

# Michigan MESSENGER



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## P.R.E.S.I.D.E.N.T



by  
**Michael  
Mize**

# Contract Negotiations

Now, we do not know if that is true or not. We do know that the President stated, "taking general guidance from the National Negotiating Committee" and "I led in reaching a tentative

seen complaints that all of this should have went to the membership. As your President in the State of Michigan I will say this "If my colleagues on the Rank and File say "no" then no is exactly

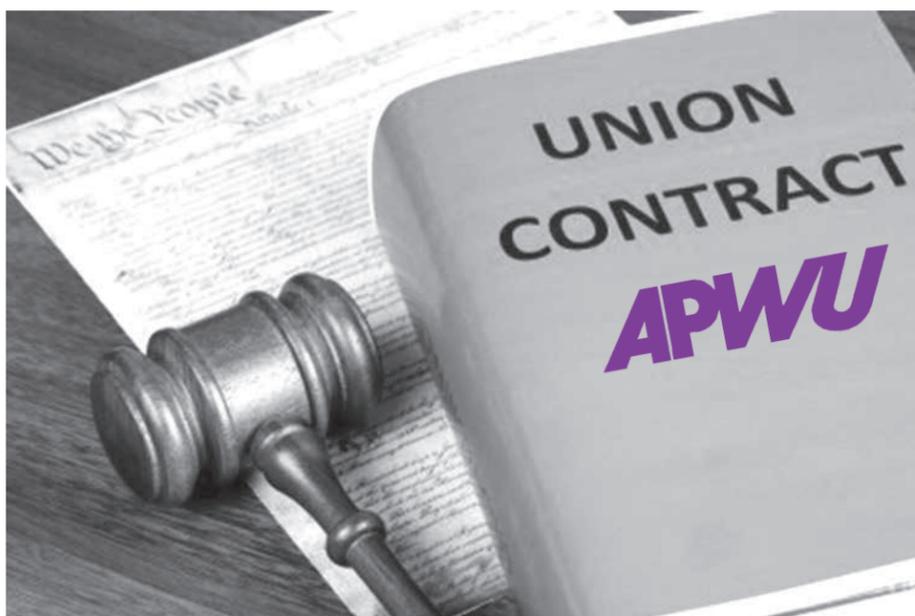
and that workers deserve better. This process is time consuming as stated in the Web page article. We have been told from the beginning that the Union was prepared for Arbitration if that is what was necessary, so now they must prove that. Our leadership has a difficult task in front of them. Are they up to the challenge? I certainly believe they are. I also believe that if there are any of them that feel they are not or feel that the best was obtained, then they should step aside for someone that has our best interest at heart.

Where is your raise? Our raise is tied up in the Contract Negotiations. Where are the Negotiations at? I will do my best to explain where we are at in the process and give my position or opinion if you want to call it that of where we are.

I want to start by explaining that Contract Negotiations are negotiations and it is common for a give and take to be performed. In other words, we don't just get what we want. That being said, negotiations are always going to be difficult. There are reasons to argue both directions concerning the state of negotiations being concessionary (to give back) or not. Arguments that the Service is financially unstable would say we are in a concessionary bargaining situation. But the Service is only in the situation they are from a manufactured crisis, which was caused by the Postal Accountability and Enhancement Act, PAEA, in 2006. Another argument the other direction could be that the economy is doing very well, our competition needs us as they use the USPS for their delivery, we are continually asked to do more with less.

So, where are we? The President, Mark Dimondstein, made his National statement that summarized the Contract negotiation status with Management. He stated he believed the proposed contract to be fair and that the Rank and File Committee had some serious concerns and sent it back to the Negotiating Committee. We also have seen a very large amount of leaked information on social media concerning what those serious issues may be and who voted for or against the proposed contract. We must remember this is leaked information and we do not have the whole picture, so it is difficult to make an educated opinion or position. I will not go into what all the information leaked has indicated. Those interested can search it out on the various Social Media accounts such as 21st Century Postal Worker.

What I see from the painted picture is troublesome. Some of the Social Media posts have indicated that the Craft Officers were **left out** of negotiations in the last portion of bargaining.



agreement". Those quotes could be taken as confirmation of the accusations on social media and it could be that is the only way we could continue to negotiate. We must all be careful of speculation and we have no way to know for certain. What I will say as your State President is simple "if the accusations are accurate and there is not an overwhelmingly important reason for it, which should be explained, well then it was and is something that should not happen and is a travesty." Some of the strongest and brightest Union minded people I have ever met would be on the Negotiating Committee and their thoughts and assistance should not be discarded.

The next issue I see is that the web news article states that President Dimondstein felt the offer to be fair and positive. Our Constitution has the Rank and File Bargaining Advisory Committee. This Committee decides on the proposed Contract that Management and the National Negotiating Committee worked out. This is their job and they must be objective. My colleagues on this committee were picked by the National Officers. I have worked with several of them and know most all of them. They are closer to the membership than the National Officers are, hence, the reason to have this Committee, they will have a feel for the membership that many National Officers have not had in years. They had a job to do and they did it! I have

what I believe is the right answer". I say this to you all as I believe you should know that the Committee did their job and I believe we should trust their judgement. The Committee is made up of a great group of Union leaders from around the Nation. If this proposal could not meet their expectations for a fair Contract there is no good reason to put it in front of the membership as the membership should clearly decline the proposal as well and this would add more time and expense to the process.

Now it is the job of the National Negotiating Committee to admit they or he, if it is only President Dimondstein, were wrong. It was not a fair and positive agreement as the Rank and File Committee said so. National must now take this to the Arbitrator and prove why the offer was not a fair offer

While there is no way for all of us to know all the details of negotiations, I still expect that time will tell the truth. Then we as members will have our opportunity to address the truth in elections and Constitutional Conventions. Remember, this is our Union. Leadership works for us and if leadership is not working for us, we need to make a change.

So, to answer the question. I believe we are in a tight spot. The Contract will now be decided by an Arbitrator and we as members will get what the Arbitrator gives us, rather we like it or not.

We as the membership are the Union and we must fight for what we believe in. When we stand up and fight back for our rights we can and do make a difference. We can fight out of a tight spot or corner when we are Unified. We as APWU represented postal employees deserve a fair and positive Contract in our eyes and leadership that works for us. Stay strong and continue to support Contract Campaign initiatives.

Fighting for you,  
Your MPWU President.

## Martin Luther King, Jr. Day January 21, 2019

**"We may have all come on different ships, but we're in the same boat now."**

**"The ultimate measure of man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy."**





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# My New Year's Resolution

by Dan Sullivan  
**Southwest Michigan Postal Workers Union from 1975 – 2008, Editor for the Union Flash Dec. 31, 11 p.m.**

I don't usually make New Year's Resolutions. I can't remember the last one I made, but it must have been a long time ago. I also don't drink champagne on New Year's Eve, sing Auld Lang Syne or watch the Ball drop in Times Square at midnight while blowing on a noisemaker. I guess I'm a party pooper.

