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The Pavement Pounder



MAY 2005

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The President's Corner

By: Mike Miller



We seem to be having a problem with the Injury Comp office lately. By instruction from Injury Comp, managers are refusing to issue Limited Duty Job Offers (LDJO) to injured carriers with Occupa-

tional Injury Claims, making the injured carrier wait until after the claim has been adjudicated before issuing the LDJO and forcing them to take sick leave. The Union disagrees with this; it is the Unions position that once your attending physician says your injury is job related you have a right to a limited duty job offer.

The District Manager has issued a policy letter on Limited Duty Job Offers (LDJO) concerning on the job injuries that is being investigated and grieved at this time. Management is attempting to force the injured employee into using their

contractual benefits, sick and annual leave to take care of a job related injury. On the job injuries are to be taken care of with an LDJO and compensation, not your earned contractual benefits. Your sick leave and annual leave should be used for off the job injuries and illnesses and spending time with your families, not recovering from an on the job injury. Management has an obligation by law to compensate you for your lost wages when injured on the job.

Management is hoping that the injured employee can't afford to buy back their leave used once they have recovered from their on the job injury. To buy back leave used prior to the adjudication of a claim costs the claimant the difference between compensation and the actual worth of the leave per hour. The cost of buying back leave used for an on the job injury is 25% if the injured employee has dependents and 33% if they don't.

So if you have filed an Occupational Injury claim with a CA-2, and have been denied a Limited Duty Job Offer and forced to take sick leave or annual leave while waiting to have your claim to be adjudicated, call your steward and have them file a grievance on your behalf. It is the Unions position that management should have to credit the carrier back the leave they were forced to take and pay them administrative leave for the time they were denied a limited duty job offer. But if you don't go to your steward and ask for help, management may take advantage of you

Drawings for the May Branch Meeting

Branch Progressive drawing	\$550.00
Retirees Progressive drawing	\$125.00
Brookfield Progressive drawing	\$165.00
Skaggs gift cert.	\$50.00
Door prizes (3)	\$25.00

You must be present to win

and force you to use your contractual benefits to recuperate from an on the job injury, which is a violation of your rights; we can't help you if you don't come forward and say anything.

Also, lately we have been having a real problem with supervisors and some managers harassing and intimidating carriers during their go around in the mornings with DOIS numbers. What you need to understand is that DOIS is nothing more than a tool for management to help them be able to gauge approximately how long your work, relative to your volume, will take you that day. But we all know how accurate DOIS is, and it has already been proven at the National Level that DOIS is not an accurate tool and most of the time it is off or should I say "Way Off."

Management always tells us that DOIS is based on our standards and our clock rings as the regular carrier on the route. But if that were so, then why is it that every day we give an estimate to the supervisor, DOIS is always at least ½ hour to an hour under what our estimate is. I think we all know why that is, it is a tool for management, that is a fact, but it is a tool used to try and intimidate and manipulate the individual carrier into running their route or doing without their breaks or lunch. They know that they can't get everyone to do it, but if they can get just a few of us to be unsafe and give up our contractual rights to our lunch and breaks then they have succeeded in making their numbers for the day look better. They have succeeded in bettering their chances of getting a bonus at the end of the year and in keeping themselves off the telecons and beat up as one of the "Select Few" in the District who has earned the privilege of being chewed out for not meeting their unrealistic goals placed on them by the District.

Management is trying to get ahead on the backs of you the letter carrier, the ones who do the work in the Postal Service. And if you continue to let them, they will do just that. They know who the weak ones are, they know who they can intimidate and take advantage of, and they will continue to do so if you don't take a stand and

make them stop. In some stations we have the supervisor - manager team where the supervisor goes around and gets everyone's estimates for the day, and then along comes the manager and starts in on the carrier again wanting to know why it is going to take them so long that day, bla bla bla. And in many cases they get down right rude with the carrier, which in my opinion is a violation of the violence in the workplace memorandum and a violation of their obligation to mutual respect in the workplace. You do not have to put up with being subjected to the disrespect of being browbeat on the workroom floor into going faster than what you know is possible based on your estimate.

