

Michigan MESSENGER



Volume 48, Number 203
September-October, 2019

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

In This Edition

Election Results.....	Page 2
The Future Of U.S. Jobs Looks Bleak. Unions Are The Answer.....	Page 3
A View From The Mitt.....	Page 4
Turney At The Table.....	Page 5
When Leaders Don't Follow The Rules.....	Page 6
The Plant After Dark.....	Page 7
NBA Report.....	Page 8

PRESIDENT

Move Forward



by
Michael
Mize

The election is over, and the membership has made their decisions. We have had some time to digest those decisions. So, now what? The answer is we move forward! It is not about rather our person won or not. It is about you, the member. It is time that we support each other and work together for the membership. With everything I have, that is exactly what

I intend to do. I will continue to represent the membership and do my best to be a voice for the members, specifically the small office membership.

In order to represent small office issues and move forward the issues that concern you the most, we need to hear from you. You may believe that many others have already told us. Unfortunately, many times we only work from the grievances we file and the information from a very few that we hear from. Grievance activity speaks volumes, but what else? Drop us a note, send a text, call and leave a message. Tell us what

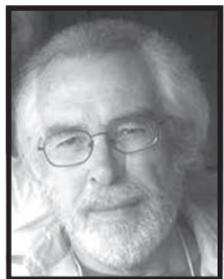
your issues are. Tell us what you would like to see changed. The more people that provide input, the better picture we have.

What's the reason we need you to let us know right now? National Officers that were just elected or reelected need to know if they are headed the right direction. They need to know what the members want. The next reason is the most important to us. We are currently working and will be for the next few months on resolutions for the National Convention 2020. The more time we have,

to perfect those resolutions that will provide direction to the Union the better. It also helps if there are multiple States and/or Locals that have the same issue and same or similar resolution to fix it. The issues we have early we have more time to discuss with others.

As your President, I am asking for your input to assist me and the MWPU, APWU to move forward. Now is the time to speak out. You are the Union and the Union needs you to use your knowledge of your issues. Speak out!

RETIREE PRESIDENT



by
Paul
Browning

Elsewhere in this paper you find the results of the 2019 APWU National Elections. Except for the positions of National Clerk Craft Director and one of the three Central Region Clerk National Business Agents, all incumbents were re-elected or ran without opposition. Of 190,000 ballots mailed out to Union members along with 1,000 word candidate statements and a self-addressed return ballot envelope, less than 40,000 members voted. So much for participatory democracy. Apparently, the vast majority of members are satisfied with the Leadership/Representation of the APWU or they just plain don't care. Its reminiscent of the old joke – What's worse, Ignorance or Apathy? Answer, I don't know and I don't care. To those who may have wondered who to vote for, all it would have taken was a phone call to any MPWU State Officer listed in this paper.

Here in Michigan, two dedicated APWU officers, APWU Health Plan Director John Marcotte and 480-81 Area Local President Roscoe Woods, ran for the offices of National President and Central Region Coordinator. Despite much of their own money and time, neither came close to winning the respective offices. John will return to the workroom floor in Traverse City and Roscoe will continue as Local President. While these two would have been outstanding as National Officers, the National's loss is Michigan's gain,

It's Your Union I Guess

that is if a bright side can be painted to this sad state of affairs. And while the Election races were at times particularly contentious (especially on the ubiquitous social media) most assuredly John and Roscoe will shake hands with the winners and continue to work for the betterment of APWU members.

No doubt there are those who view the position of a Union Officer as some cushy gig that pays big bucks with a lot of perks. Well, au contraire mon ami. Union officers spend more time on the job than your average Overtime Desired List freak who rakes in an extra 50% or more of their annual straight pay. They drive and fly (economy class) all over the country at all different hours of the day or week. They engage in acrimonious fights with Postal Management on the one hand and listen to the angry complaints of members on the other. Many of the complainers are the same ones who couldn't take the time to vote yet have ample time to read their phones in the break room or watch a weekend blow out football game. Nonetheless, APWU Officers from Washington D. C. to the workroom floor stewards will continue to work in the often – thankless job of representing Union members treated unfairly and trying to improve working conditions.

For retirees, it's all about keeping that pension and benefits that were won through many past hard-fought battles at the bargaining table or through legislation. Today APWU Leadership continues to fight against "takeaway" proposals by USPS and

U.S. conservative Congressional representatives in Washington and a conservative President. Unless retirees have their heads buried in the sand – which seems entirely possible judging by voter turnout and election results – they are aware of the constant and continuing proposals to reduce what was earned and promised for Retirement. Those retirees who scream the loudest when they receive a paltry COLA increase or have to pay more for health insurance are the very same ones who fail to vote.

Of the seven National Officers that APWU Retirees can vote for and who directly influence them-President, Vice President, Secretary-Treasurer, Legislative Director, Human Relations

Director, APWU Health Plan Director, and Retiree Department Director-six of the seven I voted for won. The lone exception was John Marcotte losing to incumbent President Mark Dimondstein. Mark's not a bad guy, I just thought John could do a better job in the position for retirees and all the members. Still, I will be right behind John in shaking Mark's hand and congratulating him on his victory. It's called SOLIDARITY because we are all in this together!

Just in – The Social Security Administration announced that the Cost of Living Allowance (COLA) for SSA recipients and CSRS annuitants for 2020 will be 1.6% reflected in the December 2019 amounts paid. You do the Math.

Cost-of-Living Adjustment (COLA) Information For 2020

Social Security and Supplemental Security Income (SSI) benefits for nearly 69 million Americans will increase 1.6 percent in 2020.

The 1.6 percent cost-of-living adjustment (COLA) will begin with benefits payable to more than 63 million Social Security beneficiaries in January 2020. Increased payments to more than 8 million SSI beneficiaries will begin on December 31, 2019. (Note: some people receive both Social Security and SSI benefits)

The maximum amount of earnings subject to the Social Security tax (taxable maximum) will increase to \$137,700.

The earnings limit for workers who are younger than "full" retirement age (age 66 for people born in 1943 through 1954) will increase to \$18,240. (We deduct \$1 from benefits for each \$2 earned over \$18,240.)

The earnings limit for people turning 66 in 2020 will increase to \$48,600. (We deduct \$1 from benefits for each \$3 earned over \$48,600 until the month the worker turns age 66.)

There is no limit on earnings for workers who are "full" retirement age or older for the entire year.

continued on page 3

EDITOR

Election Results



by John Greathouse

Greetings Brothers and Sisters . . .

