

THE MAIL CALL



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PRESIDENT'S REPORT **By Calvin Brookins**

Working in the Dark

Every year during this time, I get a question about working in the dark sometimes it's, is it unsafe to work in the dark, and sometimes I hear carriers say I skipped my lunch to make it back before it gets dark. Well I am writing on this very issue again, and I hope this will help to give you ideas on how to deliver mail safely in the dark. Remember darkness in and of itself does not make it unsafe to deliver the mail.

Is it safe to work in the dark? Well that depends on a lot of different circumstances. It may be in some situations; it may not be in other situations. When darkness causes a safety hazard then it is unsafe to work in the dark. There have been a number of arbitrators who have ruled that darkness in and of itself is not necessarily unsafe. So carriers need to be careful when they refuse to work in the dark because of safety. It is up to the carrier to establish that the darkness has established an unsafe condition. Remember the burden of proof is on you to show that it was unsafe to continue to deliver in the dark. You must be specific such as, I can't see where I am walking, I can't see steps, I hear dogs but can't see them, etc. In some of the neighborhoods in Van Nuys, Panorama City and Sun Valley it could be unsafe because of the criminal element in the area.

One thing you can count on for sure if you have to deliver mail in the dark it will definitely take longer. Once it gets dark I strongly suggest that you at that point contact your work station let your supervisor know that because of the darkness it will take you longer, and then ask your supervisor what do he/she want you to do. If you are instructed to continue delivering the mail you should deliver the mail as safe as possible. Remember not only can you not see where you are stepping or walking, you also cannot see the mail in regards to the address. Therefore, once it gets dark you should start to work out of your vehicle, using the light inside your vehicle to finger and prepare the mail for delivery. You should also drive your vehicle from house to house in order to deliver the mail as safely as possible.

Management may attempt to give you a flashlight and send you out in the dark, remember you cannot possibly hold mail on your arm, DPS mail in one hand, finger the mail with the other hand and hold a flashlight all at the same time.

Remember management requires you to work safely at all times so when you have to work in the dark you have to be extra careful and take extra precautions because once it gets dark it is hard to see. In some of the residential

neighborhoods in Van Nuys, Sherman Oaks, Encino and Panorama City there are no street lights.

The bottom line is if every carrier had to work the last hour of a route in the dark and did it as safely as they are required to, it would possibly take them twice the amount of time to complete those deliveries.

Remember work smarter not harder.

COLA

The fifth of eight regular cost-of-living adjustments under the 2001-2006 National Agreement stood at \$98.80 following release of the October 19, 2004 Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) for September.

CSRS 2005 adjustment will be 2.7 percent; FERS retirees will get a 2 percent increase.

Saxsenmeier Scholarship

Application for the Carl J. Saxsenmeier Scholarship Program is available, if you as a member of the branch have children who are a senior in High School, your child may be eligible to submit an application for this scholarship drawing. There should be applications at each station, if not see your shop steward or call the union office. The rules of the scholarship program is on the application itself, please read them carefully prior to submitting the application.

SPECIAL NOTICE
NO BRANCH MEETING
IN DECEMBER
INSTEAD !!!!
BRANCH 2462
HOLIDAY OPEN HOUSE
FRIDAY EVENING
DECEMBER 10, 2004
MEMBERS WILL BE
CONTACTED REGARDING
TIME AND LOCATION

"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

It is that time again. Time for you to pick your health plan.. This year I would urge you to take a look at the NALC Health Plan. Here is some of the basic facts of this plan. The NALC Health Plan is a fee-for-service plan with a preferred provider organization. It is sponsored and administered by the National Association of Letter Carriers (NALC), AFL-CIO. Some of the changes for 2005 are, Bi-weekly Postal Employees Pay: \$34.65 for self and \$52.65 for family. The Bi-weekly Non-Postal Employees Pay: \$58.31 for self and \$106.50 for family. Retired of Monthly annuitants Pay: \$126.34 for self and \$230.75 for family. Members will find that there will be no increases in the deductibles, co-pays or co-insurance and no reduction in benefits for 2005. As a top-rated plan in the FEHB, members will find that the NALC Health Plan is eager to assist you and ready to provide fast, quality, safety oriented care decisions to your claim needs.

