

THE MAIL CALL



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PRESIDENT'S REPORT

By Calvin Brookins

In Remembrance

On sad note, I have to regretfully report the passing away of long time member and retired letter carrier Frank Rimkus. Frank was well respected through-out this branch, he was also a very close friend of Frank Brash. Frank worked tirelessly for many years for this branch and willingly donated his time to help other letter carriers and to further the cause of the NALC and Branch 2462. Frank Rimkus helped Frank Brash for many years put together the retiree dinner which has always been a success through-out these years.

Frank will be missed deeply, he was loved by a lot of people and everyone that I have spoke to about Frank since his passing had nothing but good things to say about him. My prayers go out to his wife Jo and the rest of his family and on behalf of Branch 2462 I send my deepest sympathy to his family and wish them all well.

COLA

The projected accumulation for the eighth and final regular cost-of-living adjustment under the 2001-2006 National Agreement stood at \$166.00 following the release April 19, of the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) for March.

The eighth COLA will be based on inflation between January and July 2006 and will be payable in the second full pay period following release of the July, 2006 index. The \$166.00 annual accumulation equals 8 cents per hour or \$6.40 per pay period.

The projected accumulation toward the 2007 retiree COLA was 1.3 percent following the release of the March CPI-W.

The 2007 COLA is to be based on the increase in the CPI-W between the third quarter of 2005 and the third quarter of 2006.

The 2007 COLA for Federal Employees Compensation Act (FECA) participants, to be determined on the CPI-W from December 2005 to December 2006, stands at 1.5 percent based on the March data.

Retiring Officers

The NALC will honor some national officers who will retire at the end of their current terms in December or have retired since the last Convention at a reception and dinner at the Las Vegas Hilton, August 17, Thursday evening at the Convention in Las Vegas.

The following current and retired national officers will be honored: Executive Vice President Jim Williams, Asst., Sec-Treasurer Jim Korolowicz, Director of Retired Members Don Southern; retired Director of Safety and Health Alan Ferranto, and retired Director of Health Benefits Tom Young Jr. National Business Agents Art Buck and our own National Business Agent Dale Hart.

The above listed individuals have spent their careers helping and representing letter carriers from there respective local areas to the national position that they held so admirably. Retired Director of Health Benefits Tom Young Jr. and National Business Agent Dale Hart are near and dear to our hearts here in California being that they both are from here and spent many years representing letter carriers out here in California, Nevada, Hawaii and Guam. On behalf of Branch 2462 I wish all of these individuals a happy and long retirement.

OPM & the Hatch Decision

The NALC has learned that the U.S. Office of Personnel Management (OPM) has decided that it will apply the Merit Systems Protection Board's (MSPB) landmark decision in Hatch v. OPM prospectively.

The Board's original November, 2004 ruling in the Hatch case and subsequent reconfirmation held that an injured full-time employee who returns to limited duty, but cannot work forty hours per week, is still entitled to have hi or her retirement annuity calculated as if the employee had been in full-time status.

The ruling reversed OPM's policy of giving only partial retirement credit to employees who incur a job related injury and return to work on a part-time schedule.

(Continued on Page 2)

"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 to 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	A	S	O	N
MAIN OFFICE	2	1	2	2	2						
ENCINO	6	5	5	5	2						
CIVIC CENTER	2	1	1	1	2						
PANORAMA CITY	1	4	3	3	0						
SHERMAN OAKS	2	3	5	5	6						
SUN VALLEY	0	1	1	1	2						
TARZANA	1	0	1	1	1						
RETIREE'S	5	6	4	6	3						
TOTAL	19	21	22	24	18						

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

**NEXT MEETING
6:30 PM**

**JUNE
6th
"2006"**

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

June 6, 2006

**BRANCH OFFICE.....818-786-8505
O P C PERSONNEL OFFICE....818-374-5600
RETIREMENT PERSONNEL....661-775-7030**

"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 next 2 dates will be June 24th & July 22, 2006 (4th Saturday) So, please mark your calendar.....We hope to see you there.

Thank You

Frank Brash

PRESIDENT'S REPORT

By Calvin Brookins

(Continued from Page 1)

The MSPB determine that even though the employee in question was limited to twenty hours work per week, his service should be viewed as full-time service for purposes of retirement credit. The MSPB ordered OPM to recalculate Hatch's annuity giving him full credit for the time period following his injury when he worked his reduced schedule. The Hatch decision was not appealed to the federal courts.

