

Unity

Volume 35 #1 Summer 2016

Dare to Struggle, Dare to Win



NALC Branch 3825

We are Rockville, Gaithersburg,
Germantown, GMF, Damascus,
Cabin John, Frederick, Thurmont,
Boonsboro, Brunswick and Taneytown

re·form

VERB

1. make changes in (something, typically a social, political, or economic institution or practice) in order to improve it

**The Postal Reform Act of 2016
is proposed....
(details page 14)**

OFFICERS

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Vice-President.....Chuck Clark
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Sergeant at Arms.....Don Lewis
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Trustee.....Viktor Fraker
Trustee.....Raj Babra

Unity is the official newsletter of NALC Branch 3825. The purpose of this newsletter is to inform and educate our members, as well as provide a forum to exchange ideas and concerns. Articles in *Unity* do not necessarily reflect the views of the editor or this branch.

Directions to the Union Meeting

Rockville Senior Center
 1150 Carnation Dr.
 Rockville, MD



495 to 270N exit
 Rt. 28 (W. Montgomery Ave).
 Go straight
 through the light
 at top of ramp
 - you are now
 on Nelson Ave.
 Turn left at stop
 sign onto Crocus
 Dr. At end of
 road turn left on
 Carnation Dr .
 Proceed to Sen-
 ior Center.
 Meetings are
 held the first
 Wednesday of
 the month at
 7:00 p.m.

Branch Stewards & Abbreviations

MC - Mike Curley (Chief Steward).....20852
 TA - Theo Anthony.....20852
 SL - Sergio Lemus (Chief Steward).....20850
 SS - Shearly Shawn.....20850
 RW - Robert Weisner.....20854
 KL - Ken Lerch.....Branch Chief Steward
 KA - Kevin Abernathy (Chief Steward).....20854
 AC - Amy Campain.....20874/76
 SK - Steve Klein.....20877
 CC - Chuck Clark (CS/Gaithersburg).....20879/86
 VF - Viktor Fraker.....20879/86
 MA - Matthew Ackah.....20878
 TP - Tom Preston.....20872
 SL - Shanelle Lewis.....20855
 GA - George Abid.....20851/53
 VW - Vivian Walker (Chief Steward)20851/53
 LH - Laura Hennessey (Chief Steward).....21701-04
 JM - Jose Molina.....21701-04

Alternate Stewards: Vivian Walker (20854), Tim Smith (20852),
 Greg Brooks (20854), Tom Preston (20874/76), Chester Crews
 (20878), Edwin Vidal (20879), David Savell (20877/79), Robert
 Weisner (20851/53) and Karin Kosenski, Jessica Patey, Mitchell
 Reissman and Paul Nally (21701-04).

Grievance Key Number



The Grievance Process

Informal Step A (sometimes called pre-step A) - Grievant and Shop Steward meet with immediate supervisor within 14 days of the incident date.

Formal Step A - Grievant and the Union President or designee meet with the Postmaster or designee within 7 days of the Step A appeal unless the time limits are extended by mutual consent. The PS Form 8190 must be completed the day of the Formal Step A meeting unless time limits are extended by mutual consent. If no resolution is reached, the appeal must be sent to Step B within 7 days of the completion of the PS Form 8190.

Step B - The Dispute Resolution Team (one union advocate and one management advocate) then has a goal of 14 days after the receipt of the PS Form 8190 and grievance file to resolve the issue. If no resolution is reached, the grievance is "impassed" and the NBA has 14 days to appeal the grievance to arbitration.

Pre-Arb - In most circumstances, an effort is made to resolve the dispute before going in front of an arbitrator.

Arbitration - The NBA or designee and the grievant meet with a District designee in front of an arbitrator who renders a decision that for all intent and purpose is final and binding.



President's Report

Ken Lerch
President
NALC Branch 3825

It's been quite a while since we have put out a newsletter, the last one being in October of 2015. We have gone through some very challenging times. In fact, some months were complete madness - thousands of grievances and more than a million dollars in grievance settlements. Some weeks we had more than five cases scheduled for arbitration! Thank goodness we were able to put enough pressure on upper management to make major changes. All of our merged cities underwent grievance blitzes.

Speaking of merged cities, Frederick officially merged with us when NALC National President Fred Rolando, approved the merger effective November 4, 2015. Frederick had more than 500 backlogged grievances including scores of discipline to be grieved. I am proud to report that as of this writing all of the discipline has been rescinded and expunged. Another huge problem was mandatory overtime. We have now won more than \$100,000, but more importantly, we have forced management to comply with Article 8. We have escalated the remedy for the NON-ODL's to an additional 100 percent for each hour worked in violation of Article 8. This is one of the highest remedies in the nation for NON-ODL's. For a top grade Letter Carrier, management is paying \$71.85 for each hour of violation! I want to thank everyone involved in these Frederick cases and a special thank you to our Chief Shop Steward there, Laura Hennessey. She has, and continues to work very hard, for the Frederick Letter Carriers. There is strength in numbers. We have all benefited from the merger and have become an even stronger branch.

In Rockville and Gaithersburg it has been a war zone! More than a MILLION DOLLARS has been paid out recently, mostly on Article 8 violations (overtime) and untimely pay adjustments. Management took us to arbitration over and over and over again. And, management lost over and over and over again! I want express our appreciation and acknowledge the great Union work Alton Branson has done. And not just in arbitration. Alton has agreed to work on Informal and Formal A's for

us in all of our cities. He has an amazing win rate of more than 95 percent! We have achieved escalating remedies for which other branches have not even thought of asking. Payments of \$1,500 each time management violates the Rockville Union Time Policy and Information policy! \$1,050 each time management violates the Rockville Call-back Policy! For untimely postings we have won \$60 per calendar day for each day the posting is late plus \$1,000! And, for Untimely Pay Adjustments we have won \$20 per calendar day for each day past 28 days, meaning money in hand within 28 days, plus a lump sum of \$1,500!! No one in this country has anything close to this.

