

# Michigan

## MESSENGER

APWU

Volume 41, Number 162  
September-October, 2012

Affiliated with: American Postal Workers Union, AFL-CIO, APWU Postal Press Association, Michigan State AFL-CIO & Michigan Labor Press

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## President's Report



by John  
Marcotte,  
President

# A Successful Convention

I would like to start this issue's article with a warm welcome to our new Area 8 Director Wendy Kempke, who fills the position vacant since our last elections. I'm proud to report that Clerk Craft Director Wood, Maintenance Craft Director Rushing and her fellow Area Directors all offered any assistance she needs in the representation of our members and settling into this new position. Once again if issues arise in any of our areas, please contact your director, and I'm always available for your calls.

The APWU biannual convention was a success for you the membership. While this was the most businesslike and civil convention I have witnessed in over a decade, the membership refused to yield blanket approval for the elimination of union officer positions to Washington. An intelligent compromise came off the convention floor allowing the consolidation of officer positions by President Guffey with final approval by the membership at the next APWU biannual convention. Preserving elected over appointed positions maintains the APWU as one of the most democratic unions in America. We all should be especially proud as Michigan local and state officers were integral in creating the compromise and ensuring its passage. I received full cooperation from all Michigan Local Presidents attending this convention in attending early caucuses and wish to thank them and all their delegates for their dedication, spirited debate and rallying in defense of the membership.

Our retirees department will no doubt write about retiree members gaining the right to vote for select national officers that directly effect the retirees department. This resolution has historically been submitted by the MPWU at many past conventions. I am proud to say once again Michigan stood firm behind our retirees and submitted this resolution – and finally prevailed. This was a stunning victory for the builders of our union. The membership has taken a bold stand with our retirees and now we all must stand together in the preservation of the Postal Service. Congratulations to Judy Beard, Al LeBrecque and all our retiree chapter

members. Without division we cannot lose.

While at convention I spoke at length with our National Officers, our Regional Coordinator and our NBA's on the total lack of contract compliance by the USPS in the state of Michigan. They have assured me that they are willing to support the fight for our rights guaranteed under the contract ratified last year. It will not be easy but we will prevail in the end, right always does. These conversations helped create the training agenda for our district meeting in Kalamazoo November 1st, 2nd and 3rd. Education Director Morton has once again been out front of the issues and has devised a timely, aggressive training program. Once all confirmations are received, a list of instructors for the classes will be placed on our web site [www.mpwu.com](http://www.mpwu.com).

Finally, here's my take on the fast

approaching November elections. I am a father, worker, church member, football coach, proud U.S. military veteran and I tell you without reservation a vote for a Republican candidate in this election undoes all I have worked and stood for my entire life. The Republican Party took a hard right turn about 20 years ago and stayed that course ever since. The result is a Republican Party hell-bent on: the privatization of all government services, the destruction of all collective bargaining for workers, destruction of public education, removing basic health care for every American, abolishing the minimum wage, privatizing Social Security and getting rid of aid for college students. The Republican Party is for: taxing millionaires at less than half the rate of single parents, shipping jobs overseas, running up the deficit not by investing in America but by starting two unfunded wars while cutting billions of dollars in taxes for the top 1%, deregulating

oil companies, banks, airlines and the stock market.

DO NOT BE FOOLED THIS IS NOT THE REPUBLICAN PARTY OF YOUR PARENTS GENERATION. Today's Republican Party would consider Gerald Ford a Democrat, Eisenhower a Socialist and Nixon a Communist. The assault on the middle class has devastated our economy and cannot be allowed to continue. I went to public schools; I would not have been able to go to college without a Pell Grant. I have a union job, my children would not have health care without the Affordable Health Care Act (Obama Care). More than a third of my retirement is social security. I pay twice the percentage of income taxes than mega millionaire Governor Romney, the banks almost caused a Great Depression, we are held hostage to artificial gasoline prices, and air travel just sucks. *The Republican*  
*continued on page 2*

## Protect Workers' Rights In Michigan

There are two very important proposals on the ballot this November. One is an amendment to the Michigan Constitution to protect workers' rights to collective bargaining. The other is to repeal the Emergency Manager Law.

You've already heard the negative commercials. The "union bosses" want to change our Constitution. They are a "special interest" group, and they want privileges for government workers.

Not so. The fact is, the Republican

Party has led an assault on workers' rights in more than a dozen states where they control all branches of government. In Michigan, they have proposed and/or passed more than 40 bills restricting or attacking government workers. The Emergency Manager bill is one such law – it allows an individual who is **appointed** – not even elected – to tear up a union contract.

Members are urged to vote YES on the "Protect Working Families" proposal – passage of this proposal would prevent

further attacks on the rights of Michigan workers to bargain collectively.

Members are urged to vote NO on the Emergency Manager Law proposal. The way the proposal is worded, a NO vote will repeal the law.

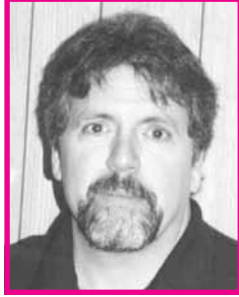
And be sure to vote the non-partisan portion of your ballot and elect the pro-labor judges to the Michigan Supreme Court: Connie Marie Kelley, Shelia Johnson, and Bridget Mary McCormack.



Marchers on Labor Day in Detroit expressing support for collective bargaining rights.



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by Steve Wood, Clerk Craft Director

## Clerk Craft Report

# Lead Clerks And 204B's

In last month's article I stated that I was going to try to use my space in the paper to help educate the stewards working on your behalf here in the great state of Michigan. Remember some of what you read in this article is my interpretation. I will always welcome debate from the field, if you disagree with me. I know that this is a very confusing contract and I have had to contact the National Business Agents (NBAs) to get assistance from time to time. If you need help please feel free to contact me, if I do not have the answer I will contact our NBAs.

### Lead Clerks

The Collective Bargaining Agreement page 376, establishes the new positions of Lead Mail Processing Clerk. These clerks will be to provide oversight, directions and support, in the absence of Supervisory presence to bargaining unit employees in both Mail Processing and Retail operations. The ratio of Lead Clerk assignments in the clerk craft complement in a facility shall be as follows:  
5 to 49 clerks - 1  
50 to 99 clerks - 2  
100 to 199 clerks - 3  
200 to 499 clerks - 5  
500 or more clerks - 5 plus 1 for each additional 100 clerks

This ratio of Lead Clerks is a minimum or the jobs that must be established. There is no limit on the number of jobs that can be created.

