

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

**VOLUME 59**

**SEPTEMBER 2022**

**NUMBER 9**

## **PRESIDENT'S REPORT**

**By JANETTE DOLABSON**

### **Convention:**

Next month I will have a Article regarding the Convention and What I learned at the NALC 72nd National Convention.

### **Dignity and Respect:**

In some post offices throughout the country, local managers treat letter carriers, or allow letter carriers to be treated, in ways that create a work environment which is unhealthy and unacceptable. Such work environments are often labeled as hostile or toxic. The mistreatment of letter carriers cannot be allowed to continue in these situations.

Thankfully, many men and women in the past have fought for and achieved contractual protections against such mistreatment. Several provisions are detailed in Appendix A of this guide. Stewards should utilize these protections to defend letter carriers against mistreatment by their supervisors. This guide was created to provide information and practical advice to shop stewards on how to best address and grieve these violations. Throughout this guide you will see references to the NALC Shop Steward's Guide. In 2014, it was created and distributed to every shop steward in the country. It provides information and advice on many topics for stewards, including how to successfully prepare grievances. Each steward should have received a hard copy of the NALC Shop Steward's Guide as well as a DVD copy of the NALC 2014 Shop Steward's Toolkit which contains the NALC Shop Steward's Guide in electronic format. Each branch received a supply of these resources to distribute to their stewards, so if you do not have a copy ask your branch president if he or she can get a copy for you.

Management's treatment of letter carriers sometimes violates one or more contractual provisions prohibiting certain types of behavior and treatment. When this happens, letter carriers should speak to their shop steward. However, some letter carriers won't stand up for themselves for fear of

retaliation from their supervisor or simply out of fear of admitting they are being bullied or harassed. Too often, some managers make these letter carriers feel like powerless victims with no hope in sight. By following the steps in this guide, stewards will be in the best position to remedy managerial abuse of letter carriers and improve the work environment in their office.

One of the many jobs of a shop steward is to recognize such behavior, even when not told about it, by keeping an eye on the workroom floor environment and monitoring treatment of their fellow letter carriers to ensure they are being treated with dignity and respect. Under no circumstance is there ever a legitimate reason for a letter carrier's supervisor to treat him or her in any way which lacks dignity or respect. There is never a situation that would justify such treatment. A few common causes of mistreatment by managers are pressure to make the numbers and meet workload projections, unhappiness with a carrier's performance, a personal dislike of the individual, poor management skills, or simply a lack of respect for others. These are only a few examples of the factors that contribute to supervisors mistreating letter carriers through harassment, intimidation, or bullying.

A supervisor solely relying on DOIS projections to determine a carrier's daily workload and using that information to harass or intimidate letter carriers into making those projections is a real world example of abusive behavior. Another example might be a supervisor who screamed at or threatened a letter carrier who was expected to be back by 4 PM, but didn't return to the office until 6 PM, without informing his supervisor via PS Form 3996 or through a phone call to the office to say he would be late. While these examples may also generate other grievances, the intent of this guide is to address the mistreatment of letter carriers. Whatever the situation involving the letter carrier, there is never a reason for a supervisor to belittle them, bully them, or treat them without dignity and respect. The underlying premise addressed in Handbook M-39 requires management to maintain an atmosphere of mutual respect:

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## ATTENDANCE CHART BRANCH MEETINGS

MONTH	J	F	M	A	M	J	J	A	S	O	N	D
MAIN OFFICE	3	4	7					5	6			
ENCINO	3	4	4					4	4			
PANORAMA CITY	4	4	4					4	5			
SHERMAN OAKS	2	4	3					5	4			
SUN VALLEY	0	0	0					0	0			
TARZANA	0	0	0					0	0			
RETIREE'S	9	7	7					6	8			
TOTAL	21	23	25					24	27			

## NEXT MEETING TUESDAY SEPTEMBER 6th 2022

**6:30 p.m.**

**It Will Be Held At the  
UNION OFFICE  
6910 Hayvenhurst Ave  
#104**

**Between Van Owen & Sherman Way**

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

**Sept 11, 2022**

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

## Vice President's Report

By

**Jemmayen Macaraeg**

### IMMEDIATE SUPERVISOR RESPONSIBILITY WHEN YOU GET INJURED ON THE JOB!!!

Letter carrier jobs are unique in that most of our work occurs away from the office, out on the route. That's what I loved most about the work: the freedom to walk the route with no boss looking over your shoulder.

