

Official Publication
Of Branch 111
Home of the
“Wasatch Branch”

Branch 111
Chartered
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The Pavement Pounder



JULY 2003

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

The President's Corner

By Mike Miller

First of all I want to let all of you know that our Business Agent, Paul Price will be in town the night of our Union Meeting on July 12th, so I encourage all of you to be at the meeting. What he is coming to town for is to speak to us on legislation and the upcoming reorganization of the Postal Service. He will be speaking to us on what we can do to help by encouraging our Congressman and Senators to vote the right way, so as to help secure a healthy Post Office for the future and more secure jobs for us and those who follow us when we retire. I'm sure that there will be many of you who will have a lot of questions that need to be answered, so if you want to listen to the NBA speak and be informed, be there on the 12th.

The next issue I want to discuss with everyone has to do with the ACO, and their insistence on asking for “The nature of your illness when you call in sick.” I also want to talk about the ACO operator asking those who call in for their symptoms or for you to diagnose yourself. As I have told the Stewards at training, I want a grievance filed on each of these incidences. I don't want you to make a digital recording of the conversation, but I do want each of you to write out a statement as to everything that the ACO operator asks you or says to you. And then call your Steward and inform him or her of the conversation.

The ACO is not entitled to know the nature of the illness, the only information they have a right to is that information which is required on the Form 3971. If the information is not required on the 3971 then the ACO operator should not be asking for it. I have had several people call and inform me that the ACO is asking them to diagnose themselves, we are no more a doctor then the ACO operator is and can no more diagnose ourselves then they can. Your answer in each of these cases should be to inform the ACO that you are not a doctor and all you can tell them is that you are ill and incapacitated and cannot perform your duties for the day.

The ACO is not entitled to sensitive medical information, nor are you required to provide it. In many cases the FMLA coordinator will demand medical information to establish eligibility for FMLA leave. The FMLA coordinator is not entitled to ask for that information over the telephone, even though he may think he is entitled to that kind of information. There are only two departments within the Postal Service that are allowed, under the Privacy Act, to have and keep sensitive medical information, one is the Injury Compensation Office and the other is the Medical Unit. The FMLA coordinator has no legal right to ask for or store sensitive medical information which is a grievance we will be dealing with in the near future.

Under Postal Regulation and the Privacy Act, the ACO is required, when they receive FMLA paperwork which contains sensitive medical information on it, to forward it to the Medical Unit so that it can be sanitized and then sent back to the ACO to be filed. But lets go one step further, if you are required to provide FMLA certification for an absence, please do not give it to your supervisor or the ACO, fax it directly to the Medical Unit %Nurse Joyce Halterman, who will in turn call the ACO and let them know whether or not you qualify for FMLA leave, and then sanitize it and forward it to the ACO to be filed.

Your not required to give the ACO any medical information concerning an FMLA qualified illness or injury. All you are required to inform the ACO of is whether or not the illness or injury qualifies for FMLA, and then the determination as to whether or not it actually does qualify will be determined when you turn in your paperwork to the Medical Unit or the ACO. You're not a doctor and neither are they, and therefore neither of you is qualified to make that determination, only your doctor is. And if the ACO requires you to get medical certification because you will not diagnose yourself or give him your symptoms, then get the certification and we will file a grievance for the cost of the certification and the improper conduct of the FMLA coordinator.

One more thing, your supervisor has the authority to determine whether or not you have to provide medical certification, not the ACO. The ACO can instruct you to provide certification upon your return to work, but if you disagree with the ACO's instructions, and you know you have never abused your sick leave and don't feel you should be required to provide certification, you have the right to call your supervisor and ask your supervisor if you have to provide certification upon returning to work. And if your supervisor disagrees with the ACO, then they have the authority to override the ACO and not require medical

certification. Your supervisor is the one with the authority, not the ACO operator. The ACO operator is not your supervisor and has no authority over you, they are simply an operator who answers the telephone when you call in sick.

I'm sick and tired of hearing people tell me how they were talked to by the ACO operator, and made to feel like they had to provide sensitive medical information or else they would be penalized, and it needs to stop now. But the only way we can stop it is to take notes of the telephone conversation and inform your steward so that they can file a grievance. Maybe when managers start to feel the pinch of all the grievance hours they have to eat because of the ACO's arrogance, they will start making the ACO take ownership for their mistakes and start making them eat those grievance hours.

One last thing before I sign off, I talked to several people about the ID tags that we have to wear at all time, and have it visible at all times. Many of whom were concerned with the fact that they did not want their full names to be visible to everyone they met on the street while delivering mail, especially women letter carriers. One thing we did establish is that you must keep the ID badge visible at all times, and I don't want anyone disciplined for not having it displayed on their person where it can be seen. But what I may suggest you do, if you are concerned about having your full name visible to everyone you meet, is to take a piece of white tape and cover you last name so that it is not visible.

