

# Michigan

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## President's Report



by John  
Marcotte,  
President

# Self-Serving Logic

An article by former central region coordinator Leo Persails entitled "The Enemy Within" has been reprinted many times over the years in union publications. This article – written long before the implementation of reducing mail standards, gross plant consolidations, contracts with UPS and FED EX and reducing or eliminating rural post offices en mass – warned that the only way the USPS could be privatized or destroyed was from the inside. In hindsight Leo was 100% correct.

There was approximately 70 billion reasons for cooperate America to attempt to privatize the USPS. Each of them looks exactly like that one dollar bill in your pocket. It would take postal management supporting and proposing self-destructive actions to destroy the most trusted and efficient branch of the federal government. Within the last ten years the postal service has entered into disastrous partnerships with UPS and FED EX .losing billions in revenue, continued outdated and obsolete postal discounts giving billions in cooperate welfare to Pitney-Bowes, asked Congress to pass the Postal Accountability and Enforcement Act (PAEA) of 2006 mandating pre-funding of healthcare and now plans on slowing down the mail in an ever fast paced world losing billions in revenue. The enemy is not only within; it is shockingly close to winning its war on the Postal Service and its workers.

This article is not about the Postal Service wasting billions and billions of dollars on plans that will lower revenue and ensure a death spiral for our employer and our jobs. This article is about how power corrupts. The current postal leadership was not part of the Department of the Post Office. It did not have service to the American people ingrained in its work habits. These public servants disillusioned themselves to believe they were "a business" and the Postal Service needed to start acting like one and not the government service that the law clearly stated. They eyed the extraordinary salaries that Wall Street and cooperate executives were making and they wanted in. Hidden in the PAEA of 2006 was uncapping the salaries

and bonuses of postal executives. The result is current and retired postal executives now draw a larger pay package than the President of the United States and the USPS is teetering on insolvency.

Recently all of our elected nation of officers (Headquarters Officers, Regional Coordinators and NBA's) met in New Orleans for a council meeting. This is what was relayed to me by some of our bothers and sisters in attendance. During this meeting our National President

Director he did not work on legislative work but he continued to work in the same capacity as he did as a SAP. In his defense he did send out some token emails that were the resending of AFL-CIO legislative emails mostly. Our President did hire a full time "lobbyist" and two assistants he introduced to the National Presidents Conference to perform legislative work at the same time our Assistant Legislative Director was not. Once the resignation of the Assistant Legislative Director was announced and the position eliminated until

Convention that the union was not in dire financial shape and did not say the retirement system was unsustainable. I trust our Secretary -Treasurer.

Out in the trenches of union work we look members in the eye every day whose jobs have been eliminated. It is not easy but we do that job with integrity and fairness.

APWU Local and State organizations everywhere have had to change constitutions, combine positions and shrink the size of boards and committees to compensate for falling membership. We do it by having a plan, taking that plan to the board, revising the plan and finally taking it to the membership for final adjustments and approval; it's their union. If our union can only support a structure of a certain size that's just a fact and we need to decide what that new structure will be in total. Not by whatever becomes vacant and not by changing our union from the most democratic elected union to one of appointees and nepotism.

So under the guise of saving money our union eliminated an elected position which answers to the membership with appointed employees answerable to only the President. Our union ignored constitutional duties and had officers do what the President instructed. We are "saving money" by hiring two full time and two part time employees as well as keeping the ex Legislative Director on staff in DC. We are "saving money" by "eliminating positions" but then we "detail" people into positions and hire temporary (legislative staff) workers into full time union positions. Does this sound eerily familiar to anyone? Why didn't we just fill the needed legislative position with a member willing to aggressively perform the work and eliminate Maier's NBA position since he was in DC as a SAP? The same faulty logic that is destroying the post office has crept into our union. I just want to do it. The end justifies the means. This is counter to all the social justice and fair play unions stand for. We need to wake up and realize that destruction by the enemy within does not apply to management only. By adopting management's methods and practices we risk losing everything we have and everything we stand for.



Bringing our issues to Washington: Local Presidents Chris Ulmer (Detroit), Amy Puhalski (Grand Rapids), John Marcotte (State President), Jesus Gonzales (Lansing), Roscoe Woods (480-481), and Tracey Kolassa (480-481 Legislative Director) with Senator Debbie Stabenow.

announced that the Assistant Legislative Director had just resigned. Rather than fill the vacancy he wanted to eliminate the position from the upcoming election, which required council approval. There was no debate, a vote was taken, and the position eliminated from the ballot. The reason given by our President was to save money and not add anyone else to the national officers' retirement plan. Let's examine the facts.

Over a year ago our elected Assistant Legislative Director resigned and by Constitution our President had a limited time to fill the job. Our President chose a close personal friend to fill the position, Tom Maier. This same friend although elected to a NBA position was not performing NBA duties at the time he was appointed Assistant Legislative Director. He had been brought to DC long before as a special assistant to the president (SAP) while his NBA job sat vacant. After this SAP was appointed Assistant Legislative

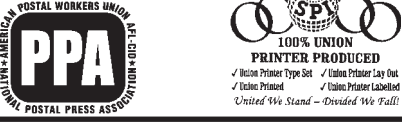
next national convention, the council was informed Brother Maier would stay on payroll in DC as a SAP once again.

We have been exposed to a constant barrage by APWU headquarters of mailings, emails, speeches and directives urging our members to be more legislatively involved because our very future is at stake. Our local and state organizations responded by doubling and tripling the time and money spent on legislative work. Even though this is a time of drastically falling membership and dues money due to consolidations and reversions. Who is going to care more about postal workers, one of our own or a hired lobbyist?

The national officers' retirement plan was the reason given for eliminating this position. If the retirement plan is too burdensome on the union the delegates at convention need to know that and the wisdom of the membership will solve the problem. Sister Powell informed the



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by James Stevenson,  
Area 2 Director

## Area 2 Director Initial Vacancies vs. Residual Vacancies

It is very important that union representatives understand the distinct contractual difference between (initial) first available vacancies – which retreat employees have a right to return to – and residual vacancies. Article 12.5.C.5.b.(6) gives excessed employees the right to retreat to the (first) vacancy in their former level. This language is extremely crucial and relevant as the word “first” and/or “initial” vacancy means that an employee’s retreat right serves as a bid for vacancies concurrently with employees in the former installation. A prior Memorandum on Article 12 illustrates this issue best when it stated in part “The excessed employee’s bid is being considered for the initial vacancy concurrently with employees in the former office.”