Well that was one heck of an election! It did not end the way I hoped/expected but in some ways, it could have ended a bit worse.

I would like to take this time to thank each and every member who took time out of their day to cast their vote.

I have talked with a couple of members in my local that did not receive their ballots until October 5th! It was not forwarded and there were no mark ups on the envelope. This issue might need to be looked in to prior to the next election as this was not an isolated incident from comments I have heard from across the country.

What also concerns me the low of response by the members! 16.9% of all active members! The retiree members had over 30%! This lack of engagement of the members in voting, can be also reflected in their activities in they

locals as well, it needs to change.

I feel this due to a disconnect between the younger members and older members. As an older member (I am not old, I just feel like it at times), I see that the younger members thinks, works and socializes differently than I do as well as retired members and frankly... we are disconnected from them! We need to examine this and work hard as fixing this.

APWU HQ took a step in that direction by creating a new website. At first it was a polished turd! It has improved a bit but it has a LONG way to go and we need to develop an APP for national as well as locals to use. We the servers that we have at HQ, there is no reason this has not happened yet!

I don't want to sound like I am sitting around a campfire singing kumbaya and all is good, but we do need to come together, regardless of who won, support them and make the APWU Strong!

Contract

With the PMG jumping out in her golden parachute in January 2020, add to this the lack of a contract not

only for the APWU but also the NALC and NPMHU. Not to mention the lack of action in Congress and the Trump administration wanting our heads, along with Federal Union members on fence post around the White House, should make all of us quite concerned. With the recent legal challenges going against Federal Unions (aka. Trump stacking the courts), our fellow Union brothers and sisters have been forced out of offices in federal buildings and have to meet with members off the clock! We are safe for right now . . . Just in case . . . You might want to reach out to your Congressman and Senator and express your thoughts and views on this subject matter! Hint, call the local office as well as the office in DC. The local calls do have a larger impact with the staff in DC (got this from someone who works there).

Why we do what we do

I hope everyone has a fun Halloween and wonderful Thanksgiving.

Get some rest now for the upcoming holiday season, it should be a busy one!

In Solidarity.

APWU 2019 Official Election Results

Table with columns for various divisions: GENERAL AND DEPARTMENTS, NBA SOUTHERN REGION ATLANTA REGION, NBA EASTERN REGION, NBA SOUTHWEST SUB-REGION, NBA SOUTHEAST SUB-REGION, MAINTENANCE DIVISION, MAINTENANCE DIRECTOR, MAINTENANCE ASSISTANT DIRECTOR (A), MAINTENANCE ASSISTANT DIRECTOR (B), RETIREES DEPARTMENT, RETIREES NCD WESTERN REGION, CLERK DIVISION, NBA SOUTHERN REGION DALLAS REGION (A), NBA SOUTHERN REGION DALLAS REGION (C), NBA WESTERN REGION SAN FRANCISCO REGION (A), NBA WESTERN REGION SAN FRANCISCO REGION (C), NBA CENTRAL REGION CHICAGO REGION (B), NBA CENTRAL REGION WICHITA REGION (A).



- President Michael Mize
Executive Secretary Michael Long
Secretary-Treasurer Darren Joyce
Director of Education & Research Ron Krumrie
Editor John Greathouse
Legislative Director Roscoe Woods
HR/Injury Compensation Director Keith Combs
Clerk Craft Director Wendy Kempke
Maintenance Craft Director Vacant
Motor Vehicle Service Craft Director Joe Wrobel
Veterans Director John Smeekens
Area 1 Director (480/481) Patrick Jones
Area 2 Director (482) Patrick Chornoby
Area 3 Director (483) Robin Ely
Area 4 Director (484/485) Sandra Rancour
Area 5 Director (486/487) Vacant
Area 6 Director (488/489) Joshua Gray
Area 7 Director (490/491) VACANT
Area 8 Director (492) Wendy Kempke
Area 9 Director (493/494) Lisa Borchardt
Area 10 Director (496) Vince Nichols
Area 11 Director (497) Laura Stafford
Area 12 Director (498/499) Theresa Granquist
P.O.W.E.R. Representative Tamika Johnson-Smith
State Retiree Chapter President Paul Browning
MPWU Auxiliary President Vacant
MPWU Historian Vacant
MPWU Advisor Vacant

PPA logo and 100% UNION PRINTER PRODUCED text.

The Future Of U.S. Jobs Looks Bleak. Unions Are the Answer.

by Heidi Shierholz,
In These Times



New data shows a grim outlook for U.S. jobs. The answer is more unions. (Photo by Spencer Platt/Getty Images)

We were just handed a wake-up call. Newly released numbers from the U.S. Bureau of Labor Statistics project that six of the ten occupations expected to have the most total job growth over the next decade pay less than \$27,000 a year. Three of those six are low-paying jobs in the restaurant industry. Even more striking is the concentration of low-paid healthcare jobs at the top of the list, with personal care aides at number one and home health aides at number four. These jobs are disproportionately held by women and by people of color.

The low earnings in these fast-growing jobs provide a grim glimpse into what the future of work in the United States will look like if nothing

changes. But this future is not ordained. These jobs pay poorly because we allow it. Weak labor standards (such as a low federal minimum wage and weak overtime protections), weak enforcement of these standards, and labor law that does a poor job of protecting workers' right to unionize, all mean employers have the power to suppress workers' wages. This will continue to be the case unless we, as a society, make different choices — choices that empower workers and give them more power in their workplaces.

For those who might respond that these low-paid workers should just go to college to get a decent-paying job, the new BLS data has an answer for you. In 2028, only 27.2 percent of jobs will be in occupations where a college degree (or more) is typically required. In other words, even in nine years, a college degree won't actually be required for a huge share of the jobs employers will need workers to do. If everyone gets a college degree, those non-college jobs will simply be filled by college grads. Put yet another way, college cannot solve this. Unless you're willing to write off almost three-quarters of the labor market as undeserving of a decent job, we need another approach. We need to make sure even those 72.8 percent of jobs that don't require a college degree are good jobs.

The good news is that we know how to do that. We must implement strong labor standards, strong enforcement of those standards, and reform labor law so that workers who want to join a union are able to do so. As we think about these different choices for our future, it's worth noting that manufacturing jobs

weren't always good jobs — in fact, they were often terrible, and dangerous. Unionization changed that. Unionization could do that for the fast-growing jobs of the future, too.

