

THE MAIL CALL



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PRESIDENT'S REPORT By Calvin Brookins

President's Commission on the Postal Service

There are presently two hearings going on right now, one by the United States Senate and one by the United States House of Representatives, to consider necessary changes that must be made in present law. The hearings are dealing with the commission report and recommendations that will effect the future structuring of the postal service, and other matters that will effect the postal service in a positive or negative way. The viability of the postal service, collective bargaining, outsourcing of postal jobs, universal service by the postal service to the American people, future wages and retirement benefits, the future ability of the postal service to generate needed revenue, are all at stake here.

All of us must realize that whatever changes are put forth as a result of those deliberations, they very well may be proposed in Congress in a much shorter time frame than many of us anticipated. Therefore, all of us must continue our efforts to have all of our members aware of the seriousness of the situation and necessity to become more actively involved. We can all do that by signing up as an NALC E-activist. If you have not signed up you can do so by going to the NALC website at www.nalc.org <<http://www.nalc.org>>. Every member must be ready to respond to the NALC's instructions upon request.

Legislative Training

On February 8, 2004 Velma McClinton, Roger Askew, Tia Wilson, Troy Young and myself attended the legislative training at branch 24 in Los Angeles, it was very informative. Dale Hart talked about how the USPS touches 10% of the gross national product and if it goes under how it will have a negative effect on the economy. He also talked about the deficit ceiling that the postal service can borrow against which is \$15 billion, and how we came close last year to reaching \$13 billion.

He also emphasized how we the must educate people that this stuff makes sense, and how we have no other options. This must be done at the branch level and in Congress. We must pay attention to NALC Bulletins and the Postal Record for up to date information.

COLCPE

Everyone must get involved with COLCPE, the COLCPE campaign is vital, we now have available to us as letter carriers the opportunity to have COLCPE deducted from our paychecks, yet very few of us have taken advantage of this. Therefore, I am asking every member to pledge at least \$5.00 a pay period to COLCPE. I am also asking everyone who has already gone through Postal-EASE to arrange for pay-roll deductions for COLCPE to talk to your fellow carriers about doing the same. Remember COLCPE is very important to the NALC's political education.

President Young Testifies

President Young warns postal reform panel against politicizing bargaining.

NALC President Bill Young challenged several recommendations of the President's Commission on the U.S. Postal Service during field hearings of the House Government Reform Special Panel on Postal reform in Chicago February 5th especially those that would significantly alter the process for resolving labor management disputes. He said such a move would be both "unnecessary and counterproductive."

COLA

The third regular cost-of-living adjustment under the 2001-2006 National Agreement will be \$187 annually based on the (CPI-W) for January. The third cost-of-living adjustment, effective the pay period beginning March 6 (pay date March 26), is the third of eight regular COLA's called for in the 2001-2006 contract. The third COLA of \$187 annually is equivalent to 9 cents per hour, or \$7.20 per pay period.

IN MEMORY OF

SAM HIPPA
BRANCH 860 HONOLULU

LOU CALITRIANO
BRANCH 213 STOCKTON

JENNIFER RICH
FORMER MEMBER BRANCH 2462

"The MailCall" is published monthly by "Heart of the Valley Branch 2462, NALC, 6910 Hayvenhurst Ave., Suite 101, Van Nuys, CA 91406 in the interest of and for the Letter Carriers of the Van Nuys Post Office and its Stations. ARTICLES FOR PUBLICATION MUST BE IN THE HANDS OF THE EDITOR ON THE 21ST DAY BEFORE THE REGULAR BRANCH MEETING. ALL ARTICLES MUST BE TYPED OR ON COMPUTER DISK WITH SINGLE LINE SPACING. The Editor reserves the right to delete any article he deems necessary, improper, or unfit. All opinions expressed are those of the writer and are not necessarily those of the Editor or Branch 2462, NALC. The views expressed in this document are those of the author and do not necessarily represent the official views of the U.S. Postal Service. In the hopes that any material contained herein may be of benefit to your Branch and the goals of the NALC, permission is granted to copy and/or use any material in this publication with our best wishes.