Article 12 goes on to state in part: “the retreat rights shall also serve as a bid to (residual) vacancies in other levels...” The distinction is relevant because residual vacancies are defined as “a duty assignment that remains vacant after the completion of the voluntary bidding process.” In actuality it is impossible to have “residual vacancies” in the same level and craft in which you have excessed employees who have requested retreat rights because their retreat rights serve as a bid during the voluntary bidding process. A position does not become residual until the excessed employee has been offered and declines their retreat rights.

Management may attempt to use a false excuse for not retreating excessed employees by stating that they must place all “unencumbered” employees prior to granting retreat rights. This is a false assertion as there is no contractual provision which allows management to deny retreat rights due to the existence of unencumbered employees. Article 37.4.C.3 defines the method of assigning unencumbered employees into “residual vacancies” not into “initial vacancies.”

The ramifications are severe in an impacted office because employees who may have been junior and converted to part-time to remain in the installation will now be able to obtain a full-time duty assignment over a senior employee who has exercised their retreat rights but have been improperly denied. Seniority should be the controlling factor and if the excessed employee has retreat rights they should be placed into the position as the senior bidder.

### Manipulation of the Bidding System

Union officials should be well aware of management’s ability to manipulate the bidding system as evidenced by what is being done in Detroit. Management in the Detroit Installation has been going into the bid system and manually removing the names of excessed employees from the award notices prior to the awards being posted to keep from returning the employees to their former installation. It

was a very elaborate scheme which the Detroit District Area Local is addressing. Here is how the scheme works. A vacancy notice is posted. The vacancy notice closes. Management receives the pre-awards from Shared Services in North Carolina which informs local services who was the senior bidder. Once local services in Detroit saw that excessed employees were awarded the position as the senior bidder management would send an e-mail to Shared Services in North Carolina instructing them to delete the excessed employees name from the award notice and write down that there was “No Successful Bidder.” Management would then say “Oh, no one bid on this job so now it is a residual vacancy.”

Because of the many retirements the bargaining unit is experiencing management is seizing upon this opportunity to improperly revert needed positions. A good method to track and identify the available positions is to request the official compliment of all duty assignments for each facility/station and for the Postal Service to include “all” positions including occupied positions as well as vacant positions. Often you will find that management has exceeded the 28 days in which to revert the positions. Also ask for the Form 50 of the last employee who occupied the position to determine the actual vacancy date if the vacancy report does not indicate a specific vacancy date.

I Remain Yours In Solidarity.



by Thomas Lothamer,  
Area 7 Director

## Area 7 Director — Leave —

vacation time for much of the area and it seemed like a good time to address your rights concerning annual leave.

Many of the Associate Offices in the 490-491 area already have Local Memorandums of Understanding

regarding this process and those who do not have a Local Memorandum of Understanding or (LMOU) for their office, there is a National agreement addressing those as well. This can be located at the following link [http://www.apwu.org/news/webart/2008/webart-0809-mal\\_mou-080128.pdf](http://www.apwu.org/news/webart/2008/webart-0809-mal_mou-080128.pdf).

The language in this agreement is good but if you already have a LMOU specific to your office, chances are it is written a little better with a broader scope of availability.

To begin with, if your postmaster denies you leave because they are going to take vacation the same week you want vacation then there is a violation. The article 10 language is for the craft employees only. We are sympathetic to management’s dilemma of wanting

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**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	

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## Editor's Report

# Post Office Novel



by Paul Felton, Editor

Reprinted below is an excerpt from my mystery novel, "Murder of a Post Office Manager." The book will be on sale for \$15 at the Educational Conference, with \$5 from every sale at the conference going to COPA. Otherwise you can order a copy through the website [hardballpress.com](http://hardballpress.com).

James Newton spent the last day of his life the way he spent every day – flexing his muscles as the man in charge of the midnight shift at the Plant. He was more than a boss at a large postal facility, he was the king of the midnight shift, also known as Tour One. His empire included three buildings, the Plant, the Building on Big Beaver (the BOBB) and the Stephenson Highway Operation (the SHO). Machines that sorted mail rapidly and efficiently filled these buildings. Machines that gave Newton the best production numbers in the state of Michigan.

Newton arrived shortly after midnight and sat back in his plush executive chair. A round of phone calls to his subordinates prepared him for his 1:00 meeting with Elliott Drummond.

Technically, Drummond was Newton's equal; they both had the title of MDO (Manager, Distribution Operations). But as the elderly Drummond made his way into Newton's office, dragging his left leg, the power relationship was clear.

"We're going to start a new sick leave policy," Newton told Drummond. "Three absences in 90 days and you get discipline. I'm sending a memo to all the supervisors."

Okay with me."

"Show me today's sick call list."

Drummond handed Newton the list. "Jim, you know who called in sick today? Paul Farley."

Farley was a steward whose confrontations with Newton were legendary. As was his temper. Farley mocked Newton in the union newspaper, calling him "Fig Newton" and distorting the facts in his libelous articles. The latest one was called "Fig Newton Must Go." Newton had been making his life hell ever since.

"Elliott, did you ever notice how ugly Farley is? I mean, with that ridiculous mustache, the unruly hair, the pasty complexion, the bald spot in back of his head? How can anyone stand to look at him?"

Drummond shrugged his shoulders. Newton continued, "But of course, it's the ugliness of his soul that's most important. We're going to step up the pressure on Farley when he comes back to work."

"We're already disrupting his union time," Drummond said. "What else do you plan to do?"

"Elliott, you don't want to know."

*After Newton denies a routine overtime grievance, and intimidates a worker who stopped for a moment to speak to a coworker, we learn that Newton is having an affair with a married supervisor, Stacey Kline, and they have a clandestine breakfast every Wednesday at the end of her shift . . .*

The Chef's Hat Diner, a 24 hour place on Rochester Road, had a private back room with a separate entrance. Stacey ate there every Wednesday. When Newton had suggested a weekly breakfast back in May, Stacey knew the perfect place. They had their routine. Stacey came in the front door and chatted briefly with Fred Stone, who ran the diner. Newton came in the back entrance five minutes later. The slight risk of being seen together just added to the excitement for Newton. But they were confident nobody knew of their arrangement.

