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The Pavement Pounder



JULY 2005

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

The President's Corner

By: Mike Miller



Well, July is almost upon us or will be by time you read this article. And the most important part of July is the 4th of July, Independence Day. Which brings me to our letter carriers fighting in

Iraq and Afghanistan right now, in fact all of our forces who are fighting for the freedom of all those people in the middle east and the fight against terrorism in the world as a whole right now. We have much to be proud of in our military forces who have given so much unselfishly for those they don't even know, so that they may enjoy what we so often take for granted here at home, our freedom. May I suggest that we all take a moment of silence for all of those who have willingly given their lives for this freedom we cherish so much?

Changing the subject a little, we have a vote or several votes coming up in the House and Senate that need our attention. I have contacted all of the Stewards to get in touch with each of you on writing letters based on the legislative activist email that came out in preparation of the vote Postal Reform that is to take place now. The letter needs to be in your hand writing, the reason for this is our representatives take a letter written in your own handwriting more seriously than they do a form letter prepared by someone else. They want to know that what your writing

comes from you and not someone else.

Meaningful Postal Reform should be near and dear to each and every one of us right now. All it takes is one vote to take everything away from us and create a Wal-Mart type of system where you have no rights or benefits. If we as Union Members don't get aggressively involved right now we will loose everything we have worked so hard for, for so many years. If you don't have a copy of the issues being voted on within Postal Reform, ask your Steward for a copy, or call the Branch Office and get a copy as soon as you can. If you want to find out when these Bills are coming up for vote please contact our Legislative Representative Phil Rodriquez, who has done a great job of organizing this with our Branch members with our National Office. Don't procrastinate, do it now while it is on your mind, anyone who doesn't think his or her vote or opinion counts or means anything is wrong. Your opinion may be the one that swings a Representatives vote in our favor.

We also have the Steak Fry coming up just around the corner on August 27th. I encourage all of you to buy tickets for you and your partner. We will be serving Prime Rib and Cheese Cake for desert. There will be a magic act this year, and this time it will be on a stage where you can see everything taking place. And our very own John Johanson out of the West Valley Station, alias "Jonathan Swift," will be the magi-

cian doing the magic act. And as always we will be having the drawings for door prizes. We will also be having a pay bar for beer and wine, drink tickets sold by the branch, and all of the comradery with your fellow carriers you could possible stand. So tell all your friends whose company you enjoy to be there. Last year was the best Steak Fry ever and we want to make this one even better. Tickets will be \$10 per person and you need to tell your Steward that you want tickets and get you money to them now to reserve

your place at the Steak Fry. We can only hold so many at Gardner Village, and when those tickets are gone, no more can be sold, so do not procrastinate, it's first come first serve.

Our progressive drawing has grown to upwards of \$600 now, and still no ones name has been drawn who have been at the meeting. Ladies and Gentlemen if you're not at the meeting you cannot win, **BE THERE!!!**

Vice President Article

Last month my article was on opting , this months will be on higher level details , mainly dealing with T-6 positions that is going to be available for a anticipated duration of one week or more. What you have to remember is that any regular or PTF carrier that is not in a T-6 in position can put in for the higher level T-6 position. So if you want a change for a week or so or to check out other routes that you might be interested in bidding for, no better way to know than to do it. So here is the way it is written in the contract.

Article 25

25.4 Section 4. Higher Level Details

Detailing of employees to higher level bargaining unit work in each craft shall be from those eligible, qualified and available employees in each craft in the immediate work area in which the temporarily vacant higher level position exists. However, for details of an anticipated duration of one week (five working days within seven calendar days) or longer to those higher level craft positions enumerated in the craft Article of this Agreement as being permanently filled on the basis of promotion of the senior qualified employee, the senior, qualified, eligible, available employee in the immediate work area in which the temporarily vacant higher level position exists shall be selected.

Higher-level bargaining unit work. This section sets forth rules for filling temporarily vacant, bargaining unit, higher level positions. The

rules depend upon the duration of the vacancy. For a vacancy of less than five working days, any employee may be selected from those who are "eligible, qualified and available" in the immediate work area in which the vacancy occurs. For a vacancy of five working days or more, the "senior qualified, eligible and available" volunteer in the immediate work area must be selected. Full-time regular letter carriers with Grade 1 bid positions are eligible to apply for higher level assignments under the provisions of this section.

