

THE

MAIL CALL



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Van Nuys, CA

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PRESIDENT'S REPORT

By Roger Askew

CALIFORNIA STATE CONVENTION

From May 29th through May 30th, 1998 the California State Association of Letter Carriers held its bi-annual convention in Burlingame, California. Eight hundred delegates from over the state met at this session. Our branch had 10 delegates who were able to attend.

Once again some form of an area wages increase appeared in the resolution booklet. I'm not sure whether or not you are aware of this but carriers who work in Alaska, Hawaii, Puerto Rico, The Virgin Islands, and Guam all receive an area cost of living because they live in an area that qualifies. This specific resolution would grant an area cost of living for our C.O.L.A increases. My own personal opinion is that those of us who live in California deserve this. The delegates also discussed 12 proposed changes in the State by-laws, 2 resolutions that would effect retirees and 29 resolutions that will be sent to the national association for consideration at the national convention to be held next month.

In addition to the business of the convention we were able to hear from Senator Barbara Boxer and Lt. Governor Gray Davis. Both of these speeches were very informative on the issues that face us in the legislative branches of our government.

We also spent some much needed time on the issue of Prop 226 from the recent California ballot. I would like to express my thanks to those of you who went to the polls on Tuesday June 2, and voted on this matter. As I said in my last article I just didn't think it was fair and the proposition was totally unnecessary.

A special note of congratulations to three members of our branch who received committee assignments. Robert Johnson was chosen as a member of the Sgt-At-Arms committee while Velma Mc Clinton was Chairperson of the credentials committee and Gloria Henry was Chairperson of the Election Committee. These 3 members did a great job in representing Branch 2462.

ANNUAL PICNIC

In April a motion was passed that the annual branch picnic be held at Magic Mountain. Vice-President Brookins

has made arrangements with Magic Mountain and the picnic will be held on Sunday August 30, 1998. We will be placing flyers for you to review in each office and an adjacent sign up sheet so that we can make arrangements for the food. In addition, the editor will be placing an announcement in the next couple of issues of the mail call so that you will be aware of the ticket prices and we need to know the amount of tickets that you will be purchasing. Please make sure you provide an accurate count of the number of tickets that you will be needing. This should be a great time and we will also be able to go into the park after the picnic and enjoy ourselves (at no additional expense).

NATIONAL CONVENTION

By the time you read this, there will less than a month to go before the national convention in Las Vegas, Nevada. Our branch will be sending 29 delegates to this convention (25 qualify for branch funds). You should let your delegates know about how you feel on upcoming issues. How you personally feel about the area cost of living. Each convention this comes up. I have asked the Editor to place the names of the delegates in this edition of the mail call. Talk to them and let them know how you feel. They are attending this convention to vote for you, the membership. In addition, this convention will take place less than 4 months before our contract with the postal service will be negotiated. I can imagine that some of the other topics to be discussed will range from DPS to the Health Benefit Plan. In addition each delegate will be addressing those areas that effect our working conditions. So talk to them and let them know how you feel. At the last report, the National Secretary - Treasure has received 9,745 delegate registration cards. If all of these carriers show up it would make this the largest convention ever held.

FOOD DRIVE

The final results from the Food Drive have been received. As a result of your efforts a total of over 58,000 pounds of food was collected and distributed to local organizations. Nationwide letter carriers collected an excess of 62 million pounds of food for local charities.

Before closing I would just like to express my sorrow to the family of Troy Young. Troy's wife Norma Jean Young has recently passed away. Troy has been a Shop Steward in the Annex 3 - Main Office facility for many years and my thoughts and prayers are with him and his family.

Enough.... Have a great Forth of July and enjoy your holiday.