The freedom of the route also has hazards that most office workers do not have to contend with. Letter carriers have the highest injury rate of any federal workers, and most letter carrier injuries occur out on the route.

Letter carriers injured on the route rely on their supervisor or manager to respond to the injury and provide the correct information to get a claim initiated with the Office of Workers' Compensation Programs, OWCP. While most supervisors get some training in postal procedures for handling workplace injuries, few are experts. However, OWCP rules and procedures are incorporated into the Employee and Labor Relations Manual.

ELM 544.11 has specific instructions that **postal supervisors MUST follow** when responding to an injury report: 544.11 Immediate Supervisor Responsibility When a notice of traumatic injury or occupational disease is filed, the immediate supervisor is responsible to do the following:

- A. Immediately ensuring that appropriate medical care is provided.
- B. Providing the employee, a Form CA-1 or a Form CA-2.
- C. Completing the receipt attached to Form CA-1 or CA-2 and giving the receipt to the employee or the employee's representative.
- D. Investigating all reported job-related injuries and/or illnesses.

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## IN MEMORY OF

**LARRY KNEITEL  
RETIREE ENCINO**

**NORRIS JULSON  
RETIREE SHERMAN OAKS**

# PRESIDENT'S REPORT

(Continued from Page 1)

## M-39, Section 115.4

### Maintain Mutual Respect Atmosphere

The National Agreement sets out the basic rules and rights governing management and employees in their dealings with each other, but it is the front-line manager who controls management's attempt to maintain an atmosphere between employer and employee which assures mutual respect for each other's rights and responsibilities.

Management not only has the right, but also the responsibility to manage. Inherent in this responsibility is the obligation to set the tone as to how all employees will be treated. Management must maintain an atmosphere of dignity and respect.

Grievances involving the issue of supervisor misconduct and the poor treatment of letter carriers can often be very emotionally charged. Violations such as this, while often sensitive and personal, must still be grieved like any other contractual violation.

In order for a grievance to have the best chance of success, stewards should be able to answer "yes" to each of the five questions below:

1. Is there a violation of the National Agreement?
2. Did we properly frame the issue?
3. Did we determine all the facts of the case and document each one?
4. Do our contentions clearly explain the documented facts and how the National Agreement was violated?
5. Did we request an appropriate remedy for the contract violation?

Unlike other contractual violations, the facts in these types of grievances can be completely different and often the circumstances can cast some doubt on whether or not potential violations are clear cut enough to rise to the level of a contractual violation such as creating a hostile work environment, harassment, bullying, or intimidation. As an example, consider the following scenario:

A carrier not on the overtime desired list is assigned one hour of overtime to work on a route other than his or her own. That carrier made it well-known to the supervisor that they are not on the ODL and didn't understand why they should be required to carry overtime. When the carrier

returned to the office that afternoon they found out three carriers from the same zone, who are on the overtime desired list, each worked eight hours on that day and already went home.

In this situation, a steward investigating this potential grievance can easily look at Article 8.5.G of the National Agreement and see that it says, in pertinent part:

8.5.G Full-time employees not on the "Overtime Desired" list may be required to work overtime only if all available employees on the "Overtime Desired" list have worked up to twelve (12) hours in a day or sixty (60) hours in a service week.

After reviewing that contractual language, it seems fairly easy to determine the Postal Service violated the National Agreement on that day. The contractual language seems clear cut enough to determine there was a contractual violation.

### However, what if the circumstances at hand offered the following scenario?

There is a supervisor in your office who has never had any issues with creating a hostile environment, never tries to intimidate the carriers, or has never tried to bully a letter carrier into "making the numbers". This supervisor is making his or her daily rounds speaking with the letter carriers and to one carrier the supervisor states, "You WILL carry an hour extra, you WILL be back on time, and if you don't then you WILL face the consequences when you get back!"

As in the overtime grievance above, the steward can easily find contractual language which prohibits such an action. For example:

Handbook M-39, Section 115.4 is violated because the threatening remarks by the supervisor certainly do not comply with the requirement of maintaining a mutual respect atmosphere. The supervisor, in the above scenario also has no desire to consider the letter carrier's reasoning why he or she might be unable to attain the goal set for them. This too is behavior which lacks a mutual respect for the letter carrier.

