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PRESIDENT



by
**Michael
Mize**

Take Some Time Off?

Everyone's vacation planning must be scheduled by following the LMOU for their Installation. Many if not all should be completed or well in the process by the time this reaches you. However, I know that there are many offices that do not follow their LMOU. There are many Postmaster's that think they can just set the rules to their liking. They will do what they want, and we need to request our steward and make them follow the rules in place.

If you are from an office with a Local Union, you probably have an LMOU. Please contact your Local Union representative for a proper LMOU. If you are from an office that has no Local Union then you are represented by the MPWU and should be using the National LMOU for offices without a Local Union structure. That is exactly what I will be discussing below. The items I want to discuss are the items that are an issue on a regular basis.

"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. APWU bargaining unit employees on choice vacation or incidental leave during the time period count toward the above minimums."

So, this is clear, but Management does not get it, or they try to make you believe something different than what it says. One bargaining unit person per craft at a minimum can be off at any time except December. The Postmaster's leave does not matter.

"Any request for incidental annual leave will be acted upon and returned to the employee within 72 hours of receipt by management, or the leave will be considered approved"

Make certain you get a copy of your leave request signed that they received it. If they fail to respond in the time frame required, the leave will be ap-

proved. You must have the documents to prove they failed to respond.

"A choice vacation calendar will be placed on the employees' bulletin board no later than January 15th."

This should have already been done. Management must inform everyone of the period so the planning can begin.

"Choice vacation period shall be from March 1, through November 30."

This is the choice vacation period. Make your choice picks for time during this period. I know it can be hard to plan this far in advance, but this guarantees you a vacation. Time to get away and spend with family is important, not to mention it's a benefit you earned.

"February 1, shall be the final date for employees to submit their request(s) for choice vacation period(s). If the employee desires

a copy of the approved leave request, the employee must submit the request in duplicate."

If this has not happened in your office by Feb. 1, you may need our help. Always get a copy of your request and I mean always, keep it for your records.

"For choice vacation selections, 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 each week during the choice vacation period."

The same as stated above, one bargaining unit person per craft will be allowed off. The Postmaster leave does not have any bearing on yours. We do not care that the Postmaster takes July 4th week. Bottom line on

this is the Postmaster can cancel their leave if needed, you have a right to take your leave per the language in this LMOU.

"The installation head/designee shall post the approved vacation schedule no later than February 15."

Once your approved schedule is posted you will be able to tell when times are available for incidental leave.

I can't begin to tell you all how many times I have heard about these rules being violated. You are the Union and we have bargained for these rights. You earned them and vacation time for many of us is one of the most important things. Spending time with children or grandchildren. Please ask for our help if you have problems with your leave. You can't get the time back later and every day is precious.

In Unity.

HUMAN RELATIONS DIRECTOR



by
**Keith
Combs**

Key Points On Sustaining An Accident Or Injury At Work

I want to go over some key points that we should be aware of regarding our responsibilities and managements when we sustain an accident or injury at work.

Treatment

- All medical providers must enroll with OWCP's medical authorization and bill processing contractor, Affiliated Computer Services (ACS).
- Enrollment is required for payment of medical services.

Emergency

- When an employee sustains a work-related traumatic injury that requires medical examination, medical treatment or both, the employer shall authorize such examination and/or treatment by issuing a Form CA-16.

Choice of Physician

- The employee has the right to choose their own physician.
- The employee has the right to choose the medical facility.
- There is no such thing as a waiver of treatment.

Selection of Physician

- Emergencies: employee is sent to nearest available Physician or hospital, or the Physician of hospital chosen by the employee. A supervisor may accompany the employee to ensure prompt Medical Treatment.
- Animal bites and eye injuries are always considered emergencies. If there is doubt as to the emergent nature of an injury, it is treated as an emergency.
- Physician providing emergency care is not considered the employee's treating Physician.
- Non-emergency: the employee may select a Physician or hospital within approximately 25 miles. Supervisor is **Not** authorized to accompany the employee.

Postal Physician Or Contracted Physician

- May provide Medical Treatment not to exceed **TWO** visits.
- If the employee accepts Treatment, Treatment complies with EL-806 and with OWCP regulations and Directives.

- If Treatment exceeds Two visits: that provider becomes Employee's Treating Physician.
- Choosing a contracted Doctor as your treating Physician is probably not in your best interest.
- This Doctor is more obliged to their Employer (THE USPS) than to the Employee.
- Employee sacrifices Doctor-Patient confidentiality.
- Doctor legally can share any information with the USPS.
- USPS may require employee to be examined by their Contracted Doctor.
- Employee does not have to accept their recommended course of treatment.
- Such examination may not delay employee's initial Medical Treatment with their own Doctor.
- If exam goes beyond employee's regular work hours, employee may request through their supervisor to leave. If denied, employee should request overtime pay.
- Employee should not be required

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E·D·I·T·O·R

U.S. Mail Is NOT For Sale



by
John Greathouse

Brothers and Sisters.