We also had to beat back management's attack on the right to an eight hour day in Gaithersburg and Rockville. Hundreds of thousands were paid out. In Gaithersburg, we have escalated the remedy for Article 8 violations to an additional 225 percent for the NON-ODL. This amounts to management paying \$107.78 per hour of violation! And in Rockville the NON-ODL's are winning an additional 250 percent for each hour of violation or \$114.96 per hour. Also, the ODL's are most often winning double time as well. Therefore, the combined cost for one hour

"Our goal is always to get contract compliance, not to win millions of dollars. Our strategy has proved to be effective. And that is to make it more costly for management to violate the contract than to comply with the contract."

of violation in Rockville amounts to \$172.44. Keep in mind that management committed thousands of hours of violations!

Our goal is always to get contract compliance, not to win millions of dollars. I am thrilled to report that management is now complying with Article 8 in Gaithersburg and Rockville. Our strategy has proved to be effective. And that is, to make it more costly for management to violate the contract than to comply with the contract.

The success does not end there. Upper management has moved out the Station Manager at the Rockville Main Office and changed all the supervisors. For the time being the madness has ended. We have a new OIC, Michael Benevento, who genuinely wants to comply with the contract and treat Carriers with dignity and respect. The Stewards deserve much of the credit for these changes being made. Carrier after Carrier has told me how much better the work climate is at the Rockville Main Office.

(cont. Page 4)

We have had scores and scores of CCA's converted to regular status (career). All of our cities have been successful on this issue! This is all the result of a National Memorandum of Understanding titled Full-time Regular Opportunities (M-01856), now (M-01876) signed by our NALC National Union President, Fred Rolando. This is a tremendous Union achievement we should all be proud of!

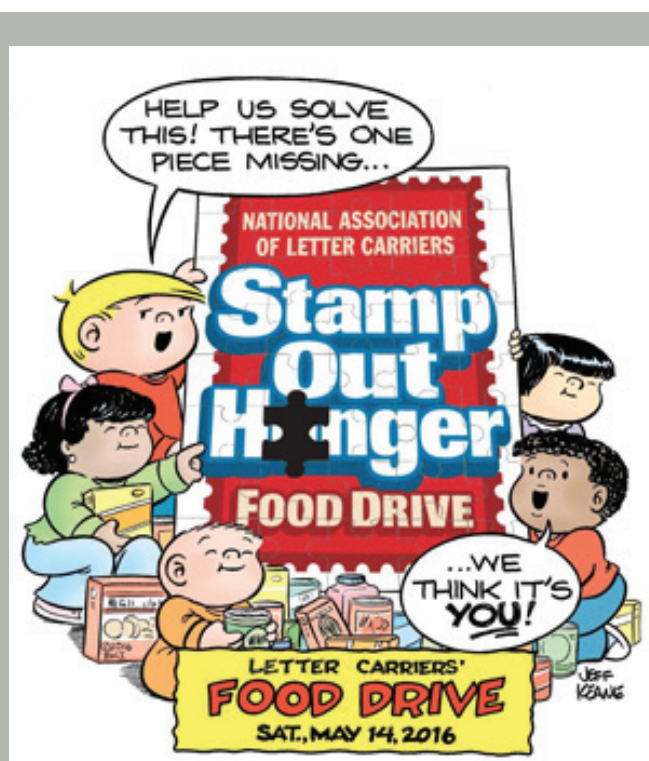
The City Delivery Route Alternative Adjustment Process or CDRAAP has been a major success. CDRAAP ended December 31, 2015, but we are still tweaking the adjustments. Routes are being added and these overburdened routes are being cut down to eight hours. Nationally, over 1200 routes have been added because of CDRAAP and 140 assignments added within the Capital District! I want to thank the Capital District NALC lead team member, Charles Clark, for the fine job he is doing in this process. Clark is also the Vice President of our Branch. Other members from our branch who served in this process are Steve Klein, Jermaine Graham (now transferred) and Chauncey Pinkney. Those at the national level who were authors of CDRAAP also deserve to be commended. The process was well written and has enabled REAT members to represent the interests of Letter Carriers concerning their route adjustments.

Finally, our contract expired on May 20, 2016. National President, Fred Rolando, entered into an extension agreement citing, "tangible progress." During this extended period of negotiations, the terms and conditions of the 2011-2016 contract remain in effect. What is at stake? Wages that reward all Carriers for their exceptional contributions to the USPS. For instance, the USPS made a profit of 586 million in quarter 2 alone. This would extrapolate to 2.3 billion in profits or \$2,300,000,000. Now that's a profit, and we deserve a fair piece of the pie! The workers produced this profit despite poor management. Also being discussed is the inadequacy of CCA wages and the need to improve career conversion rights for CCA's. Repairing and improving the work environment in Carrier stations across the country is also a major focus in these contract talks. We will keep you posted of any agreements reached.

Please visit our web site set up by Union Brother Chuck Clark at www.nalc3825.com. We now have over 235,000 hits on our site, more than any other NALC branch in the nation! We have posted numerous escalating remedies. We have added important Step B decisions, Formal A settlements as well as pre-arb and arbitration decisions and some contentions. You can see how much money each and every supervisor in the country makes. You can also see the number of stops on each route, and detailed colored maps for every route in the nation!

IN THE STRUGGLE,

Kenneth Lerch
President NALC 3825



**Great Job
Branch 3825
for collecting over
101,000
pounds of food
for those in need
during the
NALC
Stamp Out Hunger
Food Drive!**

Management Directive on Emergency Placement

SUBJECT: EMERGENCY PLACEMENT PROCEDURES (Craft)

Effective immediately, all EAS and acting EAS employees will comply with the Emergency Placement directive identified below.

Article 16.7 in the APWU, NALC, and NPMHU National Agreements and Article 16.5 in the NRLCA National Agreement provide an emergency procedure for removing employees from the worksite for violating specific standards of behavior. This administrative procedure provides instructions for implementing the emergency provisions contained in Article 16 of the National Agreements.

A craft employee may be **immediately** placed in an off-duty status (without pay) where the allegation involves one of the following situations. **Immediately** means there is no time between the decision to issue the emergency placement and the reason for that decision.

1. Intoxication (use of drugs or alcohol)
2. Pilferage
3. Failure to observe safety rules and regulations
4. Cases where retaining the employee on-duty may result in damage to USPS property, or loss of mail or funds
5. Cases where the employee may be injurious to self or others

These are the **ONLY** reasons under Article 16.5, 16.7 that a craft employee may be placed in an emergency off-duty status.

