

# Michigan

## MESSENGER

APWU

Volume 44, Number 179  
July-August, 2015

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 Message



by Jesus M. Gonzales,  
President



# Happy Birthday!



Happy Birthday to the US Postal Service. 240 years of binding the world together, the USPS still plays an important role, providing this essential and much needed communication tool to the world by any/all forms of communication and commerce right here in the US. As the USPS ventures into the world of e-commerce, a plethora of opportunities await our ever changing work environment. Yet the fight continues to fend off the continued demise of the USPS infrastructure right here in Michigan.

The fight still lies in the hands of our

US Congressional Leaders to put forth legislation that halts the continued consolidations of the Kingsford and Lansing Plants. With some luck, the US House appropriations bills could undo some of what has been done to the Kalamazoo Mail Processing Center, with hopes to reopen Saginaw, Flint, and Gaylord.

These Mail Processing Plants are the lifeline to moving the mail throughout our infrastructure as quickly as possible. Rather than changing our process model in-house, it was a brainless idea to just close these plants under an Area Mail

Processing study (AMP) and deal with the backlash later, all in the name of savings.

More savings could have been realized had most changes been discussed internally, without disrupting this massive infrastructure, i.e. consolidated sort programs, changes in network transportation that meet demand, and seeking input from the workforce to adapt to these changes. Power is in the people we have, along with the institutional knowledge to get the job done.

We are the USPS, and with all of you we will remain relevant. As we embrace this historic milestone in Postal History, I ask that you contact your US Congressional Representative and ask him/her to renew their Proclamation to the people of the United States, to save the Service which we provide to every household right here in the United States of America.

“Our United States Postal Service, Yesterday, Today, and Forever”.

Yours in Solidarity.

## Legislative Report

# Legislative Update



by Roscoe Woods,  
Legislative Director

Interesting news in the Senate, North Dakota Democratic Senator Heidi Heitkamp introduced the Rural Postal Act of 2015. The intent of the legislation is to respond to her constituents' concerns over the reductions in delivery standards which to no one's surprise have resulted in unprecedented delays in delivery in not only our urban areas but our rural areas as well.

This legislation was quickly co-sponsored by our very own labor friendly junior Senator Gary Peters. Senator Peters was quoted as saying about this legislation and its efforts – “People across Michigan and the nation rely on the Postal Service to provide timely home delivery, from elderly Americans who depend on Social Security checks and prescription drugs to small businesses that need time-sensitive documents,” Peters said in a statement. “I’m proud to support this effort to protect the six-day delivery schedule and prevent the closure of rural postal facilities so that every community in Michigan has access to reliable postal services.”

Sen. John Tester (D-MT), Sen. Claire

McCaskill (D-MO) also are signed on.

What this means for the USPS still remains to be seen, I have lost count of the number of positive proactive postal bills that have been introduced in this GOP controlled Congress only to die in committee because House leadership refuses to bring them forward for a vote. When the Dems had Senate control bills would pass only to die in the House.

The intention of the legislation is what we want, it would reinstate previous overnight delivery standards, protect plants from closing for up to two years as well as ensuring we maintain six day delivery. APWU National Legislative Director John Marcotte had this to say about this legislation, “I would like to thank Sens. Heitkamp, Tester, McCaskill and Peters for championing several of APWU’s legislative priorities. While S. 1742 does not solve all the issues that are critical to restoring a vibrant Postal Service, issues important to rural America are important to postal workers.” I echo Director Marcotte’s sentiment and thanks but I do not hold out much hope this bill will ever get a full up or down vote in both houses of our Congress.

In an article on this issue published in

the July 20th, 2015 edition of the Detroit News MPWU President Jesus Gonzales said “I hope it gets Congress to take a close look at what the Postal Service does and how the economy benefits from it. It’s not just jobs, but there’s a whole domino effect to these closures and consolidations.

President Gonzales nails it and he is right that this is not just about jobs, it is about preserving a centuries old service that the American people rely upon, at least, six days a week.

I thank President Gonzales and Director Marcotte for their leadership on this issue and this Saturday (July 25th, 2015) I will be at a Lapeer Dems Picnic and I will have a chance to see Senator Gary Peters in person. It will give me great pleasure as always to thank him for his hard work and his commitment to not only the APWU, but the millions of customers we service on a daily basis.

As of this date, H. Res 54 which is nearing 200 co-sponsors in the House has been signed off on by all the Democrats in Michigan’s Congressional Delegation and as usual, it lacks any MI GOP support. Of all our GOP Reps, why Benishek, Miller and others who have such

large rural constituencies are not pushing this bill is a mystery, they have to be getting pushback from those who elected them. Perhaps it’s a good thing Candice Miller is retiring and former MI Dem Party Chair Lon Johnson has announced early he is going after Benishek’s seat in Michigan’s 1st District.

While we are not endorsing any candidate for any office at this time I do want to remind our members in Benishek’s District while he has done literally nothing to support postal workers who, given our wages and benefits are a boon to a struggling MI economy, as Chair of the Democratic Party here in Michigan Lon Johnson was instrumental in making Michigan one of the only states to incorporate support of our struggle against privatization (Staples) into its overall platform in the 2012 elections.

Stay tuned as it seems this the race for 2016 has started earlier than usual this cycle.

I note - Quotes for this article were pulled from the Detroit News online as well as APWU on line.

In Solidarity.



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## Area 4 Director

# Want An Assigned Parking Space?

by Angelynn Gebstadt, Area 4 Director

In Area 4 – the 484 zip code – most of the offices covered by the State Union have no Local Memorandum of Understanding and fall under the LMOU Offices without a Union Structure memo. While you may be scratching you head as to what that is – I sent each office a copy last year – among other things it deals with how your office handles prime time vacations. If you have misplaced it or would like another copy – contact me or put it into the search at **WWW.APWU.ORG**.

Want an assigned parking space?? Is your prime time annual leave passed around on a calendar?? Are there light duty assignments specifically for clerks in your office?? It's getting close to time to renegotiate what you have or create a new LMOU for your office. Article 30 of the National Agreement (also found under resources at APWU.ORG) states there will be a 30 day period, no longer than 60 days after the new Contract is signed to negotiate a new LMOU. As our current contract is in Mediation right now, you should all dig out whichever LMOU you have currently, compare it to the 22 items that can be negotiated on in Article 30 (pg140 of Contract) and start thinking over if you want to try to add something or change something. It's your office — they are your rules ☺ The items that may

be negotiated on are listed below.

