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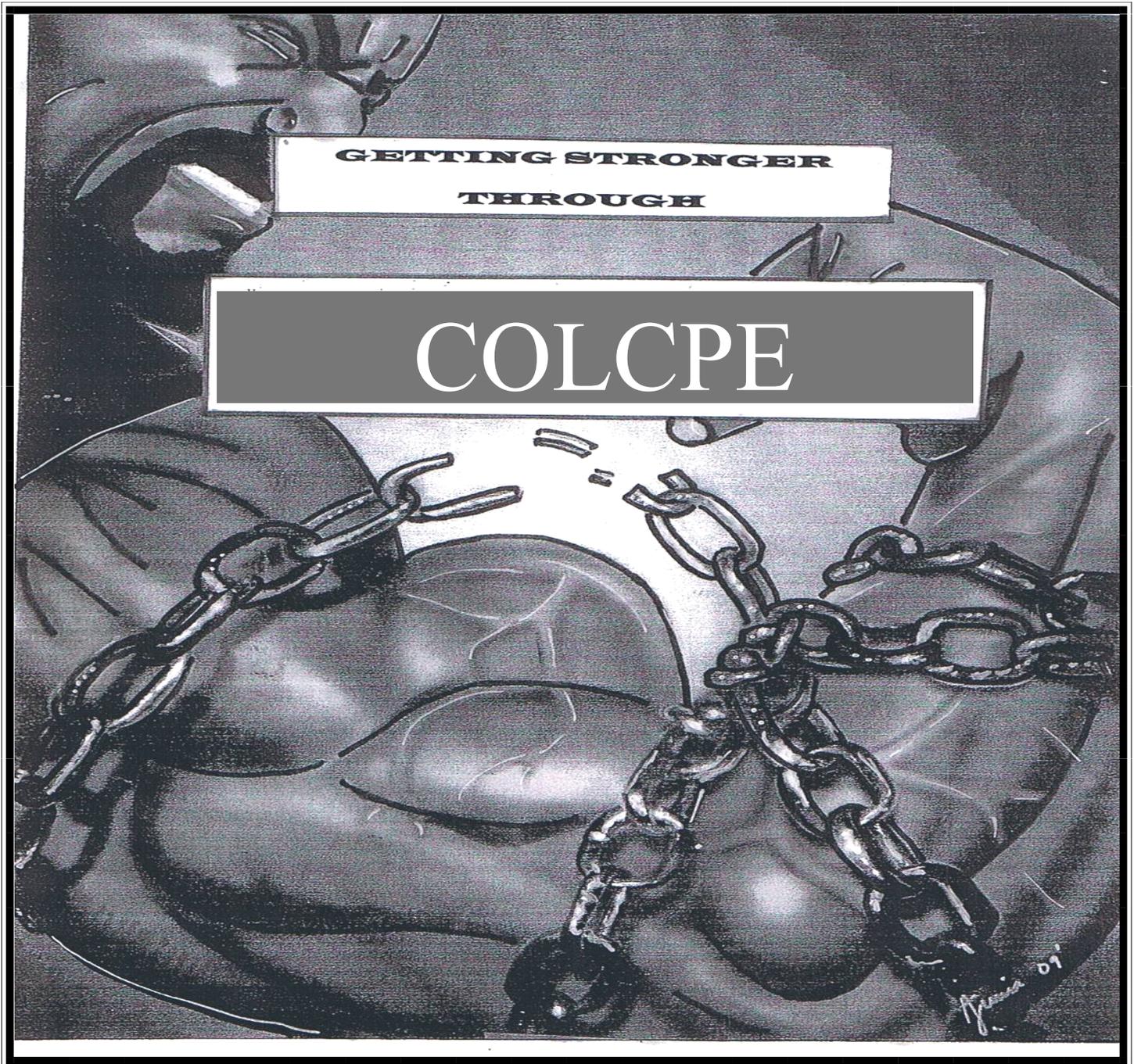


BRANCH 111 N.A.L.C.
"THE WASATCH BRANCH"

The
Pavement Pounder

Lehi - Magna - Murray - Northwest - Sandy - South Salt Lake - Sugarhouse - Tooele - West Jordan - West Valley

JUNE 2009



The Winners Box

Union Meeting
Drawings
MAY 14, 2009

2 Door prizes
\$25.00 Each

Steve Schafer

Barrie Frankland

Progressive Retirees
\$100.00

Glen Maynes
(not present)

Next month
\$125.00

Progressive Union B
\$225.00

Clifton Prisna
(not present)

Next month \$250.00

Progressive Union A
\$675.00

Tiffany Rienhold
(not present)

Next month
\$700.00

**The next drawings will
be at the June 11, 2009**

Union Meeting

You Must be
present to

WIN!!!

