

THE

# MAIL CALL



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Van Nuys, CA

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1998

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## PRESIDENT'S REPORT

By Roger Askew

### PRIMARY ELECTIONS

On Tuesday June 2, 1998 the California Primary election will be conducted. In addition to the normal ballot elections there is a proposition that is extremely important to all union members. This is proposition 226. Some short sighted people have labeled this as the Pay Check protection proposition. Although I seldom tell any member how to vote, I will say that I am heading to the polls on June 2, 1998 to vote no on this proposition. We have all been bombarded with tons of information on this issue. Last week I had a member ask me why I was voting against this and I responded to him like this. I do not consider Proposition 226 fair. If the ballot proposition passes then each union would be required to poll members prior to spending dues money on political candidates. (This would not effect the members of this branch because all the money that is given to any candidate is from the 50-50 COLCPE drawing that is conducted prior to the conclusion of each regular branch meeting. Nothing is ever given to any candidate from our dues money ). Here is the unfair part, Do you think that any major corporation will ask all their stock holders if they want to spend the profits from the company on a political candidate. NEVER. Why should the unions ( all the unions in the AFL-CIO ) be required to poll the membership prior to any contributions being made but not the stock holders? If you wanted to be fair with this matter then AT & T should be required to poll all of the stock holders prior to giving money to any political candidate (and a 100% approval be given). Newhall Land & Farming Company should be required to poll all the stock holders (and a 100% approval be given) prior to any funds be given to a local congressman. For the record on this matter, major corporations outspent the unions at an 11-1 ratio during the recent national election held in 1996 and they are scared on our political power. I for one will be going the ballot box and voting NO on proposition 226.

### FOOD DRIVE

Another year has gone by and another food drive is behind us. As of Saturday evening (May 9th) the branch collected over 52,000 pounds of food for the local food pantries. The final amount will not be know until next week, as our patrons continue to bring food to the post office. Thanks to Leslie Michelsen and all of the food drive coordinators (Janett Dolabson - Tarzana, Tia Wilson - Sun Valley, Tracy Mullinax - Encino, Velma McClinton and Robert Johnson - Main Office, Calvin Brookins - Civic Center and Gloria Henry

- Sherman Oaks) . A special thanks to Bernadette Chrosicki for her effort on a short notice. The food that is given to these organization is greatly needed. The 52,00 pounds of food will last MEND well into the summer months. Thanks to all of you who picked the food up. I realize that in some case's this requires additional effort but if you could see the look on the faces of those less fortunate people who need the food you would realize that the effort is well worth it. As Letter Carriers we have received national recognition for our annual Food Drive and it is a tremendous task to visit each household in the United States and collect food. Each of us had a part in this effort and we should all feel proud of our efforts.

Have a great holiday and enjoy the Memorial Day....

## Don't let them SILENCE working families

Prop. 226 is an initiative written by big business and out-of-state lobbyists which would silence the voice of working families. Prop. 226 would make it illegal for unions to fight for their members without a complicated authorization procedure that includes a form designed by state bureaucrats to be filled out by each member, every twelve months. These bureaucratic regulations will tie up unions in red tape and silence our voice on issues we care about.

**ON JUNE 2ND  
VOTE NO ON  
PROP. 226**

"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 President Report

By  
Calvin Brookins

Movement of the T-6. If management moves a T-6 from the route they are scheduled to do that day that T-6 should be paid out of schedule premium. Article 41 Section I.C.4. reads as follows. The successful bidder shall work the duty assignment as posted. Unanticipated circumstances may require a temporary change in assignment. This same rule shall apply to T-6 and utility assignments, unless the local agreement provides otherwise. The local agreement of branch 2462 states that the only time management can move a T-6 off of their daily assignment is if they call in the regular carrier on their non scheduled day. Even then they have to move that T-6 to another route on their string. That T-6 can not be taken off their string without his/her permission. (The carrier called in on their non scheduled day must be an overtime desired list carrier). In 434.6 of The Employee and Labor Relation Manual (ELM) it states that out of schedule premium is paid to eligible full time bargaining unit employees for time worked outside of, and instead of, their regularly scheduled workday or workweek when employees work on a temporary schedule at the request of management. An example of an anticipated circumstance is a carrier who is detailed to a 204B supervisor position. The following week management takes the T-6 and moves him/her to that 204B route for one or more of those days. That week the T-6 should be paid out of schedule premium. If a carrier calls in sick and informs management that they will be out the rest of the week and management moves the T-6 to that carrier route the T-6 should be paid out of schedule premium.