### 204-Bs

Collective Bargaining Agreement page 378. Not later than June 1, 2012 the Employer will eliminate the usage of 204-B's except in the absence or vacancy of a supervisor for 14 days or more. The usage of a 204-B in this exception is normally limited to no more than 90 days.

The union can now calculate the

hours being worked by 204-Bs to create new Lead Clerk positions. Now let me explain how I believe we should grieve management using 204-Bs in our facilities. I believe and have filed grievances in my facility under the memo as well as Article 1.6 (management doing bargaining unit work). I have had one position created doing this. I am working on several more, and overtime pay for our members. When submitting your request for information at a minimum, ask for the following:

- Copy of all supervisor vacancies (This vacancy cannot last more than 90 days and can only be used once).
- Copy of PS Form 1723 (This is the controlling document).
- Copy of 204-Bs clock rings (If the clock rings are different than the 1723 the 1723 controls).

Also you will need a copy of the questions and answers on the Lead Clerk positions. I have included the most recent Q&A signoff.

### 1. Beginning June 1, 2012, can employees from other bargaining unit crafts (mail handlers, carriers, etc) be utilized in 204-B assignments to supervise Clerk Craft employees?

**Answer:** Beginning June 1, 2012, employees from other bargaining unit crafts may be utilized as 204-Bs, supervising Clerk Craft employees, to cover supervisory absences or vacancies of 14 or more consecutive calendar days. Usage of a 204-B in this exception is normally limited to no more than 90 days.

### 2. Can employees from these other bargaining unit crafts (mail handlers,

carriers, etc) be utilized as 204-Bs in the Clerk Craft to cover supervisor absences or vacancies of less than 14 days?

**Answer:** No.

### 3. Are there any exceptions to the 90 day limit in #1 above?

**Answer:** Exceptions would only be appropriate in limited situations (such as supervisors on 4 months maternity leave; supervisor on 6 months military leave; or similar situations).

### 4. May Clerk Craft employees be utilized as 204-Bs to supervise employees in other bargaining unit crafts?

**Answer:** Yes, Clerk Craft employees may be utilized as 204-Bs to supervise employees in other bargaining unit crafts. When doing so, these 204-B assignments would be subject to the same restrictions regarding the supervisor absence or vacancy as within the Clerk Craft.

These are the appropriate questions and answers that you will need to address grievances on management using 204-Bs at inappropriate times. They cannot use 204-Bs for anything less than 14 days or more than 90. Your remedy must be that management create a new Lead Mail Processing Bid Job. Also ask that the appropriate individual, either the overtime desired list or the successful bidder, be paid for all hours worked by the 204-B at the appropriate overtime rate.

If you need any assistance in filing these types of grievances please feel free to call me. Until next time I remain yours in solidarity.

## A Successful Convention

continued from page 1  
**model just doesn't work.** Bush tax cuts are over 10 years old and jobs have not been created, they've evaporated. Regulations were put in place to help the little guy get a decent shake and an acceptable quality

of life. Unions allow workers to get a fair share for their labor and create the engine of our economy, the middle class. The social safety net of Social Security and Medicare is all that stands between millions of hard working Americans in retirement and poverty. The choice is clear; we have no choice. We either vote for candidates that support the workingman or the America we grew up in will cease to exist. Once your voice is heard the Republican Party Elite may come to their senses and change the party's platform but as it exists now it calls for extinction of our jobs, our future and our way of life. Be informed, volunteer for pro-worker candidates; engage your family and friends in debate of just what is at stake. It is our country, we built it, we service it, we maintain it, we defend it and we pay its bills. Its time we take it back.

The Michigan Postal Workers Union proudly represents the Members at Large within the Great State of Michigan. The following locals have also affiliated with the MPWU for training, education and information sharing between their members, stewards and officers of their own local and others throughout the state and nation:

Alpena	Flint	Muskegon	Stevensville
Battle Creek	480-481	Pontiac	Traverse City
Central MI	498-499	Roger City	Troy Local
Cheboygan	Gaylord	486-487	Western MI
Detroit District	Jackson	Sault Ste Marie	
Farmington	Ludington	Southwest MI	

The MICHIGAN MESSENGER is published six times yearly, and is the official publication of the Michigan Postal Workers Union, American Postal Workers Union, AFL-CIO, also affiliated with the APWU Postal Press Association.

The opinions expressed in this publication are those of the writer and not necessarily those of the Editor, the MPWU, the APWU or the Postal Press. Articles and correspondence to the Editor may be sent to Paul Felton, PO Box 361342, Grosse Pointe, MI 48236. Articles must be signed to be printed (your name may be withheld upon request). Articles may be edited to fit the confines of this publication.



by Paul Felton,  
Editor

## Editor's Report

# A Matter Of Days

"If we lose the elections, if there's a Republican House, a Republican Senate and a Republican President, it won't be a matter of years, it will be a matter of days before we lose our right to collective bargaining."

Those words, spoken by APWU President Cliff Guffey on the opening day of the National APWU Convention, highlighted the most important issue facing our union.

"If the Republicans had their way, you

wouldn't be here." So said Ed Schultz, host of the "Ed Show" on MSNBC, referring to the desire of the Republican Party to privatize the Postal Service.

AFL-CIO President Richard Trumka said that Republican committee chair Darrell Issa "doesn't care about dependable mail service and he sure doesn't care about you!"

As a concerned delegate, there was only one issue on which I went to the microphone to speak. I pointed out that given the lessons of Wisconsin, Michigan and about a dozen other states, and given

the proposals Republicans have made concerning postal workers (take away our layoff protection, gash our wages and benefits, close plants and post offices on a massive scale, fire postal workers who are behind on their taxes), it is clear that **the Republican Party is out to destroy us.**

There were some other high points and I'm sure other contributors will write about them. But none of the resolutions we passed about what should be in our contract, and none of the constitutional changes we debated, will mean a thing if the Republicans gain control

of Congress and the White House.

