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Western Arkansas Area Local

The Paper

March 28, 2004

Money, Medicine, and Meals

By Dennis Taff

I received copies of several pre-arbitration settlements for cases out of our local. I, or our NBA's Carl Casillas or Bob Kessler settled these cases.

The cases settled were:

- Letters of demand. Two letters of demands for shortages and one for over payment were rescinded and one letter of demand was reduced by half the amount.
- Employee required medical clearance before returning to work for the flu. The employee was reimbursed for mileage and the doctor co-payment and his sick leave was restored.
- Overtime violations. There were two overtime grievances on tour 2 that were settled in the unions' favor. (We are in the process of determining how much the employees will be paid)
- Improper postings-no principle assignment area included on the job posting. -The grievance was remanded back to the local level. The parties will meet to determine where the majority of work is being performed. Once determined, the principal assignment area will be reflected on the job posting. Three other improper postings were resolved. Management agreed to restore certain language (registry room relief, close out clerk, etc) that was removed from the posting when they were put up for bid.
- Working over six hours without a lunch break. An employee was compensated for not being allowed to take a lunch break within six hours.

Thanks to all the stewards and officers for their work in these cases.

We also received three arbitration decisions. The arbitrator denied two grievances and sustained one.

Cases that were denied were:

1. The proper posting of Clarence Stevens old duty assignment.
2. Pay above and beyond out of schedule pay for failing to post duty assignments in a timely manner.

(Dennis Continued on page 2)

An Old Friend

- Retired Master Sergeant In The Army.
- Veteran Of World War II.
- Veteran Of The Korean War.
- Veteran Of The Vietnam War.
- Retired From The U.S. Postal Service.
- Member Of Sebastian County Veterans Committee
- Member Of VFW No. 2036,
- Member American Legion No. 31
- Member NARFE
- Member of The Avenue of Flags Committee
- Member of The Seventh District Burial Detail
- Member of The Western Ark. Ret. Military Assoc.
- Member of the Vietnam Veterans No. 447
- Member of American Postal Workers Union

Herb Jerue

Herb was probably the oldest APWU dues paying member in the USA. If not the oldest dues paying member I know, and he is our oldest active member. Herb was also a long time member of the APWU Auxiliary and a frequent contributor to COPA. Herb has attended nearly every local union meeting since he retired 25+ years ago. Before retiring Herb served as an officer in the local and held positions in the state organization. Herb believed in the union way and was willing to help in any APWU cause even. Too bad we don't have more supporters like him. Herb was loved and will be missed by us all.

Running DB's, Righting Wrongs, and Revolving Doors

By Chris Hagen

I'm still collecting data and charting hours for the 38 hour PTF grievance, casuals I lieu of grievance and the maximization grievance. Running the DBCS's with one mail processor now a new grievance. A national arbitration stating the DBCS should be properly staffed with two operators. The supervisors have all been made aware of this. Karla created a chart for DBCS operators

(Chris Continued on page 2)

USPS SUED FOR DELETING CLOCK RINGS TO AVOID PAYING OVERTIME

Excerpt from Monday March 22, PRNewswire

In perhaps one of the most significant and far-reaching lawsuits against the United States Postal Service (USPS) in recent times, four postal employees (three active and one retired) are alleging the USPS has "systematically and purposefully" altered their electronic time slips .. and ... seeped money out of their paychecks.

(source: US District Court for the Middle District of Florida Excerpts of the lawsuit filed in US District Court on January 30, 2004):

The Plaintiffs bring this action on behalf of themselves and all other persons similarly situated. The class that the Plaintiffs represent is composed of all employees of the United States Postal Service who have had deletions made of their regular hours and overtime hours by their supervisors, which has resulted in reduced salary to the employees. These employees include letter carriers, rural route letter carriers, mail handlers, maintenance workers, distribution clerks, window clerks, drivers, and other employees.