Carrier Technician positions. Temporarily vacant Carrier Technician positions are higher level assignments and thus are not subject to opting under the provision of Article 41, Section 2.B. Rather, temporarily vacant Carrier Technician positions must be filled in accordance with this section (see Step 4 Settlement, H8N-3P-25550, May 6, 1981 M- 00276). National Arbitrator Snow held in H7N-5R-C-316, September 10, 1990 (C-10254), that management may not assign different employees on an "as needed" basis to carry a route on a Carrier Technician string when a vacancy of five or more days is involved; instead such vacancies must be filled according to Article 25. Note that most settlements and memorandums that referred to "T-6" positions may be understood to apply to "Carrier Technician" positions. Letter carriers who fill temporarily vacant Carrier Technician positions assume the hours of the vacancy as provided by

the pre-arbitration settlement H8N-3P-C 32705, January 27, 1982 (M-00431), which states:

Details of anticipated duration of one week (five working days within seven calendar days) or longer to temporarily vacant Carrier Technician (T-6) positions shall be filled per Article 25, 1981 National Agreement. When such temporary details involve a schedule change for the detailed employee, that employee will assume the hours of the vacancy without obligation to the employer for out-of-schedule overtime.

The Step 4 Settlement H4N-5R-C-44093, February 10, 1989 (M-00902), provides that the following management document known as the "Brown Memo" (M-00452, November 5, 1973) is a contractual commitment and remains in effect. The memorandum explains when a replacement employee is entitled to higher level pay when no employee is detailed under the provisions of Article 25, Section 4.

When a carrier technician (T-6) is absent for an extended period and another employee serves the series of 5 routes assigned to the absent T-6, the replacement employee shall be considered as replacing the T-6, and he shall be paid at the T-6 level of pay for the entire time he serves those routes, whether or not he performs all of the duties of the T-6. When a carrier technician's absence is of sufficiently brief duration so that his replacement does not serve the full series of routes assigned to the absent T-6, the replacement employee is not entitled to the T-6 level of pay. In addition, when a T-6 employee is on extended absence, but different carriers serve the different routes assigned to the T-6, those replacements are not entitled to the T-6 level of pay. The foregoing should be implemented in a straight-forward and equitable manner. Thus, for example, an employee who has carried an absent T-6 carrier's routes for four days should not be replaced by another employee on the fifth day merely in order to avoid paying the replacement higher level pay.

Well just for your information if you decide to put in for a higher level detail, unlike an opt you can quit the higher level detail at anytime. The only thing is that you will not get the higher pay if you have not worked the whole week of the

detail. So check out doing the higher level details and check out routes you might be interested in when it come up for bid.

Drink plenty of fluids it is going to be a long hot summer.

Solitary Always

Kirk McLaughlin.

MBA-COMPENSATION

The District Injury Comp office at the main office has asked that we tell those who file CA-7's the following information. Make sure you get the paper work filled out completely and that you do it a few days before it is due to be filed. Also take the completed paper work to the main office Injury Comp office and hand deliver it yourself. If you can't hand deliver it, mail it to the Injury Comp office in time. This may alleviate some of the lateness due to going through your Supervisor and it ending up on the bottom of some stack of papers. This will cut down on your CA-7 being handled by too many people before it gets to Injury Comp. The Supervisor has nothing to fill out on the CA-7 so there is no reason to give it to them.

If everything is turned in to Injury Comp on time, and it gets returned to you because they say that the date is wrong and they want you to fill out another one with a more current date, see your steward and have them file a grievance. The Injury Comp office cannot refuse to process your CA-7 just because they don't like the date on it, by law they have to process it and have it to OWCP with 5 days. If there are any problems let me know as well. We are trying to do everything right the first time, so that no ones claim for lost wages is delayed. If you have any questions or need to make an appointment call West Valley in the morning at 963-8048 or my home at 254-2860.

