

The Pavement Pounder



FEBRUARY 2004

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

The President's Corner

By: Mike Miller

We have several carriers complaining about the fact that they have to pay \$5.00 to replace their badges. And I don't blame you; I don't want to have to spend \$5.00 to replace something that I'm being required to wear by my boss, that should be their obligation to replace it, not mine. But the fact is that Section 277 of the Administrative Support Manual states that they do have the right to charge us \$5.00 to replace lost badges.

So don't wear your badge in such a way that it can easily drop off. The badge has to be worn in such a way that it can be easily seen, not in your pocket or in your vehicle; it must be in plain view on your person. Some of us clip the badge onto a Lanyard around our necks, when you do wear them around your neck in this fashion, make sure you put them inside your pocket when lifting parcels or trays of mail, if you don't it will unclip the name tag and drop on the ground and that will cost you \$5.00. Then be sure to take it back out of your pocket. Or you may want to secure it in some other way to prevent it from dropping off.

But when it comes to damaged badges, you do not have to pay the \$5.00 fee to get them replaced. If your badge is damaged, make sure that you give it to your Supervisor and ask for a replacement badge. Some of the badges that have been lost in the past have been because of damage to badge. If you get the damaged badge replaced before it gets lost you will not have to pay the \$5.00 fee. I see carries every day wearing badges with staples in them or tape because they are broke or cracked, get them replaced.

One last note on that, they are starting to crack down on employees not wearing their badges, or not wearing the badge where it can easily be seen. I've been informed by the Postmaster that they will be

sending carriers home on LWOP who do not have their badges with them when they come to work, and I'm sure they have something special planned for those who regularly don't have their badge when they come to work or those who simply don't have it on them or in plain view when they are observed on the street.

It is a simple thing ladies and gentlemen; just wear the badge in plain view whenever you're on the clock. Article 3 gives

management the right to require us to wear ID badges, and there is no percentage in trying to fight it, and I don't want anyone disciplined for not wearing theirs. It's not worth the grief.

Enough of badges for now, I need to talk about COLCPE contributions for a moment, particularly COLCPE automatic deductions. I've been asked to appeal to the membership of Branch 111 to use PostalEASE and set up an allotment for an automatic deduction for COLCPE. Out of all of the thousands of active letter carriers in the Postal Service today only 2000 have taken advantage of the automatic deduction for COLCPE by using PostalEASE, only 2000 members, that's sad brothers and sisters. 98% of all active letter carriers have not used both of their allotments they are allowed. That means that only 2% of all letter carriers have used both allotment slots up.

Never at any other time in history have our benefits and jobs been more at risk then now, and never before have our national officers needed our help more than right now. Brothers and Sisters, it takes money to lobby and fight for our jobs, it takes money

to fight to keep binding arbitration as part of our benefits, it takes money to lobby for meaningful Postal Reform so that the Postal Service can survive another 200 years of service to the American people. Brothers and Sisters, I don't just want the Postal Service to be around until I retire, I want it to be around long after I'm gone, and I want it to be healthy and financially sound so that thousands of others after me can retire after a career of carrying mail.

If all our membership in the NALC don't start taking this situation seriously, and making a commitment to COLCPE now, we have a very good chance of losing everything our National Officers have worked so hard to obtain for us over the years by negotiation. All it takes ladies and gentlemen is one vote to wipe everything off the slate, and that is just exactly what many of them are trying to do.

All our National Officers are asking of us is to commit to \$1.00 a week for COLCPE by using PostalEASE. That's just \$2.00 a pay period coming out of our check to help save the Postal Service and our jobs. \$2.00 a pay period brothers and sisters, each of you spend that much in one day for a drink to go along with your lunch. \$2.00 is a drop in the bucket for anyone of us, and I seriously doubt \$2.00 a pay

period will hurt any of us, but an automatic deduction of \$2.00 a pay period from each and every one of us will help save the Postal Service and our jobs, that brothers and sisters is a fact. Personally I would rather give up a drink in a heartbeat once every two weeks just to save my job now and secure the jobs of every letter carrier that follows after me. That's only 14 cents a day that they're asking us to give them to help fight the fight for us.