The ten occupations with the largest projected job growth

	The ten occupations with the largest projected job growth	Employment (in thousands)		Projected growth (in thousands)	Median annual wage, 2018
		2018	2028		
1	Personal care aides	2,421	3,302	881	\$24,020
2	Combined food preparation and serving workers, incl. fast food	3,704	4,344	640	\$21,250
3	Registered nurses	3,060	3,431	372	\$71,730
4	Home health aides	832	1,137	305	\$24,200
5	Cooks, restaurant	1,362	1,661	299	\$26,530
6	Software developers, applications	944	1,186	242	\$103,620
7	Waiters and waitresses	2,635	2,805	170	\$21,780
8	General and operations managers	2,376	2,541	165	\$100,930
9	Janitors and cleaners, except maids & housekeeping cleaners	2,404	2,564	160	\$26,110
10	Medical assistants	687	842	155	\$33,610

Your Work Your Paycheck

by Michael Mize, MPWU President

Brothers and Sisters, do you let Management do your work? I write this today to talk about the Level 18 offices where the Postmaster can do 15 hours per week of Clerk work. The problem, they do more than that amount all to often. They tell you that they are not breaking the rules. Since you see the Postmaster more than you see us it seems reasonable to believe them. The facts, there are violations in these offices that should be more hours for you to work. We do catch them in some of their mistakes or dishonesty.

Would you like to get more hours? Get paid for their mistakes or dishonesty?

esty? You are the best source of information in the office for us. Keep a record of the time they spend doing Clerk work. If there is no Clerk there and the window is open, then that time is all Clerk work. Does the Postmaster have a drawer in all day? For three hours? How ever long the drawer is in it is Clerk time. The time they spend sorting mail, putting box mail up etc is Clerk time. If they work 15 hours per week and no more then they are following the rules. If they work anything more, even 5 minutes, it is a violation. Reach out and let us know, ask for a steward and file a grievance. Don't let them take your work and your paycheck.

Another way that Management

is stealing your paycheck is through morning assistance. Is your office busy? Lots of mail in the morning? Truthfully, most are. Management has also continued to eliminate positions and left many places without enough help to get work done timely. So, Management then claims they have to get the job done and they have Carriers assist to get the mail out. What they need to do is let you or us do our job. When the mail is up it is up. It is free money when the Carriers do Clerk work. There is no reason that it is okay. It is a violation and it happens way to often. You are the APWU voice

in your office. This is free money, ask for a steward and get a grievance filed.

It appears they want to steal your paycheck! All I am suggesting is that you work with us to take your paycheck back. I would prefer that we earn our paycheck by us doing our work. However, if they want to pay someone else to do your work and then pay you through a grievance, okay. It is dumb and not good business, but hey we will take the money. Let's work together to stop the violations and increase your paycheck.

Cost-of-Living Adjustment (COLA) Information For 2020

continued from page 1

2020 COLA Announced For Civil Service and FERS

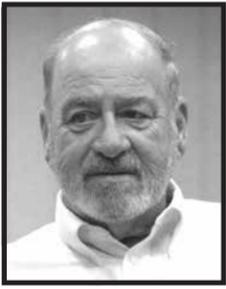
The 2020 cost-of-living adjustment (COLA) will be 1.6 percent for Civil Service Retirement System (CSRS) annuities, Federal Employees Retirement System (FERS) annuities and

Social Security benefits.

This is a lower federal retiree COLA than last year when CSRS annuitants received 2.8 percent and FERS annuitants received 2 percent. Medicare Costs for 2020 has not been published.

— DEADLINE —
for articles for the next issue
of the *Michigan Messenger*
is November 16, 2019

M·P·W·U·R·E·T·I·R·E·E·A·D·V·I·S·O·R



by
Al
LaBrecque

A View From The Mitt

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

APWU National Officer’s Election: (Being written 2 days before the tally) Back in May, I predicted this election would be a ‘Humdinger’, turned out to be a slobber-knocker! Little did I know then that there would be 3 “Teams”, an unprecedented mutiny of incumbent officers from the current president’s former team to the “Fighting4U” slate led by our own John Marcotte Social media; 3 Facebook site forums for candidate statements, clever ads, a glut of back-and-forth from candidates and their supporters that I dubbed; “The Good, The Bad, & The Ugly”. There was a positive side to it, especially with a Retiree FB page established by Jack Gose (FL); the hot n’ heavy forum for bringing Retirees’ Dept. issues to the fore under a glaring light and lively debate among retiree Chapter leadership in the field, incumbent national officers, and challengers as never before. It’s as if retirees were given our own microphone. I will attempt to recite the virtual litany of hot button internal issues this election campaign cycle has revealed from my view herein, some items stunning, if not deeply concerning in serious need of addressing once the dust from this unique election settles.

No way would I attempt to predict the outcome of this slug fest other than I’d almost wager Sec.-Treas. Elizabeth “Liz” Powell will be re-elected. On the positive side; we already **know** happily and thankfully, that our own MPWU State Retiree Chapter president; **Paul J. Browning has been re-elected Central Region National Retiree Delegate** by virtue of being unopposed. Speaks well for Paul’s leadership. Regardless of who we elect, it’s

imperative that they bury the hatchet for the next three years and get about the business of representing the Rank & File membership, active and retired, pronto! No “if’s”, “and’s”, or “but’s” about it! There’s more internal issues to address than I ever imagined.

Where To Begin?: Not necessarily chronologically, but as it comes to me. Early on it became evident this was going to be contentious top to bottom. The central issue for active working members was primarily over the Tentative (Contract) Agreement rejected by the Rank & File Bargaining Committee. Not our retiree bailiwick. **Never, ever** has there been more candidate interest in wooing the retiree vote, **Never! That’s a positive thing!** I received phone calls and e-mails from candidates from all 3 Teams, affording the opportunity to spread our “retiree gospel” at length. A teaching moment that I’m hopeful will serve retiree member’s interests down the road. Some were repeat calls, including from candidates who knew I hadn’t endorsed them, all quite civil, if not amiable. A virtual ‘Getting to know ya’. Not so much for the 3 Facebook websites where it revealed the best and the worst in we “Brothers & Sisters” in our collective zeal to support our candidates, and to emphasize our paramount Retiree Representation resolution to adopt Constitutional language that would afford eligibility for Local and State Retiree Chapters to elect delegates to National Conventions with a voice and vote. That thus far, this highly contentious proposal, initially submitted by Bro. Paul Browning via Michigan State, hadn’t garnered the favorable response than the election debate provided. Unresolved as of this writing, that I’m guessing will be the #1 retiree open sessions issue at the All-Craft Retirees’ Dept. Conference in Vegas; is whether the originally submitted 1-100 delegate ratio of a Chapter’s membership total (i.e. 1 delegate per 100 members), as opposed to a similar resolution altering the delegate to

members ratio to 1-25, in my view D.O.A.! A considerable ground swell of support for 1-100 being more attainable among both active and retired leaderships of all stripes has resulted. Another ‘good thing’.

