

**Representing the Stations of
Encino – Panorama City – Sherman Oaks – Sun Valley – Tarzana – Van Nuys Main**

VOLUME 57

FEBRUARY 2020

NUMBER 1

PRESIDENT'S REPORT

By JANETTE DOLABSON

I have noticed when talking to our CCA's that many of them do not know that they have 14 days to file a grievance when they have received discipline, even though when they have signed the notice of discipline. They have not really read what the letter says. Here is some contract language to help you understand the importance of time limits when filing a grievance.

Article 15.2

An employee or union representative must discuss the grievance with the employee's immediate supervisor within fourteen calendar days of when the grievant or the union first learned, or may reasonably have been expected to learn, of its cause. The date of this discussion is the Informal Step A filing date. If the union initiates a grievance on behalf of an individual, the individual grievant's participation in an Informal Step A meeting is neither required nor prohibited. If a letter carrier instead files his or her own grievance, management must give the steward or other union representative the opportunity to be present during any portion of the discussion which involves adjustment or settlement of the grievance (Prearbitration Settlement, H7N5R-C 26829, April 2, 1992, M-01065). Should the grievance affect more than one employee in the office, the union may initiate a class grievance on behalf of all affected employees.

Time Limits. The fourteen days for filing a grievance at Informal Step A begins the day after the occurrence or the day after the grievant or the union may reasonably have been expected to have learned of the occurrence. For example, if a grievant receives a letter of warning, day one of the fourteen days is the day after the letter of warning is received.

When you receive discipline as a CCA management must show just cause. As a CCA they do not have to be progressive in issuing discipline. The following is the Just Cause principle according to Article 16 of the National Agreement.

Just Cause Principle

The principle that any discipline must be for "just cause" establishes a standard that must apply to any discipline or discharge of an employee. Simply put, the "just cause" provision requires a fair and provable justification for discipline. "Just cause" is a "term of art" created by labor arbitrators. It has no precise definition. It contains no rigid rules

whether the action was for just cause. These criteria are the basic considerations that the supervisor must use before initiating disciplinary action. • Is there a rule? If so, was the employee aware of the rule? Was the employee forewarned of the disciplinary consequences for failure to follow the rule? It is not enough to say, "Well, everybody knows that rule," or "We posted that rule ten years ago." You may have to prove that the employee should have known of the rule. Certain standards of conduct are normally expected in the industrial environment and it is assumed by arbitrators that employees should be aware of these standards.

For example, an employee charged with intoxication on duty, fighting on duty, pilferage, sabotage, insubordination, etc., may be generally assumed to have understood that these offenses are neither condoned nor acceptable, even though management may not have issued specific regulations to that effect.

- Is the rule a reasonable rule? Management must make sure rules are reasonable, based on the overall objective of safe and efficient work performance. Management's rules should be reasonably related to business efficiency, safe operation of our business, and the performance we might expect of the employee.

- Is the rule consistently and equitably enforced? A rule must be applied fairly and without discrimination. Consistent and equitable enforcement is a critical factor. Consistently overlooking employee infractions and then disciplining without warning is improper. If employees are consistently allowed to smoke in areas designated as No Smoking areas, it is not appropriate suddenly to start disciplining them for this violation. In such cases, management loses its right to discipline for that infraction, in effect, unless it first puts employees (and the unions) on notice of its intent to enforce that regulation again. Singling out employees for discipline is usually improper. If several similarly situated employees commit an offense, it would not be equitable to discipline only one.

- Was a thorough investigation completed? Before administering the discipline, management must make an investigation to determine whether the employee committed the offense. Management must ensure that its investigation is

(Continued on Page 5)

that apply in the same way in each case of discipline or discharge. However, arbitrators frequently divide the question of just cause into six sub-questions and often apply the following criteria to determine

"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.

Vice President's Report

By
John Burton

On December 3rd Sens. Steve Daines (R-MT) and Brian Schatz (D-HI) introduced the USPS Fairness Act (S. 2965), a bill to repeal the mandate to prefund postal retiree health benefits. The bill is identical to House legislation (HR 2382), which was introduced earlier this year and has the support of a bipartisan majority of the House of Representatives. With the introduction of a Senate companion, there is now demonstrated bipartisan and bicameral support for repealing the mandate.

As letter carriers know, repealing the mandate to pre-fund retiree health remains at the top of NALC's legislative agenda. The mandate, which no other company faces, is responsible for 90 percent of the financial losses incurred by the Postal Service since 2007.

