

Postal Worker

West

January– February 2016

Affiliated with the Postal Press Association

ISSUED BY

OMAR M. GONZALEZ

REGIONAL COORDINATOR



PMG Megan Brennan

Waiting To Be April Fooled

WASHINGTON DC- The “deferred” plant consolidations are set to resume in April unless an actual extension is secured or there is congressional action to officially cancel plant consolidations which is unlikely.

The PMG hasn’t announced whether management intends to lift their “deferment”. Reports reveal that in many areas their revised delivery standards are not being met. While some congressional representatives have voiced concern over delayed mail, no actual congressional action has been forthcoming.

Cancellations of “excessing impacts” related to previous Area Mail Processing consolidation/operational changes have not resulted in actual **cancellations** of the AMPs. The National Union has taken the position that such impact cancellations require new AMP studies and new notifications to the Regional Union. So far, nothing has been forthcoming from management. “We must all be very vigilant and prepared for an onslaught of employee relocation and disruptions,” warned Western Regional Coordinator Omar Gonzalez.

The original *Transformation Plan* and recent *5 Year Plan* to eliminate several thousand additional jobs has not been altered. On the contrary managements *DRIVE* initiative seems to indicate more cuts are in store for retail and processing operations.

1,000,000 WORK HOURS TO BE CUT

Management’s March 28th activation of the Flats Postal Automated Redirection Systems (fPARS) will result in a planned reduction of 1 million work hours per year. The system automates undeliverable as addressed letter processing. The HQ National Union was recently notified on February 2, 2016 of management’s plan to go forward. Most, if not all, hours to be cut will be at CFS units nationwide. In the Western Region information indicates Santa Ana CA, Colorado Springs CO, West Valley AZ and Seattle WA will likely be impacted.

HQ informs that depending on the actual excessing out of the section, craft or Installation advance notice is supposed to be issued to the Union’s Regional Office. “So far, my office has not been notified,” said Regional Coordinator Omar Gonzalez. “But, employees should not be fooled by the relative calm on the work floor. Many Installations have had “Operational Window Changes” disrupting tours and sectional realignments. Additional cuts appear to be in the making as well.

MAINTENANCE VETS FORCED TO CHOOSE

Meanwhile, in both the Pacific and Western Area’s management is impacting Maintenance employees targeted by previous excessing notifications. Veteran Preference employees (e.g. E.T.s), once hard to place and reassign within 50 miles, are now given the option to select a residual vacancy in a lower pay level within 50 miles and “voluntarily” waive appeal rights to the Merit Systems Protection Board and Grievance-Arbitration, or be subject to involuntary reassignment beyond 50 miles. Recently, a Maintenance Vet faced a forced reassignment of 579 miles. This is the result of a Step 4 HQ settlement which provides no exceptions at the local or regional levels. All exceptions are to be referred to the Maintenance Director at the HQ level and unless the HQ parties mutually agree within 5 days the employee must be assigned to the residual assignment. When asked how communication with the National Maintenance Director on these issues have been going, the Regional Coordinator stated, “*No Comment!*” Members must brace themselves for disruption and not be fooled by the calm before the storm!

Active Shooter USPS Stand Up



No stranger to tragedy, the Postal Service issued an Active Shooter Stand Up to help guide employees in the event of an incident.

The stand up includes procedures for outside and inside situations where a person or persons are using firearms or other weapons with the intent to injure or kill others.

The Stand Ups are customized so that all employees are given a specific emergency number (in addition to 911). Specific exit routes and rally points are also designated.

"I believe it is critical that all postal workers pay special attention to this Stand Up when given," said Regional Coordinator Omar Gonzalez. Especially in regards to evacuating regardless of whether others agree to follow or not. Workers should try not to carry anything when fleeing.

"I am concerned, however, that too many supervisors ignore the requirement to conduct weekly safety talks and will either miss this one or simply ignore it," cautioned the Region's Coordinator.