By: JIM KEREKES

THIS TIME...THEY'VE GONE TOO FAR

Would someone please tell me how can a carrier receive discipline when they didn't even break a rule? A Salt Lake City carrier received a seven day suspension for "failure to observe safety rules and regulations." The carrier attempted to deliver mail to a house. While approaching the box, she noticed the front door was open; before she knew it, a dog came out and attacked her, biting her leg. The carrier was carrying her satchel and dog spray. The carrier had never seen a dog outside before. She had no reason to believe that the dog wasn't secured somewhere inside the house. A grievance was filed on the discipline.

During the grievance process, the steward argued that the carrier had broken no rule and that the discipline should be removed in total. Management even agreed that the carrier had broken no rule! Yet, management still didn't remove the discipline, so the grievance was sent to the regional team (B Team). There are representatives from both union and management on the B Team. They decided to reduce the suspension to a letter warning, with the normal two year retention; all while noting that the carrier had broken no rule! They also instructed S.L.C. management to "instruct all carriers that when they are aware of any dog at a residence, they are to assume that the dog is not secured unless there is some (thing) showing that [the dog] has been. What this means to me is that I have to assume there is a dog at every residence.

How many times have you seen a dog running free in a fenced yard? Have you heard the dogs barking inside houses or in the backyards as you are delivering? There are countless times that we are aware of dogs while delivering, but now we have to know that they have been secured before delivering the customers' mail. The only way I can tell if a dog is secured is to see it! This is the instruction that the B Team has told management to give us. Have you ever seen a dog jump a fence, crawl under it, or find a hole in it and get out of a yard? In order to know if a

dog is secured, you would have to visually see it tied up. Many people have more than one dog; if one is tied up, who's to say there isn't another one loose? I have to now assume that everyone has a dog, because if I don't and I end up getting bitten, I will surely receive discipline. I'm calling on every carrier, after receiving the dog instructions, to follow them to a "T." Bring back the mail and put it on the supervisor's desk. Let them deal with the irate customer who asks, "Where the hell is my mail?" They might have to explain it like this, "I'm sorry sir/ma'am, but you might have a dog. Could you please visibly secure all your dogs to something sturdy? Or you could come in and sign a statement saying you don't have a dog and you won't let any sneak into your yard..."

We need to send a message to management: they've gone too far this time! No carrier should receive discipline without breaking a rule. It's a "dog gone" shame!

By: Arlynn Venema

Safety



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**

The Concerted Action Corner

I'm sure that we have all seen the news that the Sixth COLA (Cost Of Living Adjustment) for this contract is projected at \$598. This is good news, because without these adjustments, inflation would get the better of us. Thank goodness for the foresight of the Union. However, this is even better news because we now have a rare opportunity to flush out some non-union workers.

It seems wherever I go, when I talk to the non-union workers, it always boils down to the cost of Union dues. For all of us in the Union, we learned (long ago) that the collective bargaining and job protection that the Union provides are much more valuable than the miniscule amount required of us in Union dues. But current non-union workers have trouble seeing that. But now we have a golden example of how valuable Union negotiating can be. The next COLA, which was negotiated by the Union (and we all know that the postal service would not have given it to us on their own), is greater than our local cost of union dues! That means that anybody who is using financial reasons as an excuse to not join the Union can have no argument. In fact, they can sign up for free (considering they would not have received the COLA without the Union), and still get a raise! Once again, thanks to the Union!

Who can honestly say that they do not wish to support the only organization that is fighting for our wages, benefits, and future? Postal management (as a whole) knows that we are overpaid, and overcompensated for the job we do. There is no doubt in anyone's mind that people would line up to do this job for much less than we are making now. In fact, prior to 1971, before we had a Union, we made so little that many letter carriers qualified for welfare. It was only by utilizing an illegal strike, and thereby gaining our Union (and collective bargaining rights), that we have the wages, benefits, and working conditions that we now enjoy.

Who would want to throw all this away? And yet that is exactly what every non-union worker is saying when they refuse to join. Though, in reality, it almost always boils down to the cost – the small cost for a very large future. But now the cost-factor is gone, because with one mighty swoop, the NALC is about to provide each and every non-union worker a COLA worth more each year than the cost of Union dues. Let's get the word out to every non-union worker about this COLA. Let's inform them that they can join the NALC for free (considering the large COLA provided by the Union), still get a raise, and can finally start supporting the organization that procures every raise and every benefit they have ever received from the USPS. Sometimes, the future looks very scary, but when all letter carriers unite, there will be nothing in the future that we cannot overcome together.