But not this year. This year I'm making a New Year's Resolution and I intend to keep it. I have decided to pay the same attention to Donald Trump that I pay to news out of Inner Mongolia, the size of the Kardashian sisters' posteriors, the standings in the Eastern Division of the National Basketball Association and the thousands of other things I have no control over or interest in.

This New Year's Day I'm adding Trump to my lengthy list of people and things I pay no attention to.

Adding Trump to this list will, I hope, leave more time for productive activities such as improving my golf game, composing hillbilly anthems and preparing for next year's fantasy football draft.

Like the weather and the size of the Kardashian sisters' rear ends, there is nothing I can do about Trump. I can read and repost on social media every insane remark he utters and comment on his every idiotic tweet, all to no effect. Unless angering his fans living in the Twilight Zone is somehow considered therapeutic.

I can predict he will lead us into another Great Depression or bungle his way into a Third World War and what will it get me? Just a reputation as a Cassandra among my college educated friends which is, quite frankly, not a reputation anyone should want.

Like millions of my fellow Americans I've spent the last two years railing at this monstrosity that is Trump on Social media, on the golf course, at family gatherings, in email correspondences and anywhere else I happen to be when I get news of another Trump outrage. And to what good? He's still here, as vile, intemperate, crazy and treasonous as ever.

I can protest the right wing preachers who have misled their Evangelical flocks into following an anti-Christ with their en-

back and forth as they mock his every stupid remark and bemoan each example of boot-licking obsequiousness from some Republican Party hack trying to curry favor. I've been guilty of it myself at times.

Wallowing daily in the muck and mire of Trumpism can't be good for anyone's mental and spiritual health. By paying too much attention to this madness am I somehow becoming as unhinged as his millions of loony followers?

I hope not, but just to be safe I am taking active measures to protect myself. I'm going Cold Turkey. I'm kicking the habit.

Trump can curse the Pope, malign the works of Mother Theresa, claim the Moon landing was faked and the Earth is flat, insult the Queen of England, lower tariffs on Russian goods and commit all man-

ner of vile and villainous acts and I won't so much as arch an eyebrow anymore.

My resolution and intent is to hunker down until the hurricane has passed, saving my energy and breathe for the inevitable cleanup after the storm. And what a cleanup it will be.

Of course they say the best laid plans of mice and men often go awry. And New Year's Resolutions are notoriously more impressive in design than execution. So we'll see how long my determination lasts.

Right now I have an email to answer. A Trump supporter just trolled me and I have to give the damn fool a piece of my mind before the clock strikes midnight.



dorsement of this vain, narcissistic, lying demagogue and still millions will gather in the churches each week to drink the kool aid.

I can rail at the utterly corrupt Republican Party and it just goes on its merry way, doing the bidding of the Oligarchs while groveling and scraping at the feet of the Madman.

So what's the point? Am I just blowing off steam? Or could it be worse than that? Could paying too much attention to Trump be as corrosive to me as it is to his supporters?

I know people who follow the news about Trump as compulsively as any soap opera fan follows their favorite melodrama, their emotions swinging

## APWU Officers Join Protest To #StopTheShutdown

On January 10, APWU officers and members joined hundreds of furloughed federal government em-

ployees, labor leaders, congressional representatives and other allies on the steps of the "House of Labor," the AFL-CIO, to demand an end to the government shut down and resulting "lockout" of 800,000 federal employees.

American Federation of Government Employees (AFGE) National President J. David Cox clarified, "I'd like to make sure that everyone knows that this effort and extortion is more of a lockout than a shutdown."

"We're either locked out of our jobs, or we're locked into our jobs without pay," Cox continued. "It's even more of an accurate description  
*continued on page 3*

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

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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 MPWU - Michigan Messenger, John Greathouse - Editor, PO Box 27303, Lansing, MI 48909-7303. 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.

**E·D·I·T·O·R**



by  
**John  
Greathouse**

# Out With The Old, In With The New!

I was hoping that 2019 was going to start off on a good note and sure enough, before it even started, our President did not let us down!

**SHUTDOWN**

Just prior to Christmas he orders a government shutdown and put over 800,000 workers on furlough or ordered to work without pay. Why you wonder . . . he wants his wall!

Now I am behind having a secure border without question, but this sudden demand for \$5.7 billion to build his wall when earlier this year, his budget request was for \$1.2 billion for construction of a border wall. And as anyone know, even before Trump came to Washington . . . DC is a crazy place but this is a race to a new level of crazy!

When will it end is anyone guess as Trump now has the longest government shutdown on record. All of the previous one were resolved by discussions and negotiations. It seems that this one will not end that way as Trump has said, he will end it when he gets his wall!

I am not sure if anyone has told him but there is already a wall on the border and it is made with various kinds of material (metal, chain-link, steel) and it works... well most of the time if you don't count the tunnels that seem to keep popping up, like 3 that have been found just this month! Not to mention there is parts of the border that cannot have a wall/fence/barrier due to treaties between Mexico and the US.

Hopefully this is resolved and the government can get back to work soon.

**BLUE MICHIGAN**

At least Michigan got a good start for 2019, when on January 1st, Governor Gretchen Whitmer was sworn in as Michigan's new Governor. This along with a new Democrat Secretary of State and Attorney General, Jocelyn Benson & Dana Nessel.



**Out with the Old and In with the New as Gretchen Whitmer is sworn in as Michigan's 49th Governor.**

We as residents of Michigan it looks like we now have a government that will stand up for the citizen and not the special interest or 1%! Let's hope I am not wrong here and they go back to business as usual!

**CONTRACT**

It was looking good was we would have an early Christmas present from President Dimond-

stein but he ended up announcing in December 21st that we were unable to come to an agreement with the USPS and it seems we are now on the path to arbitration.

It is not a good route to go but we have to trust the negotiation committee and our Rank and File Bargaining Advisory Committee as they had some serious concerns with the tentative agreement and sent it back to the APWU National leadership to reopen negotiations with management and attempt to address their concerns.

The good news is that our current contract is still in force so hopefully management doesn't go too "wild west" on us and start all kinds of crazy shit! Well any more than they do already!



**Governor Rick Snyder observes.**

**2019**

I hope everyone has a safe, enjoyable, and successful year and you get the time to enjoy this



great state and your family's... remember "You WORK to LIVE not LIVE to WORK!"

In Solidarity.

## APWU Officers Join Protest To #StopTheShutdown

*continued from page 2*

tion that I would say it's a shakedown, brothers and sisters...what's being held hostage? Our tax dollars are being held hostage. The government programs we've all paid for are being held hostage. Our members jobs and paychecks are being held hostage."

