Both the claimant and the employing agency have 20 days from the date the transcript is sent to send in comments. Any comments that the employing agency sends to OWCP it must also send to the claimant, who will be given an additional 20 days from the date they are sent to respond to the comments.

OWCP's regulations also provide that the hearing will remain open for the submission of additional evidence until 30 days after the hearing is held, unless the hearing representative, at his or her discretion, grants an extension. A copy of the decision will be mailed to the claimant, his or her representative and the employing agency.

### Reconsideration

To qualify for reconsideration of a decision a claimant must set forth arguments and include evidence that either:

- Shows that OWCP erroneously applied or interpreted a specific point of law; or
- Advances a relevant legal argument not considered by OWCP; or
- Constitutes relevant and pertinent new evidence not previously considered by OWCP.

The reconsideration request must be made within one year of the date the office issued the formal decision. The decisions can include:

- The initial decision by the OWCP district office.
- A decision by an OWCP hearing representative following an oral hearing or review of the written record.
- A decision by the ECAB.
- A previous reconsideration decision.
- A merit decision issued by OWCP following an ECAB decision.

Any request for reconsideration should be sent well before the end of the one-year period to ensure that OWCP will acknowledge its receipt within one year. Reconsideration requests can also be made through ECOMP. This is an effective and efficient avenue to submit the request, especially if the claimant is close to the end of the one-year period.

When OWCP grants an application for reconsideration, a claims examiner who did not participate in making the contested decision will re-examine all of the evidence and arguments in the claim file to determine whether they support modification of the prior decision and a new merit decision will be made. If the new decision is adverse, the claims examiner will advise the claimant of his or her rights to again request reconsideration or to appeal to the ECAB.

### ECAB

The Employees' Compensation Appeals Board (ECAB) is an appellate body in the Department of Labor separate and apart from OWCP. Decisions are issued by a three-member panel—each member appointed by the Secretary of Labor.

The ECAB will consider only evidence which was in the case record at the time of the OWCP decision being appealed. An appeal should be requested within 180 days of the OWCP decision; however, the ECAB will consider requests received within one year if good cause is shown for the delay. No appeals are accepted after one year. The 180 days/one year runs from the date of the OWCP decision being appealed—either OWCP's initial decision, the decision of an OWCP hearing representative, and/or an OWCP decision based on a request for reconsideration. An employee or survivor may be represented before the ECAB by any responsible individual. The ECAB limits employees and survivors to a single representative—i.e., it is not possible for both a private attorney and an NALC representative to represent an employee or survivor before the ECAB.

A request for an appeal must be in writing and sent to: Employees' Compensation Appeals Board, 200 Constitution Ave. NW, Room N-2609, Washington, DC 20210—and must include the following:

- OWCP case file number;
- Date of OWCP decision being appealed; and
- Name and address of designated representative, if any.

Claimants are advised to contact their National Business Agent prior to appealing to ECAB. The NALC will represent claimant appeals before the ECAB but must be notified prior to the appeal.

## Do you have a permanent impairment due to an accepted OWCP claim?

If you have an accepted OWCP claim and suffer permanent impairment from your injury, you may be eligible for a schedule award. The schedule award benefit often is not well understood. It is payable when an injured employee has suffered a permanent impairment to a part or function of the body that is listed in the schedule of body functions and members found in the FECA at 5 USC 8107.

Permanent impairment is defined as the permanent loss, or loss of use of, a part of the body. The degree of impairment (and ultimately the amount of the schedule award) is determined by medical evaluation—a physician identifies the appropriate diagnosis, makes certain estimates and/or takes certain measurement, and then applies those measurements and/or estimates to applicable charts and tables found in the AMA Guides to the Evaluation of Permanent Impairment, Sixth Edition (usually referred to as the AMA Guides).

The relevant charts and tables in the AMA Guides provide an impairment percent rating that corresponds to each measurement and/or estimation.

## CCAs and on-the-job injuries

The NALC is committed to ensuring that every injured letter carrier receives his or her rights when injured on the job. As a CCA, you are protected under the Federal Employees' Compensation Act (FECA), which provides benefits for federal employees who are injured on duty. The Office of Workers' Compensation Programs (OWCP) administers the FECA and has sole authority to award benefits. The FECA provides the right to medical care and wage-loss compensation for accepted injuries.