## ATTENDANCE CHART BRANCH MEETINGS

MONTH	J	F	M	A	M	J	J	A	S	O	N	D
MAIN OFFICE	5	2	6	7	6							
ENCINO	8	8	6	6	7							
CIVIC CENTER	1	1	1	1	1							
PANORAMA CITY	2	2	1	2	2							
SHERMAN OAKS	9	4	7	11	5							
SUN VALLEY	0	1	1	0	1							
TARZANA	1	1	1	2	1							
RETIREE'S	7	4	4	7	6							
TOTAL	33	23	27	36	29							

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

NEXT MEETING  
6:00 PM

June 2nd  
1998

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

June 16th

BRANCH OFFICE.....818-786-8505  
SICK CALL  
FRANK RIMKUS..... 818-892-7118 WEB  
PAGE  
<http://members.aol.com/branch2462>

### "RETIREE CORNER"

Our monthly fourth (4th) Saturday Breakfast Meeting will be held at Carrow's Restaurant (Roscoe & Tobias) at 09:00 am in Panorama City. The date will be **June 27, 1998** Please mark your calendar and we hope to see you there.  
Thanks  
Frank Rimkus

### DPS Report

DPS is coming to two more of our offices next year. Last month I talked about work methods, as I said you will play a role in making that decision alone with the local union and management. Some of the things you and the other parties will have to take into consideration will be what type of route do you have. Can you adjust to carrying 2 bundles of letter mail. Can you adjust to carrying letters and flats together as one bundle. What time during the morning do you get your flats, in case you decide to go with the vertical flat case method. Does your office have enough space where you can add a wing case or other equipment as needed. I have seen different work methods on all types of routes. There is one office where every route in that office went with the vertical flat case method. There are other offices where most routes went with the composite bundle methods. Efficiency is the key, what is more efficient for you and the route you are assigned to,

**FOR YOUR INFORMATION**  
by  
**TERRY HALL**  
**SHOP STEWARD MAIN OFFICE**

**CONTRACT REFERENCES:**

The Contract contains many more elements than what is actually contained in the book that outlines the articles; Article 19 makes reference to Handbooks and Manuals whose elements are a bonafied part of the Contractual Agreement between the Postal Service and The Union. Below I will describe several of those elements that may affect you, sometimes daily. The most common manual used is The Employee and Labor Relations Manual (ELM).

**ELM 661.51 Discrimination**

No employee while acting in an official capacity will directly or indirectly authorize, permit, or participate in any action, event, or course of conduct which subjects any person to discrimination, or results in any person being discriminated against, on the basis of race, color, religion, sex, national origin, age (40+), or physical or mental handicap, or any other nonmerit factor.

**ELM 668.117 Reprisal for Exercising Appeal Rights**

Taking or failing to take any personnel action as a reprisal for the exercise of any appeal right granted by law, rule, or regulation is prohibited.

**ELM 668.118 Reprisal for Release of Information**

No one may take or fail to take a personnel action as a reprisal for a disclosure of information by an employee or applicant which the employee or applicant reasonably believes evidences:

- a) A violation of any law, rule, or regulation; or
- b) Mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, if such disclosure is not specifically required by Executive Order to be kept secret in the interest of national defense or in the conduct of foreign affairs.

**ELM 668.29 Interception of Oral or Wire Communications by Postal Employees**

668.291 During the course of activities related to postal employment, no postal employee will record, monitor, or otherwise intercept the oral or wire communications of any other person through the use of any electronic, mechanical, or other device, nor listen in on any telephone conversation, nor direct another to do so, unless all parties involved in the communication consent to such interception.

**M-39 Management of Delivery Services**

M-39 section 115.1 In the administration of discipline, a basic principle must be that discipline should be corrective in nature, rather than punitive. No employee may be disciplined or discharged except for just cause. The delivery manager must make every effort to correct a situation before resorting to disciplinary measures.

Hope this is useful.

WELLNESS MADE EASY  
by  
JIM TUKESBREY H. B. R.

If you buy canned sardines or herring, compare the labels of various brands. Companies may pack different species and fish of varying sizes or from different locales (those from colder water will have more fat) as well as various added ingredients. The difference between two cans of sardines or herring (even if they are both packed in the same kind of sauce) can be vast. They can have anywhere from 2 to 20 grams of fat in 3 ounces. Canned sardines or herring packed in water sometimes contain as much fat, or even more, than those in oil since these fish are fatty to begin with. Sardines packed in tomato or mustard sauce, may contain lots of added oil.

Pink grapefruit sometimes costs more than white, but it is worth it. Ounce for ounce pink and white grapefruits have the same number of calories and amount of Vitamin C, but the pink variety has about 25 times more Beta Carotene.

