

# Pavement Pounder

Publication 2020.01

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



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

## Don't Stand by when you should Stand Against:

On January 1, 2020 I resigned from the office of Executive Vice President. This was one of the most difficult decisions that I have ever made, I truly enjoyed every aspect of the position. No carrier, steward or branch officer played a role in my decision. I have Parkinson's Disease, a progressive degenerative neurological condition that has no cure and limited treatment options. I first noticed symptoms of the disease in 2010. After several visits to my doctor, he referred me to a neurologist, who made the diagnosis in 2012. Symptoms of the disease are both physical and cognitive and the only known medication becomes less and less effective over time. I share this personal information not to get sympathy, nor to encourage an interest in the disease. I just want everyone of you to know that I would have been most happy if I could have continued in the office, and would have, if I could have fulfilled my duties.

Now to my last rant. A union is not an entity separate from the members, when a carrier, manager, or politician says something negative about, "The Union", they are insulting you. You are the union, one reason that we united was to keep management from denying our right to a fair wage and benefit package and we have been successful in that regard. Another reason we united was to create and maintain a safe, healthy work environment free from abuse. We have failed in that regard. For this failure take responsibility. We are bullied, belittled, harassed and discriminated against because we allow it to happen. We are active participants in the abuse every time we stand by while one of our members is bullied, or subjected to any other abusive behavior. In every office the largest number of employees are carriers. We can create the environment of our choice simply by acting as one. No title, pay-grade, or sense of self importance justifies abusive behavior. No person deserves to be mistreated by another. When we witnesses abuse, and do not stand against it, we all lose. To stand against, is to act, to speak up, to expose the abuse, to get others to stand with us. Don't believe the lie, that by confronting the abuser we contribute to a confrontational workplace. If one or only a few of us stand against an abuser, yes, they will amp up the behavior to beat us down. If each and every one of us stand together the abuser is powerless. By accepting the mistreatment of our fellows we allow the abuse. As a favorite uncle once told me "There is an A-hole at the ready, when you are open to being treated like a toilet."

Lance Henrie

## **The President's Report**

# **Merry X-Max**

### **(Working Maximum Hours)**

**We've all been there. We work with a headlamp into the dead of night, dashing from porch-light to porch-light, grateful for Christmas-lights to guide us like airport landing-lights to the next house on the route. We have used our dome lights to get the next delivery ready, sometimes even using the headlights of our vehicles. We have worn insulated fabric over nearly every square inch of our bodies during single digit temperature nights, trying to stay warm while we work the silent nights away. We have tripped in the dark on snow covered roots while walking in unfamiliar yards while helping other carriers try to get back before midnight. The parcels and mail can seem never-ending during the Holiday season, and it can be the toughest part of the year for Letter Carriers mostly because of the sheer number of hours we may be asked to put in. This year was the worst we have ever seen. I spoke to one Letter Carrier in Cottonwood, and they stated "I've worked at the Post Office for 35 years, and this is the worst peak season ever". I spoke with another Carrier who told me they worked 107 hours in a single week during the peak season, and the other weeks were not much better. There may be Carriers who even worked more hours. This has been a brutal season, but nearly every Letter Carrier I observed was pushing through the innumerable packages and grueling hours with a good attitude, finding ways to help and solve problems, and showing up every day despite being physically exhausted. I could not be more proud of the Letter Carriers in Branch 111 for getting the job done this Christmas Season!**

**But it is those same parcels and Christmas cards that mean so much to our customers. I have heard commercials and commentary this year about how appreciative people are for our service. And I know it is a cliché, but we should be grateful for the work because it means that our jobs are secure into the foreseeable future. While that may be little comfort to some, I will say that I am grateful that we are paid by the hour, unlike our fellow Rural Letter Carriers, whom I have also seen out into the late hours of the night.**

**With all of the above being true, it behooves us to know what the contract says about our rights and duties when it comes to Maximum hours, especially since many of the rules change for the month of December. The ELM (Employee and Labor Relations Manual), is the controlling document for maximum hours. The ELM states that with some exceptions, employees are limited to 11.5 hours of work and a lunch period (or 12 hours of work if there is no lunch period...though I would always advise taking a lunch!). The exceptions are the Overtime Desired List, consisting of those who have signed the 12/60 list, the 10-hour list, or the Work Assignment list, who are limited to 12 hours of work in addition to a half-hour lunch period. And there is a further exception in the month of December, when carriers who have signed the lists mentioned in the previous sentence are not limited to 12.5 hours in a day, and there actually is no hour-limit at all.**

**All of this is a bit complicated, so I will break it down in the following two tables:**

January through November Maximum Hours

CCAs: 11.5 plus a lunch (no limit per week)  
PTRs: 11.5 plus a lunch (no limit per week)  
Non ODL Carrier: 11.5 plus a lunch (60 per week)  
WA Carrier: 12 plus a lunch (60 per week)  
10-Hour Carrier: 12 plus a lunch (60 per week)  
12/60 Carrier: 12 plus a lunch (60 per week)

