

# Michigan MESSSENGER

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## President's Message



by Michael Mize,  
President

# 56 Million Dollars

I want to start out this article with a discussion on the 56 Million dollar settlement. There have been many articles written about the money and disbursement of that money. I do not want anyone to take this the wrong way, but I believe there needs to be a clear understanding of the penalty or money part of the settlement.

There are many Clerk bargaining unit employees that are going to receive a nice bonus to their check because of the settlement. Any of us would be happy to take a bonus to our check such as this. Just remember that the extra you are receiving today is the penalty that Management is being forced to pay for violating your right to the work for many years. The penalty in this case really does not meet the crime. Management took money from you for years and ended up paying just a portion of what it could have been. This is not to say we could have got more money as I believe the money we got as a penalty is monumental. This is only to make clear that the violation of the contract and your rights has cost the bargaining unit more.

In my opinion the big part of this settlement is the work. Our goal is always to get as much work as possible for the bargaining unit. More work means more hours for the PTF and maybe more positions. The work has been more clearly defined now and the amount, reporting hours, etc. is as well. As an organization

we have paid out a great deal in violations since December of 2014 and Management has been taking note. More positions have been created and Postmasters have been coming in line with hours reported per the settlement.

Here is a question to you as the Clerk working in the small office with the Postmaster. Is the Postmaster more in line? Or is the Postmaster lying? You as the eyes

*In my opinion, the big part of this settlement is the work.*

and ears in the office can answer these questions better than anyone. We have some reports that we can request and catch them being dishonest, but you are still the best one to know. Do not allow the Postmaster, Manager or OIC to do work that they should not be doing. If you have questions, contact us and let us help you.

A question that I have heard many of you may have for us. What if Management is lying? What can we do about it? We can use statements, reports and schedules to show what the hours are that the Postmaster is actually working. When we document a case we can file a grievance on the extra hours and ask that the appropriate people be paid for the amount of the violation. Management at a higher level does not like to see payments for work that they did not have you doing. This means

that they will in many cases correct the Postmaster to stop the violations.

I am not blind to the fact that in some cases, maybe many cases, upper Management encourages the Postmasters to break the rules and falsify the reports. I have in my home area put District Management on notice that I will ask for the Postmaster's job if they continually violate and falsify the records. I believe this to only be fair

as Management will remove any of us for falsifying documents. So fair is fair, they falsify they should be removed as well. I also have no problem turning them into the OIG to prove just how much I will not tolerate their lying behavior. Some say that this is a threat, it is not. I only expect that the Postmaster will be treated the same as any of us would be treated and I do not want any misunderstanding between myself and Management for how important the issue is. Bottom line is, we have the rules and both of us must follow them.

Another issue that comes up regularly is Management having Carriers sort the boxes or some other part of your job. Carriers have a job and they should not be doing yours. If they do you need to ask for a steward and get it stopped.

Maintenance has some of the same types of issues. It may not be a supervisor doing your work it may be another craft employee or you doing work that is not your work. One of the biggest at the moment is the Custodial hours.

I am asking that you keep track of any work you do that is not included on the 4852, staffing package, for your office. If you are sent to deliver a package, keep track of the time. Other items that are often excluded are recycling time, travel time, lock changes etc. Write it all down in a statement, sign it and get a copy to the Union every Month or so of this time.

In October and November the Union meets with Management and reviews documents concerning these hours. Management could say that you worked 1500 hours, but with deductions we may feel that you only worked 1450. It may not seem like much but it could be the difference of a violation or not by just an hour or less. So keep good records.

All of the above has to do with keeping our work. In my opinion this is one of the most important things for us at this time. Not only does it have a direct effect on your current paycheck, but all paychecks as we move forward as well. It also affects the future of the bargaining unit in the Post Office. If any of our children decide to work for the USPS, I want good jobs with a future for them to receive. Management will take it away if we let them.

## Area 9 Director

# Area 9 Update



by Lisa Borchardt,  
Area 9 Director

The following are some situations that have occurred over the last few weeks in Area 9. And ways we can help ourselves.

If the Postal Inspectors come into your office and want to talk to you for any reason, ASK TO HAVE A STEWARD PRESENT. The inspectors may tell you it has nothing to do with you, that you are just a witness. Still ASK TO HAVE A

STEWARD PRESENT. The inspectors may tell you that it will just complicate things if you ask for a steward. TOO BAD, ASK TO HAVE A STEWARD PRESENT. Do not speak to them or sign anything until a steward arrives.

We need eyes and ears in the small offices. The USPS does not give us information in a timely manner - I know, shocker! If you know of a new employee, let your steward know, just a text or

an email will do. Then the steward can approach the new employee to become a member and let them know about their rights.

Last fall a 1.6b settlement came down from arbitration. It states that postmasters can do no more than 15 hours of clerk work in the level 18 offices. The postmasters are required to give us their 1260 forms to show how many clerk hours they worked each week. When this first

started the postmasters had been working a lot more than 15 hours each week. We have noticed that the last couple of months, the postmasters are no longer reporting that they are working over the 15 hour a week limit. Now it is hard to tell if they are just under-reporting or if they have actually quit working more than 15 hours.

I hope to come out to the Area 9 offices and meet you in the next few months.



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by Roscoe Woods, Legislative Director

## Legislative Report

# A Candidate To Support

• Only one candidate has a 3 decades long track record of standing up for labor and for ordinary Americans.

I am not going to tell you all who this one candidate is but I encourage you all to better inform yourself who is actually standing the line and fighting for your ability to provide for yourself and your family. I believe that the one thing we must all do as working people is to support someone who in the halls of Congress has spent a lifetime supporting us. In this election there is one such candidate.