I hope every member reading his article will act accordingly. I hope every steward will not be shy about talking to members about what we have to do on Election Day in order to survive. I hope every member will talk to their friends and family. This is not an exaggeration; we are fighting for survival. Our enemies are out to destroy us. Our enemies cannot be defeated by our leaders alone. They cannot be defeated by a well documented grievance. They can only be defeated by the entire union membership standing strong and united on Election Day.



by Jason Rushing,  
Maintenance  
Craft Director

## Maintenance Craft Report

# Excessing Still Around!

We just returned from the 21st Biennial APWU Convention in Los Angeles. The overall theme from all the invited speakers was that there is no love for unions or the APWU in the Republican Party camp. This year's Presidential election could be one of the most important for unions and the working people of America, ever. If Romney wins the election we are going to be in trouble. **FOR JOBS, HEALTH CARE AND RETIREMENT WE NEED PRESIDENT OBAMA!** For a Post Office, we need **PRESIDENT OBAMA!**

APWU President Cliff Guffey asserts that we need to push forward and keep fighting; when we quit we will surely be defeated. We need to win the election and re-elect Obama, it is the only choice for our jobs future. Secretary-Treasurer Liz Powell assured us that we are financially in very good shape. We have money in the bank but none to spend. All the National Officers spoke to keep us informed of the latest developments.

The Maintenance Craft heard updates from Steve Raymer, Greg See, Gary Kloepfer and other Craft Officers. Amazingly the Post Office is still going back on promises and sign-offs just as before. The 1500 new custodial jobs list has been modified a few times. They are still working on all that at HQ. Who is cleaning your office? Give me a shout and let me know! Supervisor, RCA, clerk, contractor? I want to know, give me a shout. The job you find by calling me, could be yours someday!

I was a part of the Maintenance Resolution Committee at the Convention.

We went over resolutions regarding changes members want in Article 38. These resolutions had been submitted from around the country. Before the Convention voted, our Committee discussed each resolution and made a recommendation. It was a good experience to be able to be a part of the committee to further my maintenance knowledge.

We were not even back from Los Angeles when we got notice of maintenance employees being moved by a sectional excessing event, from the PMC Romulus MI to the Detroit MI GWY. Maintenance employees were told on Monday to report Saturday to their new assignment, some after 18 years of working at the PMC. There were hints of a timeframe from Postal Management, but no official notification had been sent to the APWU at any level for Maintenance employees. No impact, no letters, nothing. This is still a work in progress.

My goal is to educate and help employees through the Postal Service's excessing process as much as I can with what is at my disposal. Knowledge is power and I am always willing to share what I have. Employees need to ask questions and seek guidance whenever approached by management with letters or information that could effect their working conditions or employment. Any craft, any office if I can help, I will.

On Saturday, September 29 there will be a free retirement seminar in downtown Detroit at the legal aid building. We'll have two sessions and it's not just for soon-to- retire employees, all employees are welcome. The

Detroit Local APWU set it up for you, the member, if you want to learn more about your retirement, please sign up for it! There is no cost and spouses or others are invited to attend with you. Please call the Detroit APWU union

office to reserve a spot, the number is 313-532-9305.

As always thank you for allowing me to serve YOU, the member. You can reach me at 313-965-1398.

# A Historic Change

by Paul Browning,  
Secretary-Treasurer,  
MPWU Retiree Chapter

We did it! In a historic APWU National Constitution change, Convention Delegates voted by a 2/3 majority to give all APWU Retiree members the right to vote for seven national officers. I'll let MPWU Retiree Chapter President Al LaBrecque fill you in on the details, but this is a great moment for us to be able to vote for resident Washington D.C officers who have a direct affect on our lives. From the top 3 National Officers who control the staffing and budget of the National Retiree Department under Director Judy Beard, to the Legislative Department working for active and retired members, to the APWU Health Plan Director where the Health Plan membership is made up of a retiree majority.

President LaBrecque, Trustee Al Fouche, and I spoke numerous times at the Retiree Convention strongly supporting the resolution for retiree voting rights – a resolution that had been defeated at numerous previous Conventions. While President LaBrecque met with National Officers, I lobbied dozens of delegates from Locals all across the country. And despite a prevailing pessimism among some

of us, **We Won!** It was a group effort including active and retiree delegates from Michigan and members throughout the Convention.

My special thanks to Farmington Local President Pat Comben for his invaluable aid in research regarding the APWU National Constitution, his constant communication, and his support on the convention floor.

### Finances

We have a very decent balance in our bank account even after all convention expenses. With 1300 retiree members in Michigan and steady dues rebates from Retiree Department Director Judy Beard's office plus a keen eye for frugality by the Retiree Officers, we are on the plus side of the ledger with no outstanding debt.

### Elections

Everyone writing in this issue will be expounding (and rightfully so) on voting Democratic this November. I will only comment that unless you have been in a coma or living on Mars for the last year, you know that a Republican majority in Congress will be the end of the Post Office as we know it. **IT'S VOTE DEMOCRATIC OR PERISH TIME!**



by John  
Smeekens,  
Veterans  
Director

## Veteran's Report

# — BackLog —

The Department of Veterans Affairs continually hears insight into its disability claims backlog from Congress, the media and veterans organizations, but VA Secretary Eric Shinseki said, "Let it grow. We'll work on it, we'll get it down. But let's keep our priorities straight here – it is about taking care of veterans." Shinseki made his remarks while addressing The American Legion on Aug. 28 during its 94<sup>th</sup> Annual National Convention in Indianapolis. The VA Secretary had just noted that 12 more presumptive conditions for disability benefits had been added to VA's list since 2009: three for Vietnam War veterans and nine for veterans of the First Gulf War. In addition, post-traumatic stress disorder has been made verifiable for all combat veterans, not only those who fought in Iraq or Afghanistan. "We granted the presumption of service connection. PTSD is as old as warfare itself," Shinseki said.

### Agent Orange

Nearly 40% of the VA's rating staff has been assigned to the 230,000 claims related to illnesses now believed to be connected with Agent Orange exposure. The DAV applauded this change, noting that this milestone will allow VA staff to now tackle the huge backlog of claims pending.

