



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

The
Pavement Pounder

JULY 2010



Cute little
Friend....

...or a
Threat?



The Wahlquist Report

Mike Wahlquist, President.



Union membership is an insurance policy.

Job

Insurance!!!



The Dog Days of Summer

As I sit here writing this, John E. Potter is trying to reduce our delivery days to 5 (or perhaps 4 as he stated in a recent address), with his sky-is-falling attitude. I believe that his actions make no "sense". I believe that he lacks "feeling" for customers and employees, is "blind" to opportunity, is "deaf" to good advice, uses logic that "smells", and whose use of postal funds to promote the collapse of our organization is in bad "taste". The NALC is countering his negative propaganda at each level and every opportunity. Please don't forget to contact your Senator or Representative.

Now, on to the dog days of summer. In 1987, when I was 19 years old and carrying mail in Mission Viejo, California, I had a pretty strange experience with a dog. I had been delivering four-boxes (four boxes on a single post located across the sidewalk) most of the morning. Even though I had only been carrying mail for about a year, I had already been attacked and nipped by several dogs, so I was very wary of the canine species.

When delivering four-boxes, you jump in and out of your vehicle constantly. You drive a few hundred feet, deliver, and then repeat that process several hundred times during a day. One hot summer afternoon, after running out of letters, I turned to the back of my 1/4 ton to get my next tray and received a serious shock. Lying in the back of my jeep was a large dog, panting and drooling all over the black rubber mat. The sight of the dog inside my

vehicle (mere inches away from my arm) really startled me, but I quickly realized that the dog was not aggressive. Obviously, he had snuck behind me and jumped up into my vehicle while I was servicing a four-box, or when I had walked up to a house to attempt a package or certified (back in 1987 we didn't lock our vehicles if they were going to be out of sight for a couple of seconds).

So, I tried to coax the dog out of the driver's door, by which he obviously had to have entered. But the dog wouldn't move. So I went around to the back, opened the back door and tried to get the dog out that way, but again, he didn't want to move. I finally had to physically help the dog to exit the vehicle and it occurred to me that I really didn't know how long the dog had been back there, so he could have been miles from his house. But he walked away (kind of sadly), and I have never again found a dog inside my truck.

Another time when I was in my early twenties, I had a naïve lady walk up to me holding her dog by the collar. I could see that her dog didn't like me, and I began to back away from her and her dog. She said "I just want to give my dog [insert cute dog name here... I can't remember what she called it] a chance to meet you". I replied, "No thanks, I don't want to meet your dog. Please don't let go of it. I don't want to get bitten". She seemed to take offense that I didn't want to pet her dog and said, "My dog would never bite you". I said something about how it was not I

who made the rules, and turned to leave. It was only a second or two later that she let go of her dog, which soundlessly ran up and bit me on the butt. Her eyes were wide as she grabbed her dog again, and I yelled, "So your dog would never bite me, huh?!!" She mumbled something about how surprised she was, and I yelled something back about how surprised I wasn't.

Now on to some useful (hopefully) information. According to the Centers for Disease Control, studies have shown that the following breeds are those most likely to attack:

- Pit Bulls
- Rottweilers
- German Shepherds
- Huskies
- Alaskan Malamutes
- Doberman pinschers
- Chows
- Great Danes
- Saint Bernards
- Akitas

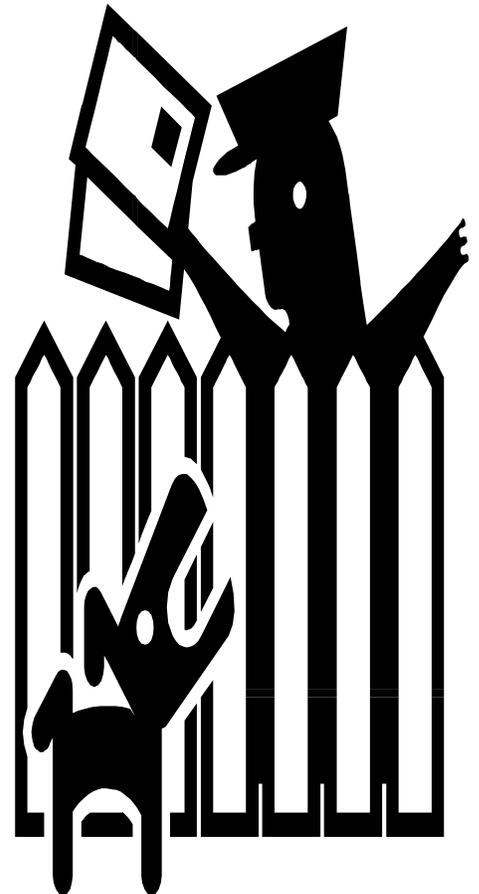
Of course, we all know that any breed can and will attack from time to time. In the safety talks from USPS Publication 129 (March 1999) there are several things listed that we can do to lessen the chance of a dog attacking, which are:

- **Avoid surprise.** The regular carrier should be aware of all bad dogs on his [her] route. He should warn utility and substitute carriers by using a Form 1778, Dog Warning Card [cased in at the previous address for timely notification], and by entering it in the Carrier's Route Book. Managers should verify monthly that cards are maintained.

- **Keep your eyes and ears open.** Observe steps, porches and hedges for dogs. Don't finger mail in the vicinity of a known bad dog, or while you walk.
- **When calling on a customer,** listen for a dog bark. Keep knee or foot against a storm or screen door. Ask customer to keep the dog inside until you have left the premises.
- **Protect yourself.** Your satchel is one of your best defensive items. Keep it between you and the dog. Don't run from a dog. Carefully back away, using caution while backing. Be prepared to use your dog repellent.
- **Use dog repellent (Halt).** It is very effective against all dogs at close range, 10 feet or less. It must be sprayed in the dog's face. It is a harmless mixture of mineral oil and cayenne pepper. The effects wear off in 10 to 15 minutes. It is approved by veterinarians, the Humane Society, and kennel clubs and is registered by the U.S. Department of Agriculture. It has been known to stop large German Shepherds.
- **Suspend delivery.** Carriers are not required to serve a house or an area if a dog threatens. Endorse mail "loose dog" and give it to your supervisor.
- **Report uncontrolled dogs.** For uncontrolled dogs, call the local dog officer or, if further assistance is needed, call the local police.
- **Don't trust dogs.** Stay away from chained dogs or dogs on



a leash. Even supposedly friendly dogs have been known to bite when in the wrong mood or when they feel threatened.



I hope that we can all have a safe and dog bite free summer!

The Veep Speaks

Vice President Phillip Rodriguez

Now that summer has arrived and vacation roster is at its max, Carriers will face some tough issues. With the horrific understaffing and Management pushing the limits of our Collective Bargaining Agreement, getting a day off will be tough. Sometimes Carriers use a day of sick leave as a means to secure a day off thus infuriating a Supervisor who has six or seven routes "down". Upper Management is constantly complaining to Mike and me of the high rate of Sick Leave in the SLC Installation. Management has begun to aggressively pursue Carriers who have used incidental sick leave issuing discipline, in many cases, to those individuals who have violated the provision of "failing to regular in attendance." Can we use sick leave without being discipline? What does our Collective Bargaining Agreement state concerning the use of Sick Leave?

Sick Leave. Article 10.5 provides for the continuation of the sick leave program, whose detailed regulations are contained in ELM Section 513. Section 513.1 defines sick leave as leave which "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."

Sick leave is paid at the employee's regular straight-time rate, and limited to maximums of 8 hours per day, 40 per week and 80 per pay period (ELM Section 513.421(b)). Full-time employees may request paid sickleave on any scheduled workday of the employee's basic workweek.



We have a contractual right to use sick leave but the use of that right, in select circumstances, might not protect the employee from being issued discipline. If you use sick leave and are eligible for FMLA please pursue those rights. Management has drawn the line in the sand that any absence not protected under the Family Leave Act can and will be under review for "Failing to be Regular in Attendance". Of course we disagree and will pursue this issue via the grievance process, but remember, certified FMLA absences are the only protection that we have from Management issuing discipline. If you have any question concerning FMLA

rules please see your Steward or visit our website at www.nalc.org.

The last couple of months I have received numerous call concerning dogs being loose while delivering their route. Some Supervisors have instructed Carriers, (through some divine inter species communication) to walk up to the dog and try to determine if the dog is a threat. If the dog is not a threat, then proceed expeditiously in delivering the mail to the household. Some Supervisors have refused to issue dog letters and hold the mail for those homes where the dogs run lose.