Stacey entered the diner and waited for Fred to finish serving a couple of groggy, middle-aged men in business attire. He

spotted her and said, "Hi sweetie! What's up with you?"

"I think I'm getting a promotion soon. I expect it'll be some time next year."

"I'm sure you deserve it, honey."

Meanwhile, Newton parked his Cadillac in the Chef's Hat parking lot. He pressed the button for his remote car alarm. The car chirped twice. With a satisfied smile he turned toward the diner, his feet crunching on the gravel. Newton was almost to the door when he heard a loud crack and felt a sudden blaze of pain in the back of his head. He stumbled forward. Two more bullets struck him in the back. He felt no more pain and heard no more sounds as his lifeless body crumpled to the ground a few feet from the diner's door.

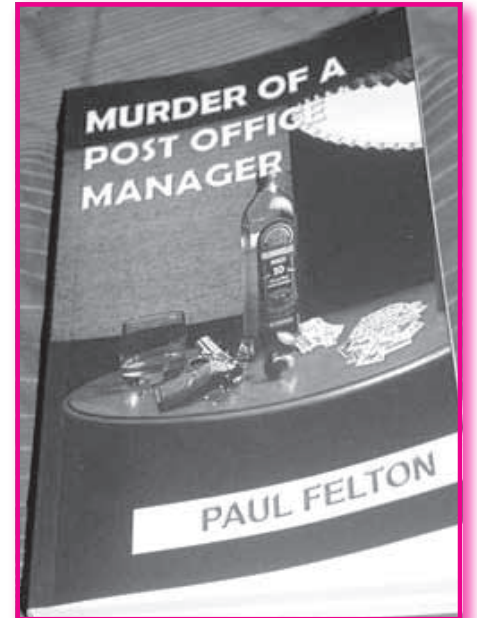
Hearing what sounded like shots, Stacey and Fred went out the back door together. She nearly fainted at the sight of blood flowing from Newton's head.

Fred helped her to a chair in the back room and called 911. Then he sat down with Stacey, in the chair Newton usually occupied.

"It must've been Farley," she muttered.

"What's that?"

"Paul Farley. He hates Jimmy, and he wasn't at work today. We've got to nail



his ass! Let me get his number from the Plant, I'll bet he's not home."

She called Farley's number, then asked Fred to do the same. Ten minutes later the police called the same number. "You've reached 881-1730. Please leave a message and I'll get back to you as soon as I can."

By 6:30 the police were gone. Stacey rested her head on the table and quietly sobbed. Fred was serving the breakfast crowd in the front. She was hardly aware of the dishes' clatter and the customers' chatter. Her mind was focused on a nightmarish image – Newton's lifeless body next to a red puddle. Her anger at Farley was pushed aside by an overwhelming sense of despair. Her mentor, her boss, her lover was gone. James Newton was dead.

## Leave

*continued from page 2*  
our vacation time however it is for them to work out with their people. What the Union cares about is you, the craft. We work pretty damn hard what with short staffing, unreasonable budgeted clerk hours for our offices, early outs, etc. etc. etc. There are only so many minutes in a day and the tensions of work and everyday life is only so much to be tolerated without the foresight of a break. It shouldn't matter if you go out of town on a trip or sit around your kitchen in your sweats. We all need a little break now and again.

Article 10.3.A regarding Choice Vacation Period states "It is agreed to establish a nationwide program for vacation planning for employees in the regular work force with emphasis upon the choice vacation period(s) or variations thereof."

Article 10.3.B states "Care shall be

exercised to assure that no employee is required to forfeit any part of such employee's annual leave."

Article 10.3.C states The parties agree that the duration of the choice vacation period(s) in all postal installations shall be determined pursuant to local implementation procedures."

So what all of this is saying is if you have leave you want to take then you should be able to take it with of course the big exception being Christmas and that is only the first three weeks proceeding Christmas. Everything else is negotiable. Do not buy into any excuses for denial because of staffing or "coverage." I am sorry but staffing and scheduling in accordance with our Collective Bargaining Agreement for an office falls on the shoulders of management. Although inconvenient at times as it may be for them to cover all that we do for a week or two it is still their problem to deal with and not

an excuse for denying you time off this year or any in the future.

So give a call with any questions or concerns and I will try to help.



A message for the PMG.



by Lynn  
Pallas-Barber,  
National  
Business Agent

On February 27, 2013 the APWU and the USPS signed a MOU which strengthens the Union's position in protecting PSEs in discipline. This MOU states that parties now recognize that removal is not the only mechanism available to correct deficient behavior when warranted. It further states that the full range of progressive discipline is not always required, however, the parties agree that an appropriate element of just cause is that discipline be corrective in nature, rather than punitive. The MOU further establishes PSEs will not be non-scheduled because of misconduct as a substitute for discipline. Just as in representing career employees the penalty should fit the crime. The argument of progressive discipline holds true especially in attendance cases.

Management is also taking a position in some places and with some PSEs that once they have reached their 360 day calendar period that they can be let go for lack of work and in some circumstances with no reasoning at all. That issue has been addressed in the June 28, 2011 Q&A.

20. How does management determine which PSE to terminate during their term when there is a lack of work?

**ANSWER:** Clerk and Maintenance craft PSEs will be terminated for lack of work based upon inverse craft standing on the roll in the installation. MVS Craft PSE's will be terminated for lack of work based on inverse occupational group standing on the roll in the installation.

21. When needed, how does management determine which PSE to bring back to work?

**ANSWER:** PSEs will be returned based upon their craft standing on the roll in the installation, or in the MVS Craft by their occupational group standing on the roll, for up to a one year period from their break in service.

The intent of the PSE positions is a foot in the door which may ultimately lead to a career position. The PSEs maintain seniority based on their craft standing on the roll in the installation. If management terminates a PSE after their 360 day period for lack of work and junior PSEs remain working in the installation or other PSEs are hired after the fact then the rights of that senior PSE have been violated.

Management is now also threatening Level 6 PSEs in smaller offices to accept assignments to the "management created" lower Level 4 PSE positions in Level 18 and above offices. Man-

## NBA Report

# PSE — What's New?

agement unilaterally created a Level 4 PSE position for Level 15 and 16 Post Offices.