I agree, there are some real sicko's out there, and you have every right to protect yourself from being stalked or pursued by one of them. Do the safe smart thing and protect your identity by covering up your last name on the ID tag, and if you have a problem with a supervisor or manager over this method, then call me and I will deal with it. Just don't take a chance; you have a right to protect yourself and your identity.

Vice President's Article

Let's Stand United

Each month when new union members show up to their first union meeting, I get the privilege of reading the oath or pledge to the new member. For those that had not had the opportunity to hear it, I am printing it here in the Pavement Pounder.

Friends, we extend to you a most cordial welcome to this Branch of National Association of Letter Carriers. "Do you, in the presence of these witnesses, pledge loyalty to the laws of the National Association of Letter Carriers now in force, and those that may be adopted in the future, assist in promoting the welfare and progress of the Association and endeavor to practice and maintain the principles upon which it was formed, **wrong no member or see no one wronged it you can prevent it**, and that you promise all this as one who loves your country, abides by your voluntary agreements and cherishes the good will of others? We are glad to have you join with us in the good work of this union, and hereby offer you the privilege of membership."

As I read the part about wrong no member or see no one wronged, what that means to me is: Don't complain to the bosses or supervisors about another carrier. Talk to the carrier if you have a problem with what they did, face to face. The worst thing that we can do as letter

carriers is to down grade another carrier, thinking that it will make you look better in their eyes. Remember if someone has a problem with you, it would be better if you heard it from him or her and not from the supervisor. We must not let management pit us against each other.

PTF's need all of our help. The postal service is going through PTF's rapidly (8 out of 10 don't make it through their 90 days). So remember: When you are giving away time, an hour is supposed to be what it would take you an hour to do, but if it is going to take the PTF more than that, let the supervisor know so that the supervisor does not hold the PTF to your standards. Most PTF's are being let go for safety infractions. By giving them just a little more than what they can handle will force them to think that they need to cut corners and avoid complying with some of the safety regulations, for fear they won't be able to make their times and the supervisor will be getting on them for not being fast enough. So let's help the new PTF out, communicate with the supervisor about the time you are giving away.

**One for all, and all for one.
Let's Stand United, not Divided!!!**

Kirk McLaughlin

Legislative Report-Phillip Rodriquez

On July 31, 2003 the final report outlining recommendations for postal reform will be sent to President Bush. The report will be the blue print for any legislation that Congress enacts into law. The report is vital because the majority of legislators are relying and using the report to guide them on the role of the Postal Service. When the Commission was created the worry of the NALC was that it was a just a "rubber stamp" to break the Postal Service into pieces given the administrations cozy

relationship towards corporate America. What will the report consist of? Will we be like other federal agencies whose wages and collective bargaining rights were stripped? Are we overpaid and under worked? Some key details have become public.

The final meeting before the report was held May 28 and 29. The NALC and many others have claimed that testimony provided was bias, geared toward an agenda that would ultimately

break the collective bargaining of our members. True to form this meeting was like the others, testimony that basically blamed the perils of the Post Office on the employees. Testimony was given to the committee by the following:

- **Financial experts from JP Morgan Chase** testified that 78% of operation costs are related to labor expenses.
- **Tom Rand of Aon Consulting** testified that “Postal workers are provided benefits that are **25%** more generous than those provided to comparable workers in the private sector.” Also, “Postal workers can retire at full benefits by age of 55, something that is rare in private sector, USPS workers contribute some 50% less of their own money to pay for these benefits.” The “USPS should be allowed some flexibility in how these benefits plans be provided (subject them to bargaining, particularly with regard to benefit features.) The “only way the USPS can get the “comparability” requirement of the Postal Reorganization Act is by making downward adjustments incrementally.” Slowly reduce benefits that our members have earned.
- **Jim Martin, President, 60 Plus Association** testified that “USPS should get back to the core business of delivering the mail. Forget Priority and Express Mail.”
- **David Walker, Comptroller of the United States** testified that “The Whole issue of whether the USPS should continue to participate in the federal health program (other federal agencies contribute only 75% of health care premiums) should be considered.”
- **Vincent Palladino, President, National Association of Postal Supervisors** testified “Rural Letter carriers can provide many of the services that are provided by other postal employees, and more can be expected.” Also, “performance based compensation should be extended to

the entire postal workforce.” Mr Palladino stated “variable incentive pay is an excellent vehicle for motivating employees and changing behavior.” I guess Mr Palladino assumes that employees a need some sort of behavior modification. “Incentive should be linked to customer satisfaction through measurement of attainment of product and service guarantees.” Should our pay be determined by the performance of other entities of the Post Office. If the plant cannot process mail to meet pre-determined goals should carriers be penalized?

