

National Association of Letter Carriers

Branch 782

E.A. Baker Union Update



ARVIN
DELANO
MOJAVE

AVENAL
EDWARDS AFB
RIDGECREST
TEHACHAPI

BAKERSFIELD
LAMONT
SHAFTER
TRONA

BORON
McFARLAND
TAFT
WASCO



CHARTERED FEBRUARY 25, 1901

VOLUME LXXXI NUMBER 9

SEPTEMBER 2009

at the
Mike:



I'm not sure that I can put my feelings into words, but I am going to try.

On the eleventh day of September in 2001, each citizen of the USA was presented with a crisis.

There had been an attack on our country. The aftermath was confusing and presented our leaders with difficult choices. One choice was evident: Deploy our military forces in our defense.

Young men and women dispersed to locations all over the world as have previous generations of American soldiers, sailors and airmen. Often, they have been put into harm's way and far too many have had to pay the ultimate price.

Together with those who were killed in the attacks on the Twin Towers as the Pentagon—along with the aborted attack which ended in a field in Pennsylvania—more than eight thousand people have died. Over eight thousand families have had to mourn the deaths of loved ones...

I felt it was important to make the time, in this anniversary month, to remember those who are no longer with us because of that attack. I also want to make sure that each of us remembers to give thanks to so many of those in the military who continue to fulfill their most basic mission: defending and protecting us.

As each of us face our own difficulties in dealing with the changes going on with the Postal Service, I felt that I needed to put our own struggles in perspective.

I also want to make sure that I also make the time to give my thanks to individuals who have also labored, behind the scenes, to do many things to protect our members.

Continued on next page...

First, let me give a big Thank You to two separate Johns.

John Ortega put in a whole lot of effort, time and dedication in his role in the Modified Interim Alternate Route Adjustment Process (MIRAP). Determining accurately the times associated with the delivery of so many routes has been difficult. He dealt with the evaluation of the Carrier's average office and street times and worked out what had to be done when there was an anomaly. I'm sure that he learned a lot of information which will be extremely beneficial as he continues his role as an NALC activist. Thank you, John!

In a similar fashion, I also want to say, "Thank You!" to John Beaumont for a number of things. John is the President of the California State Association of Letter Carriers (CSALC). He attended our August general meeting in order to do two things. First, he wanted to share information about various important issues which our members need to be aware of. Although the meeting was well attended, I wish more of our members would have been there.

Secondly, he made the time in his busy schedule to present the award for the CSALC Saxsenmeier Scholarship to Cody Wilder, grandson of Branch 782 Retiree Dicie Wilder. Additionally, John (together with our National business Agent) wrote a letter to us which appears on page 7.

Regional Assistant Bryant Almario was in town recently to prep for an arbitration. As always, I am impressed by the knowledge and professionalism that he brings to the table. He is a credit to the staff of our National Business Agent, "Manny" Peralta. Thank you, Bryant!

I also want to congratulate John Dennis on his retirement from the Postal Service. John is a Letter Carrier who was excused from Edwards AFB after much of the base housing closed. He was sent to the California City area, was assigned as a T-6, and experienced problems of various kinds after his involuntary reassignment. I hope that he faces better days during his life as a Retiree.



CSALC President John Beaumont presents Saxsenmeier Scholarship to Cody Wilder's mom, Anna, while grandmother, Branch 782 Retiree Dicie Wilder and Branch President Mike Towery look on.

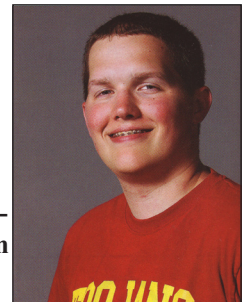
Cody Wilder

Centennial High School

College: USC

Projected Majors: Film and Television, communications

Grade-point average: 4.2



Cody Wilder seems like an average thespian, a teenager whose first play was "Annie Jr." at 10 years old, whose mom used to buy "sketch pads and crayons and stuff" to encourage his creative side. Wilder's interests led him to choose film, television and theater as his major, with an emphasis on producing and screenwriting. "I've always been into creative things, stories...interested in film in general," said Wilder, who admits that acting is more of a hobby than a career objective. Undeniably, he is more than an actor: Wilder was commended as a National Merit Scholar, is in CSF, and was admitted to the elite Thematic Option Honors Program at USC. He was also named Most Valuable Pitcher his sophomore year. Wilder is so humble that he had a difficult time identifying exactly what tipped the scales for him with USC. Although a 4.2 grade-point average is nothing to balk at, it is still average among the nation's stellar students. Wilder modestly suggested that maybe it was his SAT score: 2260 out of 2400. Indeed? Not very average at all.

Article and picture courtesy of the June 2009 issue of *Bakersfield Life*.

I know that he didn't want any kind of an article highlighting his retirement, but I wanted to make sure to offer my congratulations on such a special event! No one of us should go out without acknowledgement...



Finally, but no less importantly, I want to publicly thank Shafter Letter Carrier Arnie Reyes. He showed the best example of service to our community as his actions may well have saved the life of a toddler. More details on his actions are contained in an article written by Shafter Shop Steward Norma Hamer. That article is on page 10 of this newsletter.

I look forward to seeing you at this month's general meeting at 7:00 p.m. on September 22, 2009. I am happy to announce that our National Business Agent will be at that meeting. You should enjoy that!!!

MIKE TOWERY

UNASSIGNED REGULARS

by **BARBARA STICKLER**
Executive Vice President
NALC Branch 1100

With the MIRAP process downsizing the number of routes in an office, we now have full-time Carriers that no longer have a route. These Carriers are known as unassigned regulars. Most of our cities have not had unassigned regulars for years so we have dusted off the rules pertaining to unassigned regulars to share in this article. An unassigned regular falls under the same rules as a reserve Carrier.

As an unassigned regular you have a fixed day-off rotation. It is the same day-off rotation that you had on the route you just lost. As an unassigned regular you still have a fixed start time — it is the start time you had on the route you just lost.

Under Article 41, the unassigned regular has the right to opt on a vacant assignment. If it has been a while since you last opted, then check with the steward on the current process in your office to submit opts. While holding down an opt, as an unassigned regular, you will adopt the hours and day off of the route you opted on. If you do not opt on a route, you will be given work throughout the office to fill the 8 hour day.