But Geez! Almost right off the bat, our incumbent APWU president filed a lawsuit, said to be \$5 million each, against two APWU members alleging libel and/or slander for stating their views on his leadership or character. I haven’t seen the specific allegation. As far as I know, and I’ve been there for all of them; that’s a first. How many APWU members do we know who could cough up that kind of money, let alone the expense of legal representation? A ‘little’ heavy-handed in my view. It went downhill from there.

The Numbers Game – Mind boggling! Math never my strong suit; it didn’t take a genius to ascertain that APWU Retirees’ Dept. member numbers being reported were wildly out of whack. A sheet included with the retiree nomination form package dated April 30, 2019 showed a 41,850 Retirees’ Dept. total, with 40,948 members identified as “OPM” indicating they’re \$3. per month dues deducted from their annuity. An APWU LM-2 Report showing 38,000+ members-in-good-standing surfaced into the mix, then the Election Committee reported 32,271 retiree ballots were mailed. Alarming differentials! After weeks of inquiry, debate, and figuratively pulling of teeth; we were able to pry out some answers as to why the 6,000 to 9,000 retired member swing, not insignificant anomalies representing a lot of potential retirees’ votes!

The Stunner! Would you believe there are **6,000+ delinquent** “cash dues-pay” Retirees’ Dept. members, a significant number **enrolled in the APWU Health Plan?!** Yep! A whole another jar of worms revealed and in immediate need of resolving which I fully intend to remain honed in on. Distasteful, I know! But the charity toward delinquent cash pay retired members enrolled in the Union health plan cannot be ignored, nor should it be. I propose, and intend to pursue the following action be taken by the APWU Sec.-Treas. in concert with the APWU Retirees’ Dept. to employ “tough love”. It’s commendable there’s a reluctance to cut anyone off from their health plan coverage by declaring them ineligible for dues delinquency @ \$3. per mo., \$36. per year. It’s simply not sustainable, and violates APWU & Plan eligibility requirements to enroll, or remain enrolled. I’ve proposed and extensively discussed with Sec.-Treas. Liz Powell, that a “red letter notice” to those dues-delinquent retired cash-pay members, their caregivers, or next of kin; that their APWU FEHBP coverage will be terminated 90-days from the date of notice unless they re-

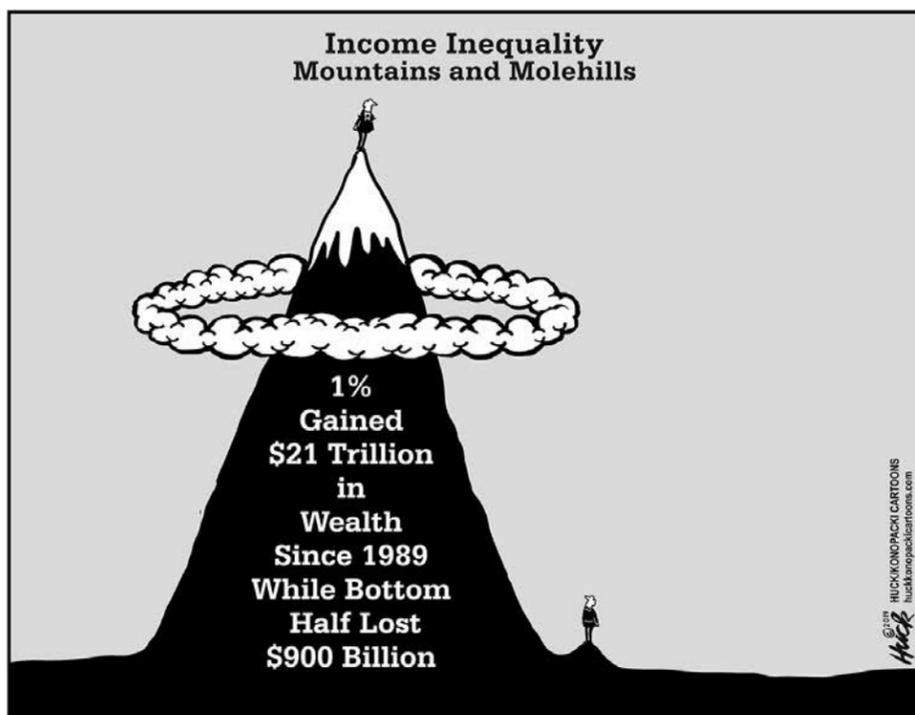
instate their APWU membership. That **their back dues will be forgiven IF** they reinstate within the 90-day grace period. Include; a Retiree Dues Deduction Authorization Form 1187, a return postage-paid addressed envelope for either the completed 1187, or a \$36. dues payment reinstating their good standing. When discussing it with both Liz and Retirees’ Dept. Dir. Nancy Olumekor; it’s recognized that some of those delinquents may be incapacitated, their caregivers are unaware, or perhaps they’re deceased. But, OPM should be able to provide that info. A dicey undertaking for sure, but absolutely essential. Sister Powell, **who’s been totally cooperative, advises that her Dept., with the assistance of APWU Health Plan Dir. John Marcotte;** mailed over 6,000 letters to delinquent cash-pay members, including those enrolled in the Health Plan, resulting in less than 100 responses. Pretty discouraging, so what to do? In my view it’s obvious; do what I’ve proposed. I’d welcome a better solution. Then, there’s a quiet dark side, that’s reluctant to impose a “tough love” plan of action for monetary motives. Health Plan administrators aren’t overly anxious to lose retirees enrolled and still paying their premiums. Likewise, a loss of the number of enrolled members in our Plan directly affects the OPM annual kickback to the APWU general treasury said to have been about \$11 million this year. All about the revenue, and it ain’t chicken feed. Almost comes down to a matter of Union ethics in my view. Sec.-Treas. Powell has graciously compiled a chronological sequence of the classification of each Retirees’ Dept. member category explaining the numbers differentials, mailing hard copies to Paul and me. And, that’s just for starters! Certainly have our work cut out!