Insubordination in and of itself is not a qualifying reason to place an employee off-duty under Article 16 unless the employee behavior is caused by or results in a condition listed in the preceding paragraph.

Within twenty-four (24) hours of an emergency placement, the employee **must be notified in writing** the reason why they were placed in emergency off-duty status. The local Senior Manager, HR Manager, and the District Labor Relations Manager, must be notified of the Emergency placement as soon as possible, via email and verbally, but no later than an hour after the event.

The manager must schedule the Investigative Interview as soon as possible for the Emergency Placement. A Disciplinary Action Request **MUST** be submitted to Labor Relations along with supporting documentation immediately after the Investigative Interview.

With the rash of emergency placements (Article 16.7 of the National Agreement), it's wise to know your rights in emergency suspension circumstances. Recently, management was issued directives on proper procedures for handling such scenarios. It's important to know the five identified justifiable reasons for being placed in an emergency off-duty status. Of special note is that insubordination, in and of itself, is **NOT** a qualifying reason for an Article 16.7 emergency placement unless the employee's behavior is caused by or results in one of five noted conditions.

Hey boss, I've got



problem here...

Just one look around on delivery routes nowadays, and you can't avoid noticing the avalanche of delivery services dropping off packages: USPS, FedEx, UPS, DHL and Lasership just to name a few. Even mega-mailer Amazon is now sending out their own drivers to accommodate burgeoning parcel delivery demand. Unfortunately, there have been multiple reports of Amazon drivers taking shortcuts and placing parcels into customer mailboxes rather than making the to-the-door delivery. This can often make life difficult for the letter carrier as delivery of the mail is nearly impossible with the mailbox blocked by a parcel. The question then becomes, "What is the carrier to do in those circumstances?"

According to the Section 1.1 of the USPS Domestic Mail Manual, customer mailboxes **"may be used only for matter bearing postage. No part of a mail receptacle may be used to deliver any matter not bearing postage, including items or matter placed upon, supported by, attached to, hung from, or inserted into a mail receptacle. Any mailable matter not bearing postage and found as described above is subject to the same postage as would be paid if it were carried by mail."** There is only one exception to this rule. Non-postage bearing newspapers may be inserted into the mailboxes on postal non-delivery days (i.e. Sundays and holidays).

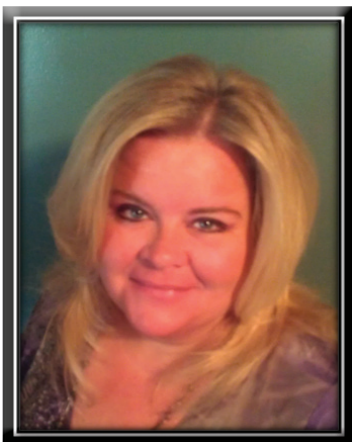
Historically, the carrier would have been instructed to remove the parcel and return it to the office where it would be marked up as "Postage Due" and redelivered to the addressee. However, the issue becomes much more sensitive when the parcel delivery problem deals with the USPS' largest account, Amazon. When asked what the carrier is to do in these circumstances, local management has, to this point, referred the question to upper management. But there has still been no formal policy related to the carriers.

Branch 3825 has relayed this information to Region 13 National Business Agent Tim Dowdy. Dowdy has contacted the Capital District and informed them of this problem and asked that instructions be issued to letter carriers faced with this situation. In the interim, he strongly advises that the carrier should not take action that could in any way result in discipline (i.e. throw the pack on the ground, etc.). If the package must be removed to deliver the mail, make sure that management is made aware of the situation via phone call, or in person when you return to the office with the parcel. Make sure that management is placed into the position of having to make the decision of what to do with the parcel. It's their responsibility.

Perhaps there will soon be a firm policy of how to handle Amazon parcels in these situations. But until there is such a policy, protect yourself from making a decision of frustration that could lead to discipline and create friction between our employer and it's largest client.

In a related Amazon matter, be aware that misdeliveries of Amazon parcels can result in an immediate impact on postal revenues. Once a misdelivery occurs, that address will be removed from Amazon deliveries assigned to the Postal Service and instantly reassigned to another delivery service. As the USPS keeps adjusting to a mailstream that is parcel dependent for revenue (and that revenue pays for your paycheck), consistency and accuracy on the part of letter carriers everywhere is critical.





Speaking of....

TONYA L. DETRICK

PRESIDENT
Maryland and
Washington DC
State Association of
Letter Carriers

I am sure you are aware, on June 9, 2016, the NALC officially endorsed Hillary Clinton for President! This comes on the heels of a well fought competition for the Democratic nomination between Secretary Clinton and Senator Bernie Sanders. Both are staunch supporters of letter carriers in Congress and friends of the NALC and its members.

Speaking of the competition between Clinton and Sanders, while up to this point we may have had our differences of opinions on the best candidate for the job, now is the time for letter carriers to unite behind the NALC's chosen candidate in preparation for November 8th, because the stakes don't get any higher. The Republican candidate has an insatiable desire for attention and in his quest for the media spotlight he has used the election as a platform to incite hatred, fuel racism, dehumanize women and antagonize minorities.

Speaking of the Republican candidate, his hysterical antics have brought about an unprecedented division among Americans from all walks of life and have turned the presidential election into the second generation Jerry Springer show. As letter carriers, we cannot allow an anti-labor hate-monger anywhere near the Oval Office. Our Union has affirmed that Hillary Clinton is the best qualified to lead this country for the next four (4) years and we need to band together to make this happen!

Speaking of banding together, the NALC National Convention is right around the corner. Thousands of letter carriers from across the country will descend on Los Angeles CA the week of August 15-19, 2016. I am honored to be representing members of the Maryland and Washington D.C. State Association of Letter Carriers and am anxiously anticipating all the convention has to offer. For those members that are going, I look forward to seeing you there, for those that are not, keep an eye out for a future Postal Record article from me summarizing the events that unfolded.

Speaking of events unfolding, be sure to mark your calendars for the following 2017 MD-DC trainings and events: Shop Steward Training – February 26th – 28th, Hagerstown MD; Day on the Hill, April 6th, Washington D.C.; Region 13 Officers Training, May 21st – 23rd, Cumberland MD (Rocky Gap); September 24th, OWCP Training, Washington D.C. (Branch 142 Union Hall) and the 46th Biennial MD-DC State Convention, October 8th -10th, Ocean City, MD. Don't forget these dates, because your participation ensures success!