If the unassigned regular is not on an overtime list then you should not work any overtime. If the unassigned regular is on the OTDL or work assignment, overtime tracking for the unassigned regular can be confusing.

If the unassigned regular is on the work assignment list then you are available to work the overtime on the route you have been assigned for the day.

For example, you are scheduled for route 2 today. You could work the overtime on route 2. If management is having you case route 2 but carry swings then you do not have an assignment for the day and should not work any overtime.

If the unassigned regular is on the 10 or 12 hour OTDL then, depending on where the Carrier is assigned, the overtime may or may not count towards the equitability.

For example, you are assigned to route 2 today, any overtime you work on route 2 would not count towards the equitability. If you are assigned to route 2 and you carry overtime on route 3 then the overtime on route 3 would count towards the equitability. If you are assigned to carry five 2-hour swings then any overtime would count towards the equitability.

As an unassigned regular, you can opt into a 6 day week and work all 6 days whether or not you are on an overtime list. For example, this week your opted route, or your regular rotation, has Wednesday off. Next week you opt on a route that has Saturday off. You must work Saturday since the new opt does not start until Monday and your current route has Saturday as a regular day to work.

If your current opt has Saturday off and next week's opt has Wednesday off, you get Saturday off. Next week on Wednesday, you would float since the T-6 is on the route you opted on.

An unassigned regular is guaranteed 8 hours a day for 5 days a week. If there is no work for an unassigned regular in the office the employer has the right to "bump" a PTF off of his/her opt. The "bumping" must be done on an hour by hour, day by day basis. The employer can not tell the PTF he/she is not on his/her opt at all next week because there is an unassigned regular.

T6 Carriers that become unassigned regulars fall under the saved grade provisions in the ELM. Saved grade provisions guarantee the Carrier his/her T-6 (LC 2), pay for an indefinite time frame if the unassigned regular bids on any T6 that comes open in the city. If your pay drops to LC 1 when you become unassigned, contact your shop steward or union officer.

If you are one of our unassigned regulars, please talk to your Shop Steward or call and talk to one of your officers if you have any questions. As an unassigned regular you never have to meet the office or street time listed for any route. Just do your best.

Article courtesy of the Garden Grove, CA Branch 1100 September/October 2009 *Union Carrier*.

Minutes of the August 2009 General Meeting

The regular meeting of Branch 782 was called to order by President Mike Towery at 7:00 p.m. on the 25th day of August, 2009 at the branch office, Bakersfield. The flag salute was led by Sgt. At Arms, Jerry Patterson.

All members of the Executive Board were present. The stewards were present from Arvin, Avenal, Brundage, Camino Media, Delano, Downtown, East Bakersfield, Hillcrest, Lamont, McFarland, Oildale, Shafter, South, Stockdale, Taft and Wasco. Also present was Newsletter Editor Basil Zuniga, Assistant Editor Jason Munoz, Assistant Secretary Shari Sharpe, Assistant Treasurer, Debbie Guillet, OWCP Representative Rick Gerdes, Photographer Anita Holderman and Emma Gonzales of the Social and Recreation Committee. The Minutes were accepted as read with the correction Teresa "Ortega" not Espinoza.

REPORTS OF STANDING AND SPECIAL COMMITTEES:

Picnic Coordinator Teresa Ortega reported that "everything's great." Basil Zuniga reported that Dole Court folded the newsletter last month and Molly took care of the labels and the cooking. Next month, it will be Stockdale station's turn. Emma Gonzales reported that the Social and Recreation Committee will meet on Thursday, August 27th.

NEW BUSINESS: Kim Gerdes reported that it is time to purchase calendars. Molly Biggar made a motion to purchase 310 calendars. The motion was seconded by Jerry Patterson and passed. Anita Holderman reported on the Secretary/Treasurer Training in Washington, DC September 28 - 30. She has been trying to get into the class for the past two years and finally "she's in." Molly Biggar and two trainees will also try to attend the class.

IMPROVEMENT OF THE ASSOCIATION: Pam Smith reported that she brought her computer so that she can help anyone who is having trouble signing up for COLCPE. John Ortega reported that MIRAP is pretty much done. Ours is one of two Districts that finished on time. Seventeen routes were absorbed in the city. Two hundred and four from the Sierra

Costal District. The members who attended the training in San Diego reported that it was very informative. Mike Towery reported that the nominations for the National Convention will be next month. To qualify for Branch funds a delegate must attend 10 of the 12 previous meetings.

GOOD OF THE ASSOCIATION: Jane Barrett asked about grievances for the Carriers on NRP. Mike reported that as long as the Carriers are being worked within their limitations, there is no grievance. Jane stated that her hours have been cut from 4 hours to 3 ½. Mike said that a grievance can be initiated. He reported that there is a grievance in the works for a clerk from LA who has been excessed to the Carrier craft in Bakersfield. He is driving 2 hours each way to work two hours once a week. Bill Curtis shared an article which appeared in *People Magazine* regarding Branch 782 member-Melissa Kelly who saved a customer on her route from a Pit Bull attack. Mike Towery reported on the one-time retirement incentive of \$15,000. It is only being offered to clerks and mail handlers. No incentive is being offered to Carriers at this point. California State Association President John Beaumont, gave background information on the Saxenmier Scholarship. He then presented the scholarship to Cody Wilder, grandson of Branch 782 retiree Dicie Wilder. President Beaumont then informed the members that the only reason the \$15,000.00 incentive was offered to the clerks and mail handlers because they are being excessed. He reported on HR22 and S1507

OUT THERE



which would help the Postal Service by allowing the USPS to spread the payment of future retiree health benefits over years. Contact your Senators to get the "poison pill" amendment removed from S1507 before passing. He reported that 5 - Day Delivery can only happen by an Act of Congress. It can happen, but only as a last resort. He encouraged all who could to attend the CSALC training. The training in northern California will be the same as in southern California except for any changes which may happen in NRP and MIRAP. President Rolando will attend the training. As the new NALC President, he will make sure than Carriers have a voice on the committees that make decisions that affect the Carriers. He will also work to get parcel deliveries back with Postal Reform. The union is in support of health care reform, but against any reform that will tax health benefits. Mike Towery thanked President Beaumont for all the work he does regarding legislative issues. He feels confident that President Beaumont and his staff will get on top of anything that will hurt Letter Carriers. He also feels that he does not get enough credit for all the things he and his staff take care of. Basil Zuniga invited everyone present to attend breakfast at Noriega's on Sunday, Sept. 6th in honor of his birthday.