It is my opinion that we cannot allow the forces arrayed against us to divide us along religious or 2nd amendment lines. Surviving in America is about so much more than your religion or your rights of gun ownership. We all have bills to pay and families to feed. Electing a candidate who supports our ability to pay our bills, feed our families and educate our kids is important and from where I am sitting. After years of wages remaining stagnant it is high time we focus on our own bottom lines.

Who in this election will create an environment that will allow you to succeed, not just survive? Who in this election will work for you and not against you or for other interests that work against you?

I appreciate the fact that quite a few of us get distracted by issues that while important do not create an environment that allows you or your family to prosper. Given the setbacks working people have had over the last 20 years, we have a chance this election season to support a myriad of people both running for the House and one specifically for President who have come from the grass roots and who have a record of standing with working people.

I will do my best to educate you as the year presses on. I encourage you to do the same.

Again – I wish you all the happiest of holidays, my best to you and your families.

In Solidarity.

Hello Brothers and Sisters! Happy Thanksgiving and Merry Christmas!

Well, less than 12 months until we decide the next President of the United States of America. No shortage of people asking for the job that's for sure. There is one candidate running at this point who has:

- Introduced legislation to eliminate the health care pre funding requirement attached to 2006 legislation that has strangled postal finances.
- Introduced and passed a sense of the Senate that called for moratorium on plant closures and a return to the regional overnight delivery standards.
- Consistently supported of the expansion of postal services to include the introduction of postal banking.
- Worked hard and successfully blocked the anti-labor and anti-postal selections for the Board of Governors such as postal privatization advocate James Miller and payday loan lobbyist Mickey Barnett.



by Michael O'Hearn, National Business Agent

## NBA Report

# Minimizing Excessing Being Extended

With the signing of the 2010 Contract on May 23, 2011, a new Memorandum of Understanding (MOU) entitled "Minimizing Excessing" became effective. This MOU was a great step forward to protect the rights of employees being threatened with excessing. This MOU allows an opportunity to voluntary transfers to avoid excessing. This MOU mandated discussions to explore other options such as modifying work schedules. One of the best provisions of this agreement was to limit excessing to

a 50 mile radius from the installation. This has saved many employees from being excessed to unreasonably distant offices. With the negotiations on a new contract being stalled, this MOU was in jeopardy. I am happy to announce that an extension of this MOU has been agreed to. This MOU will be extended until at least May 20, 2018. This is a great job by our National President, Mark Dimondstein. I offer my kudos to Mark and all involved in this accomplishment. I hope this foreshadows more agreements and

maybe a new contract. Maybe not, but we can hope.

### One Line Witticisms

- I take my exercise acting as pallbearer at funerals of those who exercise regularly.* – Mark Twain
- Never go to a doctor whose office plants have died.* – Erma Bombeck
- Quit worrying about your health. It'll go away.* – Robert Orben
- He is so old that his birth certificate is on a rock.* – Jack Benny
- Start every day off with a smile and get it over with.* – W. C. Fields
- I like long walks, especially when they are taken by people who annoy me.* – Fred Allen
- A friend gave me seats to the World Series. From where I sat, the game was just a rumor.* – Henny Youngman
- I don't know if that was a strong quake, but my zip code changed three times.* – Milton Berle

*When I was a boy of 14, my father was so ignorant. But when I got to be 21, I was amazed to see how much he had learned in seven years.* – Mark Twain

continued on page 4

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	

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## Veterans' Report



by John P. Smeekens,  
Veterans  
Director

### Merry Christmas

Merry Christmas to you and your family. I hope it is a blessed, and safe one for you and yours. Keep safe, don't drink and drive, eat lightly. And don't forget our troops. Say a prayer, or whatever you do, for them and their families.

### Happy New Year

Happy New Year to one and all. Ditto on the words above about being safe and not drinking and driving. Keep our troops and their families in your prayers and thoughts.

### Wounded Warrior Act Passes

Recently the Senate unanimously passed the Wounded Warriors Federal Leave Act. This legislation was strongly supported by many Veterans Organizations. Since it had already passed the House, the bill is now on its way to the President's desk for his signature. Once it becomes law, it will provide federally employed Disabled Veterans with 104 hours of Wounded Warrior Leave, during their first year of employment, which may be used to seek care for their service-connected disabilities. The bipartisan effort, in securing the passage of this important bill, shows that many are willing and able to help and support our Nations Veterans.

### The Deal Clears

Recently, the House of Representatives passed a newly announced two-year budget deal with a vote of 392 to 37, with the Senate following suit shortly thereafter, with passage at 64-35. The deal was the result of negotiations between congressional leadership and the White House. It would increase the Budget Control Act budget caps that were established in 2011 by providing an \$80 billion budget increase divided equally among defense and domestic accounts over the next two years. Although the deal does not permanently repeal sequestration, it does give the DOD and VA two years of budget predictability near the President's requested levels, which would improve the administration's ability to carry out a strong national defense strategy and **fully support service members, Veterans and their families.**

### Gulf War Research

The Department of Veterans Affairs War Related Illness and Injury Study Center has several research studies that may be of interest to Operation Desert Shield/Desert Storm veterans, and non-deployed Gulf War Era Veterans. If you're a veteran from the 1990-91 era, or if you have Gulf War Illness or would like to know more about the research,

please call 1-800-225-5170 or visit the Gulf War Research page at: <http://1.usa.gov/1LpLQ2o>.