As we start the New Year, I am shocked but not by just how crazy things are getting! I am talking about at the PO and not everything in Congress!

U.S. Mail is NOT FOR SALE

To combat this, and keep my sanity, I am working with APWU Legislative Director Judy Beard, MPWU Legislative Director Roscoe Woods and MPWU President Mike Mize on the U.S. Mail is Not for Sale program here in Michigan. I am getting documents for getting a joint Michigan House & Senate Resolution as well as the Governor to support this program. This is a program that

should be undertaken by locals across the country to help stem the tide of attacks by the Trump administration as well as everyone who wants a piece of the PO! Its Americas Post Office, lets sound off and let DC know!

Grievances

I am a steward in the Lansing P&DC, and I do know that many of you across the state of Michigan, are as well. Have you notice a severe up tick in the number of grievances? Lansing has a more than doubled the number of grievances in 2019 than 2018 and 2020 is not looking any better!

Management Doing Bargaining Unit Work

Management is everything they can to cut jobs and they do it by doing your work! Now in a level 18 and under office, management can do up to 15 hours of work per week but I have been getting

calls from level 20 and 22 offices where management is doing clerk work and telling those clerks that is it managements work! FILE! FILE! FILE!

When clerks start getting paid for this, management up the ladder will start to notice this and hopefully make a change and fix the problem. Not holding my breath, but hoping!

Looking Ahead

This spring (you know when the grass is green and not white), the MPWU will have their State Convention in Grand Rapids on May 14-16. It should be a very interesting time if you can make it.

I wish everyone safe travels through the remainder of this white stuff and hopefully stay warm too.

In Solidarity.

Key Points On Sustaining An Accident Or Injury At Work

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to sign any guarantor or medical release forms.

Physician Changes And Referrals

- To ensure payment of a medical bill, an employee changing Physicians should write to OWCP providing the reason for the change and the name and address of both the new Physician and the previous Physician. OWCP must approve the change to ensure payment. All medical reports, however, must be accepted whether change was approved or not.
- Referral by a Physician to a Specialist is not a change of Physician. Get the referral in writing and send a copy to OWCP.

CA-16

- Authorizes medical for 60 days unless OWCP stops authorization.
- Employee chooses Physician.
- Shall be issued within 4 hours of the claimed injury.
- If verbal authorization is given, must be issued within 48 hours.
- Not required to issue more than one week after the date of the injury.
- Issued for traumatic injuries requiring medical care.
- Should not be issued for Occupational Disease claims (CA-2).
- The Form CA-16 guarantees payment of medical expenses, therefore it's not available on the forms page of the DFEC website and should not be on any other website.
- Authorized medical treatment from the date of injury, not the date of signature.
- Electronic CA-16 may be obtained through the Agency Query System (AQS)
- Form CA-16 may also be ordered from the Government Printing Office.
- Authorization includes subsequent Physicians when original Physician refers.

- Issuance required even if USPS doubts injury.
- Not required for first aid when employee voluntarily accepts Postal/Contract Physician (maximum 2 visits)
- Not required for simple hazard exposure without medical condition.

Medical – Chiropractors

- The services that may be reimbursed are limited to manual manipulation to correct a spinal subluxation demonstrated by x-ray.
- Cost of testing performed by or required to diagnose such a subluxation are also payable.
- A chiropractor may also provide services as physical therapy under the direction of, or as prescribed by, a qualified Physician.

Medical – Surgery

- **Emergency:** No prior authorization is required. CA-16 will guarantee payment. If CA-16 was not issued, authorization may be obtained retroactively.
- **Elective:** "Physician should submit report explaining need for surgery, for review by the Claims Examiner.
- Second opinion examination or review by a District Medical Advisor may be necessary.
- Surgery authorization requests must be submitted to ACS by the

medical provider.

- Request must include claimant and provider ID information, as well as procedure code(s), date of service, diagnosis being treated.
- When authorization is requested for certain types of elective surgery, the CE must obtain an opinion from the DMA or a second opinion specialist procedures involved are: spinal surgery, joint replacements, organ transplants, destructive procedures (e.g. chordotomy, rhizotomy, or amputation of a body part) and experimental surgical procedures.

Providing Supporting Evidence

- The greater the complexity of the medical condition being claimed, the greater is the need for thorough and detailed evidence.
- Claims for occupational disease/illness normally require more complete evidence.
- One of the most common reasons for claims being denied is the lack of a clear and persuasive medical opinion regarding causal relationship between specific work activity and the diagnosed condition.

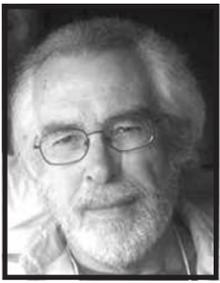
I hope this information will help someone when and if they have an unfortunate accident or injury while in the performance of their duties.



