

THE MAIL CALL



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Van Nuys, CA

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PRESIDENT'S REPORT **By Calvin Brookins**

AM SOP

AM SOP is some lame idea that some guy sitting in the USPS headquarters in Washington DC, happened to come up with. This person probably hasn't cased or carried mail in years and there is a good chance that he came out of one of the other crafts in the postal service. By the way I do know the name of this guy but don't think it is necessary to use it at this time.

Either you have heard about AM SOP or you are experiencing it in your station. Let me share with you the things that were suppose to take place prior to implementation of this in the stations. Management was to communicate with the local NALC leadership about what should be occurring to implement the plan in the stations. Management did share this with me for the Van Nuys stations, I have not heard from management at the Tarzana and Sun Valley offices.

Management should have also approached each carrier or in some cases have a person that do the class labels in your office approach each carrier for their input and suggestions on how the route can be reduced in cell sizes as well as where cells needed to be expanded based on volumes. If there was still an issue about what cells would be reduced or need to be expanded, then management should be looking for a representative day regarding volumes on that route and have the carrier case his or her mail and then sat down with the carrier to look for opportunities where they can reduce cells as well as where cells needed to be expanded based on volumes.

There may be routes that due to volumes and deliveries, will require more than two cases as well as there may be some that require less than two cases. Each route's circumstance regarding mail volumes and deliveries should drive the decision on this. The majority of routes may be able to fit a five shelf two case configuration, but there will be legitimate exceptions. Where a route already has a two case four-shelf configuration, management agrees that a change may not be necessary. In these cases management will also look at mail volume on a representative day to determine if productivity may be improved by adding additional cell space in the case.

Management needs to gain meaningful input from each carrier on how his/her case could be efficiently and sanely consolidated prior to implementation. In some instances when management attempts to gain the input from a letter carrier, some carriers may refuse to participate in the dialogue. I strongly urge each carrier to honestly convey their opinion as to how their case should be consolidated or not and the specific reasons as to why they have these opinions.

As of the writing of this article, I am already aware of one of our stations where honest dialogue did not take place or where such dialogue was ignored. I have been in contact with the manager in charge of implementing AM SOP and he has assured me that if any of those carriers have a problem we will identify the problem and get it fixed immediately. If any of the above was not properly considered in the changing of your route case configuration please contact your shop steward immediately. I will need the following information from the shop steward as soon as possible where:

1. Either letter carriers were not solicited for their input and the case configuration that resulted caused the letter carrier casing problems that results in an unreasonable and burdensome expansion of their office time.
2. Letter carriers were solicited for their input, but their input was ignored, and the case configuration that resulted caused the letter carrier casing problems that resulted in an unreasonable and burdensome expansion of their office time.
3. Regardless of whether or not there are case configuration problem, the resulting fonts used (the size of the numbers and lettering) in the new case labels are too small for a carrier to be able to comfortably read them.
4. Where in order to consolidate routes to two cases with five shelves, management has taken normally cased mail and instructed the carriers to deposit it in a location, other than the letter carriers case, forwards, holds, firms using white 775 tubs, etc.

If you are experiencing any of these problems in your office please contact your shop steward or the union office immediately.

IN MEMORY OF

ED KUZMAN
RETIRED 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.

NALC Health Plan Update

by
Janette Dolabson HBR

Here comes Open Season. It is that time of year again to look at your choices for a health plan. I urge you to look closely at the NALC Health Plan. It is that time of year when people come to me as your Health Benefit Representative and ask me, "Why should I join the NALC Health Plan?" The answer I would give you is firstly because this is YOUR plan. This plan has been here for letter carriers for over 50 years and it will continue to serve you for many to come. Additionally, it is second to none in SERVICE and CHOICE. When you have a question and contact the Plan, you speak with one of the member service representatives. These are the most highly trained individuals in the Plan and can address your concerns with efficiency and accuracy. This department is backed up by medical, legal, actuarial and other professionals who are able to obtain information on new surgical procedures, new medications, methods of treatment and other facts necessary to assist in serving YOU. Choice means freedom to choose the provider that fits the needs of the member, especially when a serious medical condition is at hand. With more and more HMO's raising premiums, "squeezing" their benefits or dropping out of the FEHB program completely, the opportunity to make your own choice of provider should become a major factor in selecting a health plan.

Every member of the staff of this plan cares about the membership. Your claims are processed and paid to give members the maximum benefits available under the terms of their contract with the Office of Personnel Management. They don't look for ways to turn down a claim or reduce the amount of reimbursement you receive for your claim. This health Plan deals with NALC employees- not an indifferent, uncaring outside insurance company that has only profit on it's mind. By joining this health plan you will always have a team that works for and with you to protect the health of you and your family. Thanks for considering this plan.