### Congratulations Ladies

Congratulations are in order for 1st Lt. Shaye L. Haver and Capt. Kristen M. Griest, both graduates of the United States Military Academy at West Point, for their recent Graduation from Ranger School at Fort Benning, Georgia. These 2 ladies are the First Females to earn THE RANGER

needing to show a **DD-214**. The official form includes sensitive personal information, that WILL NOT be included on THE CARD. Veterans who request a card will have to pay an undetermined fee for its production. That fee has not yet been determined as of this writing. If you are going to attempt to get a card, I would suggest that you call the V.A., to find out what you will need to bring and ask what the fee will be. And get that person's name.

for the Americans who have gone missing while serving the country, and to leave no one unaccounted for in future conflicts. In 1982, the POW/MIA flag became the first flag other than the Flag of the United States to fly over the White House in Washington, DC. On August 10, 1990, Public Law 101-355, designated the POW/MIA flag as "The Symbol of our Nation's concern and commitment to resolving as fully as possible the fates of Americans still prisoner, missing, and unaccounted for in Southeast Asia." It also asks that the POW/MIA flag should maintain continued visibility as a constant reminder of the plight of America's Prisoners of War and Missing in Action.

## Keep the troops and their families in your prayers and thoughts.

TAB. Since Ranger School opened in 1950, only 77,000 soldiers have earned the Ranger Tab. Of the 4,057 soldiers that attempted the course in 2014, only 1,609 have tacked on the tab. HOOAH!!!

### All Veterans Eligible

A law enacted in July of 2015 directs the VA to provide all Honorably Discharged Veterans with an identification card. The **Veterans I.D. Card Act of 2015 (P.L. 114-31)** enables any Veteran who is not already enrolled in the VA's health care system or receiving military retired pay to obtain the card simply by asking. The card will display the Veteran's name and photo and will serve as proof that the Veteran has a valid **DD-214**, the official form showing a Veteran's discharge from Military service. The card will not serve as proof of entitlement benefits, but can be used to prove a Veteran's status for obtaining discounted goods and services without

### National POW/MIA Bill

Please support H R 1670. This is a bill to place a Chair, in The United States Capitol honoring American Prisoners of War and Missing in Action. The Architect of the Capitol, shall enter into an agreement to obtain a chair featuring the logo of the National League of POW/MIA Families under such terms and conditions as the Architect considers appropriate and consistent with applicable law.

### Also Very Important

Please Support H R 3558. This is a bill to provide for the issuance of a forever stamp to honor the sacrifices of the brave Men and Women of the Armed Forces who are still prisoner, missing, or unaccounted for, and for other purposes. The Department of Defense reports that more than 83,000 service members remain missing since World War II. The United States Government has an obligation to achieve the fullest possible accounting

In order to continue to honor the sacrifices of the brave men and women of the Armed Forces who have been prisoner, missing, or unaccounted for, the Postmaster General shall provide for the issuance of a forever stamp suitable for that purpose and it shall depict the National League of Families POW/MIA flag.

### Disability Compensation

Disability Compensation is a tax free monetary benefit paid to Veterans with disabilities that are the result of a disease or injury incurred or aggravated during active military service. Compensation may also be paid for post-service disabilities that are considered related or secondary to disabilities occurring in service and for disabilities presumed to be related to circumstances of military service, even though they may arise after service. For more information go to <http://www.benefits.va.gov/compensation/>

## The Fight For Fifteen

On November 10th, hundreds of people demonstrated in downtown Detroit for a \$15 an hour minimum wage. This demonstration was part of a nationwide movement, spearheaded by fast food workers but including a variety of occupations. The crowd included some very young and some well-seasoned activists. There were banners and signs representing the Sierra Club, Interfaith Worker Justice, Homecare Workers, Democratic Socialists of America, Jobs with Justice and I probably left some out. The Service Employees International Union (SEIU) has played a major role in building this movement. There is a simple

premise: anyone who works for a living should earn enough to feed their family.

The APWU passed a resolution in support of this movement at our 2014 National Convention. Roscoe Woods,

Joe Gordon and Paul Felton attended the November 10th demonstration. (The crowd was so large that I didn't see Joe Gordon and only found out afterwards that he was there.)



# APWU Endorses Bernie Sanders For President

The APWU National Executive Board voted on Nov. 5 to endorse Bernie Sanders for president. "Politics as usual has not worked," said President Mark Dimondstein. "Enough is enough!" The endorsement follows Sanders' rousing speech before 2,000 activists at the union's All-Craft Conference in late October.

"We should judge candidates not by their political party, not by what they say, not by what we think they stand for, but by what they do," Dimondstein said.

"Applying that criteria, Sen. Bernie Sanders stands above all others as a true champion of postal workers and other workers throughout the country," he said.

"Sen. Sanders opposes the consolidation of mail processing facilities and fought successfully to keep the Vermont White River Junction center open," Executive Vice President Debby Szeredy pointed out.

"He is a fierce advocate of postal reform to address the cause of the USPS financial crisis, an outspoken opponent of USPS policy that degrades mail service. He fought the close of post offices and spearheaded the effort to pass a 'sense of the Senate' resolution to restore service standards, which was approved by a vote of 85-11," Dimondstein said.

"Bernie Sanders doesn't just talk the talk. He walks

the walk. He is a leader in the fight to protect our public Postal Service," he added.

"Bernie Sanders has blocked the slate of nominees to the postal Board of Governors that includes the 'king of postal privatizers' James Miller and payday lending industry lobbyist Mickey Barnett," Dimondstein said. "He staunchly opposes postal privatization, and supports enhanced postal services, including postal banking."

## More Than Postal Issues

Sanders' commitment to working people extends far beyond postal employees, Dimondstein pointed out. "No other candidate has his record of standing with workers on picket lines, fighting for a \$15 per hour minimum wage, for free public college tuition, and advocating for veterans' benefits.