Vice President Report By Calvin Brookins

Dignity and Respect

A few months ago an incident happened in one of the stations represented by Branch 2462. This incident involved a manager verbally abusing a carrier out on the street, Was this manager treating this employee with dignity and respect? I don't think so. This particular manager has a history of not treating employees with dignity and respect, this manager also has a history of targeting certain employees as well. There was a witness to this last incident. I am not going to use any of the peoples names because of the pending actions. The witness sent a letter to the area manager in Northern California who in turn sent a letter to the district manager in Santa Clarita inquiring about the incident. The district manager contacted the Postmaster of Van Nuys. This manager is no longer managing at this station anymore, at this time this manager is not managing bargaining unit employees. But as we have seen in the past the Postal Service just moves their problem managers/supervisors from one place to another. However there was a memo sent out from the district manager reminding all management personnel that they must treat all employees with the same dignity and respect that they themselves would want to be treated with. The U. S.P. S. headquarters has this slogan about improving workplace relationship. I recently saw a letter that was sent out to postal executives signed by Marvin Runyon, Michael Coughlin, and the new Postmaster General William Henderson. This letter stated in part as follows " renewed emphasis must be placed on treating all employees with dignity and respect." So let us wait and see how this latest incident plays out. Grieving supervisors/managers abusive behavior. The Joint Statement on Violence and Behavior in the Workplace, signed in February 1992 by NALC, USPS and eight other unions and organizations, provides a contractual basis for filing grievances against managers who intimidate, harass or threaten letter carriers. As stated by National Arbitrator Carlton Snow in his award on the Joint Statement, the Joint Statement is not merely a "pledge" or "promise" to eliminate abuse and intimidation in the workplace. Rather, it is a contractually enforceable agreement. The standards set forth in the Joint Statement apply not only to craft employees but also managers and supervisors. Keep in mind workplace abuse is not limited to physical violence. Supervisors who bully and intimidate should be moved out of supervision. If you experience any type of abuse at your station see your shop steward or call the union office.

DP S Report

DPS and Route Inspections, they go hand and hand, once DPS comes to your office you will go through a 6 day count and route inspection. Hopefully we can get the district manager to turn on DP S, allow the carriers time to become efficient in a DPS environment and then do route inspections, as we did in Encino and Tarzana. The point is you, as the regular carrier assigned to the route, need to prepare yourself for route inspection. You need to follow your flow chart, and do your route the way you are suppose to do it. It is not a good idea to wait until the week of inspection to start doing your route the right way. Tarzana post office has just gone through route inspections and it looks like everything worked out just fine, they did not lose any routes. Management is adding one route and an auxiliary route. Another thing that carriers in Van Nuys civic center and Van Nuys main should consider doing is trying the two work methods that applies in a DPS environment. This will allow you to give good input when the local parties have to make a joint decision on the work methods for your route. Again the work methods are composite bundle method, which

is where you take your non DPS letter mail and case it into your letter case and pull it down and carry it as a third bundle. The vertical flat case method is where you take your non DPS letter mail and case it into your vertical flat case with your flats and pull it down and carry it as one bundle. If you wish to try the two methods in preparation for DP S next year contact me at the union office so I can get with management at your station and set something up.

Picnic Report

Recently I have been asked by two members at 2 different stations "why do we have to pay for tickets to go to the picnic' Well there are two reasons that we are charging members for the picnic. Reason number one, we tried to make it reasonably possible for carriers to take members of their families to the picnic at Magic Mountain. If we do not charge union members their family members would have to pay full price to join them at the picnic which is \$35.00 per person. So by charging each person \$15.00 each makes it easier to take family members to the picnic. Remember you have always had to pay for guest tickets. Here is an example, a family of four the member gets his/her ticket free the spouse and two children gets three tickets at \$35.00 each that adds up to \$105.00. By each person paying \$15.00 each that same family of four can go to the picnic for only \$60.00. The other reason is there was a picnic planed some years ago with the expectation of a certain number of people showing up. Because of the number of tickets given out, the branch covered the whole cost, and when less people than expected showed up, the branch lost close to four thousand dollars. This way we do not risk losing money. If there is any other question please do not hesitate to call me at the union office. Remember sign up sheets are posted at every office, please sign up in advance. I do believe you will have a great time. Branch 2200 in Pasadena has held their picnic there the last two years, all the carriers that I talk to out there seem to enjoy it. Have a safe 4th of July Holiday In Unionism

