



BRANCH 111 N.A.L.C.  
"THE WASATCH BRANCH"

# Pavement Pounder

Midvale - Millcreek - Murray - Northwest - Orem - Sandy - South Salt Lake - Sugarhouse - Tooele - West Jordan - West Valley

April 2019

Publication 2019.04

Do you have a question about your job and are you too shy to ask your Shop Steward? Do you just have a question about anything in your Postal world? Please e-mail your questions to **[pavement.111.pounder@gmail.com](mailto:pavement.111.pounder@gmail.com)** Questions will be answered without revealing the asker.

## **Question:**

I was injured while delivering mail and my supervisor told me that if I officially reported the injury that I would be disciplined. What should I do?

## **Answer:**

Immediately report the injury by requesting and completing OWCP form CA-1, Notice of Traumatic Injury and Claim for Compensation, and then seek medical treatment for the injury if needed. Additionally, see your steward as soon as possible and provide a detailed statement about what the supervisor said, and report this to the Branch 111 office.

The supervisor's misconduct in this matter constitutes a very serious violation of Federal Law, specifically the Federal Employees Compensation Act (FECA), Title 5, part 81 of the United States Code. Code of Federal Regulations, Title 20, part 10.16. Threats of disciplinary retaliation or any form of similar management misconduct also violates the Postal Service's own regulations pertaining to employee injuries in the Employee and Labor Relations Manual, section 542.33. Any employee or supervisor responsible for making reports in connection with an injury who willfully fails, neglects, or refuses to do so; induces, compels, or directs an injured employee to forego filing a claim; or willfully retains any notice, report, or paper required in connection with an injury may be subject to a fine of not more than \$500 or 1 year in prison, or both.



## **The President's Report**

# **Intervention In Orem**

**From the end of 2017 through the beginning of 2019, the NALC and Orem management had blanket extensions for all grievances. For approximately 13 months, the majority of issues and the vast majority of grievances were delayed. The reason for this was because management was unable to provide sufficient Union Time to process the contractual violations that had come up during that time. Underlying this inability to provide sufficient time was management's inability to properly staff the Orem Installation, and this lack of staffing led to numerous improper mandating grievances, further compounding the problem.**

**In the Fall of 2018, I met with the Manager of Post Office Operations who had jurisdiction over the Orem Installation to discuss the staffing issues, and the delayed grievances. At that time, the backlog of grievances was around 200 (200 unresolved grievances). We agreed to extend all the grievances one more time until January 4<sup>th</sup>, 2019, after which time there would be no more extensions. Branch 111 also voted to send additional outside Stewards down to the Orem Installation to help clear out the backlog, and thus Stewards were sent down from the Salt Lake Installation, the Sandy Installation, and the West Jordan Installation to assist the local Shop Stewards in Orem. The intent of this agreement was to help the Postal Service and the local Stewards to settle or appeal the backlog of grievances and be able to make fresh start in 2019. But such was not to be.**

**In November and December of 2018, the Postal Service began to deny Steward Time in Orem at the highest rate that we had ever observed. When the outside Stewards came down to Orem to assist the local Stewards, management would pull the Local Stewards off Union Time, making things difficult, because the outside Stewards needed at least some direction and or explanation about the grievances. And the staffing remained ridiculously low, so Carriers were mandated late into the night nearly every day throughout the Holidays. Since management was mandating every day and providing no Union time, the number of grievances grew exponentially, until we had well over 400 unresolved grievances by January 4<sup>th</sup>, 2019, the last day of the extension.**

**While management did meet on some of these grievances on January 4<sup>th</sup>, many went unmet, and management again failed to provide sufficient Union Time and/or documents. All of this created an unprecedented amount of additional grievances, which began to spiral out-of-control. All of this culminated with an Intervention, held by the parties on February 26<sup>th</sup>, 2019. At the Intervention, management and the Union met with higher authorities on both sides and negotiated a plan to eliminate the back-log of grievances, and to change local practices to promote communication and contract compliance. Management also announced that the current Postmaster would be relocated, and that there would be a new Postmaster installed within a short period of time.**

**I am happy to report that the staffing in Orem has improved to the point where daily mandating is not occurring, the grievance backlog in Orem has been greatly reduced, the local Stewards have been provided adequate Steward Time from January 4<sup>th</sup> until the present time, and a new Postmaster just started in the Orem Installation. These improvements did not come without a fight and tons of hard work, and so I thank all the Stewards who assisted with this, especially the local Shop Stewards, and everyone else who contributed to making the Intervention in Orem successful!**

**Michael Wahlquist – President  
Branch 111, NALC**



## Continued from the cover .

### **Question:**

I am a City Carrier Assistant (CCA) and I was bitten by a dog and needed medical care as well as a limited work schedule for several days. My supervisor told me that I “wasn’t covered” by Workers Compensation. Is that right?