In my many years as a Letter Carrier I have always been told to treat all dogs as threats. I should never go into a yard if a dog is lose, nor should I deliver the mail to the residence if a dog is dangerous. Remember, all dogs bite!! Far too often a Carrier has been bitten and before the wounds have healed a Letter of Warning has been issued for failing to work in a safe manner. Never deliver mail to a residence that has a dog lose. Bring the mail back and notify your Supervisor of the hazard and let the Supervisor correct the unsafe situation. If the Supervisor instructs you to deliver the mail without a dog letter, then ask to see your Steward.

I would also encourage all Letter Carriers to notify their Supervisor of the unsafe condition, (dog is loose) via a PS form 1767. What is a PS form 1767? It is a form that should be available to every employee to report unsafe conditions. The employee describes the unsafe

condition on the form and submits the form to their Supervisor for review. Within 24 hours the form should be returned to the employee with a solution to correct the unsafe condition. If the employee is not satisfied with the response of their Supervisor then the employee should submit the insufficient response to their Steward who then has the option of filing a grievance at the Formal A level. Usually the forms are located next to the break room or time clock. If the form is not available please notify your Steward and they will notify Management to make the forms available. Please take the time to work safely. With our Supervisor's pushing everyone to "make our time" some Carriers will cut corners and place themselves in unsafe situations. You cannot be disciplined for working too safe but you can be disciplined for working unsafe.

Phillip Rodriquez
 Vice President
 prodriq@msn.com



The Winners Box

Union Meeting

Drawings

April 8, 2010



2 Door prizes monthly \$25.00 Each

Mike Miller

George Taylor

Progressive Retirees

\$150.00

Herbert Hinkley

(not present)

Next month

\$175.00

Progressive Union B

\$25.00

Alan Greer

(not present)

Next month

\$50.00

Progressive Union A

\$175.00

Jason Wadsworth

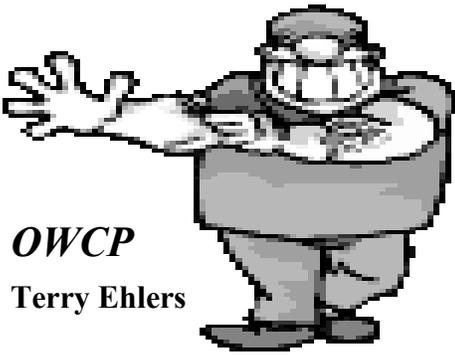
(not present)

Next month

\$150.00

The next drawings will be at the July 8, 2010 Union Meeting

You Must be present to WIN!!!



OWCP

Terry Ehlers

Causal (expressing, indicating or arising from a cause) Relationship involves establishment of a connection between the injury itself and the condition found. This must be determined entirely on medical evidence provided by physicians that have examined and treated the injured employee.

Kinds of Causal Relationship:

- **Direct Causation**

In situations where the injury or factors of employment result in the condition claimed through a natural and unbroken sequence.

- **Aggravation**

A pre-existing condition that is worsened, either temporarily or permanently, by a work-related injury.

- **Temporary Aggravation**

Is a limited period of medical treatment and/or disability, after which the injured employee returns to their previous physical status. Compensation is payable only for the period of aggravation proven by the medical evidence, and not for any disability caused by the underlying disease.

- **Permanent Aggravation**

Is when a condition will persist indefinitely due to the effects of the work-related injury or when a condition is materially wors-

ened by a factor of employment such that it will not return to the pre-injury status.

- **Acceleration**

A work-related injury or disease may hasten the development of an underlying condition, and acceleration is said to occur when the ordinary course of the disease does not account for the speed with which a condition develops.

- **Precipitation**

Is a latent condition which would not have manifested itself on this occasion but for the employment.

- **Medical Evidence**

Causal Relationship requires rationalized medical opinion (how the condition was caused by specific work activity) for resolution. The opinion must be obtained from a physician who has examined or treated the injured employee for the condition claimed.

In any case where a pre-existing condition involving the same part of the body is present, the physician must provide rationalized medical opinion which differentiates between the effects of the employment-related injury or disease and the pre-existing condition. Such evidence will permit the proper kind of acceptance (temporary vs. permanent aggravation).