Pre-funding repeal is a key to achieving postal reform in the future. It will free USPS to invest in its infrastructure, and better utilize its vast networks to further serve business and residential customers.

In the House, H.R. 2382 continues to gain bipartisan momentum and has surpassed the "House Consensus Calendar" threshold of 290 cosponsors, which means that the bill can now be placed in the queue for a House floor vote. Under House rules, once a bill is placed in this queue, the Committee of jurisdiction (in this case the Committee on Oversight and Reform) has 25 legislative days to take action on the measure. If no action is taken, the bill becomes eligible for a floor vote. As of today, the House bill officially has 294 cosponsors (including 233 Democrats and 61 Republicans), though in actuality that number is 292 cosponsors (232 Democrats and 60 Republicans) due to the resignations of Reps. Chris Collins (R-NY) and Katie Hill (D-CA).

DONATE to the Letter Carrier Political Fund.

The Letter Carrier Political Fund is a non-partisan political action committee (PAC) established for the purpose of electing qualified candidates who support letter carriers and who are committed to maintaining a strong and innovative U.S. Postal Service.

Each year, NALC fights to fend off attacks in Congress that threaten letter carriers' collective-bargaining rights, retirement benefits and livelihood. We've been successful so far, and we want to continue helping to elect House and Senate candidates who will protect us, promote our issues and deliver our message to Washington.

Since **union dues can't be used to support candidates for political office**, NALC relies 100 percent on member contributions to the LCPF, which in turn helps us support those on Capitol Hill who defend the issues that matter most to us. Our PAC brings together in Washington strong letter carrier advocates—from all political parties—who are dedicated to helping to defend a strong USPS that provides universal, innovative and affordable service.

In Unionism

ATTENDANCE CHART BRANCH MEETINGS

MONTH J F M A M J J A S O N

MAIN OFFICE	1
ENCINO	4
PANORAMA CITY	3
SHERMAN OAKS	4
SUN VALLEY	1
TARZANA	1
RETIREE'S	4
TOTAL	18

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

**NEXT MEETING
6:30 PM**

**FEBRUARY
4th
"2020"**

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

Feb 7, 2020

**WEB PAGE.... WWW.NALCBRANCH2462.ORG
BRANCH OFFICE.....818-786-8505
O P C PERSONNEL OFFICE.....818-374-5600
E-Mail.....Branch2462nalc@gmail.com**

"RETIREE CORNER" **ATTENTION: !!!!**

Our next Breakfast Meeting will be held at Denny's Restaurant, (Corner of Sherman Way & DeCielis). It will begin at 09:00 AM. The next 2 dates will be January 25th & March 28, 2020 (4th Saturday) So, please mark your calendar.....We hope to see you there.

Thank You
Bob Johnson

2020 PROPOSED BUDGET FOR BRANCH 2462

ESTIMATED INCOME:

Regular Members	365 at \$764.40 (\$ 29.40 - ppp)	\$ 279,006.00
Retiree's	110 at \$ 36.00 (per year)	\$ 3,960.00
NALC Health Benefit Reimbursement		\$ 85.00
Interest		\$ 45.00
Other Income		\$ 509.00
TOTAL INCOME		\$ 283,605.00

JANUARY 2020 THRU DECEMBER 2020

ESTIMATE EXPENDITURES	BUDGET 2019	SPENT 2019	BUDGET 2020
NALC Per Capita Tax:			
Regular Members			
365 at \$ 228.80	\$ 83,512.00	\$ 81,905.02	\$ 84,366.00
Retiree's			
110 at \$ 7.00	\$ 770.00	\$ 782.45	\$ 770.00
State Per capita Tax:			
Regular Members			
365 at \$ 10.40	\$ 3,796.00	\$ 3,724.70	\$ 3,796.00
Retiree's			
110 at \$.50	\$ 55.00	\$ 65.75	\$ 55.00
1 Contingency Fund (regular members) (375 @ 2.00 x 26 pay periods)	\$ 18,980.00	\$ 18,630.00	\$ 18,980.00
2 Contingency Fund (retired members) (110 @ .50 x 26 pay periods)	\$ 1430.00	\$ 1,658.00	\$ 1,430.00
3 Branch Officers Salary	\$ 42,000.00	\$ 42,000.00	\$ 42,000.00
4 The Mail-Call	\$ 6,500.00	\$ 5,399.14	\$ 6,500.00
5 Mail-Permit (Includes postage)	\$ 1,600.00	\$ 1,235.00	\$ 1,500.00
6 Postage Expense	\$ 750.00	\$ 809.31	\$ 750.00
9 Harry Brenneman Award	\$ 250.00	\$ 227.32	\$ 250.00
10 Office Expense	\$ 8,000.00	\$ 14,652.39	\$ 7,000.00
12 Retiree's Luncheon	\$ 2,000.00	\$ 2,560.00	\$ 2,500.00
13 Installation of Officers	\$ ---0---	\$ ---0---	\$ 1,000.00
14 Branch Telephones	\$ 1,200.00	\$ 1,023.04	\$ 1,200.00
15 Bond for Officer's	\$ 250.00	\$ 210.00	\$ 250.00
16 Office Supplies	\$ 1,200.00	\$ 1,023.04	\$ 1,200.00
17 Labor-Management Meetings	\$ 100.00	\$ ---0---	\$ 100.00
18 Refreshments	\$ 700.00	\$ 969.83	\$ 800.00
19 Donations	\$ 1,200.00	\$ 450.00	\$ 1,000.00
20 Equipment Repairs	\$ 750.00	\$ 502.20	\$ 750.00
21 Equipment Purchase	\$ 2,000.00	\$ 866.74	\$ 2,000.00