The Postal Service has no obligation to inform you about your rights under FECA until after a job-related injury. In some offices, there is an unfortunate but pervasive sentiment that probationary employees should never report on-the-job injuries because it will lead to immediate separation without recourse.

While it is true that employees in a probationary period of 90 or 120 days have no standing to file grievances protesting separations, employees who are intimidated, discouraged, denied, or separated after reporting an on-the-job injury have the right to file an Occupational Safety and Health Act (OSHA) Whistleblower complaint within 30 days. The easiest way to file a complaint is by calling the OSHA hotline at 202-693-2199. An OSHA representative will document your contact information and a trained investigator will contact you to file your complaint.

You also may file a complaint online by going to:

<https://www.osha.gov/whistleblower/WBComplaint.html>.

CCAs should not feel intimidated in exercising their rights when injured on the job. Report any injury immediately to your supervisor and demand a CA-1 and CA-16 if you need medical attention. If you do not get help, call your shop steward, branch or National Business Agent's office immediately.



### **Editor's Note:**

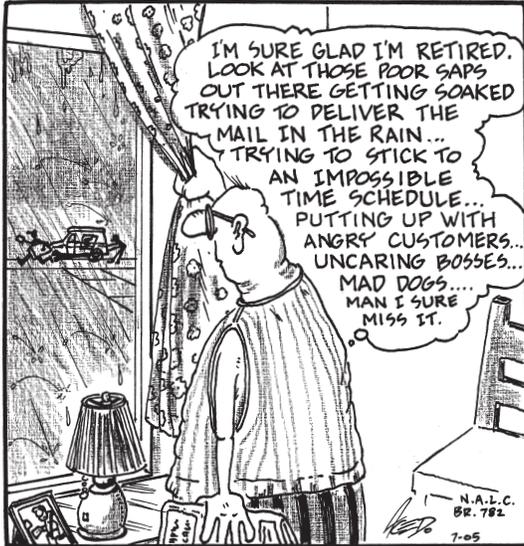
*This article on FAQ On-the-Job Injury is by no means comprehensive. On the job injuries are some of the most complex issues to deal with as an employee. This information is intended to help you understand the basics should you become injured.*

*Much of this information is available on your computer or smartphone via the NALC website: **[nalc.org](http://nalc.org)**. Simply go to the webpage, access the pull-down menu for “**Workplace Issues**” and scroll down to “**Injured on the Job.**”*

This is an excellent summary of information which could be crucial should a Letter Carrier find themselves dealing with filing an OWCP claim.

The article is courtesy of the Rockville, Maryland NALC Branch 3825 Voume 34 #1 Spring 2015 *UNITY*. Special thanks to Mike Hotovy, Editor and the rest of the Officers and members of NALC Branch 3825

OUT THERE



# Retirement is Hell

Okay, maybe it's more like purgatory.

I'm asked on a regular basis, 'How's retirement?' My answers are all over the map depending on the time of day, the person asking, or the number of beers I've had.

The crazy expectations and anxiety caused by this change in lifestyle all began back in the 90s when a barrage of letters, newspaper articles and TV ads sponsored by investment companies posed the same question, "Will the Boomers be ready?"

In particular, have the blue-collar types got seriously into the 'savings game'. Is \$500,000 enough? How about a mil or two?

My favorite article of all was a strategy to save and earn enough in the stock market to buy a vineyard in Tuscany. The accompanying photo was a shot of rows of sun-drenched grape vines leading up to a terracotta cottage/mansion in the far background. To the side was this silver haired couple right out of a Viagra commercial smiling as though the moment was right. It was a perfect fit for someone who had no friends back home, spoke Italian and had made a killing on Wall Street, legal or otherwise.

What the hell? I got out the calculator and did some research.

After a few days of crunching numbers, I realized I'd have to boot ten times more banks than Bonnie & Clyde or work until age eighty while living in my LLV subsisting on Food Drive donations. What the \*\*\*\*?