To establish Causal Relationship, additional medical opinion may be requested of OWCP's District Medical Director/ Adviser or from a specialist in the medical field related to the injury or disease. In a claim for a psychiatric condition, a report from a psychiatrist or licensed

clinical psychologist will be required to meet this criteria (now I want the readers to know that this claim is a very hard claim to get accepted by OWCP). Claims for occupational hearing loss and pulmonary disease, the OWCP will refer the employee for examination by an appropriate specialist after exposure to the hazardous substance or condition has been established.

- **Consequential Injury**

Is a new injury which occurs as the result of a work-related injury: for example, it occurs because of weakness or impairment caused by a work-related injury. Consequential injuries are compensable.

- **Intervening Injury**

Is a an injury which occurs outside the performance of duty to the same part of the body originally injured. The resulting condition will be considered related to the original injury unless the second injury alone is established as its cause.

Proper medical evidence is needed to support the injury in the claim with OWCP, have the physician list all medical restrictions for light duty work, and written verification that the doctor has read the injured employees narrative of the description of the work activities that the employee does, the doctor must also base their opinion on this as related to the injury.

Do not assume that the physician knows how to handle OWCP paperwork. Explain IN ADVANCE about the paperwork needed fro the physician (including medical rationale for

causal relationship), along with their responsibilities to respond to OWCP inquires. Inform the physician to answer this question for causation; “Did the on the job injury contribute or cause, precipitate, accelerate, or aggravate “in any way” or ‘to the slightest degree” ? Inform the physician that you want to pick up copies of all correspondence between them and OWCP, and also to be notified of all other contacts with the Postal Service, OWCP, or a case nurse.

The physician’s statement of the injured employee’s medical limitations on CA-17 must cover all limitations. This is what the injured employee is to refer to when you tell OWCP that a job offer is not within your limitations and therefore unsuitable. Don’t even attempt to argue about a limitation of restriction that the physician did not include on the CA-17 or other appropriate documentation.

Pain per se is not a disabling condition it is a symptom. Check to insure that the physician cites the condition causing the pain, rather than the pain itself, as the limiting factor of the injured employee’s activities for limitations.



Jimmy Kerekes

The Health Plan at the National Convention will have a computer link to the main headquarters in Virginia. If anyone wants me to ask questions or try to solve any billing problems you’ll have to sign the health plans authorization forms, giving me the right to inquire in your behalf.



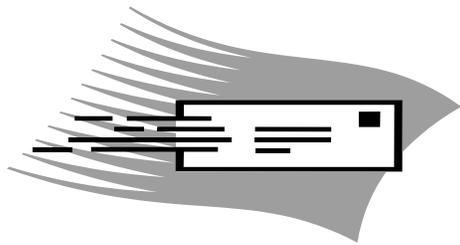
I’ll have some of those forms at the July meeting. I can also mail or e-mail these to you, and then you could send it to me. Those forms will need to be sent to the Health Plan headquarters in Virginia 2 weeks before the convention, which is on Aug. 9th, so they can enter them into the computer system.

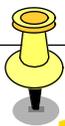
Next year’s 2011 Health Plan coverage will be forth coming to me probably around late Sept. or early Oct.

**THE PAVEMENT POUNDER
POLICY AND NOTICES**

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 members.





Auxiliary 8



July Dinner Menu

Hot dogs, macaroni salad, chips and drink

\$4.00

IN MEMORIAM

NONE REPORTED IN JUNE

**WE EXPRESS OUR
CONDOLENCES TO
THEIR FAMILIES.**



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Comfort, Durability and Performance**