### &#%\* westbooro

Congress took action where the Supreme Court didn't, to curb westbooro Baptist Church's followers from protesting the funerals of fallen troops and veterans. President Obama signed into law, The Honoring America's Veterans and Caring for Camp Lejeune Families Act, which



President Marcotte represented us well at convention.

includes language aimed at protecting service members' funerals. The church based in Kansas is best known for staging protests at service members' funerals to protest the service of homosexuals in the military. In 2011, the Supreme Court ruled the First Amendment protected westboro's right to protest the funerals. Chief Justice John Roberts wrote in the majority opinion that "as a nation we have chosen . . . to protect even hurtful speech on public issues to ensure that we do not stifle public debate." Sen. Olympia Snow, R-Maine, introduced legislation three months following the Court's ruling that gives the government the right to further protect the funerals. The act argues that ensuring fallen troops have respectful burials is important to maintaining a strong military and protecting national security.

The new law extends bans on picketing funeral services of troops and veterans from 150 feet to 300 feet, and prohibits protests from being conducted up to two hours before and after a funeral. Previously the ban was for an hour before and after. Violations are punishable by a fine and up to a year in jail. "The graves of our veterans are hallowed ground, and obviously we all defend our Constitution and the First Amendment and free speech," Obama said at the White House ceremony. "But we also believe that when men and women die in the service of their country and are laid to rest, it should be done with the utmost honor and respect."

### Vietnam Veteran Chosen To Lead VFW

John E. Hamilton of St. Augustine, Fla., was elected VFW Commander-in-Chief. During his year-long term, Hamilton pledges to continue to "pay it forward" for America's veterans. Considering he's a Vietnam Veteran, this is a big change of what we faced when we, Vietnam Veterans, came home and attempted to join the VFW ranks. Isn't it about time to be Welcomed Home and stand strong for ALL Veterans?

### Military Medal Web Site

The new, **Military Medal Website**, is a **First Step**. The Defense Department announced last week that they have launched a new post-9/11 medals website that lists the recipients of the top two valor medals that have been awarded since 2001--**10 Medals of Honor** and **68 service crosses**; with plans to add the names of **Silver Star** recipients. What DOD

needs to do now is to enhance and expand on what's currently posted by:

- Adding hyperlinks to medal citations so that readers can learn the heroism behind the award.
- Indicate by asterisk if the medal was presented posthumously.
- Include all valor awards, to include the Purple Heart and any medal that can have a combat "V" device attached, as well as specialty badges, such as the Combat Infantryman Badge, that can only be earned under hostile fire.
- And to begin adding those who were so recognized from previous wars and conflicts.

DOD for years was against creating such a site, but yielded after the Supreme Court overturned the Stolen Valor Act in late June. Visit the new website at <http://valor.defense.gov/>.

### Upgrade ???

An effort to notify nearly 77,000 Veterans discharged between September 11, 2001 and December 2003 has started. So far 17,000 letters have gone out. If you are, or know of a Veteran discharged during this time frame, who has a 30% disability rating or less, have them contact a VSO (Veterans service officer from a local Veterans Organization) or a County Veterans Representative to check their eligibility to address the Pentagon's Physical Disability Board of Review. The board was created to address inconsistencies in disability ratings awards by the individual services. Any Veteran who thinks they may have received an incorrect disability rating should apply. It's done on a first come first serve basis, and you **DO NOT NEED A LETTER**.

### Burn Pit

The Defense and Veterans Affairs Departments, are hoping to widen their understanding of war zone toxins, and ultimately help suffering troops. At least 1,000 Veterans have fallen ill with mysterious symptoms that they believe were caused by poisonous pollutants from open air burn pits, fires, and cleanup-operations in Iraq and Afghanistan. Closed door meetings were held for 3 days, in Washington D.C., in late August, to discuss and debate deployment related pollution. Although this is only the beginning, Burn Pit Legislation should be implemented ASAP so our Wounded Warriors can be treated quickly. Many of these Veterans' are complaining of Asthma, Chronic Obstructive Pulmonary Disease, Rashes, Joint Pain and Cancers. Let's not hesitate like we did on Agent

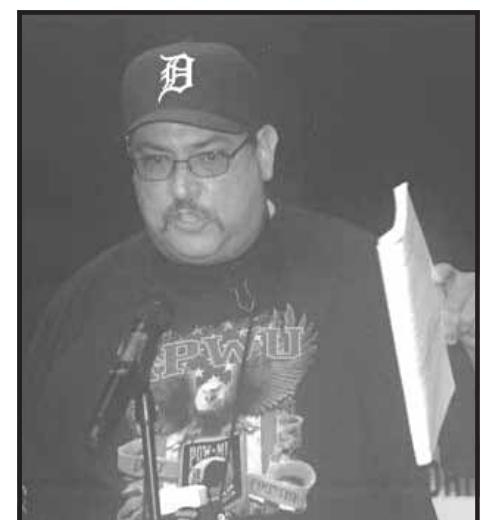
Orange. Contact your Representatives and ask them to get involved in this. And spread the word to as many Gulf War Iraq and Afghanistan Veterans as possible.

### Veterans' Day 2012

Please take a moment on Veterans' Day to hug a Veteran, and tell them "Thank You for your service to our Country and WELCOME HOME." And whatever your beliefs are, please keep them in your thoughts, and say a prayer for those who are presently in the military and are serving this country and keeping in place our freedoms. To my Veteran brothers and sisters I say; "WELCOME HOME AND THANK YOU FOR YOUR SERVICE TO OUR COUNTRY."

### Convention Comments

It took 3 conventions and a lot of; well you know what I mean. But we finally got our point across. While in L.A., I was a part of the Human Relations Committee. We had several meetings, and gave our opinions to the Convention Delegates on two matters. One we had to refer to the Legislative Department, while the other was reworded and reworked, to get it to be considered as a Concurrence vote. While on stage presenting this debated resolution, it was heartwarming and emotional for me to hear and see the Unanimous Concurrent Yes Vote for the VGRIS position (Veterans Guard and Reserve Information Specialist), especially when our own President Mr. Roscoe Woods Jr. stood at the mike and rallied all of us on the Convention Floor, and asked us all to pass this resolution. Several other speakers, from around the U. S., also addressed this resolution asking for full support. And yes, Downtown L.A. is something else, but I won't address that here. Thanks to all, for your support, and faith, in sending me as one of your delegates.



480-481 Area Local President Roscoe Woods speaking out for veterans.

# — Bring Jobs Home Act —

by Leo Persails

During the George W. Bush years when the Republican Party controlled the Congress, Senate, and Presidency, they changed a lot of laws with little publicity. One of those laws was a change in tax deductions for corporations that moved their company to foreign lands for cheap labor. Those large deductions made it appealing to corporations to move to China and other foreign countries. It also resulted in the loss of millions of American workers' jobs.