VICE PRESIDENTS REPORT ART BOCEK

Safety Verses 911

Both Calvin and I have written several times regarding the need for you to work in a safe manner but also the need to work in a safe environment. The Postal Service has not only a "Duty" but an "Obligation" to provide "You" the safest work environment possible. Vehicles are fixed vehicles when "YOU" write them up with a repair tag (keep a copy of the repair tag for your protection in your locker). Management has rule and regulations, whereby, "you" have been instructed to follow ensuring not only "your" safety but the safety of "others". "You" can either follow the instructions or face the consequences. I just don't understand the need to prop open doors, thereby, allowing anyone or anything access into a secure building. Safety is not a joke by any stretch of the imagination. There are people out there for what ever reason, want to make a statement and it does not matter to them who or how many people get hurt in delivering the message. Are you ready to admit to your fellow co-workers and there families after a tragic event happens the reason why "You" did not questioning an individual walking around without a badge, why "You" prop open a door by turning the dead bolt out that needs to be locked so when a person wants entry must show identification at the door first before gaining entry into a building, explain to a family why "You" did an unsafe act resulting in an accident, therefore, causing pain and suffering. Well I'm not. If you thing that safety is a joke, then I have only one question for "you" at this time: "When you go home tonight and be with "Your" family, and just before "you" go to bed, will "you" also prop open "your" front door and feel safe enough ???

Postal Inspectors and Your Conduct and Rights

When you are questioned by the Postal Inspector here is something you need to know regarding your conduct, even if you believe you are not guilty of any wrongdoing, it is suggested that you do the following:

1. Remain calm.
2. Correctly identify yourself, if requested to do so.
3. Do not physically resist arrest, or search of your person or property.
4. Rear aloud to the inspector(s) the statement
5. Remain silent until you have been consulted with your union representative or attorney.

I request the presence of my union representative. If I am a suspect in a criminal matter, please advise me, if so I wish to contact my attorney. If I am under arrest, I request you to advise me and to inform me of the reason, or reasons. I will not resist arrest. I do not consent to a search of my person or property. However, I will not physically resist or obstruct such a search. If you have a search warrant, I request to see it at this time. If this interview will/may result in discipline or discharge, I request you advise me now and explain fully the purpose of this interview. I will cooperate with you fully, but I do not waive any of my rights, including my right to remain silent, I will not sign a waiver-of-rights form, nor admit or deny any allegations, nor make any written or oral statements unless my attorney and/or union representative are personally present and so advise me.Ar

ATTENDANCE CHART BRANCH MEETINGS

MONTH	J	F	M	A	M	J	J	S	O	N
MAIN OFFICE	4	4	3							
ENCINO	8	7	5							
CIVIC CENTER	1	1	1							
PANORAMA CITY	4	4	2							
SHERMAN OAKS	5	2	4							
SUN VALLEY	0	2	2							
TARZANA	2	2	2							
RETIREE'S	5	6	4							
TOTAL	29	28	23							

**MEETING PLACE OF BRANCH 2462, NALC
6910 HAYVENHURST AVE., SUITE 101
VAN NUYS, CALIFORNIA**

**NEXT MEETING
6:30 PM**

**APRIL
6th
"2004"**

**DEADLINE DATE FOR THE NEXT
ISSUE OF "THE MAIL CALL" IS**

April 6, 2004

BRANCH OFFICE.....818-786-8505

"RETIREE CORNER"

Our Breakfast Meeting will be held at Cocos Restaurant , 16835 Sherman Way (Corner of Sherman Way and Balboa). It will begin at 09:00 AM. The date for the next 2 will be April 24th and May 22, 2004 (4th Saturday) So, please mark your calendar.....We hope to see you there.

Thank You

Frank Brash

THINGS YOU SHOULD KNOW OR AT LEAST BE AWARE OF:

---If during a "discussion" management begins to ask questions that meeting has risen to the level of an investigative interview and you should immediately request a shop steward and state you cannot answer until that steward is present, AND be quiet until then;

---If management or anyone acting on their behalf asks you to "tell them what happened" or "would you write a statement" or "I just need your side of the story", be advised that this or anything like it is an investigative interview to gather facts that could be used against you or others and you should request the assistance of your shop steward before doing any of these actions;

---If you go into an investigative interview and management has a statement of something occurring before they ask you a question about it, management has set the fact already and you should decline to answer on that basis stating clearly that you will answer if there is a search for facts rather than them leading you into a preconceived "fact" stated therein;