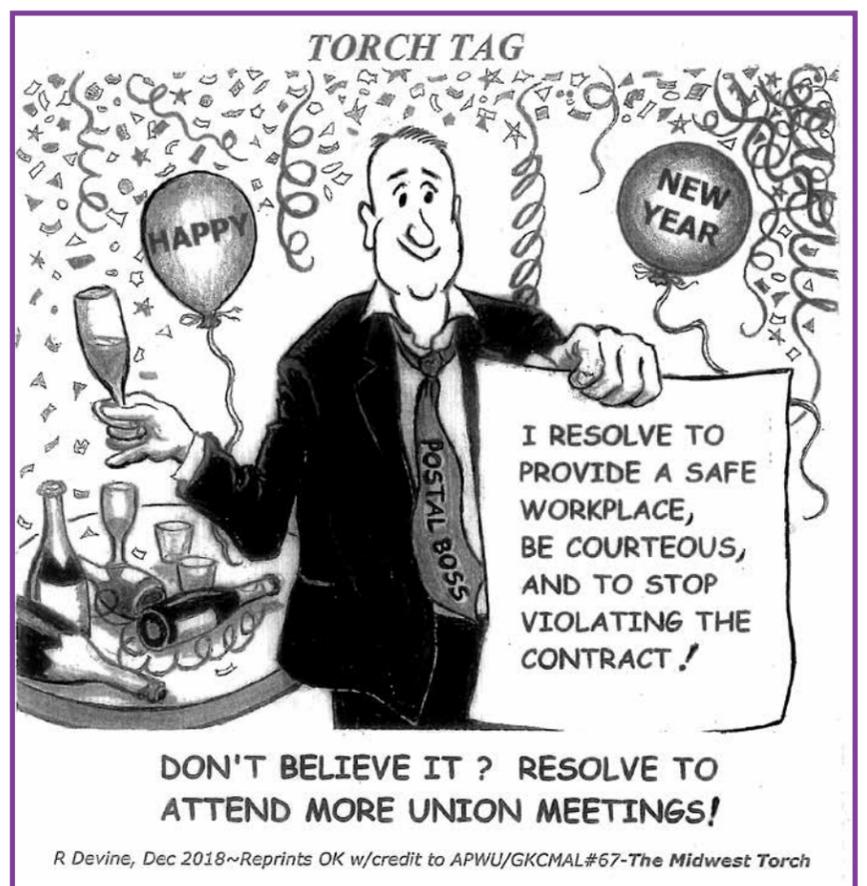
"Like everyone else, I have bills -mortgage, heat, water . . . and my student loans still need to be paid," U.S. Department of Justice Research Librarian Janice Fridle said. "My creditors want cash, not IOUs."

Hundreds marched together down 16th Street, straight to the White House, to telling President Trump: 'END THIS SHUTDOWN - NOW!'

The shut down is negatively affecting all people of this country with inspectors unable to enforce regulations on food and other goods, affordable housing applications unable to be reviewed and approved, and power grid monitors off the job and unable to ensure the safety and security of our communities.

Additionally, as furloughed Kennedy Space Station Industrial High Voltage Tech-

nician Steve Ching explained, "this is true trickle down economics . . . no paychecks means: no gas for our cars, no money for our prescriptions, no money for groceries, no money for our utilities, and no money for our mortgages and rent. These are all affected businesses in our community that will see a downturn in their ability to make money."



**DON'T BELIEVE IT ? RESOLVE TO ATTEND MORE UNION MEETINGS!**

R Devine, Dec 2018--Reprints OK w/credit to APWU/GKCMAL#67-The Midwest Torch

## VETERANS' DIRECTOR

## Veteran News



by  
John P.  
Smeekens

## TIGHT LINES FOR TROOPS

Save the date but register now! The date is May 17 - 18, 2019

Tight Lines for Troops is a one day fishing trip around Manistee and in Lake Michigan, fully paid by sponsors and the boat captains. You are only responsible for getting there and a couple nights of lodging (the casino gives a discount for this program). To learn more about the program go to: <http://tightlinesfortroops.com/tight-lines-troops-2018/> or on Facebook: Tight Lines For Troops To register (it is first come, first served): <http://tightlinesfortroops.com/tight-lines-for-troops-2019-app-2/>

## NEW VA WEB-SITE

Since Mr. Wilkie's arrival, you've heard him talk repeatedly about his main priority, as Secretary of Veterans Affairs, was to give the customers the best possible experience the minute they encounter The VA. He recently announced the launch of the new **VA.gov** web-site. Every corner of the VA came together – across all offices and organizational boundaries – to listen to customers and put Veterans first. Over 10 Million people visit VA's websites each month. Many have a frustrating experience. They can't find the tools and services they need. They're confused by multiple VA brands. In fact, one Veteran said, "I have no handle on VA . . . the hospitals are the only thing I can put my head around. There's no storefront, no website." How do they know this? They talked to them. In fact, they talked to 5,000 of them. But more importantly, they listened to what they had to say. Based on what they heard, they're giving Veterans an easy way to log in on a centralized home page, access to the 20 top tasks that 80% of them need most, with a standard design to eliminate confusion across VA services, and a personalized profile where they can do basic things like update their name and address in one location. With just that one update, the information will flow across the VHA and VBA border, continuing updates across multiple systems. While this is just a first step in the digital modernization process it's a major leap forward for providing exceptional customer service to those that they serve. Take a look and see what you think. Hopefully it will be a GOOD experience!!!

## UNDERPAID GI BILL BENEFITS

Secretary of Veterans Affairs Robert Wilkie issued a statement recently, assuring that The VA would repay underpaid or missed GI Bill benefits payments. He said "to clear up any confusion, I want to make clear that each and every post-9/11 GI Bill beneficiary will be made 100 percent whole

– retroactively if need be – for their housing benefits for this academic year based on Forever GI Bill rates, not on post-9/11 GI Bill rates. Mr. Wilkie said, "Although the VA has encountered issues with implementing the Forever GI Bill on Congress' timeline, they will work with lawmakers to ensure that – once VA is in a position to process education claims in accordance with the new law – each and every beneficiary will receive retroactively the exact benefits to which they are entitled under that law". This problem has definitely put a financial strain on student veterans. The Forever GI Bill expands veterans' education benefits and was passed last year by Congress. Housing allowances under the Forever GI Bill are calculated based off where a student veteran physically attends classes rather than calculating based on the location of the main campus. The law dictated this change needed to be made by Aug. 1, 2018, but IT issues have pushed implementation back to Dec. 1, 2019. The IT problems resulted in a substantial backlog of claims made by student veterans.

