



BRANCH 111 N.A.L.C.
"THE WASATCH BRANCH"

The
Pavement Pounder

April 2013 – May

2013.2

**We are in the fight of our
lives now is the time to**



**stand united or be
Destroyed.**

The Nelson News

Jeff Nelson, President.

With the special edition of the Pavement Pounder last month, & with everything going on, it has been extremely busy. My article this month will be a bit shorter than usual, with mainly just a few updates.

Just this afternoon, on 3/20, the following was posted on the National Association of Letter Carriers Facebook page:

BREAKING: This afternoon, the Senate approved its version of a continuing resolution (CR) to fund the government through the current fiscal year, ending Sept. 30. (The current CR expires March 27.) The language mandating six-day-a-week mail delivery was retained. The measure now goes back to the House of Representatives, where it is expected to pass sometime on Thursday. After that, the resolution will be sent to President Obama, who is expected to sign it into law. Please check back for updates and the latest developments.

Tomorrow evening, a Town Hall telecon will take place that hopefully all of your stewards notified you of, and that many of you have participated in. And this weekend, we will be holding our rally/Day of Action to notify the politicians of Utah of the importance of maintaining 6 day delivery.

CCA carriers will be affected greatly if we fail to keep 6 day delivery intact. As they are being hired, this fact is being relayed to them by us in orientation, and you should second this when they get to your office.

Last week's class had 21 CCA's, and next week's class will have 23 new carriers. The CCA carriers will be an important part of our workforce, and we need to let them know this and make sure they have signed up to be union members.

As some of the offices prepare for route inspections, the most important thing you can do is deliver your route with consistency. Don't cut corners and do the route the same every day. Take your breaks and lunch every single day. If you don't, your route will not get the credit it deserves, and you will find your route being more overburdened than it may already be.

Thanks for all you do, and I will have more updates next newsletter. Until then, keep up the good fight!

In solidarity,

Jeff Nelson



**New FMLA processing
contact info**

**HRSSC—FMLA Western
Human Resources Shared Service
Center**

P.O. Box 970910

Greensboro, NC

27497-0910

Phone: 877-477-3273

**Select option 5,
then option 6.**

Fax: 651-456-6071

**You will need your E.I.N.
(employee identification number)**

**And your pending or
Approved FMLA case num-
ber when calling
HRSSC**





Legislative report

Are you going sit by and let the Postmaster dismantle the Post Office or are you going to stand up for your job and your future? Are you sitting back thinking I can't make a difference or that someone else will do it for you? You can make a difference and we need everyone to take action to protect your job and your future.

On February 27th Phil Rodriquez, Aaron Porter, Kim Mortensen, and I went and made visits to all of Utah's Congressional representatives. The meetings were good. At all of the meetings they knew what the issues were and what it is costing the Postal Service for the pre-funding mandate, and how much losing a day of service will cost rather than save. We

have been doing a good job on getting out all the information. So, you ask, why have they not acted and why do they not vote for what seems like the clear fix. The Congressman and the Senators need to hear from the people, from their constituents. The Post Office has been pushing the media outlets with false and misleading information. They say 80% of Americans are fine with no Saturday delivery and they would not miss that day of service. This is where we need your action. Make the phone call, write a letter. It can be as simple as a 3 X 5 card with a message on the back such as "don't disregard the Constitution of the United States" or "Protect the Postal Service, Don't let the Postmaster dismantle an America institution". Help protect a 30 year bipartisan history and tradition of congress and preserve six-day delivery. Let Congress know that a majority of America wants six-day delivery.

What are the down falls of losing Saturday Deliver?

- Will loss 40-60 thousand middle class jobs
- Will delay first class and priority mall two to three days
- Will loss the federal protection of mail boxes on the day we do not service them
- Will Cost the Postal Service tens of millions of dollars a year in revenue lost from no Saturday delivery
- The loss of Americans trust in the Postal Service
- Could loss the ability to deliver certain types of medications
- Will not save as much money as the Postal Service has projected

Get involved with some kind of action, if you have called before thank you and call and write again. You now know how easy it is. Encourage others to do the same. I try and make some kind of an effort every week, can you do the same?