ESTIMATE EXPENDITURES	BUDGET 2019	SPENT 2019	BUDGET 2020
22 Election Expense	\$ ---0---	\$ ---0---	\$ 3,000.00
23 Miscellaneous Expense	\$ 100.00	\$ ---0---	\$ 100.00
24 Public Relations	\$ 1,000.00	\$ 166.05	\$ 1,500.00
25 Station Expense	\$ 1,600.00	\$ 1,600.00	\$ 1,600.00
26 Educational & Training	\$ 20,000.00	\$ 18,511.02	\$ 20,000.00
27 Publications	\$ 20.00	\$ 20.00	\$ 20.00
28 Local Negotiations	\$ ---0---	\$ 1,700.00	\$ 1,500.00
30 Assignment Time Account	\$ 13,500.00	\$ 4,600.00	\$ 15,000.00
31 Insurance cost	\$ 1,100.00	\$ 678.53	\$ 1,300.00
32 Office Rental	\$ 34,000.00	\$ 27,196.90	\$ 26,000.00
33 Gas Utility	\$ 300.00	\$ 314.02	\$ 325.00
34 Food Drive	\$ 3,000.00	\$ 1,478.37	\$ 3,000.00
35 Ray Kreyer Award	\$ 600.00	\$ 565.70	\$ 600.00
36 C.O.A. Mail Call	\$ 50.00	\$ 50.00	\$ 50.00
37 Route Inspection Expense	\$ ---0---	\$ ---0---	\$ ---0---
38 Mileage (@ 57.5 cents per mile)	\$ 1,100.00	\$ 1,138.89	\$ 1,300.00
39 Scholarship Expense	\$ 300.00	\$ ---0---	\$ 300.00
40 Electric Utility	\$ 1,500.00	\$ 1,555.89	\$ 1,700.00
41 Dues & Membership Expense	\$ 800.00	\$ 812.04	\$ 850.00
42 Janitorial Expense	\$ 900.00	\$ 900.00	\$ 900.00
43 MDA Expense	\$ 500.00	\$ 465.00	\$ 600.00
45 Bass Calendars	\$ 1,600.00	\$ 1,600.00	\$ 1,600.00
46 Christmas Open House	\$ 7,000.00	\$ 12,191.00	\$ 8,000.00
47 Independent Medical Exam	\$ ---0---	\$ ---0---	\$ ---0---
48 Organizing Expense	\$ ---0---	\$ ---0---	\$ ---0---
49 Cellular Phone	\$ 200.00	\$ ---0---	\$ 200.00
50 Greeting Cards	\$ 10.00	\$ ---0---	\$ 10.00
51 On-Line Service	\$ 1,000.00	\$ 974.74	\$ 1,000.00
53 NALC Store Expense	\$ 1,000.00	\$ 125.00	\$ 1,000.00
54 Deaf/Inter-Sign Language	\$ ---0---	\$ ---0---	\$ ---0---
55 General Taxes	\$ 600.00	\$ 614.35	\$ 650.00
56 Cable Expense	\$ 1,250.00	\$ 1,264.63	\$ 1,300.00
57 Retiree Breakfast Expense	\$ 2,500.00	\$ 1,687.03	\$ 2,000.00
59 Workers Compensation Ins	\$ 2,000.00	\$ 519.00	\$ 2,000.00
60 Konica Minolta C458 Expense	\$ 5,300.00	\$ 5,460.81	\$ 6,500.00
99 Non-Numbered Items	\$ ---0---	\$ 684.56	\$ ---0---
TOTALS	\$ 279,873.00	\$	\$ 282,802.00

**JANUARY 2019 THRU DECEMBER 2019
BALANCE SHEET**

INCOME	\$ 283,605.00
EXPENDITURES	\$ 282,802.00
 BALANCE	 \$ 803.00

The above report will be submitted to, and voted on by the general membership of Branch 2462 at the regular meeting to be held on February 4, 2020.