Speaking of participation, I would be remiss in my duties if I did not touch on the utter importance of every member contributing to the Letter Carrier Political Fund (LCPF)! The Hatch Act forbids us from using union dues to fund political endeavors or

*Now is the time for letter carriers to
unite behind the NALC's chosen
candidate in preparation for
November 8th, because the stakes
don't get any higher.*

actively participating in campaigns. The NALC Legislative and Political Affairs department acts on our behalf in these matters, using our contributions to support bi-partisan candidates who champion Letter Carrier issues, release employees' to participate in campaigns and provide training for legislative activists across the country! They cannot function without money.....bottom line! The LCPF, consisting solely of individual voluntary contributions, is the fuel for this engine! We have been tasked to contribute mere pennies on the hour-\$.06 to be exact-equating to \$5.00 per pay period to fund this effort!

Speaking of effort, if you only get out of something what you put into it, what is your job, your bargaining rights, your benefits, your retirement and your very way of life worth to you?! Either through your branch leaders, online or over the phone, whichever you choose, sign up for automatic LCPF contribution today! You can't afford not to.....

In Solidarity,

Tonya L. Detrick – President
Maryland and Washington D.C. State
Association of Letter Carriers

Until next time.....



HOW CAN I CONTRIBUTE TO THE LETTER CARRIER POLITICAL FUND?

As a member of the NALC, there are several easy ways to give to the Letter Carrier Political Fund:

1. Payroll Deduction: Contribute automatically, using PostalEase (either online or by phone) to set up an allotment deduction from your USPS paycheck.

2. Direct Bank Withdrawal: You can authorize the fund to withdraw a monthly electronic contribution directly from your personal checking account.

3. Annuity Deduction: Retired letter carriers can elect to give monthly via an automatic deduction from your monthly annuity.

If you need help getting signed up, just go online to:
nalc.org/government-affairs/political-activity/yes-i-want-to-become-a-pac-member

By making a contribution to the Letter Carrier Political Fund, you are doing so voluntarily with the understanding that your contribution is not a condition of membership in the National Association of Letter Carriers or of employment by the Postal Service, nor is it part of union dues. You have a right to refuse to contribute without any reprisal. The Letter Carrier Political Fund will use the money it receives to contribute to candidates for federal office and undertake other political spending as permitted by law. Your selection shall remain in full force and effect until cancelled. Contributions to the Letter Carrier Political Fund are not deductible for federal income tax purposes. Federal law prohibits the Letter Carrier Political Fund from soliciting contributions from individuals who are not NALC members, executive and administrative staff or their families. Any contribution received from such an individual will be refunded to that contributor.

No Break, No Lunch, No Sense

Chuck Clark
Vice President NALC Branch 3825



Carriers throughout the Capital District and around the country as well, face daily pressure from their supervisor, manager or postmaster to “leave the office by 9 AM”, or some other predetermined time. They are also told to, “be back by 5 PM”, or another randomly selected time, as if the casing and delivery of mail and the scanning and delivery of parcels can be managed within precise blocks of time. Some carriers react to these unrealistic daily demands placed on them by management, by skipping their breaks and/or lunch break in order to comply with these bullying instructions to leave and be back at specified times. This makes no sense.

The M-41 handbook, “City Delivery Carriers Duties and Responsibilities”, section 131.4, is clear concerning what we as carriers have to do when we feel we will be unable to leave for the street on time and return to the office on time: *“It is your responsibility to verbally inform management when you are of the opinion that you will be unable to case all mail distributed to the route, perform other required duties, and leave on schedule or when you will be unable to complete delivery of all mail. Inform management of this well in advance of the scheduled leaving time and not later than immediately following the final receipt of mail. Management will instruct you what to do.”* Now, you may be told by your management individual to, “leave by 9 and be back by 5”, because that’s the only instruction they know. But if you are unable to comply with this instruction, calmly say so and request a PS Form 3996, “Carrier-Auxiliary Control”.

The M-39, “Management of Delivery Services”: *“The employee, upon request, will be provided a Form 3996, Carrier Auxiliary Control, after the supervisor has been verbally informed as to the reason for the request. The employee shall not be denied the form and, upon request, a duplicate of the completed form will be provided the employee.”* Article 41.3.E of the National Agreement explains what happens next: *“The Employer will advise a carrier who has properly submitted a Carrier Auxiliary Control Form 3996 of the disposition of the request promptly after review of the circumstances at the time. Upon request, a duplicate copy of the completed Form 3996 and Form 1571, Report of Undelivered Mail, etc., will be provided the carrier.”* Uh-oh, they have to make a decision. They don’t like to make decisions, mostly because they are micromanaged by their postmaster or manager of post office operations. So you may be told, NO, to your request for overtime or assistance.

This is the point where some carriers feel the pressure to skip their break or lunch or run and cut corners regarding safe work habits. The union negotiated two ten minute PAID breaks. Do we really want to reward the disrespectful treatment of a supervisor who refuses to authorize us the time we need to do our job by working through our breaks? The same thing goes for our 30 minute lunch break. You skip your lunch and you work for free for the aforementioned supervisor. You don’t deserve that and that supervisor certainly shouldn’t be “rewarded” for their bad behavior.

So what does the carrier do who has verbally informed his supervisor of his inability to leave or return on time and who has completed a Form 3996 and has been told, “No additional time, and no assistance”? He calls back to the office and informs his supervisor, for the third time that he can’t return on-time and he still needs the additional time he informed this supervisor he needed, that morning. We can’t work overtime unless it is authorized. If you’re unable to reach your supervisor on the phone, you should return to the office to get further instructions.

When calling back to the office, the supervisor receiving this call may be angry that he or she is being put in the position to make a decision. But you should not be treated disrespectfully or bullied. In most of the installations in our branch we have agreements concerning call-backs that state management can instruct the carrier to deliver the remaining mail, tell the carrier that assistance will be provided or tell the carrier to return with the mail. If the instruction is to deliver the mail, the necessary time is authorized.