FINANCIAL SECRETARY'S REPORT: Anita Holderman reported that \$13,241.50 was collected for the month of August.

TREASURERS REPORT: Molly Biggar reported:

Beginning Balance	\$60,032.25
Dues and Income	\$12,440.54
Interest Income	\$ 12.94
Total Balance	\$72,485.73
Expenses	\$10,694.02
Ending Balance	\$ 61,791.71

The MDA 50/50 Drawing was won by Robert Campos. The Drawing for \$150.00 would have been won by Ed Stuler if he had been present.

There were 48 members present. The meeting adjourned at 8:05

Respectfully submitted,

KIM GERDES
Branch 782 Recording Secretary

DOWNTOWN STATION

Dale Pearce
Javier Cruz

SOUTH STATION

100% Union!!!

EAST BAKERSFIELD

100% Union!!!

HILLCREST

100% UNION!!!

BRUNDAGE

David Kinglee

DOLE COURT

100% Union!!!

STOCKDALE

Ron Huston
James Oh
G.S. Saran

CAMINO MEDIA

F. Medina, Jr.

ARVIN

100% Union!!!

AVENAL

100% UNION!!!

NON-MEMBER LIST

September 2009

BORON

100% Union!!!

CALIFORNIA CITY

100% Union!!!

DELANO

C. V. Quebral
L. A. Campos

EDWARDS

100% Union!!!

LAMONT

100% Union!!!

McFARLAND

100% Union!!!

MOJAVE

100% Union!!!

RIDGECREST

S. R. Pierce
H. G. Blanco
R. M. Noke

SHAFTER

L. M. New
M. D. Voights

TAFT

B. W. Krier
K. J. Hughes

TEHACHAPI

V. L. Johnson

TRONA

S. L. Walent
B. R. Dame
K. K. Treat

WASCO

100% Union!!!

Basil, 416 of the 439 craft employees in cities we serve are NALC members! We have achieved a total of 94.7%.

*Submitted by KIM GERDES
Branch 782 Recording Secretary*

2009 NALC HBP Info

NALC Health Benefit Plan	1-888-636-6252
*Hospital Pre-Certification	1-877-220-6252
*** Mental & Substance Precert.	1-877-468-1016
Drug Prescription Retail	1-800-933-6252
CareMark Hearing Impaired	1-800-238-1217
*** CareMark Specialty Pharmacy	1-800-237-2767
*** Durable Medical Equpt.	1-888-636-6252
CareMark Specialty Pharmacy	1-800-237-2767
Durable Medical Equipment	1-888-636-6252
Nurse Assistant (24/7)	1-877-220-6252
CareMark Pharmacist	1-888-636-6252
Enhanced Eldercare Services (24/7)	1-877-468-1016
CIGNA PPO Dr's & Facilities	1-877-220-6252
***CIGNA Transplant Approval	1-800-668-9682
Quest Diagnostics (Lab Services)	1-877-220-6252
Quit Power (Smoking Cessation)	1-877-784-8797
CIGNA Health Rewards (Discounts)	1-800-870-3470
CIGNA Dental Discount Program	1-877-521-0244
**** Disease Management Program	1-800-227-3728
MEDICARE Managed Care Plan	1-800-633-4277
OPM Retirement Info Center	1-888-767-6738
Federal Information Center	1-800-688-9889
Social Security Administration Info	1-800-772-1213

* Failure to pre-certify will result in a \$500 reduction in benefits paid by the Plan. Must notify the Plan prior to hospital admission with doctor name and dates. ** Mail order drug prescription program long term (maintenance drugs) 60 day supply: \$8 generic, \$24 name brand; 90 day supply: \$12 generic, \$35 name brand. Retail Pharmacy, you pay 25% . MEDICARE 60 day supply: \$7 generic, \$20 name brand; 90 day supply: \$10 generic, \$30 name brand. Network Retail Pharmacy you pay 15% of the cost of the prescription. Prior approval required for some drugs. Must call the Plan. *** **Prior Approval Required.** **** Asthma and Diabetic.



**Branch 782
Health Benefit
Representative**

**Mark
Ramirez**
(661) 834-5011

**NALC Health Benefit Plan
20547 Waverly Court
Ashburn, VA 20149**

**NALC Prescription Drug Program
P.O. Box 94467
Palatine, IL 60094-4467**

**NALC Drug Prescription Program
"Claims"
P.O. Box 521926
Phoenix, AZ 85012-2192**

**Optimum Health Behavioral Solutions
P.O. Box 30755
Salt Lake City, UT 84130-0755
Questions: 1-877-468-1016**

**Preferred Provider (PPO)
Cost: \$15.00
Co-pay per office visit**

**Preferred Provider (PPO)
Deductible
\$250 Individual
\$500 Self & Family
Per Calendar Year**

Contact Information

Center for Disease Control	http://www.cdc.gov
National Library of Medicine	http://www.nlm.nih.gov
American Public Health Assoc.	http://www.alpha.org
American Cancer Society	http://www.cancer.org
American Heart Association	http://www.americanheart.org
American Lung Association	http://www.lunusa.org
Diabetes Foundation	http://www.diabetis.org
Muscular Dystrophy Association	http://www.mdausa.org
JAMA Asthma Information Center	http://www.ama.assn.org/special/asthma
Your Personal Health Record	http://www.nalc.org/depart/hbp
National Patient Safety	http://www.npsf.org

Health Care should not be an individual's personal political agenda

It should be a basic human right!

By Region I National Business Agent
Manny Peralta and California State Association
of Letter Carriers President John Beaumont

Health Care is—and *always has been*—an essential part of all Union benefit packages. It has also been a concept that Unions have fought hard to bring to the forefront of our national agenda!