The Wahlquist Report

Mike Wahlquist, President.

State of Postal Service

Last month, our Vice President Phil Rodriquez and I attended the national RAP session in Las Vegas, Nevada. Our national officers wanted us to pass on the message that the Postal Service is not about to go "belly up", as some in management have intimidated. Recently, we have had supervisors and station managers announce (on the workroom floor) that the Postal Service will not be able to make payroll by the end of June. This simply is not true. However, our National Officers also let us know that we will be going through an era of rapid change, and part of the survival of the Postal Service will depend on our ability to quickly adapt.

One way in which our jobs are changing is the IRAP, or MIRAP (Modified Interim Route Adjustment Process). We will now have our routes adjusted at least once a year, and sometimes more often than that. The reason for this is twofold. On the one hand, rapidly changing mail volumes necessitate rapid reevaluations of routes. In fact, the contract mandates that management provide us with routes that are as close to eight hours as possible. Secondly, our contract is up in two more years. When we go in to

negotiate for wages, benefits, and working conditions, we need to be able to tell an Arbitrator that we have worked in good faith with management to try and succeed as a service. The MIRAP, Customer Connect, and Food Drive are ways that we can show this. (By the way, the food drive totals are still trickling in, but it appears that our branch came very close to equaling last years amazing record. As of now, we have totaled just over half a million pounds collected by Branch 111)

The National Officers also mentioned that when we go to the bargaining table in two years we will likely not be negotiating for additional wages and benefits, but rather we will be negotiating to keep the wages and benefits that we already have. If anyone knows a non-member out there, this would be the best reason of all to join the Union, and there could be no better time. We need to come to that future bargaining table unified and strong if we want to succeed in 2011.

I have some additional news that could impact us sooner, and perhaps more personally than what I have mentioned up to now. The OIG has released their report on their response to the Postmaster General's request on the management of City Letter Carriers'

street performance. This report was requested specifically to address Carrier misconduct ranging from "theft of time" to "inappropriate behavior". The report is extensive, and I will not bore you with it here, but I would like to discuss the postal service's response to the report.

The OIG's first recommendation was to reduce the number of DOIS reports that management uses to track Carrier's performance from eight down to four. Management responded that since there are forty-two different DOIS reports on street performance that could be used to track Carrier street time, they were already minimizing the reports and would like to continue using the eight. No big surprises here; one thing I know for certain is that the higher up you are in the Postal Service, the more you love paperwork!

The second recommendation was similar to the first in that the OIG recommended only using DOIS reports if they differed from actual performance. The Postal Service was against this recommendation as well, again because they love their paperwork. In fact, rather laughably, the Service recommended an additional report to show what the OIG was talking about.

The third recommendation was to conduct street observations, performance reviews, and take

corrective action for misconduct issues. Not surprisingly, the Postal Service agreed with this recommendation.

Now we are to the scary stuff. Recommendation four was to "Study the costs and benefits of converting the existing city carrier hourly compensation system to an evaluated compensation system similar to that of rural letter carriers." The Postal Service's response to this recommendation was blacked out prior to being published. In light of how badly the Rural Carriers were treated in their last contract, with hours added to their routes at the same time that their pay was diminished, I can only guess that the Service agrees with this idea. Because of declining mail volume, the Rural Carriers took a devastating hit to their wages and a huge increase in their hours at the same time, and for the first time ever, I heard a Rural Carrier beg to have the Rural system be converted to an hourly rate like we have.

And finally, in recommendation number five, the OIG recommended that management should increase the use of GPS (Global Positioning System) technology in the Chicago district. Apparently, the Service has been running a pilot program in Chicago with (in management's opinion) some results of time savings. Of course, these are the same guys who thought that DPS would save a bazillion

hours when in fact it is debatable whether there has been any bottom line savings at all.

