

Official Publication
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Home of the
“Wasatch Branch”

Branch 111
Chartered
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The Pavement Pounder



DECEMBER 2003

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

The President's Corner

By: Mike Miller

Well, tomorrow is the November union meeting and once again we will be doing the drawing for the progressive door prize. Last month we did not have a meeting so the progressive door prize is up to \$100, but you have to be at the meeting to win. Not only will you go away more informed than when you came, you may also be lucky enough to win \$100 this month.

The November meeting will also be the drawings for our traditional Thanksgiving Hams and Turkeys. We have 15 hams and turkeys to give out at the November meeting so be there, you may just win your Thanksgiving dinner, or a Thanksgiving dinner for someone less fortunate than yourself.

We also have self-nominations for delegates for the National Convention in Hawaii. I have a list of 40 members who, according to the bylaws, have attended enough meetings to be eligible for funding as a delegate to the convention, but if you're not at the meeting you won't be able to nominate yourself to be elected as a delegate for the National Convention, unless of course you have someone else nominate you. Once nominations have taken place we will be voting at the December meeting to determine who will be a delegate and where everyone will fall in the pecking order for funding. It pays to attend your union meetings.

We also have open season for Health Insurance going on right now, and I would like to talk about this for just a moment and encourage each of you to seriously consider signing up for NALC Health Insurance this next year. Our national officers have repeatedly told us that if every letter carrier were to take NALC Health Insurance, none of us would have to pay any premiums for our coverage. That's quite a promise, how would that be not to have to pay the \$30 or \$40 every pay period for your health benefits, that's something I think I could live with.

Our NALC Health Insurance is the best insurance available to postal employees right now. If you will look closely at the comparison booklet sent out to all postal employees, you will see that the NALC Health Plan is the highest rated health plan available as far as servicing claims goes. And the coverage provided by the NALC Health Insurance Plan is the best coverage available to letter carriers at this time. Take a good hard look at OUR health insurance plan, and give serious consideration to switching over if you don't already carry it. The more letter carriers that carry the NALC Plan will help to reduce our premiums and increase our benefits within the plan. The NALC Health Insurance premiums are very competitive this year and continue to get better each year. I personally carry NALC Health Insurance

and it is some of the best health insurance my family and I have ever carried. Do yourself and your family a favor and buy NALC.

Well, enough with trying to motivate you to come to the meetings and support the NALC by carrying our insurance plan, I want to take a moment to wish you all a very happy Thanksgiving this November. We all have a lot to be thankful for this year, overall this has been a very good year for all of us.

I personally have a great deal to be thankful for this year. As your Branch President I have had the privilege and the opportunity of working with some of the best branch officers that I have every worked with in all of the years I have been involved with the union. I feel very fortunate that the body supreme elected an incredibly talented group of members to serve with me in this administration. I could not ask for a better team of Stewards and Formal A Reps then those I have now. Your representation in this branch could not be in better hands. In my opinion, Branch 111 has some of the best, well trained and seasoned Stewards and Formal A Reps in the Pacific Western Region. Working with talented professional people like these has made my first year as your Branch President one of the most enjoyable and rewarding experiences of my career, an experience I wouldn't trade for anything. And last but not least I have truly enjoyed getting to know each and everyone of you that I have had the opportunity of working with this year, there is nothing more I enjoy more than helping and serving the membership. I wish all of you a very happy and prosperous Thanksgiving Holiday, and a very Merry Christmas as well if the next pavement pounder doesn't reach you before Christmas.

Progressive Drawings

The progressive drawings for the November 13th union meeting went as follows:

For the Retirees progressive drawing for \$25, James Holbrook's name was drawn, but James was not at the meeting. James, if you had been at the meeting you would be \$25 richer now. So the Retiree's progressive drawing for December 11th will be for \$50. This drawing is only for retiree's, and you must be at the meeting to win, so lets see you out at the next meeting.

The progressive drawing for Brookfield Uniforms, which is for \$15 each month, starting with \$30 this month went as follows; Jay Eden's name was drawn, but Jay was not at the meeting to receive the \$30 prize winnings. Now the total to be drawn for in the December 11th meeting from Brookfield Uniforms will be for \$45. And you have to be there to win, so be there.

Now the results of Branch 111's progressive for \$100 this time went as follows; David Herpich's name was drawn, but he wasn't there either. Dave, where were you, you could have won \$100 to buy Christmas presents with or something for yourself, but you weren't here to collect your winnings, and

you have to be present to win. Next time be there! Next month at the December meeting the Branch 111 progressive drawing will be for \$125, but you have to be there to win.

Branch Announcement

At the November meeting the membership voted on motion to increase the bounty for signing up new members from \$25 to \$100.

The Body also voted on restrictions for this increase in funding for signing up new members to the union. Those restrictions are that there is a time limit on receiving a \$100 bounty for signing up a new member. That time limit begins on November 14th 2003 and ends on December 31st 2003. So you only have a month and a half to get that non-member to sign up and join our team.