Don't take an antacid that contains aluminum if you are taking any prescription drugs. First consult your Doctor or other health-care provider. The labels on such antacids warn about possible drug interactions--notably reduced absorption of the prescription medication.

To prevent athlete's foot, keep your feet clean and dry, especially in hot weather. Snug, poorly ventilated shoes and damp sweaty socks provide an ideal breeding ground for the fungus that causes athlete's foot. Daily washing with soap and water is a good idea. But be sure you dry thoroughly, especially between the toes (you can use a hair dryer on low heat). When you can, go barefoot. Next best thing is to wear sandals. When you wear shoes, wear clean socks, preferably one's that "wick" away moisture. Air your shoes between wearings. Don't wear the same pair day in, day out. Powder, or even a spray antiperspirant, can help keep feet dry. If you already have athlete's foot, try an over the counter antifungal product.

**MBA**  
**(Mutual Benefit Association)**

The MBA offers many insurance plans to suit many lifestyles and life needs. The types and varieties vary greatly and are designed to fit many conditions that face the growing and changing carrier as they proceed through life. Some plans are for retirement, some for family planning, some for hospitalization, and others for life. If you are interested in any category you can call the MBA at 1-800-424-5184 toll free on Tuesday and Thursday, 1-202-638-4318 on Monday through Friday, or write them at 100 Indiana Ave. N.W., Suite 510, Washington, D.C. 20001 for information on any or all the available plans. Plan for your future.

Terry Hall  
Branch MBA Representative

**ContractGate'98**  
by  
JASON COLELLO

Ever since I had lost my innocence (hired by the Postal Service in 1986), I have been a fan, voyeur, aficionado and unwilling participant of most forms of conspiracy. Whether entertainment-Oliver Stone and *The X-Files* (Gillian Anderson, hubba hubba); deranged individuals-the Unabomber; the ridiculous-the Unabomber; monetary gain-Whitewater; or political-the Kennedy assassination, conspiracies are everywhere. To simplify, conspiracies are complicated plots and subplots that are carried out by a teamwork of individuals, either knowing or not, in an attempt to ruse the majority. Why?

Conspiracies are meant for the sole purpose of advancing an ideology, theology, individual gain, or a companies financial standing through less than honorable means. Because, to do so honorably (and legally) would not guarantee advancement or gain, there are just too many variables (usually regular hard working people). Furthermore, it appears that money is almost always at the root of a conspiracy, either spending the least or attaining the most.

I wish to bring your attention to a Postal upper-management conspiracy (of course, I have no proof, but lets play along anyway) that my Fox Mulder alternate personality has uncovered-it deals with the rather large amount of *outstanding service awards* being issued to employees recently; I bring you ContractGate '98.

For years, we have witnessed all forms of management personnel receiving bonuses, this is due to their pay-for-performance clause that Marvin Runyon *negotiated-for* them during prior management contract negotiations. The more management individuals perform (well, uh, you know the scam), the larger the bonus; the lower they perform, the bonus begins to fade away.

However, letter carriers do not have this pay-for-performances stipulation in our contract (its a good thing, more later); our contract does provide such hard fought pay issues such as overtime, step and pay increases, and Cost Of Living Adjustments (COLA). Carriers may receive *outstanding service awards* (which usually comes with a check) for such things as good attendance and safe driving. But these *outstanding service awards* are just a one time thing, they (bonuses) are not included in your base salary, so these awards do not factor into your overtime pay or retirement benefits. Furthermore, to be eligible for an *outstanding service award* such as good attendance, your overall performance must meet strict management criteria; safety, minutes-per-foot and whatever else is examined. So, if your minutes-per-foot are below management expectations, you can forget about that *outstanding service award*.

Besides, these awards were issued very sparingly in years past, usually awarded to management pets or light duty personnel. Hell, I remember witnessing high seniority clerks receive driver safety awards, though they admitted to not operating any form of postal vehicle within the past fifteen to twenty years. Management just did not want to issue awards to hard working carriers, at all.

However, the *outstanding service award* climate has changed drastically in the last few months, with management suddenly issuing all forms of awards to its employees, left and right. I recently witnessed seventeen such awards issued at a stand-up, what is going on? Management further drives this award point home with their brand new Van Nuys Cluster newsletter, *Infolink*, where they list the names of all the employees honored for the month of April (1,041 employees from 65 installations). Could this be a sharing of the Postal profit wealth? I think not, I think ContractGate'98, For three consecutive years, the Postal service has churned billion-plus dollar profits annually off the fruits of *our* labor. Now, with the NALC (and other crafts) Contract due to expire this November, our union will be demanding that the USPS recognize carrier efforts in all of those profit making years; demanding increased wages and benefits for those who delivered, us. So, to contractually reward carriers would not only force management into admitting that letter carriers are responsible for making the Postal Service profitable, but they also would be required to share the wealth, which means less for them.

