



# THE MAIL CALL

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## PRESIDENT'S REPORT By Calvin Brookins

### Committee of Presidents Meeting



I attended a Committee of Presidents in Las Vegas in early April, our National President Bill Young spoke to the Presidents on the first day of the meeting. He talked about several problems that the NALC is up against presently and in the future. Such as postal reform, route inspections, DOIS, a rift within the AFL-CIO, and Kalkines warnings.

President Young talked and fielded questions for well over two hours; he started off by talking about postal reform and the introduction of Senate bill S.662 and the introduction of the companion bill H.R. 22. He stated that both bills would change the face of the United States Postal Service today as we know it. It is a change that will not be endorsed by the NALC if the bills contain amendments that attack collective bargaining, and required the NALC to bargain for retiree health benefits.

President Young made it very clear about what the NALC wants; he stated "We want them to keep their hands off of collective bargaining. If not we will not support postal reform."

President Young also talked briefly about our contract negotiations, which will begin a little more than a year from now. It is a situation that could be perilous because "the APWU could have an arbitrated settlement to its contract before we go to the table."

"Make no mistake about it, we have a mountain climb and there are forces against us," President Young said in reference to what lies ahead for the NALC in the future.

A far as the AFL-CIO situation, it is not one that affects NALC members directly at this time, but it does need watching. President Young, a Vice President of the AFL-CIO, told the presidents that what he saw during the conference "does not bode well for the future of labor."

He referred to an attempt by the SEIU in Illinois to organize 49,000 health care providers who work in day care in Illinois. Most of the 49,000 are African-American single mothers earning \$9.00 per hour.

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## 2005 PICNIC EXTRAVAGANZA

SUNDAY, June 12th

10:30 am - 4:30 pm

RANCHO SAN ANTONIO BOYS TOWN  
21000 Plummer St. (West of Desoto)

DIRECTIONS: 118 FREEWAY - Take 118 Freeway to Desoto Exit. Go South 1.5 miles to Plummer St. Turn right.

101 FREEWAY - Take 101 Freeway to Desoto Exit. Go North to Plummer - Turn Left.

### TICKETS

Member, spouse & children (living at home) ..... FREE  
Single members (1 guest in lieu of spouse) ..... FREE  
Guests: "Limited Supply" ..... \$20.00  
Guest Children 7 to 17 ..... \$10.00  
Guest Children under 6 ..... FREE

### CARRIERS

Picnic sign-up sheets will be available at each carrier station. You **MUST** sign up to receive tickets. Guests must be listed on sign-up sheet next to the member in order to receive tickets and be prepaid. Member must be in attendance in order for guest admission to picnic.

Guest tickets are "First come - First served"

LAST DAY FOR SIGN UP IS 6-3-05

### RETIREE'S

Contact Branch Office (818) 786-8505. Tickets can be picked up at the gate registration table the day of the picnic.

TICKETS MUST BE ORDERED BY 6-03-05

### FOOD

All you can eat will be served from **12:00 pm- 2:00pm**

Hot Dogs, Hamburgers, Barbecue Chicken, Soft Tacos, Pasta Salad, Potato Salad, Barbecue Beans, Fresh Fruit, Corn on the Cob, Ice Cream, and condiments, and much, much more.

### DRINKS

Beer, Wine and Soft Drinks will be served

### PICNIC GAMES

Family Lawn Games, Carnival Games, Moon Bounce, Bingo Co-ed Softball games starts at 9:30, Heated Olympic Pool, Face Painter, Rope Tug a War + Pie Eating Contest

### "Early Bird Bingo"

### Salsa Tasting Contest

1st Prize \$100.00, 2nd \$50.00, 3rd \$25.00

**DOOR PRIZES FOR UNION MEMBERS ONLY**  
**MEMBER MUST BE PRESENT TO WIN**



"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 NIGHT OF 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.