COLCPE DONATIONS

RICHARD CASEY-----	\$ 50
HARRY HOLMGREN-----	\$ 50
O. SABBE JR.-----	\$ 50
JAMES TUKESBREY-----	\$ 50
JOSEPH FARINA-----	\$ 26 - \$ 49
JOYCE McQUEARY-----	\$ 26 - \$ 49
WILLIAM WUNDERLICH-----	\$ 26 - \$ 49
GREG WEEKS-----	\$ 25
JACOB DUMELLE-----	\$ 25
CHARLES FAULKNER-----	\$ 25
CHESTER HELD-----	\$ 25
LAWRENCE KNEITEL-----	\$ 25
ROBERT KURZHALS-----	\$ 25
CHARLES LOMBARDI-----	\$ 25
GEORGE O'BRIEN-----	\$ 25
ROBERT WAFLER-----	\$ 25

O.W.C.P. Report

by Art Bocek

Continual violation by USPS in the processing of OWCP Claims

It's quite apparent that management has never learned of its responsibility of processing of OWCP's Claim in either a timely or proper manner. Management's continually violates Office of Workers' Compensation Programs (OWCP) regulations, not to mention regulations contained within the Employee Labor Relations Manual (ELM). Below are some of the violations and the regulations violated by management again and again. They are as follows:

1. The denial of Continuation of Pay (COP) in a traumatic injury case because the letter carrier did not file a Form CA-1, Notice of Traumatic Injury and Claim for COP/Compensation, "immediately" or "on the date of injury" (OWCP's regulations at 20 CFR 10.203 specify an injured employee must file claim within 30 days to be eligible for COP).
2. Denying of or the interrupting COP within part of the COP period because medical evidence is not provided "promptly" by the injured letter carrier indicating that a traumatic injury occurred (OWCP regulations at 20 CFR 10.204 require that an employee arrange to submit medical evidence within 10 work days following the injury).
3. Failing to allow an employee to chose his or her treating physician (OWCP's regulations at 20 CFR 10.401 and Section 544.14 of the ELM).
4. The delay in furnishing of OWCP Form CA-16, Authorization for Examination and /or Treatment (OWCP regulations at 20 CFR 10.402 requires the employing agency to furnish a fully completed Form CA-16 within 4 fours).
5. The delaying of the initial examination and/or treatment by the employee's chosen physician by requiring the employee to be examined first by a Postal Service physician (be advised Section 543.22 of the ELM permits the Postal Service to obtain a pretreatment medical examination by a Postal Service physician in non-emergency situations providing the examination is performed promptly, does not delay the furnishing of Form CA-16, and does not interfere with the employee's right to seek prompt examination/treatment from a physician of choice).
6. The accompanying of an injured employee to a medical facility or physician office in non-emergency situations (violation of Section 543.223 of the ELM).
7. Contacting the injured employee's chosen physician for reasons other than the employee's medical condition or ability to return to limited duty (Section 543.32 of the ELM, and also note OWCP's regulations at 20 CFR 10.207 regarding telephone contact in COP cases and 20 CFR 10.123 concerning written contact after the COP period).
8. Finally, least but not last, management's failing in forwarding Form CA-1 to the appropriate OWCP district office within 10 work days or after it was received from an employee (OWCP regulations at 20 CFR 10.207 and Section 545.3 of the ELM).

If you feel your rights have been violated or need to learn what your rights are, contact your steward or the union office for a clarification.

Improper controversion/termination of COP

The improper withholding, delaying, controverting and/or terminating continuation-of-pay (COP) is in violation of the regulations of the Office of Workers' Compensation Programs (OWCP). During the first 45 days of an employee's disability caused by a traumatic on-the-job injury, COP is a substitute for compensation benefits. COP can not be granted to an occupational illness or disease and must be requested by an injured employee when he or she files OWCP Form CA-1, Federal Employee's Notice of Injury and Claim for Continuation of Pay/Compensation, within 30 days of the injury. OWCP's regulations specify that an employing agency must grant an injured employee's request for COP except in the following six circumstances, they are as follows:

1. The disability is caused by an occupational disease or illness, or
2. The injury occurred off the employing agency's premises and the employee was not performing official "off premise" duties, or
3. The injury was caused by the employee's willful misconduct, the employee's intent to kill or injure himself or herself or another person, or the employee's intoxication by alcohol or illegal drugs was the "proximate" cause of the injury, or
4. The injury was not reported on Form CA-1 within 30 days following the injury, or
5. Work stoppage first occurred more than 90 days following the injury, or
6. The employee initially reports the injury after his or her employment was terminated.