Such a phone-call by a carrier seeking instructions should not be a platform for verbal abuse, bullying or intimidation by a supervisor. The M-39, 115.4 states, *“The National Agreement sets out the basic rules and rights governing management and employees in their dealings with each other, but it is the front-line manager who controls management’s attempt to maintain an atmosphere between employer and employee which assures mutual respect for each other’s rights and responsibilities.”*

The February 14, 1992, “Joint Statement on Violence and Behavior in the Workplace”, an agreement that is enforceable through the grievance process, states in part, “We openly acknowledge that in some places or units there is an unacceptable level of stress in the workplace...and that there is no excuse for and will be no tolerance of harassment, intimidation, threats, or bullying by anyone. We also affirm that every employee at every level of the Postal Service should be treated at all times with dignity, respect, and fairness. The need for the USPS to serve the public efficiently and productively, and the need for all employees to be committed to giving a fair day’s work for a fair day’s pay, does not justify actions that are abusive or intolerant. “Making the numbers” is not an excuse for the abuse of anyone.”

Any letter carrier or CCA carrier who feels they have to forgo their breaks or lunch in order to make their supervisor's numbers, is an employee who is being subjected to bullying and intimidation from management. There should be no tolerance of this by stewards. However, one of the problems with this type of situation is that the carrier affected may not tell the steward or anyone else of the bullying they are experiencing.

If you are in this situation, you have to convey exactly what you are experiencing to your steward. In these situations a well written statement is of vital importance in order to tell the story of what you are experiencing and to successfully prevail in the grievance process. Visit our web site, www.nalc3825.com/writestatement.pdf for instructions on how to write a proper statement.

Arbitrator, Karen H. Jacobs, Bismarck, ND, case number, E06N-4E-C 09402571, wrote eloquently of the intolerable atmosphere carriers can face on the workroom floor. *"The local installation receives directives from district and above, and are faced with meeting new, higher expectations. The post-master conveys those directives to supervisors, and puts pressure on them to accomplish more with less. Supervisors have to get more productivity from their people, and relay that pressure to them. Frequent changes in routes and procedures add the stress that change generally imposes. Letter carriers are the front line troops. They do not have anyone to whom to pass on these demands and pressures. Supervisors are uniquely in a position to threaten or intimidate. I firmly believe that employees who are treated with respect and dignity are much more likely to do more and better work, to be more concerned about the results of their work, to be cooperative than are employees who are harassed, threatened, demeaned, feel they are not treated fairly."*

Speak out for your right to a workroom floor free of bullying and intimidation and your contractual right to two ten minute breaks and a thirty minute lunch. To do otherwise, makes no sense.

Chuck Clark
cclark33@gmail.com

SKIPPING BREAKS: WHAT YOU'RE GIVING AWAY

(Based on \$28/hour)

One Break

\$4.67

Two Breaks

\$9.34

Lunch

\$14.01

Lunch and Two Breaks

\$23.35

Lunch and Two Breaks (Weekly)

\$116.75

Lunch and Two Breaks (Annually)

\$5487.25

Lunch and Two Breaks (25 year career)

\$137,181.25



UNION STRONG
Viktor Fraker
Steward (20879/82), Trustee

STEWARD SHOP TALK

overtime reports to name a few. We will have to investigate workhours of these newly converted CCAs, so they can get what is fair for them. A class action grievance will be filed and pay and benefits adjustments will be corrected.

Branch 3825 Vice President Chuck Clark recently got some Formal A settlements signed, with some still pending. Still others were sent to Step B. In one grievance, on the day after a holiday, carriers were instructed to leave the mail in the case and delay first class mail. Delaying first class mail is a criminal offense (Meanwhile, management will discipline carriers for sleepers in the case usually one thin post card that may have been mistakenly left by the carrier). Management had decided to delay first class mail in order to meet, what I believe to be, DOIS projections. This Grievance has turned out to be somewhat complicated, but has gone through the hoops and is now pending in Step B. I asked for a cease and desist, but I also asked for top management to be accountable for, what I think is with out question, a pure denial of facts.

In the Montgomery Village Branch (MVB), my grievance load has been kept at bay concerning Article 8 issues, union time policy issues, and information request issues, simply because management has been working with me in complying with the national contract, Article 15 and Article 19, to be specific. I firmly believe that the number one problem on the work room floor is still DOIS projections. Managers still think they can force and intimidate carriers with these DOIS numbers. All carriers should know that if you think you are going to go over eight hours of allotted time, fill out a PS form 3996. If the form is disapproved by a supervisor, then the carrier should call back from the street, and if no one answers the phone, then the carrier should drive back to their station and request instructions from their supervisor.

The last thing is membership participation. They don't call a union a "union" for nothing. To really be part of union is to show up at meetings. As a shop steward, I have won money and some fairly good settlements over the years for members, and it really hurts to not see anyone from the MVB office, or Gaithersburg, show up at Branch 3825's monthly meetings. If carriers are concerned about their future, they should attend so they can have their questions answered and gather knowledge about how we all should move to what is most important to carriers.

If you want a Steward to file a grievance on any topic, it is very important to write a statement. There are statement forms in the swing room. Currently, veteran carriers are retiring or getting within a few more years of retiring. This means more CCAs being converted. In my next article I plan on writing about how becoming a scab before or after retirement is not only bad for carriers, but bad for everyone involved. "Union Strong" does not mean avoiding union meetings and giving your shop steward a hard way to go. It means stepping up to the plate and showing solidarity. We must work together for common cause, because if we don't, we will fail separately.



TURNOVERS....
Vivian Walker
Chief Steward, 20851/53

In 2013, the Das Arbitration the settled our last national contract negotiation dictated that the position of Temporary Employees (TE's) be eliminated. In their place, a new wave of employees was created: CCA's (City Carrier Assistants). Unlike the TE's, the big difference was

that the CCA's have the opportunity to become career employees. OK, fine. Unfortunately, since the hiring of the CCA's, the USPS has had a turnover rate of over 54% - meaning that more than half of the new employees were fired, or just quit. The reasoning behind the quitting varies. Some leave because of the wages. Some leave because of the horrible treatment received from management. Others leave because they simply can't do the job ("It's not for everyone").