NOTE: If your Supervisor is not conducting "weekly" safety talks contact the Regional Coordinator at 650-685-7402 and leave your name, supervisor's name, facility and tour.

What do Unions do?

- Have a voice on the job
- Negotiate wages, hours and working conditions. Provide for better pay.
- Secure benefits like health care, sick leave and ensure fair work standards
- Enforce the negotiated contract, regulations and employment laws.
- Fight for industrial justice and social justice.

Just imagine what the postal work place would be without a union. Union representatives are NOT perfect! Union members are not perfect! But, if we all did our best the Union would be better! Remember you can only spell *UNION* with U and I !

HAVE A



SUPPORT
UNIONS

Is The Postal Service Defunct?

WASHINGTON DC– The ruling body of the USPS , the Board of Governors (BoG), is in critical trouble falling short of the legal requirement to have nine governors.

Contrary to what most postal workers believe, the Postal Service is run by the BoG. There are currently only three (3) members of the nine member BoG. However, there is only one that was appointed by the President. This poses a legal problem forcing USPS to enact an emergency fix.

According to *Government Executive*, the US Senate has not confirmed a postal governor in five years. Even so, management spokespersons claim USPS BoG continues to function. In addition to Chairman James Billbray, Postmaster General Brennan and Deputy PMG Stroman serve on the BoG. These three "governors" held a meeting of the "Temporary Emergency Committee" in early December.



Ironically, it is Senator, and presidential hopeful, Bernie Sanders who is holding up the senate confirmation vote on the recent governor nominees. Sanders did so at the behest of the National Union over concerns that the nominees would not act in the best interests of the membership especially in regards to plant closures.

"While it is definitely alarming that the BoG is not fully and legally functional , I am equally as concerned over the nominees, their background and their disposition on plant closures and so called rightsizing", said Regional Coordinator Omar Gonzalez.

"In reality the BoG is made up of 11 members. Nine are appointees of the President. They in turn appoint the PMG and together they appoint the Deputy PMG a governor, " said Gonzalez. He added that the current chairman was a member the 2005 Defense Base Closure & Realignment Commission. "*Not good news!*"

PSE Misuse Challenged

National Clerk Assistant Director Lynn Pallas-Barber informs an appeal has been initiated at the HQ level over the improper use of level 6 PSEs outside of their bid cluster.

A Memorandum of Understanding provides these PSEs are only to be used within the cluster for relief of career window clerks on short absences. The misuse undermines the ability to track their hours and apply the District caps and their use in APOs multiplies the violations. There has been a considerable amount of chatter as HQ and the Field attempt to get on the same page on this issue.

BOYCOTT POSTAL PULSE

GIVE ME A BREAK!



Recent reports reveal that in some post offices management is preventing employees from taking a rest break which can be a violation of safety and health provisions. Some managers claim the contract does not provide for break times. These over zealous bosses claim that the rules only provide for mealtimes. In fact ELM 432.33 declares that except in emergency situations, an employee cannot be required to work more than 6 continuous hours without a meal or rest break of at least 1/2 hour. Too many bosses, in associate offices in particular, are prone to refusing to grant employees rest breaks between BT (Begin Time) to OL (Out Lunch).

“Not so fast!”, declares Regional Coordinator Omar Gonzalez. “Our CBA in the NTFT MOU (section 12) makes reference to a 3rd break. The PO 209 Retail Operations Handbook references scheduled breaks. Handbook PO 420 (Small Plant Best Practices) also references schedule breaks. The PO 413 (Platform Operations Handbook) references “lunch & breaks” as does the MS-47 Handbook,” said Omar.

How Long Is A Scheduled Break?

None of the Handbooks referenced above by the Coordinator specify a time period. The M-39 Handbook (Delivery Services) specifies two ten minute breaks for carriers. In some Post Offices a past practice of 15 minutes is established while some offices allow 10 minute breaks. Some Local Contracts (LMOUs) provide two hour intervals for breaks (e.g., BT, work two hours then a Break, work two more hours then take lunch, work two hours then take a second break– thus the reference in the CBA NTFT MOU of a 3rd break). The PO 409 suggests supervisors make evaluations during 2 hour windows for break/lunches.