Questions of law and fact including the following:

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a) Whether supervisors have deleted parts of regular hours and overtime hours worked.

b) Whether the purpose of these deletions was to keep the supervisors within the budgetary constraints and to qualify for bonuses for maintaining budgetary limitations.

c) Whether, as a result of these actions, the employees have not been paid appropriate wages.

d) Whether the Defendant has failed to maintain hour and wage records regarding its employees with accuracy, relevance...

e) Whether this action by supervisors on behalf of the Defendant is in violation of the Fair Labor Standards Act

Next Union Meeting
April 18, 2004
1:30 p.m.
Cavanaugh Pizza

(Dennis Continued from page 1)

The case that the arbitrator sustained involved the assignment of an injured carrier into the clerk craft. She ordered that the employees on tour 1 be compensated for all hours the carrier worked in the clerk craft. We will be determining what clerks were involved during the time frame of the grievance and how much they will be compensated. I want to thank Chris Hagen for testifying in these arbitration cases. She did a great job. Final notes. I hope the casual pay settlement will be forthcoming very soon. And that you will once again contribute to COPA. Our goal, as well as every other local's goal, is to raise twice as much for COPA as we did last year. We must continue to fight for our jobs through our involvement in the union and with our pocket book.

Dennis

(Chris Continued from page 1)

to keep track of the time and sort plan when they are required to operate with one person. I trust that everyone will be precise and honest when they write down the time. I would like two weeks worth of times on the charts, then they will go into the current file. Clock rings won't help because the mail processors on the machines all punch 896, so it would be hard to determine who was where and with whom when they were running with.

Most of you probably realize by now how powerful the Union can be. We just stopped the USPS from forcing an individual into a position that they were not hired for. Unassigned regulars are like a glorified PTF, they are moved from one job to the next. But we still protect our PTF's so whether you're a PTF, TE, or Unassigned we are here for you. And the struggle continues.

How many of you remember working for a real Postmaster? Did you consider Ed. Jolly our postmaster? He was gone for a long time before he retired. The infamous revolving door at this office is well known throughout the state. Why do you suppose that is? Did you know that For Smith is a little different that most offices? Building size could be one reason. We are too small for all the machines we have and we still have carriers on the floor. I would like to hear from all of you. Let me know what you think Is it: Morale, lack of help, supervisors, lack of communications? Let's see how many of you care. Let me know what you think. I'll report your finding in the next newsletter

YES VIRGINIA, IT'S REAL!

By Ron Davis

I had a good convention in Kansas City. It was nice to see old friends and to make new ones. The sad part of the convention was hearing the bad news that seems to be assailing Postal Clerks from all sides. From the Office of the President of the United States who appointed a "select" commission to study the Postal Service to our local postmaster who wont fill vacant positions. It would seem the intent is to break our Union and dismantle the Postal Service. The Postal Service as a whole has lost 67000 clerks in the last 5 years. That's more than 13000 a year
"Yes Virginia there is a real threat to your job".

The March issue of the Southwest Area Update bragged about the fact that 8500 career employees left the Postal Service in the first quarter of 2004. Hmmm, now there couldn't be many carriers in that number, since deliveries increased by additional 1.7 million delivery points. There must have been a lot of clerks. We should show the article to our window customers while they are standing line at our window.

There has never been a worse threat to the Postal Service or to our jobs. If business leaders will shift production to countries with slave or child labor to reduce costs and increase profits don't you think Postal leaders wouldn't love to pay us 6 or 7 bucks an hour to do our job. There is only one thing standing in their way, Our Union.

It's time to be active. Recruit our nonmembers. Become active to change the leadership that supports outsourcing of the Postal Service. Do everything you can to help our representatives' defeat the Postal Commission's efforts to push their findings through Congress. Your job and your pay is at stake

Opinions expressed by the writers of articles in this paper are those of the individuals and not necessarily those of *ThePaper*, APWU, or Local 1211.