Almost 50 million Americans are uninsured, health care costs are rising more than twice the rate inflation and insurance companies abuse is out of control. The system is in desperate need of change.

Despite what a few misinformed people have written or have broadcast to scare Letter Carriers (as well as other Federal employees) ***none of the proposed legislation will dramatically change the Federal Employees Health Benefit (FEHB) that we Letter Carriers participate in.***

However, pursuing health care reform will hold down the rising costs that are picking our pockets. Expenses, deductibles and co-pays that have yearly or lifetime limits on the coverage families receive will be outlawed. Letter Carriers and the USPS today pay 20-25 percent more than we should for health insurance because Americans who have health insurance are forced to pay for workers whose employers do not provide coverage or for individuals who cannot afford it on their own.

Costs are sky-rocketing because of the inefficiency and waste of the private insurance market and by the inability of government programs like Medicare and Medicaid to bargain with pharmaceutical companies and other health care providers for the best prices. Health care reform will require all companies to finally pay their fair share at least 72.5 percent of the premium for individual coverage and 65 percent of the premium for family coverage.

Without reform, health care costs threaten to overwhelm the federal budget and severely damage the finances of *all* American employers—including the

U.S. Postal Service!

The National Association of Letter Carriers supports legislation which:

- Includes a strong public insurance option. This will keep insurance companies honest, drive waste out of the system, guarantee affordable coverage for all and keep down costs for individuals, businesses and the government.
- Requires employers to pay their fair share. This will hold down federal deficits and level the playing field for good employers who contribute to their employees' insurance premiums.
- Does not tax employer-provided health benefits. Working families need relief from health care reform, not increased costs.

As recently stated by our new National President Fred Rolando: "We are asking Congress to support legislation that will bring the Postal Service's health care obligations under control, The time to reduce long-term health care costs for everyone is now. The NALC stands shoulder to shoulder with our Sisters and Brothers in the labor movement in support of comprehensive health care reform".

We owe our fellow working families in our Country nothing less!



Excessing—Involuntary Transfers & Reassignments

Numerous factors have brought about drastic changes in the lives of Letter Carriers in many, many locations around the country. Transitional Employees, Part Time Flexibles, and even Regulars are nervous about what the future holds in store for them.

Article 12 of the National Agreement between the NALC and the USPS frames, in detail, the provisions by which personnel actions will take place. The specific information can be found on pages 33 – 51. (If you don't have a copy, you can find a PDF version that you can download by going to the Branch 782 website (www.782nalc.com) so that you can read it for yourselves.

The fact of the matter is that most Letter Carriers don't make the time in their busy lives to read our Contract. That's okay. It's their decision.

However, whether or not you do, there are individuals who not only take the time to read and understand the outlined Rights and Responsibilities, they also work hard to ensure that the integrity of the Contract will be maintained.

So...are you curious?

At the outset, here is a basic premise: Management *does* have the right to reassign employees as needed but dislocation and inconvenience to employees must be kept to a minimum and that reassignments will be made in accordance with the provisions in Article 12.

Article 12.5.C.5 is an example of a Contractual cite. The title of that particular section in Article 12 is "Reduction in the Number of Employees in an Installation Other Than by Attrition".

Part of the responsibility of management is to inform the NALC at the national, regional and local levels on their intent to take action. The following language is an example of a notification transmitted to NALC Business Agent Manuel Peralta from the Labor Relations Manager in the USPS Pacific Area. It may make for interesting reading.

"This is to advise you of the intent of the Los Angeles Performance Cluster to utilize the provisions of Article 12.5.C.5 to involuntarily reassign up to 315 full-time carriers and 8

part-time flexible carriers from the craft and/or installation at the selected post offices...

The impacted employees will be notified by separate letter of their involuntary reassignments. The final reassignment date would normally be no earlier than February 5, 2010. However, given the continuing loss of workload and the current financial condition of the Postal Service, it may be necessary to reassign some or all of the impacted carriers in advance of that date. Additionally, it may be necessary to detail some or all of the impacted carriers during the 60 day notice period in order to provide a work opportunity. If this becomes necessary, we will advise you.

By copy of this notice, the Pacific Area will withhold up to 315 full-time residual vacancies and 8 part-time flexible opportunities in the clerk, carrier, mail handler and custodial craft in offices and plants within a 500 mile radius of the impacted sites. The impacts have been adjusted for the recent VER. Additional adjustments will be made for attrition at the time of placement if appropriate. A copy of the spreadsheet showing the VER retirement numbers in the impacted offices is attached along with the copies of the automated impact statements and the MIARAP impact calculation worksheet completed by operations. Seniority lists identifying the impacted carriers in each office are also attached."

Okay, that is one letter detailing USPS intent in one performance cluster. What else is happening?

A similar letter also indicates the the Pacific Area also intends to involuntarily reassign up to 107 Carriers in the Sacramento Performance Cluster.

And, as you may have heard, “The Devil is in the details...”

There will be an impact to the listed number of Carriers in each of the following cities: Yuba City – 1; Willows – 2; Turlock – 1; Tracy – 7; Sonora – 1; Shasta Lake – 1; Selma – 1; Riverbank – 1; Placerville – 1; Patterson – 1; Oakdale – 2; North Highlands – 1; Marysville – 4; Jackson – 1; Gustine – 1; Grass Valley – 1; Galt – 1; Folsom – 1; Dunsmuir – 1; Dixon – 1; Davis – 3; Comino – 1; Citrus Heights – 2; Chico – 2; Ceres – 2; West Sacramento – 1; Fresno – 33; Sacramento – 18; Stockton – 2; and, Modesto – 12.

Article 12.5.C.5.a.2 states that the Postal Service “...shall, to the extent possible, minimize the impact on regular work force employees by separation of all casuals. Well, there are no casuals left in the Carrier craft.

Article 12.5.C.5.a.3 goes on to indicate that the USPS “...shall to the extent possible minimize the impact on full-time positions by reducing part-time flexible hours.”

Added to this mix is the fact that employees from other Crafts have been excessed into the Carrier Craft. In some cases, they have been excessed to a city entirely different than the one in which they were employed.

Section 5.B of Article 12 addresses some of the issues which then might come into play. Here are some examples of the some of that language.