On July 12, 2011 the APWU imitated a headquarters dispute, HQTC20110349, challenging this decision. This dispute also challenges the use of these PSEs to work the window in any PO with less than three (3) career employees who work the window. The argument that these Level 4 PSEs were hired to cover "new work" is part of this dispute as well. PSEs are to be hired at the same level as the career employees that would be utilized in that Level office. This dispute is still live and pending at national level.

So now management is forcing Level 6 PSEs to accept a \$2.26 per hour pay cut and be forced into a lower level job that in reality should be the same pay and level as they have been originally hired in the first place. How low can they go?? This improper reduction has to be grieved at the local level.

The current CBA also prohibits the

use of PMR's in Level 15, 16 and 18 post offices. As of March 8, 2013, 3,478 PMRs are still being improperly worked in these offices.

### ACCELERATED AMP CLOSINGS

The USPS now plans to amp-up its plan on the AMP closings that were slated for 2014. In our area these would include Carbondale and Centralia, IL and Saginaw, MI. As the Article 12 NBA I can report that management does not currently have enough jobs for the current impacted employees from Effingham and Quincy, IL and Gaylord, MI.

This once again challenges one of the last few negotiated rights that we are still trying to hang on to: the Article 12 fifty (50) mile radius. Management has violated just about everything else that was negotiated in this current CBA, so why not this? This will be more leverage that they will flaunt in front of Congress. We must keep the faith and stay politically vigilant!!

It becomes more and more important

that Congress do what it must to save the USPS. It becomes more and more important that Congress support the Postal Service Protection Act. These closures will affect negatively more communities and delay more mail than is now being delayed. The service sucks and continues to fall into a bottomless pit. Just recently I sent a piece of priority mail from Iron Mountain, MI to Dallas, TX. The USPS Track and Confirm System indicated that anticipated delivery was March 23, 2013. My piece of priority mail was not delivered until 5 days later. Good job USPS!!

Spring is finally in the air.

*"Leadership is an opportunity to serve. It is not a trumpet call to self-importance."* (A quote by Donald Walters)

*"I can be changed by what happens to me, but I refuse to be reduced by it."* (A quote by Maya Angelou)

And with those words of wisdom, I remain yours in Union Solidarity.



by Jason  
Rushing,  
Maintenance  
Craft Director

## Maintenance Craft Report

# PER, PAR, And Poor Attendance

Hello Brothers and Sisters,

As I write this, we are having a Flatsorter Machine installed in Detroit at the P&DC. Does this mean no more excessing? Who really knows for sure? We recently received 7 DBCS machines, great! Rumors or other equipment coming in, great! Thing is, you still need to be prepared for the future in any way you can. We just went through a giant Maintenance job posting; I hope all who put in for something were successful. We had quite a few that took the early out and that created this massive posting. For all of us left behind, who did not get a bid, promotion on this last posting, it means we have to have our paperwork in order for the next time. This could mean, making sure that you are on the Promotion Eligibility Registers that you would like to be on. To accomplish that you may have to request an update. If you would like a higher level job in maintenance and have taken the test and were ineligible, you should update. The update option is available every 120 days for all maintenance jobs in your facility or bid cluster that you have taken and did not get a score for. You cannot update something you have never tested for. The only time you can test for something new

is open season, every 3 years or when you are new to craft, within 30 days.

This brings us to another VERY IMPORTANT proactive move on your part as the employee - PAR selections. With the potential of even more movement by employees, it is extremely important to have your PAR's correct. Preferred Assignment Register selections are telling management where you would really like to be for NS days, Tour and possibly your work location. These are in the selection system by seniority and NEVER EXPIRE. So, if you put one in for Tour 1 with Tue/Wed 5 years ago, it is still good. The only thing that will knock out a PAR selection is being successful on receiving a higher PAR choice. Meaning, if your number 5 choice is awarded to you, you will never get your number 8 choice. On the converse, if you get your number 8 choice and your number 7 choice becomes vacant and you are the senior bidder, you will get it. So please make sure you have only the choices you really want. Most PAR fills are done in the background, residual fill, so you will never see a posting, you will only

see the award notice.

The last item I would like to touch on, again, is attendance. As most probably know, the Postal Service has been very vigorously attacking employees with attendance requirements. For most absences, it is possible to negotiate making it scheduled. If you're tardy, you could see if you're supervisor would allow you to make it up at lunch. They could allow you to make it up by staying later past your tour. If it was an accident on the freeway or inclement weather problems, supervisors can make exceptions, but you can't get any help from them if you don't ask. When you call into the system, it is an unscheduled absence. Almost no way around that. They could make it scheduled, but it is up to them. FMLA is a federal law that is beneficial to employees. Employees cannot be disciplined for an FMLA covered, approved absence. Problem is, you have to be pro-active on your FMLA also. They will not submit it for you and they will not have your doctor fill it out for you. If your doctor does not like filling out forms, find a new doctor or tell him or her what you need. YOU

*continued on page 5*



## Veteran's Report



by John Smeekens, Veterans Director

# Keeping You Up-to-Date

### Military.com

Military.com connects over 10 million members to all the benefits earned in service to America. They cut the red tape between you and your military and veterans benefits, by negotiating discounts and keeping you connected to friends and mentors from the service. They will help you make the most of your military experience. By going to their web site and signing up, you will get updated information on benefits and a whole lot of other information about our present day military and Veterans' issues out there that may affect you and your family. They have a thing called the Benefit Calculator. The Military.com Benefit Calculator is designed to quickly and easily connect you with your benefit information based on your military service and status. Get a list of Federal Benefits, State Benefits, National Guard State Benefits, Special Military Discounts and more by visiting Military.Com.

### Suicide Report

Last week, VA released its first report on veterans' suicide since 2010. The new report estimated that 22 veterans commit suicide each day – a 22% jump from 2010. Many Veterans' organizations were saddened by the VA's report on suicide. I hope this serves as a wake-up call for the nation on how we address military mental health through reduced stigma in both the military and the public, as well as leveraging more mentorship for veterans. It is unacceptable that our nation loses more heroes at home, than we lose on the battlefield.