The law was obviously a mistake for America. Many of us know the economy of this country will never change until something is done to bring back American industry. Most of us knew it was a bad law for America. The fact that some of us knew at the time is one thing, the fact that **everybody should know by now is another!**

Democratic Senator Debbie Stabenow from Michigan authored a bill in the Senate to remove the deductions for those companies moving to foreign soil. The Bill also gives the deduction PLUS MORE incentives to those who **move their companies back to the U.S.** The Bill submitted to the Senate

was appropriately titled BRING JOBS HOME ACT.

It's hard to believe but the Republicans in the Senate blocked the Bill. They not only blocked it but they used the 41 Senators rule to **not even permit a vote** on this bill which is so important to our economy. The news media gave little or no attention to the Bill or the facts surrounding it. The results were a great injustice to the American Worker by the Republican Party and the news media.

Reprinted below is an exchange of letters between Senator Stabenow and me.

Dear Leo,  
Thank you for contacting me about the Bring Jobs Home Act. I appreciate you taking the time to contact me.

Michigan, like other states across the country, has been hit hard by outsourcing. Instead of exporting our jobs, we need to be exporting our products. It's outrageous that taxpayers are paying companies to send jobs abroad. That's why I authored the Bring Jobs Home Act, which ends tax breaks for companies that ship jobs overseas and cuts

taxes for businesses to bring jobs back to America.

Right now, the cost of moving personnel and components of a company to a new location is defined as a business expense that qualifies for a tax deduction. My bill would no longer allow this deduction for companies that move jobs and business activity outside of the United States. Companies bringing jobs home would still be able to claim the current moving expense deduction, and would also qualify for a tax credit equal to 20% of the cost associated with bringing jobs and business activity back to the United States. As you may know, the Senate voted on the Bring Jobs Home Act in July. Unfortunately, the minority used a procedural move to block an up-or-down vote on the bill. Please know that I will continue to work to get Congress to put politics aside, put American jobs first, and pass this bill.

Thank you again for contacting me. Please continue to keep me informed about issues of concern to you and your family.

Sincerely,  
Debbie Stabenow  
United States Senator

Senator Debbie Stabenow,

I am well aware of your efforts and have appreciated them since the Michigan Postal Workers worked so hard for you when you first defeated Chrysler. Those of us that are left after the Republican Postal management has devastated the Postal workforce will support you again. One of the things the majority of the public doesn't understand is that when the Republicans have a majority in the Congress and only 41 of the 100 Senators, they control ALL legislation. That is why the economy hasn't improved and the Senate bill to Bring Jobs Home Act couldn't even reach the floor for a vote.

The public just doesn't understand that a majority of the Senate is helpless if they can't get 60 senators to require a vote on the issue. They should have learned it in High School, but didn't. The Democrats really need to bring that to the surface now more than ever to define the last two years of NO legislation or economic help from the Republicans.

Keep up the good work for working middle class Americans.

Leo Persails Retired President,  
Michigan Postal Workers Union



by Thomas Lothamer,  
Area 7  
Director

The employees that I come into contact with at work all seem to be people oriented towards doing the best possible job that they can. Not only at the work that they perform but in the service that we try to provide to our patrons. Management tries to get us to take as many shortcuts as possible to make their numbers look good. Some bean counter with a title delegates the criteria and then managers attempt to stay within those boundaries. These numbers are never really achievable but we jump through all those hoops like a trained animal thinking that we are giving our best to preserve our job, even if it is at a loss to our pockets. I have on many occasions spoken to employees about giving a fair day's work for a fair day's pay but we are all wired a little differently. We all "allow" a little help from our co-workers, a little rural here, a little city carrier there – and of course let us not forget the postmaster who with regularity will violate the contract but we as a group try not to squawk too much for the ease of getting along or the hassle of retaliation.

The National Convention in Los Angeles in August was a productive convention but primarily political. We heard Richard Trumka from the AFL-CIO who I must

admit had me so fired up by the time he was done I was ready to grab a picket sign and protest anywhere. Wow, what a dynamic speaker. We also heard from Ed Schultz from MSNBC who not only motivated us but touched our hearts with his words.

The end result of what we walked away from was the critical nature of the November election. This election could change the face of the Nation as we know it. No matter what your political affiliation, to vote anything but for the Democrats this year will be a vote against your livelihood. Unlike your home office, your vote is private. No one has to know, there will be no retaliation against your job unless you vote for the Republicans, since their plan is to privatize your jobs, reduce your pay (if you keep it), and increase your health care costs.

We, your representatives have no problem being a voice for Obama and his plan for our Country. We walk around with targets on our backs all of the time even if like in my county the voters are 90% Republicans. No problem, we can take the heat. But if you don't want anyone to know we will keep your secret but just vote! Vote as if your life depends on it because in all reality it does. If you listen to nothing

else that we disseminate to you as your Union representatives, please listen to this, VOTE!

Those of us in small offices are already feeling the belt tightening but we are still

here and we still believe in our company.

We are pro-postal but if the Republicans win in November we will be a part of history in our Country that will never be the same again.

## Area 7 Director

# — Pro Postal —



## Area 10 Director

by Ron Brown,  
Area 10  
Director

To have or to have not, that is the question . . . No, this is not a quote from Shakespeare, it's management deciding if we should have to take a lunch or not. Now this has been decided in the past, and always won by the APWU, but **management thinks** (sorry for that oxymoron) that because of injuries, taking a lunch will resolve this issue. Now, it's not because management has been running the DBCS's with only one person or the fact that there is work with no bid holders and we are bounced from job to job and trying to do the work that we did bid on . . . Ohhhhhhh noooooo, it's because OSHA recommends it. OSHA recommended a lot of things, but lunches were not one of them. Adjusting the shelves on the pie racks was one, a better rotation on

# Are You Hungry?

the AFMSM was another, but management said nothing about those issues. LUNCH was the answer. So once again we go into battle with management and try to find a resolution. Hang on a minute while I get my flak jacket on. I have no doubt that this will end up in Chicago. If any other local is having this problem refer to case # 198C-4I-C 01064128 Arbitrator Fletcher & # 198C-4I-C 00155000 Arbitrator Kessler.