Can Management Deny Employees Breaks?

If a manager denies a scheduled break or declares there is to be no break or changes the time allowed the impacted employees should challenge the issue by filing PS 1767 (Report of Hazard, Unsafe Condition, or Practice) , contacting the Union to investigate and determine the facts and possible grievance. Article 5 (Past Practice), Article 14 (Safety), Article 19 (Handbooks) may apply. Also, employees should not agree to stagger their breaks and/or combine them with a late lunch. “Employees do no one favors by forgoing their scheduled breaks or making side bar deals,” said Regional Coordinator Gonzalez. “In fact such deals undermine the purpose of *breaks*,” he said.

Staples Saga Continues.....

Far too many postal retail clerks do not fully realize the fight over Staples’ USPS Preferred Provider program is about their job security and welfare, as well as, full postal services to the community they serve. Postal management has set up postal counters in Staples so that customers do not have to go to the Post Office for their mailing needs. Through legal action it was revealed Management has done this to cut labor costs (reduce the postal work force) and privatize retail operations. The Union has been fighting the unholy hook up of Staples and Postal management through a series of legal actions including picketing at selected Staples stores. Unfortunately the struggle does not seem to be resonating with rank-and-file postal workers. Contrary to the PMG’s bogus claim that the Staples agreement is for the good of postal customers, these private postal counters undermine quality service and postal jobs and endanger post offices within two miles of a Staples store to possible closure.



Instead of picketing Staples, San Jose Officers and Coordinator engage Staples customers in the effort to secure their support.

The Union is also fighting the intended merger of Staples and Office Depot via the Federal Trade Commission. According to the *NY Times* the FTC has filed a law suit to stop the merger of these two giant office supply companies. “Of course this is good news but that does not mean our battle with USPS/Staples is over. Unless Staples share holders see the folly of their store’s private postal counters, corporate bosses at Staples may dig in even more and resist the Union’s efforts in an all out legal fight”, warned Regional Coordinator Omar Gonzalez. As the Union reaches out internationally for support in the struggle, reports indicate Staples plans to lay off workers.



An FTC lawsuit may see the demise of the merger



Congressional Fight Over U.S.P.S.'s Reality

Seeming consensus by multiple "stakeholders" including the PMG and unions, has sparked a litany of news items from a recent congressional hearing entitled "Laying Out The Reality of the US Postal Service."

So called Postal Reform apparently includes elimination of the Future Retiree health benefits multi \$billion requirement (which USPS reportedly has not paid since 2010), keeping Six Day Delivery, Medicare integration (forcing retirees into Medicare), retention of emergency rates and even allowing for booze to be mailed.

Current postal reform legislation, "Improving Postal Operations, Service and Transparency Act" (iPOST) appears to have a delicate agreement of sorts by many parties. One major disagreement is just how bad the financial "crisis" of USPS actually is. According to some, including the media, USPS is broke to the tune of \$60 billion or more. Others point to operational profits of more than \$1 billion for the last several years.

Why should postal workers even worry about the hearings, testimonies and efforts by "stakeholders" related to postal reform? "I'll tell you why," said Regional Coordinator Omar Gonzalez. "What ever

happens in DC regarding postal issues affects your daily postal life. What Congress gives they can take away. What Congress takes away can undermine your job security." "Be informed and get pro-active in postal legislation, it could be your job at stake," added Gonzalez.

Grassroots Activity Serves Your Interests

During this Presidential election year the interests of members are being represented on various fronts including at the State level. Efforts with State Legislatives provide opportunities to influence postal policy especially those related to Vote by Mail Ballot issues.

Regional Grassroots Legislative Director Phil Warlick has been reaching out to State level officials.