1. Additional or longer wash-up periods.
2. The establishment of a regular work week of five days with either fixed or rotating days off.
3. Guidelines for the curtailment or termination of postal operations to conform to orders of local authorities or as local conditions warrant because of emergency conditions.
4. Formulation of local leave program.
5. The duration of the choice vacation period(s).
6. The determination of the beginning day of an employee's vacation period.
7. Whether employees at their option may request two selections during the choice vacation period, in units of either 5 or 10 days.
8. Whether jury duty and attendance at National or State Conventions shall be charged to the choice vacation period.
9. Determination of the maximum number of employees who shall receive leave each week during the choice vacation period.
10. The issuance of official notices to each employee of the vacation schedule approved for such employee.
11. Determination of the date and means of notifying employees of the beginning of the new leave year.
12. The procedures for submission of

applications for annual leave during other than the choice vacation period.

13. The method of selecting employees to work on a holiday.
14. Whether "Overtime Desired" lists in Article 8 shall be by section and/or tour.
15. The number of light duty assignments within each craft or occupational group to be reserved for temporary or permanent light duty assignment.
16. The method to be used in reserving light duty assignments so that no regularly assigned member of the regular work force will be adversely affected.
17. The identification of assignments that are to be considered light duty within each craft represented in the office.
18. The identification of assignments comprising a section, when it is proposed to reassign within an installation employees excess to the needs of a section.
19. The assignment of employee parking spaces.
20. The determination as to whether annual leave to attend Union activities requested prior to determination of the choice vacation schedule is to be part of the total choice vacation plan.
21. Those other items which are subject to local negotiations as provided in the craft provisions of this Agreement.
22. Local implementation of this Agreement relating to seniority, reassignments and posting.



by Michael O'Hearn, National Business Agent

## NBA Report

# Mediation

The contract negotiations were extended for one week to May 27th. However, no deal was reached in this extension. In accordance with the Postal Accountability and Enhancement Act (PAEA) of 2006 once bargaining has failed to reach an agreement, we must participate in mediation. Mediation is a process where a mediator, a neutral party, assists the two sides in discussions aimed at resolving

their differences. The mediator has no power to impose a new agreement. A mediator can make suggestions and recommendations, but can't order either side to yield to the other. Unlike an arbitrator, a mediator has very limited authority to make decisions for the parties. Mediators must use only their powers of persuasion to get the parties to come to an agreement. This process may make some progress on negotiations. The mediation process began

on June 9th. It is expected to last 60 days. The mediator meets with both sides privately first before a general session with both sides present. This is so both sides can express their case and views freely. The APWU team has already met with the mediator. However, it is a long shot to resolve all differences between our Union and Management. The good news is the present contract will continue in force until a new contract can be reached.

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:

Battle Creek	480-481	Ludington	Stevensville
Central MI	498-499	Muskegon	Traverse City
Cheboygan	Gaylord	Roger City	Troy Local
Detroit District	Great Lakes Area	486-487	Western MI
Farmington	Mail Haulers	Sault Ste Marie	
Flint	Jackson	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.

Our President Mark Dimondstein wants all union members to remain active in the struggle for a new contract. He wants our members to continue wearing union buttons, stickers, and T-shirts. Continue to participate in union rallies, demonstrations, and other activities. This will show solidarity with our negotiating team in Washington DC. If possible get family and friends to send in the postcard stating "I Stand with Postal Workers." These cards can be obtained from your Local. Our President is asking us to wear union gear every Thursdays to show solidarity.



by Paul Felton,  
Editor

On July 7 I had a chance to address a senior citizen group in Pontiac, and to invite them to an APWU rally and picket. My remarks are reprinted below.

Good morning seniors. My name is Paul Felton and I'm a retired postal worker. I retired two years ago from the mail processing plant right here in Pontiac, on Glenwood and Montcalm. I'm still active in my union, the APWU, and I'm here to tell you that our contract struggle affects everyone in this room.

First some background. By a show of hands, how many people think your tax dollars support the Postal Service? (a few hands). How many think the Internet is causing the Post Office to lose money? (many hands). No it's not (gasps of surprise). How many would believe a study funded by the Hershey Corporation that found chocolate is good for your teeth and helps you to lose weight (laughter). Well there are people who want you to believe the Postal Service is losing money because of the Internet, but it's not true.

The fact is, the Postal Service made a profit of more than a billion dollars last year. The only reason people can say we're losing money is a law passed by Congress in 2006 requiring the Postal Service to set aside \$5.5 billion a year into a special fund to make sure that 75 years from now, retirees will have health care. That's people who haven't been born yet. No other business or government agency operates like that. And my understanding is for the last couple of years, the Postal Service hasn't made these payments, but still counted it as a negative on their books. They are using this as an excuse not only to demand givebacks from current employees, but to cut back on service to the customer. And senior citizens will be seriously harmed.

Our contract expired May 20 and the struggle is ongoing. Our union is building an alliance with the other postal unions, the labor movement, civil rights groups, veterans, and groups like the Alliance of Retired Americans. We are making a very public fight to protect your service as well as our good jobs.

Management has closed 256 mail processing plants nationwide. That means, for example, if you live in Lansing and you mail a letter across the street, that letter won't be sorted in Lansing. Your letter takes the scenic route. It travels to Pontiac and then goes back to Lansing, taking a few days to reach its destination – across the street. You might think you'd have a better result here in Pontiac,

## Editor's Report

# Reaching Out To Seniors



Part of the audience at the Pontiac Senior Center.

but that's not so. At the Pontiac plant, they moved everyone off the midnight shift onto day shift or afternoons.

Now when I worked at the Plant, afternoon shift took all the mail collected locally and sent it out, all over the country. Midnight shift took the mail destined for the local area and sent it to the stations for delivery the next day. It was expected that local mail would be delivered overnight. That was the service standard. Supervisors used to get bonuses if a certain percentage of local test letters made it overnight. Now the service standard has been changed to 3-days and we're failing to meet those standards.