Do not let the go around become a confrontation in the morning. Use the Form 3996 each and every day, which was specifically designed for the carrier to estimate his or her time for the day. Management has to provide you with a 3996 every time you make an estimate, which is the contract. On that 3996 you have the right to put everything you feel is going to put you into an overtime situation on that form; which includes but is not limited to volume (always count your volume), the type of volume, full coverage's, accountables, weather, vehicle, how you feel that day, and anything else that you feel will cost you extra time that day, that is your right. And when you make your estimate stick to it, don't let someone intimidate you into agreeing that you will be back in 8 hours if you know full well that you can't possibly do the work without going into overtime.

We all have an contractual obligation to give a fair days work for a fair days pay, but nowhere does it say that we have to give more than 8 hours work for 8 hours pay. And each and every one of us is an individual, and some of us are faster and slower then our counterparts in the carrier craft, and that's alright. We do not all have to be as fast as the fastest carrier in the Post Office, nor should we be expected to be. If you are not performing any time wasting practices or deliberately not working when you should be, and are diligently trying to do your best and be safe in the process then you're doing a good job

and that is your standard.

It is important that we be as honest and fair with management as we expect them to be with us, you also need to be fair with yourself. During the go around, if management begins to try and intimidate you concerning your estimate, stick to your estimate and tell the supervisor or manager that you will do your best and if you can't make it you will call, and then call in once you become certain you will not make it in 8 or what ever the estimate was for. And then add the time onto your estimate for the time it took you to make the phone call; you also have the right to ask to be reimbursed for the phone call. But if you get out on the street and find that it is taking less time then you had anticipated, don't sit out there, come back when you're finished. Make sure you are being honest with yourself as well as with management by taking your lunch and your breaks, and more important by being safe at all times on the street and in the office.



Vice President Article

(Mail carrier begins rabies shots)

“ Steve Singhoff, the Shreveport letter carrier who was bitten by a pit bull last week, began his rabies-prevention treatment today after nearly a week of efforts to find the dog were unsuccessful. Singhoff will receive five shots over the next month.

Singhoff was attacked on Oakdale Street last week. He was bitten on his hand and left calf after the dog went for his throat. Some men pulled the dog away but then ran off with it, police said.

At the clinic where he will receive the shots, Singhoff was relieved today when Dr. Jeff Till pulled out an ordinary sized needle -- not the large one that used to come with rabies shots.

"Not the best thing in the world but it wasn't too

bad," Singhoff said afterward.

Before advances in medicine, Singhoff would have had to come to the clinic every day for a month and received a shot in the stomach from a much longer needle. He will get four more injections over the next month, probably in one arm.

He also feels fortunate he was able to stay on his feet during the attack by the dog.

"It could've been worse," he said. "If the dog had knocked me down on the ground I'm sure I would've suffered worse bites."

Last September, mail service to a part of Clanton Street was temporarily suspended after Singhoff had to dodge gunfire after members of two feuding families started shooting. The story drew national attention, the post office temporarily stopped home delivery service on part of Clanton Street and calmer members of the feuding families orchestrated a truce.

Once he returns to full duty, Singhoff will be put on a new mail route. That's a relief for his wife, Suzanne”.

Last month my article was on dog bites. After reading the preceding article it made me again realize how importance it is to be aware of the surrounding where we are and always be on the look out for dogs and other hazards. Don't deliver if a dog is out or running loose on your route. Inform your supervisor so they can correct the problem with that delivery.

It's that time of the year, the weather has warmed up and soon the kids will be out of school. Be very careful .

Do not become a statistic.

I want to thank all the great letter carriers of branch 111 for all the hard work they will be putting in doing the food drive on May 14. It is for such a worthy cause.

Kirk McLaughlin

The Concerted Action Corner



Michael Wahlquist

We belong to a Union with over 300,000 members. Congress listens to us. The president fears us (yeah right!). Management respects us, usually. And when they don't respect us, we make them wish they had.

Together, we are a powerful force. We are

a tsunami of voices that can flood Washington at a moments notice, as we have proven with our political activist campaign. When the Postal Service is saved, it will be the NALC that saves it, by actively addressing postal reform with our unified voice.