---If you wish to request a steward but don't wish to get management's pick of steward, then go to the steward of your choice and ask them to request to see you thereby taking away management's ability to manipulate who you see;

---If management takes any action toward you either administrative or disciplinary, you should immediately advise your steward of the fact so that the steward can act on it if it is improper; note just because you did it doesn't mean management took proper and appropriate action and of course if you didn't do it you know they didn't act properly;

---If you provide management with a request for leave (usually a 3971), under The Family and Medical Leave Act (FMLA) and The Joint Contract Administration Manual (JCAM), management must give you a response in two business days as to the disposition of the leave pertaining to Family Medical Leave status and this includes any leave that is not FMLA as that status must be provided if appropriate; note a disapproval in any case must include a reason---The JCAM has defined the use of a 3971 for these purposes;

---If management requires you to provide specifically what medications you are taking or requires copies they are violating The Privacy Act and HIPPA regulations: if necessary management is ONLY entitled to know the effects of medication if it could interfere with your work duties;

---If you are not on RSL (Restricted Sick Leave) and management does not accept the defined sick leave status as "incapacitated for regular duty" and requires a medical visit and documentation, you should notify your steward to grieve management's improper action; note again that: 1) you are not an M.D. and therefore you don't diagnose; 2) that under law management is not entitled to a diagnosis; 3) that incapacitated may not be necessarily a need to see an M.D.; 4) the reason for incapacity may be an already documented chronic condition under FMLA; 5) management's opinion or malice doesn't count as they aren't M.D.'s either; BUT if they order you to, do it, keep track of mileage, fees, etc., and grieve for compensation;

---If you've taken leave under the FMLA and you are bypassed based on this leave for any recognition, bonus, gratuity, thank you, etc. versus other employees who haven't used FMLA, man-

agement is in violation of FMLA laws as the are disfavoring you based on FMLA;

---If anyone in management other than the P.O.'s medical provider (note: this is NOT the Postal Medical Officer (PMO) or any of his staff) contacts your or your family member's doctor concerning an FMLA situation, they are in violation of FMLA law; further, if the P.O.'s medical provider contacts your or your family member's doctor without your or your family member's HIPPA complaint medical release to do so is in violation of both HIPPA law and FMLA law;

---If you observe a hazardous condition or a safety infraction you have a right to fillout a PS1767, report of safety hazard or condition, and send it to District Safety to respond to as to what action is taken and when; Of note is this form is valuable in reporting management's failures to provide a safe and healthful environment and also is for reporting their infractions while they hypocritically observe you on the street or in the office;

---If management is on the street observing your driving, they are required to use a 4584, observation of driving practices, when doing those observations by the PO-701, fleet management, otherwise they are failing to follow their instructions and arguably are acting in a covert manner a violation of the M-39, management of delivery service;

---If you don't know something or don't understand something you're human just like me and everyone else, ask your steward or anyone who may be helpful; you do understand the only thing that really comes out of this is you by asking make even the person you're asking more informed as they may not know the answer but the search is how we all learn new things to pass on; I've learned many new things from questions I had to search out answers for; I only ask one thing of you is that you pick your sources well, asking management is usually like playing Russian Roulette with your answers---5 and possibly 6 chambers are loaded!

Good Health and Prosperity to You.

**Terry Hall
Shop Steward--VNMO**

PICNIC ANNOUNCEMENT

On April 12, 2004, at 7:00 p.m. there will be a Picnic meeting held at the Union Office. Any member who is interested in planning Picnic activities, menus should plan on attending.

**ART BOCEK
PICNIC CHAIRMAN**

"THE MAIL CALL"
BRANCH 2462, NALC
Steve Seyfried, Editor
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Van Nuys, CA 91406

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Branch Meeting Minutes
March 2, 2004

By
Steve Seyfried, Secretary

The Meeting was held at the Branch 2462 Union Hall 6910 Hayvenhurst Ave, Van Nuys California. It was called to order by PRESIDENT CALVIN BROOKINS at 6:35 p.m. The Pledge of Allegiance was led by SGT-AT-ARMS ASKEW
MOMENT OF SILENCE--In memory of SAM HIPPA, Branch 860 Honolulu, LOU CALITRIANO, Branch 213 Stockton, JENNIFER RICH, Former Carrier Sherman Oaks Station and all the Military men and women who have sacrificed their lives in the Service of our Country.