A recent visit (picture to the right) to the Calif. Labor Commissioner resulted in an opportunity to secure a letter of support from the Governors Association on postal issues critical to the interests of postal workers. Warlick will also be reaching out to other Union State Organizations to further develop building relationships with state legislators. "I



Cal Fed Photo
(LR) Cal. President Mike Evans, Coordinator Gonzalez, California Labor Commissioner David Lanier, Phil Warlick Grassroots Coord.

"Where Is My Grievance?"

It could be among the 4,257 reported western region backlogged grievance appeals.

Under the Union's National Constitution, the Director of Industrial Relations is responsible for contract administration and Craft Directors are responsible for processing all grievances in their crafts. National Business Agents, who work under their craft director's direction, have jurisdiction over grievances within their assigned region.

"Not all Districts in the Western Region are backlogged. Their case load has been reasonably managed," said Regional Coordinator Omar Gonzalez. "The rest, however, suffer from a host of administrative problems (including people problems). There is a current effort on some of the backlog like in the SF region with the assistance of clerk NBAs from the east coast.

Despite the so called Joint Arbitration Scheduling System (J-ASS) that was to fix the backlog issues, many problems have not been abated in some parts of the country. "Even though there are issues with the grievance administration, members and locals must not be discouraged and must continue to challenge management's violations," said Coordinator Gonzalez.

Previous to J-ASS being instituted by the Industrial Relations Department, hearings were administered by the Regional Coordinators who assigned cases pursuant to a signed protocol requiring a certain number of cases be arbitrated each month and requiring monthly Step 3 meetings and other grievance-arbitration processes. Under J-ASS, NBAs now have sole discretion as to what cases are jointly (along with their manager counter part) scheduled to be heard and when. Efforts to restore more accountability and monitoring have not been fruitful. Administration remains with the Industrial Relations Department.



anadolu

*Dear Parents,
Please Stand With Postal Workers*



Ed Peralta, SJAL Pres

(L-R) San Jose CAT members Derrick Romero, Carol Federico, Coordinator Gonzalez and Jose Chavez pose with DJ Myer Elementary School E2 5th graders

5th Grade Students from Donald J. Myer Elementary School in San Jose were told a little bit about the history and value of the Postal Service, how to write a letter and then to ask their parents to Stand With Postal Workers.

More than 120 students participated in the letter writing exercise asking their parents to send a post card to the PMG in support of postal workers. For some of the students this was their first time ever writing a letter and addressing an envelope. They addressed those letters to their parents.



“What was really neat is the enthusiasm our future voters had to learn about the post office, our issues and to write a letter to support our cause,” said Regional Coordinator Omar Gonzalez [If you are interested in having such a presentation in your child’s school contact ogonzalez@apwu.org]



HOW IMPORTANT ARE YOU TO THE UNITED STATES OF AMERICA?

Consoler of the Lonely, Bond of the Scattered Family, Enlarger of the Common Life, Carrier of News and Knowledge, Instrument of the Trade and Industry, Promoter of Mutual Acquaintance, Of Peace and Goodwill Among Men and Women.....

[Inscription on a DC Post Office]

(You work for) “The Postal Service (which) is one government agency that touches every American on a daily basis; it is an organization that literally serves 150 million American households and businesses on a typical day. It facilitates trillions of dollars in commerce. According to

the Envelope Manufacturing Association Foundation’s Institute of Postal Studies, its 2015 Mailing Job Study found that the Postal Service supports a **\$1.4 trillion** mailing industry that employs **7.5 million** people. The Postal Service is the key cog of a marketing and distribution system through which small and large businesses, nonprofit organizations, and consumers can transact business, advertise services, and distributed products. (The US Postal Service) is a significant driver of the Nation’s economic engine and an essential piece of its infrastructure....”