As I said before, nation wide there have only been 2000 carriers take advantage of the direct deposit through PostalEASE for COLCPE. I want to show national that Branch 111 has more commitment to COLCPE than any other branch in the country. I want all 786 active letter carriers our branch to sign up through PostalEASE now and commit to at least \$1.00 a week, that's almost half the number nationally that have signed up so far. And if you can afford to commit to more than \$1.00 a week Brothers and Sisters please do, we need your support. I want National to know that Branch 111 of the NALC supports what they're trying to do for us 110%. Brothers and Sisters, this is the year that everything is going to happen, all the big meetings on Postal Reform are scheduled this year in preparation for a vote, right now is when they need our help, not after the vote has been taken.

Vice President's Article

Kirk McLaughlin

It has been brought to the attention of this Branch that **Labor Relations** is instructing their Managers and Supervisors not to sign or initial investigative notes from the steward when they have been interviewed, nor will they write statements for the NALC. In our opinion they have taken this position so as to have deniability later when they wish to change their story, **(In other words they are laying the foundation to lie).**

In response to this we are asking letter carriers not to give written statements to management at any time for any reason and do not to initial any investigative interview notes that management has taken. Management is right; they do not have to write statements nor do they have to sign investigative interviews to verify accuracy. But neither do we, management cannot require you to write a statement or sign investigative notes. But we do have to cooperate in their investigations, but that does not include statements, all you have to do is honestly answer all their questions, period. Do not be duped into thinking you have to write a statement, request your Steward to be present in all those situations.

Well, it's that time of the year again to go over holiday scheduling. I have printed below JCAM Article 11.6, which deals with Holiday Scheduling, and these are the minimums that have to be followed. If there is a **Local Memorandum of Understanding** then that must be adhered to. Help your steward out, and if you notice that the schedule is wrong, let your steward know so that it can be corrected before there is a need for a grievance. We do not want gotcha grievances; we have an obligation to inform management of a possible grievance in order to correct the problem.

The intent of Article 11.6 is to permit the maximum number of full-time regulars, full-time flexible's and part-time regular employees to be off on the holiday should they desire not to work while preserving the right of employees who wish to work their holiday or designated holiday.

Article 11.6.B provides the scheduling procedure for holiday assignments.

Keep in mind that Article 30, Section B.13 provides that "the method of selecting employees to work on a holiday" is a subject for discussion during the period of local implementation. The Local Memorandum of

Understanding (LMOU) may contain a local “pecking order.” In the absence of LMOU provisions or a past practice concerning holiday assignments, the following minimum pecking order should be followed:

- 1) All casual and part-time flexible employees to the maximum extent possible, even if the payment of overtime is required.
- 2) All full-time regular, full-time flexible and part-time regular employees who possess the necessary skills and have volunteered to work on their holiday or their designated holiday—by seniority.
- 3) Transitional employees

4) All full-time regular, full-time flexible and part-time regular employees who possess the necessary skills and have volunteered to work on their non-scheduled day—by seniority.

5) Full-time regular, full-time flexible and part-time regular employees who possess the necessary skills and **have not** volunteered on what would otherwise be their non-scheduled day—by inverse seniority.

6) Full-time regular, full-time flexible and part-time regular employees who possess the necessary skills and **have not** volunteered on what would otherwise be their holiday or designated holiday—by inverse seniority.

Solidarity Always:

Injury Compensation

By Jim Kerekes

I’ll start out with a reminder that I’m at the union office on Wednesday nights. Usually about 5:30 to 7pm. Last month I wrote basic information on CA-1, CA-16, and CA-17’s. This time I’d like to write about CA-2’s. It’s been written about before. I’d like to try and help all learn how to fill it out properly. CA-2 has many parts, so I’ll take a few months of articles to cover it. Page 1 of a CA-2 has 18 sections to fill out. Part I is Employee Data.