My name is Ron Brown and I am the new Area 10 Director for the 496 area. If you have any questions, Please feel free to contact me at 231-357-2618. My work hours are Tour 3, 4:00 – Midnight. If I don't answer just leave a message and I will get back to you. Solidarity, brothers and sisters.



by Al  
LaBrecque,  
Retiree's Chapter  
President

## Retiree Involvement

# Emancipation Day

"Winners never quit. Quitters never win." (Old sports axiom)

Wednesday, August 22, 2012 stands as the day of emancipation for all 36,891 APWU Retirees' Department members (1,300 in Michigan)! 10 years, 5 convention rejections, and on the 6th try; Resolution #26, by a two-thirds vote of the delegates, amended the APWU Constitution; Art. 3., Sec. 4(d) to read: "... \$36. per annum members of the APWU Retirees' Department shall be eligible to vote for the three (3) APWU General Officers; President, Executive Vice-President, and Secretary-Treasurer, and four (4) resident officers: Director and Assistant Director Legislative/Political Department, Director Human Relations Department, and Director APWU Health Plan, EXCLUDING all Local, State and national resident and Craft/Division officers not specifically listed herein, or in any matter pertaining to National Agreement ratification, LMOU's, or proposed work stoppage."

A lot of things had to happen as this resolution ran the gauntlet of scrutiny, beginning with the MPWU State Convention. It also took a lot of active and retired Sisters and Brothers who, in a variety of ways, made it happen. There was likewise a fair amount of prayer for wisdom to make our case. Frankly, I went to L.A. with low expectations for any of our retiree resolution initiatives. When I received the calls and e-mails from the Convention floor telling me Res.#26 had been adopted after some skillful parliamentary maneuvers to amend the "Resolve" directing it as an amendment to the APWU Constitution, I was stunned! The door to the APWU House had finally opened to ALL APWU retired members! I'm at once elated and profoundly grateful. Given this resolution's past history and that it actually survived a 2/3 delegate vote?! Priceless!

Of all previous Michigan authored retiree related provisions in the APWU Constitution; Res.#26 is #1 in significance, a notch above another Michigan resolution that took 3 Conventions to adopt: The right of retired members to elect our own Dept. Director. However, I'm mindful that with victory comes responsibility. First, let me reassure supporters and skeptics alike; retirees don't want to "run the Union," to be divisive, or unduly influence national officer elections. All we ever wanted with this basic right is to vote for those national officers who directly affect retiree membership. Union democracy and accountability. Res. #26 was indeed paramount to retiree inclusion in the Union that retirees helped build, and I'm a proud "Papa"!

A common thread in all the Convention feedback is that it was the most civil, smoothly chaired, delegate friendly perhaps in the history of the APWU. That refreshing atmosphere was increasingly evident during the 2-day pre-Convention Retirees' Department. Conference. Unprecedented since the 5 elected Retiree Delegates were brought into APWU HQ in '98 to develop Constitutional amendment resolutions, President Guffey sat down with the 5 elected Retiree Delegates, Bobby Donelson-Constitution Committee member, Regina Favors-Legislative Committee, and myself. We talked. Guffey listened. Guffey talked, and we definitely listened. It was a sincere two-way open, enlightening and productive exchange allowing us to freely discuss our initiatives.

Admittedly having been a harsh critic over previous leadership suppression of retiree initiatives; adoption of Res.#26 heals much of what divided us. So, Mea Culpa! My long-standing position to withhold personal contributions to COPA until and unless \$36 retired members were afforded the right to vote is gladly revoked! It's with a profound sense of satisfaction

that I finally can recant the mantra that retiree's only value to the APWU is as their COPA "cash cows." Retirees have already contributed over \$132,000 to COPA in 2012, and I'm proud to be kicking in and encourage all retiree members to give whatever they can afford. No amount is too small.

At the risk of unintentionally omitting someone, and the "Official Proceedings" (minutes when published) will verify everyone involved in the debate, sources advise the primary delegate movers who took to the mikes or engineered parliamentary procedure, were responsible for the adoption of Res. #26. First, it may not have survived had it not been for Brother Roscoe Woods (480-481 Local) making a Motion to Reconsider at our State Convention. Strong, eloquent speakers on the mikes were: MPWU Pres. John Marcotte, Curt Walker (Flint), Pat Comben (Farmington), David Yao (Seattle), John Richards (East. Region Retiree Delegate), Beth (Cramer) Bobo, (Southern Region Retiree Delegate), and "home run hitters"; Byron Denton (West Region Retiree Delegate), Bobby Donelson, and Chuck Sungaard (West Region Maintenance NBA). I'd estimate that State Chapter Sec.-Treas., Paul Browning, lobbied delegates from every State, Puerto Rico and Territories during pre-Convention activities. Others addressed numerous delegation caucuses. It was a concerted effort by many.

### The Conference

I flew into L.A. late Friday for the 2-day Conference, beginning at 9 a.m. Sat. & Sun. To briefly highlight, with details left to future columns, with over 100 retiree delegates in attendance, Saturday featured the usual lineup of speakers. After protocol opening agenda, Director Judy Beard gave an extensive, comprehensive report that included impressive Department revenue, expense, and balance totals verifying the Department is comfortably financially self-sustained. Judy was followed by Sharon Appel, OPM Rep. featuring a Q. & A. The p.m. session opened with a powerful welcoming address by Pres. Cliff Guffey who was followed with greetings from Exec. V.P. Greg Bell, and Sec.-Treas. Liz Powell. Legislative/Political Dept. Dir. Myke Reid outlined postal legislation to Save Our Service and APWU's involvement in the 2012 national elections. We then heard from Rich Fiesta, Alliance for Retired Americans, and Steve Regenstreif, Chair of Dem Seniors Council on how the senior vote matters to preserve Social Security & Medicare.

Ginney Collins outlined APWU retiree input for the Smithsonian Postal

Museum. APWU Health Plan's Rocky Midgett answered my inquiry that inasmuch as Medicare doesn't cover vaccinations for "shingles", does the APWU Plan offer coverage? Rocky advised (later confirmed by Plan Director Bill Kaczor) that beginning in 2013, the APWU Health Plan will cover vaccinations for shingles. That's critical for older people who had chickenpox as kids, and who carry the "bug" that often manifests itself later in life causing very painful conditions. Those vaccinations cost upwards of \$200-\$250 each. It Pays To Belong!