### New Medal's Ranking

More veteran and military service organizations have joined together in opposing the placement of the new Distinguished Warfare Medal, which, if left unchanged, will rank it the ninth highest in the order of precedence – higher than the Bronze Star and the Purple Heart. The new medal, announced by Defense Secretary Leon Panetta on Feb. 13, would be awarded to drone pilots and cyber warriors who are having a significant impact, but who are not required to be physically present on the battlefield. Medals that can only be earned in direct combat must mean more than medals awarded with no direct contact. The Department of Defense has approved the new Distinguished Warfare Medal, which is designed to recognize servicemembers directly affecting combat operations *who may not even be on the same continent as the action.* (One example could be the work of an unmanned aerial vehicle operator who could be operating a system over Afghanistan while based in the

United States.) The new medal should not be awarded for acts of battlefield valor. Award criteria will be incorporated into the next revision of DOD Manual 1348.33-V3, Manual of Military Decorations and Awards, Volume 3. Ask your House Members to support H.R. 833, which addresses this issue.

### Homeless Veterans Percent Dropping

Recent data has shown that since 2009, the number of homeless Veterans has dropped 17%. This is the result of determined actions taken by the government and many non-profit organizations. Working together we can make a difference.

### New Bill Introduced

This week, House VA Committee Chairman Jeff Miller (R-FL) and Ranking Member Michael Michaud (D-ME) introduced the *Putting Veterans Funding First Act of 2013*. H.R. 813, which would require Congress to fund VA discretionary accounts a year ahead of schedule. Currently, Congress provides "Advanced Appropriations" for medical care accounts only. The bill would provide funding for the remainder of the budget up-front, making it easier for VA to plan for investments, claims processing and construction projects, and give Congress a greater level of oversight on funding requests from year to year.

### Scam Again

Veterans and their families are targets for some dishonest advisers who claim to offer free help with paperwork for pension claims. The scheme involves attorneys, financial planners, and insurance agents trying to get veterans to make decisions about their pensions, without giving them the whole truth. These unscrupulous brokers try to convince veterans to transfer their assets to a trust or to invest in insurance products. What they don't reveal is that these transactions could mean the loss of eligibility for Medicaid services or loss of access to their money for a long time. Adding insult to injury, the advisers are charging fees that range from hundreds to thousands of dollars for their services. Learn more: <http://www.consumer.ftc.gov/articles/0349-poaching-veterans-pensions>

### New Defense Secretary

The Senate has confirmed former Sen. Chuck Hagel, R-Neb., as the successor to Leon Panetta as Defense Secretary following a contentious battle between Senate Republicans and Democrats over the President's nomination. A Vietnam Veteran, Hagel becomes the 24th U.S. Secretary of Defense and the first former enlisted soldier to serve in combat to head the Pentagon. Hagel earned two Purple

Hearts during his time as an infantry squad leader in Vietnam. Senators from both sides of the aisle described him as a war hero. **WELCOME HOME BROTHER!!!**

### Goodbye Selective Service???

Two lawmakers are waging a little-noticed campaign to abolish the Selective Service System, the independent federal agency that manages draft registration. Reps. Peter DeFazio, D-Ore., and Rep. Mike Coffman, R-Colo., say the millions of dollars the agency spends each year preparing for the possibility of a military draft is a waste of money. They say the Pentagon has no interest in returning to conscription due to the success of the all-volunteer force.

The Selective Service has a budget of \$24 million and a full-time staff of 130. It maintains a database of about 17 million potential male draftees. In the event of a draft, the agency would mobilize as many as 11,000 volunteers to serve on local draft boards that would decide if exemptions or deferments to military service were warranted. The Selective Service is an "inexpensive insurance policy," said the agency's director. "We are the true backup for the true emergency." Men between the ages of 18 and 25 are required to register and can do so online or by mail. Those who fail to register with the Selective Service can be charged with a felony. The Justice Department hasn't prosecuted anyone for that offense since 1986. There can be other consequences, though. Failing to register can mean the loss of financial aid for college, being refused employment

with the federal government, and denied U.S. citizenship.

### Swartz Creek

For those of you in and around the Swartz Creek area, there is a special **FREE** class being offered for family members caring for a loved one with **Dementia** and/or **Memory Loss**. It will be held at the Swartz Creek Area Senior Center on Civic Drive in Swartz Creek. The class runs for six weeks on Mondays starting June 17 through July 22, 2013, from 9:30 AM to 11:30 AM. Please contact me and I will get the information out to you if you are interested in attending. **You Must Be Registered!!!**

### Memorial Day

Don't forget that Monday May 27, 2013 is Memorial Day. This is the day we set aside to honor and remember our Veterans who have made the Ultimate Sacrifice. Please take a moment to bow your head in honored respect for these heroes. They have kept this country free, and have given us the ultimate freedom to pursue the lifestyles and choices that we have chosen. I know it's the start of summer, with thoughts of your upcoming vacations, BBQ's, family reunions, graduations, baseball games, picnics, etc. But don't forget that these freedoms were all earned with blood, sweat, and tears. So make time, to take a minute with your family, with your friends, or by yourself, to bow your head in honored reverence and silence and say Thank You to those special Men & Women who have made the Ultimate Sacrifice for all of us. It will only take a minute. Have a great, happy, and safe Memorial Day.

## PER, PAR, And Poor Attendance

*continued from page 4*

are paying his or her salary, they work for you. You need to explain to them who you work for and why you need the

FMLA coverage. FMLA is your benefit by law, use it when you need to.

I thank you, the membership for allowing me to serve you!



by Joanna Atkinson, Area 5 Director

## Area 5 Director

### The Same Old Tricks

grievances going on this topic. I am asking the PTF clerks to please call me and start writing statements about these violations. There is also an arbitration award on the same issue. Check out the summary on [apwu.org](http://apwu.org). I don't know how much clearer the boundaries can be. But again, I need to know what is happening in your office. I can be reached at 989-295-5454. I have bid to windows now, so if you call me, please leave a message with your name, phone number and name of your office.





by Linda  
Turney,  
National  
Business Agent

## Turney Talks

# Turney At The Table

*When you read, you empower yourself.  
When you write, you influence others.*

### A Rose by Any Other Name

For many years, "Turney Talks" has been the name of this article. With much thought, a change is now in order. I spend more time at the negotiating table and even more time at the Arbitration Table than ever before. Therefore, "Turney at the Table" seems more appropriate.

### Article 8.2.C Consecutive Days

C. The employee's normal work week is five (5) service days, each consisting of eight (8) hours, within ten (10) consecutive hours, except as provided in Section 1 of this Article. As far as practicable the five days shall be consecutive days within the service week."