Chad Mortensen

Rob Bishop
202-225-0453 DC
801-625-0107 UT
123 Cannon Building
Washington, DC 20515

Chris Stewart
202-225-9730
801-364-5550
323 Cannon Building
Washington, DC 20515

Jim Matheson
202-225-3011
801-486-1236
2211 Rayburn HOB
Washington, DC

Jason Chaffetz
202-225-7751
801-851-2500
2464 Rayburn HOB
20515 Wash. DC 20515

The VP Speaks

Vice President Phil Rodriguez

Route Inspections

In many zones throughout our Branch route inspections have been scheduled. The most important principle of the route count and inspection process is that each route must be adjusted to as near eight hours work per day as possible.

--Only the Regular Carrier's Time is Used

If a regular carrier is assigned to a route, only that carrier's times can be used to evaluate and/or adjust a route. This principle is clearly stated in Sections 241.33 and 241.35 of the M-39

---If there is a vacant route with no carrier assigned to it at all, there must be a qualified replacement carrier assigned to the route in order for the data collected to be accepted as valid: Section 241.3 of the M-39

--**M-39 242.332** No carrier shall be disciplined for failure to meet standards, except in cases of unsatisfactory effort which must be based on documented, unacceptable conduct that led to the carrier's failure to meet office standards

--**There are no street standards!** In national level settlement M-00304, the parties agreed there is no set pace at which a carrier must walk and no street standard for walking. This language was reinforced in the September 16, 2011 national level settlement M-01769.

--**M-39 211.2** The period selected for the mail count and route inspections should be determined as far in advance as possible, and the local union should be notified of this schedule. If it is necessary to change the period, the local union should be notified of the revised schedule as far in advance as practicable.

--**M-39 222.1 Worksheets** The carrier completes (in duplicate) the *Worksheet*

side of Form 1838-A, and Forms 1838-B and 1838-C.

--**M-39 221.133** There should be no changes in normal distribution procedures or clerical schedules during the period of mail counts. The normal cut-off time for distribution should be observed.

--**M-39 211.4** Absences, for other than emergencies, will not be granted during the week of count and inspection. If it can be anticipated that there will be a count and inspection of the carrier routes at an installation, to the extent possible, planning for that inspection should normally be completed before annual leave bidding begins. This will enable management to exclude from leave charts the week selected for count and inspection.

--**M-39 221.137** If necessary, overtime may be used to enable the regularly assigned carrier to complete delivery during the days of the count week.

--Verifying the Mail Count

The carrier counts and records the mail every day except on the day of inspection. On this day, the manager counts and records the mail. When management performs the mail count, the carrier serving the route may verify the mail count (M-39 Section 221.131

--Curtailing Mail

There should not be mail curtailed the day prior to the inspection beginning and no mail curtailed on the last day of inspection (M-39 Section 221.134).

--Conduct of the Route Examiner

The role of the examiner is to observe and accurately record data. M-39 Section 232.1 requires the examiner to do the following: Any claims of a violation of these requirements should be supported by a detailed statement from the letter carrier(s) involved.

M-39 232.1

The route examiner must:

a. Not set the pace for the carrier, but should maintain a position to observe all

delivery points and conditions.

b. Not suggest or forbid any rest or comfort stops but should make proper notations of them.

c. Not discuss with the carrier on the day of inspection the mail volume or the evaluation of the route. These matters must be discussed with the carrier at a later date when all data has been reviewed and analyzed.

d. Make notations on the day of inspection on the appropriate form or separate sheet of paper of all items that need attention, as well as comments on the day of inspection. Also list any comments or suggestions for improving the service on the route, as well as suggestions or comments made by the carrier during the course of the inspection for improvement in delivery and collection service.

e. Make comments and suggestions clearly, and in sufficient detail for discussion with the carrier and for decision-making purposes. The manager who will actually discuss the results with the carrier must have enough facts

--Comfort Stops

Section 242.341 also provides that reasonable comfort stops will not be deducted from the carrier's actual time. You have to watch out for management trying to deduct time that was used for reasonable comfort stops. There is no one size fits all definition for what the term "reasonable" means in this instance. While management likes to put a number to everything, this is one of those situations where they just can't do that. Nature and geography control the amount of time that is reasonable for comfort stops.

--Improper Deductions of Street Time

Management may not just make a time deduction because a letter carrier allegedly failed to properly finger mail or take proper short cuts. Instead, management is required to instruct the letter carrier to use proper procedures and make every effort to reinspect the route prior to adjustments being implemented (M-39 Section 242.344).