- **John Potter, Postmaster, Unites States** testified that the “collective bargaining process can be improved with a negotiating process that puts ALL compensation and benefits on the table.” Also, the collective bargaining process should be streamlined via mediation.” Mediation has no authority to settle, so theoretically we could work without a contract indefinitely. “Management needs the ability to compensate new and current employees differently.” Everyone knows that management treats everyone fairly and would do so with our pay.
- **James Holsen, vice president of industrial engineering for UPS.** Why would our competitor be invited to the last meeting while NALC, Mailhandlers or APWU were not? How many carriers or clerks were invited to testify?

This type of testimony is the basis of all findings and recommendations that will be sent to President Bush. This testimony is bias and fits a political agenda that has catered to corporate America at the expense of workers. Co-chairman Harry Pearce has said several of the nine panel members “were focused on building an incentive package into their recommendation to President Bush.” Implementing a new pay system called “pay for

performance.” Although the details are sketchy, some key facts are known. The incentive will consist of three items, **1)sick leave 2)customer satisfaction and 3)performance standards.** If a employee uses sick leave for their children would they meet the standard for a full paycheck? What kind of performance standards? Will the same standard apply to every route? Does every carrier deliver at the same pace? Will it be one standard for every carrier? Will management unilaterally set the standards? Will our union have a voice in any performance standards? Are we willing to take that chance with our hard earned money?

It is time to fight for our wages and benefits. We enjoy benefit and wages that were fought and earned by our members. Can they be taken or rescinded by a report? Thousands of federal workers who enjoyed collective bargaining no longer have guaranteed salary and benefits

because of Homeland Security. I bet they thought being a federal worker they were safe from the lay offs or reduction of benefits. They were not safe from a few whose political agenda is for corporate profits at the expense of men and women losing their jobs. All of our members cannot afford not to get involved because everything is on the table for reform. It is as simple as writing a letter. I have sample letters and address's to our elected officials. If you need help in writing the letter call me. We need everyone for this fight. Remember, if you write a letter send me a copy or hand the copy to your shop steward. I keep count of letters sent to legislators and report the count to our national legislative representative. Also with the copy of the letter your eligible for the monthly drawing at the union meeting. In July's union meeting our National Business Agent will speak to our membership concerning Postal Reform. I would encourage everyone to attend!

Solidarity

(Unity of Purpose)

The meaning of solidarity. Do we understand it? Do we believe it? Do we practice it? Do I believe in the Union? Do I support the union? Do I understand the meaning of Unity? As I write this article I ask myself these questions, and wonder, just how many of my brother and sister union members think this way? Are we taking for granted the union? Or do we feel that the union is just a blanket of security? I'd like to see union members actually unite, like in the original union movement. Picket signs, fighting for their jobs, their rights, doing whatever is necessary to ensure that they do have job security along with everything else we have fought for. Taking another members side without any questions. Saying yes, I believe in what my brother or sister member is doing and will stand by them united against what management is trying to do, if we don't agree. But I guess at this point this sounds like fantasy. Far to many times I hear of union members going against each other, without even knowing what's going on. You see union

members turning on each other, writing statements for management to harm a brother or sister member. Has the meaning of unionism been lost in the fruitful past of "contract negotiations"? Have we gotten comfortable, knowing that our union stewards and officers will take care of whatever happens? Have we told ourselves "I might not agree with that, but if the union feels that strongly there must be something there"? When was the last time that you saw a supervisor stand up for a carrier against a Manager, a station manager against a district manager, or a district manager against regional manager, and so on. Case in point. I recently did a grievance where I couldn't even find one out of many people from management, who agreed with and could see the logic in the issue, but would not change what was being done. They would not go against their people, (P.O.) **Everyone stuck together.** Sound familiar? Management is using union methods against the union, and will keep doing so until, we as a

union join the ranks **of SOLIDARITY** against them.

Definition of Union: act or instance of joining 2 or more things into one or the state of being so joined.

In brother Wahlquist's article in last month's pavement pounder, he touched on a story of a little town. Are we that town? Are we comfortable feeling that others will carry us? Should we be comfortable carrying others (non members)? I'm not here to tell you not to befriend non-members but rather not to forget who are the members and what the meaning of

unionism and solidarity are. Stand by your members who support both you and the wonderful organization that they belong to. Go out and tell your non-member friends that they too should be part of this organization. Don't wait until they finally get into trouble before you do. Your union didn't get the contracts or benefits as a last resort but rather they worked hard and paid for them. Not only with sweat or money but **SOLIDARITY**.