Slowing down the mail hurts seniors because many in our generation don't use the Internet to pay our bills. We might mail the bills on time and still get a late

fee. And if we're getting medicine in the mail, a delay could be catastrophic.

Another cutback management is planning is to eliminate door-to-door delivery in favor of cluster boxes. That means you'd have to walk a block or two to get your mail, where there would be a cluster of boxes. They've already started doing this in Canada and England. Now how many of you want to walk every day in Michigan weather to get your mail, instead of having it delivered to your door? Raise your hands (no hands raised).

There's another problem for seniors with cluster boxes. I recently read about a letter carrier in Binghamton, NY who noticed a customer hadn't taken the mail out of the mailbox for a couple of days. The car was still in the driveway. He notified police.

Emergency responders found the man lying on the floor, unable to move, because several objects had fallen on him. If we already had cluster boxes, that man still would be lying on the floor.

In truth, the cluster box issue will come up next year with the Letter Carrier contract, but the alliance we're building today will continue. We are opposing all the cuts, like closing neighborhood post offices and the proposals to eliminate Saturday delivery. We want service expanded, not reduced.

So you see, we are fighting for everyone, not just our own wages and benefits. But our wages also contribute to the economy of every community in the country. We want a thriving and hiring Postal Service to continue to provide an opportunity for gainful employment to future generations. Whether it's a path out of poverty or a way to send your kids to college, the Post Office has always provided opportunity. We want that to continue.

So I invite you to come picket with us on July 31 in Hazel Park. We picked the location because of the ample parking – see the map on the back of the flier – and the amount of traffic on John R Road. We promise sunny weather with temperatures in the 70s . . .



by Theresa Granquist,  
Area 12  
Director

APWU Local 498-499 President Theresa Granquist, 498-499 Secretary Phillip Solom, MPWU President Jesus Gonzales, National Assistant Clerk Craft Director Lynn Pallas-Barber and former 498-499 President, retiree Dennis Barber on June 29th, 2015 attended a Legislative Luncheon sponsored by the U.P. Regional Labor Federation. The luncheon was held at the LIUNA Labor Hall in Iron Mountain, Michigan.

State House and Senate members were invited. A serious discussion followed on economic issues focusing on Power Supplies, Mining, Pipelines, jobs and First Congressional District Postal Service Issues.

This is the third legislative luncheon held by the UP Regional Labor Fed-

## Area 12 Director

# Legislative Luncheons

eration, but the first one held in Iron Mountain. The Federation hopes to continue these luncheons on a quarterly basis and to move them around the Upper Peninsula. The meeting was well attended with about 40 participants.

House and Senate members spoke knowledgeably on the plight of the Postal Service and pledged their support. The APWU Team was able to speak one on one with the House and Senate members.

# Fast Food Workers Take Over McDonald's

by Paul Felton, Editor

On July 22nd, an advisory board appointed by New York's Governor Cuomo recommended that the minimum wage for fast food workers in the state should be \$15. Hopefully the Governor will follow through on this recommendation.

On July 23rd, more than 100 fast food workers and supporters demonstrated at the McDonald's on Telegraph Road in

Redford, MI. For about 10 minutes we occupied the store, chanting enthusiastically and getting smiles of encouragement from the workers. (See article on page 5). When police arrived, we took the demonstration outside.

In addition to myself, Jane Duggan from the Detroit District Area Local took part in the celebration/protest.

## Retiree Involvement



by Al  
LaBrecque,  
Retiree's Chapter  
President

*"Being in politics is like being a football coach. You have to be smart enough to understand the game, and dumb enough to think it's important."*

— Former Senator Eugene McCarthy

**TOUCHDOWN!** We scored big time according to feedback from the Education Assembly participants, both retired and active. The retiree side of the classes' agenda; CSRS/FERS Retirement, Michigan Medicare/Medicaid Assistance Program (MMAP), Thrift Savings Plan (TSP), Elder Law of Michigan-Hotline for Seniors, and APWU Retirees' Dept. were led by interesting, well versed instructors. The TSP class, while well attended, didn't attract an expected full house, understandably but unavoidably held opposite the 1.6B instruction on the distribution of the \$56M settlement which is a big deal.

What was especially rewarding was the participation of active Local Union leadership, something to emphasize for the future. It is my suggestion that this lineup of Chapter arranged classes be the blueprint for future Ed Assemblies. Among those attending were APWU Auxiliary President, Kathy Danek and retired hubby, Terry, of the Lincoln, NE Local. I recently read the Lincoln, NE Local voted to establish a Local Retiree Chapter.

The State Retiree Chapter sponsored "Pizza for COPA" hospitality night turned out to be popular once again, garnering \$452 for COPA. Testament to the quality and variety of pizzas, house salad and breadsticks; the platter was licked clean. Topping it off was Saginaw Chapter delegate Sister Joanna Atkinson's very thoughtful and appreciated contribution of her home-baked chocolate chip cookies. The State Chapter conducted its annual E-Board meeting, taking care of business. The annual audit report shows the Chapter remains in sound financial condition. The Board voted to send the entire E-Board to the All-Craft Retirees' Dept. Conference in Las Vegas, Oct. 12-14.

None of this would, or could have happened without a lot of hard work on the part of a lot of people in leadership making all the necessary arrangements with the hotel to accommodate participants, setting up classes and instructors, and dealing with me; starting with MPWU Research & Education Director Lucy Morton, MPWU Exec.-Sec., Mike Long, and MPWU Sec.-Treas., Darren Joyce. Host Western MI Area Local President Amy Puhalski, along with 480-481 Area Local President Roscoe Woods looked after details making us old duffers look

good. As with any large endeavor, there were some glitches, most not apparent because of the skills and leadership of the above mentioned officers to keep things smooth. I'm deeply grateful to all those who so generously lent a hand, no matter how large or small, to look out for this old man and Chapter class agenda activities. The final classy touch was presenting gift bags to each of our instructors which I attribute to Sister Morton. First Class all the way!