As with any contract violation the Union bears the burden of proof. Once the Union can show by evidence in the record that the Union has met its *prima facie* case, the burden then shifts to management to show they would be compromised by such requirements. Arbitrator Marlett established that Consecutive Days for postal employees is an important contractual right. Split nonscheduled days are disruptive to family life and personal business. Arbitrator Marlett also recognized the needs in some Post Offices who have few employees that split nonscheduled (NS) days are the only way to provide service to customers. Arbitrator Marlett established that the Postal Service must show why the continuance or establishment of consecutive nonscheduled days is not "feasible" or "practicable" with regard to scheduling.

In arguing consecutive days off, the Union should request information concerning the employee's scheduled work week that does **not** consist of 5 consecutive days. We should also show that it would be possible to reschedule job assignments to enable employees to work that provides for 5 consecutive work days. To prove our case the grievance file should contain alternative work schedules, statistics and data including mail volume, overtime reports, and reports showing failed or delayed service standards as a result of consecutive days off. Try to use weeks that do not include holidays. Show their scheduling plan and then show our scheduling plan. As a remedy, ask for out of schedule (OOS) pay and for the duty assignment to be posted with consecutive days.

### Representing the PSE

One of our new struggles is to accept and represent our PSEs. In small offices we have PSEs working alongside level 6 clerks. Management has seen fit to pay

them at level 4 pay rate. As Unionists, we should be outraged that they are paying them at that rate. If you look at the March 13, 2013 hourly rate level 6 pay is \$14.89 and the level 4 pay is 12.63; this is a difference of \$2.26 which is significant. Our argument can be made by showing them the Positions Description; the Operational Requirements for PSE Post Office Clerk Level 4 show the position is to be used in level 15 and 16 offices only.

Let's take a moment and file grievances for our PSEs. It is the beginning of the new Union. It is our responsibility to show PSEs the good in Union.

### PSEs wear a CAP

In Level 22 and above offices, PSEs in Retail/customer service (Function 4) who work the window are not allowed to exceed **10%** of the career retail clerks in that installation whose duties include working the window. The rounding-up rule of .5 and above applies. Violations of the installation window caps must be investigated and enforced locally.

In level 21 and below offices, PSEs in retail customer services (function 4) who work the window are not allowed to exceed **20%** of the Career Retail clerks in that installation whose duties include working the window. The rounding up rule of .5 and above applies. Violations of the installation-window caps must be investigated and enforced locally or by either the state or local organization.

Please file these grievances and report to your NBAs which offices you are working on for these grievances. You can find more information on offices in your area with violations at APWU.ORG or call us for further information. APWU Must Enforce Limits on the Use of PSEs.

In the recent APWU Voluntary Early Retirement Incentive (VER) there was an exception to the PSE Caps. Under certain circumstances, the USPS can replace retirees who accepted the VER with PSEs for a period not to exceed 90 days from the voluntary separation. The exception is that these PSEs will not count toward the PSE cap. District Caps are watched and applied at APWU Headquarters in Washington DC.

(See #4 of the One-time VER incentive)

Recently at an educational seminar, I heard a story about USPS career employees treating PSE's badly. I would like to take a moment to remind you we are all workers. As difficult as it is in these changing times, we must treat PSE's as Union members or potential members. We must teach them about the Labor Movement and be a mentor to a PSE. Being a mentor and a friend will increase loyalty to our organization and it should give you the satisfaction of being a good friend. It will have a long term impact on Unionism that will create a deeper respect for the rights of working class people.

### PSEs get a second orientation

What a great opportunity to sign up a PSE and make a friend for life. When PSEs qualify for health benefits, we get an opportunity to give them a second orientation. Take advantage of the second orientation. You can influence the next generation of Union Leaders.

I look forward to seeing you at the April seminar.



by Michael A.  
Long,  
Executive  
Secretary

## Executive Secretary's Report

# Savings . . . They Start At Home

Very recently, my daughter's computer had some issues and needed to be sent in for repair. Not a problem, like most other companies, I asked them to send me a Shipping Label for the Post Office. I would package it up and send it on it merry way. Unfortunately, I was informed that the maker of this computer (starts with an "A" and ends in an "R"), does not provide Shipping Labels. Not a problem I thought, I would go on-line and get a cost, take it to the Post Office and send it in. Wrong! I get this e-Mail from the company, and the first line in the "Product Shipping Instructions" state (capitalized mind you): "USE A TRACKABLE CARRIER ONLY, such as Fedex, DHL, UPS, Purolator; WE HIGHLY DISCOURAGE THE USE OF THE POSTAL SERVICE." Huh? They don't want to use us? I don't think so. So I go onto the Postal Service website to find shipping costs; not going to let them discourage me from using my own company. This is where the "fun" starts...

Unbeknownst to me, we offer different pricing for people. We offer

an "Online Price" and a "Post Office Price." The savings between the two can be HUGE. In this case, the item is a little over 7½ pounds. The cost if I take it to the Post Office: Express: \$64.30; Priority: \$21.45. However, if I want to print the label at my home, pay for it on-line, and then have the Postal Service come spend their gas and pick it up from my house: Express: \$43.04 (savings of \$21.26); Priority: \$18.41 (savings of \$3.03). Come again? I can do it on-line, and have them pick it up and save 21 bucks, or I can spend my own gas, time, and wear and tear on my vehicle, not to mention waiting in the line, and spend more? Where has any incentive gone to come in and use your neighborhood Post Office? We keep being told we are in debt, and losing money every day; however, we can afford to give these steep discounts? Something just doesn't add up.

By the way . . . What did I do? I took the cost savings, printed out the label, took the package to the Post Office, had them scan it and put a PVI on it (to give them credit as well). I am not

stupid, a buck is a buck and I strongly believe in using our own; however, this is just ludicrous. If they want to provide some savings, go ahead and do it; but that much? Come on now.

While I am on the soap box for savings, it has been some time since I have addressed all the discounts and savings that are available to our membership for being an APWU member. With the new PSEs that have been recently hired into the Postal Service and have joined our union, it is time to reiterate this...