The second restriction placed on the \$100 bounty, is that it only applies to non-members who have been a letter carrier for at least a year and have not been a member during that period of time, or someone who resigned from the union and has been a non-member for at least a year. This bounty is for signing up those who have been a non-member for at least one year or longer. So get out there and sign up some of those non-members, they make great members for Branch 111, and we need them on our team.

Now that doesn't mean that you won't get the \$25 bounty for signing up those who have been a non-member for less than a year. You sign up someone who has been a non-member for less than a year and I'll send you a \$25 check so fast it will make you head swim. Remember our goal is 90% membership.

Vice President Article

Kirk McLaughlin

We just celebrated the Veterans Day Holiday, and I hope everybody expressed their thanks to all veterans who served in the armed forces, because of their sacrifice they made so that we and those in other countries could have the freedom that we enjoy today. Our thoughts should also be with the young men and women that are now serving our country and trying to make this world a better place. We are about to have another holiday, that being Thanksgiving, which is a celebration of those who were willing to come to a land they knew nothing about in order to have the freedom to worship as they wish and live their lives without prejudice. Christmas is also coming up and it is a Holiday spent in giving, whether that being in the form of a gift, time, or expressing your feelings for family, friends and loved ones.

My union brothers and sisters, your shop steward gives of his/her time, helps protect you from abusive supervisors and managers. They fight for you day in and day out and are your front line of support. You don't always see or hear what your steward is doing behind the scenes to try and keep things as comfortable as they can be on the workroom floor. Do you realize that your steward gives up annual

leave in order to be trained when they go to Stewards College, where they usually don't get to bed until the wee hours in the morning because of all the homework they have to do. They also use their annual leave to go to RAP sessions (regional training), right there is at least 2 weeks of annual that they take to keep up on the contract and other issues that effect us as letter carriers on the workroom floor everyday. What do the stewards get out of being a steward is knowing they are helping others who might not know their rights or how to defend themselves. They are a sounding board for those who feel that management has taken advantage of them because they don't know all the rules. What I am trying to say, is that your stewards live everyday protecting, serving and giving of themselves, and never ask for anything in return, except a thank you and a kind word. Telling your steward thank you will go a long way into making the steward feel that the hard work they have done is not going unnoticed or unappreciated.

We just had our annual shop stewards dinner, which is our way as branch officers to show our thanks for a job well done by all the stewards out there. Each year we pick a steward of a year. This year all stewards and assistant stewards voted on whom they felt qualified as the Steward of the Year in a secret ballot. This year's steward of the year, picked by his peers, was Mike Wahlquist. Congratulations to Mike for a job well done.

So the next time you're about to say something negative about your shop steward, think of all the hard work and time he has put in for the carriers in your zone. Just because the decision that comes out of a grievance is not to your liking, remember the steward can only hold management to the contract and not always are we entitled to what we want.

Happy Holidays and a great New Year to all.

Director of Retirees Report

A good time was had by all who attended the annual retirees dinner at the Home Town Buffet on the 18th of September 2003. Many door prizes were given, the food was great and the company was the best.

With a sad note we lost one of our retirees Alfred J. Anderson, he passed away on October the 25th.

To help our attendance at our scheduled union meetings, we plan on having a progressive door prize of \$25 for retirees only in addition to the regular door prizes and the regular progressive door prize.

As director of retirees, I am inviting all retirees who can make it to the union meeting on December 11th, to come out and have a good time with the regular active Letter Carriers.

I enjoy representing you retirees, and I am open to suggestions to make our organization better.

Feel free to call me (968-4208) or President Miller or any other officer of the branch who can help you with problems that you might have, such as insurance, death benefits or any other general retiree questions.

Director of Retirees
Joe Zabriskie

Jim Kerekes - MBA/OWCP

Appeal Rights of OWCP denied claims. Three means of appeal are :

1. Reconsideration
2. Hearings and Review
3. Employees' Compensation Appeals Board (ECAB).

Each of these have their own time limits to appeal by, a different address to mail it to, also different advantages and disadvantages to think about when choosing which appeal option to use.

Reconsideration: 1 year from the formal OWCP decision is the time limit. It's addressed to the District OWCP office that made the decision. The request must be in writing and must provide the reason for which your appeal is based and have information to support the request. To have success in a reconsideration the employee or his/here representative must do one of three things.

1st : Make a case with arguments and have evidence to point out to OWCP that they erred in their application or interpretation of a specific point of a law.

2nd : Present an argument not previously considered by OWCP.

3rd : Have new supporting evidence not previously considered by OWCP.

All of this information when sent in is reviewed by an examiner who did not previously look at the claim. That examiner will then issue a decision. If the employee wants to appeal that decision they can only appeal it to the ECAB not the Hearings and Review. Reconsideration appeals may be a good choice of appeal if a claim was derived based on a lack of medical evidence. An example is, the doctor didn't provide strong supporting evidence and arguments or didn't send the claim in on time. In this situation the doctor can write the information after the denial. Then it is sent in for Reconsideration. This may only take 30 to 60 days.