The USPS may controvert an employee's right to COP for other reasons other than the six reasons cited above, the employee's COP **must** be initiated and **must** be continued unless the controversion is sustained by OWCP or another reason intervenes justifying termination as described below:

1. Once COP has been initiated, the USPS is authorized to terminate COP only if:
2. The employee does not provide prima facie medical evidence that a disabling traumatic injury occurred within 10 work days after the employee stops work (except that COP shall be continued without interruption in the absence of such medical evidence if the USPS is satisfied that the employee sustained a disabling traumatic injury).
3. The USPS receives evidence that the attending physician has found the employee no longer disabled (i.e., the employee can perform the duties of the position held at the time of injury).
4. The USPS receives evidence that the attending physician has found the employee to be partially disabled and the

(Continued on Page 5)

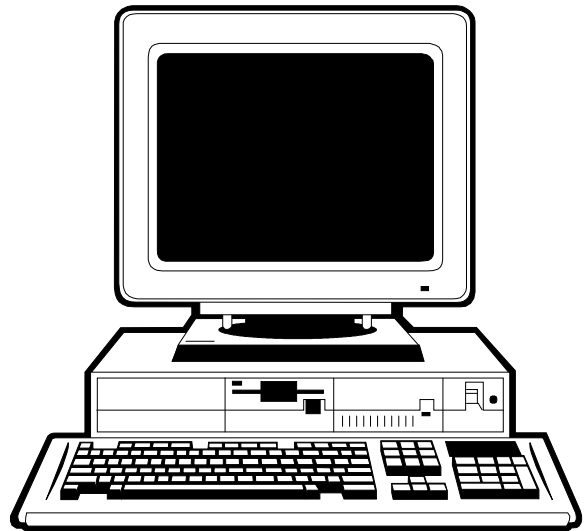
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employee refuses suitable work which has been offered by the USPS or fails to respond to such offers within five work days of receipt of the offer. The employee's scheduled period of employment expires or employment is otherwise terminated, provided the date of termination of employment is established prior to the date of the 45 days COP period expires. The USPS will also terminate COP if OWCP notifies that COP is to be terminated because:

1. OWCP has sustained a controversion of COP, or
 2. OWCP has independently determined that the employee has failed to meet the FECA eligibility criteria for benefits.
- OWCP will also require the UPS to suspend COP when it determines that an employee has refused to submit or obstruct a medical examination required by OWCP. The suspension will continue until OWCP determines that the refusal or obstruction stops. The USPS must grant COP unless one of the six circumstances noted above applies.

Remember, "COP cannot be withheld or delayed pending receipt of medical evidence or because medical evidence is not immediately available".

"Remember, right's are like muscles, use them or loose them".



BRANCH 2462 WEBPAGE
 Branch 2462 is now on the Internet. You can access our Web Page by typing in:
<http://members.aol.com/branch2462>
 Check us out while you are surfing the Net. Lots of interesting things and information about our Branch and upcoming events.

**THE FOLLOWING ARE THE NAMES OF THE DELEGATES TO THE
 1998 NATIONAL ASSOCIATION OF LETTER CARRIERS CONVENTION
 FROM BRANCH 2462**

Roger Askew *	Encino	Jeff Auslander *	Sherman Oaks
Frank Brash *	Retired	Harry Brenneman (***)	Retired
Art Bocek *	Civic Center	Calvin Brookins *	Encino
Ed Carlin *	Sherman Oaks	Jason Colello *	Encino
Janette Dolabson *	Tarzana	Larry Dolabson *	Encino
Robert Enz *	Encino	Lee Fenstermacher *	Retired
Gallegos *	Main Office	Terry Hall *	Main Office
Gloria Henry *	Sherman Oaks	Robert Johnson *	Main Office
Velma McClinton *	Panorama City	Frieda McKinnis *	Sherman Oaks
lie Michelsen *	Panorama City	Tracy Mullinax *	Encino
Dan Rathbone *	Sherman Oaks	Rich Reimer *	Sherman Oaks
Sada (***)	Sherman Oaks	Steve Seyfried *	Sherman Oaks
Ann Scarborough *	Encino	Jim Tukesbrey *	Retired
der *	Sherman Oaks	Irwin Schny-Troy Young *	Main Office