Sunday a.m. got down to serious business with Director Beard and the 5 elected Retiree Delegates leading debate on Department resolutions and agenda items. Our positions were determined going into Convention. There was a unity and consensus of purpose among retiree delegates beyond that of any previous Department Conferences. Refreshing! The Conference concluded with addresses from Auxiliary Pres. Doris Poland, ABA Director Mike Ganino, and Voluntary Benefits. Director Beard made several award presentations, including to our own (surprised) State Chapter Trustee, Charlie Kolhoff-Saginaw, for his many years of loyal service to his Union, Retirees' Dept., and seniors. Well deserved!

On the previous evening, the Retirees' Department hosted a reception with food and beverage to commemorate the department's 20th Anniversary and 77th Birthday of Social Security. Sister Beard blindsided us with presentations by Pres. Guffey of framed photos of the "original five" elected Retiree Delegates to; Byron Denton-Western, Wallace Baldwin-Southern, and myself-Central. Not present were the other two; Willie Sainato-Northeast, and Mack Walters-Eastern. We're pictured with then APWU Pres. Moe Biller and Department Director John R. Smith. Deeply nostalgic and thoughtful!

I predicted that this would be a defining Convention for retiree involvement, but it was in a far more positive way than anticipated. As State Chapter President, I'm energized and encouraged that we are not divided and welcome in the Union we helped build. As a result, I'm rethinking that this would be my last rodeo with Chicago being the 2014 National Convention site . . . God willing and health permitting. NOW, more than ever, retiree members stand in solidarity with the APWU at all levels, determined to . . . Be Strong!



Flint Local President Curt Walker speaking out for the retirees.



by Lynn  
Pallas-Barber,  
National  
Business Agent

Over all the years that I have attended national conventions the one in Los Angeles last month was the quietest and smoothest by far. The APWU Research and Education Department once again provided training at the pre-convention workshops. There were 21 workshops on a wide range of topics. I had the honor and privilege to teach an Article 12 excessing class with fellow NBAs Bob Bloomer and Pete Coradi. I hope the delegates took advantage of this tremendous opportunity.

On Saturday, August 18 the Clerk Division Conference was held. Excessing and the NTFT bid duty assignments were hot topics there. One of the resolutions we adopted calls on the national APWU to negotiate caps on NTFT positions in stations and branches based on office size. Another resolution asks APWU to seek restrictions on the reposting of duty assignments in a section to no more than once a year, unless agreed upon by the local.

On Sunday, Chicago's own Rep. Danny Davis addressed the delegates. He urged union members to fight back against those who would destroy the USPS and send the nation back to a time when workers had no rights. He, himself had been a postal employee in the Clerk Craft in Chicago. He stated that the future of the USPS is dependent on the election this fall.

President Guffey addressed the delegates on Monday with his first State of the Union address. He praised the members for their activism and involvement in the battles that we face in the political arena when it comes to survival of the USPS. President Guffey stressed also the importance of saving postal jobs because of the many opportunities for veterans. The best way to thank a veteran is to bring them home and provide jobs for them.

On Monday evening Rep. Maxine Waters of California addressed the sisters and brothers at the POWER caucus. She urged the attending delegates and guests to get involved in the election in November. She went on to provide her point of view of the Republican Romney- Ryan team. She concluded, "The only thing standing between them and this country being what it should be is you and I". It certainly was inspiring to hear her speak.

On Wednesday, the delegates unanimously voted to endorse President Barack Obama for his second term.

## NBA Report

# National Convention

This President stands on the side of workers where Mitt Romney threatens the very existence of the middle class and the labor movement. In Mitt's world the rich get richer, the poor get poorer and the middle class working people will be gone. The delegates got an opportunity to hear a recorded message from our President, Barack Obama.

On Wednesday, AFL-CIO President Richard Trumka addressed the delegates. His speech was very motivating and he stressed that dependable mail delivery is a core function of any national government. But somebody forgot to tell the Republicans. The Republicans have forgotten how the USPS is the glue that holds our nation and communities together. The USPS is the only company in this country that stops at every door in every community daily. He also stated that "that the single most effective long-term American economic stimulus is a union contract. Collective bargaining can and will set regional and national standards for good wages, good benefits and secure retirements."

One of the most important issues at this convention was the passing of

Resolution 1B. The delegates overwhelmingly approved this resolution which enables the Union to adjust our structure and reduce the number of national officers through attrition. This is the culmination of debate over many years of how to adjust our structure. Locals and State organizations have tried to identify specific positions in the past and that was always shot down. The 2010 National Convention instructed the National Executive Council (NEC) to come up with a plan. The NEC's resolution was tweaked by the National Presidents' Conference (NPC) and a compromise was reached. This resolution also addressed the practice of setting money aside for private-sector organizing. It keeps the current fund intact, but in the future the money will go into the general fund.

Another historic battle was finally laid to rest. The APWU retiree members will now get to vote for seven general officers. In addition to the Retirees Department Director they will now get to vote for the President, Vice-President, Secretary-Treasurer, Legislative Director and Assistant Director, Human Relations Director and Health Plan Director.

On Thursday Ed Schultz from MSNBC addressed the delegates. He is the best friend postal workers have in the media. As a television celebrity he has addressed our concerns and has been a champion in getting the real issues of our fight out to the public. He really got the delegates fired up with his inspiring speech.

On Thursday we also paid tribute to the Wounded Warriors Amputee softball Team. The warriors play exhibition games against able-bodied firefighters, police officers, soldiers and celebrities around to country to raise awareness of veteran's issues. The APWU has donated approximately \$30,000 for the Warriors with contributions. The best "Thank you" to these veterans is our fight for working people and our fight to maintain our jobs.

The convention was a great success. It is unfortunate that many of our members never get the opportunity to attend and to actually see that we do belong to the most democratic union in this country. The overall atmosphere was calm and relaxed and it appeared that the delegates enjoyed the feeling of being united on our cause!! SOLIDARITY is more important these days than ever before in our lifetime.



by Michael  
O'Hearn,  
National  
Business Agent

UBBM stands for Undeliverable Bulk Business Mail. This is mail that, as the name implies, cannot be delivered to the addressee. Maybe they have moved and this type of mail is not forwardable. Maybe it is a bad address. There are a number of reasons why a piece of bulk mail cannot be delivered. This mail is usually processed by a clerk to make sure that no first class mail is mixed in with this mail and there is no request by the customer for an address correction. Then, this mail is discarded.