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FSS/DPP

FSS/DPP is designed to provide advanced automation that will sort and merge letter and flat mail in a series of delivery point, walk-sequenced mail bundles. DPP would sort letters and flats into delivery order simultaneously, then bundle them into individual delivery packages. FSS would sort magazines, catalogs and other flats into delivery order but would not bundle them with letters. The decision to proceed with one or both initiatives likely will be made this year. If the USPS decides to install these new technologies, FSS will be targeted for initial deployment in 2006 and DPP in 2007.

"NO NEWS IS GOOD NEWS"

U.S. Rep John Boozman, R-Rogers spoke about local, state and federal issues at a luncheon hosted by the Fort Smith League of Women Voters. Members and guests gathered at the Holiday Inn City Center to listen to Boozman discuss the outsourcing of local jobs, and retaining the Mail Processing Center in Fort Smith. He said that he hasn't heard anything lately about moving the Mail Processing to Fayetteville. "Right now things are pretty quiet and we hope it stays that way," Boozman said. "I think no news is good news."

Western Arkansas Area Local Officers

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Randy Cope	Secretary-Treasurer
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Bob Harp Window/Customer Svc.	484-6425

MARCH 18, 1970

For decades our Union has led the struggle for improved working conditions, good wages and benefits. Our Union has won laws and protections that have made our workplaces safer for all. Our Union has paved the way to make health care and a pension a basic benefit for all of us. This March, is the 34th anniversary of the first Postal Workers strike. There are approximately 70 current employees who have a seniority date prior to March 18, 1970 and we owe them a special note of appreciation for their contributions during the strike of 1970.



The Timeline:

18 — Low wages and lack of bargaining rights lead to the first postal strike in U.S. history. Prior to the strike, postal workers did not enjoy full collective bargaining rights, but instead had to rely on “collective begging” of Congress and the White House in order to obtain wage increases. The starting pay in 1970 was only \$6,176 a year and it took 21 years to reach the top rate of \$8,442 — barely subsistence level.

21 — Postal strike reaches its peak involving more than 230,000 workers in 200 cities across the U.S. Back-to-work order by President Nixon is rejected.

23 — President Nixon declares national emergency, orders 30,000 troops to New York City to sort mail during the postal strike. The troops lacked the knowledge and skills to do the job and as a result the mail went nowhere.

25 — Postal strike ends. Postal unions achieve victory by obtaining full collective bargaining rights, a large pay increase, and a guarantee there would be no action against the strikers.

“BOOK ’EM DANO”

By Thomas Henry

I want to thank the members of my local for allowing me to go to the Tri-State meeting in Kansas City, Mo. The Tri-State was well attended and allowed delegates to further their knowledge from classes that were both enlightening and interesting. I attended a class on what to do if the Postal Inspectors ever interview you, and a class on the new Automated Attendance Control System.

Highlights from the Postal Inspector class:

- If a member is called in by the postal inspection service they should immediately ask for a steward. This keeps it from being a 2 on 1 interview and the steward can be a witness to what was being said. The steward usually has a better knowledge of the contract and can help to safeguard member's rights.
- If you are a steward called into the interview the *absolute* first question that should be asked is "Has the member been read their *Miranda* rights?" If the member has been read their *Miranda* rights then the steward should advise the member that they should not answer any questions and that they should get an attorney. The steward can offer to stay with the member until an attorney arrives but at this point it has become a criminal matter not a contractual and a steward has no jurisdiction in anything except contractual matters.
- If you are a steward called into the interview you are allowed to have private time with the member to see what the interview is about. Utilize this time to see what the member knows and to help put the member at ease if that is necessary. A steward is allowed to ask questions about what is going on and should do so if he doubts the interrogation methods or questions of the postal inspectors.
- Above all a steward and the grievant should be cooperative with the inspection service. This does not mean you are doormats and they can walk all over you but it does mean that often times it is better to answer questions and be cooperative than to just refuse to say anything and have that count against you at a later date.