**A BIT OF HISTORY.** Did you know the first Education Assembly, formerly known as Ed Convention, was established by the then Dir. Research & Education, Leo Persails in the 1970's. Frank Kowal, Jr. was MPWU president. As I recall, and I'm sure Leo could readily furnish year and place, but I believe it was "up north" at Boyne Mountain, as one of the first, if not the first State Union to recognize the value of educating officers and stewards and a model for other states to follow. Subsequent Education Conventions held in years opposite to constitutional convention years, were held in northern Michigan resorts between their ski and golf off seasons to take advantage of lower rates which have pretty much eroded today.

**CHANGE.** Speaking of glitches; you may (or may not) have noticed the absence of this column in the last "Messenger." Computer gremlins! As a result, we were finally moved to make a change. While we're still in transition, please note our new e-mail address is: [allab1937@gmail.com](mailto:allab1937@gmail.com)

**HAPPY BIRTHDAY!** In this 2015 A.D.; Social Security, Thanks to FDR, turns 80. Medicare, thanks to LBJ, turns 50. The U.S. Postal Service is 240 on July 26th, thanks to the Second Continental Congress on July 26, 1775 appointing Benjamin Franklin as the first Postmas-

ter General. I would venture that those colonial legislators, Ben, FDR and LBJ would be appalled to witness the direction current Members of Congress and recent PMG's have taken to dismantle these hallowed social programs and services to the American mailing public.

On Medicare; there's a serious issue coming to light that requires Medicare and FEHBP recipients to take note if referred to a rehab facility after a hospital stay. It highlights why we all must become our own health care advocates, and even then it can become an expensive proposition. APWU Retirees' Dept. Dir., Judy Beard, addresses the issue in her column (found on the inside back page of the APWU Postal Worker magazine). It bears repeating here. Judy writes; "Medicare currently covers care in skilled nursing facilities when in-patient hospital care lasts for at least three days. However, when a hospital codes the stay as "observation status" it doesn't fall under the in-patient rule, so the patient doesn't qualify for Medicare coverage for a stay in a skilled nursing facility once he or she is released from the hospital." Judy urges that we contact our congressional representative to get on board with H.R. 1571 amending Title XVIII of the Social Security Act which has been referred to the Ways and Means Committee. I strongly recommend that you read Judy's column to familiarize yourself with the facts and contact your U.S. Rep. to support the remedy to this "donut hole" that can cost you big bucks.

**UPDATE:** Shortly before the Ed Assembly I learned that the five ELECTED National Retiree Delegates are not (yet) authorized to attend the All-Craft Retirees Dept. Conference in Las Vegas in Oct. Without going into depth at this writing, this shunning of the five elected representatives evoked considerable discussion both in and outside the general session

with resistance from certain national officers, I might add. My "Man Friday", State Chapter V.P. Paul Browning, brought the issue to the fore in general session, leaving little doubt as to our position. A primary function of the All-Craft Conferences is for the Clerk, Maintenance, Motor Vehicle, Support Services Divisions AND Retirees' Department to discuss, and develop their paramount Resolutions for the 2016 National Convention. It only makes sense that, in addition to education opportunities; that the five (one ELECTED from each Region) National Retiree Delegates to the National Convention should be involved in the development of Resolutions determining paramount retiree issues that will be put before the 2016 National Convention . . . the ONLY elected retiree delegates representing an estimated 40,000 retiree members with a voice and vote in convention, a 1-8,000 approximate ratio.

As I sat in the back of the packed general session observing the contentious debate from the floor and counter arguments of national officers, over 19 years of hard earned progress for retiree members and the Department fell away as if I was again listening to the late APWU President Moe Biller declaring to the 1996 National Convention; (and I paraphrase) "So you know; the only reason we have five elected National Retiree Delegates to the Convention is so we can collect their COPA money." Then, I was back at APWU Headquarters in '97 where we Original Five met to develop Resolutions, when in a meeting with Moe and several national officers, then Exec. V.P. Bill Burrus slammed his hand on the conference table loudly proclaiming; "You were elected as retiree delegates to the National Convention . . . NOTHING MORE!" That admonishment still rings in my ears! 19 years! 9 National Conventions. 4

*continued on page 5*

## The Rest Of The Michigan Road Story

by Leo F. Persails

The END THE ROAD CHARADE editorial by The M-live Media Group was a breath of fresh air. It was the news media informing the public of what is really happening in State Government at the Lansing level involving Michigan's roads, and it did it without fear of political fallout. It defined how the state legislature voted to transfer school funds to fix the roads. While the article let the chips fall where they may, there was only one problem; it didn't go far enough with the facts about certain designated state taxes and how they are transferred to the general fund without full public knowledge.

The fact is there have been too many unreported times in past years

that our legislature has tapped designated funds and transferred them to the general fund where they could be used for anything. Where did the funds for the roads go? We used to have a state highway department with regular state workers and road equipment that repaired the roads. They were replaced years ago by subcontractors with asphalt and a shovel. Did those savings go to the general fund along with the savings from the lost Secretary of State offices and those workers? Where are the millions raised on driver licenses, license plates, and title transfers? Was that another fund transfer? There are more needed facts to be considered, like tax increases on seniors, and tax reductions on corporations. What about the extra \$186.00 a year car

insurance tax the public pays on every car to bail out insurance companies? How about more savings by cuts on legislators' expenses, staffs, and offices? What about a part time legislature? How many more laws do we need after more than a hundred years? The only laws they pass now are new ways to get into our pocket.

Attacking school funds isn't new; busing students has been a political weapon for years to raise taxes or mileages. This time it's pure robbery. The state lottery odds are horrible, but the public supports it because their losses have always gone to the schools. This is no more than blackmail by our elected officials, and ANY tax increase would be the same.

# Our MPWU Educational Assembly

by Jane Duggan,  
Detroit District Area Local

Every other year, our state organization, Michigan Postal Workers Union (MPWU), holds an educational assembly. The June 4-6 conference was held in Grand Rapids. Pat Chornoby, Jane Duggan, Marcus Smith, Jason Rushing, Manuela Webster, Sterling Bouier and Keith Combs attended for our local.

The official assembly began with a presentation by Judy Beard, DDAL Member and national Retiree Director, who showed a brief video on social security by Robert Reich, former Secretary of Labor. The state organization was very thrilled that 16 national officers came, including three from our local.