## ATTENDANCE CHART BRANCH MEETINGS

MONTH	J	F	M	A	M	J	J	S	O	N
MAIN OFFICE	1	2	1	3	3					
ENCINO	3	7	6	6	6					
CIVIC CENTER	4	5	3	3	2					
PANORAMA CITY	1	3	2	3	2					
SHERMAN OAKS	4	5	6	8	4					
SUN VALLEY	1	1	2	1	1					
TARZANA	1	2	1	1	1					
RETIREE'S	4	5	4	6	4					
TOTAL	19	30	25	31	23					

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

**NEXT MEETING**  
**6:30 PM**

**JUNE**  
**7th**  
**"2005"**

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

**June 7, 2005**

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

### "RETIREE CORNER"

Our Breakfast Meeting will be held at Hart's Restaurant , (Corner of Saticoy and Balboa). It will begin at 09:00 AM. The date for the next 2 will be June 25th and July 23, 2005 (4th Saturday) So, please mark your calendar.....We hope to see you there.

Thank You  
**Frank Brash**

## PRESIDENT'S REPORT By Calvin Brookins

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The governor of Illinois agreed to the organization, but the move was halted when AFSCME filed an unfair labor charge against the governor. The end result left the 49,000 workers without any union.

"There is a philosophical split in the AFL-CIO and I'm scared of it. This should not be about whose union you are in. It's about that you are in a union," President Young said.

And to show his support behind his thinking he told Jimmy Hoffa, Teamster President, the NALC would be interested in partnering with the Teamsters to help them organize DHL. President Young made it very clear that the NALC is not about trying to draw in all kinds of other unions that work in the delivery business. He didn't hesitate to say that he has his hands full with taking care of NALC's business, and he really has no interest in merging other unions into the NALC.

Several years ago the NALC made an attempt to merge the National Association of Rural Letter Carriers. President Young recently laid to rest any thoughts about a future merger. As for the APWU, President Young said he recently received a letter from the APWU saying the leaders of our sister union wants to merge.

"I threw the letter away. The membership voted at the Atlantic City convention that we would not merge with APWU. That is this union's position, and because of it you are level 6," President Young said.

The Postal Service has implemented a program that has generated an immediate reaction by the NALC. It is the Kalkines Warning; this has gotten the attention of all the leaders at NALC headquarters. You need to get prepared for this. The OIG (Office of Inspector General) is going to start conducting investigations taking the work away from the Postal Inspection Service.

Kalkines say employees will not be criminally prosecuted, and their testimony is inadmissible in any prosecution. However, once the OIG has finished with an employee and issued its findings, the postal service can take over and take disciplinary action for what was revealed in the investigation.

The OIG's job is to investigate situations that could be grounds for criminal prosecution, i.e., fraud, theft, etc. An OIG investigator will read the Kalkines Warning and require the employee being investigated to sign off that he or she understands the Warning. The Kalkines Warning is not the same as your Miranda or Weingarten rights.

Any employee involved in such an investigation should ask the investigation be delayed until the employee has a chance to consult an attorney. As with any investigation being conducted by the Postal Service all employees are reminded they should not lie to an investigator.



# VICE PRESIDENTS REPORT

## Art Bocek

### OWCP / FECA Confidentiality

All records relating to claims for benefits, including copies of such records maintained by an employer, are considered confidential and may not be released, inspected, copied or otherwise disclosed except as provided in the Freedom of Information Act and the Privacy Act of 1974.

### Custody and Control of OWCP / FECA records

All records relating to claims for benefits filed under the FECA, including any copies of such records maintained by an employing agency, are covered by the government-wide Privacy Act system of records entitled DOL/GOVT-1 (Office of Workers' Compensation Programs, Federal Employees' Compensation Act File). This system of records is maintained by and under the control of OWCP, and, as such, all records covered by DOL/GOVT-1 are official records of OWCP. The protection, release, inspection and copying of records covered by DOL/GOVT-1 shall be accomplished in accordance with the rules, guidelines and provisions of this part, as well as those contained in 29 CFR parts 70 and 71, and with the notice of the system of records and routine uses published in the Federal Register. All questions relating to access/disclosure, and/or amendment of FECA records maintained by OWCP or the employing agency, are to be resolved in accordance with this section.