### **Answer:**

Every Postal Service employee, both career and non-career, is fully covered by all the provisions and benefits of the Federal Employees Compensation Act (FECA) from day one of their USPS employment. CCAs that sustain an on-the-job injury should immediately report it to management and then request and promptly complete U.S. Department of Labor OWCP (Office of Workers Compensation Programs) form CA-1. All injured letter carriers should also obtain form OWCP form CA-16 from management and seek medical treatment if needed from the physician of their choosing. Additionally, every injured letter carrier (and especially CCAs) should also notify their steward and/or the Branch 111 office of the injury as soon as possible. Please keep in mind that every NALC member is entitled to detailed assistance from the Union with every aspect of the often-complicated injury compensation process.

### **Question:**

I was injured on the job and could not work for a few weeks. Management told me that I could not receive Continuation of Pay until it was “approved.” Was this right?

### **Answer:**

Letter carriers that incur job-related traumatic injuries (those that occur suddenly such as a dog bite or a fall or that develop entirely during a single day of work) should immediately request and complete U.S. Department of Labor Office of Workers Compensation (OWCP) form CA-1 and check box (a) on line 15 of the CA-1. This notifies management that you have requested Continuation of Pay (COP) for any periods of disability from work for a period of up to 45 calendar days. Continuation of Pay means just that – the continuation of the injured employee’s regular pay. To be eligible for COP, the injured carrier must complete and submit OWCP form CA-1 within 30 days of the injury (always do this immediately) and must provide medical evidence of disability from letter carrier duties within 10 calendar days of the submission of the CA-1.

Be aware that even if management controverts (challenges) the claim, COP must still be paid except in a few rare and limited situations, any management attempt to exclude payment of COP allegedly because of one of these uncommon situations must be fully documented and supported by actual evidence and not merely by any “suspicion or belief” by management. Postal reform legislation in 2006, there is a 3-day” waiting period” before COP begins, during which sick leave, annual leave, or leave without pay can be used as chosen by the injured employee. This “waiting period” applies only to USPS employees.

If I can be of assistance, please contact me.

In Solidarity;  
Terry C Ehlers

If every member of Branch 111 would donate one dollar per pay period, we would have a fund of around 2000 dollars a month . That is 24 dollars a year per member to have a voice on capital hill. Every profession in this country lobbies the law making bodies of our national, state and local governments Please take the time to look over the News from Washington article in **The Postal Record**, April 2019 issue. The relations we as carriers make in lobbying efforts have paid off for our jobs, retirements and helped stop an attempt over the last two years to gut our postal service and take our benefits and our right to collective bargaining. There is the way it should be and then there is the way it is.



#### LETTER CARRIER POLITICAL FUND

By making a contribution to the Letter Carrier Political Fund, you are donating so voluntarily with the understanding that your contribution is not a condition of membership in the National Association of Letter Carriers or of employment by the Postal Service, nor is it part of union dues. You have a right to 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 cancelled. 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 tot hat contributor. Federal law requires us to use out best efforts to collect and report he name, mailing address, occupation and name of employer of individuals whose contributions exceed \$200 per calendar year. Any guideline amount is merely a suggestion, and an individual is free to contribute more or less than the guideline suggests and the Union will not favor or disadvantage anyone by reason of the amount of their contribution or their decision no to contribute.

#### Your Home Financing Resource

The Union Plus Mortgage Program provides:

- Special benefits for union members, their parents and children
- Educational tools to help you prepare for homeownership
- A wide range of financing option from Wells Fargo Home Mortgage



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Private Mortgage Banker

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**NALC BRANCH 111**  
**Minutes of the Regular Union Meeting**  
**April 11, 2019**

**Convened** at 6:36 pm

**Pledge of Allegiance** conducted by Mike Simonsen

**Moment of Silence** – for Gary Harward and Philo Searle who passed away.

**Roll Call** by Steve McNees

**Minutes** of the March meeting were posted. Without objection, they will be filed for future reference.

**Reading of the Communications** by Steve McNees.

· The Sanpete Search and Rescue sent a request for a donation to support their volunteer organization. · We received notice of the April 4th Safety and Health Committee meeting in SLC. · The MDA sent a card announcing the Muscle Walk on May 18, 2019 in SLC. <https://mda.donordrive.com/event/saltlakecity>. · We received a \$246 reimbursement from National for dues we paid for a carrier who was separated but the USPS had not recorded it.

**Application for Membership** by Mike Hansen

New members read in: Elisabeth Hupp, Jessica Cueva, Kaiden Whiteman, Samuel Millar, Bridget Carlson, Pace Collester, Hailee Morgan, Jorge Alvarado, Christina Ledet, Jessica Davis, Cacey Yeates, Elizabeth Dickman, Ethan Chugg, Joshua Hokett, Stewart Rudd, Thomas Halter Jr., Charles Richardson (sworn in last month), Avi Elliott

**LCPF** by Josh Thibodeau- not present

**ORGANIZER** by Justin Lindquist - not present

**FOOD DRIVE** by Sharla Groves

The Food Drive is the 2<sup>nd</sup> Saturday in May. They will sort cards and bags during the stewards meeting at the old USPS Annex (south of Main PO) at 6:30pm. Volunteers to help are welcome. Pizza will be served.