A Laundry List of revelations and known issues magnified with all the slings and arrows of the campaign, and previously known issues in dire need of resolution, not necessarily in order of importance:

*****An Election Committee** that **perfects** both active full-dues pay members, **and** Retirees’ Dept. members-in-good-standing eligibility lists **6 months prior to the election**, per Dept. of Labor regulations.

*****Sec.-Treas. Dept., in concert with Retirees’ Dept.** develop a comprehensive, transparent procedure to **account for each retiree dues-pay member in each category**, with particular attention to cash-pay retiree members, both those in-good-standing, and dues-delinquent, flagging those enrolled in the APWU Health Plan, updated no less than monthly. Chart it in comprehensive, transparent layman’s terms and **readily available** to Chapter leadership in the field. Be

continued on page 5



NATIONAL BUSINESS AGENT



by
Linda
Turney

Turney At The Table

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

Tips For Stewards

Class Action Grievances affect more than one employee in the office. The Union may designate one steward in writing to the installation head or designee to file on behalf of all the employees listed in the class.

When a Class Action is filed, all employees in the class that is listed are covered and we should not file individual grievances on the same issue. One item that is especially problematic at step 3

for these types of grievances is the REMEDY.

When filing a class action grievance that involves more than one employee, the steward should list the names of the affected class of employees. Stewards should also include their Employee Identification Numbers (EINs). If the steward does not want all employees to be paid equally, that should also be included in the grievance.

If there is only one Grievant, the Union cannot ask for a class action remedy.

Avoid a remedy that states, "pay appropriate employees at the appropriate rate for the number of hours due." Please, list all of the affected employees and identify them by their EIN to ensure quick and proper payment. (Union Steward Manual)

Make A List

When sending your cases to step 3, always include a list of all the items that you have shared with management at step 2. Discuss these items at step 2. Create an Exhibit List. Without an Exhibit List in your case file, at arbitration, Management will claim they never received your documents and object to the documents being considered by the arbitrator. Exhibits should include items such as: RFI's and the responses to RFI's, witness statements, doctor's notes, medical receipts, overtime desired lists, clock rings, manual or publication references, Form 50's, Seniority lists, PS 1723's, PS 3971's and 3972's, and LOMU's. This is not an all-inclusive list, but these and other exhibits help to prove your case.

I look forward to working with you on perfecting your grievances.

A View From The Mitt

continued from page 4

vigilant to avoid the highly questionable differential of retiree members vs. those eligible to receive a ballot of this election. From what I've observed; the voting service, **American Arbitration Assn. (AAA)**, is at the crux of inexcusable ballot SNAFU's. Re-evaluate retaining AAA's shoddy work as a vendor.

*****Actively employing a Local, State Chapter & membership Organizing effort** with the earmarked, reportedly over \$600K Retiree Organizing fund. A monthly accounting of the balance on hand and expenditures readily available. Not unreasonable to expect. We're not a financial institution. Spend it for it's intended use and don't dip it!

*****Paramount; A Resolution to afford Local & State Retiree Chapters eligibility to elect delegates** to National Conventions with voice & vote. Go into Convention united in purpose, preferably a Resolve of delegate to Chapter membership ratios of 1-100, or fraction thereof; i.e. An 80-member Chapter = 1 delegate vote. A 101-member Chapter = 2 delegate votes, a 450-member Chapter = 5 delegates, and so on. A lot to consider about Chapter's ability to fund travel, lodging, per diem for 7 days including travel time. Reasonably, a modest 100-200 retiree delegates in a convention of 2,000-2,500 active member delegates. Hardly threatening! The debated sticking point amended by proponents of a 1-25 ratio rather than 1-100 is, in my view D.O.A. Why on earth would we believe that by reintroducing a previous loser will produce a different result?

*****2 items repeatedly mentioned,** not exclusively retiree related, expressed verbally and on FB with candidates and members across the spectrum;

1. Restore the position of Asst. Legislative/Political Dir. to the benefit of both active & retired members in

the critical legislative arena.

2. The APWU Health Plan Board of Directors consists of the 13-member APWU National Exec. Board (NEB) and Plan Director; making decisions affecting the premiums and coverage of Plan members . . . like me.

There are NEB members who **are not** enrolled in the APWU Plan making decisions and voting, having no stake in the outcome. No officer can, nor should be mandated to belong to the APWU Health Plan. That's an individual choice.

Employ the **KISS Principle**. Amend the Constitution to require NEB officer's eligibility to actively serve on the APWU Health Plan Board of Directors is contingent upon their being enrolled in the APWU Health Plan. The Director must belong! I trust the capability of less than 14 Board officers to make sound decisions in my, and their best interests.

*****Oh, there's more . . . but on to; Other Stuff Begging Our Attention:**

X – APWU Paramount Legislation! USPS Fairness Act H.R. 2382 to virtually save member's jobs by avoiding privatization assaults, and to repeal the ridiculous pre-funding mandate, 92% of the USPS deficit. Social Security Fairness Act H.R. 141/S.521 to repeal WEP/GPO with a version proposing to increase CSRS WEP reduced monthly S.S. benefits by \$150. per mo. H.R. 1170 establishing a COLA CPI-E more accurately measuring senior's cost of living, lifting the S.S. earnings cap of over \$250,000.

X – The unmasked USPS propaganda campaign via "Dear Postal Retiree" mailings exposing the USPS's ulterior motive to "sell" Medicare Integration, Medicare Advantage plans designed to undermine FEHBP to their financial benefit. Beware the "Medicare For All" siren song.

X – The APWU Health Plan postal and non-postal (retiree) premium rates are announced. APWU retiree Self+1 premium decrease of -\$25.67 per month, -\$308.04 per year.

X – A projected puny 1.6% COLA increase to annuities and S.S. benefits.

X – 2020 Medicare premiums yet to be announced.

One shining truth for sure; this national officer election cycle was revealing beyond expectation. Social media; e-mail and Facebook sites; affording candidates and posters a wide-ranging forum for sparring debaters. For retiree leadership, it was a unique opportunity to highlight retiree initiatives and spark debate. It also illuminated warts in need of fixing; our election process and accounting of members being not the least of those. Lastly, it allowed "The Three Amigo's"; Paul Browning, Byron Denton, and I, to announce our mutually arrived at endorsement of candidates retired members were eligible to vote for. Admittedly, a measure of self-satisfaction

knowing that our past efforts to attain retired members the right to vote is bearing bounteous fruit. But, there's yet more . . .