Tony McKinnon, Director of Industrial Relations, spoke on the 27 general contract proposals submitted by APWU. He indicated they saw some inroads in the last two weeks. The union did negotiate to protect the 50 mile radius for excessing.

Tony made special note of the fact that even while negotiating, APWU continued to arbitrate. Six major arbs were put on during negotiations in an effort to get all cases to arbitration within 120 days. He emphasized that we put our emphasis on an ALL CAREER WORKFORCE and the need to hire VETERANS. He concluded by voicing his belief that a negotiated settlement is still possible.



Taking over the Redford McDonald's (note the APWU sign being held up by Jane Duggan). (See article on page 3.)

President Mark Dimondstein spoke next. He informed us that 20,000 PSEs have been converted nationwide. He indicated that there is quite a bit of interest in the idea of postal banking which exists in many places around the world and used to exist here in the US.

Dimondstein indicated that our "march toward an all career workforce" is echoed by the efforts of rank and file UAW members who are leading the fight against two tiers in their upcoming negotiations. He said there are three big lessons so far: (1) we don't have the right to strike and at this point our members are not ready to take that risk; (2) we are weakened by the fact that the four postal unions don't negotiate together; and (3) there

is an overall decline in union power.

Executive V.P. Debbie Szeredy reported on the fact that largely through our efforts consolidations have been put on hold until 2016. We want them stopped altogether. She emphasized the role of members and supporters and the importance of continuing to build community coalitions throughout the country.

Liz Powell, national Secretary-Treasurer, announced that the NEXT NATIONAL CONVENTION WILL BE AUG 22-26, 2016 in Orlando FLORIDA at the Swan and Dolphin hotel.

When Clerk Craft Director, Clint Burelson, spoke, he painted the big picture starting with the historic Flint Sitdown

Strike. Regarding internal union matters, he said, "We are a family. We fight. We forgive and move forward." He emphasized the important role women have played in all the struggles that are part of our history. Clint ended by saying that every day he tries to maintain "a cool head, a loving heart and a belly full of courage."

Lynn Pallas-Barber, former MPWU Director of Research and Education, reported to the assembly as a newly appointed officer at headquarters covering some of the work of the Clerk Craft Division. She was followed by our former MPWU President, John Marcotte, who is now national Legislative Director. John updated us on postal reform and various legislative agenda items. Anna Smith, Director of Organization, spoke next. Those of us from DDAL were proud when Anna announced we are one of the most organized locals (91.70%).

The retirees also had a full agenda of classes and provided Thursday night's pizza supper as a fundraiser for COPA. I recommend that in future current employees attend some of the retirees' classes if your schedule allows – especially TSP and the class on Medicare/Medicaid.

The arrangements, the physical set up, the classes – all were wonderful. In my opinion, this was one of the best Educational Assemblies ever. Thanks from all of us who were there to our MPWU officers for all their hard work.

## — Retiree Involvement —

continued from page 4

turnovers in APWU leadership. Yet, little has progressed in the mindset of APWU leadership. On the other hand; retirees DID accomplish the right to elect our own Director (like wow), and the Holy Grail, right to vote for national officers. During the last APWU elections of national officers, campaign materials of some of these same officers declared; "Retirees Rock!" along with a deluge of materials soliciting retirees' support. Yes, retirees DO Rock, and we Vote too! Just sayin' . . .

"MR. WILSON" That's what my wife Michelle called Kenny when answering his weekly, sometimes daily, phone calls. Southern Region Retiree Delegate, Beth Bobo called with the sad news of Kenny's passing as I was preparing to leave for the Ed Assembly. A flood of memories came as I absorbed that there would be no more calls saying; "Hello Coach," followed by a brief discussion often on sports; the Big Ten, his beloved Nebraska Cornhuskers, and news and views from his estimated 300+ memorized phone pals. Kenny had an incredible network of APWU contacts

from the past and present. He was a virtual walking history of the APWU, past president's book versions notwithstanding. Kenny probably knew Michelle before me as a PPA editor. I got to know him as a then UFPOC National V.P. (now NBA) and his association with Frank Kowal and like-minded, NBA's who I referred to as the "NBA Mafia" or as I heard; "The In The Corner Gang". Kenny raised COPA money selling memberships into the Turtle Club. You got a Turtle pin and from then on if asked if you're a Turtle you are forever required to respond; "You bet your sweet a\*\* I am!" I have to add that Kenny as National Clerk Division Director and I didn't always see eye-to-eye on certain internal APWU issues, and I refused to succumb to his retirement pitch to sell some kind of insurance. Yet, we remained friends respectful of our differences. The memories, stories of where APWU "bodies are buried", etc., would fill this column. Kenneth D. Wilson; APWU pioneer and mentor. Let it suffice to say what Western Region Retiree Rep, Byron Denton said in a call as I write; "I don't know about you, but I actually miss

getting those calls from Kenny." Me too, Byron. Me too. "Eternal rest grant unto Mr. Wilson O' Lord, and let Perpetual Light shine upon him. Amen."

INNOCENT QUESTIONS? Anyone out there consider themselves an APWU Constitutional scholar? Check out Art. 8. Sec. 6.(a), 2010 and 2012 amended Constitutions. Find anything awry? As there's no record of a proper amendment, where and how did it go? And, did you know the APWU Health Plan Board of Directors consists of the Plan Director, APWU General and Division officers (including Support Services), and 5 Regional Coordinators? Doesn't it seem curious that with the majority of Plan enrollees being retirees, a significant number Medicare beneficiaries, contributing greatly to a seven figure kickback to the APWU annually, that the Director of the estimated 40,000 more or less member Retirees' Dept. would not be on that Board? Just wanting to wonder.

It's a wrap except for whatever is determined regarding authorizing me as the

elected Central Region Retiree Delegate to attend the All-Craft Retirees' Dept. Conference. I'm already developing three paramount retiree Resolutions for the 2016 State and National Conventions despite Hell, high water, or the mercy of national officers. Oh, did I mention that I'm a Bernie Sanders Democrat? (see Editor's Note below)

Be Strong!

