



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

The
Pavement Pounder

February 2013 – March

2013.1

Well good or bad it's



finally here

The Nelson News

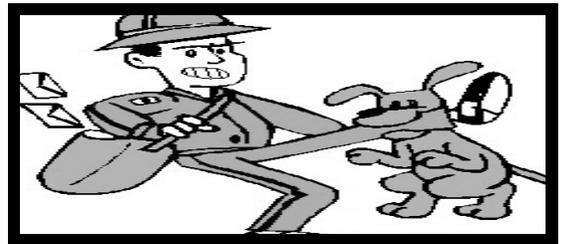
Jeff Nelson, President.



If you have been injured on the job please call Terry Ehlers.
801-694-0558.

I can help you to receive the assistance you may need to fill out your paperwork.

Plus, you may be entitled to some form of compensation.



By now, all of you should have heard that we have received an arbitration decision on the new contract. If you have not already read it, you can see the arbitration decision and a summary on the NALC website (www.nalc.org). Thankfully, the arbitration board determined to deny the USPS requests to eliminate contracting restrictions and the "no layoff clause". I would encourage everyone to read it over and see what changes are being made.

Many of the changes concern our brothers & sisters that are TE carriers, and the opportunity to become a CCA, or City Carrier Assistant. While becoming a CCA means that the hourly wage will go down from what you are currently making as a TE, it is important to look at some of the positives this change brings:

The opportunity (at last!) to become a career employee

Eligibility for health insurance after 1 year

Seniority from being a TE will be carried over

Wage increases over each of the next 3 years

A possible 401(k) plan that will carry over to career

I understand that some of the TE's are upset over the

decrease in pay that will occur as a CCA. I would not be thrilled with that part of it either. Just think of what we may have gotten if the union hadn't fought for what we did get? If you have any doubt that the Service would think twice about paying us close to minimum wage with no benefits if they could get away with it, I guess you haven't worked for this company long enough to know how they are. The bottom line is that the arbitration award is not exactly what the NALC had wanted. From what I've read, it was never suggested by the union to reduce the wages of **any** of its members. This was a decision from an arbitration board with an independent arbitrator as the head of the board. So think twice before you react to what the decision was, and don't blame the union for something that was out of their control.

There is still quite a bit of confusion on some parts of the award, and the process and timing of moving TE's to CCA's to career employees. As I get more information on it, I will pass it on to you through your stewards. If you have any questions though, feel free to call the Hall and we'll try to help however we can.

Thanks, and stay safe!

In solidarity,

Jeff Nelson



The VP Speaks

Vice President Phil Rodriguez

Vice President

Do you know your rights? *

When management begins to ask you questions that could lead to your being disciplined, you don't have to face it alone. If you have a reasonable belief that answers you give could be used by the supervisor to discipline you, the U.S. Supreme Court says you can refuse to answer any questions until the union steward is on the scene and has had a chance to talk things over with you first. It's your right to have the steward present during the questioning to advise you, ask supervisors for clarifications, and provide additional information at the end of the session. The employee subject to the interview must reasonably believe that the investigatory interview will result in disciplinary action. A meeting called by the employer for the purpose of informing the employee of the imposition of discipline already decided, is not an interview subject to Weingarten rights.

Management is not required to inform the employee of his/her *Weingarten* rights;

Management is not required to inform the employee of his/her *Weingarten* rights; it is the employee's responsibility to know and request. Once you've asked for the steward, any attempt by management to continue asking questions before a steward gets there is an unfair labor practice. If supervisors pressure you by telling you that "you're only making things worse for yourself" by asking for a steward, that's against the law. So be sure to:

- Request the presence of a Union representative.
- Ask if you are a suspect in a criminal matter.
- Do not consent to a search of person or property. Ask to see a search warrant.
- Do not waive any rights, including the right to remain silent.
- Do not sign a waiver-of-rights form, admit or deny any allegations, or make any written or oral statement unless an attorney and/or Union representative is personally present. These are not complete guidelines—always consult with a union representative and/or attorney.

When the employee makes the request for a union representative to be present management has three options:

- (1) it can stop questioning until the representative arrives.
- (2) it can call off the interview or,
- (3) it can tell the employee that it will call off the interview unless the employee voluntarily gives up his/her rights to a union representative (an option the employee should always refuse.)