F. Y. I.
by
Terry Hall
Shop Steward-VNMO
MBA Representative

Mutual Benefit Association Insurance Plans:

Foundation 2 is a whole life insurance plan that lets you choose from 10, 15, 25, or 50 thousand dollars in coverage in which the cash value earns interest.

Single-Payment Plan is a whole life plan that has a once-in-a-lifetime premium payment that you or your eligible family member can have 5, 10, 15 thousand dollars in coverage or more up to the MBA face value limit.

Prime Protection is a 5-year renewable and convertible term life insurance plan that can have 10, 15, 25, or 50 thousand dollar coverage.

Premium Choice is a whole life universal insurance plan with coverage of 10, 15, 25, or 50 thousand dollars which earns

(Continued on Page 4)

ATTENDANCE CHART BRANCH MEETINGS

MONTH	J	F	M	A	M	J	J	A	S	O	N
MAIN OFFICE	4	4	3	5	4	2	2	4	2	3	
ENCINO	8	7	5	6	5	5	6	5	4	8	
CIVIC CENTER	1	1	1	1	1	2	2	2	2	2	
PANORAMA CITY	4	4	2	6	4	3	5	5	5	4	
SHERMAN OAKS	5	2	4	9	4	4	5	4	6	7	
SUN VALLEY	0	2	2	2	2	2	1	2	2	2	
TARZANA	2	2	2	2	1	1	2	2	2	2	
RETIREE'S	5	6	4	5	5	6	6	5	4	5	
TOTAL	29	28	23	36	26	25	29	29	27	33	

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

NEXT MEETING
6:30 PM

NOVEMBER
2nd

"2004"

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

November 2, 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 October 23rd and November 27, 2004 (4th Saturday) So, please mark your calendar.....We hope to see you there.

Thank You

Frank Brash

ECONOMIC REALITIES

by

Tracy Mullinax, Trustee

- 1 36 million or 12.5% of the US population lives in poverty.
- 2 45 million or 15.6% of the US population went without health insurance last year.
- 3 1 out of 4 American's become disabled for a period of time before the age of 65.
- 4 53% of all US workers make \$25,000 or less per year.
- 5 USPS's turnover rate is 1-2% compared to Walmart with a 45% employee turnover rate.
- 6 40% of eligible Walmart employees ever get into their health plan with a \$6,500 deductible because they have to pay 42% of the cost.
- 7 In 2006, USPS will attack our COLA'S and our Health Benefits first at the negotiating table!!!

CONTRIBUTE TO COLCPE TODAY!!!
REMEMBER!!!
REGISTER TO VOTE!!!
CONTRIBUTE TO COLCPE!!!
BECOME AN E-ACTIVIST!!!
BECOME INVOLVED WITH YOUR UNION!!!
ABOVE ALL: SUPPORT YOUR UNION!!!

NATIONAL CONVENTION ROUTE EVALUATION DISCUSSION

ISSUES

- 1 Declining 1st class mail volume
- 2 Problems with DOIS, 96% of cases did not match up with DOIS. (office evaluations)
- 3 Problems with CORE. (street evaluations)
- 4 Unfairness of the current system.
- 5 Need to ensure interim peace to protect postal reform initiatives.
- 6 Need to move slowly on this, (get it right)

USPS's AGENDA

- 1 Capture volume-related saving
- 2 Deal with perception of regulated performance
- 3 Strive for bonuses

NALC's AGENDA

- 1 Develop a better, fairer system
- 2 Protect members from management mentality
- 3 Eliminate minute mentality

- 1 Avoid daily confrontations.
- 2 Preserve hourly pay system and reject evaluated routes.
- 3 Maintain 8 hour routes and 40 hour work weeks.
- 4 Eliminate pivoting.
- 5 Use regular carrier's performance for representative periods.
- 6 Verify and end manipulation of mail volume counts.
- 7 Mandate a joint process and keep the local joint
- 8 Eliminate supervisors.

Goal is to have joint inspection with management and carrier for all routes in the US. If they do not agree, then there will be national test sites.

% to standard cannot be used in a declining mail environment. Management agreed at the national level to have this eliminated from the DOIS system.

Most likely months to be eliminated from mail counts are June, July, August and December.