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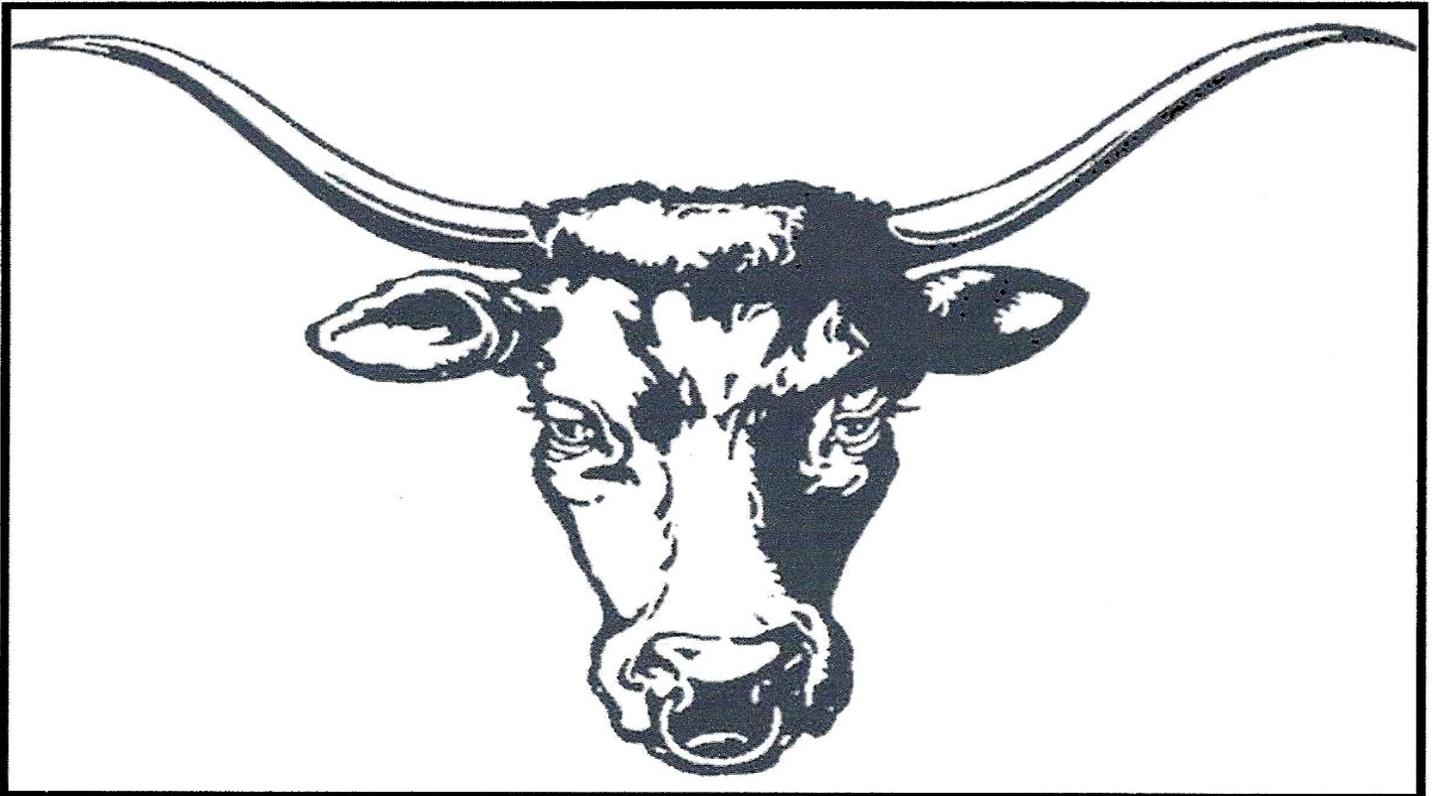
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ANNUAL
"STEAK FRY"



AUGUST 28TH
AT MURRAY PARK
SEE YOUR SHOP STEWARD FOR TICKETS AND DETAILS

\$10.00 PER PERSON



Kimberly Mortensen - MDA Coordinator

After our successful Bowl A Thon last fall, I wanted to keep Branch 111's charitable spirit with The Muscular Dystrophy Association going! The Zermatt Resort in Midway has graciously donated a two-night get away, including breakfast, two for one dinner, and two for one at the spa. The price package is worth over seven hundred dollars.

The Zermatt is a beautiful AAA resort with award winning restaurants, and amazing accommodations. Some lucky letter carrier will win a well-deserved mini vacation.

We will be drawing at the steak fry August 28th, although you do not have to be present to win!

A donation of one dollar, or 25 for twenty dollars to MDA could make you the lucky winner.

Several Shop Stewards have tickets on hand, if yours doesn't please contact me and I will get them to you. Thank You for supporting this very worthy cause!

CALL ME: (801) 336-6738



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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 ensure someone is there.



Official Notice



Branch 111 N.A.L.C.

Union Meetings

Thursday

June 10, 2010

6:30 P.M.