"No other candidate has his record of fighting to defend and expand Social Security, promoting 'Medicare for all,' and opposing 'fast track trade authority' and rotten deals like the Trans Pacific Partnership (TPP).

"No other candidate has his record of exposing the rule of the billionaire class," he said. "Sanders is refusing all corporate money. He doesn't have a 'super-PAC,' and he doesn't hire polling firms to help draft election-time promises," Dimondstein noted.

"Sen. Sanders was a champion of workers' rights long before he became a candidate for president," said Secretary-Treasurer Liz Powell. "Like the APWU, he is a firm believer in social and economic justice for all."

"Our union is made up of people from all walks of life with many different political beliefs, and I fully respect that fact," Dimondstein said.

"Sanders' message coincides with the APWU's core principles, as expressed in our constitution and by delegates to our national conventions," he added.

## From Enthusiasm To Building A Movement

"It's little wonder that in a period of massive income inequality the Sanders campaign has generated so much excitement and drawn such huge crowds," Dimondstein said.

"But Sen. Sanders is the first to point out that without a powerful mass movement, electing one individual – even the most righteous – will not defeat the corporate powers that exert so much control over our lives.

"I urge APWU members to join the 'political revolution' and get involved in the campaign – to volunteer, sign up for Labor for Bernie, and help elect Sen. Bernie Sanders President!"

— apwu.org

## Editor's Report



by Paul Felton, Editor

# Large Local Endorses Bernie

as the alternative. In Bernie Sanders, we have a candidate who fits the bill.

In any event, the resolution adopted by the November 15th General Membership Meeting of the 480-481 Area Local is reprinted below:

### Resolution to Endorse Bernie Sanders for President 480-481 Area Local, APWU

**WHEREAS:** Senator Bernie Sanders has introduced legislation to eliminate the pre-funding requirement that is postal management's excuse for claiming it is in the red, and

**WHEREAS:** Senator Sanders introduced a sense of the Senate resolution calling for a moratorium on plant closures and a return to regional overnight delivery standards, and the resolution passed, and

**WHEREAS:** Senator Sanders supports expanding the services provided by USPS, and

**WHEREAS:** Senator Sanders was instrumental in blocking a slate of nominees for the Postal Service Board of Governors that included privatization advocate James Miller and payday loan lobbyist Mickey Barnett, and

**WHEREAS:** Senator Sanders has

always been a friend of labor, standing up for ordinary Americans against the millionaires and billionaires, and

**WHEREAS:** Senator Sanders is financing his campaign entirely through donations from ordinary Americans and is not beholden to corporate America because he is not taking their money, therefore be it

**RESOLVED:** that the 480-481 Area Local at its November 15th membership meeting declares our Local's support for Bernie Sanders for President of the United States, and be it further

**RESOLVED:** that the 480-481 Area Local urges the national APWU and the national AFL-CIO to endorse Bernie Sanders for President.

## Minimizing Excessing Being Extended

*continued from page 2*

*What is worth doing is worth the trouble of asking somebody to do it.*

– Ambrose Bierce

*I bought a tube of Crazy Glue and the label fell off.*

– Jay Leno

*Has any turtle ever outlived the shaker of turtle food?*

– Jerry Seinfeld

*I'm desperately trying to figure out why kamikaze pilots wear helmets.*

– Dave Edison

*Did you ever notice when you blow in a dog's face, he gets mad at you, but when you take him in a car, he sticks his head out the window?*

– Steve Bluestein

*How come when you mix flour and water together you get glue? And when you add eggs and sugar, you get a cake? Where does the glue go?*

– Rita Rudner

*Santa Claus has the right idea. Visit people once a year.*

– Victor Borge

*Have you ever noticed when you are driver on the expressway that everyone driving slower than you are idiots and everyone driving faster than you are maniacs.*

– Mike O'Hearn

### Happy Holidays from Mike O'Hearn

Often times we are all caught up in our daily worries and concerns as if we have blinders on. We seem oblivious to those around us. In our rush to take care of the task at hand, we are sometimes negligent to let our family, friends, neighbors, and co-workers know that we care about them and wish them well. With the holidays approaching, this is especially true. Therefore, I want to take this time to wish all my union sisters and brothers a very Happy Thanksgiving, a Merry Christmas, and a Happy New Years. May you enjoy good health, prosperity, and happiness.

The labor movement should understand that these candidates need us as much as we need them. We should demand more of these candidates than not being as bad

## Turney at the Table



by **Linda Turney,**  
**National Business Agent**

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

### Grievance Enhancement And Reduction (AUGER)

In a few weeks/months the National APWU and the USPS will be rolling out a new process called AUGER which stands for APWU-USPS Grievance Enhancement and Reduction (AUGER) Procedure. The procedure puts more responsibility on the parties at step 1 and step 2 of the grievance procedure to develop the facts and arguments of both sides of the case. At step 3, the NBAs and USPS Labor Representative will close and seal the file so that no more information may be added. The purpose of this new program is to reduce costs and resolve cases at lower steps.

Forgive me for being skeptical and having doubt. Article 15 is often a joke at Step 1 and Step 2. We ask for the monetary remedy for a violation to be paid. Management refuses even though Management clearly violated the contract. Management

reacts by deciding that they are going to charge us for the clock rings instead of giving us the requested information. Management focuses on becoming a barrier to the remedy rather than a resolution. The USPS policy seems to give authority to settle monetary grievances only if the supervisor at lower steps asks for permission to pay out. USPS Step 1 and Step 2 designees rarely ask for monetary resolve from their bosses so grievances are rarely resolved at the lowest level. This hardly seems like Bargaining in Good Faith.