### Obtaining Copies of Records of OWCP / FECA

A claimant seeking copies of his or her official FECA file should address a request to the District Director of the OWCP office having custody of the file. A claimant seeking copies of related FECA documents in the custody of the USPS should follow the procedures established by that agency. The employing agency may establish procedures that an injured employee or beneficiary should follow in requesting access to documents it maintains, any decision issued in response to such a request must comply with the rules and regulations of the Department of Labor which govern all other aspects of safeguarding these records. No employing agency has the authority to issue determinations with respect to requests for the correction or amendment of records. That authority is within the exclusive control of OWCP. Thus, any request for correction or amendment received by an employing agency must be referred to OWCP for review and decision.

### 29 CFR 10.615 Oral Hearing

Oral Hearing is a review of an adverse decision by a hearing representative. Initially, the claimant can choose between two formats: An oral hearing or a review of the written record. At the discretion of the hearing representative, an oral hearing may be conducted by telephone or teleconference. In addition to the evidence of record, the employee may submit new evidence to the hearing representative. A claimant, injured on or after July 4, 1966, who has received a final adverse decision by the district office, may obtain a hearing by writing to the address specified in the decision. The hearing request must be sent within 30 days (as determined by postmark or other carrier's date marking) of the date of the decision for which a hearing is sought. The claimant must not have previously submitted a reconsideration request (whether or not it was granted) on the same decision. The claimant may specify the type of hearing desired when making the original hearing

request. If the request does not specify a format, OWCP will schedule an oral hearing. The claimant can request a change in the format of the hearing by making a written request to the Branch of Hearings and Review. OWCP will grant a request received by the Branch of Hearings and Review within 30 days of: The date OWCP acknowledges the initial hearing request, or the date OWCP issues a notice setting a date for an oral hearing, in cases where the initial request was for, or was treated as a request for, an oral hearing. A request received after those dates will be subject to OWCP's discretion. The decision to grant or deny a change of format is not reviewable.

### 29 CFR 10.617 - Oral Hearing Process

The hearing representative retains complete discretion to set the time and place of the hearing, including the amount of time allotted for the hearing, considering the issues to be resolved. Unless otherwise directed in writing by the claimant, the hearing representative will mail a notice of the time and place of the oral hearing to the claimant and any representative at least 30 days before the scheduled date. The employer will also be mailed a notice at least 30 days before the scheduled date.

The hearing is an informal process, and the hearing representative is not bound by common law or statutory rules of evidence, by technical or formal rules of procedure or by section 5 of the Administrative Procedure Act, but the hearing representative may conduct the hearing in such manner as to best ascertain the rights of the claimant. During the hearing process, the claimant may state his or her arguments and present new written evidence in support of the claim.

Testimony at oral hearings is recorded, then transcribed and placed in the record. Oral testimony shall be made under oath. OWCP will furnish a transcript of the oral hearing to the claimant and the employer, who have 20 days from the date it is sent to comment. Any comments received from the employer shall be sent to the claimant, who will be given an additional 20 days to comment from the date OWCP sends any agency comments. The hearing remains open for the submittal of additional evidence until 30 days after the hearing is held, unless the hearing representative, in his or her sole discretion, grants an extension. Only one such extension may be granted. A copy of the decision will be mailed to the claimant's last known address, to any representative, and to the employer. The hearing representative determines the conduct of the oral hearing and may terminate the hearing at any time he or she determines that all relevant evidence has been obtained, or because of misbehavior on the part of the claimant and/or representative at or near the place of the oral presentation.

## BRANCH UNIFORM BANK

Our Uniform Bank is over flowing with pants and shorts, so for the time being we will only be accepting Shirts and Rain Gear. Please continue to donate your old and unused Uniforms.

On a personal note I would like to thank the members of Branch 2462, as I was nominated for Treasurer and elected by acclamation.