So maybe we scale back a bit. How about a vineyard in Michigan, say to the Leelenau Peninsula? They speak English, friends close by, no culture shock. I would only have to work until age 70 while leaving my LLV for a very small, very used RV. I could upgrade my diet to beans, weenies and green tinged bread Meijer was tossing. WhooHoo! My retirement horizon was coming into view. More investigation was needed as my soul mate clipped article after article out of the paper. The unified theme was clear, boat loads of pesos. Paying off your house, car and credit cards wouldn't do it. How about a few thou in the bank. NO!

And a little social security tossed in? NO, NO!! How about 34 to 35 years in the civil Service Retirement Plan? No Way, Sugar Ray!! Did I mention boat loads of Euros?

This is when AARP came into the picture. (They can smell age 50 like great whites can smell blood in the water.) To stop them from sending me three promos a week, I decided to join and mailed in my check. Why not? They are all about retirement, right? Well, nothing happened. And my check was never cashed, ever (it's been 17 years). I took it as an omen that I wasn't cut out for the thundering geriatric herd. Their loss.

Over time, it dawned on me that all these investment gurus lived in Manhattan within walking distance of the stock exchange. Hells bells, they had to make \$150,000 a year just to live in a closet!!

What was I thinking?! Who needs a vineyard anyway? I love wine but don't want to pick grapes, stomp them with my feet and worry about the vintage every night. Just buy a bottle at the local store, dip-wad!

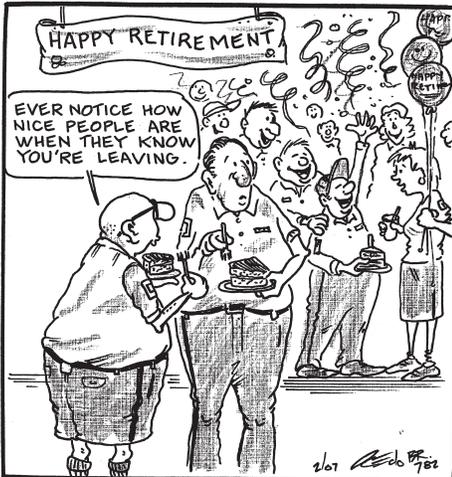
The true agony of the process was listening to too many voices. Do take advice, but know what **YOU** want and what it would take to get there. Don't follow someone else's ridiculous dream.

Retirement is hell, but I love it!!

RICO

Article courtesy of the East Lansing, MI NALC Branch 2555 *Spartan Views* published in May - June 2015.