Aside from the low wages and the not so great benefits, the CCA's have come into the Postal Service at a time when management is so pressured into making their productivity numbers, they will sell their soul to the devil to get it. I've seen CCA's cry, get hurt, have accidents, be forced to work weeks at a time without a day off and yet be told that they have no say because they're just a CCA. If the CCA's are to be our future, it has to start with treating them like they are the future. Management is so eager to put them on an assignment, they are not given the adequate time to be trained. Then they wonder why they fail. How does postal management expect to retain newly hired employees if they don't allow them to be given the proper tools to be a success?

I've seen some of these managers pressure CCA's to do the job against impossible odds, yet when they were carrying mail, they cried like a baby that needed changing. If there is a failure to retain CCA's, that failure is solely on management. Common sense would tell you to do everything in your power to help them succeed. But common sense is not a flower that grows in everyone's garden. Management needs to realize that employees stay when they are paid well, mentored, challenged, promoted, involved, appreciated and valued. If this tide continues with the mistreatment of the CCA's that are our future, that 54% turnover rate will be much higher.

PROUD TO BE UNION
Laura Hennessey
Chief Steward, Frederick



I was asked to write a little article about Frederick and what has been happening in this "neck of the woods". As I sit here pondering what I want to tell everyone. I want to say I am Proud to be Union. I am proud to stand by my brothers and sisters. I want to say that Union means just that. To join together. To be united. To stand strong. When people say strength is in numbers they are correct.

It has been a few months since our office merged with Rockville Branch 3825, We have all worked very hard to where we are now, and have to work just as hard to get where we need to go. I must admit I was kind of nervous to step into the role I was asked to do for Ken Lerch. Lots of work, calls late into the night.

We have settled hundreds of Article 8's. CCA's being converted to regular, equitability, leave usage, union and management cooperation, union time, union information, crossing crafts, pay issues, training, vehicles. I think we have covered almost all the Article's of the National Agreement in the grievances we have settled in Frederick.

I want to thank Branch 3825 for embracing us.

Postal Service Reform Act of 2016 proposed

Just minutes before going to press, Branch 3825 received news of proposed draft legislation in the House of Representatives concerning a major overhaul of the Postal Service. In response, the NALC has issued the following:

"On June 15, the leaders of the House Oversight and Government Reform Committee released a discussion draft of a potential postal reform bill. The draft Postal Service Reform Act of 2016 was issued jointly by Committee Chairman Jason Chaffetz (R-UT) and Ranking Member Elijah Cummings (D-MD).

NALC officers and Headquarters staff members are currently conducting a detailed review of the contents of this draft bill. Although the committee has made great progress toward sensible legislation—embracing many of our ideas for reform—our initial review has revealed a number of shortcomings and omissions in the draft bill, and at least one provision that NALC simply cannot support.

We will do all that we can to work with our industry-labor coalition and with the members of the committee and their staffers to reach consensus on legislation that we can all support."

Meanwhile, the House committee is consulting stakeholders on the draft measure before it formally introduces and marks up a bill. NALC will be intimately involved in that process."

Below is a summary of the Postal Reform Act of 2016:

House Oversight and Government Reform Committee Chairman Jason Chaffetz (R-UT), Ranking Member Elijah E. Cummings (D-MD), Reps. Mark Meadows (R-NC), Gerry Connolly (D-VA), and Stephen F. Lynch (D-MA) are asking the public to submit their opinion of this legislation by June 29, 2016

TITLE I – POSTAL SERVICE BENEFITS REFORM

Postal Service Health Benefits Program

- Establishes separately rated postal plans within the Federal Employees Health Benefits Program (FEHBP) beginning in January 2018.
- FEHBP carriers currently insuring at least 1,500 postal employees and retirees, as well as any other carriers may offer postal plans.
- Almost all postal employees and retirees who elect coverage through FEHBP must enroll in one of the postal FEHBP plans.
- Medicare eligible Postal Service retirees and family members are automatically enrolled in Medicare Part A and B.
- The Postal Service will cover a decreasing portion of the Medicare Part B premium for current retirees transitioned into Medicare as a result of the legislation over a 4-year transition period: 75% in the first year; 50% in the second year; 25% in the third year; and 0% in the fourth year.

Postal Service Retiree Health Care Benefit Funding Reform

- Requires the Postal Service to make actuarially-based Retiree Health Benefit (RHB) prefunding payments to cover 100% of the cost of the Postal Service's RHB liability within 40 years.
- Addresses the prefunding schedule established in the Postal Accountability and Enhancement Act of 2006.

Postal Service Pension Funding Reform

- Calculates the Postal Service's pension costs and liabilities using the salary growth and demographic assumptions that are specific to the Postal Service population instead of the govern-

ment-wide population, as in current law.

- Any surplus within the Postal Service's Civil Service Retirement System or Federal Employees Retirement System accounts must be amortized over 30 years and returned to the Postal Service.

TITLE II – POSTAL SERVICE OPERATIONS REFORM

Governance Reform

- Establishes a Presidentially-appointed, Senate confirmed 5-member Board of Governors with 7-year terms. (Current Board is 9 members.)
- The Board serves as a consultant to the Postmaster General (PMG) and sets the compensation for the PMG and Deputy PMG.
- The PMG and the Deputy PMG must be appointed by the President and confirmed by the Senate to 4-year terms.
- Requires the Postal Regulatory Commission (PRC) to pay the Department of State's costs of negotiating international postal rates.
- Clarifies the PRC's existing authority to levy fines against the Postal Service, payable to the U.S. Treasury for deliberate noncompliance with the provisions of title 39.

Conversion to Secure, Centralized Delivery

- Requires the incremental conversion to centralized delivery of business addresses identified by the Postal Service.
- Requires the voluntary conversion to centralized or cluster box delivery of residential addresses identified by the Postal Service where 40% of the residents consent to conversion.
- Maintains door delivery of mail for residents who do not consent to voluntary conversion; however, any future or new residents of an area that has been converted will receive the converted delivery type.
- A conversion waiver is allowed in cases of physical hardship.

Postal Rates

- Allows the Postal Service to increase postal rates for market-dominant products by 2.15%, or 1 cent for a First-Class stamp.
- Requires the PRC to complete its full review of the market-dominant rate system by January 1, 2018.
- Establishes priority factors for consideration in the PRC's rate review, including the Postal Service's financial stability, the effect of rate increases upon users of the mail, the reliability of delivery timelines and service standards, the available alternative means of communicating and sharing information, and the requirement that all costs incurred are appropriately covered by the revenue from the product for which they were incurred.
- Eliminates state and national political committees' eligibility for non-profit mail rates.
- Directs the Postal Service to raise rates on loss-making monopoly products, subject to certain overall rate increase limitations.