You can locate participating providers, arrange for needed appointments, obtain fast approvals on special prescriptions and speak with behavioral health care professionals by calling the toll free number at the plan. You can call 24-7 to speak with a nurse to address your personal care questions or to obtain guidance late at night for those unforeseen medical incidents.

HIGHLIGHTS AND FEATURES

HOSPITALIZATION- you pay only 10% of PPO allowance...20% COPAY FOR PPO OFFICE VISITS...PPO calendar year deductible is only \$250.00 for medical care...Complete maternity care coverage...Colo-rectal cancer screening...Well childcare coverage-at 100% to age 3 and all immunization to age 22...Inpatient mental health and substance abuse care-100% in-network coverage.-PPO outpatient surgery- 10% cost sharing.-Accidental injury coverage- 100% non-surgical care received within 72 hours...Worldwide coverage- receive care anywhere...Quality care- Choose a network provider to receive care and treatment at reduced costs.-Freedom of choice in selecting a provider- no gatekeeper, just you, your doctor and our program...Low premium for high dollar benefits- very competitive rates when comparing major fee-for-service plans, and many HMO plans...Low prescription drug co-payment. and no deductible for drugs when using our network retail and mail order benefits.

When Medicare is the primary payer- all medical deductibles and co-insurance are waived. (No out of pocket expenses.)With the NALC Health Benefit Plan excellent coverage and customer service go hand in hand. But you get an added bonus with having your own Representative here at your local branch of the NALC and that is me. I will be here for you, to answer your questions and the find out information for you that you need.

Call me anytime with your concerns and your questions. Janette Dolabson HBR Branch 2462 (661) 373-2224.

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	3
ENCINO	8	7	5	6	5	5	6	5	4	8	6
CIVIC CENTER	1	1	1	1	1	2	2	2	2	2	3
PANORAMA CITY	4	4	2	6	4	3	5	5	5	4	5
SHERMAN OAKS	5	2	4	9	4	4	5	4	6	7	6
SUN VALLEY	0	2	2	2	2	2	1	2	2	2	2
TARZANA	2	2	2	2	1	1	2	2	2	2	2
RETIREE'S	5	6	4	5	5	6	6	5	4	5	5
TOTAL	29	28	23	36	26	25	29	29	27	33	32

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

**NEXT MEETING
6:30 PM**

**JANUARY
4th
"2004"**

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

January 4, 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 will be November 27,2004 (4th Saturday) So, please mark your calendar.....We hope to see you there.

Thank You

Frank Brash

VICE PRESIDENTS REPORT

ART BOCEK

1 Failure to Provide Form CA-16

Form CA-16 is the proper form for the "Authorization for Medical Examination and/or Treatment," used in traumatic injuries to the following:

1. authorize medical treatment, and
2. provides an initial medical report.

This is extremely important to the injured employee because the front of Form CA-16 is completed by management, therefore, guarantees payment by OWCP to the medical provider. The treating physician completes the reverse side of Form CA-16; therefore, ensuring that OWCP immediately receives and reviews an initial medical report.

All too often, management does not issue a CA-16, or fails to complete properly, thus, OWCP receives the initial medical report late or not at all. Unfortunately, this may result in delay of acceptance of claims or even denial of claims.

The regulations that govern Form CA-16 can be found at 20 CFR 10.211 (a) 10.300 & 10.331; ELM 544.11, 545.2, 545.44 & 545.45; EL 505, pages 24, 37, 40, 45, 47, 48, 109 and EL 806, Section 122.2. Federal regulations, 20 CFR 10.7, expressly prohibit management from using a substitution form or modifying the existing CA-16.

Form CA-16 is used for **traumatic injuries only**, not for occupational illness or injury. Management in most cases where a CA-1 is submitted and the employee seeks medical attention management must issue form CA-16. In only a very few limited circumstances where the injured employee first seeks medical attention more than a week after the injury, or in cases where the injured employee accepts treatment from the postal "contracted" physician and the injury is only a "first aid injury," may management not issue a Form CA-16.