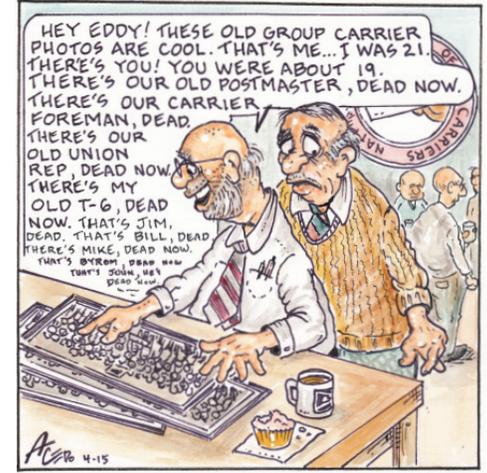
OUT THERE



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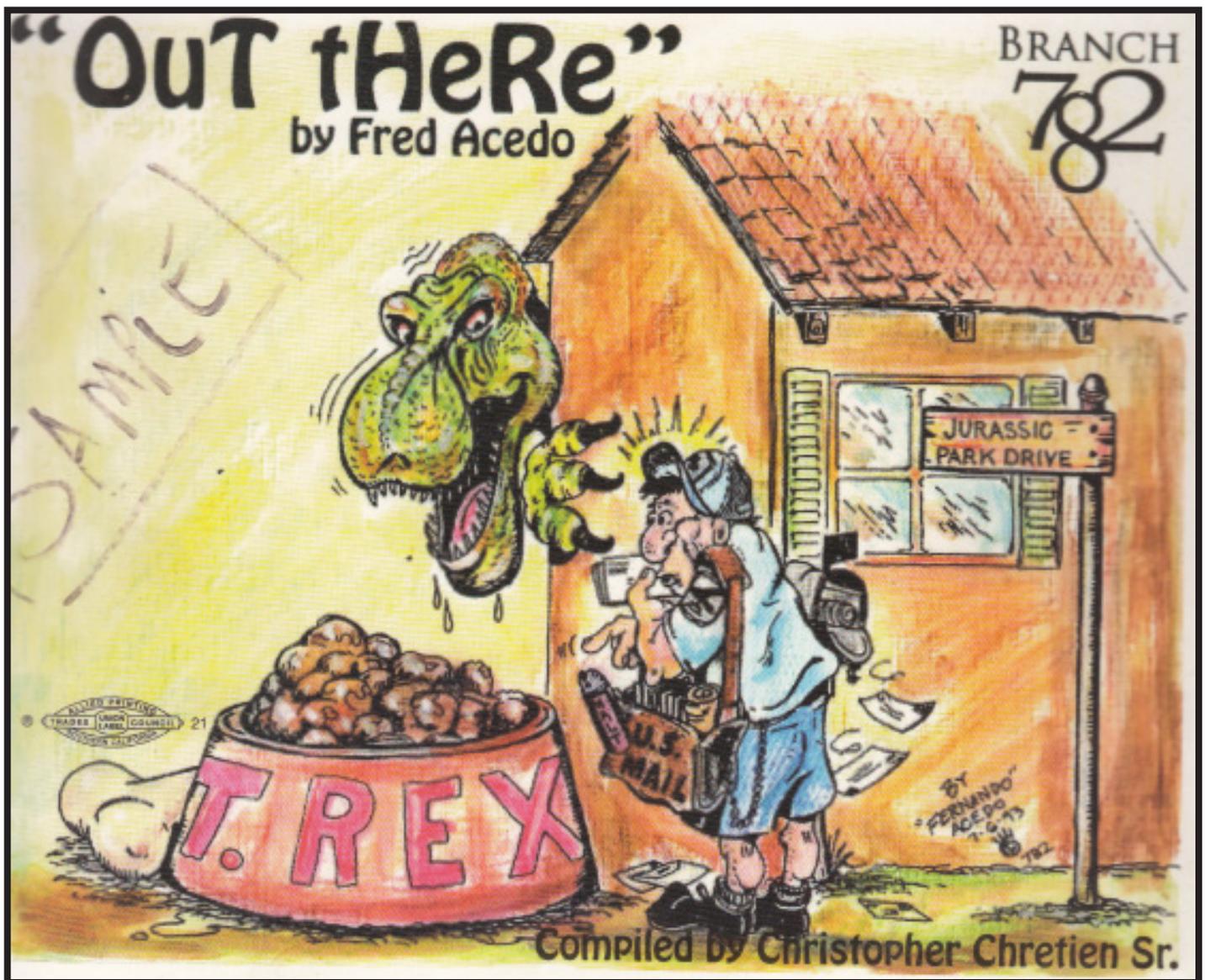
# *We have books for sale!!!*

This book is an amazing collection of “slices of life” that ALL Letter Carriers will identify with! You can purchase a copy as a retirement gift, a birthday gift, or even buy your own personal copy. You may ask, “*What do I do?*”

Contact Branch 782 Recording Secretary Kim Gerdes through the Branch 782 mailing address: 2628 F Street, Bakersfield, CA 93301. Or, if you want, you can send a request to her via e-mail at “krgerdes91@hotmail.com”. The cost for the book is \$20. One or two books can be shipped to you by way of USPS Priority Mail. Ask us how much the postage will be.



Once we cover our costs, we can generate our donation to the Muscular Dystrophy Association. Please help us out!!!



from the  
**editor-guy:**

I shared something at the July union meeting that I want to briefly touch on. At the risk of sounding cryptic, I'm not going to go into a lot of detail. But, I do want to pose the question that I asked the people at that July meeting to serve as a springboard to address something.