&

Thursday

July 8, 2010

6:30 P.M.

All meetings held at:

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

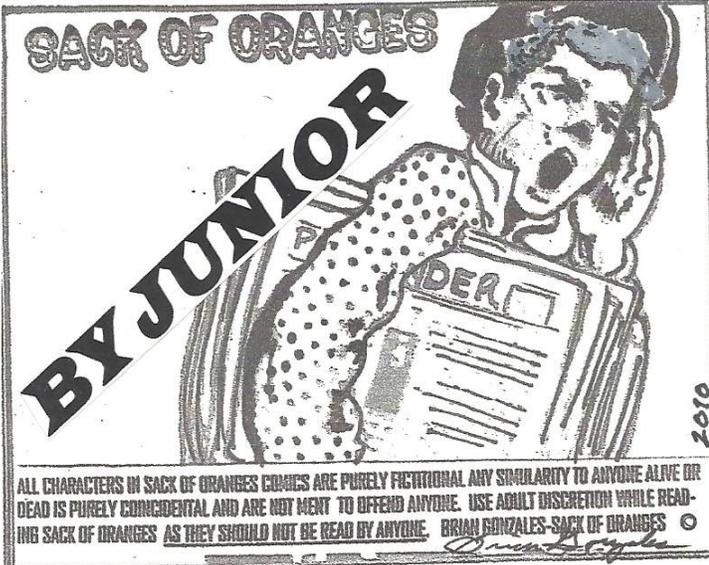
July 2010

Sun	Mon	Tue	Wed	Thu	Fri	Sat
<p>Visit the Branch 111 Website http://branch111.com/index.htm</p>				1 <i>E-Board</i> 6:30 PM	2	3
4  <i>July 4th Holiday</i>	5	6	7	8 <i>Branch Meeting</i> 6:30 PM	9 <i>Pay Day</i> 	10
11	12	13	14	15	16	17
18	19	20	21 <i>Steward's Meeting</i> 6:30 PM	22	23 <i>Pay Day</i> 	24
25	26	27	28	29	30	31



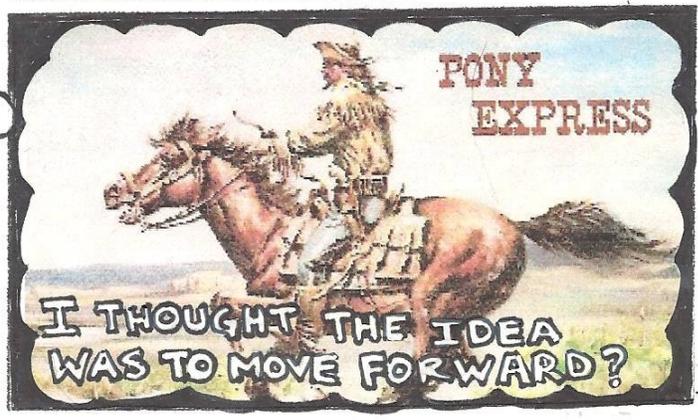
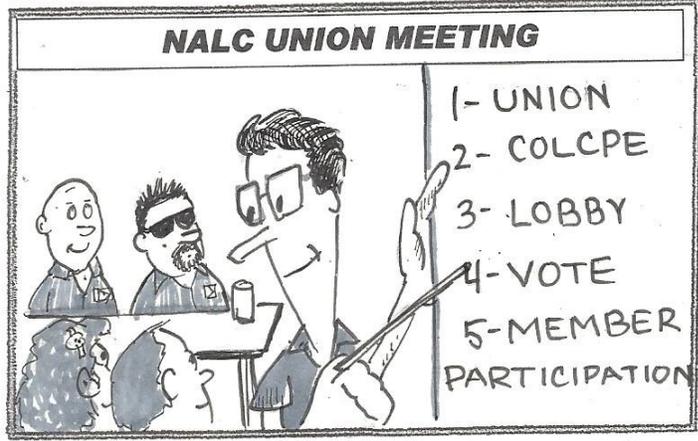
Food Drive 2010