**LEGISLATIVE** by Chad Mortensen

· The Women in Trades Convention is April 15<sup>th</sup> at the West Valley Culture Center (free). Destiny Carrillo is on the panel. · May 4<sup>th</sup> International Workers Day Rally (SL Co. building – 1pm).

**TRUSTEES** – Chad Mortensen

The Trustees met yesterday and reviewed the books. All looked good.

**HEALTH BENEFITS** by Jim Kerekes

Recommends keeping your government insurance after you retire because it is more secure.

**OWCP, COMPENSATION, and MDA** by Terry Ehlers

Joey Wiscomb: from MDA announced the MDA Muscle Walk on May 18<sup>th</sup> from 8am until noon. They need volunteers from 6:30am to help with registration and booths. · MDA Summer Camp hasn't been scheduled yet. · Joey is engaged to be married next year.

**SAFETY AND HEALTH** by Chris Zambos – not present



## **DIRECTOR OF RETIREES** by Jeff Asay.

· Trump has made a proposal to do away with OPM (our retirement). Each organization would then become responsible for paying retiree's benefits. Probably not a good idea. · Retiree's dinner- maybe at Chuck-a-Rama but looking at other options. Let Jeff know if you have any ideas or preferences.

**Guest Speaker: David Garbett** is running for Salt Lake City Mayor. His main concerns are the future costs of homes/living in SLC, air quality, climate change, and homelessness. He was the former attorney for the Southern Utah Wilderness Alliance (10 years) and executive director of Pioneer Park Coalition (1 year). He would like to go to clean energy within 4 years. Garbettformayor.com

## **TREASURER** by Mike Madsen

Last Month: Income \$37,656, Expenses \$41,124 (\$271 meetings, \$800 summer party deposit, lobbying in DC \$1,517, payroll \$23,390, State Convention \$2,841, steward college \$5,148, OWCP training \$687, etc.) with a deficit of \$3,468.

## **VICE PRESIDENT'S REPORT** by Mike Hansen

· Steward College last week (4 days) with 17 of our stewards. · Steward trainings: Wednesday at 6:30pm, at the old USPS annex. There will be JCAM training at the May steward meeting.

## **EXECUTIVE VICE PRESIDENT** by Lance Henrie. Excused

## **PRESIDENT** by Mike Wahlquist.

· The intervention in Orem is going well. Orem has a new postmaster. · There were no CCA conversion in SLC in March. There may be some in April. · Amazon Prime parcel delivery has reduced the number of parcels being delivered by the USPS in Tooele, Magna, Orem, and Lehi. This has greatly reduced available overtime. · The start time pre-arb settlement says that those with 8:00am start times will start at 7:30. Those with 7:00 and 7:30 start times will remain the same.

## **SPECIAL ORDERS:**

Proposed Bylaw Change: *Effective immediately, all references to officer or steward pay shall be changed from Grade 2, Step O, to **Grade 2, Step O, Carrier Technician rate, Table 1.*** Motion passed.

## **UNFINISHED BUSINESS:** none

## **NEW BUSINESS:**

Motion by Jeff Asay: *"Adopt a standing rule that we set the time to adjourn for all regular branch meetings at 8:30pm. A motion made by any member and adopted by a majority vote of the body will suffice to extend the meeting."* The motion passed.

## **GOOD OF THE ASSOCIATION:**

· It is now okay to put up the food drive banners in all offices.

## **FOR THE IMPROVEMENT OF THE SERVICE:** nothing

## **DRAW AND ADJOURN** – 7:50 pm

- \$25 drawing winners: Kirk McLaughlin, Mike Wahlquist
- RETIREES – \$ 100 (LaGrand Tremelling was not present). Next month it will be \$125.
- PROGRESSIVE A - \$1,100 (Jenny Woodall was not present). Next month it will be \$1,125.
- PROGRESSIVE B - \$250 (Tyler Menlove was not present). Next month it will be \$275.

Donuts: Ron Hermansen, Steven Franz, Gary Thorne,

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**Keep on delivering!!!**

**The financial records of the Union are available to be looked at  
by any Branch 111 member, in the Union Office, by appointment.**

**PRESIDENT**  
Mike Wahlquist  
**EXC. VICE-  
PRESIDENT**  
Lance Henrie  
**VICE-PRESIDENT**  
Mike Hansen  
**TREASURER**  
Mike Madsen  
**SECRETARY**  
Steve McNees  
**SGT-AT-ARMS**  
Mike Simonsen  
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**TRUSTEES**  
Chad Mortensen  
Joan Larsen  
Kirk McLaughlin

**The**  
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***“Wasatch Branch”***

**Mon— Fri. 8:00 AM—6:00 PM**

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