1. Name.,
2. Social sec. Number,
3. Date of Birth,
4. Sex,
5. Telephone,
6. Grade as of date of last exposure.. Number 6 is now either a Grade 1 or a Grade 2. The step is A-O depending on your years of service. 7. Home Mailing Address. 8. Dependents (be sure and include all eligible dependents, so if you get a payment from Workman’s Compensation, you’ll get 75% of your basic wage.) If you pass away, your survivors will claim benefits.

The next section is Claim Information. In this article I’ll mention only numbers 9-11. Number 9. is your occupation. 10. Location where disease or illness occurred. 11. Date you became aware of the disease or illness. (this is when you think it happened or your awareness of it.)

Next months article will be the rest of the front page of the CA-2.

Progressive Drawings

month we had a retiree win the drawing, congratulations Don McOmie; you

Well our January 2004 meeting did not produce any winners for the progressive drawings this time. Last

won \$50.00 last month for attending you Branch Union Meeting. At the January meeting Dick Holt's name (Who used to be my

Mailman in Magna) was drawn as the winner of the progressive drawing for the retirees, but you weren't there Dick. If you had been there Dick you would have won \$25.00 to have fun with. Next month the Retiree drawing will be for \$50.00 at the February 12th meeting.

For the Brookfield progressive drawing, Catherine Barajas' name from Sugarhouse was drawn to win \$60.00, but she was not at the meeting either. Think of what you could have done with \$60.00 Catherine, had you been at the meeting. And think of all that information you would have been exposed to as to what is going on in the Union right now. Our next Brookfield progressive drawing will be for \$75.00 at the February 12th meeting.

For the Branch 111 progressive drawing, which has soared to \$150.00 for the January 8th meeting, Kori McNeill's name was drawn, and

she wasn't there either. Kori, you just lost out on \$150.00 of pocket money, you could have bought yourself one hell of a toy for that kind of money. I'd kick myself if I missed out on that kind of money simply because I didn't go to my regular Union meeting. Well, maybe next month someone will be there to win a grand total of \$175.00 at the February 12th meeting.

Union meetings aren't just about winning the progressive drawing, although it is great bonus, it's about getting informed as to what is going on in your Union and becoming better informed as to what your rights are and what is needed of you, by your Union, to help protect those rights. We are in risky times right now Brothers and Sisters, and now more than ever, you need to know what is going on in your Union. So please come out and be informed, as well as enjoy the comradery of your fellow carriers, be there and be informed!!

UNREALISTIC EXPECTATIONS

I remember being a PTF, when seldom did an hour and a half relay, take me only an hour and a half. Usually, it took longer. I asked where travel time for the relays was, and the supervisor responded; "it's built into the relay." Yeah right.

Being a PTF also translated into the expectation of being a "runner." In my own attempt to live up to the expectations of my supervisor, I broke rules, skipped breaks and took a shortened lunch at the end of my tour. Maybe, just maybe, I thought, the supervisor would say I did more than they expected. One day, I finally realized that all along, I had been only cheating myself. I could never live up to their expectations. For instance, if by myself I did "all" of the routes and auxiliaries in my station, it still would not be enough. Next, I would be expected to do it in under-time. Point is, expectations were like a carrot on a stick, held out in front of you and no matter how hard you tried, you never reach it. Then I realized there are two different extremes of letter carriers.

First there are those who you can almost set your clock by. Regardless of the time they leave for the street, they return almost exactly after whatever the street time is. Overtime is usually dependent upon how long it takes them to complete their a.m. duties. Second, there are those who are moving at such a fast pace, it appears that they are competing in some event, like a perpetual race. Sometimes these carriers request overtime and

rarely is their judgment challenged and their request met with denial.

I believe that most of us fall somewhere in between the two. We do the best we can, try to get all our scans and avoid problems. Sometimes too we might cut a few corners, bend a few rules, all to save time. And now who's hurt? It's nice to have a longer break or lunch and since we've "saved" a little time in the morning, we've earned it right? Well, reality is that's not in our contract. We get paid by the hour; "The principle of a fair days work for a fair days pay is recognized by all parties of this contract" (Article 34.A). It's also partly why routes are adjusted to the regular and not to the fastest carrier in the station.