*Editor's Note: I too support Bernie Sanders. I am happy to hear that the national APWU hosted a meeting with reps from 22 unions to hear Sanders speak. Afterwards, Mark Dimondstein said, "Bernie Sanders has been a champion of postal workers and consumers, and raising the question of \$15 for all as a minimum wage. On that basis our union will give him serious consideration." I might add that he strongly opposes that awful TPP trade deal, which the current frontrunner for the Democratic Party nomination has not taken a position on as of this writing.*

## Veterans' Report



by John P. Smeekens,  
Veterans  
Director

### Student Loans to Share \$60 Million

Soon, 77,795 service members will begin sharing \$60 million for having been charged excess interest on their student loans by Navient Corp., the student loan servicer formerly part of Sallie Mae. The payments are required by a Justice Department settlement for violating the rights of service members eligible for benefits and protections under the Servicemembers Civil Relief Act. The checks, which were scheduled to be mailed out in mid-June, will range from \$10 to over \$100,000, but with an average of about \$771. Check amounts will depend on how long the Navient interest rate exceeded the SCRA-mandated 6-percent interest cap, by how much, and on the types of military documentation the service member provided. Beginning in mid-June, service members with questions about their eligibility can call (855) 382-6421. More information is provided on the Justice Department press release at: <http://www.justice.gov/opa/pr/nearly-78000-service-members-begin-receiving-60-million-under-department-justice>.

### Bill Time

Two bills have been reintroduced. Recently, Senate Veterans' Affairs Committee Chairman Isakson introduced S. 1493, to make a Cost-of-Living Adjustment (COLA) for veterans' benefits. Many Veterans organizations support COLA increases to ensure veterans' benefits are not eroded by inflation. Also, Congressman Tonko reintroduced H.R. 2622, the *Fort McClellan Health Registry Act*. This bill would establish a health registry to conduct comprehensive studies of toxic exposures at Fort McClellan, ensuring veterans who were exposed to Polychlorinated Biphenyls (PCBs) during their service at Fort McClellan receive the care and benefits they have earned and deserve.

Also of interest for our Vietnam Veterans attached to the U. S. Navy, are 2 Bills for Agent Orange Exposure

to sailors who served off the coast of Vietnam during the war. *H. R. 969* in the House and *S. 681* in the Senate are both called the *Blue Water Navy Veterans Act of 2015*. Both bills would include Vietnam's territorial seas as a qualifying area for the presumption of service connection for diseases associated with exposure to Agent Orange, the herbicide used to defoliate

and insufficient resources to pay for a casket or urn. Starting in late June, the VA will reimburse the actual cost of a casket or urn, not to exceed an annually established average cost, used to inter an eligible unclaimed veteran. Read more about the program at: [www.cem.va.gov/CEM/docs/factsheets/Unclaimed\\_Remains\\_Burial\\_Resources.pdf](http://www.cem.va.gov/CEM/docs/factsheets/Unclaimed_Remains_Burial_Resources.pdf).

[www.mirecc.va.gov/coaching/index.asp](http://www.mirecc.va.gov/coaching/index.asp).

### Air Force Agent Orange

VA Secretary Bob McDonald announced a new decision that could benefit as many as 1,500 to 2,100 Air Force and Air Force Reserve personnel who might suffer from any of 14 presumptive medical conditions that have been determined to be related to Agent Orange exposure aboard contaminated C-123 aircraft. He made the decision following a 2015 report by the National Academy of Sciences Institute of Medicine. All airmen who were assigned to flight, ground or medical crew duties at Lockbourne/Rickenbacker Air Force Base in Ohio (the 906th and 907th Tactical Air Groups or 355th and 356th Tactical Airlift Squadrons), at Massachusetts's Westover AFB (the 731st Tactical Air Squadron and 74th Aeromedical Evacuation Squadron), or with the 758th Airlift Squadron in Pittsburgh, during the period 1969 to 1986, and who may have developed an Agent Orange-related disability, are encouraged to file a disability compensation claim with the VA. I presently have some information on this. Please contact me via U.S. Mail, phone, or e-mail and I will mail you out a copy or try to do it on-line. Might have to get one of my Daughters to help me with the e-mail project, but I will try my best.



Picket of VA hospital in Detroit by AFGE to protest abusive treatment of workers there. The folks who take care of our veterans should be well taken care of.

vegetation in Vietnam. Please contact your Congressional and Senatorial Representatives and ask them to support these bills, which support our Veterans.

### Burial of Unclaimed Remains

Sometimes our nation's heroes die with no known next-of-kin and insufficient resources. As a part of the "Dignified Burial and Other Veterans' Benefits Improvement Act of 2012," VA has new monetary benefits to assist with the burial of unclaimed Veterans. The VA has announced a program to reimburse an individual or entity for the purchase of a casket or urn used to inter a deceased, unclaimed veteran in a VA national cemetery, if the veteran died with no identifiable next of kin

### VA to Grant Benefits

In response to the recent Supreme Court decision, the Department of Veterans Affairs will now grant marital benefits to veterans who are legally married, regardless of state residency. This move will provide previously denied disability, survivor and burial benefits to same sex couples. VA is currently writing the rules for the effective date for claims.

### VA Programs for Veterans' Families

A veteran's family is vital to his or her recovery from physical or mental wounds. VA offers an array of programs and benefits to families who want to assist their veterans. Coaching into Care is a VA program created to provide a coaching service for family and friends of veterans who see that their veterans are in need of help. This program helps veteran families find ways to motivate their veterans to seek care and services for physical and mental health conditions. The service is free and provided by licensed clinical social workers and psychologists. The goal of the service is to help veterans and family members find appropriate services in their community. To learn more, visit: <http://>

### Veteran Card I.D. Bill

Recently, the House unanimously passed a bill which would require VA to issue an ID card proving veteran status to any veteran who presents a DD-214 that verifies that veteran's service. The bill cleared the Senate last week and now awaits the President's signature. Stay tuned for updates on how VA plans to issue the new ID cards.