A first aid injury is a minor injury that requires no more than two medical visits, the second of which is to confirm full recovery. Any injury that involves work restrictions, disability and/or limited duty is not considered a first aid case. Even if an employee agreed to be treated by a postal service "contracted" physician, if, at the initial visit, the physician placed a restriction (e.g. a weight limit of 30 lb.), management would have to then immediately issue a Form CA-16 for the follow up visit. If an employee seeks medical attention from **his or her own physician**, even in a first aid case, a Form CA-16 must be provided.

Management normally must issue Form CA-16 within 4 hours of the claimed injury. If management gives oral authorization for the medical care, then Form CA-16 must be issued within 48 hours. The completed Form CA-16 must be submitted directly to OWCP as soon as possible after medical treatment, either by the employee or physician.

In the case of disability, it is normally in the employee's interest that management promptly receives a copy of the completed Form CA-16 to support payment. When a CA-16 is properly issued, and sent directly to OWCP, the injured worker will have met his or her initial burden of proof, because the CA-16 includes a comprehensive initial medical report. When a CA-16 is not properly issued or completed, the necessary medical report needed to meet the burden of proof may or may not be sent to OWCP. Nothing in 20 CFR 10 or relevant postal manuals requires an employee to request a Form CA-16 from a supervisor. The language requiring issuance of CA-16 is couched in mandatory terms. Nevertheless, employees

should specially request it from the supervisor whenever they submit a Form CA-1 (Traumatic Injury).

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

---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 you or a member of your family has a condition that qualifies under FMLA standards as a serious medical condition and there is the need for you to use Family Leave, you should obtain the approved FMLA forms from your steward to have filled out; note FMLA forms do NOT require a "diagnosis" or "specific medical information" as these are violations of the Privacy Act and HIPPA (Health Insurance Protection and Portability Act); only a general description of the condition is necessary (Surgery, Rehabilitative Treatment, Respiratory Condition, Etc.);

---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 FML, management is in violation of FMLA laws as they are disfavoring you based on FML;

BRANCH 2462, NALC

Steve Seyfried, Editor

6910 Hayvenhurst Ave., # 101

Van Nuys, CA 91406

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U.S. POSTAGE
PAID
VAN NUYS, CA
PERMIT No. 314

Address Service Requested

to be considered contact the office. Carl J. Saxsenmeier
Scholarship applications are now being accepted.

OLD BUSINESS--NONE

EXECUTIVE BOARD MINUTES READ

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.

RETIREEES 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

NEW BUSINESS

MOTION--Branch donate \$200.00 to the Mend

Food

Bank

M/S/C

MOTION--Branch purchase 15 copies of the National Constitution. Cost to the Branch \$ 30.00

M/S/C

MOTION--Branch donate \$ 100.00 to the Turkey & Toys for the

Holidays

M/S/C

MOTION--Branch donate \$ 100.00 to the North Valley Caring Services for Thanksgiving holiday

M/S/C

MOTION--Branch donate \$ 100.00 to the Salvation Army for Thanksgiving holiday

holiday

M/S/C

MOTION--Branch donate \$ 100.00 to the Salvation Army for the Christmas holiday

holiday

M/S/C

MOTION--Branch donate \$ 200.00 to Congressman Brad Sherman. Money taken from 50/50 Colcpe

M/S/C

MOTION--Branch donate \$ 200.00 to Congressman Howard Berman. Money taken from 50/50 Colcpe

M/S/C

MOTION--Branch send the Branch President or his designee to the Spring COP meeting in Las Vegas.

Cost not to exceed \$ 1200.00

M/S/C

MOTION--Membership drawing will be capped at \$ 300.00 and then a drawing will be held until a winner is picked.

M/S/

MOTION TO

TABLE

M/S/F

ORIGINAL

MOTION

PASSES

UNDERLINED DENOTES UNANIMOUS VOTE

MEMBERSHIP DRAWING-- \$ 150

LUIS CABRERA--ENCINO STATION

Brother CABRERA was not present at the meeting therefore the money will be rolled over to the January meeting. January's membership drawing will be for \$ 175.00. All members are eligible to win, but you must be present at the meeting to win.

COLCPE DRAWING

\$ 5 KATHY CRAWFORD--SUN VALLEY
\$ 5 RICHARD REIMER--SHERMAN OAKS
\$ 5 JEFF JACKSON--PAN CITY
\$ 7 STEVE SEYFRIED--SHERMAN OAKS

MEETING ADJOURNED 7:33 P.M.