## VETERANS' SHOT DOWN IN D.C.

A final deal to provide Department of Veterans Affairs benefits to thousands of veterans who served off the coast during the Vietnam War failed in the Senate recently. The Blue Water Navy Vietnam Veterans Act would have extended eligibility for disability compensation and health care to "Blue Water" Navy veterans – service members who were aboard aircraft carriers, cruisers, destroyers and other ships, off the coast of Viet Nam. Some have fought for years to

prove they were exposed to Agent Orange. The dioxin-laden herbicide has been found to cause respiratory cancers, Parkinson's disease and heart disease, as well as other conditions. The House voted 382-0 in favor of the legislation in June. Since then, it's been stuck in the Senate. Then it happened, Sen. Kirsten Gillibrand, D-N.Y., went to the Senate floor and asked for unanimous consent to pass the bill. Unanimous consent expedites approval but can be stopped if one senator objects. Citing cost concerns, Sen. Mike Enzi, R-Wyo., chairman of the Senate Budget Committee, objected. Enzi said he wanted more details about how many veterans would be made eligible for benefits under the legislation and how much it would cost.

## V.A. TELEHEALTH, VFW, &amp; AMERICAN LEGION

During the recent Anywhere to Anywhere Telehealth Summit, the VA announced Project ATLAS, which is a partnership between VA, the VFW, and the American Legion, to provide VA telehealth at VFW and Legion posts in rural areas. The first Project ATLAS location, is a VFW Post in Montana, the VA will begin offering VA mental health care to veterans. Through Project Atlas, Philips will install video communication technologies and medical devices in selected American Legion and VFW posts to enable remote examinations through a secure, high-speed internet line. Veterans will be examined and advised in real time through face-to-face video sessions with VA medical professionals, who may be located hundreds or thousands

of miles away. The program enables the "Anywhere to Anywhere" VA initiative to benefit veterans who would otherwise need to travel to receive care. To Learn more about VA's telehealth look up "Anywhere to Anywhere" initiative on your computer for more in depth information.

## V.A. HOSPITALS OUTPERFORM

According to an independent Dartmouth study recently published this week in Annals of Internal Medicine, Department of Veterans Affairs (VA) hospitals outperform private hospitals in most health care markets throughout the country.

## WURTSMITH AIR BASE IN OSCODA

A federal health agency recently said that contaminated drinking water might have caused cancer and other chronic disease among Veterans' and their families while housed at Wurtsmith Air Base in Oscoda Michigan. The agency released a report that concluded, people who consumed or had skin contact with Wurtsmith water may be at an increased risk for cancer. Extremely high levels of **benzene and trichloroethylene** were documented in the former base's water before being closed in 1993. The findings also note that even short term exposure for pregnant mothers during their first trimester could lead to heart birth defects in their children. The contamination was found in 1977, but well water could've been contaminated for years before the discovery. The Air Force, set in place, a system to clean up the water in the late 1980's. Check with your V.S.O. for more information.

## 8 REASONS USPS PRODUCTIVITY IS DECLINING:

## The Employees Speak Out

News that the U.S. Postal Service's productivity has taken a turn for the worse comes as no surprise to many USPS employees, especially letter carriers.

Many postal workers responded to last week's article, USPS Productivity Has Declined This Year, about USPS delivering fewer mail pieces per work hour than it did a year ago. From the comments, on Dead Tree Edition and on other sites, come eight reasons for the USPS's declining productivity:

**Longer hours:** "Perhaps if we weren't so short staffed and didn't have endless OT being forced upon us, our productivity would be better," wrote one of several letter carriers who blamed declining productivity on fatigue caused by longer routes and work days. USPS statistics back up claims from the front line that overtime is increasing among carriers.

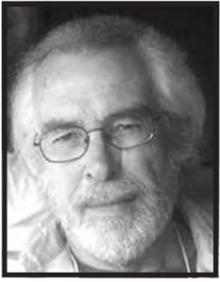
**More street time:** Not only are carriers working longer hours, automation has resulted in them spending more of their day actually delivering mail rather than preparing it for delivery. "I know I am nowhere near as fresh at hour 10 as I am when the day starts after walking in 90 plus heat and full humidity." Automating the sequencing of mail had been contributing to rising productivity the past few years, but how much of those gains are being lost to burnout? (Which may be why we've heard nothing more about a 2010 USPS proposal to have some carriers making deliveries all day while others prepped mail full time. Aug. 5 update: Oops! USPS recently experimented with the concept, as discussed in Postal Service Trial of '100 Percent Street Time' Fails.)

**Flats Sequencing System:** And then there's the issue of what happens when automation doesn't do what it's supposed to do. "The billion-dollar

wonder flat trashing machines are a nightmare on the street," wrote one carrier. The huge machines' erratic performance sometimes result in carriers spending just as much time preparing the mail, or even more, but now have more addresses to serve than in the past because of the expected productivity gains from FSS. Last winter, that led to many carriers delivering mail after dark – definitely not a high-productivity environment.

**Shortage of postal clerks:** "There are fewer clerks processing mail. It takes longer to get the mail to the carriers, so it takes longer for them to get it to the street," said one employee. "For every one minute of delay on the workroom floor each morning, you lose (1) x the number of carriers," noted another. "We have about 60 routes. We've had one clerk exceeded, one moved to the 'Concierge' position, etc. We lose the

*continued on page 6*

~~RETIREE PRESIDENT~~

by  
Paul  
Browning

# Social In Security

Here's the deal on the so-called entitlement of Social Security and why Republicans want to reduce it. For years Congress and Presidents have literally "borrowed" money from the Social Security Trust Fund to spend on other Federal Government projects. Promissory notes with interest have been issued to the fund but now the those interest payments are adding up plus the money is actually no longer in the Trust Fund. Because of this their "spending" (whether you want to call it reckless or not is up to you) its getting time to pay the piper as the Federal deficit balloons to its highest amount ever thanks in no small part to last years massive tax cut legislation. (What about the Supplemental Benefit for pre-62 year old retirees? Where is that coming from?) With the recent partial shut-down of the Federal government, we have seen how far things can go in

Washington to just not pay people who are owed money. If hundreds of thousands of government employees can just blithely be told they are not getting paid, when or who will be next told they are not getting the money due them? Hint: go back and read the first sentence of this paragraph.

Speaking of last year's tax cuts for which I got about an extra \$45 a month take home, it was quickly eaten up by increases in Medicare and Federal Employees Health Insurance (FEHBP) premiums. Also prescription drug co-pays went up. And now the Internal Revenue Service is saying many people's tax refunds will be reduced because of the tax cuts. Am I the only one saying things don't add up here under a Republican government which says it is helping out the middle and lower income taxpayers?

I recently noticed in the ubiquitous Facebook a group called U.S. Postal Service Employees Planning to Retire. A question was posed by one member of how many people would

continue to pay attention to the USPS after they retired.

The overwhelming response was pretty much no attention at all. Talk about cutting your nose off to spite your face. Without the continued viability of the Post Office and its payments into the Civil Service, FERS, FEHBP, Life Insurance plans, how long will there remain sufficient money to fund these programs? I'm not even talking about the stupid FEHBP pre-funding requirement of 75 years into the future but just the very near future for our Health Insurance. You may think you can just walk away from USPS and forget about them but the fact is your livelihood is still dependent upon the Post Office just as much as when you were working there. And employment there did give us a decent standard of living. Sure we were bossed around by idiots much of the time and the place seemed like one great mental asylum, but with our Union fighting for us we earned decent wages and benefits and managed to buy houses, cars, feed our families,

etc. I for one am grateful for my Postal employment and the American Postal Workers Union. Of course there were times when I disagreed with Union leadership at both the National and Local level, but I always realized I was better off with them than without them. (Full disclosure – I was a part time APWU officer for over 20 years as a Local Steward and President, Michigan State Union Officer, and National Arbitration Advocate all on the Union payroll).