Walk a mile with our **UAW Brothers & Sisters in their Strike** for contractual justice! **Reading between the lines;** Am I the only one to suddenly notice that the APWU Health Plan Director's (John Marcotte) page in the APWU Postal Worker magazine is demoted to the inside back page, bumping the Retirees' Dept. report up a page? Pretty sly. That put the two most important reports for me as both a retiree and APWU Health Plan member, inside the back cover. Now, I turn to the inside back page first, and work my way backward in order of my interest; 'The first shall be last, and the last shall be first!' Amplifies Bro. Browning's coined; 'We are all in this Together' slogan. Wasn't it our first PMG, Ben Franklin, who admonished the Continental Congress; "We must all hang together, or we surely will all hang separately.?"

Solidarity Forever, AI



ALERT Retired Members ALERT!

Just received by retired postal workers; **USPS RETIREE - Quarterly Newsletter - Fall 2019!** 3 sheets, 5 printed sides. Timed for FEHBP Open Season! Loaded with **Medicare Integration** propaganda. **Beware Buying In!**

This is **WHY**; Quote; Page 4, from USPS Chief Human Resources Officer, Isaac Cronkite: "**Integration with Medicare would ensure that the Postal Service would be able to pay its share of health care costs for our employees into the future.**" That sentence sums up USPS Ministry Of Propaganda (M.O.P.) bottom line ulterior motives. A not so veiled threat; buy into Medicare Integration, or else.

A massive USPS assault on FEHBP benefits to pad their bottom line on retired postal workers' backs! A backdoor effort to lead retirees down the primrose path of Medicare Integration at our expense and that of FEHBP. **Don't bite!** Stay tuned! AI LaBrecque, Advisor

When Leaders Don't Follow The Rules!

Actions speak louder than words. The best leaders are the best followers. These are just a couple quotes about leadership I found on the internet. True leadership is earned. Once earned, to maintain a leadership role, a leader must follow — the rules. Here's the scoop: Postal employees, including EAS and postal executives, have many postal laws, handbooks, and manuals, memorandums of understanding, union national agreements and management instructions filled with policies or rules to be followed in the performance of one's job. It's these policies and rules that keep order in the Postal Service to ensure we operate efficiently, effectively, safely, and with integrity.

Inherently, when we don't follow established laws, postal policies and rules, there can be serious consequences, such as additional labor or operating costs, grievance settlement, OSHA fines, accidents and injuries, EEO claims, lost work days and a decline in service to postal customers, to name just a few. Some may rationalize that when the immediate result may be positive or no one will be harmed, it doesn't make sense to follow the law, policy or rule. However, rushing to

achieve a short-term result by sidestepping the rules may just create long-term consequence for the future.

Some leaders tend to follow the spirit of the law or in some cases, policy or rule. In short, this spirit means an interpretation of the law, rule or policy that provided justification for a person's action, even if this interpretation does not fall within the law, policy or rule. Another school of thought is there are exceptions to the rule.

Exceptions do occur, such as modifying a work schedule to accommodate a medical, allowing someone to register for a training class or event after the deadline has passed, etc. However, common sense must prevail when exceptions are made. Laws, rule, policies and agreements are established for a purpose and are meant to be followed by leaders and those they lead.

Imagine the consequences if regular exceptions were made by postal leaders not to follow rules or policies related to safety, proper recording of employee work hours, using the OT administration program, reporting mail volume, the Joint Statement on Violence and

Behavior in the Workplace, a sexual harassment and discrimination in the workplace.

In my judgment, when a person in a leadership role does not follow established policies and rules, it sends a mixed message — usually a bad one — to those who are led. "Do as I say, not as I do" may not be the best mantra for a leader.

This is a partial reprint of an article that appeared in the July 2019 The Postal Supervisor magazine. One of the things Mr. Wagner points out is the need for postal management to adhere to the Joint Statement of Violence and Behavior in the Workplace. What is this document?

After the postal shootings in Royal Oaks, postal management and the unions drew up a contract to address what leads to violence in the workplace. The committee found the lack of respect, the need for some supervisors to bully, intimidate, and harass their co-workers was part of the problem. I have included the complete Joint Statement.

This was drafted in 1992. Arbitrators

have ruled that this is a contract and that it is enforceable. Too many times, especially at the main plant, employees are treated poorly. Clerks have been called out of their names and in one case called a bitch. This situation cannot be tolerated. Some of the younger supervisors were not around when the Joint Statement was put into place, but that does not excuse their behavior. Their own union recognizes there is a problem and is calling them out to rectify the situation. All employees are to be treated with dignity and respect. You should not have to suffer at the hands of an out of control supervisor. Bullying will not be tolerated.

Document any incidents of name calling, intimidation and hostility. Don't argue with a supervisor or manager who displays this type of behavior but keep a record of what was said, the date and the time. Clerks have reported to me that they have been called retarded, slow, and delusional. In a professional workplace name calling is unacceptable. A contributing factor to the attendance problem is the way the employees are treated. No one comes to work to be verbally or mentally abused. — Iowa Postal Solidarity

OPEN SEASON 2019

Open Season Hotline
(800) PIC-APWU | www.apwuhp.com

More Open Season
information coming soon!



Serving America's workforce for 60 years.

Enroll during Open Season: November 11 – December 9, 2019.

APWU Career:
Premiums **reduced** for both the High Option and Consumer Driven Option

All other categories:
High Option premiums **reduced** and Consumer Driven Option premiums stay the same.



Premiums for the 2020 plan year.

Enrollment type	Enrollment code	Non-Postal biweekly You pay	Non-Postal monthly You pay	Postal		
				Category 1 You pay	Category 2 You pay	APWU career greater than 1 year
High Option Self Only	471	\$99.41	\$215.38	\$96.13	\$86.31	\$96.13
High Option Self Plus One	473	\$199.74	\$432.77	\$192.74	\$171.73	\$192.74
High Option Self and Family	472	\$257.95	\$558.89	\$250.36	\$227.60	\$250.36
Consumer Driven Option Self Only	474	\$68.96	\$149.42	\$66.20	\$57.24	\$17.16
Consumer Driven Option Self Plus One	476	\$149.88	\$324.75	\$143.89	\$124.40	\$46.41
Consumer Driven Option Self and Family	475	\$163.51	\$354.27	\$156.97	\$135.71	\$54.45

Postal Category 1 rates apply to career bargaining unit employees represented by the APWU, IT/AS, NALC and NPMHU.
Postal Category 2 rates apply to career bargaining unit employees represented by PPOA.
Non-Postal rates apply to career non-bargaining unit Postal Service employees and career employees represented by NRLC.
APWU non-career (PSE) employees: Please see the APWU Health Plan PSE flyer.
APWU career rates apply to employees with more than one year in FEHB; otherwise, see Postal Category 1.