Article 12.5.B.10.a reads: “If only one employee is reassigned, that employee’s seniority in his/her original craft is compared to the seniority of the senior part-time flexible in the gaining craft. If the seniority of the reassigned employee is less than that of the senior part-time flexible, the reassigned employee reverts to part-time flexible status and the senior part-time flexible is promoted to regular. If the seniority of the reassigned employee is greater than that of the senior part-time flexible, the reassigned employee retains regular status.”

The next section, Article 12.5.B.10.b, details how units will deal with multiple reassignments: “If more than one employee is reassigned, a merged seniority list is created of the employees reassigned—using the seniority such employees had in their former craft—and of the part-time flexibles in the gaining craft. From this list a number of employees reassigned are either promoted to regular (in the case of part-time flexibles in the gaining craft) or retain regular status (in the case of reassigned employees). Those reassigned employees, if any, with insufficient seniority to retain regular status revert to part-time flexible status.”

It is the NALC position that this language *is in effect*. We must therefore learn it and apply it. An example of this would be to compare the seniority of Clerks “A”, “B” and “C”, as found in the example above, with the seniority of the Carriers at the delivery unit. If the senior PTF Carrier has three years seniority

in the Carrier Craft, the NALC position is that Clerk “C” should revert to PTF Carrier and the Senior PTF Carrier should be converted to Full-Time Carrier.

Article 12 deals with an entirely different issue which might actually come about—the permanent closing of a Post Office in an entire city. Think about it.

City “A”, which previously had its own city designation and postmaster, is to now be absorbed by city “B”, which will retain its own city designation and postmaster. Where city “B” (after absorbing “A”) has sufficient full-time and part-time positions to accommodate all the employees formerly employed at city “A”, the employer must reassign those people to city “B”.

The actual language of Article 12.5.C.1 is: “When an independent installation is discontinued, all full-time and part-time flexible employees shall, to the maximum extent possible, be involuntarily reassigned to continuing postal positions in accordance with...” all of the provisions and rules which exist at the time.

The use of the word “**shall**” is obligatory and not permissive language, therefore this paragraph is the *first step in the pecking order for all employees*.

There is simply not enough space to even touch on the many other questions which can be raised when Article 12 issues arise. What determines employees who have been deemed as “excess to the needs of a section”? What the heck is a “section”? What are “retreat rights” and how do they apply?

Furthermore, there can be agreed upon Memorandums of Understanding which further clarify how Article 12 is to be administered. They might add language to be used in determining how changed circumstances give rise to different approaches.

Lost in all of this “contractual talk” is a very basic fact of life. The person who is “excessed” faces some potentially monumental changes. So do family members.

There is the spectre that a person may be offered a job “within a radius of 500 miles”. Think about that for a minute...

Would that make for some radical changes in how *you* live *your* life? What kind of commute plans are you going to make? What shape is your car in? If you move, would someone pay what you think your house is worth? Is the price of gas going to continue to climb and climb? *Is all of this worth it? What can I do?????*

This kind of a reassignment is more than a simple disruption. It can be extremely stressful. You would think—because we all work for the USPS—that all units do things the same way. Ask anyone who has transferred into your unit. There are always differences. And adjusting can, sometimes, be problematic.

What a world we live in...

Our Hero: Arnie Reyes!!!

On September 8, while delivering on one of his last streets, Arnie Reyes heard a baby's cry. It was one of those desperate sounding kind of cries. He searched around, looked into a vehicle, saw a baby inside, and opened the door. The vehicle alarm went off, but the door opened!

It was warm that day, 89 degrees. The baby girl looked to be one and a half to 2 years old and was all sweaty. There were no adults around. Arnie went to knock on the door to the house, but there was no answer. He also attempted the neighbors' houses, both sides. No one was at home there either. Arnie knew of an officer who lived across the street, only a couple of houses down. He knocked on his door, but there was just no one around... What should he do???? He went back to the baby's side.

By this time, the baby had stopped crying and the alarm had stopped going off. He then called the office and spoke with Teri Mills, who was the acting supervisor that day. Teri told him that she was going to call the police and asked that he stay there with the baby until the police arrived. He gave the baby some water and talked to her.

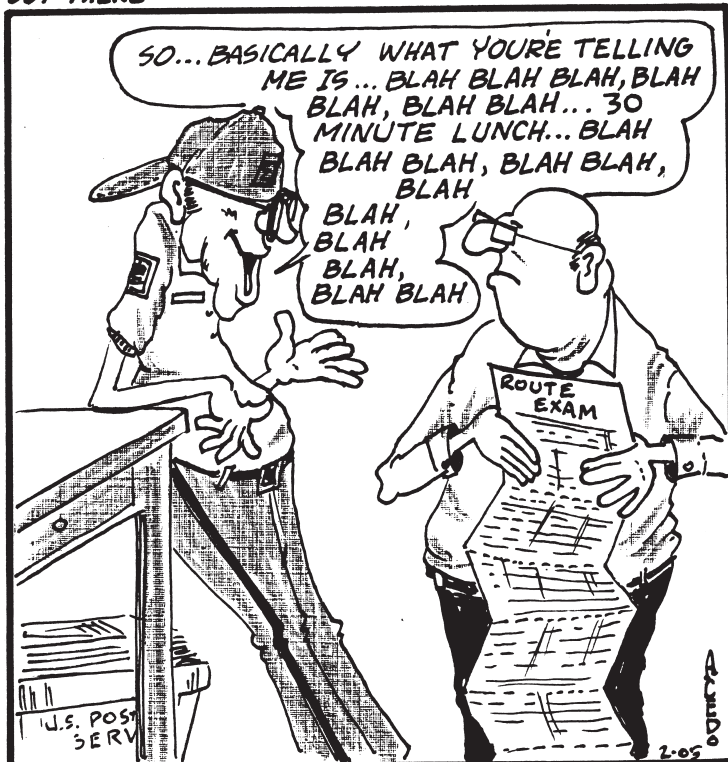
While he was waiting, a lady on a bicycle showed up. She was all nervous, and when she got off the bike, she fell down. She picked herself up, and then she fell down again. She went and removed the baby from the car seat and spoke to her in Spanish, saying, "I can't believe they forgot about you!" The police arrived soon after that. Arnie gave his statement of events and found out that the parents had gone home, switched vehicles, and then went to Bakersfield. They forgot the baby was in the car... The baby was left in the car for about 45 minutes before Arnie found her.