While I am in favor of resolving cases at the lowest possible level of the grievance procedure as required by our contract, AUGER does nothing to hold Management to their commitment to resolve at step 1 or step 2 which would require empowering their supervisors with the authority to resolve monetary remedies without getting permission from a USPS higher authority.

Our stewards are primarily volunteers. I want to take a moment to thank you for your service to our organization. I realize that the APWU Volunteer Steward workforce does not have an opportunity to sit and read the contract 8 hours a day like their counterparts working in District

Labor Offices. Stewards are the backbone of our organization and our Union cannot continue without YOU. Thank you from the bottom of my heart.

### The Old Post Office

The old Post Office in Washington DC has inscribed in stone these words:

*Consoler of the Lonely  
Bond of the Scattered Family  
Enlarger of the Common Life  
Carrier of News and Knowledge  
Instrument of Trade and Industry  
Promoter of Mutual Acquaintance  
Of Peace and Goodwill among Men  
and Nations*

There is something about an old fashion letter that makes your correspondence more important. It is time to share a story or a thought. So often we go through our days without thinking about the importance of the service we provide and the history we have documented. Of all the mail that you have touched in a career, you have touched the letters that touch people's lives. If I get a personal letter, I think of you.

I think of you because it is you that unloads the trucks, pushes the carts, works

the machine, sells the stamps. You are the United States Postal Service, not some manager.

Letters and the History of our country are connected. Our first Postmaster, Ben Franklin, was also a founding father. The country's favorite first lady, Dolly Madison, wrote a letter to her sister to describe her escape from the White House while it was burning. Alexander Hamilton sent a farewell letter to his wife before his duel with Aaron Burr took his life. President Truman wrote a letter to a close friend about his feelings as he spent the first night in the White House.

Like many Americans, this time of year brings me to my mail box with anticipation of getting letters from old friends that I only connect with once a year, through the USPS. An old high school friend, who lives in Australia, updates me about her 3 sons that are now finishing school.

Letters and cards opening to well-wishers all over the country that make me feel blessed. You have touched millions of lives. Take a moment.

Merry Christmas! Happy Holidays!

## Area 4 Director

# What's Up With Amazon?

by **Angelynn Gebstadt, Area 4 Director**

Amazon, so what is going on out there in your office? Well Amazon is bringing business to us and while that's a wonderful thing we also need to make sure that you're safe and everything is done within the contract.

Are the Amazon pallets over 6 feet or 72 inches in your office?

Are the pallets delivered outside on an open dock where you have to open/distribute the in the rain and snow?

Are you a NTFT and have been asked to change you start time?

Are managers scanning/distributing the Amazon on Sunday?

If you have a USPS custodian in your office, are they working Sundays along with the CCAs and the clerks?

Pallets over 6 feet are a safety hazard. Working out in the elements without proper clothing is also a safety hazard.

NTFT's have bids – unless you have received notice the Wednesday preceding the change – it's out of schedule.

Management/Postmasters in the level 18s must count the Amazon towards their time if they are working it as part of the 15 hrs. a week they can work. In larger offices they shouldn't be working the mail at all.



by **Sterling Bouier,**  
**Maintenance Craft Director**

Hello MPWU Brothers and Sisters,

Let me begin by saying "Happy Veteran's Day" to all my fellow APWU Union Member Veterans. It is an honor to have served and a blessing to still dwell among the living. I hope you all had the chance to indulge in all the freebies and activities held to honor and thank those that served.

A lot is going on right now in the maintenance craft. As a whole, we are trying to get settlements or ap-

If there are employees working and you have a USPS custodian in your office, they should be working to in accordance with the MS47. If the clerks clean the office there should be extra hours figured in for that as well.

## Maintenance Craft Director's Report

# Maintenance Update

pealing the Line H grievances for the custodial occupational group for the 2014 fiscal year so that we may begin negotiating settlements for the fiscal year 2015 that just ended.

Also, the Postal Service is rolling out the team concept cleaning program under the TL-5 letter of the MS-47 handbook. They have sent out teams to various facilities throughout the country to measure the entire building; interior/exterior, count the lights and fixtures, and determine the status or designation for each area (active or inactive, authorized only, office, storage, restroom, etc...). Based upon this data and the frequencies for cleaning, the custodial staff-

We can't help you if you don't contact us – and by "us" I mean your area director. I am the director for area 4. The other directors are listed on page 2; find yours and get to know them.

ing will be determined for that specific facility. There will be required training for custodians. During this training employees will be introduced to the team cleaning concept, and trained on the new equipment and supplies that this program entails. In the Detroit facility, it is expected to be fully implemented during the first quarter of 2016.

There are so many issues and topics, that I can't touch base on all of them in this one article. So, as always feel free to contact me if there are and questions or if you are in need of my services. I am here to serve.

Union Solidarity.

## Retiree Involvement



by Al  
LaBrecque,  
Retiree's Chapter  
President

*"America is great, we just have to make it fair and just. We have to make America work for everyone, not just those at the top."* – Hillary Clinton

A good start would be to elect a friendly Congress and President who would sign legislation to eliminate the \$118,500 earned income cap on contributions to Social Security. Uncap the \$18.5K threshold and let the wealthiest pay their fair share. I don't hear any of the GOP candidates proposing this to ensure S.S. into virtual perpetuity. Dem candidates have, though briefly and without much emphasis.