Tom Giron

NALC Organizer

SAFETY & HEALTH

WHAT'S UP

What's up Branch 111? The number of safety related discipline has gone up significantly in the past few months. Injuries and accidents are down about 30% from the same time last year. Most carriers aren't being disciplined for getting in the accident, but for a safety infraction that may or may not have contributed to it. A lot of safety violations are getting letters of warning, (L.O.W.'s) 7 day, and 14 day suspensions. Many times, the carrier hasn't even received a discussion to inform him/her that a specific safety rule has been violated. Some carriers are receiving suspensions because they've had too many accidents and now there has to be a stop to it! (Management doesn't see any accident as unpreventable). While some of us have made mistakes, I don't think anyone wants to have an accident! If I received a L.O.W. for driving without my seat belt fastened, then the next day was caught without my hand brake set, is it

now justifiable to be given a 7 day suspension for the hand brake charge? Of course not! Two separate rules were violated. . All discipline should be grieved. See your shop steward if you have questions!

Now, to change the subject, pull bars are being made and each station will be receiving at least one, very shortly. Pull bars are about 2 feet long, hooked at the ends, and are used to pull frays, tubs and parcels towards the back door of the delivery vehicle. We feel the bars may greatly reduce back injuries, because now carriers won't need to climb in and lift trays toward the back of the vehicle. Ralph Hamilton needs a big pat on the back for producing the bars for us. Also, Tom Giron, a carrier in Murray, for coming up with the idea! Until next time, **BE SAFE!**

Arlynn Venema

Director of Retirees: Joe Zabriskie

The National Association of Letter Carriers honors retired letter carriers for long-term membership in the NALC.

To make sure that we as Branch 111 don't miss out on the opportunity to do this honor, we need your help.

If you have any kind of documentation that you have been a member in good standing for, at the least, 50 years, please contact the secretary, Sharla Groves or Joe Zabriskie, and give us the information we need so we can notify the National Association so you can be put on the honor roll and receive your gold card.

You can contact Sharla at the Union Hall telephone number 801-973-6705 or myself, Joe Zabriskie at 801-973-6705 or 801-968-4208.

I will keep you informed of other retiree issues such as the annual retiree's dinner, and other items of interest.

FOOD DRIVE

Here are the food drive totals and the winning Station for Branch 111 for having collected the most food per possible deliveries in their Office. I will have the totals for the state and how we will divide the state up for the plaques. The totals were surprising in some cases. We need to find out what they did to get such good participation. We did a good job in spite of the rain. The total for Branch 111 was 438,559 lbs., and for the State as a whole was 907,333 lbs.

We want to let the Rural Carriers know how much we appreciate their participation this year and that we want them to continue to work with us in the future. As a team we can do some great things.

POUNDS PER DELIVERY

1. Tooele	1.90 lbs
2. Millcreek	1.88 lbs.
3. Bountiful	1.84 lbs.
4. Magna	1.75 lbs.
5. Cottonwood	1.50 lbs.
6. Alta Canyon	1.43 lbs.
7. Foothill	1.42 lbs.
8. Sugarhouse	1.29 lbs.
9. Holladay	1.26 lbs.
10. West Jordan	1.17 lbs.
11. Sandy Main	1.01 lbs.
12. Northwest	.97 lbs.
13. Lehi	.95 lbs.
14. Midvale	.92 lbs.
15. Kearns	.90 lbs.
16. Murray	.87 lbs.
17. West Valley	.86 lbs.
18. Downtown	.69 lbs.
19. South Salt Lake	.678 lbs.
20. Custer	.676 lbs.

Michael M. Miller
Utah Sate Compensation Specialist
Branch President
Branch 111, NALC

NALC Health Benefit Program

CONTACT BRIGHAM YOUNG AT 969-9343 BRANCH 111 HEALTH BENEFITS REPRESENTATIVE

ATTENTION MEMBERS: Have you turned in your HIPAA Privacy Rule Personal Representative Authorization form?

This form allows you (the “individual”) to give the NALC Health Benefit Plan authorization to disclose your protected health information to a person that will act as your personal representative. The information covered by this authorization is protected health information, including identification of treating providers of care, diagnoses, procedures, and personal information—such as your date of birth and mailing address.

Each family member, including each adult child (18 or older, as determined by state law), who wishes to name a personal representative, must complete an authorization form. You are not required to name a personal representative, but if you do not, we will not release your personal health information to someone who may call or write on your behalf.

If you need HIPAA Privacy Rule forms, call 1-888-636-6252. Call before 2:00 P.M. because they are on Eastern Time. If you have any questions, contact Brigham at 969-9343.

Director of Retirees

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Joe Zabriskie

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I will keep you informed of other retiree issues such as the annual retiree's dinner, and other items of interest.

In Memory of

Phillip Faust

Irene Vann

Reid Young

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.

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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 is 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

JUNE 2003		
5th	Exec. Board meeting	6:00 pm
12 th	Branch meeting	6:00 pm
18 th	Stewards meeting	6:00 pm

JULY		
3rd	Exec. Board meeting	6:00 pm
10 th	Branch meeting	6:00 pm
16 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)

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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.