IN UNIONISM

ELECTION 2005

by

Roger Askew

Past President Branch 2462

Congressional Liaisons for the 27th Congressional District

By the time you read this article in the Mail - Call the Election Day for 2004 will be upon us. For years union officers have been telling you this one or that one is the most important election ever. I'm hear to tell you this one is no more important than the national election of 2000 or the next national election in 2008. **They are all important!** Each of us has an obligation to cast their vote for the candidate who they think can do the best job for the next four years. Whoever your choice for President, Vice-President, Senator, and Congressional Representative is, take your opinion to the ballot box and **vote!**

At the national convention in Honolulu, Hawaii delegates voted to endorse the Kerry-Edwards team for President and Vice- President. Recently the California State Association of Letter Carriers has made some endorsements for other offices. For Senator they are endorsing Senator Barbara Boxer. For Congress they are endorsing Congressman Brad Sherman in the 27th Congressional District. They are endorsing Congressman Howard Berman in the 28th Congressional District and they are endorsing Congressman Howard "Buck" McKeon for the 25th Congressional District. Yes, the state association has endorsed even Congressman McKeon, a republican.

All of these individuals have voted in a way that will allow the postal service and letter carriers to keep the postal service going and to help carriers and their families. They are also encouraging a vote of Yes on Proposition 28th. Whatever your choice is, take your opinion to the ballot box on Tuesday November 5th and **Vote!**

If you don't vote, don't bitch!!!!

A BETTER SYSTEM WOULD:

F. Y. I.

(Continued from Page 2)

interest, you can contribute funds, and modify your premiums.

Start is a limited-payment life plan for those who wish to insure their young children over a 20- year period with coverage of 10, 15, 25, or 50 thousand dollars.

Maturity Income is a retirement income plan designed to supplement your pension with contributions per pay period of as little as 15 dollars.

Hospital Plus is a hospitalization plan with payment options of 30, 50, or 75 dollars per day up to 365 days with coverage also available for your spouse and children.

Disability Income is no longer available but provides those who have the plan a monthly benefit if disabled from work. The terms of particular policies vary as to waiting periods, benefit amounts, and length of coverage per incidence. Also, MBA will waive your premiums while you are disabled if you notify them until you return to work and can make up those premiums.

Target 65 is a limited payment whole life insurance. It comes with coverages of 10, 15, 20, or 50 thousand dollars. Its premiums end at age 65 in contrast to a regular whole life policy.

More information can be obtained on the NALC web site under the MBA hyper link at www.NALC.org; also on the site is a multitude of valuable references and other hyper links to related materials / sites such as OSHA, DOL, NLRB, others.

THINGS YOU SHOULD KNOW OR AT LEAST BE AWARE OF:

---If management is filling your tour to 10 hours by having you do P.M. office work when you are on the overtime list and any carrier is mandated any overtime, it is a violation of Article 8; all auxiliary assistance is to be utilized to the maximum extent possible, casing mail to be delivered tomorrow is circumventing this provision of Article 8;

---If you are not on the Overtime list and you've requested assistance, management should take all the time off you not just a part of it; the rule of reasonability has been negated as the party carrying the swing is already travelling to your route;

---If you are on the overtime list and management is requiring you to come back and case tomorrow's mail and you are not required to clock this casing onto office time, you are being directed to falsify recording time a removable offense and are concurrently circumventing purposely Article 8;

---If you are not on the overtime list and management has you work more than 11 and ½ hours, 12 hours including lunch, it is a violation of Article 8 and The Fair Labor Standards Act (FLSA);

---If all the carriers in a unit have carried to 10 hours even under mandate, any time beyond this is to be assigned to the 12 hour ODL until their limit of 12 hours is exhausted;

---If the quarterly tracking is not kept up to date and/or is not posted for your review, management is violating Article 8;

---If quarterly equitability is management's responsibility according to the contract, then it is their violation regardless of whether they failed to do it or whether they failed to provide

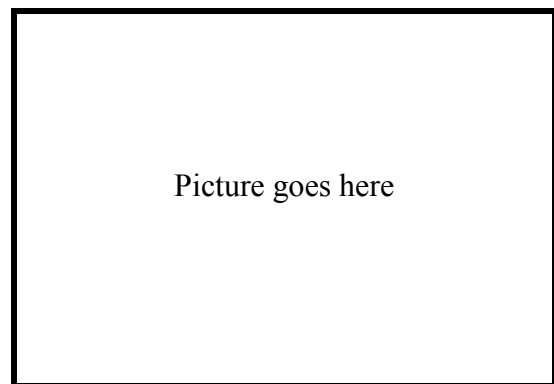
their designee with the information and time to do it and to keep it current and posted;

---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;

Good Health and Prosperity to You.