It's in all of our best interest to take the time the route needs, follow the rules, and be consistent. If mail is lighter than usual and you don't need as much time, give it back. When volume is heavier than usual, request the additional time needed. If overtime is denied, call-in. (Now, it may take more overtime because we had to stop, secure mail, find a phone, call-in, return to the route, and resume delivery. All of this was not originally requested because we didn't anticipate the request being denied.) The worst possible thing to do now is break rules. If we break rules because overtime is denied and "now" we make it, we've proven the supervisor right—we didn't need the overtime. (Unless we tell them how we made it

back to the station on time, which I do not recommend). So, besides substantiating our “legitimate” request, following rules also builds consistency. If later, we’re

inspected or observed, no explanation will be necessary. It takes what it takes.

Phillip Dufek

DOIS & Office Time

DOIS which stands for “Delivery Operations Information System” is what many supervisors use to determine how much under-time you have. (Trying not to be sarcastic, sometimes supervisors actually determine the carrier needs overtime. However, few carriers actually seem to be advised of this. Rather, many only become aware of this when they receive approval for overtime on a 3996 and no argument.)

In a pre-arbitration settlement, (case # M-01444); the parties agreed that...Daily piece counts recorded (DPCR) in accordance with the DOIS (and POST, -Projected Office Street Time), will not constitute the sole basis for discipline. These procedures, in accordance with other management records may be used by the parties to support or refute any performance-related discipline. M-39 242.332 is still in effect, “No carrier shall be disciplined for failure to meet standards, except in the case of unsatisfactory effort which must be based on documented, unacceptable conduct that led to the carrier’s failure to meet office standards.” Furthermore, the pre-arbitration settlement dated October 22, 1985 provides that “there is no set pace at which a carrier must walk and no street standard for walking.” (Above taken from M-O1444, for an additional reference to street standard, see last month’s article and case arbitration case C-17434.)

Here are a couple more references contained within the handbooks and manuals that you may find of help:

Phillip Dufek

- Management must give you a day’s notice prior to giving you an office count of your mail to determine if you’re making office standard. Also, the carrier must be advised of the result of the count (M-39 141.2)
- During inspection, you are permitted to verify the count (M-39 221.131, and, M-01216).
- The standard (18 and 8) may not apply if you have over 25 years of service, or, if you are over 55 years of age. (M-39 242.214)
- If pre-cased flats and mail interfere with your casing of mail, the office standard may not apply. (M-39 122.32c2)

POST and DOIS, can become intimidating factors in the hands of someone whose intent is not to use them as “tools,” but rather as a means to intimidate others with. Joint statements and arbitrations state that intimidation or threats should not exist in the work place. In fact, the opposite should be true; “...it is the front-line manager who controls management’s attempt to maintain an atmosphere between employer and employee which assures mutual respect for each other’s rights and responsibilities.” (M-39 115.4) If you still have questions, ask to see your steward.

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.

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.

Dear Faithful Brookfield Customers and Friends.

I just wanted to let you know that I'm well and still here after my heart surgery in December. I will be getting back to the swing of things soon.

Sincerely:

George S. Taylor

National Association of Letter Carriers
2261 South Redwood Road, Suite 14
Salt Lake City, Utah 84119

Non-Profit
U.S. Postage Paid
Permit No. 1981

Calendar of Events

FEBRUARY 2004

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 (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 Rodriguez

HEALTH BENEFITS

Brigham Young (969-9343)

DIRECTOR OF RETIREES

Joe Zabriskie (801) 968-4208)

Branch Office (801) 973-6705

Fax (801) 973-6723

MARCH 2004

4th Exec. Board meeting 6:00 pm

11th Branch meeting 6:00 pm

17th Stewards meeting 6:00 pm

PAVEMENT POUNDER EDITOR

Gean Ryans (801) 541-2716

pavementpounder@earthlink.net

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.