--Only the Regular Carrier's Time is Used

If a regular carrier is assigned to a route, only that carrier's times can be used to evaluate and/or adjust a route (M-39 Section 241.35)

--Street Time Selection Documentation Requirement

Management is required to explain why the street time selected was chosen. The selection cannot be solely because the time was lower (M-39 Section 242.322).

--Provide PS Forms 1838 and 1840 Before the Consultation

Management is required to provide PS Form 1838 to the letter carrier 5 calendar days before the consultation and PS Form 1840 to the carrier 1 day before the consultation (M-39 Section 241.4).

--When relief or an addition to a letter carriers route is considered, the carrier should be consulted regarding the adjustment. The reasons for the adjustment should be discussed. The comments and recommendations of the carrier should be recorded on the 1840 as well as if there is agreement or disagreement with the proposed adjustment. The carrier is not required to sign a statement (M-39 Section 243.11a).

Phillip Rodriquez
prodriq@msn.com



NALC HEALTH BENEFIT PLAN
Jimmy Kerekes Jr

This is some, but not all, about the Health coverage for converted TE's to CCA and new CCA's.

For the rest of this year, any TE who is eligible for health coverage after being converted to CCA can sign up for FEHB Plans. This means those who have met the 360 day requirements. This can be on a Pre-tax basis. Also, the total cost of the insurance is the CCA's responsibility.

In 2014, there will be a USPS Plan, and the Federal Employee Health Benefit Plan Program (FEHB), within the FEHB is the NALC Health Plan. In 2014, the NALC will have a Consumer Driven Option with their Plan. A CCA must still make their 360 day requirement, but also work 30 hrs/wk plus. The Post Office will make bi-weekly contributions, the greater of (a) \$125.00 or (b) the minimum according to the Affordable Care Act (ACA). This would be only for Self Coverage. If you want more coverage you have to pay full costs. That full cost is for any plan you choose.

If the USPS Plan is not avail-

able, you can sign up for the **Pg. 5** NALC Consumer Driven Plan and still the Post Office will pay the greater of (a) \$125.00 or (b) the minimum of the ACA. Again, this is for Self only coverage. You can elect any of the above on a Pre-tax Basis.

The Post Office should notify you when you are eligible to sign up. I don't know how many TE's or CCA's will be able to read this article. So, Union member can help tell them to call me or to contact the Union Office to get my number. The back of our local magazine has some phone numbers on it.

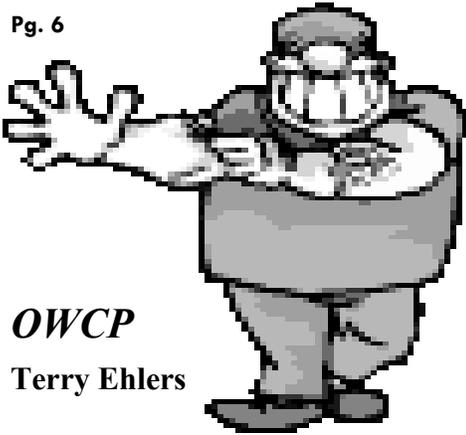
I will still be looking into more of the ACA and will be talking to the Health Plan for more information. There will still be an Open Season this year in Nov - Dec for 2014 coverage.

There are some things in the ACA that will be changing up to the year 2020. But all this could change if somewhere down the road congress wants to do away with the ACA or parts of it.



NALC Branch #111
2261 S Redwood Rd #14
Salt Lake City UT 84119
Business Hours:
Mon, Wed, Friday
7:30 AM - 6:00 PM
Tues, Thursday
9:00 AM - 6:00 PM
Please call before visiting the Branch office to insure someone is there.

OWCP Form CA-16



OWCP Form CA-16 “Authorization for Examination And / Or Treatment is very important to those that suffer from a Traumatic Injury.

CA-16 serves a dual function:

- a. It authorizes medical treatment
- b. It is the initial medical report

Postal management is to fill out the front completely and sign the form to authorize medical treatment and to guarantee payment by the Office of Workers Compensation Program (OWCP) to the treating physician for up to 60 days. The reverse side is to be completed by the treating physician and serves that a medical report is sent to OWCP.

If a CA-16 is not issued, or if the form is not completely filled out, or if management did not fill out their portion correctly, OWCP may receive the first initial medical report late or not at all. This could result in delays of the acceptance of a claim or denial of the claim entirely.