December Maximum Hours

CCAs: 11.5 plus a lunch (no limit per week)  
PTRs: 11.5 plus a lunch (no limit per week)  
Non ODL Carrier: 11.5 plus a lunch (no limit per week)  
WA Carrier: No limit per day or week  
10-Hour Carrier: No limit per day or week  
12/60 Carrier: No limit per day or week

**The contract says that Work Assignment Agreement recognizes that it is normally in the parties' best interests not to require employees to work beyond 10 hours per day, and managers should not require "work assignment" volunteers to work beyond 10 hours "unless there is no equally prompt and efficient way to have the work performed." However, if there is no equally prompt and efficient way to have the work performed, management is able to use the Work Assignment list up to the above noted limits.**

**So what happens when management breaks the contract, and has Letter Carriers working beyond the maximum hours that have been mentioned above? National Arbitrator Mittenthal ruled that the 12 and 60 hour limits are absolutes. Excluding December, a full-time employee may neither volunteer nor be required to work beyond those limits. In fact, when a full time employee reaches the 60 hour per week limit, management is required to send the employee home, even in the middle of a scheduled day (and such an employee would receive the remainder of the eight-hour guaranteed pay for said shift). If and when daily or weekly maximum hours are exceeded, the contract states:**

***"In those limited instances where this provision is or has been violated and a timely grievance filed, full-time employees will be compensated at an additional premium of 50 percent of the base hourly straight time rate for those hours worked beyond the 12 or 60 hour limitation. The employment of this remedy shall not be construed as an agreement by the parties that the Employer may exceed the 12 and 60 hour limitation with impunity."***

**Even though the above remedy states it is just for "full-time" employees, Branch 111 has been very successful at obtaining the additional 50 percent remedy for all classes of employees who have exceeded their maximum hours. And as the contract states, in the event that there are egregious ongoing violations (over many contiguous months), we would have no qualms about asking for remedies above and beyond the 50 percent remedy. However, to have the grievance be timely, we must file it within 14 days of when the maximum hour limit was broken, so please let your Shop Steward know whenever you work over (or are forced to work over) the contractual maximum hours.**

**Michael Wahlquist**

Contact : 1-800-Monarch



## **Don't Worry Be Happy**

Another peak season is in the books and it seems that it was the worst year yet for most of us. For me personally, January is a month I'm feeling exhausted but proud of the work my fellow carriers and I accomplished. We all know it is miserable when we are in the midst of the season but when it is over and we get that paycheck it softens the blow. I will share with you what I tell CCA'S on their first day of training. This job is 90% mental. That is the secret to survival at the Post Office. Understanding that the Post Office is a unique place to work and a lot of it doesn't make sense. You're not going to change it. Control the things you can. Don't get caught up in office drama, don't obsess about what your coworkers are doing. Accept the fact that you are there to do a job and you are going to be there for 8, 10, or sometimes 12 hours a day. There is no reason to run. Take pride in the service you provide our customers.

The USPS is huge and there are all types of personalities. Every office has that person who is wrapped up in everyone else's business and gossips every chance they get. There are anxious people who struggle everyday. There are the jokesters and the people who seem angry all the time. There are the people who miss more days than they work. Then there are the people who come to work with a smile, don't get caught up in the garbage, do their job well and take care of their customers to the best of their ability. I'm willing to bet those people are much happier than the people whose mood is based on who called in sick or who is receiving help. Control what you can. YOU.

I chose to be happy. Think about your friends and family for a moment. How many of them get five weeks of vacation a year, have a pension, get paid overtime or double-time, get a 5% match on their retirement plan or get paid the wage we do? We have it good and I am grateful to the NALC for fighting for all those things I enjoy. I choose to be HAPPY.

In Solidarity  
Mike Hansen  
Vice President  
NALC Branch 111'

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# **NALC BRANCH 111**

## **Minutes of the Regular Union Meeting**

### **January 9, 2020**

**Convened** at 6:38 pm

**Pledge of Allegiance** conducted by Mike Simonsen

**Roll Call** by Steve McNees

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

**Reading of the Communications** by Steve McNees

· Exec. Vice President, Lance Henrie, has resigned due to medical issues. It is effective today. · We received confirmation that management will have a USPS Field Recruiter to help Chad Mortensen at the “Labor Day on the Hill” event on Feb. 6th at the Capitol Rotunda. · The Safety and Health Committee meeting was today. · West Jordan Office: A report of hazardous condition (form 1767) was filed because West-Packs were being overloaded. It was resolved that the West-Packs would not be filled over the top and that the West-Packs would be taken to carrier cases for sequencing and then loaded into wire cages for transport to vehicles. · Our MDA activity report was sent in for the December meeting fundraiser. We raised \$249.19.