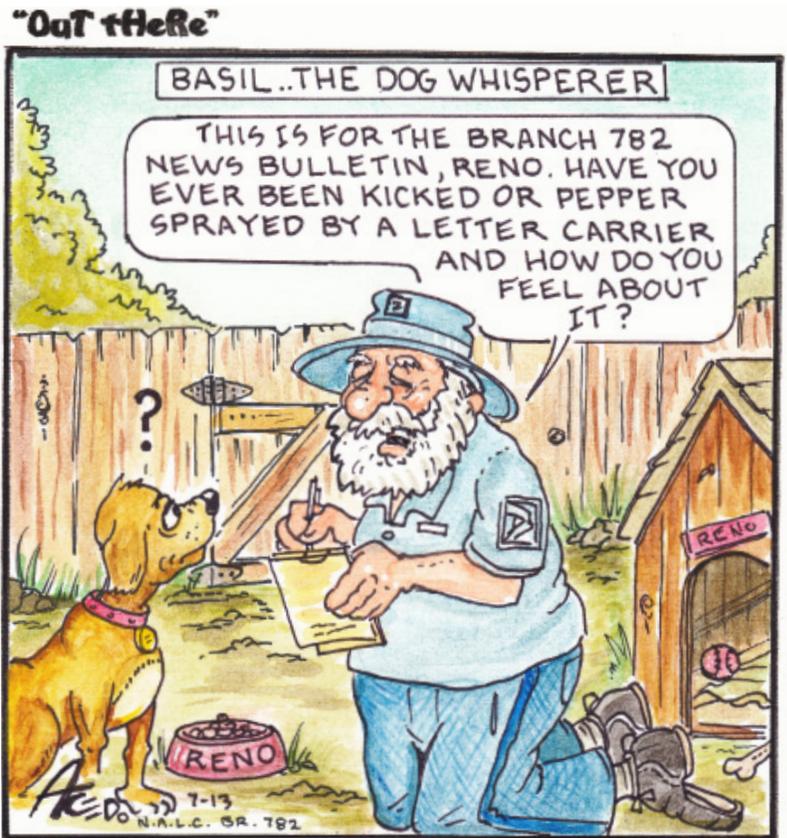
Have you ever heard the phrase, "There but for the grace of God go I."?

It's usually heard in the context that some poor schmuck is going through something that you're glad that you don't have to go through. Well, I now find that I am that "poor schmuck"...

Although I know that something is probably happening which will lead to a resolution to my situation, I've heard nothing at all to this point.

Fred and Toni Acedo have been really good about staying in touch with me and offering their support. My wife, Marcelle, and I truly value their friendship!

BASIL ZUNIGA



During the National Rap Session in Houston, NALC President Fredric V. Rolando formally announced the new name of NALC's political action committee (PAC).

The name change comes as a result of an effort that began at the NALC convention in 2014, where hundreds of Letter Carriers submitted proposed new names for the former Committee on Letter Carrier Political Education (COLCPE).

mous with who we are and what we do for a living."

"Our Government Affairs team is working on a number of initiatives to improve the effectiveness of our grassroots and lobbying efforts and to increase overall involvement of NALC members on the legislative and political fronts," President Rolando added. "Rebranding our PAC is just the beginning."



Ultimately, the Letter Carrier Political Fund — a name submitted by Levittown, PA Branch 4973 member Lee Sciarra — was selected.

"I thank everyone who took the time to offer feedback and ideas," President Rolando said. "Lee's entry was a win-win suggestion, giving our PAC a name and identity synony-

Note: Even though the PAC has a new name, if you're already an active contributor, you don't have to make any changes.

*By making a contribution to the National Association of Letter Carriers' Political Fund, you are doing so voluntarily with the understanding that your contribution is not a condition of membership in the National Association of Letter Carriers or of your employment by the U.S. Postal Service, nor is it part of union dues. You may refuse to contribute without any reprisal. The Letter Carrier Political Fund will use the money it receives to contribute to candidates for federal office and undertake other political spending as permitted by law. Your selection shall remain in full force and effect until canceled. Contributions to the Letter Carrier Political Fund are not deductible for federal income tax purposes. Federal law prohibits the Letter Carrier Political Fund from soliciting contributions from individuals who are not NALC members, executive and administrative staff or their families. Any contribution received from such an individual will be refunded to that contributor.*



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The options 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.

Information in this publication may not be used for illegal purposes.

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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## Official Notice of Nomination and Election of NALC "Golden Empire" Branch 782 Delegates to the 2016 National Convention — Page 2

*In this  
web issue...  
8 more  
pages than  
were in  
the regular  
print  
version.*

*Check  
them  
out.*

*And some Fred Acedo slices of life  
from "Out There:"*



N.A.L.C. BR. 782 - BAKERSFIELD, CA.

Something for you to think about and take to heart: "If you don't know your Rights, you have none..."