Let's sign up the scabs!

By: Michael Wahlquist
Sergeant at Arms



IN MEMORY OF

Max Holbrook Reed

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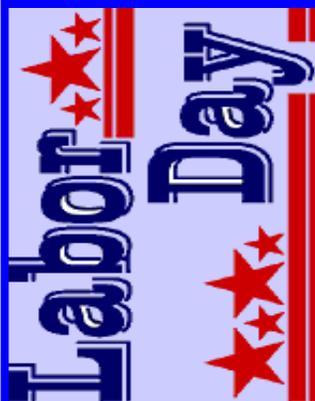
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We're celebrating ALL working people, so along with you bring your neighbors, families and friends.

COME ENJOY THE DAY - IT IS YOUR DAY

We need volunteers to help at the picnic with the games , entertainment and at branch 111 Auxiliary hamburger stand. If you, your family members or friends would like to help at the picnic please call the number listed below.

Call - Micheal Lester 972-4411 or 557-7885



On August 13th the State Auxiliary is having a Huge garage sale to raise money for our National auxiliary. The State Auxiliary Officers are looking for donations that can be used in our upcoming garage sale.

You can make donations to any of the state Officers or to any Auxiliary 8 member. Please bring your donations (in good repair) for the garage sale to the July 14th union meeting..

Please watch for upcoming announcements for the garage sale location and time.

As always a HUGE thanks from the State auxiliary Officers.



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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.

SAMPLE CALL TO YOUR CONGRESSIONAL OFFICE

- **Receptionist, Congressman/Senator _____ Office:**
- “Good morning, Congressman/Senator _____ Office.”
- **Caller:** “Good morning. My name is _____, and I’m a letter carrier living in Salt Lake City, Utah. May I please speak with Congressman/Senator _____?”
- **Receptionist:** “I’m sorry. The Congressman is not in the office right now, may I help you?”
- **Caller:** “Yes, is the person who handles postal issues available?”
- **Receptionist:** “Yes, let me put you through.”
- **Staffer:** “This is _____, may I help you?”
- **Caller:** “My name is _____, I’m a member of the National Association of Letter Carriers Branch 111 in Salt Lake City, Utah. I would encourage the Congressman to vote in favor of (the bill or issue). The bill will be going to vote on the House or Senate on this date. Do you know the Congressman/Senator position?”
- **Staffer:** “Yes, this is his position. I will let the Congressman/Senator know your concerns on this matter. Could I get your name and address so the Congressman/Senator can respond?”

Your steward will be the point of contact concerning upcoming legislation. Phillip Rodriquez or Mike Miller will contact the steward giving he/she the information needed. Any questions call Phillip Rodriquez at the West Valley station, 963-8048 or 633-4222.

Congressman Cannon

Washington Office

2436 Rayburn House Office Building
 Washington, DC 20515
 Phone: (202) 225-7751
 Fax: (202) 225-5629

Email: cannon.ut03@mail.house.gov

Provo Office

51 S University Ave Suite #319
 Provo, UT 84606
 Phone: (801) 851-2500
 Fax: (801) 851-2509
 Outside Utah County Call
 1-800-571-2971

Senator Bennett

125 South State Street, Suite 422
 Salt Lake City, UT 84138-1188

Congressman Matheson

1222 Longworth HOB
 Washington, DC 20515
 Phone – (202) 225-3011
 Fax – (202) 225-5638
 240 East Morris Avenue #235
 South Salt Lake, UT 84115
 Phone – (801) 486-1236
 Fax – (801) 486-1417
 Toll-Free Number 1 (877) 677-9743
jim.matheson@mail.house.gov

Congressman Bishop

124 Cannon House
 Washington DC, 20515
 PH: 202-225-0453

Senator Hatch

104 Hart Office Building
 Washington, DC 20510
 202-224-5251
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JULY 2005 CALENDAR

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