It is amazing what 300,000 people can accomplish when they work together. We have accomplished, and continue to accomplish our stated goal:

“...To unite fraternally all letter carriers and all other employees of the Postal Career Service for their mutual benefit...”

I believe that our “mutual benefit” can also extend to concerted actions done at the local level. (Concerted Action = many acting together) With over 1100 members, Branch 111 is a force to be reckoned with in Utah.

We are already doing many things for our mutual benefit, however, as of yet we are not protecting each other in the marketplace. How many times have you done business with a company or professional only to be treated unfairly, and/or find the goods and services unacceptable? Also, how often have you been treated better than you expected in a place of business? I propose that we create a concerted action forum for our mutual economic protection.

The idea is this: If one of our members has a

great experience purchasing goods/services at a local place of business, they let the branch know about it via this forum, and we all benefit from the information. If, on the other hand, one of our members has a very negative experience purchasing goods/services at a local place of business, they let the branch know about it via this forum. The branch takes action against this business (see the next paragraph), and we can avoid doing business with the company in question, thus benefiting greatly from the costly experience of others. How many times, after being treated like absolute garbage by some company, did you wish that someone had warned you? Or, how often have you wished to know about reputable businessman with whom you could do business? An even better question is: Can we make other businesses behave/perform better if we stand together in economic solidarity?

Imagine this: A letter carrier is ripped of by a local business. The carrier submits their story to this column, and it is published in the Pavement Pounder, along with the address/phone # of the offending business. The carrier's fellow union members write letters and call the offending business condemning the unfair treatment. The business is flooded with hundreds of letters and calls supporting the union member who was treated so badly. The business now has great incentive to make things right. The ripped off carrier is made whole through concerted action. This is how we can watch each other's economic backs. Any businessman who realizes that he is going to lose the future business of 1100 people will have an enormous amount of incentive to play nice.

I propose to accept submissions to this forum via email or regular mail, and to publish the stories both positive and negative about places of business here in Utah. This is a work in progress, and I also am looking for ideas on how to make this forum better, or how to improve on this idea. I will greatly appreciate any and all submissions to this forum. I really want to hear

you horror stories of how badly you were treated at a certain company, or how great they were to you. Please email all submissions/ideas to

concertedaction@hotmail.com

or mail them to Branch 111 c/o Michael Wahlquist. I will try to print all submissions, reserving the right to paraphrase. Judging by the response I get, I will let the branch know next month how we will proceed.

Let's flex some united muscle!

Michael Wahlquist
Sergeant at Arms



The easy way to FMLA

If you thought FMLA is difficult to get certified, think again. It is one of the easiest way short of ???, there is no easier way to prevent discipline for attendance then getting your illness or injury FMLA certified. You don't need a college degree to figure out if an illness qualifies. If your illness covers 4 days or more it qualifies. This means 4 calendar days, not 4 sick days off. Most carriers don't have a chronic condition for FMLA, which also qualifies. You don't need a chronic condition to qualify for that matter either.

If your sick, chances are that it is not something that just happened. If you were ill three days before you called in sick it qualifies. If your doctor gives you medication for your illness chances are it's for longer period than the 4 days, and being on a regiment of medication qualifies. But you need to go to the doctor to qualify. You need to take our FMLA paperwork

to your doctor. If you request FMLA and don't go to the doctor for documentation, you'll be run unprotected sick leave, and possible discipline.

You have 48 hours from when you return to work to request FMLA paperwork and it should be turned in within 15 days of the beginning of the episode. If you need a form contact your steward or go to the branch web site and get a form **Branch111.com**. Use the NALC version of the FMLA form not the USPS Form 380, doctors prefer 1 page to 5 pages, doctors are more receptive to the easier form and are more likely to fill it out. If you still have questions call the union hall 973-6705. Federal Law has given us this great protection, lets use it. CYA, use it or loose it.