**All-Craft Conference:** I will defer to Chapter V.P. Paul Browning's report. I sincerely apologize to Central Region delegates and members for my absence. It was unavoidable. As might be expected, I prepped my "messenger," Brother Browning, with some proposals for retiree resolutions to be developed for the 2016 national convention in Orlando. I'm told there was debate pro and con on those, and offerings from California State Chapter's Bobby Donelson. I appreciate the feedback which gives me more positive direction. I am reconsidering my proposal to redesignate the Retirees Dept. to a "Division" given the internal repercussions an adoption might cause. This will take further deliberation. I stand by ensuring future National Retiree Delegates will also be automatic delegates to the All-Craft Retirees Dept. Conference. It only makes sense. As for my well intentioned proposal to place our Dept. Director on the APWU Health Plan Board of Directors, a Donelson proposal would negate the need for this resolution. However, Brother Browning has a proposed resolution addressing retiree representation in national conventions that should spark lively debate.

**Medicare Premiums:** Wiser heads have prevailed to take some of the sting out of premium increases for Medicare recipients who do not receive Social Security benefits. President Obama signed

into law a two-year budget deal that includes a compromise fix for addressing the 52% increase for Medicare premiums for those persons not "held harmless." The 2016 Medicare premium for those not held harmless will be \$118.80 per month, plus a \$3.00 surcharge, bringing the premium to \$121.80. Medicare recipients held harmless premiums remain at \$104.90, but will pay the surcharge in future years when they are no longer held harmless . . . or when a COLA increase is at least the rate of increase of Medicare. The Medicare deductible increases from \$147 to \$166 for all Medicare recipients. The APWU Health Plan covers the annual Medicare deductible. Check your FEHBP Plan for that information. (Source: NARFE Leg. Hotline)

### *Our younger Sisters and Brothers need to seriously consider getting involved.*

**FEHBP Open Season:** November 9th-December 14th. The new Self Plus One option will make this a unique Open Season for health plan members who are currently enrolled in a Self and Family and where there are only two in a family; married couples, a parent with a dependent child under age 26, or a disabled dependent. There may be other special circumstances. Don't dally! Study the information you've been provided by your FEHB plan, premium rates, coverage, etc. Health insurance is a personal choice. Just make sure you decide what to do and get it done. I'll wager that with this Self Plus One option, OPM will be deluged. I knew that calling the Express 800 number would be futile on the first day, Nov. 9th, but I just had to try, and try, and try ad infinitum. Then this old computer challenged fuddydud actually went on the opm.gov website and it was easy as pie. I even have a printed out confirmation of my change. Just have your 7-digit CSA number ready and follow the prompts that even I could comprehend. For those who don't navigate computers, it's best to call the OPM 800 number on days in the middle of the week . . . and good luck. Expect a busy signal. Use your redial feature on the phone. That helps.

One thing for certain, our 2016 annuity income will be at a reduced monthly rate, and for CSRS retirees, our meager Windfall Elimination Provision reduced S.S. benefits remain the same. Unfortunately retirees' market basket expenditures remain in an upward spiral. Legislation to more accurately reflect senior spending by establishing a Consumer Price Index (CPI-E) denoting "elderly" remains in the hopper. Again, whether or not such legislation can be achieved depends upon who we elect to Congress and the White House. I cannot say it too often; Vote Your Pocketbook First!

**Did You Know?** Did you know the MPWU has a list of official State Union policies? Well they do. As you and your families prepare for Black Friday

and the holiday rush to buy, buy, buy; note these policies: BOYCOTT – "The MPWU will not purchase anything from WalMart and/or Sam's Club." Also, "The MPWU will boycott and not purchase anything from Staples." Now, those policies should go without saying and observed by all good Union members, active and retired. We were thrilled when Meijers opened a store in Alpena, a Union store represented by UFCW in this marginally conservative area.

**District Meeting:** Hosted by the Traverse City Area Local was well attended. I was determined to be with my kind of people again, making the 125 cross-state drive. I want to express my deep gratitude to MPWU Exec. Sec., Mike Long who saw me 'taking a break' on my journey to the elevators after I had just checked in. Mike insisted I rent a scooter to navigate the considerable distances necessary to get to the meeting room and around the hotel. Mike went to the desk and made all the arrangements, aided by Sec.-Treas. Darren Joyce. What a difference that made during my 2-day stay! I simply want to demonstrate my sincere gratitude for my Brother's thoughtfulness, down to reserving a handicapped room right around the corner from the elevators. You might call it an act of true Brotherhood, which is what we do.

As for the District Meeting; Friday a.m. featured an address by 1st Congressional District, my district, Democratic Primary candidate for that open seat, Lon Johnson, former Michigan State Dem Party Chairman, who entertained comments from the assembled delegates. The 1st Congressional District

covers the entire U.P., and nearly one-fourth the northern lower tip of the mitt, including the Traverse City area. It's about a 48% Dem marginal district once held by Rep. Bart Stupak (D). It's the largest land area district east of the Mississippi, gerrymandered by the controlling GOP to tip the scales in their favor. There are, by the way, petitions being circulated to end the political party in power practice of reshaping congressional districts to elect their party's candidates by establishing an independent third party to draw district lines according to population. I recommend signing that petition if you have the opportunity. Some states have already adopted independent third party redistricting following each census. That would restore greater accountability to elected Members of Congress that would go a long way toward breaking gridlock. There were about a dozen delegates attending who reside in the 1st District.

APWU's Roosevelt Stewart gave a 1½ day presentation on the fiduciary responsibilities for State, Local Unions and Retiree Chapters that was excellent. No matter how much you think you know going into Roosevelt's instruction, there's always more to learn and be refreshed on how we handle our monies and reporting responsibilities. Every Local Union President and Secretary-Treasurer should be required to attend this training if for no other reason than to stay out of financial trouble. The same goes for Local Retiree Chapters. Day #2 included leadership training. V.P. Paul Browning and Sec.-Treas. Lynn Walker attended, along with Trustee John Canfield.