Picture goes here

Pictured above is LEE FENSTERMACHER (Holding plaque) receiving his SPECIAL HONOR FROM THE CALIFORNIA STATE ASSOCIATION OF LETTER CARRIERS. Presenting the award are (L to R) JACKIE WHITE State Director of Education, DALE HART National Business Agent, JOHN BEAUMONT California State President and McDOWELL FRAZIER State Director of Retirees.

VICE PRESIDENTS REPORT

ART BOCEK

“Happy Thanksgiving”

8 Failing to Give Notice of Controversion and Challenge Information

OWCP (Office of Workers' Compensation Programs) regulations specifically authorize the employer to controvert COP (Continuation of Pay). The regulations also allow the employer to contest any of the facts as stated by the injured worker in the report of injury. When the USPS controverts a claim, OWCP requires it to advise the employee of the challenge and its basis. Postal regulations also require written notification to the employee in all controversion and challenges.

20 CFR 10.211(c) requires management to: “Inform the employee of any decision to controvert and/or terminate pay, and the basis for doing so.”

ELM 545.12 states: “the control office or control point must advise the employee whether COP will be controverted and whether pay will be interrupted.”

ELM 545.731 states: “Controversions means to dispute, challenge, or deny the validity of a claim. The Postal Service may controvert a claim by completing the indicated portion of Form CA-1 and submitting detailed information in support of the Controversion.” (see ELM, Sect.545.75)

ELM 545.75 states: “Proper identification of controverted claims is essential to permit OWCP to give these claims priority in processing and avoid the possibility of substantial, erroneous payments of pay. If a written explanation of the controversion is not submitted, OWCP may accept as factual the employee's report as factual.”

When a claim is controverted, the control officer or control point must ensure that the following actions are taken: (e) “The employee, employee beneficiary, or representative must be furnished with a written explanation for the basis of the controversion.”

EL-505 Section 8.15 states: “Notifying the employee, in writing, that his or her claim is being controverted or challenged (see Exhibit 8.5, Sample Letter: Employee's Notice of Controversion or Challenged Claim).”

EL-505 Appendix C defines: **Challenge** as “The formal administrative procedures through which USPS management presents evidence to OWCP to dispute any element of an employee's claim for benefits that appears questionable.”

EL-505 Appendix C defines: **Controversion** as “The formal administrative procedure through which USPS management presents evidence to OWCP to dispute an employee's claim for COP (Continuation of Pay).”

As you can see the importance of having timely knowledge of challenges and controversion so appropriate action can be taken by either the injured employee or steward to correct any problem of the employee's claim so there is no unnecessary delay or harm to employee's benefits.

#4 Delaying Forwarding of CA-1 or CA-2 to OWCP

When OWCP does not timely receive a CA1 or CA2, acceptance of the claim and payments of benefits are delayed. In-

jured employees are best served when claims are timely submitted by management to OWCP. There are provisions in both law and contract requiring management to complete and transmit Form CA-1 and CA-2 to OWCP within 10 working days after receipt from the employee.

20 CFR 10.110(a) requires the employer to complete and transmit the form to OWCP no more than 10 working days after receipt from the employee, in most cases. The “Limited” exceptions include situations where there is no medical charge against OWCP, no disability beyond the day of injury, no need for more than (2) two appointments for medical examinations and/or treatment, and so on.

20 CFR 10.110(c) specifically cautions the employer to not wait for submittal of supporting evidence before sending the form to OWCP.

ELM, 544.12 states: “Control office and control point supervisors are responsible for reviewing all claims for accuracy and completeness and for forwarding claims and related documents to OWCP within prescribed FECA (Federal Employee's Compensation Act) time frames.”

ELM, 544.212 states: “The control office or control point submits to the appropriate OWCP district office **within 10 working days after it is received from the employee a completed Form CA-1 or CA-2.**”

ELM, 545.12 states: “Control point personnel **must not, under any circumstances, or for any other reason, delay timely submission of reports or claims forms** to the control office.”

ELM, 545.75d states: “**Submission of Form CA-1 to OWCP must not be delayed, under any circumstances...**”

EL 505, Section 4.4 states: “**Under no circumstances may ICCO personnel...delay submission of the CA-1 to OWCP within 10 working days from the date received by the supervisor.**”

EL 505, page 176 states: “**Do not delay** submitting the claim pending collection of data to support a controversion or challenge.”

EL 505, page 218 states: “**Do not delay** submitting the CA-1, CA-2, CA-5, or CA-5b pending receipt of third party information.”