Article 14, Section 1 of the National Agreement is violated, because by the supervisor threatening the letter carrier with "the consequences" and trying to bully him or her into making the numbers, the supervisor is in effect not providing safe working conditions. It's an unsafe situation, because the inherent threat of discipline places the employee in a position of choosing between safety and job security.

ELM, Section 665.24 is violated by the intimidation and threats of the "do as you're told or else" mandate by the supervisor.

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# PRESIDENT'S REPORT

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The Joint Statement on Violence and Behavior in the Workplace is violated based on the affirmation of the parties that every employee at every level of the Postal Service should be treated at all times with dignity, respect, and fairness. As the Joint Statement confirms, threatening an employee to make the numbers such as in the above scenario is not an excuse for the abuse of anyone.

## **Conversely, what if the situation in this office lends the following scenario?**

The supervisor in this office is constantly threatening, belittling, intimidating, and harassing the letter carriers in order to make the numbers. This supervisor always shows a willful disregard and lack of respect to the employees' rights and responsibilities on the workroom floor. DOIS projections are the standard which must be met and any 3996 submitted in contradiction to those numbers is immediately denied. It is commonplace for the supervisor to be completely disrespectful to others and this leaves the carriers with a feeling of helplessness and hopelessness. The supervisor is out of control and manages by his or her own set of rules. This happens almost daily and as a steward you've discussed the supervisor's actions several times to no avail.

It is clearly time to initiate a grievance and put an end to the gross mistreatment of the employees. You should use every tool in your arsenal to address the monstrous conduct of this supervisor. An in depth review of the contractual provisions which prohibit the actions of this supervisor are as follows:

## **Article 14, Section 1 of the National Agreement states: 14.1 Section 1. Responsibilities**

It is the responsibility of management to provide safe working conditions in all present and future installations and to develop a safe working force. The Union will cooperate with and assist management to live up to this responsibility. The Employer will meet with the Union on a semiannual basis and inform the Union of its automated systems development programs. The Employer also agrees to give appropriate consideration to human factors in the design and development of automated systems. Human factors and ergonomics of new automated systems are a proper subject for discussion at the National Joint Labor-Management Safety Committee.

Article 14, Section 1 of the National Agreement is violated, because the actions of the supervisor creates an environment which is unsafe to work in. Letter carriers may be intimidated to the point in which they would sacrifice their safety in order to meet the DOIS projections the supervisor is harassing them with each day. Such bullying tactics to make the numbers could result in uncharacteristic reactions by the letter carriers in response to those demands.

Handbook M-39, Section 115.4 also contains language prohibiting the action of the supervisor. It reads:

## **M-39, Section 115.4 Maintain Mutual Respect Atmosphere**

The National Agreement sets out the basic rules and rights governing management and employees in their dealings with each other, but it is the front-line manager who controls management's attempt to maintain an atmosphere between employer and employee which assures mutual respect for each other's rights and responsibilities.

Handbook M-39, Section 115.4 is violated because the supervisor's daily harassment and intimidation shows a willful disregard of mutual respect for the letter carriers' rights and responsibilities.

## **Violent and/or Threatening Behavior**

The Employee Labor Relations Manual (ELM), Section 665.24 contains provisions prohibiting the supervisor's actions as well, and it specifically states:

## **ELM, Section 665.24**

The Postal Service is committed to the principle that all employees have a basic right to a safe and humane working environment. In order to ensure this right, it is the unequivocal policy of the Postal Service that there must be no tolerance of violence or threats of violence by anyone at any level of the Postal Service. Similarly, there must be no tolerance of harassment, intimidation, threats, or bullying by anyone at any level. Violation of this policy may result in disciplinary action, including removal from the Postal Service.

In the scenario above, the supervisor has violated this section of the ELM by engaging in harassment, intimidation, threats, and bullying of which there is a zero tolerance according to this section.

The Joint Statement on Violence and Behavior in the Workplace also contains language which would prohibit such behavior. It reads in part:

We openly acknowledge that in some places or units there is an unacceptable level of stress in the workplace; that there is no excuse for and will be no tolerance of violence or any threats of violence by anyone at any level of the Postal Service; and that there is no excuse for and will be no tolerance of harassment, intimidation, threats or bullying by anyone.