### Veterans Burial

Burial in a VA national cemetery is available for veterans, spouses and dependents at no cost and includes the gravesite, grave-liner, opening and closing of the grave, a headstone or marker, and perpetual care as part of a national shrine. Honorably discharged veterans and retirees are eligible for an inscribed headstone or marker for their unmarked grave at any cemetery at no cost. United States burial flags are generally furnished by the VA by completing VA Form 21-2008. For information on Internment at Arlington National Cemetery, call 703-607-8000. And, military funeral honors are available on request. Funeral directors can call 1-877-MIL-HONR (645-4667) to request honors. For more information, visit the VA National Cemetery Administration webpage at [www.cem.va.gov/](http://www.cem.va.gov/) and [Military.com](http://Military.com)'s Memorial Benefits page.

# DEADLINE

The deadline for articles for the  
September-October issue of the  
*Michigan Messenger* is October 5th



by Thomas  
Lothamer,  
Clerk  
Craft Director

## Clerk Craft Director's Report

# Complacency Is Death

People want to learn but be careful of making the mistake of relying on gossip and rumors that take the place of the facts; make the effort to educate yourself.

Our small offices are plagued with the "acceptable" misbehavior. Sometimes we are aware of it and sometimes we are not, therein lies the problem with not getting all of the facts. If we get training on a subject and a violation occurs, the individual is subject to some form of discipline. As window clerks in the level 20 offices and below the traffic flow varies and either we are too overtasked and take short cuts to try to cram all of our duties into a single day or the training was never properly given.

The small office mentality is a bit of a looser approach. Many are non-members and that is unfortunate in a time when so much is being accomplished in our smaller offices. We still all get the job done but primarily due to staffing issues and the lack of hiring by the USPS it becomes a difficult task more days than not.

Be aware of logging into hand held scanners and ACE computers, WINDOW, and not logging out or lock when applicable. If you log onto these devices and let ANYONE else use this under your log on then you are subject to all of the traceable actions that occur. Mis-scans, untimely scans, drawer shortages, theft, unauthorized web sites. These are all formulas for failure.

The Bank Secrecy Act is training to be

provided by the USPS every year for those of us that work the window. Pay attention to this training because it is easy to take the position that some of this applies and some of it doesn't. Fraud is prevalent in our society unfortunately and we don't want any of our people involved in being on the wrong end of any of these issues.

Make sure all of your work is being recorded properly; correct clock rings and acceptance scans on the window go a long way in F-4 audits and defense of preservation of your hours. Management usually doesn't put too much emphasis on this because it allows them the flexibility to attempt to make their budget which, let's face it, is ridiculously unobtainable unless they are breaking the contract on a regular basis with a laundry list of violations.

Dimensional based pricing is in our training (hopefully) for a reason. A looseness in this as window clerks leads to revenue loss for the Postal Service. Let's take an extra moment to verify that the proper rate is being applied as acceptance clerks. We have these templates and tape measures for a reason.

We all do good work for our Postal Service, for our Country, we are the most trusted Government Agency in America. They don't say that about contract stations like Staples or a local grocery store taking packages and selling stamps. The pride in the Postal Service can be seen every day but don't get too loose, don't get to complacent with your duties, this can come back to haunt you and your perception of what is correct and what is myth.



by Wendy  
Kempke,  
Area 8  
Director

## Area 8 Director

# — Welcome! —

I would like to welcome all of our new brothers and sisters to the APWU! I have been out making rounds to many offices and have had the pleasure to meet many of you and introduce myself. I hope to be able to meet all of you in the 492 area.

I have found one of the biggest issues that the newly converted NTFT's are having is the out of schedule premium. Many have said they have been receiving straight time for all their time worked. Article 8.4.B in the contract reads "Employees in Non-Traditional Full-Time (NTFT) duty assignments will normally work the number of hours (daily and/or weekly) identified in their bid assignment, except in an emergency. These employees are entitled to out-of-schedule premium for hours worked outside their normal schedule."



**Get involved with your union by attending your union meetings!**

Make sure you are being paid correctly.

This is a new position that many postmasters have not had and do not totally

understand what the position is and what you are entitled to. We are doing our best to educate them but can only do so when we are aware of violations.

I'm more than happy to answer any questions or concerns you have.

In solidarity.

## EVERYONE PLEASE READ

I AM ASKING EVERYONE TO PLEASE READ THE FOLLOWING, SO IF IT AFFECTS YOU AND/OR YOUR FAMILY, OR IF YOU KNOW OF SOMEONE WHOSE FAMILY IT MAY BE POSSIBLY AFFECTING, EVERYONE CAN TAKE ACTION!!!

MOST IMPORTANTLY IS THAT YOU READ THIS IN ITS ENTIRETY AS IT DOES NOT JUST PERTAIN TO VETERANS. YOU DO NOT HAVE TO BE A VETERAN TO BE AFFECTED BY THIS HEALTH ISSUE. PLEASE READ COMPLETELY!!!

My name is John P. Smeekens, and I am a Vietnam Veteran. Many of you know me as the Veterans Director for the MPWU and APWU Local 480/481 Area. I recently attended a seminar about Agent Orange, the chemical defoliant used in Vietnam, to defoliate the jungles in areas where U. S. troops were operating. You can find out more about it on the internet, or talk to a Vietnam Veteran. It took years to find out that this chemical is causing numerous health issues for those Veterans who may have come in contact with, or who may have been exposed to this defoliant. At the seminar, we were told that it may take up to **7 GENERATIONS** before it is depleted from our **BLOOD LINES!**

So my Great, Great, Great, Great, Grandchild could possibly be affected by this chemical, even though that child would have no idea of who I am, unless someone kept a Family History book somewhere!

It is bad enough that Veterans who were exposed to these toxic chemicals (like Agent Orange) during their Military service have had to bear some serious health conditions. But

what is really worse is the fact that possibly generations of children may be afflicted with health conditions like leukemia, diabetes, spina bifida, and who knows what else may later be diagnosed as related to Agent Orange exposure. After decades of work by the Vietnam Veterans of America (VVA), whose motto is "Never again will one generation of Veterans abandon another," now takes on a new meaning. These decades of work have now possibly produced a light at the end of a long grim tunnel.