The Postal Service's response is comical and scary. They said, "Since the units are mounted in carrier vehicles, the district has the latitude to transfer the vehicles to other sites where warranted. Once specific carrier street performance is brought into line, the carrier can be held accountable for their demonstrated performance without ongoing GPS reliance. This allows management to rotate the GPS equipped vehicles and improve overall performance without incurring additional GPS implementation and reoccurring costs." So (let me guess) management will want to assign you a GPS truck, monitor you for a month, and then want to hold you to that street time for the rest of the year. And which month do you think that they will want to use?

Thank goodness that we have a Union that will fight for every cent, every hour, and every condition of employment that we have.



The Veep Speaks Vice President Phil Rodriguez

Denial of Sick Leave is Management's latest attempt to try to fill the void of Letter Carriers in our Installation. I received numerous calls from Carriers telling me their Supervisor denied their scheduled Sick Leave. One Carrier was told by their Supervisor the leave roster was full so she couldn't seek medical treatment. For the record, the leave roster is separate from our right to Sick Leave in Article 10 of our National Agreement.

Sick leave is our right negotiated under our Collective Bargaining Agreement. If employees are incapacitated due to injury or illness then we have a right to seek medical treatment without loss of pay. The Employee Labor Relation Manual (ELM) provides us the definition of Sick Leave.

513.1 Purpose

513.11 Sick Leave for Employee Incapacitation

Sick leave insures employees against loss of pay if they are incapacitated for

the performance of duties because of illness, injury, pregnancy and confinement, and medical (including dental or optical) examination or treatment.

Arbitrator Mark I Lurie in Arbitration C-13470 stated:

"The Service is directed to adhere to the principle that employees have absolute right to obtain timely medical attention when the lack of same might impair their health"

Notice Of Proposed BYLAW Change

In compliance with Branch 111 Bylaws notice is hereby given that Proposed Bylaw Changes will be debated and voted on

June 11, 2009 - 6:00 PM At the scheduled branch general meeting

2261 South Redwood Road

Please consult Branch 111 Bylaws for further details of procedures .

Management cannot deny an employee the right to seek medical treatment (examination). Our Collective Bargaining agreement doesn't give Management the option to deny treatment because they are down routes or they don't have the help. If you're sick and need to seek treatment then you notify your Supervisor with a 3971. Tell them you're seeking medical treatment outlined in your 3971 and you will be absent. Do Not share sensitive medical information with them such as diagnosis or prognosis. Simply state I will not be able to perform my duties due to injury or illness and I am seeking medical treatment via examination.

Often Carriers make the mistake of providing medical information to their Supervisor in the hope that they will understand and "allow" them to use Sick Leave. Many times when Carriers have shared medical information with their Supervisor they, (Supervisors) suddenly become Doctors and have told the employee why they do not need medical treatment. Carriers have been told in many instances to reschedule their appointment because, in their Supervisor medical opinion, the Supervisor deemed the condition not serious enough to warrant treatment that day. Your Supervisor is not your medical provider! If your Supervisor tries to deny you Sick Leave ask them if they are instructing you to

perform your duties while you're injured or ill? I don't believe even the most incompetent Supervisor will order you to perform your duties while injured or ill. That would be unsafe and we all know safety is priority number one in our Installation.

Sometimes the Supervisor will make threats of AWOL or insubordination and even discipline. It's just a threat. If they make threats call the Union Hall and talk to Mike and notify your Steward immediately. Our job is a physical job with repetitive motions that after time will wear down our muscles. We are subject to the weather and other elements that place us in harms way. Take care of your health and seek medical treatment whenever you feel the need. The majority of us will work 30 plus years and we need to take care of our bodies. And seeing a Doctor and providing our body with preventative medical treatment will ensure us that we will enjoy the fruits of our labor when we retire. Do not let your Supervisor dictate when and if you need medical treatment. Give to COL-CPE!!!

prodriq@msn.com

801-633-4222



MBA and Compensation

If you have an injury you are to report it to your supervisor and also I recommend informing your steward or another Union branch officer. It has come to the Union's attention that management, in some locations, is not complying with Federal Law. Case in point- management is not giving out forms for an employee to report an injury. Federal Law provides in 18 U.S.C. 1922 that:

"Whoever, being an officer or employee of the United States charged with the responsibility for making the reports of the immediate superior specified by section 8120 of title 5, willfully fails, neglects, or refuses to make any of the reports, or knowingly files a false report, or induces, compels, or directs an injured employee to forego filing of any claim for compensation or other benefits provided under subchapter 1 of chapter 81 of title 5 or any extension or application thereof, or willfully retains any notice, report, claim, or paper which is required to be filed under that subchapter or any extension or application thereof, or regulations prescribed thereunder, shall be fined under this title or imprisoned not more than one year, or both."