So then why is it that the Postal Service is still unable to comply with all of the above rules and regulation prohibiting the delay of submissions of claims to OWCP? Maybe the penalties are either **not strong enough**, or **just not pursued against** those who fail in processing of claims. If management fails to act properly in any of the above rules or regulations, you need to file both a grievance and an EEO Complaint in order to make sure your rights or others will be adhered to just as management requires you to adhere to rules and regulations.

“Rights are like muscles, use them or lose them.”

"THE MAIL CALL"
BRANCH 2462, NALC
Steve Seyfried, Editor
6910 Hayvenhurst Ave., # 101
Van Nuys, CA 91406

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Branch Meeting Minutes
November 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 6:30 p.m. The Pledge of Allegiance was led by SGT-AT-ARMS ASKEW
 MOMENT OF SILENCE--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, JACKSON, MULLINAX, ASKEW, DOLABSON, HALL
ABSENT--McCLINTON, JOHNSON, HENRY

MINUTES ACCEPTED AS PRINTED IN MAILCALL

CORRESPONDENCE READ

APPLICATION FOR MEMBERSHIP--NONE

BILLS READ MOTION TO PAY M/S/C

MOTION--Table all the Executive Board recommendations until the January meeting M/S/F

COMMITTEE REPORTS

AUDIT--TRUSTEES No Report
 SAFETY & HEALTH Continue to work and drive in a safe manner. The committee did meet this month.

RETIREES 5 present tonight. Thanks to all who made the annual Retiree dinner a success. We had 76 in attendance and the total cost was \$ 1670.94, well under budget.

MBA--T. HALL No Report
 HBR--DOLABSON Look for Article in Mailcall
 COLCPE \$ 521 currently in the fund

DISTRICT--McCLINTON 5 buses went to Vegas to help with the election campaign. Velma and Sandra Galeno attended from our Branch.

FINANCIAL SECRETARY REPORT---JOHNSON

TREASURERS REPORT--Read by JOHNSON
 VICE-PRESIDENT BOCEK BE SAFE. Take the time to do your work in a safe manner. Should you have an accident always call in IMMEDIATELY !!!!

PRESIDENT BROOKIN'S Color coded Calendars are in and will be passed out by the Stewards at each station. Retiree's who wish to have a calendar should call the office. Fifth COLA now stands at \$ 98.80. National is currently filing a grievance on the use of DOIS and COR to make route adjustments, we will keep you posted on the progress. National Director of Safety and Health has retired. NBA Hart is looking for Customer Connect coordinators for each station currently on line, if you know of someone or would like to be considered contact the office. Carl J. Saxsenmeier Scholarship applications are now being accepted.

OLD BUSINESS--NONE
 EXECUTIVE BOARD MINUTES READ
 NEW BUSINESS
 MOTION--Branch purchase 10 men's and 3 ladies NALC watches. Cost not to exceed \$ 1,000.00 M/S/C
 MOTION--Branch cancel the December meeting and hold an Open House. Place, Date and Time will be announced at a later date. M/S/C
 MOTION--Branch donate \$ 100.00 to the North Valley Athletic Club for a quarter page ad in their Yearbook M/S/C

UNDERLINED DENOTES UNANIMOUS VOTE

SPECIAL AWARD

Retiree LEE FENSTERMACHER received a special award from NBA DALE HART and STATE ASSOCIATION PRESIDENT JOHN BEAUMONT for his COLCPE donation at the National Convention in Honolulu. JACKIE WHITE and McDOWEL FRAZIER from Branch 24 also helped in the presentation. CONGRATULATIONS LEE !!!
 YOU MADE US VERY PROUD !!

MEMBERSHIP DRAWING-- \$ 125

CEASAR ROBLES--PANORAMA CITY

Brother ROBLES was not present at the meeting therefore the money will be rolled over to the November meeting. November's membership drawing will be for \$ 150.00. All members are eligible to win, but you must be present at the meeting to win.

COLCPE DRAWING

\$ 5 BOB ENZ--ENCINO
 \$ 5 RICHARD REIMER--SHERMAN OAKS
 \$ 5 JOANNE LOWENBERG--PAN CITY--DONATED
 \$ 10 RAPHAEL PEREZ--PAN CITY--DONATED

MEETING ADJOURNED 7:33 P.M.

A RAP SESSION WAS HELD AFTER THE REGULAR MEETING ADJOURNED WITH THE NATIONAL BUSINESS AGENT AND CALIFORNIA STATE PRESIDENT