The Role of a Union Representative

Employers will often assert that the only role of a union representative in an investigatory interview is to observe the discussion. The Supreme Court, however, clearly acknowledges a representative's right to assist and counsel workers during the interview. The Supreme Court has also ruled that during an investigatory interview management must inform the union representative of the subject of the interrogation. The representative must also be allowed to speak privately with the employee before the interview. During the questioning, the representative can interrupt to clarify a question or to object to confusing or intimidating tactics.

While the interview is in progress the representative can not tell the employee what to say but he may advise them on how to answer a question.

What to Say if Management Asks Questions That Could Lead to Discipline

"If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working conditions, I request that my union representative, officer, or steward be present at the meeting. Without representation, I choose not to answer any questions."

Just as it's important to know what your Weingarten rights are, it's also important to know the limits.

You are not entitled to have a steward present every time a supervisor wants to talk to you. But if the discussion begins to change into questioning that could lead to discipline, you have the right to ask for your steward before the conversation goes any further. If you're called in to the supervisor's office for an investigation, you can't refuse to go without your steward. All you can do is to refuse to answer questions until the steward gets there and you've had a chance to talk things over. If you are called at home and asked the same kind of questions, you have a right to insist on waiting to answer them in the presence of a steward.

Phillip Rodriguez



Legislative Report

Happy New Year everyone. 2012 was an extra busy year for us with local and national elections going on and with battling to preserve six day delivery. I would like to thank everyone for doing so much last year. 2013 looks like it will be just as busy so we can't relax yet.

Now that the 112th congress is gone we will have to focus on the 113th congress and hope they have a better vision for the future of the Postal Service. Dennis Ross is out as chair of The House Oversight Subcommittee of Federal Workforce and U.S. Postal Service. To take his place will be Blake Farenthold(R- TX.) He is a member of the Tea Party caucus so we should not receive much support from Rep. Farenthold.

We have started planning out the D.C. lobby trip this year. To help get us ready we need all your help in prepping the Congressmen and Senators by writing them and educating them with the facts and truths about the Postal Service. The more letters and phone calls they receive from their constituents the more likely they will be to really listen to us when we make our presentation in D.C.

I would like to thank every-

one who sent a Christmas card to Save Our Post Office. Jerry Stidman, the man running the campaign sent an email out "I don't know what the exact issue is going on in Salt Lake City but thank you for the many cards received." For anyone that uses Facebook go on and like our Facebook page its NALC Utah State Association. We post the lasted news released about our contract, new petitions, and other legislative news.

For everyone that lives in the Congressional District two (West Valley area and south), you have a new representative in Chris Stewart. We need to get our message out to him and educate him on the Postal Service. Give him a call and then write him a letter asking him to protect the Postal Service and to not dismantle the great service we provide to America. His D.C. number is 202-225-9730.

Union

Chad Mortensen

Those

Helpful

Union

Guys&girls



	Have something to say or	
	want to make others aware.....?	
	Send in your ideas or articles to	
	Jones255@xmission.net	

Official Notice

Branch 111 N.A.L.C.

Union Meetings

All meetings held at:

**2261 S Redwood Road
Salt Lake City, Ut. 84119**

**Next Union meeting
February 14th**

**Meeting in March will
be on the 14th**

6:30 pm

Support our Auxiliary

4\$ dinners at every union
meeting

February meeting : chilli dog
salad, and a drink

March meeting: hamburger,
salad, and a drink



If you have been injured call Terry Ehlers immediately he can assist you with your claim.

801-694-0558





NALC HEALTH BENEFIT PLAN

Jim Kerekes

I thought in this article I would share two different topics. One is on Prescription Drug Tiers. The Second is pre-authorization procedures. Everyone should have or you can call and request a copy of the pamphlet called 2013 Prescription Benefits Overview.

There are 4 Prescription Tiers in the pamphlet. The pamphlet talks about all the Tiers. But, it also has the breakdown of the types of Generics available under Tier One.

TIER ONE = Generic Drugs, usually cheapest cost of all kinds of drugs.

The generics are listed as follows:

- NALC Select Generics
- NALC Preferred Generics
- NALC Senior Antibiotic Generic List



TIER TWO = Formulary brand name drugs.

If no generic is available tell your doctor to choose a brand name from the formulary list. It costs less for a brand name from the Formulary. If no list is available to you, call Caremark at 1-800-933-6252 to check if the drug is available and especially its cost to you.

