

Official Publication
Of Branch 111
Home of the
"Wasatch Branch"

Branch 111
Chartered
January 24, 2003

The Pavement Pounder



MAY 2003

Bountiful * Lehi * Magna * Midvale * Murray * Salt Lake * Sandy * Taylorsville * Tooele * West Jordan * West Valley

The President's Position

By Mike Miller

Well, work has begun on the office we purchased from the Carpenters Union next door to our current office. They began demolition of the space on Monday the 14th of April, our mechanical drawings were done on Wednesday the 16th and our permits for the remodeling of the space were purchased on Friday the 18th. So we are well on our way to having office space double what we have now, three additional offices and a small conference room, along with an additional meeting room and a storage room on site.

This is something we have waiting for, for some time. We have been very cramped in the office space we have now and have been looking forward to the additional space for our officers and Formal A reps to do their work as well as the many Stewards that come into the office to work. We will now have additional offices for people to work in without disturbing each other, this privacy will enable all of us to be able to get more work done in your behalf. In the past we have all been cramped together and at times interfering with each other's work, but not anymore.

The work is being done by a first rate Union Construction Company, Tolboe Construction. Certified union workers will do all of the labor used for work on this project, which is one of the conditions we demanded up front when the bids

were taken. And to protect our interests, we have obtained the services of Carl Wahlquist, a renowned Architect of close to 50 years who knows everything there is to know about construction, and will make sure we get what was agreed to for our branch funds.

In talking with the contractor they tell me that our remodeling project will be completed within 30 days of when they began construction. I was hoping that it would have been finished by the May meeting so that everyone would be able to take a look at the new offices, but it looks like the project wont be finished until a week after the May meeting.

I appreciate the wisdom of the members of the branch who voted to spend the money for this project. This project will increase the size of our holdings in the condominium by 2 ½ times what we have now, and increase our holdings in the condominium to 10% of the building. And we did this at less than 1/6th the cost of what it would have cost us to leave the condominium and buy a small building. And when the project is completed our condo fees will end up being 1/3rd what it would cost us to keep up a building of our own. So overall, your wisdom has saved the members of this branch thousands of dollars, right now and over the long run.

I know I can speak for the other officers of the branch, and our stewards and Formal A Representatives when I say that it is a good feeling to work in a building full of labor representatives. The feeling of solidarity we get from working among other labor organizations is encouraging knowing that we are all here for the same purpose, to protect the rights and benefits of our members, and to ensure safe, fair and equitable working conditions at all times.

Our offices here in the Labor Building give us easy access to all of the offices in Branch 111 since we are centrally located here. And it makes it easy to meet with management at a moments notice being only one block from the main office. I can't think of a better place to be then where we are now.

Vice President

Kirk McLaughlin

Letter Carriers You Do Have Rights !

In 1975 the U.S. Supreme Court gave us the **Weingarten** decision

Weingarten Rights: This is a right to have Union Representation during an Investigative Interview. An investigatory interview occurs when a supervisor questions the carrier to obtain information which could be used as a basis for discipline or asks a carrier to defend his or her conduct and actions.

Your responsibility as the carrier is to ask management when they approach you is ask them, can this discussion in anyway **lead to my being disciplined** or affect my personal working condition, if so I **request** that **my union steward** be present at this meeting.

So you as the carrier to ask for your union steward if you have a reasonable belief that discipline or other adverse consequences may result from what you say.

What happen if you ask for union representation?

Management has three options:

- (1) They can stop the questioning until the steward or union representative arrives.**
- (2) They can call off the interview,**
- (3) They can tell the carrier it will call off the interview unless the carrier voluntarily give up their right to union representative (an option the carrier should always refuse.)**

If management ignores a request for a steward and continues the interview, the carrier should refuse to respond. The carrier must be careful, however, not to do anything else that could be considered insubordinate. For example, **the carrier should not walk out of the interview. The carrier should remain at the interview but advise the manager that they are requesting a steward and will not answer any questions without union representation.**

Does the manager have to provide the steward requested by the employee?

No, if the carrier regular steward is not available, the employer needs only to provide a steward in order to continue the interview. However, management can not select a steward more to management liking if the carrier's regular steward is available.

Once the steward has been provided:

Management must inform the steward of the subject of the interview (what type of misconduct they are investigating).

The steward must be allowed to meet with the carrier in private so that the steward can find out what is going on.

The steward will counsel the carrier against losing their temper.

Steward may object to intimidating tactics or confusing question that are abusive, misleading or harassing.

Steward will advise the carrier, when appropriate, against denying everything, and thereby giving the appearance of guilt, help the carrier avoid making "fatal admission".

Steward will discourage carrier from informing on other employees.