1. Your own Postal ID works at a LOT of hotels for Government Discounted Rates. If you book on-line, call, or book at the hotel; ask if they have a government discounted rate. You might be surprised . . . they usually do (for the most part, all the major hotel chains offer one).
2. Postal Deals. Go the **Liteblue.usps.gov**, go to the lower left hand corner and see the link/picture for Employee Deals. You will find discounts on Cell Phones; College

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by Al LaBrecque, Retiree's Chapter President

## Retiree Involvement

# — We Are One —

"We Are One!" APWU Pres. Cliff Guffey (2012 National Convention remarking on retirees obtaining the right to vote).

WE'RE EXCITED - YOU'RE INVITED! Carrying the "We Are One" theme forward to the MPWU Education Convention; the State Retiree Chapter class agenda has something for everyone, active and retired. THURSDAY, April 25th: Following the opening morning General Session; the afternoon class features Joe Gordon presenting a Retirement PowerPoint and "Local Officers Training for New Retirees".

HOSPITALITY 7:00 p.m.-12M - "COPA Pizza Night" sponsored by the State Retiree Chapter. (Luigi's famous pizza, salad, breadsticks and condiments).

FRIDAY, April 26th, 9:30 a.m.-Noon. Richard Long, President, Michigan Alliance for Retired Americans. Afternoon session, Brad Vauter, Attorney, Elder Law of Michigan, Inc.-"Legal Hotline for Michigan Seniors".

SATURDAY, April 27th: 10:00 a.m. General Session featuring 5th District U.S. Congressman, Dan Kildee (D), followed by a breakout session featuring APWU Retirees' Dept. Director, Judy Beard. Afternoon session with a TSP representative presenting "Managing Your Thrift Savings Account".

All retiree agenda classes in the Taft Room; Flint Holiday Inn Gateway Centre. Area retiree members are cordially invited to participate in classes and hospitality at no cost to you.

WHERE ARE THEY? Help! We need your assistance in locating retired members' correct mailing addresses so they continue to receive their APWU "Postal Worker" magazine, their all-important 2013 national officer election ballots, and Union mailings: Coleen Crossen (Flint). Velta Brandon (Flint). Anne E. Shepherd (?). Thomas McCorkle (?). Minnie L. Bryson-Meaux (?). David R. Pickens (Flint). Missing members may have moved without notifying the Dept., reside elsewhere part of the year (snowbirds), or in some cases are deceased. Please notify Al LaBrecque; 3550 Wilson St.; Spruce, MI 48762, 989-736-8173, e-mail [allab@sisna.com](mailto:allab@sisna.com)

2013 NATIONAL OFFICER ELECTIONS - In a historic first-ever APWU election for national officers, an estimated 40,000 Retirees' Dept. members will receive a ballot to elect; APWU President, Executive Vice-President, and Secretary-Treasurer. And, four department officers; Director and Asst. Director Legislative Political Dept., Director Human Relations Department, and Director APWU Health Plan. In addition; retiree members will be voting for APWU Retirees' Dept. Director, and National Retiree Delegate in each Region to the 2014 National Convention in Chicago.

Ballots will be mailed the week of September 10-13, 2013. This right to vote for our APWU national leadership is the result of a 10-year, often contentious quest over 5 national conventions, finally accomplished by resolution at the 2012 L.A. National Convention. It is with particular pride and satisfaction that Res. #26 was authored and submitted by Michigan State! With this hard-won retiree member right to vote. We truly "Are One!"

MICHIGAN TAXATION - 'Thanks'

to the GOP Legislature and the nerying-sack Gov. Snyder; postal/federal annuities are no longer exempt from Michigan state income taxes! (Source: NARFE) Taxpayers born before 1946, all pension/annuity income is exempt. Taxpayers born in 1946-1952 (Baby Boomers!) before taxpayer reaches age 67, pension/annuities are exempt only up to \$20,000. (single) or \$40,000. (married filing jointly) and no deduction allowed for interest, dividends or capital gains. After reaching age 67, taxpayers born in 1946-1952 will be allowed a \$20,000. (single) or \$40,000. (MFJ) subtraction against all income, but ineligible for this income subtraction if claiming a military, pension exclusion. Taxpayers born in 1953 or later, Social Security and military pensions are exempt, but there's no pension/annuity exemption or interest, dividends and capital gains exemptions before an individual reaches age 67. Once 67, these taxpayers may elect to either exempt up to \$20,000. (single) or \$40,000. (MFJ) without any exemption for S.S., or military retirement and no personal exemptions, or they may elect to exempt

S.S., military and claim personal exemptions. (Excerpted from NARFE, April, 2013).

Comment: Sounds like a tax preparation nightmare to me! It's estimated that 20% of our MPWU/APWU members voted for the Republican majority to the Michigan Legislature and Gov. Dick Snyder. Remember that when filing your 2012 Michigan state income taxes and when voting in the 2014 elections!

CONDOLENCES - To favorite son, retired Central Region Coordinator (past MPWU State Pres. & MI-IL NBA), Brother Leo Persails and the Persails Family on the passing of Leo's brother, Bill Persails. The 'Brothers Persails' travelled parallel life paths; Leo with the APWU, and Bill the UAW. Bill Persails (retired) was the former Vice-President of Flint UAW Local #598 (the "Sitdown Strike Local") and Shop Committee Chairman, the highest office in UAW Locals. "Eternal rest grant unto Bill O' Lord, and let Perpetual Light shine upon him. Amen."

Be Strong!

## Savings . . . They Start At Home

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Tuition; Computers, etc. Almost every contract cell phone provider offers some type of discount.

3. UnionPlus. Go to **Unionplus.org** to find deals on a LOT. From Travel and Entertainment, things for your home, moving help, Insurance, Automobile purchasing, etc. The list is extensive.

4. Your own local may also have discounts in your local area with merchants. It doesn't hurt to ask and see.

### Upcoming Educational Assembly

It is difficult to get used to calling it an Assembly, but that is what the delegates voted to call it at the last convention. However, whatever the name, the goal is the same . . . to educate our membership how to enforce the contract and/or to improve the lives of our members. Using the language in the contract, and that which was won during Arbitration(s) and agreements that were reached with management, we must arm ourselves with the knowledge to protect the rights of our membership, and the union as a whole. Make no delusions Brothers and Sisters, we are under attack; not only by management,

but from Congress and the perception of the American Public as a whole. If you haven't already done so, be sure to make arrangements to be at this training.