“This is not made up stuff”, said Regional Coordinator Omar Gonzalez. “The above is an excerpt from the recent testimony of the Acting Chairman of the Postal Regulatory Commission before the US Senate Committee on Homeland Security and Governmental Affairs,” said Gonzalez. **“The fact is you and your postal job are very important!”**

POSTAL QUIPS



WESTERN AREA TO GET NEW BOSS in March when current Area VP Aliperto retires. Area VPs are usually far removed from the work floor yet are rewarded for their push to cut costs in their operations.

PMG TO KEEP 6 DAY DELIVERY or at least take this goal off the table for the mean time. According to recent news reports there does not appear to be a concerted effort to cut delivery to 5 days.

NO CONTRACTING OUT OF PARCELS as management abandons further consideration of outsourcing NMOs. The National Mail Handlers' Union had challenged the outsourcing of Non Machinable Outside Parcels and withdrew the appeal when the parties agreed USPS had ceased further consideration of the plan.

CLOSURES /CONSOLIDATIONS AREA MAIL PROCESSING challenge is still pending even after the NMHU successfully fought off management's attempt to kill the appeal over the consolidation of 82 P&DCs. The recent arbitration victory was over whether the PO-408 was a handbook covered under the CBA over wages, hours and/or working conditions. The fight over consolidation is far from over.

\$56 MILLION DOLLAR PAYOUT HITS SNAGS over who gets

what in the settlement over the performance of clerk work by managers in post offices. USPS claims to be making corrections.

DEAD FOLKS GOT USPS MONEY according to a recent OIG report 78 dead people with postal leases were paid approximately \$805,000 a year. The report revealed many more issues with lease payments for as much as a reported \$5 millions annually. Postal employees in leased buildings who struggle with poor working conditions are urged to refer to Handbooks MS110 and the Administrative Support Manual (ASM) when bosses use a lease to claim they can not make repairs or improve working conditions.

THE UNILATERAL REMOVAL OF SCHEMES from assignment has been settled at the National level. The Union's position appears to have been, if there is a reasonable expectation that workers will work a scheme for at least 30 hours an accounting period schemes are required. The CBA provides for schemes which definitively separates clerks from other crafts and needed to be protected.

TENTATIVE AGREEMENT OVER NEW CONTRACT has been reached by the Rural Carriers' Union (NRLCA) and postal management. At press time, details were not available. Members of that Association still must vote to ratify their CBA. The APWU begins arbitration in mid-February over the remaining issues in dispute of the CBA that covers Maintenance, Clerks and MVS.

DON'T C.A.R.E.!!

More than 34,000 postal employees are injured at work each year but it's the cost of the injuries, a projected \$17 billion in workers' comp costs, that seems to be the motivation behind management's **Counseling At Risk Employees (CARE)** program.

While the intended purpose of engaging employees in accident prevention seems reasonable on the surface, many employees recall how devastating the friendly sounding *National Reassessment Program (NRP)* was.

Targeted for C.A.R.E. "counseling" are employees with less than 2 years of service, employees with reported "deficiencies" and employees with recent accidents or a history of one or more accidents within the past two years. Supposedly C.A.R.E. is not to discuss corrective action or assess blame. The program uses observation forms, questionnaires, meetings and scripts for discussions of accident records and ironically uses the Job Safety Analysis (JSAs), which many units do not have up or if they do have JSAs they are antiquated.

"Employees should be leery of trusting C.A.R.E and insist on Union representation at any session that they believe may result in discipline. Also, any intimidation to sign forms should be challenged", warned Regional Coordinator Omar Gonzalez. "If management is truly sincere in wanting to reduce accidents, injuries and for that matter absences, they must take corrective action against abusive supervisors and take safety seriously by addressing and correcting unsafe conditions **every day** and not just when a big shot visits," said Omar



Safety Advocates from the Greater L.A. Local (top) and Greater Seattle Area Local pose during Regional Safety Training which encompasses aspects of the USPS Safety Program, Abusive Supervisors, MS 47, Job Risk Analysis and much more. Other Locals who have offered their local the Regional Safety Training include Salem Oregon and Denver Metro.