If the claim was denied on the basis of law interpretation, then Reconsideration may not be the choice to use for an appeal. When a point of law interpretation is involved many claims examiners will talk to the others in the OWCP office. Many of them usually agree on the interpretation of the laws.

Reconsideration maybe the best choice when there is lack of medical evidence. .
Again if you choose reconsideration you can not appeal to Hearings and Review.

Hearings and Review: The time limit for this is 30 days. It must be post marked within the 30 days of the denial of OWCP. This one is sent to Washington D.C. NOT to an OWCP district office. You request one or the other of a Hearings or Review. A Washington OWCP Rep. conducts the Hearing or Review. If you request an oral hearing you send a letter with the name of the claims examiner, date denied, and the claim number in bold. For a Review of written records you do the same - name of examiner, date, and claim number in bold. Also in either appeal include your name, address, phone, and sign it. This is like a reconsideration except it is being done by a Headquarters Representative in Washington.

When an Oral hearing is going to be done, it is usually within a 100 miles of the employees' home. It is scheduled 6 to 9 months after the appeal. About 30 days before the hearing the employee is notified when the hearing will be.

The employee can submit written evidence, testimony and argument at the hearing. A Representative may attend with the employee. A court reporter is there to record all testimony. The Hearing Rep. is not bound by formal rules of evidence.

An employer rep. may be present, but cannot participate, only if requested to do so. A recorded transcript is given to the employee and the employer. The employer has 20 days to review and submit any additional information. Then the employee has 20 days to review the material submitted by the employer.

When an interpretation of the law is in question, then an appeal to Hearings and Review maybe a good choice because it would be reviewed by an OWCP Rep. not in the district office. If you request an oral hearing, you can at least get a 6 month preparation from the date of your appeal. Sometimes you can choose an oral hearing for a case that was denied because of the lack of evidence. Then you would have 6 months or more to get more information. If the information is gotten soon enough, you could write to Hearings and Review to change it from an oral hearing to just a review of the written record.

EECAB: The Employees' Compensation Appeals Board. This is the highest Appeals one can choose. It has three members. They make the final decision on appeals. It is the end of the line. OWCP must do what their decision states. You have 90 days from the date of the decision being appealed. No additional information is submitted. Only what is had up to this point is considered. A downside to this appeal is that it may take two years for a decision. So in all of the three choices (Reconsideration, Hearings and Review, and ECAB), that are available to injured employees, the best choice depends on the facts in each case.

Jimmy Kerekes

NALC Health Benefit Plan

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

NALC HEALTH PLAN HOLDS DOWN RATES FOR 2004.

"OPEN SEASON" BEGINS NOVEMBER 10 THROUGH DECEMBER 8.

"BEING COVERED BY A FEDERAL HEALTH PLAN IS ABOUT AS SECURE AS IT GETS WHEN IT COMES TO HEALTH BENEFITS THROUGH EMPLOYMENT."

BE SURE TO CHECK OUT THE NALC HEALTH BENEFIT PLAN.

You will receive informational material from the Plan that will help you in making that all important decision about health coverage for 2004. Our First Health PPO Networks provide a great selection of providers that are very accessible to the vast majority of letter carriers. The same is true of United Behavioral Health's network for those in need of mental health and substance abuse. Couple those two networks with our great prescription drug benefit administered by Caremark and you have a health plan that truly meets the needs of letter carriers and their families. I will have more information for you at our next Union Meeting.

Employee contribution rates that will become effective in January 2004 for active letter carriers and annuitants in the plan are shown below.

Active Carriers:	(biweekly)	Self-Only	Self & family
		\$29.76	\$42.75
Annuitants:	(monthly)	\$111.98	\$201.03

"We are rated number one among all of the available, nationwide fee-for-service plans (by combining) an outstanding benefit and premium package with great customer service."

Remember, all it takes is an act of Congress to eliminate our Health Benefit Plans. So please take interest in what "Bills" are before the House and Senate. So act accordingly.

*****Please Take Note*****

You must have 5 consecutive years in a Federal Employee's Health Plan to qualify for Health Insurance when you "RETIRE".

On Tuesday, November 25, 2003, I will be at the main Post Office to answer questions on the NALC Health Benefit Plan. from:

6:00 AM to 8:00 PM

11:00 AM to 1:00 PM

5:00 PM to 7:00 PM



Be sure to visit the branch web page at (**branch111.com**). There you will find lots of branch news and activities. You can also send the branch officers email by from this page by clicking on their picture or their name.

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

DECEMBER 2003		
4th	Exec. Board meeting	6:00 pm
11th	Branch meeting	6:00 pm
17th	Stewards meeting	6:00 pm

JANUARY 2004		
4th	Exec. Board meeting	6:00 pm
11th	Branch meeting	6:00 pm
17th	Stewards meeting	6:00 pm

OFFICERS of BRANCH 111

PRESIDENT Mike Miller - (801 598-0778)
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)
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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.