Nonpostal Services

- Authorizes the Postal Service to provide nonpostal services to state, local, and tribal governments and other federal agencies.
- Requires public notice and comment and approval by Board of Governors before the Postal Service offers such service.
- Requires the Postal Service to submit an annual report to the PRC analyzing the costs, revenues, rates, and quality of service

for each nonpostal service agreement.

- Requires the PRC to allow for public comment on the Postal Service's report.
- The PRC must then make a compliance determination and noncompliance constitutes failure of the price charged for the service to fully cover the Postal Service's costs.
- In case of noncompliance, the PRC shall prescribe remedial action to the Postal Service. The PRC may order the Postal Service to discontinue a nonpostal service if the Postal Service persistently fails to meet cost coverage requirements.

Fair Stamp-Evidencing Competition

- Requires the Postal Service to abide by the same regulations it requires of private companies when offering metered postage systems that create individual postage labels for letters or packages.

Efficient and Flexible Universal Postal Service

- Requires the Postal Service to consider additional factors when evaluating whether or not to close a post office: distance to next post office, characteristics of the location, including weather and terrain, and the availability of broadband.
- Shortens the deadline for the PRC to review the Postal Service's decision to close or consolidate a post office from 120 to 60 days.
- Allows communities the opportunity to provide input on their preference as to the closing or consolidation or alternative options for access to postal services.
- Allows for appeals regarding the closing or consolidation of post office stations and post office branches.

Review of Postal Service Cost Allocation Guidelines

- Requires the PRC to conduct a one-time review of the Postal Service's cost allocation methodologies.

TITLE III – POSTAL SERVICE PERSONNEL

Chief Innovation Officer

- Requires the Postal Service to establish and appoint a Chief Innovation Officer to manage the Postal Service's development and implementation of innovative postal and nonpostal products and services.

Inspector General of the Postal Community

- Consolidates the Postal Service and the PRC Offices of Inspector General into a newly established Inspector General for the Postal Community.

MSPB Appeal Rights

- Provides non-bargaining, non-supervisory employees access to the Merit Systems Protection Board.

TITLE IV – POSTAL CONTRACTING REFORM

Contracting Reforms

- Requires the Postal Service and PRC to issue a policy on the delegation of contracting authority, post noncompetitive contract awards meeting certain dollar value thresholds, and improve oversight and response to potential conflicts of interest regarding contracting.

KNOW YOUR RIGHTS

NALC Region 13 Business Agent Tim Dowdy passed on information concerning employee rights during investigations conducted by USPS management, Postal Inspectors, OIG agents and law enforcement officials. All of these specific warnings/rights were established in rulings in US Courts.

Weingarten Rights

The right of a letter carrier to request a union representative be summoned and be present at an investigative interview being conducted by the persons detailed above. This right does not apply to every discussion management may have with a letter carrier, it applies only where management is seeking information/answers from an employee which the employee reasonably believes could be used against him/her in a USPS disciplinary action. This right is most commonly invoked by letter carriers when they're called to a "pre-discipline interview" or "PDI". It's recommended letter carriers *always* use this right in such settings.

Miranda Rights

"You have the right to remain silent, anything you say can and will be used against you in a court of law." You often see this on television, and this rights stipulation is provided to suspects usually when they are about to be arrested and/or questioned for a suspected crime. *If this warning is presented to anyone, it is recommended you consult with an attorney before saying anything to anyone about the matter at hand.*

Garrity Warning

A type of warning most likely to be issued by an OIG agent or Postal Inspector. This warning informs the carrier he/she has the right and option to *not* answer questions about to be asked, and confirms the employer may not take disciplinary action against the employee *solely* for the refusal to answer. BUT, any answers/information provided by the employee can be used against them for arrest and criminal prosecutions purposes, and can be used by the employer for discipline. *If this warning is presented to a letter carrier, it is recommended you consult with an attorney before saying anything to anyone about the matter at hand.*

Kalkines Warning

A type of warning most likely to be issued by an OIG agent or Postal Inspector. This warning essentially informs a letter carrier that he/she is obligated by their employment to answer questions about to be asked, and if they refuse to answer they could be subject to disciplinary action (including removal) by the Postal Service. This is based on the prevailing requirement that employees must cooperate with USPS investigations as a condition of employment. BUT, the Kalkines Warning also provides that the answers/information the employee provides could not be used against the employee for arrest and criminal prosecution purposes. (The information divulged can be used by the USPS for disciplinary action) *If this warning is presented, it is recommended you ask to consult with your union shop steward before signing anything or answering any questions.*

IFAQ: ***INCREDIBLY FREQUENTLY ASKED QUESTIONS***

Almost all personnel documents have been converted from hard copy to electronic. That includes your Official Personnel Folder, or OPF. Here's the information you need regarding this most important document:

1. What is an eOPF?

The Official Personnel Folder, or OPF, documents the employment history of individuals employed by the federal government. An OPF is established and maintained for each Postal Service employee regardless of appointment type or duration. Official Personnel Folders for active employees were converted from paper to electronic Official Personnel Folders (eOPFs) in 2008, and the eOPF became the official record. You can easily access, view, and/or print documents from your eOPF from your home computer.

2. Is my eOPF secure?

Yes. Your eOPF can only be accessed by a limited number of Postal professionals who have a business need for your eOPF information (for example, Human Resource Specialists in the Human Resources Shared Services Center who process service credit paperwork, benefits-related transactions and selections and placements for postal positions). Your eOPF is encrypted over communication lines and stored in a secure enclave, which means it is safe and only visible on your computer and the workstations of authorized employees.

3. Who has access to my eOPF?

Your eOPF can only be accessed by you (from LiteBlue with your Employee Identification Number and Personal Identity Number), and by Postal professionals in the course of their official duties with a need to know. For example, a Human Resource professional may access your eOPF to process a transaction like a bid promotion or a benefit change.