TIER THREE = Non-Formulary brand name drugs.

Your cost is higher for these because there is no brand name drug available on the Tier 2 formulary.

TIER FOUR = Specialty Drugs.

These are usually costly. You must purchase them through the Caremark Specialty Pharmacy Services. To obtain prior approval for these drugs call 1-800-237-2767.

All formularies change and are updated. Some are taken off their lists whether they are formulary or non-formulary.

TOPIC TWO – PRE-AUTHORIZATION PROCEDURES:

It happened in my household and another members' household. Some surgical procedures a person may have done by their doctors may need pre-authorization, but sometimes not. Some doctors have called NALC Health Plan and asked if pre-authorization is needed for a procedure giving to NALC the medical codes. But

some doctors' offices sometimes don't know to call. So if your doctor seems confused on whether a procedure needs pre-authorization get the medical codes from them for the procedure(s) and call NALC and ask NALC if it needs pre-authorization.

The official brochure says the only things generally needing pre-authorization are:

- IN HOSPITAL STAYS
- HI-TECH PROCEDURES such as:
- CT / CAT SCANS; MRI;
- MRA; NC OR PET SCANS

CALL 1-877-220-6252 for Pre-Authorizations.

Other Pre-Authorizations are:

- SPECIALTY DRUGS
- ORGAN / TISSUE TRANSPLANTS, DONOR EXPENSES
- MENTAL HEALTH AND SUBSTANCE ABUSE
- DURABLE MEDICAL EQUIPMENT (DME)

All this information is in the Official Brochure on pages 23 – 26.

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.

Retiree Highlight

Last month, we got to visit with retired letter carrier Don Kane. He is the oldest member of Branch 111! He was the first letter carrier to try out the “Zip Code” system in the Salt Lake area. He has several awards & commendations that he keeps from his time with the Postal Service. He is a Gold Card member and has been a faithful member of the NALC since 1947.



A message from the editor

Hello my union brothers and sisters.

I recently had an accident which was exactly that an accident. While delivering my route during the last major snow storm my vehicle came in contact with a large rock buried in the snow. At the time I was unaware that the rock was there. But I do not write to you in regard to the rock but the investigation that followed.

I was brought in by management to do what they called a accident interview questionnaire. **Management will instruct you that this will not lead to any discipline. Do not trust them, if you do you place your possible discipline in their hands.**

If an accident occurs they will ask you to participate in this questionnaire. You should comply but not until your union rep is provided. There are also some questions located in this unofficial form that you should be aware of and not answer in the way management wants.

First and foremost on any investigation regarding an accident the question will always be asked:

“what could have you done or what could have prevented this accident?”

Never answer this with any real viable answer. Management will discipline you if you come up with anything viable blaming that you had prior knowledge and should have avoided the accident.

The best answers I usually rely on is if I would have called in that day I would not have had that accident.

Management almost always uses that question as a catch 22. if you answer you prove you are smart enough to have had knowledge that would have avoided the accident in the first place.

The largest thing I want to emphasize that you have a right to representation under the *Weingarten* rights all that you have to insist is that you believe the investigation will lead to discipline. Management will insist that the investigation will not lead to discipline but if you fail to participate that your lack of cooperation will lead to discipline. Anytime any management pulls you into the office by yourself if they ask you any questions at all you can request to have a union rep. attend. I would advice you to do so. We have in the recent past had both management changing answer that carriers have presented and using the investigation to build a foundation for another investigation that will lead to discipline using almost the exact same questions.

Do not place your future and any discipline into the hands of a supervisor or manager who may not be the most trustworthy. The union rep is there to protect you and the contract and ensure that what takes place in that meeting is handled correctly and professionally. Union stewards have been trained to handle investigations and what pitfalls management will use to try to trap you.

Monte Jones Editor

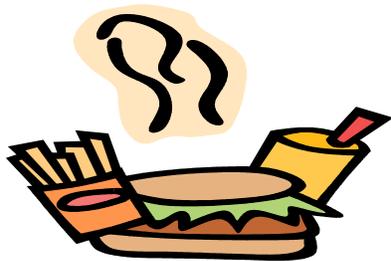
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***WE EXPRESS OUR DEEPEST
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Hello my name is Ethel Taylor—
I am the widow of George S.
Taylor

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

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