PRESIDENT'S REPORT

(Continued from Page 1)

thorough and objective. This is the employee's day in court privilege. Employees have the right to know with reasonable detail what the charges are and to be given a reasonable opportunity to defend themselves before the discipline is initiated.

- Was the severity of the discipline reasonably related to the infraction itself and in line with that usually administered, as well as to the seriousness of the employee's past record? The following is an example of what arbitrators may consider an inequitable discipline: If an installation consistently issues five-day suspensions for a particular offense, it would be extremely difficult to justify why an employee with a past record similar to that of other disciplined employees was issued a thirty-day suspension for the same offense. There is no precise definition of what establishes a good, fair, or bad record. Reasonable judgment must be used. An employee's record of previous offenses may never be used to establish guilt in a case you presently have under consideration, but it may be used to determine the appropriate disciplinary penalty.

- Was the disciplinary action taken in a timely manner? Disciplinary actions should be taken as promptly as possible after the offense has been committed. Corrective Rather than Punitive The requirement that discipline be "corrective" rather than "punitive" is an essential element of the "just cause" principle. In short, it means that for most offenses management must issue discipline in a "progressive" fashion, issuing lesser discipline (e.g., a letter of warning) for a first offense and a pattern of increasingly severe discipline for succeeding offenses (e.g., short suspension, long suspension, discharge). The basis of this principle of "corrective" or "progressive" discipline is that it is issued for the purpose of correcting or improving employee behavior and not as punishment or retribution. Just cause for the discipline of City Carrier Assistant Employees is addressed in Appendix B, 3. Other Provisions, Section E – Article 16 of Page 16-2 NALC-USPS Joint Contract Administration Manual - July 2014 the 2011 National Agreement. This section is reprinted on page 16-12 of the JCAM.

Here is the contract language for CCA's regarding discipline: Appendix B

3. OTHER PROVISIONS E. Article 16 - Discipline Procedure CCAs may be separated for lack of work at any time before the end of their term. Separations for lack of work shall be by inverse relative standing in the installation. Such separation of the CCA(s) with the lowest relative standing is not grievable except where it is alleged that the separation is pretextual. CCAs separated for lack of work before the end of their term will be given preference for reappointment ahead of other CCAs with less relative standing in the installation, provided the need for hiring arises within 18 months of their separation. CCAs may be disciplined or removed within the term of their appointment for just cause and any such discipline or removal will be subject to the grievance arbitration procedure, provided that within the immediately preceding six months, the employee has completed ninety (90) work days, or has been employed for 120 calendar days (whichever comes first) of their initial appointment. A CCA who has previously satisfied the 90/120 day requirement either as a CCA or transitional employee (with an appointment made after September 29, 2007), will have access to the grievance procedure without regard to his/her length of service as a CCA. Further, while in any such grievance the concept of progressive discipline will not apply, discipline should be corrective in nature. In the case of removal for cause within the term of an appointment, a CCA shall be entitled to advance written notice of the charges against him/her in accordance with the provisions of Article 16 of the National Agreement.

If you receive discipline, please, notify your shop steward immediately so they can file a grievance for you.

BY-LAW CHANGE

The following By-Law changed was submitted at the June Regular Branch meeting. It will be voted on at the August Regular Branch meeting. All By-Law changes require a 2/3's vote to pass.

PROPOSED TO CHANGE ARTICLE XIII, EDITOR

NOW READS:

ARTICLE XIII

EDITOR

Section 1. The Editor shall be appointed by the Executive Board and approved by the Membership at a Regular Branch Meeting.

Section 2. The Editor shall administer the duties of the Branch publication as determined by the Executive Board.

Section 3. The Editor shall be a member of the Executive Board.