There are a number of things in this mail that some employees believe have value to them, such as coupons, pens, pads of paper, sometimes coins like pennies, nickels, and dimes, and calendars, etc. I have seen quite a few cases where employees have lost their jobs for taking this mail and converting it to their own use. Although this mail may be in a trash receptacle, it is not free for the taking. This is still mail on

## NBA Report

# — UBBM —

postal premises. Taking it is considered stealing mail. If you are caught doing this, you can be fired.

Coupons seem to be the main problem here. Some employees can't resist a juicy coupon for \$10 off at J. C. Penney's, Wal-Mart, or Menard's. The problem is that many times these coupons have somebody's name and address on them. Cashing them at these stores will trigger the store's security department or fraud investigation unit to scrutinize your activities and report you to the Postal Service. Postal OIG agents then come after you with a vengeance. You end up being removed from your job! Don't risk your job for a measly ten bucks!!!

You may think it's okay because the Postmaster or Supervisor knows you do this and allows it. They will deny they knew about this and turn you over to the agents in a heartbeat. Your coworkers will be running for cover and denying any knowledge about this to protect themselves from a similar

fate. Claims that everybody does it will be hard to prove. Just leave this mail alone. Don't take it.

### November Elections

Elections are right around the corner. Although many others contributing to this publication will cover this subject, I feel I must address it, briefly. Recently, it was reported that 40% of APWU members vote Republican. Really! Have you not been listening? The Republicans are trying to do away with your job. They have a plank in their platform to privatize the Postal Service. They are against working people and working people's interests. So, when you hear your coworkers talk bad about Democrats or Barack Obama, please speak up and set the facts straight for them. Also, many of our members are not registered to vote. This is unbelievable given all that has happened since 2006. I beg of you to get politically active. Please register and vote for President Obama and Democratic candidates. The job you save maybe your own.



by Linda Turney, National Business Agent

When you read, you empower yourself. When you wrote, you empower others.

This week I am looking at signs from the Republican Convention that say: "I built it." This confuses me. Have you ever heard of a millionaire who has done it without anyone's help? The millionaire who gathered all his food, found his own teacher that he paid for out of his own pocket, or invented or created the internet, the millionaire who drove to work on roads that he paved alone, burning oil that he drilled and refined on his own, driving a car that he built with his own hands? Have you ever met that guy? I haven't met him either. It's the Union member who built those roads and drilled the oil and built the car; the middle class that we so desperately need to revive.

Selfishly proclaiming "I built this" without acknowledging the network of people and infrastructure that helps to make businesses possible and successful is ignorant. The first step to restoring

## Turney Talks

# Who Built It?

America's workplace is recognizing that we all need each other to make it happen, including the Government. That includes taxes set so everyone pays their fair share.



### Ann Romney

Ann Romney cast her husband's business record as a testament to his capacity to bring the nation back from tough times. However Mitt suffers a big deficit among female voters. He is 10% behind in the polls among women. Romney and Ryan envision an economy and society that does not help women. They try to destroy the best vehicle for the middle class - Unions. Republican Akin's comment that women's bodies can prevent pregnancies in cases of "legitimate

rape" is absurd and demeaning to women. This shows the deeper problem within the GOP. It is a party that claims to support women, but their policies assume women cannot make their own "legitimate" choices, and don't deserve equal pay or reasonable pay for their work.

Young women represent economic progressivism and are the key to this election. They are not beholden to the fundamentalists on the right. That is why President Obama continues to outpoll Romney. Young women who vote will change the economic outlook in the future.

### Double Dip Anyone?

Business does not lay off workers because of government; business lays off when there are no buyers. Business needs sales to encourage them to hire workers. Women are a HUGE part of the overall demand for goods and services. Women are also more than half of the electorate.

If Romney's plan were to be introduced now, then we'd likely experience a double-dip recession next year. Support for this view has been expressed by Congressional Budget Office (CBO) which argued in a report that the U.S. economy would slide into recession in fiscal 2013 if Congress fails to act to maintain current tax rates and avert deep cuts to federal spending. Those steps - more tax cuts and spending cuts - are part of the Romney-Ryan plan.

Romney and Ryan are obsessed with putting the squeeze on public spending, especially social welfare and education. Their plan means that workers get trapped in a low-skill, low-pay cycle of disadvantage. The increasingly part-time, no benefits, low skill labor market is reinforcing that pathology, particularly for women.

### War on Women

As strange as it sounds, the worst of these effects may well be thankfully nullified by the GOP's ongoing War on Women voters. I think Obama will do better as Romney's tax issues bring more revelations and the GOP War on Women becomes center stage.

Today's Union woman understands



that elections have consequences and we will come together to support the best interests for our children, our families and our workplace. We will support President Obama.

### ELM 434 Out of Schedule

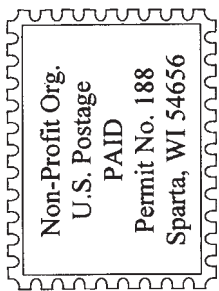
The ELM allows the Employer to temporarily change the hours on a weekly basis by giving advance notice not later than Wednesday before and paying them Out Of Schedule (OOS) premium to compensate workers for temporary changes to their schedule. There is no provision for making permanent schedule changes through the payment of OOS. Specifically the language in 434.6 states:

*If notice of a temporary change is given to an employee by Wednesday of the preceding service week, even if this change is revised later, the employee's time can be limited to the hours of the revised schedule, and out-of-schedule premium is paid for those hours worked outside of and instead of his or her regular schedule.*

OOS is dependent upon timely notification to the employee. The new JCIM on page 47 addresses Article 8.4.B. stating that:

*When timely notice is not given, a full time employee is entitled to work the employee's regularly scheduled hours or receive pay in lieu thereof. In such case the regular overtime rules apply to the hours worked outside of the employee's schedule, not the OOS premium rules.*

Therefore, we can argue additional hours worked as a result of schedule changes made without advance weekly notice are compensable as overtime hours.



Return to APWU/MPWU  
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**DEADLINE**  
The deadline for articles for the November-December issue of the Michigan Messenger is  
**November 9th**