— The Plant After Dark —

As the Autumn Equinox swept by us and after the balmy September of near 90 degrees showing us another unexpected summer month, albeit a wet and windy one with flooding on the Missouri River and a couple of close calls with some monstrous hurricanes brushing Florida and crushing the Bahamas, we noticed the first frost of the Fall was upon us with a cold blast from the north west. Baseball is nearly over for the year and Football is in its heyday.

Inside the plant, our Tour 3 career clerks and PSEs had some rescheduling of start times. With management moving some later and some earlier. That is what the 5, Yes 5, operation support specialists apparently came up with as a remedy for the gap between what the National Management Office Function 1 Scheduler staff reducing tallywacking robot computer program said to do. Unlike the Farm Bureau Insurance commercial where the corporate robot sprays clients with water and disgusts them with longitude and latitude earth locations of the family farm, we don't get to walk away and find the human who will be reasonable and warmhearted.

Our duty assignments when va-

cated do not provide an improvement for the temporary workers to migrate into as the duty assignments largely get reverted. The grievance procedure timeline for getting the duty assignments reposted is lengthy and waits for our National Business Agent to hover at the management door until the arbitrator is due to arrive and then management agrees to "create" duty assignments. Then management takes 6 months to post those duty assignments. Then after those duty assignments are filled, management reverts the vacancies. Each of these management tactics must be challenged by the grievance procedure. Meet with management for union input. Management ignores union input, then reverts duty assignments. Someone must "request" union steward time. Management tries to deny or delay union steward time. Grievance timelines are 14 calendar days, not 14 work days for the steward. The workweeks for stewards are 5 days or less based on holidays, illness, other union business management will not permit on the clock. Stewards won't have just one grievance. Management will be complaining employees didn't come to work and whatever the reason, discipline will

be management's response.

Job security rests with being lucky to avoid illness, avoiding riotous conflicts with other workers, the union contract, and a steward or two who have experience in preventing management from succeeding in terminating and removing employees (sometimes, but not 100% of the time.) Management has other complaints about the employees. They were on break for too long. Terminate them on their 89th day. Employee used their cell phone on the work floor. Terminate them on their 89th day. Employee slept on the job. Terminate them on their 89th day. Almost everyone gets a similar challenge but are not in their 90 days, so they don't get walked out the door never to be seen again. But without a contract that is what would happen to even seasoned employees. Employees don't like each other and say insulting things to each other. They get walked out. They may get their jobs back due to someone who cared enough to serve as a steward and learned about the contract. But there may come a time when the workers are so distracted, so self absorbed, or so bonded with a management clique they won't field anyone to be

a steward who cares enough to work for someone else's interest.

When the stewards who knew the contract age out and are long retired, and the workers who sat back as critical observers chiding the unlucky co-worker for their failings which management quickly turned into the next "former employee", those who remain may find management has plans for them as well. Such as accept it when management doesn't authorize OT pay but says work the hours and shut up about it. When management says, there is no work, so just go home, without pay. In a future when a worker gets sick management is going to be saying you don't get time off, because remember FMLA was created by politicians who are bad for business. When labor sits idly by while powerful and wealthy business types buy political power, that will happen. Contributing something positive to your union is a necessity. Dues are important, but also there is a lot of union work that someone has to do and without members sensible political action there will not even be a union.

— Des Moines BMC APWU,
Iowa Postal Solidarity

Who Has Your Back?

I hope you have had the opportunity to enjoy the summer. It seems to have been shorter than most. Perhaps it is that I am older. I have been told that as you get older seasons pass faster. I find it hard to believe that I have over 20 years in Maintenance on Tour 1. So much has changed, and change is the one thing that is constant in Maintenance. Do you check the Maintenance bulletin boards at work regularly? It is important to take note of the movement of coworkers. Who moves to Tour 2 and who gets a preferred assignment. That lets you know where you stand as well as help you evaluate your options for promotion or to get the bid that you want.

Take advantage when you get to fill out a free PAR when a bid is modified. Last week we had many at the Metroplex move to a better bid or promote.

Events like these always make us ponder our own future. We have so many that are eligible to retire now. This year will soon come to a close. It is an excellent time to set or evaluate your goals and position yourself for a secure retirement.

Make good of the resources we have available. We have Joe Gordon who does a great job with providing retirement information and seminars to our Members. Visit the TSP website to learn more about options for the management of your money in retirement. You do not have to go it alone!

The most important thing that you can do right now is become more active. I mean at work and outside of work. We face many threats to our wages, hours, and working conditions. Washington is constantly scheming on how to take away from us! The PMG is vocal about manipulating our health benefits in retirement, and you can be sure it will NOT be to your advantage! Her focus is to shift costs to YOU! She claims this will save the USPS billions, and this way, they can afford to provide coverage to you in the future. You can trust her, right? These are the same people who tell you how great a job you do and how valuable you are to the company only to deny you a contract! They tell us of bazillion's in losses, but they disclose on their financial statements that they paid off 4 BILLION dollars of debt in the last nine months! I call that profit! How can you have a net loss and yet pay that off?

Every day I am grateful that the APWU has my back. I know that if it weren't for the Union, I would be a casual or PSE! The APWU is the buffer between the PMG and her kind vs. US! What do you think your paycheck would look like without a Union? Would you still be looking forward to a supplement? Would you get a pension at all? UAW members who hire in now get zero pension! How much do you think you would have to pay for health insurance? Learn about your Union. Take part. Get off the sidelines and into the game! We need Stewards!

The challenges that we face going forward are immense. I want to thank the Officers of our Union. National and Local. I have never felt alone in these struggles. The only fear I have is what

will happen if you don't step up? Who will fight to keep what so many have sacrificed for? Speak with an Officer today.