OPM officials have confirmed that the agency will apply the Hatch decision to factually similar situations, under both CSRS and FERS, including future applications for retirement benefits and other cases which are brought to OPM's attention. In particular, claims will be processed as full-time when;

1. The employee has a full-time appointment.
2. The employee is in receipt of OWCP benefits.
3. The employee works part of the day and is on LWOP for part of the day.

Letter carrier retirees whose annuities were improperly reduced in similar cases are urged to file requests for reconsideration with the OPM based on the Hatch ruling.

In Unionism

Rancho San Antonio 2006

Mark on your calendars, 7-23-06 as the date for this year's picnic at Rancho San Antonio. Plans are in the works to make this picnic bigger and better than last years. Posters and sign up sheets for tickets will be sent to the stations. Last day to sign up at the stations will be 7-14-06 for both the "Picnic Tickets" and "Salsa Contest Entries." Members and their spouse are free, or (1) guest ticket in lieu of spouse. Immediate family members are either "sons or daughters" living at home and under 18 years of age and are "free." Retirees and their spouse are free or (1) guest ticket in lieu of spouse. Retiree's, please call by 7-14-06 either Frank Brash (818) 785-7336 or the union office (818) 786-8505 for ticket order (retiree's to be picked up at the gate upon arrival).

Picnic will start at 10:30 am through 4:00 pm. Food will be served from 1200 (noon) till 2:00 pm. Judging for the "Salsa Contest" will start at 11:15 am, 1st prize is \$ 100.00, 2nd prize is \$ 50.00, and 3rd prize is \$25.00. Adult guest tickets are \$ 20.00, children guest (7-17) tickets are \$10.00, guest children (6 and under) are Free. Baseball game(s) time and field assignments to be announced later.

"Non Union Employees" need not show, for member tickets are not transferable to either guests or non members, but you still can join the union at the picnic and attend the picnic. Guest tickets are valid only when union member is present at the picnic.

ART

VICE PRESIDENTS REPORT

Art Bocek

Causal Relationship

Causal relationship involves establishment of a connection between the injury and the condition found. This factor is based entirely on medical evidence provided by physicians who have examined and treated the employee. Opinions of the employee, supervisor or witness are not considered.

A. **Kinds of Causal Relationship.** An injury or disease may be related to employment factors in any one of four ways:

1. **Direct Causation.**

This term refers to situations where the injury or factors of employment result in the condition claimed through a natural and unbroken sequence

2. **Aggravation.**

If a pre-existing condition is worsened, either temporarily or permanently, by a work-related injury, that condition is said to be aggravated(a)

Temporary aggravation

Involves a limited period of medical treatment and/or disability, after which the employee returns to his or her previous medical status. Compensation is payable only for the period of aggravation established by the medical evidence, and not for any disability caused by the underlying disease. This is true even if the employee cannot return to the job held at time of injury because the pre-existing condition may be aggravated again. For example, if exposure to dust at work temporarily aggravates an employee's pre-existing allergy, compensation will be payable for the period of work-related disability but not for any subsequent period, even though further exposure in the work place may cause another aggravation(b)

Permanent aggravation

Occurs when a condition will persist indefinitely due to the effects of the work-related injury or when a condition" is materially worsened by a factor of employment such that it will not return to the pre-injury state

3. **Acceleration**

A work-related injury or disease may hasten the development of an underlying condition, and acceleration is said to occur when the ordinary course of the disease does not account for the speed with which a condition develops

4. **Precipitation.**

This term refers to a latent condition which would not have manifested itself on this occasion but for the employment. For example, an employee's latent tuberculosis may be precipitated by work-related exposure.

Medical Evidence

The issue of causal relationship almost always requires reasoned medical opinion for resolution. This opinion must come from a physician who has examined or treated the employee for the condition claimed. Where a pre-existing condition involving the same part of the body is present, the physician must provide rationalized medical opinion which differentiates the effects of the employment-related injury or disease from the pre-existing condition. Such evidence will permit the proper kind of acceptance (temporary vs. permanent aggravation, for instance).