ROLL CALL OF OFFICERS

PRESENT--BROOKINS, BOCEK, SEYFRIED, JOHNSON, McCLINTON, JACKSON, MULLINAX, ASKEW, DOLABSON
ABSENT--HENRY, HALL

MINUTES ACCEPTED AS PRINTED IN MAILCALL

CORRESPONDENCE READ

APPLICATION FOR MEMBERSHIP

HUGO PEREZ, PETER AXT, MARVIN CALARA

BILLS READ--MOTION TO PAY M/S/C

COMMITTEE REPORTS

AUDIT--TRUSTEES All is well

SAFETY & HEALTH There will be mandatory stand-ups given at all stations regarding RICIN and identifying dangerous parcels and mail items.

RETIREES 4 present tonight. The Retiree Breakfast had a good turnout last month. On the Sick List we have FLOYD QUARTMAN, SERGIO CHAPPARO, KATHLEEN CRAWFORD, GLENN VAN DER HAM and ODIL SABBE. We hope that they are better soon.

MBA--T. HALL No Report

HBR--DOLABSON No Report

EDITOR--SEYFRIED No Report

DISTRICT--McCLINTON Worked on the Primary

Election. Hope that everyone took the time to vote today.

COLCPE \$ 603 currently in the fund

FINANCIAL SECRETARY REPORT---JOHNSON

TREASURERS REPORT--McCLINTON

VICE-PRESIDENT BOCEK Starting to plan for this years Picnic at Rancho San Antonio, watch for planning dates

PRESIDENT BROOKIN'S State Convention will be held at the Riviera Resort & Racquet Club in Palm Springs on May 21 - 22, 2004. Room rates are \$ 120 per night. The CSALC and National Business Agents office will be conducting joint training session classes on the Thursday preceding the Convention. A Standup has been scheduled

at Tarzana to educate Carriers on the E-Activist program. I will also be giving standups at Encino and Sun Valley. Thanks to VELMA McCLINTON, ROGER ASKEW, TIA WILSON, and TROY YOUNG who accompanied me to the Legislative Training at Branch 24 on Feb 8th. There is a lot coming up on the legislative front that will directly effect Carriers and the Postal Service. All members should be watching the NALC Bulletins, which are posted at all Stations, and also for articles in the Postal Record. This year could very well bring many changes in the way the Postal Service is run. Now would be a good time to start attending Union Meetings, if you do not already attend. Your Job and well being will definitely be affected by what Congress does regarding Postal Reform. If you do not already donate to COLCPE please consider it now. Very few members have taken advantage of the Payroll deduction which can now be made. It is easy to sign up, call the Union Office we will explain how. A simple deduction of \$ 5 per pay check will not be missed by you, and will make a tremendous difference. The third Cost of Living adjustment will be seen in the March 26th paychecks. It will be \$ 187 annually or \$ 7.20 per check

Spring COP will be held in St. Louis, I have decided not to attend.

OLD BUSINESS

EXECUTIVE BOARD MINUTES READ

NEW BUSINESS

MOTION--Branch donate \$ 500 from the Branch COLCPE fund to the National COLCPE fund.

Check to be presented at the State Convention M/S/C

MOTION--Branch donate \$ 100 to the CARL SAXEMEYER Scholarship Fund. Check to be presented at the State Convention

M/S/C

MOTION--Branch pay any Shop Steward, Alternate Shop Steward or Convention Delegate who attends the Training Classes on Thursday May 20, 2004 in Palm Springs, \$ 325 for all expenses

M/S/C

MOTION--Branch purchase 10 raffle tickets from MEND. Cost \$ 45. If the Branch wins the prize the prize will be drawn from the members of the Branch

M/S/C

UNDERLINED DENOTES UNANIMOUS VOTE

COLCPE DRAWING

\$ 3 ROBERT JOHNSON--MAIN OFFICE

\$ 4 JEFF JACKSON--PANORAMA CITY

\$ 6 KATHY CRAWFORD--SUN VALLEY

MEETING ADJOURNED 8:05 P.M.

SPECIAL THANKS--A new computer has been donated to the Branch by DON & JEAN SEYFRIED, parents of member Steve Seyfried. It will be used to run our Financial Programs