4. What is appropriate documentation for my eOPF?

OPF documents include personnel actions on PS Form 50, appointment records like your application for employment, payroll records, benefit records like health and life insurance elections or changes, service credit records, discipline (if any) and other documents including records documenting civilian service in other agencies (if any).

5. What if I want to add something to my eOPF?

Generally the documents that are included in your eOPF are placed there by Human Resource (HR) professionals. If you want to add a document, for example, a DD214 to document recently completed active duty military service or an official letter from the Veterans Administration supporting your claim for veteran's preference, make your request in writing on PS Form 8043, attach the document, and mail or deliver it to your district personnel HR Generalist. The HR Generalist will review to insure it is an appropriate eOPF document, and if so, have it added. This may take 60-90 days.

Your eOPF

6. What if I want to remove something from my eOPF?

If you want to remove something from your eOPF, make your request in writing on PS Form 8043, specifying exactly what document(s) you request be removed, and mail or deliver it to your district personnel HR Generalist. Note: Discipline can only be removed in accordance with collective bargaining agreements. Also, documents placed in your eOPF by another agency cannot be removed.

7. How can I amend a document in my eOPF?

If you believe you need to amend a document in your eOPF, make your request on PS Form 8043, specifying exactly what items and document(s) you want amended, and mail or deliver it to your district personnel HR Generalist. Note: Documents generated by another agency employer cannot necessarily be amended by the USPS without special authority to do so.

8. I want a copy of my eOPF - how can I get one?

You can open and print any or all the documents in your eOPF. Just click on the document links to open each document and click the Print button. If you want the entire eOPF and would rather not print the documents yourself, you may request a copy of your eOPF. The first 100 pages are provided at no charge, and there is a 15 cent charge for each additional page. Make your request in writing and mail or deliver it to your district personnel HR Generalist. Your eOPF copy will be sent to you at your address of record.

9. I need a copy of selected documents from my eOPF - how can I get them?

You can open and print any or all the documents in your eOPF. Just click on the document link to open the desired document and click the Print button.

10. Why are some of my documents dated 1/1/1900?

When your OPF was converted from paper to electronic format, each document was indexed in a way to make retrieval easier for you. Documents that had no dates were indexed with the special 1/1/1900 date.

11. Why are some documents called “other”?

When your OPF was converted from paper to electronic format, each document was indexed in a way to make retrieval easier for you. Documents identified as “other” do not match the master list of recognized OPF documents used by federal agencies, including the Postal Service.

12. It seems like my eOPF used to contain additional records. Were some purged?

Some records may have been removed in preparation for scanning the OPF. For example, medical and injury/illness-related records (if any) (e.g. the results of your preemployment medical assessment and reports of any injury or illness) were purged to the extent they could be identified systematically. If you find medical records in your eOPF, you may request they be removed. Make your request on PS Form 8043, specifying exactly what document(s) you request be removed, and mail or deliver it to your district personnel HR Generalist.



CUSTOMIZED DELIVERY MARKET TEST COMING TO BRANCH 3825

USPS Headquarters has sent notification to NALC National President Fred Rolando that the market testing program, Customized Delivery (a package delivery service offering that provides customers with delivery of groceries and other prepackaged goods during set delivery windows), will be expanded to include additional delivery areas including the Capital District by the end of June.

This will directly impact nearly the entire delivery area of NALC Branch 3825 except for Brunswick, Taneytown, Boonsboro and Thurmont. How this will directly impact employee workhours, staffing and other areas of employment is unknown as this issue of Unity goes to press. What is known is that the Customized Delivery program market test that started in the San Francisco area in 2014 is definitely coming to our area as test marketing expands.

An excerpt from the Postal Regulatory Commission documents describing some of the nuts and bolts of the operation is shown on the adjoining page. Clearly, the Customized Delivery Program will significantly impact CCA employees as most deliveries are targeted for the very early morning hours of the day. Obviously, this will create a new set of issues for the union to track including proper pay, workhours, scheduling and, of most importance, safety.

The nature of work in the Postal Service is drastically changing as our entire nation adapts to new technology and the conveniences of electronic shopping. CCA's should definitely keep in touch with their shop stewards as this new program is rolled out. Being a test market, it is assumed that processes to execute Customized Delivery will be fluid and open to change. But this does not, in any way, give management the authority to violate employee rights.

**POSTAL REGULATORY COMMISSION
NOTICE OF THE UNITED STATES POSTAL SERVICE MARKET TEST
OF EXPERIMENTAL PRODUCT -**

CUSTOMIZED DELIVERY

Grocery delivery services are expanding across the nation, with businesses ranging from the nation's largest retailers, to niche operators, to the popular car service Uber entering the marketplace. With its operational reach, the Postal Service has an opportunity to provide retailers a nationwide solution that offers a trained workforce and the trust and reliability of the Postal Service brand. By expanding its carrier services and offering customized delivery, the Postal Service can garner profitable revenue through new revenue streams.

Recently, the Postal Service began conducting operational testing for early morning grocery delivery. In the current process, the retailer brings groceries already packed into retailer-branded totes, some of which are chilled or include freezer packs, directly into Postal Service destination delivery units (DDUs) between 1:30 a.m. and 2:30 a.m. The totes are all the same size and color, and have a QR code on the outside. The Postal Service receives a manifest file from the retailer containing the address and QR code number for each tote. This file is used by the Postal Service to dynamically route totes and create a line of travel for each route.

City Carrier Assistants (CCAs) scan totes using iPhone scanning, which provides route order information via a USPS-developed iOS application. The totes are sorted on the workroom floor by route and delivery order, and are then back-loaded to a truck for delivery. Deliveries occur from 3 a.m. to 7 a.m. These deliveries are unattended — the CCA will not ring the doorbell or knock on the door. The carrier places the totes in a location designated by the consumer for delivery. Totes are scanned at key steps in the process to provide tracking and visibility through to delivery. CCAs wear postal uniforms and lighted caps as a safety measure and for easy recognition by the public.

During the operations test, deliveries have been averaging 1 to 4 totes per address with an average of 160 totes per day for the 38 ZIP Codes included in the testing. Through this two-year market test, the Postal Service seeks to test and develop a long-term, scalable solution to enable expansion of customized delivery to additional major metropolitan markets across the nation. The Postal Service may also seek to test other possible delivery windows throughout the day, as part of this market test.

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(Some things never change.....)