Today I remain concerned about the Post Office, its employees, and postal retirees. Anything else would be short sighted. There are those political candidates friendly to Postal issues to support at the ballot box, through even small cash contributions, letters, emails, and phone calls that show I am behind them and with them. Apathy and ignorance are the greatest enemies right now of us all. Without considerable demonstrated involvement by current and former Postal employees, don't be counting or relying upon money and benefits.

## Prime Time Leave Preparation Time

The following article comes from *The Ohio Postal Worker* written by Mark Graham, Clerk Craft Director. This is some good information we all need to be aware of.

I can tell that it is now time to start preparing for Prime Time Vacation, otherwise known as Choice Vacation Period. I can tell because the weather in Ohio has been grabbed by the icy hands of winter. Even though I golfed yesterday (November 25, 2018), today I had to put salt down on the driveway to prevent the snow from sticking. They say if you don't like the weather in Ohio to just wait a few minutes because it will change.

Back to Prime Time, Article 10 of the Collective Bargaining Agreement (CBA) covers Leave. Section 3 of that article deals with Choice Vacation. It lists how much time you can take during the course of the year and that leave is contractual. Basically, if you earn up to 13 days of annual leave you can take up to ten days. If you earn 20 or 26 days of annual leave you can take up to 15 days of prime time vacation. The remainder of your leave may be granted at other times during the year, as requested by the employee, or not. Remember, you can carry over a maximum of 440 hours of annual leave before you lose any.

Article 30 of the CBA lists 22 items that a local union can negotiate in a Local Memorandum of Understanding (LMOU) with local management. If you are in an office that has one, it should establish the program that your office has to follow. However, many offices in

Ohio do not have locals and they are known as Members-At-Large (MAL) and they have their own LMOU to follow. We are fortunate enough to have the National Officers that we have because they had the foresight to draft a LMOU for offices that lack a local union. It is a simple four-page document and it can be found online at <http://www.apwu.org/sites/apwu/files/resource-files/LMOU%2012-22-16%202.pdf>.

Please keep in mind that this article is a general overview and for a detailed explanation you can read the LMOU at the above link or call an officer to answer any questions.

As the Ohio Postal Workers Union Director of the Clerk Craft nearly all of the employees that I represent are MALs and therefore are governed by the LMOU referenced above. So the focus of this article will be on Article III sections 3 and 4 of the LMOU. I know from experience that nearly all small offices do not follow this contract language which results in our members losing out on a tremendous benefit. This LMOU is ONLY for APWU represented employees and does not apply to city or rural carriers so they should not be counting towards any of our Prime Time Leave. They should have their own and no APWU represented employees should be counted towards their numbers either. If you have any problems with your local management about Choice Vacation please contact a union officer quickly so that any problems can be resolved prior to anyone losing out on a desired vacation. Additionally this LMOU gives management

a time limit of 72 hours to act on an incidental annual leave request and if they fail to do so the time is considered approved. I would suggest that you fill out a PS Form 3971 in duplicate and give them to your manager so that they can date and initial when the request was received and give you one of the copies. If you do not do that there will be too many opportunities for game-playing and this tactic will eliminate that.

Section 3 deals with incidental leave. This is leave that is outside of the Prime Time or for less than a week within the Prime Time. Unfortunately, this LMOU does allow management to deny leave in the month of December. Article III Section 3 paragraph 2 states that, "Excluding the month of December, for incidental annual leave requested during the course of a leave year, a minimum of one (1) APWU represented bargaining unit employee within the installation, by craft, or a minimum of 15 percent of all APWU bargaining unit employees, by craft, if greater than the minimum of 1, will be allowed off on annual leave at any one time." However it does allow that if a PSE is off on annual leave in lieu of sick leave that the leave does not count against the allowable amount of employees off on incidental leave.

Section 4 deals with Choice Vacation Period. It defines the period in paragraph d as March 1, through November 30. But in Part B it requires a calendar to be placed on the employees' bulletin board no later than January 15th. This is the reason I am writing this article now. Part E gives the employees until February 1 with those choices being

approved by seniority (Part C). So to reiterate, Management must post the leave calendar no later than January 15 and the employees have until February 1 to sign up for their choices.

One last thing is that the choice vacation period shall start on the first day of the employees basic work week which is most likely Saturday. Exceptions may be granted by agreement among the employee, the union representative, and the Employer. This language is actually section 5 of the LMOU as well as Article 10 Section 3.E of the CBA.

I hope this short article will help ensure that all of our members can get their desired leave approved year after year because this is a benefit of employment. Again, if you have any problems with your local management please immediately contact your union representative so that they can deal with the problem so no one misses out on any desired leave.

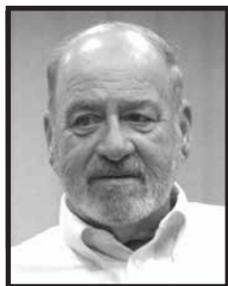
– Ohio Postal Worker

### DEADLINE

for articles for the  
next issue of the

*Michigan  
Messenger*  
is March 8, 2018

## M.P.W.U. RETIREE ADVISOR . . .



by  
Al  
LaBrecque

# A View From The Mitt

**“Just because we’re retired, we’re NEVER out of the arena”.**

**Looking Back:** 2018, like most calendar years, had its highs and lows personally, for our Union, State and Federal government. A brief review of some highs was the outcome of **just some** that started out horrific and ended up miraculously good. Youngest son, a Flint Letter Carrier, suffered a ruptured aorta three days before Father’s Day, airlifted to U.M. Ann Arbor, 10 1/2 hr. bypass surgery and 7 months later; after celebrating his 47th birthday on December 25th, Noel returned to his route on Jan. 3rd. Never missed a paycheck or holiday pay and still has over 500 hrs. sick leave on the books along with all 2018 annual leave unused. Whew! That ranks #1 in my 2018 lows to highs.

The National Convention’s harsh rejection of APWU resolutions initiatives left a bitter taste in retiree leadership palates. Again, out of the ashes sometimes “The Phoenix” arises. After a period of venting from all points across APWU, retiree leadership set about preparing resolutions for the 2020 confab, including addressing APWU Health Plan internal issues. Despite still stinging from active delegate’s rebuke, retiree leadership answered the call to arms by the APWU president. Retirees’ Dept. Local and State activists are more motivated than discouraged.