To establish causal relationship, additional medical opinion may be requested of OWCP's District Medical Director/Adviser or from a specialist in the medical field pertinent to the injury or disease. In a claim for a psychiatric condition, a report from a psychiatrist or clinical psychologist will be required. In claims for hearing loss and pulmonary disease, OWCP will refer the employee for examination by an appropriate specialist after exposure to the hazardous condition or substance has been established. Chapter 6 contains further information about medical examinations

C. **Consequential and Intervening Injuries.**

Sometimes an injury occurring outside the performance of duty affects the compensability of a work-related injury

1. A consequential injury is a new injury which occurs as the result of a work-related injury (for example, because of weakness or impairment caused by a work-related injury). Included in this definition are injuries sustained while obtaining medical care for a work-related injury. Consequential injuries are compensable

2. An intervening injury is one which occurs outside the performance of duty to the same part of the body originally injured. The resulting condition will be considered related to the original injury unless the second injury and any other factors unrelated to the original injury are established as its cause

For instance, an employee with an accepted claim for back strain later begins to have pain which suggests disc involvement. Later, while at home, he suffers pain in his back when he leans over the tub to clean it. Unless the incident at home is medically competent to cause the resulting condition, and it breaks the chain of causation of an earlier injury, OWCP will consider the resulting condition to be causally related to the original injury. Sometimes the circumstances of a case raise the issues of willful misconduct, intention to bring about the injury or death of oneself or another, or intoxication. If any of these factors is the cause of the injury or death, benefits are denied. Agency or OWCP staff must assert and prove these factors.

Remember, "Rights Are Like Muscles, Use Them Or Lose Them."

This is your Vice President, I welcome your comments.

"THE MAIL CALL"
BRANCH 2462, NALC
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Van Nuys, CA 91406

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Branch Meeting Minutes
May 2, 2006

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 6:43 p.m. The Pledge of Allegiance was led by HBR Representative JANETTE DOLABSON

MOMENT OF SILENCE--Memory of FRANK RIMKUS

ROLL CALL OF OFFICERS

PRESENT--BROOKINS, BOCEK, SEYFRIED, JOHNSON, McCLINTON, MULLINAX, L. DOLABSON, J. DOLABSON

ABSENT--JACKSON, ASKEW, ENZ

MINUTES ACCEPTED AS PRINTED IN MAILCALL

CORRESPONDENCE READ

APPLICATION FOR MEMBERSHIP--

LUKE MARTINEZ--CHARLES HOYLE

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

MOTION TO SUSPEND BUSINESS M/S/C

SPECIAL GUESTS

GINA MIRABELLA and her husband JOE from MEND came to Thank the Branch for supporting their organization through our Food Drive.

COMMITTEE REPORTS

TRUSTEES No Report

SAFETY & HEALTH Committee now only

meets every 3 months.

RETIREES 3 present tonight. Date has been established for this years Retiree Luncheon. It will be held on October 29, 2006 at Encino Glen. Watch for more info.

On the Sick List we have KEN WHEELLESS, we hope he has a speedy recovery.

MBA--ENZ No Report

HBR--J DOLABSON Article appeared in the May Mailcall.

FOOD DRIVE--J. DOLABSON T-shirts are in and will be passed out by the Station Coordinators. All is ready and we hope that this will be our most successful year yet.

COLCPE \$ 682 currently in the fund

DISTRICT--McCLINTON No Report

FINANCIAL SECRETARY REPORT---JOHNSON

TREASURERS REPORT--McCLINTON

VICE-PRESIDENT BOCEK Picnic will be held

on July 23, 2006 at Rancho San Antonio Boys Town in Chatsworth. Planning and logistics are currently underway. Watch for further information in upcoming articles in the Mailcall

PRESIDENT BROOKIN's Gave brief report on several items that will be addressed in his article in the June

Mailcall.

OLD BUSINESS--NONE

EXECUTIVE BOARD MINUTES READ

NEW BUSINESS

MOTION--Branch purchase 30 Convention chair covers. Cost not to exceed \$ 200.00
M/S/C

MOTION--Branch purchase 2 tickets to the HBR Breakfast Training session at the National Convention in Las Vegas.
Cost not to exceed \$ 50.00
M/S/C

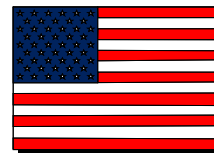
MOTION--Branch purchase a computer desk for the Financial Office.
Cost not to exceed \$ 300.00.
M/S/C

UNDERLINED DENOTES UNANIMOUS VOTE

COLCPE DRAWING

\$ 3 LARRY DOLABSON--ENCINO--DONATED
\$ 3 RICHARD MORENO--SHERMAN OAKS--DONATED
\$ 5 JULIUS RIBAS--ENCINO--DONATED

GOOD OF THE ASSOCIATION



MEETING
ADJOURNED 8:20
P.M.

IN MEMORY OF
FRANK RIMKUS

RETIREE
BRANCH 2462