Now, keep in mind, the last three NALC contracts could not be negotiated at the bargaining table, but were settled through a non-partisan third party arbitration process. So expect history to repeat itself, the USPS will not agree to the terms presented to them by our union leaders at the forthcoming contract negotiations, forcing another arbitrated contract (were the decision by the arbitrators are final and binding).

Knowing this, the USPS has set out its spin doctors, to devise a plan (conspiracy, if you will-ContractGate '98) that will poise the USPS in the best possible light when the arbitrators weigh all of the Contract facts. You can bet your bottom COLA dollar that the USPS is going to argue that *many* employees *were* already rewarded for their efforts towards Postal prosperity, and that the remaining slackers did not measure up to pay-for-performance standards (pay for-performance is for management only, but the USPS broadly categorizes all employees under this trapping, don't ask). Management will cry; "why should we reward the carriers twice for the same thing, that would be double dipping, therefore, not cost-effective."

This elaborate conspiracy is solely constructed to keep hard working carriers (and all other craft employees) from attaining fair and equitable compensation for the gravy years the USPS has enjoyed from our labors. Management's greed dictates they spend pennies on one-time cash awards, which do not factor in our salaries and retirement benefits, rather than spending dollars on carriers by way of increased salaries and benefits, Lord knows we've earned it!

Conspiracy *outstanding service award* money is here today and gone tomorrow, whereas a contractual increase will be with today in overtime, and with us tomorrow at retirement.

This ContractGate'98 may not be glamorous, but its intent is maniacal and devious; management does not want the carriers to have what they enjoy, and they will stop at nothing to deny us.

The truth is out there---now may I kiss agent Scully?

# YOUR RIGHTS UNDER EEO

by  
**ART BOCEK**

## **Fitness for Duty Determination**

The mere fact that an injured or ill employee is scheduled for medical treatments or appointments with a physician or hospital does not, by itself, establish that the employee is not fit-for-duty in the interim. Under Section 547.31 of the ELM, the control personnel will recommend, upon medical justification, to the installation head that any employee being treated by a physician or hospital be required to report to a USPS medical unit or contract equivalent for a fitness-for-duty examination. Only an installation head is authorized to approve a fitness-for-duty examination.

Under section 547.32 of the ELM, the examination report may include parts of the anatomy being treated provided the examination in no way disturbs or interferes with the treatment regimen. The results of this examination will be brought to the attention of OWCP for consideration.

When the medical officer questions the medical procedure and/or determination of the attending physician, under Section 547.33 no administrative employment status may be taken to change the employee's compensation or employment status until the medical issue is resolved.

## **Fitness-for-Duty Determinations**

Section 547.34 of the ELM, contains the proper procedures that apply concerning only "fitness-for-duty" determinations incident regarding to an on-the-job injury or illness. Fitness for duty determinations for other purposes are not covered by the section.

a. The physician or hospital must, for each visit of the employee, make a professional statement, using Form CA-17, showing the employee is either:

1. Fit for duty; or
2. Fit for limited duty, and the work tolerance limitations due to the injury to the injury; or
3. Not fit for duty with an expected return-to-duty date.

b. If the physician or hospital is unable to predict an employee's fitness for duty on either a short term or long term basis, the control office/point supervisor may request information from OWCP by sending Form 2573, Inquiry on Claim Status, in duplicate to OWCP district office. If OWCP does not respond within 60 days, or if the OWCP response does not explain the situation, a fitness-for-duty examination may be recommended to the installation head as provided in 547.31, 547.32 and 547.33. However, a fitness-for-duty examination can be

initiated at anytime to determine the duty status of the injured employee.

c. If the results of the fitness-for-duty examination disagrees with the findings of the attending physician, the matter, along with justification for the USPS position, is referred by the control office/point supervisor to OWCP district director for resolution.

d. A fitness-for-duty determination is not limited to the employee's regular duties but should be based on whether the employing installation has any temporary alternative duties available which the employee may safely perform.