The Postal Service is obligated by legal requirements regarding Form CA-16. The requirements can be found in the Federal Employees Compensation Act (FECA) at 20 CFR as listed below;

20 CFR 10.300(a) When an employee sustains a work-related traumatic injury that requires medical examination, medical treatment, or both, **the employer shall authorize** such examination and/or treatment by using a Form CA-16...

20 CFR 10.300(b) The employer shall issue Form CA-16 within four hours of the claimed injury. If the employer gives verbal authorization for such care, he or she should issue a Form CA-16 within 48 hours. The employer is not required to issue a Form CA-16 more than a week after the occurrence of the claimed injury...

20 CFR 10.300© Form CA-16 must contain the full name and address of the qualified physician or qualified medical facility authorized to provide service. **The authorizing official must sign and date the form and must state his or her title...**

The Postal Service is also bound by its own regulations regarding Form CA-16. Those regulations are found primarily in the Employees and Labor Relations Manual (ELM), example would be ELM 545.21 “Traumatic Injury”

The legal and contractual language is not unclear. When an employee submits a CA-1 and seeks medical examination or treatment with a week of the injury, management must issue a properly signed and completed CA-16.

The injured worker should ask of their physician to complete side two and then ensure that the original CA-16 is sent directly to OWCP as soon as possible after medical treatment, either by the employee or the physician.

In the case of disability it is the injured workers best interest to also ensure that management promptly receives a copy of the completed CA-16 to support payment of Continuation of Pay (COP).

Union representatives need to ensure that local managers comply with the legal and contractual CA-16 requirements.

With solidarity;

Terry C Ehlers

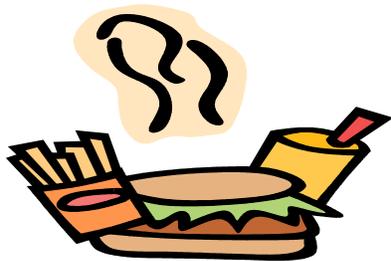
Scaddy's Diner

Coupon

Buy any one item and receive one item of equal or lesser value free!

Coupon good at all Scaddy's locations:

- 1557 W. 3500 s. SLC
- 5430 S. 900 E. Murray
- 1750 W. Main St. Lehi



Must present coupon at time of order.

SKAGGS **POSTAL UNIFORMS**

**New Timberland Pro Series
Comfort, Durability and Performance**



**Charleston Low Soft Toe Shoe
\$92.66 Full Allowance Price**

**Jamestown 6" Soft Toe Boot
\$99.86 Full Allowance Price**



**Jamestown 6" GTX Waterproof
\$117.86 Full Allowance Price**

For all your Postal Uniform needs we've got you covered with great Union Made in the USA products.

**3828 Main Street, SLC
Call Toll Free 800-825-3339
or @ www.skaggspostal.com**

IN MEMORIAM

GLEN ALMA CLARK

EVAN TAYLOR RIDING

JOHN SAVORY WINTERS



***WE EXPRESS OUR DEEPEST
CONDOLENCES TO THE FAMILIES***

Hello my name is Ethel Taylor—
I am the widow of George S.
Taylor

He was a carrier for 30 years in
the branch 111 downtown post
office he then retired and sold
Brookfield uniforms for 30
years.

I have now picked up where my
husband left off and will con-
tinue to do my best to supply
you with the BEST quality uni-
forms that I can and to answer
all of your questions to the best
of my knowledge. Thank you
for your friendship and busi-
ness.

-Ethel Taylor

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

Non-Profit
U.S. Postage Paid
Salt Lake City, UT
Permit No. 1981

Address Service Requested

PRESIDENT
Jeff Nelson
VICE-PRESIDENT
Phil Rodriquez
TREASURER
Mike Madsen
SECRETARY
Kim Mortensen
SGT-AT-ARMS
Stan Hawker
MBA & OWCP
Terry C Ehlers
801 694-0558
TRUSTEES
Lela Gardner
Joan Larsen
Richard Watson
Colcpe coord.
Eric Grotepas

The
***“Pavement
Pounder”***
is the Official Publication of
Branch 111 NALC
the
“Wasatch Branch”

LEGISLATIVE
Chad Mortensen
HEALTH BENEFITS
Jim Kerekes
801 557-6033
**DIRECTOR OF
RETIREES**
Joe Zabriskie
801 631-5081
**PAVEMENT POUNDER
EDITOR**
Monte Jones
**SAFETY & HEALTH
Organizer**
Arlynn Venema
Lance Henrie
Branch Office

(801) 973-6705

Fax
(801) 973-6723