Just have to brag up the most important part of my life; Family! Two Granddaughters graduated college, aced their state boards, are working Registered Nurses, and proud members of their union. A Grandson in his final year of college school of nursing. His youngest sister, a freshman at U.M.-Flint nursing program. Youngest Granddaughter named Davison H.S. November Student of the Month-Spanish. A senior, carrying all A’s, has a class at Mott College (works 2 part-time jobs) with sights set on being an oncology nurse, then Physician’s Asst. In that regard, 2018 was a **very good year!**

In November I relinquished the last of various elective offices held over a span of nearly 60 years; Treasurer Alcona County Democratic Party. I was ready. As with every endeavor or office I’ve had the privilege to hold; when you can’t do the whole job, it’s time to hang up the whistle and cleats. Don’t have to like it. Just have to accept it. I’m still capable of “doing damage” from the fringe; this column, the *Flint Facts*, and Letters to the Editor. It’s like when I used to say; “Maybe I can’t

punch that rat boss in the snout locker like I want to, but I’ll beat the s.o.b. to death with my typewriter!” My great, astute, and personally dear friends of the ACDC (stands for Alcona Co. Dem Committee) honored me with and a luncheon and presentations. While deeply appreciated, just as with “Al’s Reluctant Retirement Party”, inductions to football coaches and sports Halls of Fame, or accolades that were more about longevity than accomplishment; I’m truly humbled each time. I’ve described the emotion of those events as; If you go to Heaven, you’re not so sure you deserve to be there, but very glad you are. It’s like being recognized for doing what you loved, had a passion for doing it, felt privileged to be a part of it, knowing that you wouldn’t have gotten there without the people you had around you. In each instance I’ve been doubly blessed with the best of the best, beginning with my parents. A lot just being in the right place at the right time.

**Looking Ahead:** 2019 promises to be turbulent. APWU contract to interest arbitration. APWU national officer elections. Continuing chaos stoked by a U.S. Presidential megalomaniac. Countering the damages of Michigan’s GOP lame duck legislature aimed at handcuffing our newly elected Dem Governor, Attorney General, and Secretary of State, and bills designed to undercut the 3 ballot proposals overwhelmingly adopted by “We The People”. The APWU-USPS Contract: The focus will be on arbitration. Until settlement, all else will be secondary. Members eligible to retire who are hanging on until they know negotiated terms that may affect their retirement income are left swinging in the wind. Unless called upon, it’s my view that retired members and leadership stay out of the fray. I’m interested insofar as it could be a football in 2019 national officer elections. The Rank & File Bargaining Committee rejected a negotiated contract led by President Dimondstein, by a resounding 9-4 vote, who stated he felt it was a fair contract. There’s lots of social media

rumors on the points of impasse that I’m not going to address. Details will emerge eventually from those directly involved. The 9-4 rejection by R&F is alarming, however. A previous R&F rejection back in the ‘70’s was by a 7-6 margin. Again, unless called upon, this retired member a.k.a. “the loyal opposition”, will be an interested spectator. My concern is that given the current government shutdown, private sector stagnant wages and diluted benefits, volatile political climate, we aren’t likely to garner much sympathy from the American public. In many communities, as in rural Michigan, a postal job is premier on the wage and benefits scale. I’ll wear my Union gear to therapy! 2019 national officer elections: So far, anybody’s guess. Only one announced candidate; Greg Bell for Exec. V.P., presuming incumbents will seek re-election. Otherwise, no comment! POTUS, GOP dominated government: (Pause: a former, very talented football player I coached, a UAW field Rep. in Nevada, refers to the Grand Old Party - GOP, as “Greed Over People”). I’d like a buck for every time I hear someone say; “I’ve never seen anything like it!”, or variations thereof. As retirees we can have an impact. We know how to lobby our elected representatives in Congress, the Senate, and don’t forget the Michigan State GOP legislature. We know how to call, write, possibly e-mail, and even meet with them. We can write Letters to the Editor in the local press. To that end, during a recent retiree leadership telecom, I requested that Legislative/Political Dir., Judy Beard, provide retirees the factual talking points. There’s some “noise” that the despised Windfall Elimination Provision reducing CSRS retiree Social Security by a 40% factor, is being introduced in the Dem controlled U.S. House. **Every** affected CSRS retiree who’s adversely affected by WEP should jump on it like a chicken on a June bug! Bread and butter issues; Social Security, Medicare, Medicaid, COLA calculations for seniors, all should prompt retiree involvement. On the State Level: We tend to regard ourselves as **federal** employees or

retirees. True, but we’re also citizens of the State of Michigan whose lives are directly impacted by what happens in Lansing. It’s huge; from taxing federal retirement annuities, to elimination of gerrymandering, to reformed voter registration, implementing the recreational marijuana laws; defining Michigan’s political battleground. Better positioned than before the election, but decidedly uphill. This is what I’m planning: Contacting the Lansing offices of my 106th District House Rep, Sue Allor-R, and 36th District Senator, Jim Stamos-R (hack for Midland Dow), for a list of their lame duck session recorded votes by bill # and title. If successful, it’s my intent to publish it as a ‘report card’ in a Letter to the Editor in our weekly county press. Knowing the decidedly conservative editor isn’t going to like it, who can argue against transparency? Hey! You can do it too!

**Random Old Guy Musings:** When engaging my state reps. I’m considering proposing legislation to rescind the robin as our state bird, and replace it with the black-capped chickadee. Robins desert Michigan in winter. The feisty little clown chickadees entertain year-round. Chickadees are seed eaters, love suet cakes, while robins fly south where the ground isn’t frozen as ground feeders for worms and bugs. Crazy?

Not when one compares it with the deplorable legislation proposed in the lame duck sessions in Michigan, and to a lesser degree; the U.S. House. Then, on a more sobering note; I’ve been reminiscing the litany of valued Union Sisters and Brothers, Family, dear friends in all the facets of life, who left this life in 2018. Frankly, I’m grateful to be able to not only mourn them, but to honor their memories. Would you believe that when I realized it was the “M.M.” deadline, I had no idea what to write, then the juices flowed. Amazing now to realize everything I have to leave unsaid. That’s something else to be grateful for; and daylight hours are getting longer!

Solidarity Forever!

## Prime Time Leave Preparation Time

*continued from page 4*  
equivalent of 50-60 man hours nearly every day.”

**More delivery points:** “Adding millions of delivery points every year will always increase delivery costs,” wrote one commentator, “while increasing volumes (or decreasing volumes) will have little effect on delivery costs because most of the delivery cost (the cost of servicing a delivery point) is fixed while the marginal cost of delivering a mail piece is darn near negligible in comparison to the fixed cost. In other words, the cost is in having

the carrier walk up to the door; whether he is carrying 8 pieces or 3 pieces doesn’t affect the cost of making that delivery.”

**More parcels:** “Parcels definitely take more time” than letters, noted one carrier. The Postal Service’s growing parcel business, coupled with the declining letter business, means fewer mail pieces can be delivered per work hour.