So how does this affect you? Maybe you are the child of a Vietnam Veteran, or a Grandchild, or maybe even a Great Grandchild. You may or may not even be a Veteran. But if there is someone in your Blood line that was a Vietnam Veteran, there is cause for concern!!! Help is needed to make sure that the **TOXIC EXPOSURE ACT of 2015; S.901, H.R. 1769** gets passed! Please contact your elected officials and ask them to support these important bills. **Again, you don't even have to be a Veteran.** Your blood line may be the determining factor as to whether or not you or someone in your blood line may be affected. As I get more information, I will pass it along to you. It may be in the Veterans' Report, or it may be in a separate article. But it will be labeled, **AGENT ORANGE UPDATE.** Mr. Felton, our Editor, will be working with me in dispensing this information along to the membership. And if you know a Veteran of the Vietnam War, or one of their family members, **PLEASE** pass on this information to include them in this undertaking to protect and aid their family members who may be affected by this. Thank You for reading this, and also your participation in this **IMPORTANT** matter.

## Turney at the Table



by Linda  
Turney,  
National  
Business Agent

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

A steward called with a situation regarding the supervisor harassing an employee because she was yawning at the window. The supervisor has no right to harass an employee concerning this everyday occurrence. The employee, who was also the steward, went over to the supervisor's desk and said, "You are acting like a bitch." An investigation occurred in which an admission was attained and discipline was issued. As a steward, what would you do? Consider the following.

### Verbal Insubordination Failure to Follow Instructions

A brief argument over a job assignment between an employee and her supervisor rarely reaches the required burden of proof for disciplinary action. Often the Grievant is questioning the supervisor as to why that work has to be done or why do I have to do that work as opposed to the junior person. Such a conversation would be a reasoned or gut reaction to an

order and **not** found to be insubordination by most arbitrators.

If the Grievant uses abusive language directed at a supervisor, especially if the language is threatening or obscene and overheard by other employees, this behavior is often construed as insubordination and subject to discipline. Arbitrators will often make exceptions depending on the fact circumstances of what occurred and the credibility of the witnesses involved, including the Grievant. In such cases, the Union can argue "Shop Talk." The language used by the Grievant can be viewed as customary for the environment. Investigate to determine whether or not management has been lax in allowing this type of language in other situations without issuing discipline.

In the situation above, notice that the employee/steward did not call the supervisor "a bitch." The employee stated "acting like a bitch." This cannot be seen as calling the supervisor a foul name or word. Therefore if a question is asked, "Did you call the supervisor a bitch?" The answer is "NO." Further, this cannot be seen as verbal insubordination because it did not relate to the performance of duty and it does not challenge the supervisor's

authority. The Grievant can attempt to stop yawning, but there is no reason for the supervisor to treat the grievant or any other employee this way. The supervisor is being mean, malicious, malevolent and nasty. Argue provocation.

In a Labor-Management meeting or a steward grievance meeting, language that shows a lack of control or verbal nicknames cannot be considered insubordination. In these cases, the parties are considered equals. The Union steward/officer in a meeting with management is not subordinate to the supervisor/manager.

### Failure to Follow Instructions

The general rule that the Union tells members is "Follow the instruction and grieve it later." One of the most common actions for discipline involves charges of insubordination which is defined as: "a refusal to promptly obey a direct order." Supervisors who have big power and control issues view this as a challenge

to the authority they have over an employee. We can argue that the order must be clearly stated and said more than one time to assure the Grievant understood the order. We can also argue that the Grievant refused to follow the order for safety reasons. This must be specific such as I feel that if I pick up that 70 pound sack I will put my back at risk for injury. Any kind of a perceived threat by the employee could result in a good argument for failing to follow instructions. Yawning cannot be perceived as a threat, the supervisor's actions in that situation could be perceived as part of a pattern of harassment of the employee.

Always argue Article 16, just cause, going through each of the questions listed in the JCIM page 148.

I will be teaching Defense vs. Discipline class at the All Craft Conference with my good friend and fellow NBA, Jeff Kehlert. I hope to see you there.

## The TPP Is Scary!

If anyone needs more evidence why the Trans-Pacific Partnership (TPP) free trade agreement shouldn't be rushed through Congress on the "Fast Track," which does not allow any amendments or improvements in the deal – just a take-it-or-leave-it, yes-or-no vote, read Sen. Elizabeth Warren's (D-Mass.) column in today's *Washington Post*.

While it's pretty much a given that big corporations – not working people – have been the winners in free trade agreements like the North American Free Trade Agreement and Central America Free Trade Agreement over the years, Warren exposes a frightening tool in the TPP that gives corporations unimaginable power over the United States' legal system. Here's how she describes the "Investor-State Dispute Settlement," or ISDS, provision.

ISDS would allow foreign companies to challenge U.S. laws – and to potentially pick up huge payouts from taxpayers without ever setting foot in a U.S. court. Here's how it would work. Imagine that the United States bans a toxic chemical that is often added to gasoline because of its health and environmental consequences. If a foreign company that makes the toxic chemical opposes the law, it would normally have to challenge it in a U.S. court. But with ISDS, the company could skip the U.S. courts and go before an international panel of arbitrators. If the company won, the ruling couldn't be challenged in U.S. courts, and the arbitration panel could require American taxpayers to cough up millions – or

even billions – of dollars in damages.

But that's not the worst of it, she writes. The panel of arbitrators wouldn't employ independent judges. Nope.

Instead, highly paid corporate lawyers would go back and forth between representing corporations one day and sitting in judgment the next. Maybe that makes sense in an arbitration between two corporations, but not in cases between corporations and governments. If you're a lawyer looking to maintain or attract high-paying corporate clients, how likely are you to rule against those corporations when it's your turn in the judge's seat?

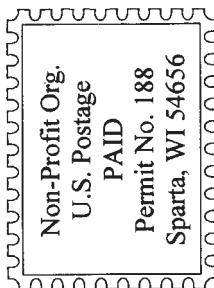
We know how that would turn out.

Here's an example of how ISDS works, but keep in mind only international investors – by and large big corporations – get to use the special tribunals:

So if a Vietnamese company with U.S. operations wanted to challenge an increase in the U.S. minimum wage, it could use ISDS. But if an American labor union believed Vietnam was allowing Vietnamese companies to pay slave wages in violation of trade commitments, the union would have to make its case in the Vietnamese courts.

As Warren points out, ISDS is not a partisan issue: "Giving foreign corporations special rights to challenge our laws outside of our legal system would be a bad deal." For all of us.

— reprint AFL-CIO



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