Arnie has been with the Post Office for about two years. He is married to Lupe and they have a daughter, Katie, who is 5 months old.

NORMA HAMER
Shafter Shop Steward

The MIARAP memorandum requires all routes to be evaluated **AGAIN** this Fall.

OUT THERE



Ron Kania,
Branch 2 Vice-President

By now, every route should have been evaluated and adjusted under the Modified Interim Alternate Route Adjustment Process (MIARAP).

I want to thank everyone who worked cooperatively to adjust routes to as near as eight hours as possible. I really do mean *everyone*, whether you are a member of one of the joint teams or a local contact or a rank-and-file Letter Carrier. Once again, my thanks go out to those of you who worked together to try to make the best of the situation we were given under this process.

Did we encounter problems along the way? Yes, we did. When problems were brought to our attention, we did our best to try to resolve any issues in a reasonable manner. However, under the MIARAP process, once a decision is reached jointly between the parties, we have to live with that decision.

I know some Carriers are not pleased with the results of round one of the MIARAP process.

I need to remind all of you that this was a brand new process for everyone. Just like everything in life, the more you do something, the better you will be at it. MIARAP is really no different. I anticipate that round two will go a bit smoother as the people involved with this process have learned what needs to be done.

The MIARAP memorandum requires all routes to be evaluated again this Fall. Each office will use a one-month period to determine if the route is properly adjusted to eight hours. If a route is over eight hours, it needs relief; if a route is under eight hours, it needs an addition.

The MIARAP memorandum states, "Routes will be evaluated **using the data** (emphasis added by the Editor-guy) from either September, October, or November." By reading the memo, I cannot tell you which month your office will use to evaluate the routes. The memo allowed routes to be adjusted in June, July, and August during round one of the MIARAP process. There is speculation that if your office was adjusted in June then the month of September will be used to evaluate the routes in round two. If you were adjusted in July, then the month of October will be used.

If you were adjusted in August, November will be used. I cannot guarantee the speculation on which months will be used in round two of MIRAP will apply to your office. My advice is to take the approach that all three months will be used. That way, you are covering all your bases.

The area that most Carriers were squeezed during round one of the MIARAP adjustments was the fact that the estimated office time was used most of the time instead of your actual office time when determining the value of your office time. Many offices were given the base minimum fixed office time (FOT). Your FOT is the time used doing functions other than casing mail. When you go through a count and inspection, you refer to these functions as "line items."

It is not fair to give you the base minimum FOT of 43 minutes if you use more time than that.

For example, if you are given the base minimum FOT, you are given a total of three minutes to inspect your vehicle in the morning. Depending on where your postal vehicle is parked and if you use the "buddy system" to do your vehicle inspection, it is very difficult if not impossible to complete your inspection in only three minutes. If you use six minutes on average to complete your vehicle inspection, then your office time has just been squeezed by three minutes under the MIARAP process.

Another example is your PM office time.

In most offices represented by Branch 2, the management team wants Carriers to return from the street, complete all their PM office duties in ten minutes, and then punch out for the day.

When you are given the minimum FOT, you are given a total of nine minutes for Line 21 items. Your PM office time, excluding clearing your accountables and actually marking the mail, is all Line 21 time. So, if you use nine minutes of Line 21 time in the AM and ten minutes in the PM, your office time is being squeezed by ten minutes.

Both of my examples assume the Carrier is casing mail at exactly standard. If you throw faster than standard, the minutes your office time will be squeezed will be less based on how much faster than standard you case mail.

I am only trying to give you a couple examples as to why you may need more than the base minimum FOT when your assignment is being evaluated.

If you need more time to inspect your vehicle, speak up during your next round of consultations and adjustments. If you need more Line 21 time than the minimum, speak up.

I hope the teams adjusting routes this fall will consider it and make the necessary adjustments. I know most teams did not make many changes to the FOT during round one. I think this should be taken into greater consideration during round two.

Many routes are much different now after the first round of adjustments. Some routes are brand new. No one really knows how much time it is going to take someone to complete a newly established route. That is why I believe the Carrier's actual office time should be considered. If the route needs more than the minimum FOT, the time should be added in.

As we move forward in round two, you need to ensure that you keep copies of any PS Forms 3996 when your assignment is given auxiliary assistance. Also keep copies of PS Form 1571 when you need to curtail mail.

I would suggest that *each* Carrier make a note of the amount of mail they get each day. Keep track of how many feet of letters and flats you take out on each day. I hope management will accurately record the mail volume each day; but if the volume recordings are inaccurate, the office time calculations under MIARAP will be inaccurate as well.

All you can do is deliver your route properly each and every day. Keep copies of all your forms, and give your input during your upcoming consultations. If you feel your input and suggestions are not being considered, let me know before the adjustments are finalized. I will be happy to try to address your concerns.

Overall, I can say with certainty that the results after round one turned out better than any unilateral minor route adjustments done by management in the past. I am confident that if everyone works together during round two, the adjustments should be generally fair and reasonable.

Article courtesy of September 2009 *Branch 2 Pioneer*



Post Office Ponderings

I spent the evening looking over the “Fiscal Year 2008 Executive Officer Compensation - Summary Compensation Table” at www.PostalEmployeeNetwork.com.

I found it very informative and upsetting at the same time. While the USPS wastes no time informing the public of its pending demise in the media, it certainly takes no responsibility in it. On the contrary, it is blamed on declining volume and labor costs.

While the NALC works hard to find ways to legislate cost savings programs, the USPS is too busy closing offices, consolidating routes, plants and districts, and threatening the public with five-day delivery. Why, you can look in several magazines like the Costco Connection and find public polls on the very subject. They have the media broadcasting that it's a done deal. Customers are often surprised to see us now on Saturdays.

Heck, the USPS changed the plan from Tuesday to Saturday just to get the craft employees behind the plan. Who wouldn't want every weekend off, right? Not me, not if it means losing job security, and putting 32,000 of our union brothers and sisters out of work. Universal delivery is what we do. No other company delivers to every house, 6 days a week.