By: Tom Giron



PAVEMENT POUNDER ARTICLES

Any Branch 111 member may submit articles to the Pavement Pounder for publication. All articles submitted must comply with the Pavement Pounder "statement of Policy". No articles attacking or criticizing another member of the branch will be printed in the Pavement Pounder. Articles rejected by the Editor may be taken to the Executive Board.

Gean Ryans
Editor

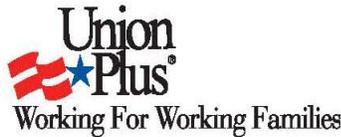
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THE PAVEMENT POUNDER POLICY AND NOTICES

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

NALC Branch #111
 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 based on appropriateness. Articles attacking or criticizing others will not be published. The Pavement Pounder will not be allowed to be used as a weapon against anyone or group of people. The Pavement Pounder is to be used to educate and edify the membership of the branch. 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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Dear NALC e-Activist:

I write to give you an update on progress toward achieving NALC's most important goal for 2005: Enacting comprehensive postal reform legislation. There is news from both the House and Senate sides of Congress.

Yesterday, the House Government Reform Committee held a mark-up of H.R. 22, the Postal Accountability and Enhancement Act. The legislation, which largely mirrors a similar bill from the last Congress, was **passed by the Committee on a unanimous vote of 39-0 and sent to the full House for consideration.** It is not yet clear when the bill will be scheduled for debate on the floor of the House of Representatives.

Chairman Tom Davis (R-VA) and Ranking Member Henry Waxman (D-CA) once again teamed up with Rep. Danny Davis (D-IL) and Rep. John McHugh (R-NY) to advance the bill in a bipartisan manner. With the exception of a single amendment to remove a provision that would have allowed the USPS to use foreign airlines to transport international mail, the bill was passed as it was drafted. In solidarity with the airline workers' unions which advocated the "buy American" policy, NALC and the other postal unions did not oppose the amendment.

Although I held a conference call with all the National Business Agents earlier this week to make plans for reaching out to you and your fellow e-Activists if hostile amendments were offered at the mark-up, I am relieved that we did not have to call on you this week.

While I do not anticipate any problems at this point, next week may be different. **On April 20, the Senate Homeland Security & Governmental Affairs Committee is scheduled to mark up its version of the Postal Accountability and Enhancement Act (S. 662).** In anticipation of that mark-up and of a hearing scheduled by Committee Chair Susan Collins (R-ME) on the bill today, I announced that **the NALC has once again decided to endorse the Senate bill this year.** I did so with the understanding of Senator Collins that **NALC will continue to have a seat at the table** as the bill proceeds and that our final position on the legislation will depend on the nature of any amendments adopted.

As I have in the past, I will rely on you to help protect our collective bargaining interests and the future viability of the USPS when the legislation is debated in both chambers. **Thank you for remaining ready and alert as this process moves forward.**

In Solidarity,
William H. Young,
President

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Drawing winners - March Branch Meeting

- Progressive (Retirees) \$100.00 Arthur clark (not present) - next Month \$125.00
- Progressive (Brookfield) \$150.00-Connie Elliot (not present) - next Month \$165.00
- Progressive (Branch) \$525.00-Harold Eldredge (not present) -next Month \$550.00
- \$25.00 door prizes: George Dyer, Lance Henrie, Anthony Beckstead
- Skaggs \$50.00 gift cert.—Ray Hunsaker

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HEALTH BENEFITS

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DIRECTOR OF RETIREES

Joe Zabriskie (801) 968-4208)

Branch Office (801) 973-6705

Fax (801) 973-6723

PAVEMENT POUNDER EDITOR

Gean Ryans (801) 541-2716

thepavementpounder@comcast.net

Branch 111 Website

Branch111.com

MAY

2005

CALENDAR

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5 Exec Board Meeting 6:00 PM	6 Pay Day -9	7
8 Mother's Day	9	10	11	12 Union Meeting 6:00 PM	13	14 NALC Food Drive
15	16	17	18 Steward Meeting Meeting 6:00 PM	19	20 Pay Day - 10	21 Armed Forces Day
22	23	24	25	26	27	28
29 Memorial Day	30 Memorial Day Holiday	31				