I hope each of you have a great Spring. Get out of the house and enjoy the seasons that Michigan has to offer. If I can be of any help, please feel free to contact me.



by Michael O'Hearn, National Business Agent

## NBA Report

# Overtime

when the first contract was being negotiated, the problem was that our members were being worked to death. They were being worked over 12 hours a day. Many times they were being worked every day of the week. They want a life outside the Post Office with their families and friends. So, provisions like restrictions on how much overtime you can work in Article 8 Section 5F were written to limit the amount of time management can work you. Additionally, the concept of penalty overtime for working members beyond the restrictions in Art. 8.5 F was not written to get you extra money, but to punish management monetarily for working you too much. The whole provision of an overtime desired list was not

continued on page 8





by *Steve Wood,*  
*Clerk Craft*  
*Director*

I hope that while reading this article you and your family are safe, happy, and living the American dream. This is different from how I usually begin my article. On March 8, 2013, it was my honor to attend the dedication of the Clinton-Macomb Carrier Annex. I along with 480-481 Area Local President Roscoe Woods and Michigan Postal Workers Union Veteran Director John Smeekens attended the ceremony.

H.R. 5738, introduced by Congresswoman Candice Miller, renamed the Macomb Township Carrier Annex, which is part of the Mount Clemens Post Office, after a true American hero. The name of this office will forever be known as the Lance Corporal Anthony A. Dilisio Clinton-Macomb Carrier Annex. The bill was passed unanimously.

Born April 26, 1990, Anthony was raised in Macomb Township. Anthony attended Dakota High School where he

## — Honoring A Hero —

was on the swim team, as well as the baseball team. After graduation in 2008, Anthony enlisted in the United States Marine Corps. He was assigned to the 1<sup>st</sup> Battalion, 6<sup>th</sup> Regiment, 2<sup>nd</sup> Marine Division, 2<sup>nd</sup> Marine Expeditionary Force based at Camp Lejeune, North Carolina. Shortly after his enlistment, Anthony shipped out to Afghanistan for combat operations in the Helmand Province in support of Operation Enduring Freedom. Anthony wanted to make a difference. He wanted to be a Marine, a Police Officer, or a Firefighter. On May 30, 2010, Lance Cpl Dilisio was killed during combat operations. Anthony volunteered to go out on patrol on his day off just one month before he was to return home.

I quote from the Congressional Record, Congresswoman Miller: “Anthony, Mr. Speaker, was loved by his family: his father, Lorenzo; his stepmother, Tina; his mother Tamra, who sadly just recently preceded him in death, Anthony’s brothers, Dino, Angelo, and Joe; his sisters, Lisa and Marie. We also honor them for sharing this person whom they loved so much with all of us. We cannot remove their sorrow for the loss of Anthony, but we can show them that the entire nation honors his service and his sacrifice.” The honorable Ms. Miller went on to say “The

motto of the United States Marines Corps is Semper Fedelis – always faithful. Faithful to their duty, faithful to the cause of freedom and liberty, and faithful to this great nation.”

As I stood quietly during the dedication ceremony I could not help but think back to my fellow servicemembers, comrades at arm who have left us in service of this nation. I also thought back to October 2004 when our Local’s own Gold Star mother Angie Barbaret lost her son Mark while serving in Iraq. My heart goes out to these families, and no words can express our gratitude to them for sharing their loved ones with us. Few of us have not been touched by the wars in Iraq and Afghanistan. I personally have a nephew serving in Afghanistan, and my stepson Todd serving in Bahrain. I express my gratitude to his mother, APWU member Lori Schulwitz, and his father NALC member Wayne Schulwitz.

As a side note the Local was notified by the APWU woman’s auxiliary has sent out a request to assist the Wounded Warrior Amputee Softball Team. These young people are all wounded veterans who travel the country getting out the message that you can do anything. Nothing can keep these kids down. They have lost arms, and legs but continue to kick butt. They do this without a budget, only what is donated to them by people like you and me. If anyone would like to donate to their cause please call our Local office in Ferndale (248-543-3262) and we will let you know how to donate. They also have a page on Facebook if you would like to check them out.

As always I remain yours in solidarity. Until next month, Semper Fi.

*Editor’s note:* Steve also submitted a clerk craft article about PSE issues but it was omitted for space reasons and because the subject matter is covered in other articles.

## Overtime

*continued from page 7*

written with the idea of getting opportunities for overtime for those on the list, but to protect those who do not want to work overtime.

If you carefully read Article 8, you will notice that most of the sections on overtime are designed to limit overtime and guard those who do not want overtime. If you don’t believe it, read the MOU on overtime on page 318 of our contract. Both management and OUR UNION agree to this MOU. It states right up front that “Recognizing that excessive use of overtime is inconsistent with the best interests of postal employees and the Postal Service, it is the intent of the parties in adopting changes to Article 8 to limit overtime, to avoid excessive mandatory overtime, and to protect the interests of employees who do not wish to work overtime...” Therefore, you can see that Article 8 really is about limiting overtime.

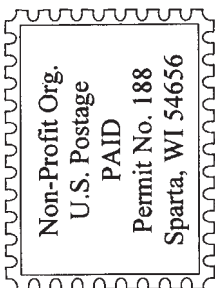
### PSE’s and Overtime

The new contract in Article 8 Section 4. G. states “When an opportunity exists for overtime for qualified

and available full-time employees, doing similar work in the work location where the employees regularly work, prior to utilizing a PSE in excess of eight (8) work hours in a service day, such qualified and available full-time employees on the appropriate Overtime Desired List will be selected to perform such work in order of their seniority on a rotating basis.” This mirrors the language in the old contract for Transitional Employees (TE’s). There is language in the old contract that dealt with overtime and casuals. In the old contract Article 8 Section 5 H, it states “Full-time employees on the Overtime Desired List shall be given priority scheduling for overtime work prior to casual employees doing overtime work.” Both the casuals and the PSE’s only earn overtime rate pay after they work 40 hours in a week. Therefore, the casuals could work 10, 11, or 11½ hours in a day without entering into overtime status. This would anger our members on the Overtime Desired List (OTDL). Our national representatives negotiated the language for the PSE’s to avoid this problem. Thus, if the PSE works in excess of 8 hours, then employees on the OTDL should be used first even though the PSE are not in overtime status.

## DEADLINE

The deadline for articles for  
the May-June issue of the  
*Michigan Messenger* is  
May 17



Return to APWU/MPWU  
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