We also affirm that every employee at every level of the Postal Service should be treated at all times with dignity, respect and fairness. The need for the USPS to serve the

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## PRESIDENT'S REPORT

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public efficiently and productively and the need for all employees to be committed to giving a fair day's work for a fair day's pay, does not justify actions that are abusive or intolerant. "Making the numbers" is not an excuse for the abuse of anyone. Those who do not treat others with dignity and respect will not be rewarded or promoted. Those whose unacceptable behavior continues will be removed from their positions.

Again, the supervisor's actions violate the above provision as well due to the use of harassing, intimidating, threatening, and bullying techniques and this cannot be tolerated. The supervisor in this situation certainly is not treating the letter carriers with dignity, respect, or fairness either. Once a situation rises to the level of the scenario described above, all grievances challenging such actions should include contentions which claim, and evidence which supports, a violation of the Joint Statement.

NALC recommends a few key steps that you should take every day to understand, control, and then work towards changing a hostile or toxic work environment:

Although it is the Steward who should do these things it is a good idea for all employees to do these also.

See your shop Steward if you see this going on.

Together we should all have each others backs.

1. Keep track of everything that happens on the workroom floor and document all actions of improper behavior by management, including ignoring or condoning improper behavior.
2. Pay attention to how other employees are being treated and what management is doing about it.
3. Challenge management's conduct through the appropriate channels when their conduct creates a hostile work environment.
4. Don't give up. Your patient efforts will contribute to a positive change. Many times we have been very successful with the right evidence and right approach.

## Vice President's Report

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- E. Immediately notifying the control office or control point of an injury, disease, or illness.
- F. Prompt completion and forwarding of Form CA-1 or CA-2 to the control office or control point on the same day it is received from the employee.

If the injury is traumatic, ELM 544.112 requires the supervisor to do the following: 544.112 Traumatic Injuries In case of a traumatic injury, the supervisor must advise the employee of the following:

- A. The right to select a physician of choice.
- B. If the injury is disabling, the right to either of the following:
  1. To elect COP for up to 45 calendar days.
  2. To use annual or sick leave.

Unfortunately, some supervisors do not fulfill these responsibilities, which can cause huge problems for the injured worker. Violations of the ELM are grievable under Article 19 of the national contract and supervisors who fail to follow ELM procedures should be held accountable.

NALC has recently seen form letters with the Postal Service logo that have been given to injured workers in lieu of claim forms. One letter lists the date, name of employee and office with the subject line "Letter of Declination." The body of the form states:

"The above-mentioned employee has advised me that he/ she does not wish to file a CA-1, Federal Employee's Notice of Traumatic Injury, for the job-related injury which occurred on \_\_\_\_\_. I have advised the employee that he/she has three (3) years from the data of injury to file a claim if they choose to do so."

There are spaces on the bottom of the form for both the supervisor and injured employee to sign.

**No employee should ever be given, much less sign, such a form!!!!**

The ELM also defines the penalty for not processing a claim: 542.33 Penalty for Refusal to Process Claim Any employee or supervisor responsible for making reports in connection with an injury who willfully fails, neglects, or refuses to do so; induces, compels, or directs an injured employee to forego filing a claim; or willfully retains any notice, report, or paper required in connection with an injury may be subject to a fine of not more than \$500 or 1 year in prison, or both. Injured workers are protected under the Federal Employees' Compensation Act (FECA), and violations of such workers' rights should not be tolerated. Please contact the Workers' Compensation department at NALC Headquarters if a postal supervisor or manager has given you a letter requesting that you decline your rights for a workplace injury.

**"THE MAIL CALL"**  
**BRANCH 2462, NALC**  
**Francisco Valenzuela, Editor**  
**6910 Hayvenhurst Ave., # 104**  
**Van Nuys, CA 91406**

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**Branch Meeting Minutes**  
**August 2, 2022**

By  
Steve Seyfried, Secretary

The Meeting was held at the Branch 2462 Union Hall 6910 Hayvenhurst Ave, #104 Van Nuys California. It was called to order by PRESIDENT J. DOLABSON at 6:57 p.m. The Pledge of Allegiance was led by SGT-AT-ARMS POWERS  
MOMENT OF SILENCE--In Memory of LARRY KNEITEL, NORRIS JULSON & ALL LETTER CARRIERS that have passed in 2022.