**Management:** The complaints about USPS having “too many supervisors who supervise the supervision

of supervisors” are nothing new. But many employees believe that USPS’s recent downsizing efforts have focused too heavily on unionized employees and not enough on supervisors and administrators who never “touch the mail.”

**Morale:** Cutbacks, increased labor-management disputes, and USPS’s insolvency are discouraging postal workers and sapping their productivity, several have said. One put the situation succinctly: “Good news—> high morale—> high productivity. Bad news—> low morale—> low productivity.”

# Is The Postal Service Sick?

by Omar Gonzalez,  
Western Regional Coordinator

33,400+ employees are absent daily claims management, triggering their Attendance Control Employee Availability (AC/EA) crackdown while they impose so-called "Dynamic Scheduling."

Leave rules in CBA Article 10 and the Employee & Labor Relations Manual (ELM) Chapter 510 have existed for 40 years. ACEA can't change those rules. ELM 665.11 requires you to be regular in attendance. However, ELM 511.1 requires management to administer leave on an equitable basis for all employees considering a) the needs of the service b) the welfare of the individual employee.

Too often management imposes discipline using select rules and dictates, such as, three (3) absences in 90 days requires discipline. This dictate violates the contract. "It is the supervisor's review of the attendance record in light of all relevant evidence, NOT any set number of absences that determines whether corrective action is warranted." [Article 10.1; 10.2 JCIM].

## STAND BY YOUR RIGHTS

You have the right to earn and use sick leave which insures you against loss of pay if you're incapacitated because of illness, injury, pregnancy, confinement, medical exams, appointments/ treatments (including optical/dental) [ELM 513.11].

Management has always claimed they can issue discipline even for approved sick leave. However, properly documented and approved sick leave should not be used in and of itself, in a way that is against your interests. Nor can management violate official leave regulations like failing to give you copies of your 3971s. You have the right to challenge management's actions. (PSEs please see below)

## NOT JUST CAUSE THEY CAN

To issue discipline our Contract requires management have "just cause." There are several "tests" your supervisor must use before taking discipline. Also, discipline must be corrective, progressive and not punitive [Article 16 JCIM].

Tests include there be reasonable

attendance rules and proof you're aware of them. Official rules can't be altered [Article 10 JCIM], must be applied fairly, without discrimination, be consistently and equitably enforced.

## NO SCRIPTED WITCH HUNTS

Your supervisor must complete a thorough objective investigation BEFORE they can issue discipline which includes your "day in court" right to know in detail the charges, to be able to defend yourself. Under Weingarten rules you have a right to have your steward present: Per EL 921 stewards have the right to:

- fully participate in the interview
- ask the supervisor questions
- (e.g., on application of rules, equal treatment etc.)
- comment on supervisor's questions (especially leading/misleading questions read from a script)
- help clarify your answers to questions
- discuss favorable facts (e.g. your past record and other relevant factors)

Whether management may impose discipline for alleged exces-

sive absenteeism (including approved leave) is a question of fact and must be determined on a case by case basis in light of all relevant factors/evidence [Arb. Case NC-NAT-16 285; JCIM 10.2]. You should challenge every instance of AWOL; unscheduled leave determinations, return to work meetings, improper demands for substantiation, inaccurate 3971s; and unjust discipline.

## CHANGE IS HERE

The mid-term elections have consequences. Our contract fight continues as our Brother, Northeast Coordinator John Durzius retires. Coordinator Stone, Gallagher, Beasley and I wish you a blessed New Year and extend our prayers for those who passed on in 2018.

Under the 2015 CBA, PSEs do not earn sick leave; they accrue annual leave. PSE attendance rules are on page 71 JCIM. PSEs can also file grievances for violations of these rules, improper AWOL and unjust discipline. The CBA (page 255) prohibits management from firing PSEs for exercising their grievance rights.

# Arbitrator Rejects APWU Challenges To Roof Maintenance

01/10/2019 - In a decision issued on Friday, January 4, 2019, Arbitrator Stephen B. Goldberg ruled that the Postal Service did not violate the National Agreement in 2011 when it decided to subcontract roof maintenance and repair work. The Union contended that the Employer had violated Article 32.1.A by failing to give due consideration to the five factors it must consider before subcontracting; violated Article 32.1.B by failing to give the Union advance notice, and by failing to comply with the other requirements of 32.1.B; violated the MOU on Contracting or Insourcing of Contracted Services; and violated ASM Section 535.112.

On the issue of due consideration of the five factors in Article 32.1.B, The Union provided evidence and argument showing that when the Postal Service was deciding whether or not to subcontract roof maintenance and repairs, the Postal Service analysis was "wrong about roof warranties, wrong about qualifications of employees, wrong about availability of equipment, and wrong about OSHA requirements."

The Arbitrator's decision examines each of these contentions in detail, including the evidence provided by a Union expert witness on commercial roofing, and concludes that, on each

point, the Union's evidence was insufficient to prove that the Postal Service's purported consideration of the factors in 32.1.A was a sham or that the Postal Service had acted in bad faith, arbitrarily or capriciously. Thus, the Arbitrator concluded that the Union had failed to establish a violation of Article 32.1.A.

In rejecting the Union's Article 32.1.B argument that the roof repair and maintenance subcontracting had a significant impact on bargaining unit work, the Arbitrator applied a standard by which significant impact did not depend on the number of employees affect; it "could...also result from a significant change in conditions of employment or a significant impairment of job tenure, employment security or reasonably anticipated work opportunities." The Arbitrator concluded that the Union had not shown that this standard had been met.

The decision reaffirms the Arbitrator's holding in the California Mode Conversion case (Case No. Q10V-4Q-C 12324573 (2013) that

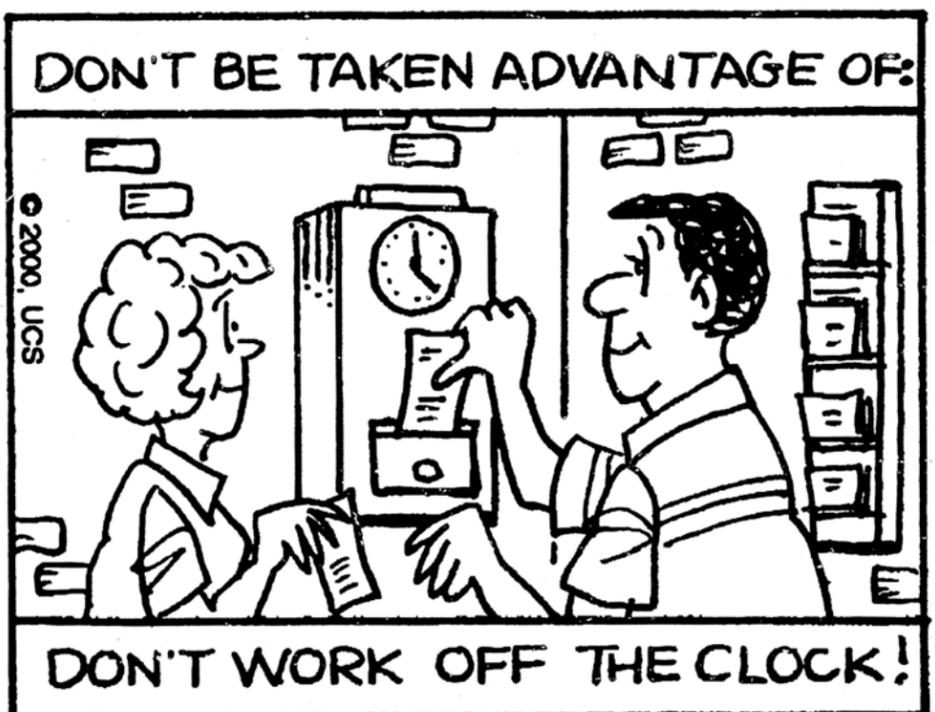
...if factors other than cost do not rule out keeping the work in-house, and the cost of keeping the work in-house would be less than contracting out, both the text and the bargaining history of the Contracting