Steward will advise the carrier from raising extenuating factor, other wise from talking to much.

So when management want to talk to you and give you an official discussion can you invoke your **Weingarten Rights** no, but once you believe that the meeting might lead to discipline then you should ask for the steward,

so anytime during the discussion you can invoke your right to union representation. Remember management does not have to inform you that you are entitled to union representation and most of the time they wont.

So the next time your out on the street and management want to talk to you about the way you are operating the vehicle, you might want to ask them if this could lead to discipline if so invoke your **Weingarten Rights**.

So lets stand united.

Legislative Report-Phillip Rodriquez

As everyone is well aware President Bush formed a commission to examine postal reform. What role will the Post Office have in the changing economy? Does the American public still need the Post Office? Has the development of advanced technology where people can instantly communicate reduce or possibly eliminate the need for letters? All these questions are being considered in testimony given to the postal commission. The member's of this committee have backgrounds either with no postal knowledge or who have advocated for the privatization of the service. The final report will be presented on July 31, 2003. After spending five days of talking to Senators and Congressman about postal reform and their take on the committee, I have concluded that it is time to panic.

Our mandate at the Post Office is universal service at a universal rate. This means that we will deliver every house and business in the United States. At the present time we deliver over 140 million stops a year while another 2 million more stops are added each year. This at the low price of 37 cents, no matter where you live. This is where the debate and questions of our role begins. While the number of stops has increased, the number of first class letters has decreased. In the past the Post Office has funded universal delivery by having revenue producers such as New York and L.A. pay for

non-revenue sites such as Utah, Wyoming, Arizona and any rural territory. As the first class mail has decreased it has become harder to have a universal mandate and "break even" as the law mandates. This is why the Postal Commission was created. The Commission was to take an *objective* evaluation and determine the best course for the future of the Postal Service.

After spending less than one day on the hill it was clear and convincing what the administration wanted from this commission. Every Congressman and Senator that I talked to said the exact same term, privatization. It was not what the report would say but how to implement the findings of the report into legislation. The administration has a plan to eliminate or contract out at least forty percent of all federal jobs including the Postal Service. The plan was compared to the Homeland Security Act in which twenty-two federal agencies were merged into the Homeland Security Department. The twenty-two agencies were then under federal legislation that outlined specific rules and regulations regarding the administration of these agencies. One of the first administrative acts was the suspension of collective bargaining rights. Under the Homeland Security Act the President of the United States has the authority to suspend collective bargaining in the time of war or distress. That is exactly what happened. No

collective bargaining agreement, no contract, no pay scale, no guarantee of benefits, no guarantee of job! It is cheaper for employers to higher employees with no guarantee of wages or benefits. It is happening in all fifty states. The reps and their aids from both sides pleaded with us to educate and inform our members of the seriousness of this commission.

Some will ask if this is another scare tactic from the union. It would if it came from the union; this information came from the very people who have the power and the authority to enact legislation. What's frightening is that as soon as September our congress will be debating on legislation from the commission. This is not propaganda or rumors; this is information straight from the mouths of our elected officials. Some will also ask what is so bad about privatization? First, if a private company decides to contract and deliver mail they will do so in the hopes of making a profit. The major cities might be profitable, however most in the Unites States will not make a profit. How will these companies make a profit? Will the private companies be willing to pay the benefits and salary that letter carriers currently enjoy? Will the private companies actually deliver a letter from Salt Lake to St George for 37 cents? These are all the questions that need to addressed before any legislation or privatization occur. The Postal Service cannot make a profit by law only break even. Does the American people realize that a low universal rate is not feasible if legislation authorizing privatization occurs, and if so, would they agree to such drastic measures? This is where education of the issue's applies to all letter carriers.

The NALC, USPS and the organization for the mailing industry have formed a legislative

coalition to lobby and inform. These organizations agree the in any reform three key items must be part of reform. 1)Universal service at a universal rate 2)Price flexibility allowing for the changing economy and technology. The rules in place were formed over thirty years ago and do not apply to our current economy. 3)Keep collective bargaining. It has worked for thirty years with no interruption in service and can continue to work with binding arbitration.

I plead with all members to take this next eight or nine months to educate everyone, friends, family, customers, etc., Brent Boswell and myself have developed a line of communication with all our elected officials. If you want to talk to any of them about postal reform, let me know. I will do my best to make appointments so our members can speak with them. If you would like to meet with them in person, again let me know, I will go with you and do all the talking if you like. This is not the time to be passive, if you're relying on a third party to solve the problems of the service, **it will not happen.** Every legislative rep throughout the country needs your help. If your not comfortable with speaking or writing your officials, then another option is available. The USPS and the NALC have agreed upon a payroll deduction for our lobbying PAC, COLCPE. In the next month or early June carriers can donate to COLCPE. The NALC is asking for a minimum of one dollar a paycheck, although you can donate as much as you like. If every carrier will donate a dollar a check this will generate five million dollars for the politicians who have the same legislative concerns of our members. This is what speaks louder to politicians, money.