**More:** You know about the road paved with good intentions; well it was my intention to dwell on the State Retiree Chapter "generation gap". None of us currently in office are going to last forever. In fact I anticipate there will be openings for office at the 2016 State Retiree Chapter Convention in Lansing. Our younger Sisters and Brothers need to seriously consider getting involved. It's not nearly as stressful or time consuming as Local Union involvement, but it's an opportunity to remain active in the continuing struggle to preserve and protect our retirement benefits, and at the same time, continue to support our APWU objectives. C'mon, at least think about it! You'll hear more on this subject in future columns. I wish you and yours a Happy Thanksgiving, hope hunters had great days in the woods this season whether or not you got your buck, and pause to be grateful that all we have as APWU active workers and retirees is due to the great work of those unionists who came before us. Solidarity and . . .

Be Strong!

# DEADLINE

The deadline for articles for the Jan.-Feb.  
issue of the *Michigan Messenger*  
is January 11, 2016

# Medicare Enrollment At 65

by Paul Browning, MPWU  
Retiree Chapter Vice President

If you're turning 65 in the near future there are several important things you should know. First, you have a 7 month window to enroll in Medicare Part B-Doctor's services, outpatient care, and some preventive care-centered around your 65th birthday. In my own case, I turned 65 in July which meant that the 7 month window started 3 months before July (April, May, June) and extended 3 months past July (August, September, October). If you do not sign up during the 7 month window, you will face a permanent 10% additional monthly premium every month for the rest of your life. As the monthly Medicare Part B premium is currently \$104.90 a month, the penalty would be \$10.50 a month. That 10 % would increase corresponding to any increase in the Part B premium. Second, no matter how early you sign up during the window, Part B will not become effective until the month of your 65th birthday.

Third, there is some miscommunication concerning that if you sign up in the latter 3 months of the window following your birthday month, Part B will start the next month. **THIS IS FALSE.** According to SSA Publication No. 05-10043 you face a delay of 1 to 3 months. I signed up in September, 2 months after my birthday month and had to wait 2 months for my Medicare coverage to become effective in December. This delay could potentially cost an

individual hundreds or thousands of extra dollars in non-covered expenses. The Michigan Medicare/Medicaid Assistance Program recommends enrolling as soon as you become eligible. And for anyone who doesn't know, you are automatically enrolled in Medicare Part A, which normally covers about 80% of Hospitalization care, at age 65.

## National Retiree Conference

A quick head count during the opening session of the conference revealed over 200 members in attendance. Our MPWU State Chapter was well represented by myself and trustees Al Fouche of Detroit, Patty Miller of Flint, and John Canfield of Grand Rapids. Unfortunately State President and elected Central Region National Convention Delegate Al LaBrecque was unable to attend due to temporary health problems. However, Al has assured everyone he will be at the August 2016 National Convention in Orlando, FL (with the a/c up on high no doubt). While Al's presence was much missed, he did fully brief me on his proposed APWU National Constitution Resolutions espousing greater participation and representation rights for our retiree members. Another topic of discussion was a possible Constitutional resolution increasing our number of constitutionally allocated Retiree Convention Delegates from 5 to a greater number compared to the 1900 still working at the Post Office APWU delegates at the last National Convention. Both myself and Al Fouche spoke several times

at the General Sessions on these issues. Retirees don't want to tell craft employees how to vote on their issues but there are a host of other resolutions proposed at a Convention which concern retirees.

APWU Retiree Department Director Judy Beard did another outstanding job of arranging for speakers and classes on things from Health Care to 21st Century technology to Social Security. Our APWU Retiree Department is the go-to resource for retiree problems. From issues with the Office of Personnel Management, Health Care Plan changes, Life Insurance claims-there are numerous problems that arise when dealing with agencies that are in charge of retirement benefits for millions of retired federal employees. While I have not had the necessity of using that resource in my 6 years of retirement (which is 5 and 1/2 years longer than before I had to file my first grievance with APWU representation) I have witnessed Director Beard taking numerous phone calls throughout her day from members having difficulties in the Federal Retirement system. With some luck, I may never have to use our Retiree Department resources. Nonetheless even if I knew for certain I would have no future problems (kind of unlikely), I would belong to the APWU out of loyalty to my fellow members and for the 32 years my Union protected me on the workroom floor. And that's what it's all about - no matter what your status in the Union - Solidarity with our Union brothers and sisters.