## **Employee's refusal of job offer.**

If either a current or former employee under Section 546.64 of the ELM, is offered suitable work or reemployment by the USPS (i.e., employment or reemployment the OWCP has deemed suitable) or if the current or former employee is offered appropriate employment, that individual is obligated to return to such employment. However, if the current or former employee refuses an offer of suitable employment/ reemployment, the appointing official must do the following:

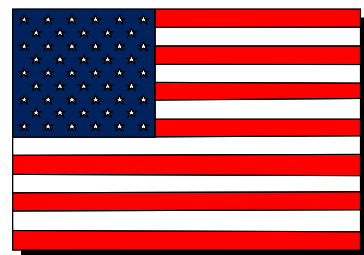
a. Offer the individual an opportunity to sign a declination of employment.

b. Advise the individual that the effect of such a refusal may result in the termination or reduction of compensation benefits by the Dept. of Labor.

c. Notify the OWCP district office by telephone of the declination and the reasons given.

d. Within 2 working days, forward a full written summary of the current / former employee's interview and include the signed declination and medical evaluations or other pertinent information to the OWCP district office. The OWCP is then responsible for notifying the Office of Personnel Management (OPM) when the individual's disability retirement status is to be evaluated.

Remember, How can you exercise your rights, if you don't know your right's ?



# "THE MAIL CALL" BRANCH 2462, NALC

Steve Seyfried, Editor  
6910 Hayvenhurst Ave., # 101  
Van Nuys, CA 91406

Address Correction Requested

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## Branch Meeting Minutes

May 5, 1998

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 VICE-PRESIDENT CALVIN BROOKINS at 6:05 p.m. The Pledge of Allegiance was led by SGT-AT-ARMS GALLEGOS.  
ROLL CALL OF OFFICERS

**PRESENT**--BROOKINS, JOHNSON. TUKESBREY, BRASH, SCARBOURGH, RATHBONE, GALLEGOS, McCLINTON, T. HALL

**ABSENT**--ASKEW, SEYFRIED

**CORRECTIONS TO MINUTES**--There was an anonymous donation made at the April meeting of \$ 100 to the COLCPE FUND

**CORRESPONDENCE READ**

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

**APPLICATION FOR MEMBERSHIP**--NONE

**COMMITTEE REPORTS**

**TRUSTEE**

Audit has been completed

and all is well.

**RETIREES**--RIMKUS

There were 7 retirees present at tonight's meeting. On the Sick List we have TYMAN ROLL--we wish him a speedy recovery.

**COLCPE**--GALLEGOS

\$ 475 in the fund

**HBR**--TUKESBREY

None

**MBA**--T. HALL

Watch for article

**DISTRICT 6**--McCLINTON

Velma will be contact-

ing stations with information on Prop 226. State Association has endorsed GRAY DAVIS for Governor.

**FOOD DRIVE**--MICHELSEN

All is ready for the food

drive. If you have any questions contact LESLIE MICHELSEN.

**HEALTH & SAFETY**--HENRY

None

**OWCP**--BOCEK

If you have any ques-

tions or concerns please contact ART BOCEK at the Branch Office.

**VICE PRESIDENT**--BROOKINS

Picnic sign-up sheets

have been posted at all stations. They will be pulled down the 1st or 2nd week of July. We have reserved 500 tickets. DPS--Tarzana, Encino & Sun Valley already have or are going through inspections. Please see Mail Call articles. Scheduled for 1999 are Van Nuys Main & Civic Center, year 2000 Sherman Oaks and Panorama City. On April 30th the 4th bundle issue was supposed to be completed. This did not happen and the NALC will be setting up National Test sites.

National Convention July 22 - 31 in Las Vegas. 7707 delegates have already registered. Branch delegate dinner

will be on Wednesday evening. State Convention May 28 - 31 in Burlingame. Reservations have been confirmed. Route inspection class held for Tarzana was taught by ROGER ASKEW & CALVIN BROOKINS. There were 15 carriers attending. As other office go on line for DPS classes will be held for them also.

**FINANCIAL SECRETARY REPORT**--JOHNSON

**TREASURERS REPORT**--McCLINTON

**OLD BUSINESS**--NONE

**EXECUTIVE BOARD MINUTES READ**

**NEW BUSINESS**--NONE

### COLCPE DRAWING

\$ 5	DENNIS RUXTALIS--RETIREE
\$ 5	RICHARD REIMER--SHERMAN OAKS
\$ 4	RICHARD REIMER--SHERMAN OAKS
\$ 3	ED CARLIN--SHERMAN OAKS

Meeting adjourned 7:26 P.M.

There was a short rap session after the meeting.

THE SECRETARY WOULD LIKE TO THANK LESLIE MICHELSEN FOR TAKING THE MINUTES AT THE MAY MEETING IN HIS ABSENCE.

## SPECIAL ANNOUNCEMENT

The following Shop Stewards have resigned their positions.

**TROY YOUNG--VAN NUYS MAIN OFFICE**

**JASON COLELLO--ENCINO STATION**

The Branch and Carriers would like to thank these individuals for their dedication and sacrifices while holding these positions.