**ROLL CALL OF OFFICERS**

**PRESENT**--J. DOLABSON, SEYFRIED, MACARAEG, WILSON, MULLINAX, POWERS, JEFFREY, BURTON, L. DOLABSON, VALENZUELA

**ABSENT**--JOHNSON, DUENEZ

**MINUTES ACCEPTED AS PRINTED IN MAIL CALL**

**CORRESPONDENCE READ**

**APPLICATION FOR MEMBERSHIP**--DAPHNE BROWN, JOHNATHAN CEJA, ALEX LESLEY, CHARLES FLORES, EDWARD ZAVALA, NAJEE MORRISON, MICHAEL SANCHEZ, ANGEL RAMIREZ, KARAMOKO SAKO

**BILLS READ**--NONE

**COMMITTEE REPORTS**

**AUDIT & BUDGET**--TRUSTEES Audit was held on July 14, 2022 at 6:30 pm at the Union Office. All books were reviewed and found to be balanced and in good order.

**SAFETY & HEALTH** Street observations were conducted by non-management representatives last month and 3 Encino Carriers were commended for their safe and professional work. Unfortunately, the remaining Carriers continue did not fair as well, as they were observed with Open Doors--Illegal Parking Spots--Wearing Ear Buds and using Cell Phones while making deliveries. All of the above are not allowed by USPS. Save yourself the headache of losing a paycheck and work safely and professionally.

**RETIREEES** 8 Retiree's present tonight. Retiree Luncheon has been scheduled for October 2022.

**MDA FUND**--POWERS Currently \$ 1716.00 in the fund

**HBR**--L. DOLABSON Open Season will begin in November, but it is never to soon to begin to plan for your Health Insurance. NALC Health Plan is sending the office brochures which will explain all the advantages early in September. We will be distributing these to all members at the Stations.

**MDA**--MACARAEG Jamba Juice Cards are still available; we will be looking at having a Bowl-a-Thon early next year.

**MBA**--DUENEZ No Report

**POLITICAL**--BURTON Congress is in recess for Summer break. There have been no changes or moves on Postal related bills

**EDITOR**--VALENZUELA All is Good  
**FINANCE REPORT**--MULLINAX Letters have been sent out to all Retiree's letting them know of the Date of the FRANK BRASH RETIREMENT LUNCHEON in October. Newest Retiree's are LINDA MARQUES & JORGE MIRANDA. I will be contacting them to hopefully continue their membership. The Branch is down to 4 non-members, and we will be renewing our quest for 100 % when we return from National Convention.  
**TREASURERS REPORT**--WILSON Full Financial Reports for both May and June were presented and read.

**MOTION TO ACCEPT REPORTS AS READ** M/S/C

**VICE-PRESIDENT MACARAEG** 1<sup>st</sup> Shop Steward class for new Steward applicants as held last week. We have 3 more classes before graduation, at which time they will be considered for Shop Steward positions. Attended OWCP class in Ontario, very informative. NOTE: any CARRIER who sustains an injury while on the job should IMMEDIATELY REPORT THIS INJURY. Failure to do so will make your claim harder to prove or completely negate any chance for OWCP.  
**PRESIDENT J. DOLABSON** Gave her report which will be published in the MailCall

**OLD BUSINESS**--NONE

**NEW BUSINESS**

**MOTION**--Branch pay the LA County Fed of Labor \$ 42.42 to update the membership increase from June 2022 through December 2022 M/S/C

**MOTION**--Branch send Treasurer to the US Dept. of Labor webinar class covering LM 3's preparation & filing. Cost to the Branch \$ 200.00 M/S/C

**MOTION**--Branch pay LA County the unsecured Property Tax. Cost to the Branch \$ 63.27 M/S/C

**MOTION**--Branch pay the Vice President for 8 hours to attend the OWCP class in Ontario, CA on July 24<sup>th</sup> Cost to the Branch \$200.00 M/S/C

**MOTION**--Branch purchase 375 2023 Letter Carrier calendars to be given to all Active Members. Cost to the Branch \$ 1687.50. Retiree's may request one. M/S/C

UNDERLINED INDICATES UNANIMOUS VOTE

**GOOD OF ASSOCIATION**

New member CARLOS VARGAS attended his first Branch Meeting tonight and was initiated into the NALC. He received his Union Pin and was Welcomed by the Members attending.

**MDA DRAWING**

\$ 4 JOSE JIMENEZ--SHERMAN OAKS--DONATED \$ 2  
\$ 5 JENNIFER PACHECO--PAN CITY--DONATED  
\$ 8 STEVE SEYFRIED--RETIREE (SHERMAN OAKS)

Meeting Adjourned 8:12 PM