- * Eligible to Receive Branch Funds (26 members)
- *** Will not be attending (2 members)
- Uneligible for funds (3 members)

"THE MAIL CALL"

BRANCH 2462, NALC

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



Address Correction Requested

Branch Meeting Minutes June 2, 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 PRESIDENT ROGER ASKEW at 6:10 p.m. The Pledge of Allegiance was led by SGT-AT-ARMS GALLEGOS.

INVOCATION--RIMKUS

ROLL CALL OF OFFICERS

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

ABSENT--NONE

CORRECTIONS TO MINUTES--TERRY HALL requested a copy of pending Labor charges. President responded that these would be provided

CORRESPONDENCE READ

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

Check # 4089 should be under item # 99 not # 04

APPLICATION FOR MEMBERSHIP----PETER ORTIZ

COMMITTEE REPORTS

TRUSTEE

All is well.

RETIREES--RIMKUS

..... There were 7 retirees present at tonight's meeting.

COLCPE--GALLEGOS

\$ 591 in the fund

HBR--TUKESBREY

None

MBA--T. HALL

None

DISTRICT 6--McCLINTON

Velma reelected as District

6 representative. Gave a brief report on her Secretary-Treasurer class in San Diego. Secretary position on district 6 board is open. Anyone interested contact Velma..

HEALTH & SAFETY--HENRY

None

OWCP--BOCEK

If you have any questions or concerns please contact ART BOCEK at the Branch Office.

VICE PRESIDENT--BROOKINS

Joint article 8 class will be

held in the month of June. Both labor & management will be attending. New joint handbook on contract will be coming soon. We have ordered a copy and will be training all shop

stewards. Gave a brief report on the State Convention.

DPS--BROOKINS

Tarzana office getting ready to have adjustments after finishing their route inspections.

FINANCIAL SECRETARY REPORT--JOHNSON

TREASURERS REPORT--McCLINTON

PRESIDENT ASKEW

The president gave a brief overview of the State Convention, Food drive. HBR seminar has been moved to Washington DC, the session is scheduled

in October. Pending legislation in congress would make the Postal service accountable under federal OSHA laws.

OLD BUSINESS--Delegates to the State Convention gave a brief report on their experiences.

EXECUTIVE BOARD MINUTES READ

NEW BUSINESS

MOTION--Branch pay L A County Tax bill for \$ 97.45 M/S/C

MOTION--Branch donate \$ 100 to the Saxemeyer scholarship fund M/S/C

MOTION--Branch renew the CD which matures on June 9th and place \$ 14,000 in for 1 year & \$ 14,000 for 3 months. Funds to be deposited in the Van Nuys Credit Union M/S/C

MOTION--Branch invite friends of Labor to the Branch Picnic at Magic Mountain M/S/C*

* DENOTES UNANIMOUS VOTE OF THE BRANCH

COLCPE DRAWING

\$ 3 HYMAN ROLL--RETIRED

\$ 3 CALVIN BROOKINS--CIVIC CENTER--

DONATED

\$ 4 JIM TUKESBREY--RETIRED----DONATED

Meeting adjourned 7:35 P.M.

A SPECIAL THANK YOU WAS EXPRESSED BY HYMAN ROLL FOR THE SUPPORT HE RECEIVED FROM THE BRANCH & FRANK RIMKUS, DURING HIS RECENT ILLNESS

BRANCH 2462 PICNIC

WHERE: MAGIC MOUNTAIN

WHEN: AUGUST 30, 1998

TIME: 11 AM

FOOD SERVED FROM 11:30 -- 1:30

The sign up sheets for the Branch Picnic to be held at Magic Mountain on Sunday August 30, 1998, are at the Stations now !!! If you are planning to go you need to sign up. Remember that tickets are limited and are \$ 15 each, with a limit of 4 tickets to each member. If you have any questions speak with your Shop Steward or call the Union office. Retiree's should contact either FRANK RIMKUS or call the Union Office to make their reservations.