Another issue that I would

Tlike o address and hopefully clear up is the use of the form CA-2a "Notice of Recurrence." This form is being handed out to employees im- properly more often than not; this form is not the correct form for their injury. Before I go any further (and please heed this advice) do not use this form until you have contacted your Union representative (Steward or Branch Officer). Back on point, CA-2a is used for a recurrence of disability and is defined as an inability to work after an employee has returned to work, when the inability is caused by a spontaneous change in a medical condition which has resulted from a previous injury or illness without an intervening injury or new exposure to the work environment that caused the illness. This term also means an inability to work that occurs when a light duty assignment made specifically to accommodate an employee's physical restriction due to his or her work related injury or illness is withdrawn. It means an inability to work that occurs when the physical requirements of such a light duty assignment are changed so that they exceed an employee's established medical restrictions. A new incident with an identifiable cause is defined as a new injury.

If you would like information pamphlets on any of the NALC Mutual Benefit Association Insurance benefits please stop in at the branch office to pick them up.

Terry C Ehlers

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.

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

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Social order at the expense of liberty is hardly a bargain

I, by no means, consider myself an activist and hope the small audience I have enjoys the cartoons I create each month for the Pavement Pounder. I have been drawn however to ask for your loyalty to stand together in Branch 111.

Benjamin Franklin once wrote, “any society that would give up a little liberty to gain a little security will deserve neither and lose both.”

The USPS has a history of tolerance and indifference to intimidating and disruptive behavior from its’ supervisors. Some formal systems (EEO/ADR, as well as Human Resources) are indirectly promoting it. Intimidating and disruptive behavior stems from both individual and systemic factors. The inherent financial stresses of dealing with a high stake economy, as well as high emotion situations can contribute to occasional intimidating or disruptive behavior. Supervisors and managers who exhibit characteristics such as self-centeredness, immaturity, or defensiveness can be more prone to unprofessional behavior. They can lack interpersonal, coping or conflict management skills. Disruptive behaviors often go unreported, and therefore un-addressed for a number of

reasons. Fear of retaliation and the stigma associated with “blowing the whistle”, as well as a general reluctance to confront an intimidator all contribute to underreporting of intimidating and or disruptive behavior of management. Additionally, staff within our institution often perceive that powerful, revenue-generating offices are “let off the hook” for inappropriate behavior. Offices who generate high amounts of revenue are treated more leniently when it comes to behavior problems than those who bring in less revenue. I have often wondered if the ASP program teaches a form of team building through sadism. A supervisor who is intoxicated by violence and views social order at the expense of liberty is hardly a bargain when you consider the cost and money squandered by management through settlements, payouts and lawsuits filed. While carriers are micro-managed to capture as much revenue as possible, rogue managers and supervisors have been allowed to continue mismanaging postal funds at a time when we should all be conscious of lost revenue. It has been the members of the NALC who have lobbied to congress to change the Postal Act of 2006, which would re-build our system placing \$ 5 billion dollars into current revenue. Postal employees are the ones submitting Customer Connect, Business Connect, and Rural Reach cards, which have flooded in with impressive results. We the carriers have fought to re-build util-

COLCPE, we must come together united and support our Union and its’ leaders through our membership. We literally cannot afford not to be a member at this time.

See you in the funny papers,

Brian Gonzales aka “Junior”



**IN
MEMORIAM
RONALD ALAN
WRIGHT
1927-2009
LETTER CARRIER
BRANCH 111
EXPRESSES OUR CON-
DOLENCES TO HIS
FAMILY.**



JUNE 2009

Sun	Mon	Tue	Wed	Thu	Fri	Sat	
	1	2	3 NAP 6:30 PM	4 E-Board 6:00 PM	5	6	
7	8	9	10	11 Branch Meeting 6:00 P.M.	12 Pay Day	13	
14	15	16	17 Steward's Meeting 6:00 P.M.	18	19	20	
21	22	23	24	25	26 Pay Day AFL-CIO CONV. 8:30 AM	28	
29	30	<div data-bbox="584 1669 1437 1890" style="border: 2px solid black; padding: 10px; background-color: #cccccc;"> <p>http://branch111.com/index.htm</p> </div>					

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The

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the

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January 24, 2003

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