## District Meeting In Traverse City



Photo by Mike Long

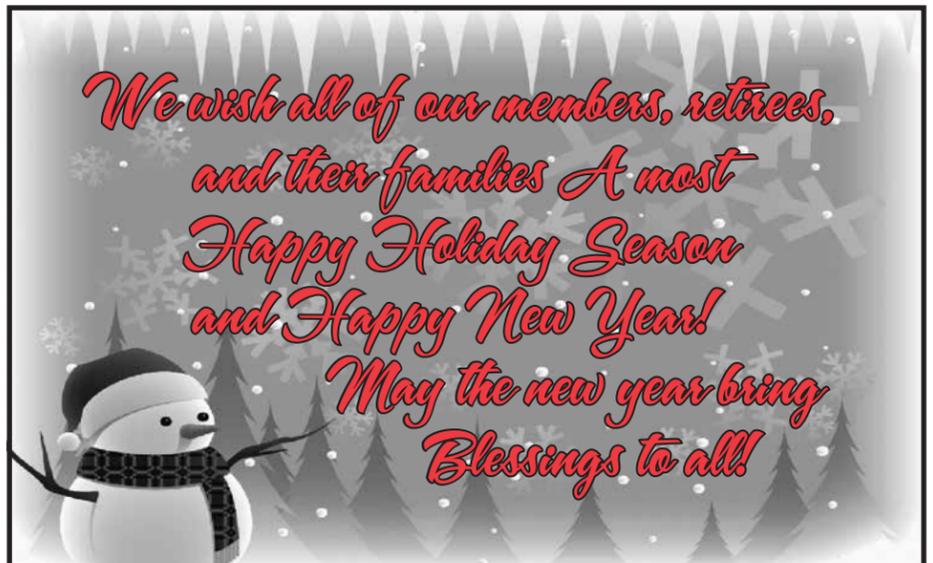


Photo by Mike Long

This District Meeting in Traverse City was very informative.



Photo by Mike Long





by James  
Stevenson,  
National  
Business Agent

## NBA Report

# Using The Law In The Grievance Procedure

Article 3 states that “the employer shall have the exclusive right, subject to the provisions of this Agreement and consistent with applicable laws and regulations.” One of the laws that can be utilized to strengthen grievances regarding denial of steward time and work hour violations is Regulations Part 785 [Hours Worked] under Title 29, Part 785 of the Code of Federal Regulations. Union stewards and employees may use provisions of this law in conjunction with the Collective Bargaining Agreement, the Employee Labor Manual, and Past Practice.

### Steward Being Denied Union Time

We have all been there, you have to investigate and write up 10 grievances but management is only allowing you 30 minutes on the clock. Most times your only options are to perform the work off the clock and then file a grievance. Another option is to file a charge with the National Labor Relations Board under Section 8(a)(1) which makes

it illegal to interfere with concerted activities for mutual aid and protection. Investigating and filing grievances are concerted activities utilized for the purposes of mutual aid and protection.

If you do file a grievance for denial of steward time make sure that you document all the requests for time and the subsequent denials of that time. ELM Section 443.22 states in part “Actual work does not include paid time off, but does include steward’s duty time...”

FLSA Section 785.12 Work performed away from the premises of job site.

“The rule is also applicable to work performed away from the premises or the job site, or even at home. If the employer knows or has reason to believe that the work is being performed, he must count the time as hours worked.”

The above is important because

management has reason to believe that the steward is working at home due to management’s refusal to allow the steward to complete the grievance at work.

### Section 785.13 Duty Of Management

“In all such cases it is the duty of the management to exercise its control and see that the work is not performed if it does not want it to be performed. It cannot sit back and accept the benefits without compensating for them...”

The above is relevant because the CBA requires the union and management to meet to process grievances. Management enjoys the benefits of “free work” by the union stewards in processing grievances but then does not want to compensate them for their investigating, typing, filing, etc.

Employees Participating in Investigative Interviews or Pre-Disciplinary Meetings SHOULD BE ON THE CLOCK.

### 785.27 Lectures, Meetings And Training Programs

“Attendance at lectures, meetings, training programs and similar activities need not be counted as working time if the following four criteria are met;

- (a) Attendance is outside of the employee’s regular working hours;
- (b) Attendance is in fact voluntary;
- (c) The course, lecture, or meeting is not directly related to the employee’s job; and
- (d) The employee does not perform any productive work during such attendance.”

### 785.28 Involuntary Attendance

“Attendance is not voluntary, of course, if is required by the employer. It is not voluntary in fact if the employee is given to understand or led to believe that his present working conditions or the continuance of his employment would be adversely affected by nonattendance.”

The above is extremely relevant when you have an employee who may be off on emergency placement or in a non-working status and management wants to pre-d them. I would argue that the employee should be on the clock for the interview.

### 785.42 Adjusting Grievances

“Time spent in adjusting grievances between an employer and employees during the time the employees are required to be on the premises is

hours worked, but in the event a bona fide union is involved the counting of such time will, as a matter of enforcement policy, be left to the process of collective bargaining or to the custom or practice under the collective bargaining agreement.”

It is a good policy to always request that any time that an employee is required to appear on Postal property for an investigation or a step 1 meeting that they be on the clock.

### Resignation

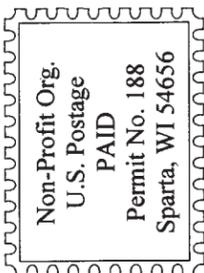
One must be extremely careful of tendering a resignation because management states that it would be to your advantage. Some employees may be convinced that if they resign in lieu of termination that it somehow benefits them. An employee who resigns from a job could be considered a “voluntary quit” and that employee could be disallowed from unemployment benefits. Most employers can easily determine if an employee is resigning in lieu of termination by asking the former employer one simple question “Is the employee eligible for re-hire?” Once the former employer says “NO,” they are aware that you were about to be terminated. Additionally, most jobs may ask whether or not you ever quit a job after being notified of a pending termination and that question must be answered honestly.

Sometimes it is simply best to explain what happened if necessary and tell the truth to the new employer. Resigning also kills the processing of the termination grievance if one was filed.

I often hear of PSEs being told that they have to resign and be hired in another installation if they want to work there. While it is true that PSEs cannot be transferred from one installation to another, nothing presents a PSE from applying for employment in another installation while still working. I would hold off on resigning until actually hired in the new installation. Imagine what would happen if the PSE resigns their current position and the new installation changes their mind on hiring after you have quit!

Guess what happens next. You are out of two jobs and you may not be eligible for unemployment because you quit the PSE job you had. As a union official, be extremely cautious of advising any employee to resign. Let that be a decision made by the employee.

In Solidarity.



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