**APPLICATION FOR MEMBERSHIP** by Mike Hansen  
David Johnson

**COMPENSATION AND MDA** – by Terry Ehlers

· OWCP’S new process (filing claims online) will overcome the problems that we have with getting claims filed properly through local management.

· Terry has received notice that his transfer to Pasco, WA was accepted (his family lives there). Feb 1<sup>st</sup> will be his official resignation date. Terry was given a metal alligator from the branch to wish him well. He will be missed tremendously.

**LETTER CARRIER POLITICAL FUND** by Josh Thibodeau - not present

**LEGISLATIVE and TRUSTEES** by Chad Mortensen

· The Postmaster General has retired. The board of governors will appoint a new postmaster. The board of governors are appointed by the President and confirmed by the Senate. We need to let the public know what the postal service is doing, that we do not operate on tax dollars, and that it should not be privatized. · Rob Bishop will not re-run for Congress in the 1<sup>st</sup> District. Candidates are being interviewed by the labor council. · AFL-CIO – Feb 6 Labor Day on the Hill. We will let the legislature and the public know about the letter carriers’ impact on communities in Utah. · Jan 27<sup>th</sup> the Legislative Session begins. · Super Tuesday- vote by mail or at the polls (Democrats even if not affiliated). · Neighborhood caucuses coming up. Get involved no matter what party. Support labor issues. · Feb 22<sup>nd</sup> at 9am at the Labor Center, you can get training on how to become a delegate.

**TRUSTEES:** They met Tuesday and went over December’s books. Everything was in order and done properly.

**HEALTH BENEFITS** by Jim Kerekas - excused

**SAFETY AND HEALTH** by Chris Zambos – no report

**DIRECTOR OF RETIREES** by Jeff Asay

· Retiree Keith Jensen was presented his 50 year Gold Card and pin. · \$627 was rolled into savings from last year. All money for retiree dinners, activities, drawings and drives comes from retiree's dues only.

**TREASURER** by Mike Madsen

December: Income \$26,534, Expenses \$29,512, Net Income \$-2,978 · Last year we had a \$34,000 deficit but we had budgeted for an \$84,000 deficit. We spent \$50,000 less than we budgeted. · The 2020 Proposed Budget was available to read at the meeting and has been posted on the branch website (branch111.com) under Current Events and Info. It will be discussed at the February Union meeting.

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

Everyone is still struggling to get the mail delivered. Sick leave has increased significantly in the last 10 days. Those who call in are getting a bum rap for calling in. Please treat them with respect. It has been a tough time for all. · 4,842 grievances were filed in 2019. · Grievances filed so far this year: 108 (9 days). · Thanked Lance Henrie, he has been awesome. He was a great friend and will be missed. · Steward Training Wednesday will be done by Terry Ehlers. It will be about OWCP including the new online reporting of injuries. Thanked Terry for his service. He too will be missed.

**ORGANIZER** by Justin Lindquist

9 new CCAs from our branch were in training this week. 8 signed up with still more training to go. · The branch is almost 88% organized now, which is very good. In 2014 we were at 81.9% organized.

**EXECUTIVE VICE PRESIDENT** by Lance Henrie –excused

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## **PRESIDENT** by Mike Wahlquist

We will need 2 people to step up to fill the new vacancies (Executive Vice President and Compensation Specialist). · This last peak season was the worst ever. · A carrier in Cottonwood working 7 days a week asked his supervisor for an evening off. The supervisor said no. He told his supervisor that he was retiring immediately then. The supervisor thought he was joking. The carrier went to his locker and emptied it and then returned and gave his supervisor his time card and left. A little consideration could have saved a great worker for another year or more. · Thanks to Terry and Lance for their long years of great service to the branch. · The Executive Board is considering the elimination of the Executive Vice President position. There will be a discussion during the next 2 meetings. · It was proposed that the position of Executive Vice President remain vacant until the March Union Meeting. It was agreed to by unanimous consent.

**SPECIAL ORDERS:** none

**UNFINISHED BUSINESS:** none

**NEW BUSINESS:** none

**FOR THE GOOD OF THE ASSOCIATION:** none

**FOR THE IMPROVEMENT OF THE SERVICE:** none

**DRAW AND ADJOURN** – 7:35 pm

\$25 drawing winners: Stan Neering, Stormy Blood

RETIREEES – \$ 75 (Marcel Saldivar was not present). Next month it will be \$100

PROGRESSIVE A - \$175 (Steve Schaffer was not present). Next month it will be \$200.

PROGRESSIVE B - \$500 (13-21 Monty Marvian was not present). Next month it will be \$525.

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

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

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**Mon— Fri. 8:00 AM—6:00 PM**

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