From: Phyllis Polster

Mike Miller has honored me by requesting that I write as branch scribe for the *Postal Record*. This past February marked 10 years that I have been a part-time regular collection carrier. I wrote the first article for

the *Record* about something I know about---the collections unit.

Because I have been removed from he ebb and flow of delivery carriers, I am asking

for your help. Everybody has a story and it is your story that I am looking for. Whether you have been a letter carrier for 30 years or 30 months, please call or e-mail me if you have a story for the *Record*. My goal is to keep the

spin as positive as possible, but it has never been my style to leave out the truth. I can be reached at 484-8001 and my e-mail address is ppolster@netzero.net. Thanks.

Jim Kerekes- MBA/OWCP

First, let me apologize for not writing an article last month. I'm also sorry for not getting a phone listed for you to contact me. It should be listed this time. You could also call the Sugarhouse Station to reach me or leave a name and phone number to call you back.

At our last union meeting, I mentioned to those present to always request copies of all papers relating to the injury. That also includes when you go to the doctor. At the doctor, make sure you get a copy of the form 1500. That's the form that gets the money paid to whomever is

entitled to it. Also I mentioned to keep all of the papers in date order and put everything in a file folder.

Another bit of information that was recently told to me is about an OWCP Directed Examination. If you are working and are told by OWCP to get an examination, your loss wages should be paid 100% of gross. This is under authority of Sec 5U.S.C.8123. Payment would be through the automated bill payment system. It maybe paid regardless of any concurrent schedule award.

With Deepest Sympathy.

It takes a long time to get used to the loss of someone you love. But it's important to remember that when people pass on, they leave something very special behind. They leave us memories of many things they said and did. And as long as we have those memories, the people we love will live on in our hearts and minds.

Clarence F. Pedersen

Jack Thorne Strong

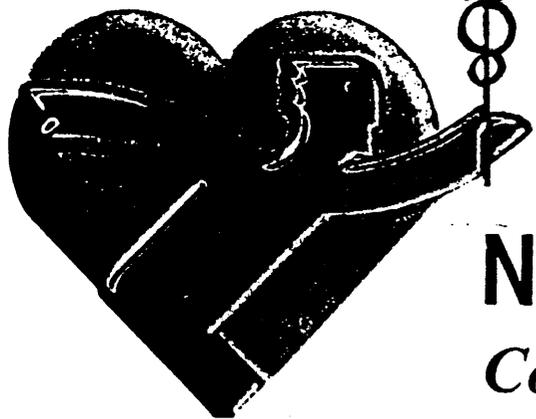
Andrew Buh

9/15/14 ~ 4/25/03

8/19/19 ~ 3/23/03

Harold Rushworth

CHALLENGE



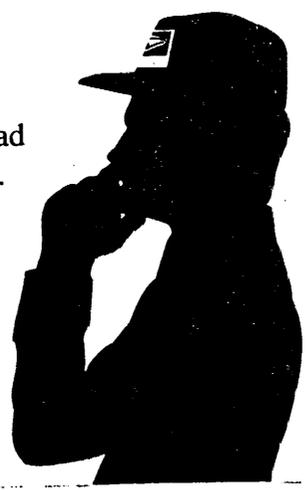
NALC Health Benefit Plan

Contact Brigham Young at 969-9343

BRANCH 111 HEALTH BENEFITS REPRESENTATIVE

CHOICE!

Welcome to your new job! Ahead of you are many responsibilities. One of the first is to choose a health insurance plan that provides you excellent protection and will shelter you and your family from financial disaster should illness strike. Now that you're a letter carrier, you have a "top flight" plan right at your fingertips — the NALC Health Benefit Plan.



Your **CHOICE** doesn't stop here. The NALC Health Benefit Plan continues to provide you with a **CHOICE**. You can choose to use our excellent network of PPO hospitals and providers and receive increased savings over non-PPO benefits. You can also choose to continue your relationship with your present hospital and physicians and still receive a competitive fee-for-service coverage. No matter what your choice may be, you receive a plan rich in benefits, easy to use and tailored to the needs of letter carriers and their families.

SAVINGS!

In 2003, active letter carriers will pay only \$28.71 biweekly for individual coverage, and \$42.37 biweekly for family coverage.



The PPO hospital and provider networks and our prescription drug program save you money and the hassle of PAPER-WORK. Our members want a health plan that's easy to understand, easy to use, and quick to reimburse covered medical expenses.