We are a \$75 billion dollar a year organization but the postal service would only save a mere \$2.5 billion by going to five-days. How do you eliminate 16% of your service and only save 4% of your costs? That's the question we should be asking Potter!

I opened my *People Magazine* and inside this week's issue was a spread entitled, “Heroes of the Postal Service- letter carriers who have saved lives while on their routes.” I was thrilled to see it and wondered who initiated the good press. Our customers know whom they can trust. It's the people they see every day at the mailbox.

It's hard sometimes to answer the questions they have on the problems the USPS is facing and still try to put a good light on it. Especially when it's our wages and benefits at stake. Even more so when the very company we work for tells the public we're the ones who are overpaid. Hence, the upsetting reality of waste the postal service produces.

Please look up the website. You will notice that Potter himself has a “contract” that is negotiated. Maybe not by a union, but it's a contract no less. I find it offensive that all the big corporate CEOs blast unions while they make hundreds of thousands, millions even, as their companies slide into oblivion. It always gets blamed on the union workers.

Jack Potter gets his CSRS pension, as well as a USPS pension package. He gets “pay for performance” incentives (another word for bonus). He gets a severance package for one year after he leaves, and continuing health care for one year.

Now, I don't mean to imply that his job is not a difficult one. Just that the craft employees are the driving force behind the business.

We are the ones the public trusts, and we are the ones growing the business through customer connect. I sure don't see any pay for performance there! I don't see any extra compensation for bringing in leads and risking life and limb in all kinds of weather, and saving lives. What thanks do we get but a slap in the face in front of the media? And all we've ever asked for is a living wage, dignity and respect, and yes, maybe it's time for a new style of uniform, with some good support shoes. What benefits we now get, they want to take away.

Is the NALC conveying these facts to Congress when they're meeting on these very issues?

I don't have the answer to that. I can tell you that our National Officers are working hard to win this fight, and I trust

that they have the best team on the job. We may be facing the biggest fight since the Strike of 1970, maybe bigger in some ways because back then they had nothing to lose.

We have everything to lose and a large workforce with high expectations. The real question is can we, will we, be willing to answer the call when our NALC Leaders need us? Now is not the time to say I pay my dues so they can do all the work. We need every one of us to do whatever is necessary to get the job done. That's why they call it a union... we're brothers and sisters who are joined together in the same cause.



Article courtesy of the Center Line, Michigan
NALC Branch 4374 *Front Lines* published in September 2009

from *another*
editor-guy:

How many employees does the Postal Service have that don't touch the mail?

I can't give you an exact number.... but what I can do is share some of the job descriptions the USPS has.

I'm only going to cover some of those that I suspect do NOT handle mail. I'll start by touching on the letter "A" in the job descriptions.

We have an "Administrative Law Judge" who earns \$162,000 a year. Do not confuse him with the run-of-the-mill "Administrative Judge". We have two of those that earn an average of \$160,000.

We also have an "Associate Judicial Officer". (I guess he is like an ASP graduate for Judges.) He makes about the same at \$162,000 per year. He does a little better than the "Assistant General Counsel" at \$152,500 per year. That guy's only been with the company for 10 years so he's probably not at top scale, yet. I'm not sure how that job differs from the generic "Attorney". The USPS employs 178 "Attorneys".

Scuttlebutt

"Attorney" should not be confused with "Attorney (Temp)—25 of them; "Attorney Advisor"—6 of them; there are 9 people employed in the "Attorney, Honor Prg"; and, the "Attorney Adv Assoc" lists three employees.

I know many supervisors think they're doctors; but, I did not see their names listed with the five "Associate Medical Director Area" employees who each earn a minimum of \$112,000/year. We have nine "Advertising Specialists" with the lowest one earning over \$70,000/year. We employ two "Appeals Information Systems Specialists". Both of them work in Tampa, FL. We have 5 "Arbitration Scheduling Coordinators". (I suppose it's cheaper to have arbitrations than it is to follow the Contract.)

We must do a lot of building at the USPS since we employ 126 "Architect/Engineers". We have 8 "Area Comp Coord" employees. (I'm going to speculate that alludes to Workers' Compensation.) The lowest paid of those earns \$82,077 annually. The Postal Service employs 13 "Automotive Painters". The good news is that they work in California (3), Massachusetts (2), New York (5); and one each in Maryland, Missouri, and Georgia. There must be a lot of painting going on there and not here.

We have only one "Audiovisual Technician". He works at the USPS TV and Photography facility in Washington, DC. He has a "MGR USPS-TV/Photo" there who also earns \$115,000/year and a "SUPV Media Prod" earning \$97,000/year. The USPS has eight "Applied Technical Plnr". (I think that must be a planner of some sort. I'm sure they come up with great plans.)

On that list of "A" jobs, there are 45 job titles that begin with "SUPV" and about 444 that start with "MGR". (I may have miscounted by a few on that one. There were so many that looked the same I started losing track of where I was on the list.)

The Postal Service also has a "Manager of Public Affairs—\$145,000/year; a "Manager of Public Policy"—\$115,000/year; and, a "Manager of Public Relations"—\$138,000/year.

We also have a "MGR Pricing" AND a "Manager Pricing". The MGR title pays more (\$143,000/year versus the "Manager" who only makes \$118,000/year).

The USPS has only 4 "Writers", but 7 "Writer/Editors". Except for the poor girl in Washington, DC that just started last year, they all make more than me. I beat her by \$1,000.

I thought we were in the business of providing mail service to the American public. But, I guess we're really a TV station? A law firm, perhaps? May I suggest "Dewey, Cheatham and Howe"???

Doug "Dougie" Arnold, Editor
Rockford, Illinois Branch 245 Newsletter

\$200

**September 2009
General Membership
Meeting Drawing**

*There is one "catch"...
You have to be present to win.*

from the editor-guy:

I'm not sure if anyone else in the whole history of mankind has ever faced this quandry or not...