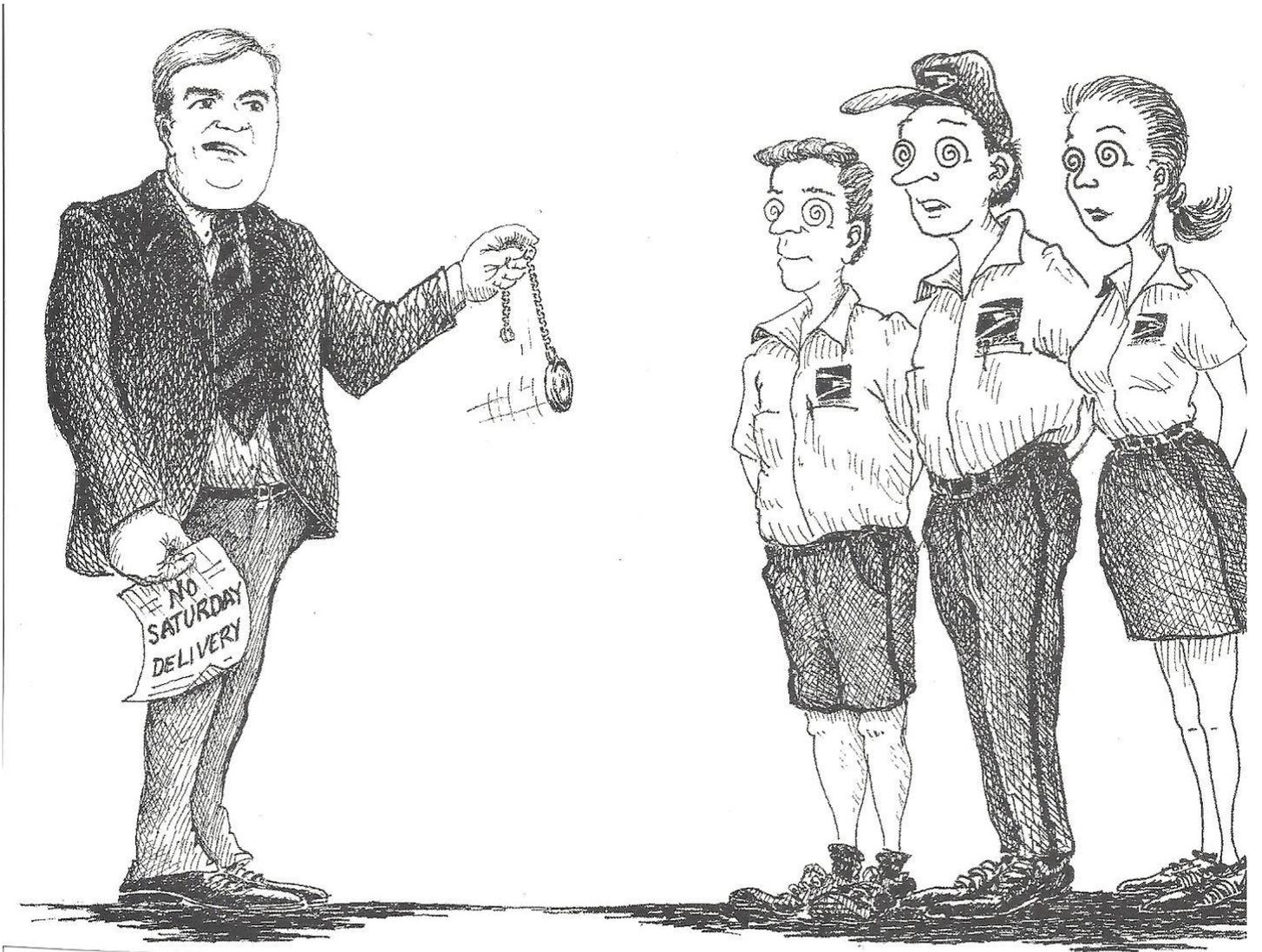




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The Postal Service has been our countries line of communication since the days when we rode ponies across the country, delivering mail to rural communities and outposts. It would seem from recent talk that our jobs' as Letter Carriers is nearly extinct. With the continuing discussion of 5 day or even 4 day delivery, companies are already developing software to free themselves from the necessity of 44-cent delivery. What then will become of rural communities that still rely on our service? The NALC (Letter Carriers) seem to be the only ones taking an active role in securing our future! Postal management, on the other-hand, seems to only be perpetuating a "Death Spiral".





That's
All
FOLKS

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Pounder”***

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