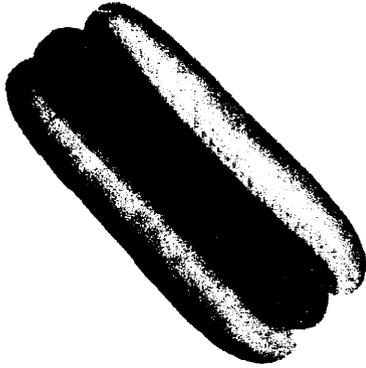
Active Self Only Coverage	Active Self & Family Coverage
\$28.71	\$42.37
per pay period	per pay period

- Recorded Benefit Information 1-888-636-NALC
- Fraud Hot Line 1-888-636-NALC
- Health Benefit Plan (local) 1-703-729-4677
- Health Benefit Plan (toll-free) 1-888-636-NALC

UNION-OWNED UNION-OPERATED!



NALC AUXILIARY 8



May Dinner

**Chili Dogs
Pop**



**MOTHERS DAY IS COMING UP
MAY 11, 2003**

**ARE YOU READY?
NEED SOME IDEAS?**

THE AUXILIARY WILL HAVE GIFTS ON HAND

**COOK BOOKS
CANDY
FLOWERS
T SHIRTS ETC. ETC.**

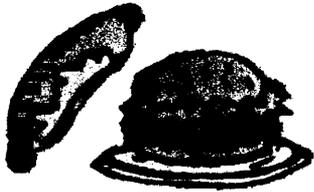
AND GUESS WHAT! WE WILL ALSO HAVE CARDS



WE WILL DO THE WRAPPING FOR YOU



NALC BRANCH 111 SUMMER PICNIC



EVERYONE IS INVITED
COME AND JOIN THE FUN

GAGC, Inc.



JUNE 19, 2003



GAGC, Inc.

UNION PARK
7360 SOUTH 700 EAST
MIDVALE, UTAH



5:30 - 8:30 PM



***Baseball**
(Bring your own
equipment)



***Playground**

***Volleyball**
***Horseshoes**

***Candy Cannon**



Buy
Your Tickets
From Your
Union Steward
or the
Auxiliary

Individual
\$5.00
Family
\$20.00
Three & Under
Free

THE PAVEMENT POUNDER POLICY AND NOTICES

Union meetings are held at the Union Labor Center on the second Thursday of each month.

NALC Branch 111 Office:
2261 S Redwood Rd #14
Salt Lake City UT 84119-1330

Business Hours:
Mon, Wed, Fri 7:30 AM – 6:00 PM
Tues, Thursday 9:00 AM – 6:00 PM

Please call before visiting the Branch office to ensure someone is there.

Change of address: Please send your new address to the branch office if you have moved recently or are planning to move in the near future.

BrookField Uniforms

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Statement of Policy

The Pavement Pounder newsletter is published twelve times a year. The Pavement Pounder is a publication of Branch 111. The articles printed in the newsletter are submitted by the senior union officers, members and Auxiliary of the branch to inform the members of events, news, educational matters and other material deemed for the good of the association. The appropriateness of articles published are determined by the Editor. The Editor reserves the right to edit or reject articles submitted. The opinions expressed in the newsletter are not necessarily the opinions of the NALC or of Branch 111 or of its officers or editor.

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Calendar of Events

MAY 2003

1 th	Exec. Board meeting	6:00 pm
8 th	Branch meeting	6:00 pm
14 th	Stewards meeting	6:00 pm

JUNE

5 th	Exec. Board meeting	6:00 pm
12 th	Branch meeting	6:00 pm
18 th	Stewards meeting	6:00 pm

OFFICERS BRANCH 111

PRESIDENT

Mike Miller

VICE-PRESIDENT

Kirk McLaughlin

TREASURER

Mike Madsen

SECRETARY

Sharla Groves

SGT-AT-ARMS

Michael Wahlquist

MBA & COMPENSATION

Jimmy Kerekes (254-2860)

TRUSTEES

Barrie Frankland

Joan Larsen

John Groves

SAFETY & HEALTH

Arlynn Venema

LEGISLATIVE

Phillip Rodriquez

HEALTH BENEFITS

Brigham Young (969-9343)

DIRECTOR OF RETIREES

Joe Zabriskie 973-6705 or 968-4208)

PAVEMENT POUNDER EDITOR

Gean Ryans (801) 541-2716

pavementpounder@attbi.com

Branch 111 Website

Branch111.com

National Association

Of

Letter Carriers

Branch 111

Branch 111 Vision Statement

Branch 111 will achieve solidarity through strength. Our strength will be the result of empowering our leaders and members through education, training, and involvement. We recognize our obligations as we embrace the principles of integrity, open communication, and unity.