The garage attached to the house where I live had become full of quite a collection of "schtuff". Gathered (over the course of a whole lot of years of living and loving) in boxes, cupboards, bins, barrels, bags, jars, bottles, assorted Quaker Oats containers, paint cans, hat boxes, (and various and other sundry places) it was a "project-in-waiting".

My wife, Marcelle, has been doing a lot of work in our garage lately. (God bless her! I had no idea when I met her that she would be such an amazing lady in so many different ways!!!)

With me—as her absolutely loyal and faithful helpmate—she has made quite a dent in The Mountain she felt that she had to conquer. And, along the way, she made quite a discovery that she shared with me.

Marcelle found some letters from her Grandmothers.

Now, this may not seem like much. But, I want each of you who may happen to read this to think about that sentence: "Marcelle found some letters from her Grandmothers"

In a barrel full of letters that I had written to her from various locations when I was in the Coast Guard (boot camp, New York City, Seattle, at sea in Alaska, San Diego, Minneapolis, and Hawaii) were also letters from her Grandma Grace and Grandma Eleanor.

Written, in their own handwriting, these faded letters which she found became the most cherished of finds.

They had taken time out of their lives to find a pen and paper to share something with her and had *even* licked the stamp on the envelope. They had each, in separate circumstances and locations, made the time to ensure that Marcelle knew that they each loved her enough to keep in touch by writing letters to her.

She also found letters from my mom. My father died when I was four years old. She was a single mother (with a physical handicap from a bout with polio) who couldn't afford to make frequent long-distance phone calls. But she, like Marcelle's two Grandmothers, couldn't afford not to write letters which would keep her in touch with her only son.

As a Letter Carrier, I know that—over the course of a career which has spanned four decades—I deliver less and less first class mail. Those cards, letters and personal messages continue to have dwindled. And, it makes me sad.

In the future, there won't be people who look in their garages and discover a gem of a treasure. There won't be a letter from some loved one which was written in their own hand. There won't exist a personal connection to the someone who we meant so much to that they took the time to send us a note which—tear-stained—may have conveyed how they were feeling at that moment. Those e-mails just won't exist anywhere...

E-mails, Twitters, Facebook postings, and all of the other present and future communication choices will never capture the essence of what comes about when one person takes a pen or pencil to a piece of paper or a birthday card, folds and inserts it into an envelope, and then mails it via the postal service that we work for.

There is, in essence, a time of "bated breath" when the message has not arrived. We know we've sent it. We know it will be received. But, we can savor its arrival and know that it will be received differently than just something we got on our computer or our phone. The letter we write will be from us. It will be from an act of our sitting down at a table or desk and mulling over what we want to say. It will be something which doesn't have SpellCheck. It isn't a generic forward we received from someone else that we are "shotgunning" out to the world at large; and, it isn't just a cute video that we wanted to share.

A personal letter written to someone is a gift which is special.

It's almost a given that all of us face a world where our very own USPS management personnel have tried to paint a bleak picture of our very survival as an organization. And, yet, I wonder...what would happen if *every* single Postal Service employee would write two letters a week to someone special? And what would happen if *every* one in their family would write one letter a week? And what would happen if we actually got a response... An investment of a few cents to possibly create a cherished treasure?

BASIL R. ZUNIGA
Branch 782 Editor-guy





Branch Officers

E.A. BAKER UNION UPDATE is published monthly by Merged Branch 782 of the National Association of Letter Carriers, AFL-CIO.

The opinions expressed in this publication are those of the writer and are not necessarily those of the publication staff or of the Officers of the Branch.

The information contained in this publication is true and complete to our best knowledge. All recommendations, on equipment and procedures are made without guarantees on the part of the authors or of the organization. Because the quality of equipment, services and methods are beyond our control, the organization and its publication authors disclaim all liability incurred in connection with use of this information.

Information in this publication may not be used for illegal purposes.

We invite all members to contribute articles for publication. Copy, if possible, should be double-spaced (but doesn't have to be) but **MUST** be signed by the contributor.

The Editor retains the right to edit, delete, or reject the article for the good of the Branch (and even this is subject to persuasion).

In the hope that material contained herein may be of benefit to the goals of the National Association of Letter Carriers, permission is hereby granted to other NALC Branches to copy or use material and/or cartoons promulgated in this publication with our best wishes...but remember to cite/give us some credit.

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**OFFICIAL NOTICE
OF NOMINATION AND ELECTION OF
NALC "GOLDEN EMPIRE" BRANCH 782 DELEGATES
TO THE 2010 NATIONAL CONVENTION**

NOMINATIONS

Nominations for the election of NALC Branch 782 delegates to the 2010 National Convention will be held at the regular Branch meeting on September 22, 2009 at 7:00 P.M. at the Branch 782 Union Office located at 2628 "F" Street, Bakersfield, California. Candidates must accept nominations at the time made or, if absent, in writing to the Branch Recording Secretary within three (3) days after the nominations is made. Nominations may be submitted in writing provided that they are received by the Branch Recording Secretary prior to the closing of nominations at the regular branch meeting in September. Upon nomination, every nominee must certify that he or she has not served as a supervisor for the 24 months prior to being nominated.

By virtue of their positions, Branch 782 President and Vice President shall be delegates to the National Convention.

ELECTION

The election will be conducted by secret ballot at the regular meeting on November 24, 2009 at 7:00 P.M. at the Branch 782 Union Office, 2628 "F" Street, Bakersfield, California.

Any member who, for any reason, will be unable to vote on November 24, 2009, may obtain absentee ballots by submitting a signed written request to the Election Committee, Golden Empire Branch 782, 2628 "F" Street, Bakersfield, California 93301-1816, at least two weeks before the election. Absentee ballots must be returned to the election Committee by November 23.

Write-in votes are not permitted.

ELIGIBILITY FOR BRANCH FUNDS

Of the delegates from the Bakersfield local area selected to the National Convention, the requirements of eligibility for Convention funds will be; attendance at (10) of the twelve (12) regular General Meetings just prior to the National Convention.

Of the delegates selected from the outlying Associate Offices (excess of thirty miles from Bakersfield), the requirements of eligibility for convention funds shall be: attendance at least two (2) meetings (any combination of regular General Meetings and/or Quarterly Area Meetings) in the twelve months just prior to the State and National Conventions