MOU require that the work be kept in-house.

In rejecting the Union's argument that contracting out is more costly in this case, the Arbitrator stated that he was not persuaded that the cost of performing the work in-house would be at a cost equal to or less than the cost of subcontracting the work.

In a decision at odds with a number of regional arbitration awards, the Ar-

bitrator rejected the Union's reliance on Section 535.112 of the ASM. The Union has relied on this ASM provision to establish that work covered by it may not be contracted out unless the Postal Service can show that it is less costly to contract out the work. The Arbitrator disagreed with the Union's reading of the ASM provision. The Arbitrator found it "unlikely" that the Postal Service would have unilaterally set such a restriction on its discretion to contract out



# Lead Levels Decline Across Michigan

**November 2, 2018 Joel Kurth, Mike Wilkinson - Bridge Magazine Michigan**

The percentage of Michigan youths with elevated lead levels declined last year in much of the state. Some experts attribute the decline to fewer tests following the Flint water crisis, but others say there is no easy explanation.

Lead levels among Michigan's children fell in 2017 after spiking up, and while officials cheer the news, some experts are linking the drop to less testing.

Preliminary numbers released last week by the state of Michigan show 3.1 percent of children 6 and younger had elevated lead levels, down from 3.6 percent in 2016.

The drop follows increases in 2016 after years of steady decline. As recently as 1998, close to half of Michigan children had elevated levels, which can cause developmental delays, anemia, behavioral issues and other health problems.

"Although we are pleased there has been a decline, we cannot define a 'driver' that has led to it at this time

other than to say many communities have implemented programs and policies to address lead exposure in the past couple of years," Lynn Sutfin, a spokeswoman for the state Department of Health and Human Services, told Bridge Magazine.

Experts have attributed the 2016 increase to fallout from the Flint water crisis, which exposed hundreds of children to lead and prompted parents and doctors to test more kids throughout Michigan.

Now that the crisis has faded from the headlines, tests fell 10 percent last year to 150,000 statewide.

The threat remains, experts said, particularly in older homes built before the early 1960s when lead paint was still commonly used.

A far greater source of lead poisoning than water, old homes expose crawling children to paint chips and dust from windows, according to the U.S. Centers for Disease Control and Prevention.

"Lead is still in all these older homes in Michigan, and until it is substantially abated or these homes are removed

from the housing stock, there is still a hazard to kids," said Lyke Thompson, director of Wayne State University's Center for Urban Housing.

The two Michigan cities with the most older homes – Detroit and Grand Rapids – have the most problems with lead.

Both cities saw declines in 2017, but remain far above the state average: The percent of young children with elevated lead levels dropped to 7 percent from 8.4 percent in Detroit, and to 8 percent from 11.8 percent in Grand Rapids.

In Detroit, at least 10 percent of kids in eight of 27 city ZIP Codes tested positive for elevated lead levels.

Many are in some of the city's oldest and most blighted neighborhoods, such as the Virginia Park neighborhood in the city's 48206 ZIP Code, where 19 percent of tested children had elevated levels last year.

That compares to 3.1 percent in Flint last year, which increased slightly from 2.9 percent.

Thompson has led efforts to test children in that Detroit ZIP Code and another, 48214, where 16 percent of children had elevated lead levels last year. He said 85 percent of the 1,000 homes he's tested in that neighborhood were positive for lead.

It's one of several initiatives in cities like Detroit and Grand Rapids, but remediation efforts are expensive: \$15,000 per home to remove paint from walls and windows.

In Grand Rapids, Paul Haan has worked with the city government to eliminate lead in 1,500 housing units in the past 14 years. There are potentially thousands more in need of remediation, said Haan, executive director of the Healthy Homes Coalition of West Michigan.

"If we really want to drive numbers down there are other ways to do it," Haan said.

Haan said he wants more communities to adopt tougher housing standards that require owners and landlords to eliminate lead hazards before homes and apartments are sold or rented.

Detroit has such an ordinance but not all landlords comply.

Detroit also has implemented numerous reforms and last summer halted demolitions in several ZIP Codes with older homes after a city study linked the city's aggressive housing demolitions to lead poisoning.

Under Mayor Mike Duggan, the

city has knocked down more than 13,000 blighted homes since 2013. That sends clouds of paint dust in the air, and the city study found that 2.4 percent of Detroit children with elevated lead levels "may be attributable to demolitions."

More needs to be done, said Thompson.

Since 2012, tests in Detroit have dropped about 14 percent to 25,000 last year, Thompson said. Tests are mandatory for children whose parents receive Medicaid, while outreach efforts test youths in high-risk areas.

"As testing goes up, so does lead poisoning. That's what we typically see," Thompson said.

He is among those advocating for universal testing statewide for youths 6 and younger. Most tests cost a few dollars apiece, which would add millions to the state budget.

"We are preserving the future by getting lead levels down and protecting their intelligence," Thompson said.

Detroit officials did not respond to multiple requests for comment.

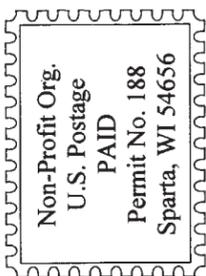
In Flint, increases in elevated lead levels also may be due to testing, said Dr. Mona Hanna-Attisha, a pediatrician at Hurley Medical Center whose research helped expose the Flint water crisis.

After denials from state officials about the quality of the city's drinking water after its source switched to the Flint River in 2014, Hanna-Attisha conducted research that showed blood lead levels in the city's children had in fact doubled.

She said that, at least in Flint, the fact that fewer people getting tested may have led to last year's uptick.

"After the lead crisis became public, everyone and their brother got tested ... not just high-risk kids, but all kids, and thus the rate decreased," Hanna-Attisha wrote in an email to Bridge.

"So the fact that it went back up a little may represent the return of screening to only the higher-risk kids."



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