— The Communicator

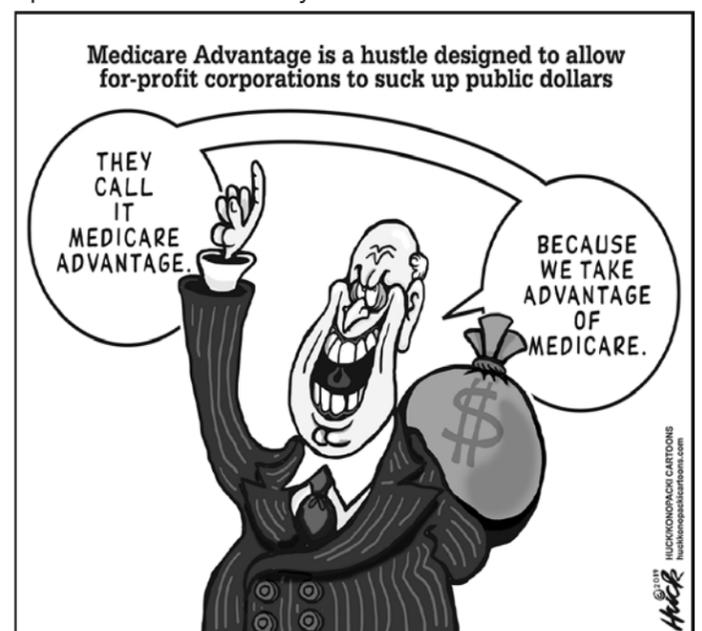
— AREA 4 DIRECTOR — ...

It's Been A Busy Year

by Sandy Rancour

It's been a busy year for me doing the e1260 infractions. Only a few offices seem to be letting us know when they go over the 15 hours per week violation. The contract is very specific in what the postmaster can work and they are required to report the hours worked in their office. Please notice what is going on in your office, these are hours you should be working. You should be getting paid, if the postmaster works and you don't. Let us know if you think the postmaster is working more than 15 hours per week and we will check it out.

The election is over and hopefully you took the opportunity to vote. It is how we can voice what happens in the union and determine who will lead us in the future to get the best contract and fight for our rights. In unity.



NATIONAL BUSINESS AGENT



by James Stevenson

Comparable Employees Not Always Required To Have Same Supervisor Or The Same Position

Historically, we have always been told that in order to prevail on a disparate treatment claim or a difference in treatment claim that the two employees must have the same supervisor. This has typically been referred to as the "same-supervisor" standard. There are two federal appellate court decisions which have held that it is not the same supervisor rule which is controlling, but rather the more insightful question is whether or not the two employees had the same decision maker.

Many of you know the routine. A supervisor contemplates issuing discipline such as a suspension or a removal. The supervisor then submits an administrative request for discipline from a "higher official" be it a Postmaster, Manager, or MDO. There are times also that the discipline is submitted to Labor Relations to make a determination whether the 7-day, 14-day, or removal is appropriate. Often times, the only "footprint" that you will see of the higher official

giving the "green light" is when they sign as "concurring or reviewing authority."

In a plant situation you may have Supervisor Krueger issue a 7-day suspension to Expeditor Chuckie for leaving the work premises. You have a different supervisor, Supervisor Vorhees issuing a removal to Automation Clerk Cullen for leaving the work premises. Neither employee had prior discipline but both had official discussions for leaving the worksite. The concurring or reviewing official on both cases was MDO Stevenson. The individual who made the "ultimate decision" as to whether the discipline was appropriate was MDO Stevenson. Although Clerks Chuckie and Cullen had two different supervisors, they both had the same ultimate decision maker. In a retail unit or Post Office you may have a clerk and a carrier with different supervisors but both employees have the same Postmaster who was the ultimate decision maker as the "reviewing official" on both cases. The same ultimate decision maker authorized two different levels of discipline for the same or similar violation.

The two federal cases that I referred to earlier are United States Court of Appeals, Sixth Circuit- Walleon Bobo, Plaintiff-Appellant, v. UNITED PARCEL SERVICE, INC., Defendant-Appellee No. 09-6348 and United States Court of Appeals, Seventh Circuit. Denise COLEMAN, Plaintiff-Appellant, v. Patrick R. DONAHOE, Postmaster General, Defendant-Appellee No. 10-3694.

In the case of Coleman her case was originally dismissed by the District court due to the fact that Coleman and her comparators had different supervisors and held different positions. A supervisor in and of themselves do not have authority to suspend or terminate an employee, they must seek authority from a higher official who makes that decision. Coleman v. Donohoe, **"But again, the issue is not only who proposed the suspension but who was "responsible" for the decision."** The court also found as it relates to employees who held different jobs, **"The question is not whether the employer classified the comparators in the same way, "but whether the employer subjected them to different employment policies . . . Their different titles and duties do not defeat, as a matter of law, the probative value of their different disciplinary treatment."**

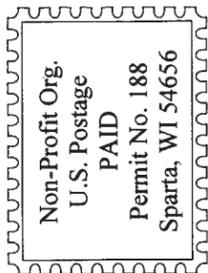
In the case of Bobo v. UPS, the court found that, **"Bobo also presented evidence that the decisions to terminate his employment, but to retain Pendleton, Jordan, Clark, Culpeper, Spears, Hardy, and Shumway, were made by the same high-level managers in the Mid-South District."** This is an important finding because as we

all know often times it is District Labor Relations reviewing and advising the field if the suspension or removal is appropriate. If the same District Labor relations is reviewing the discipline for various post offices and plants then you potentially have an argument that the same "higher level managers or officials" are making the decisions. In short, you could potentially use the difference in treatment of an employee at a station and an employee in the plant if the discipline is ran through the same Labor Relations Department for review.

Principles of disparate treatment and comparable employees find their roots in law, so it is important to utilize that same theory of law and progression of the law to defend our employees when applicable. This argument is even more persuasive when the employer alleges violations of the so called "Zero-tolerance" rules or any conduct related infraction which according to the USPS has an alleged "Universal application." We in the industry know otherwise as often times when it comes to the conduct of EAS or management employees towards craft employees it becomes the "Whatever we want to do-tolerance" rule.

In closing nothing is guaranteed so it all comes back to conducting a thorough investigation and requesting the appropriate information via an information request. If all the requested information is not provided then by all means, make sure that argument is included in the actual grievance. It is one thing to allege differences in treatment and another to prove it.

In Solidarity.



Return to APWU/MPWU
c/o John Greathouse, Editor
P.O. Box 27303
Lansing, MI 48909-7303

Change of Service Requested



HUICKONOPACKICARTOONS.COM - OCT

KONOPACKI
©2019