In Unionism  
Velma J. McClinton



# "THE MAIL CALL" BRANCH 2462, NALC

**Steve Seyfried, Editor**

**6910 Hayvenhurst Ave., # 101  
Van Nuys, CA 91406**

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## Branch Meeting Minutes May 3, 2005

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 6:39 p.m. The Pledge of Allegiance was led by HBR JANETTE DOLABSON

**MOMENT OF SILENCE--MARTHA RADEMACHER and all of our Military men and women who have sacrificed their lives in the Service of our Country.**

### ROLL CALL OF OFFICERS

**PRESENT**--BROOKINS, BOCEK, SEYFRIED, McCLINTON, JOHNSON, MULLINAX,, DOLABSON

**ABSENT**--JACKSON--ASKEW--HENRY--HALL

**MINUTES ACCEPTED AS PRINTED IN MAILCALL**

**CORRESPONDENCE READ**

**APPLICATION FOR MEMBERSHIP--ANGELA CASH**

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

### COMMITTEE REPORTS

**TRUSTEES** There will be an audit scheduled in July for all newly elected Trustee's.

**SAFETY & HEALTH** Safety is still # 1 priority, always work in a safe and professional manner.

**RETIREES** 4 present tonight. On the Sick List we have NELSON WEBER, we wish him a speedy recovery. Date for Retiree Luncheon will be Oct 23rd.

**MBA--T. HALL** No Report

**HBR--DOLABSON** No Report

**COLCPE** \$ 252.00 in the fund

**DISTRICT 6--McCLINTON** Mayoral race is in full swing. Make sure you vote !!!

**FOOD DRIVE--DOLABSON** T-Shirts are in and have been passed out.. You may wear them the week preceding the Food Drive. Food drive will be 2nd Saturday in May.

### FINANCIAL SECRETARY REPORT--JOHNSON

### TREASURERS REPORT--McCLINTON

**ELECTION--SEYFRIED** The Election Committee has been appointed they are STEVE SEYFRIED--Chairman, ROGER ASKEW, JANETTE DOLABSON, VELMA McCLINTON, BOB JOHNSON and LEE FENSTERMACHER. Ballots will be mailed out on May 9th. Be sure and VOTE for your Branch Officers.

**VICE-PRESIDENT BOCEK** Picnic will be on June 12, 2005 at Rancho San Antonio Boys Town.

**PRESIDENT BROOKIN's** New Route inspection handbooks have been shipped out and you should have already received them. Inspections have taken place in 2 zones and are currently taking place in Encino. Sherman Oaks

91403 zone will be inspected beginning May 21, 2005. NALC has endorsed Senate Bill S 662 in regards to Postal Reform. This is currently being advanced through both houses of Congress. We will be watching this bill closely as it will have significant impact on our jobs and lives. Should grass roots actions be needed the NALC will contact carriers through the E-Activist program. If you are not currently signed up go to the NALC website. After signing up you will receive important updates and information pertaining to NALC interests. You can't make intelligent decisions if you don't have good information. Remember IT'S YOUR JOB YOU ARE PROTECTING. IF IT IS TAKEN AWAY THROUGH LEGISLATIVE ACTION, HOW WILL YOU FEED YOUR FAMILY?? GET A JOB AT WALMART ??? **THINK ABOUT IT OLD BUSINESS--NONE**

### EXECUTIVE BOARD MINUTES READ NEW BUSINESS

**MOTION--Branch donate \$ 200.00 to the Van Nuys**

Dog walk on May 15th.

M/S/C

**MOTION--Branch send the HBR to the training seminar in Las Vegas, on October 16 - 19, 2005.**

Cost not to exceed \$ 1500.00

M/S/C

**MOTION--Branch sponsor Prom Night Dreams**

2005. Donation \$ 100.00

M/S/C

**MOTION--Branch donate \$ 75.00 to the Boys from California Poker Tournament**

M/S/C

**MOTION--Branch pay the L A County Property**

Tax bill. Cost to the Branch \$ 108.16

M/S/C

### UNDERLINED DENOTES UNANIMOUS VOTE

### MEMBERSHIP DRAWING-- \$ 275 ROBERT WAFLE--RETIREE

Brother WAFLE was not present at the meeting therefore the money will be rolled over to the JUNE meeting. June's membership drawing will be for \$ 300.00. All members are eligible to win, but you must be present at the meeting to win.

### COLCPE DRAWING

\$ 4 STEVE SEYFRIED--SHERMAN OAKS  
\$ 5 JOHN BURTON--CIVIC CENTER  
\$ 5 TIA WILSON--SUN VALLEY

MEETING ADJOURNED 8:20 P.M.