PROPOSED:

Section 1. **The Editor shall administer the duties of the Branch Publication as determined by the Executive Board.**

PROPOSED TO CHANGE ARTICLE VII, OFFICERS, SEC. 1

NOW READS:

Section 1. The elective officers of this Branch shall be a President, Vice President, Recording Secretary, Financial Secretary, Treasurer, Sergeant-at-Arms, MBA Representative, Health Benefit Representative, and a Board of Trustees composing of three (3) members.

PROPOSED:

Section 1. The elective officers of this Branch shall be a President, Vice President, Recording Secretary, Financial Secretary, Treasurer, Sergeant-at-Arms, MBA Representative, Health Benefit Rep., **Editor** and a Board of Trustees composing of three (3) members.

New Language appears in Bold and Underlined

Submitted by Members in Good Standing:

STEVE SEYFRIED
LARRY DOLABSON

TRACY MULLINAX
ROBERT ENZ

"THE MAIL CALL" BRANCH 2462, NALC

Steve Seyfried, Editor

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

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

Address Service Requested

Branch Meeting Minutes

January 7, 2020

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 J. DOLABSON at 6:52 p.m. The Pledge of Allegiance was led by Sgt-at-Arms RAUL DOZAL

MOMENT OF SILENCE-----In Memory All members of the NALC and U S Military who passed in 2018. Thank you all for your Service

ROLL CALL OF OFFICERS

PRESENT--- J. DOLABSON, SEYFRIED, MULLINAX, JOHNSON, MACARAEG, WILSON, DOZAL, L. DOLABSON, ENZ

ABSENT---BURTON--JEFFREY

**MINUTES ACCEPTED AS PRINTED IN MAIL CALL
CORRESPONDENCE READ**

APPLICATION FOR MEMBERSHIP

MICHAEL SEMERDJIAN, ARIEL FRAYNA, NARLYN LUNA, JOSHUA MORA, PAUL TATE, LOEN BELTRAN-REYES, YETZCANI ORTEGA, GABRIEL CHAVEZ, RODOLFO MARIN, JOZABETH RAMIREZ

BILLS READ---NONE

COMMITTEE REPORTS

AUDIT COMMITTEE Budget meeting will be on Jan 15th and the Audit will take place on Jan 24th at 6:30 pm at Askew Hall.

HEALTH & SAFETY Blitz still ongoing. Doors closed, and seat belts always fasten, when sitting inside the vehicle.

TRUSTEES No Report

RETIREEES 4 retiree's present tonight.

Saturday breakfast. will be on Saturday, January 26, 2019

MDA FUND--DOZAL Currently \$1000.00 in fund

HBR---L. DOLABSON If you have not received your new health card, contact Larry. New members coverage began on January 4, 2020.

MDA--MACARAEG We raised \$ 7,000.00 for MDA in 2019. Thanks to all who pitched in to help with our Branch Poster Child JESUS.

MBA--ENZ The new \$5,000 insurance

policy now being offered is for both Active and Retired Carriers
EPA--DANIELS GAYE spoke on reducing

stress to increase safety. Also, on how getting good sleep on a regular basis can improve your general health.

FINANCIAL SECT REPORT---MULLINAX All stations should have their Christmas party receipts turned in by next regular meeting.

TREASURERS REPORT---JOHNSON READ

MOTION---Accept the Financial Reports as read M/S/C

VICE-PRESIDENT BURTON No Report

PRESIDENT J. DOLABSON Gave her report which will be published in the MailCall

EXECUTIVE BOARD MINUTES READ

OLD BUSINESS

The following actions were taken by the Executive Board since the November, 2019 General Meeting:

1. Board authorized to renew the L.A. County Federation of Labor. Membership is good for 1 year and allows the Branch 2 delegates. Total cost to the Branch is \$812.04.
2. Board authorized the renewal of the Branch's Bulk Mailing Permit. Total cost to the Branch \$ 235.00
3. Board authorized a donation of \$ 100.00 to the American Cancer Society, in the name of ROGER ASKEW

NEW BUSINESS--NONE

UNDERLINED INDICATES UNANIMOUS VOTE

Good of the Association

The Secretary would like to say thank you to Brother PAUL JEFFREY for taking notes at the November Regular meeting. SECRETARY SEYFRIED thanked the Executive Board and the Branch for the beautiful flowers and condolence card that was sent on the passing of his mother. Happy and Healthy New Year to all Members.

MDA DRAWING

- \$ 2 TIA WILSON---SUN VALLEY--DONATED
\$ 3 BOB ENZ---RETIREE--DONATED
\$ 5 RICHARD DUNEZ--ENCINO

Meeting Adjourned 8:18