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— DEADLINE —
for articles for the next issue
of the *Michigan Messenger*
is March 14, 2020

~~R·E·T·I·R·E·E·P·R·E·S·I·D·E·N·T~~

by
Paul
Browning

Retiree Representation/ Activism In The APWU

There appears to be two (2) disconnects between still working members and retiree members that are a basis for prejudice against retirees concerning increased voice and vote for retirees at APWU National Conventions. (Note that I use the term “still working members” INSTEAD of “active members” AS MANY RETIREES ARE ACTIVE IN THE APWU). We participated in the Staples boycott, we are active politically with our Congressional Representatives, we work within our communities, families, friends, and neighbors to educate them about the necessity of maintaining the USPS as opposed to privatization. RETIREES ARE ACTIVE!

The FIRST DISCONNECT is the amount of dues retirees pay vs. that of full dues paying members. But lets look at where ALL of the money goes:

1.) Full dues paying members support EXCLUSIVELY over seventy (70) full time National Officers with their office staffs and travel expenses PLUS Arbitration Advocates and APWU members on “special assignments”. Retiree dues supports only one National Officer-the Retiree Department Director-and the five (5) National Convention Retiree Delegates who receive no compensation other than expenses once a year for the pre-Convention Retiree Conference/National Convention and the Retiree Conference in off Convention years. These yearly Conferences serve as the ONLY opportunity for retirees from around the country to get together and express their views and opinions. Think of them as sort of the equivalent of the APWU National Presidents Conferences (NPC) held four (4) times yearly. And while Locals have the funds to send their Presidents to the NPC, retiree chapters simply don't have the money to meet more than once a year.

2.) According to the APWU National Secretary-Treasurer reports in the 2014, 2016, and 2018 National Convention books, Retirees paid almost 3.4 Million dollars (\$3,400,000) in per capita dues with the National Union rebating approximately six hundred fifty thousand dollars (\$650,000) to Local and State Retiree Chapters. Our National Union retained well over two and a half million dollars (\$2,500,000) for the APWU General Fund-money kicked into the big pot for everyone to use. Even with Retiree Department expenses, we are still looking at millions of dollars retirees pay in their dues to contribute to expenses for still working members. The Retirees Department is self-sustaining, but we are glad to contribute to the greater good. It is ONE FOR AND ALL FOR ONE!

3.) One other note about retiree dues and voting rights – where else is my right to vote dependent upon how much tax I pay?? When I go to my local polling place to vote whether it be on a school millage, zoning rule, City Charter amendment, etc. I get to cast my democratic vote with no one asking me how much I pay in taxes.

The SECOND DISCONNECT and reason for prejudice against retirees having increased Convention voting rights is that we are not on the work-room floor, working Maintenance or MVS duties. Lets dissect that rationale and its faults:

4.) Many National Officers are retired from USPS and haven't worked a Craft job in years. At the 2014 APWU National Convention, APWU Human Relations Director Sue Carney asked the Chair from a floor microphone how many of the APWU National Executive Board were retirees. The response from Chair/President Dimondstein was “**All but two**” and that is out of thirteen (13) NEB Members! But we trust these retirees to run our Union and LISTEN to the membership. As the Central Region Retiree Convention Delegate (from Michigan), I sat on the Convention floor with my still working Brother and Sister Delegates from Michigan. I listened to them just as our RETIRED NATIONAL OFFICERS LISTEN TO THE MEMBERSHIP.

5.) Another reason cited by some as to why retirees shouldn't have

increased vote is they have no stake in Contract/Craft issues. Well, the APWU is an INCLUSIVE UNION. At a National Convention, Clerk craft and Maintenance delegates get to vote on Motor Vehicle Craft resolutions. MVS and Maintenance delegates get to vote on Clerk Craft resolutions, etc. Delegates not directly involved with a specific resolution trust the delegates who are affected for advice and explanations on these resolutions and vote accordingly. Why can't Retiree delegates be trusted in the same manner?

6.) Whether an individual has worked six months at the Post Office or retired after thirty years, **We all have** a vested interest in our Union. Success for the APWU in Contract, Legislative, and Retirement issues are all tied together. Failure to achieve fairness in any one of those areas has repercussions for all. If still working members get the shaft, it will eventually come back to have a negative affect on retirees and vice versa – if retirees get screwed over, it will affect those members still working when they retire.

7.) When APWU National President Dimondstein speaks of almost 200,000 APWU members, he makes no differentiation between still working members and retirees. We are APWU members and deserve more than five (5) votes out of twenty five hundred (2,500) at a National Convention.

COMPROMISE

When Brother Al LaBrecque and I originally wrote in 2016 the Constitutional change resolution giving retirees a 1-100 Retiree Chapter member Convention Delegate voting strength (as opposed to full dues paying members 1-25 Local member vote) it was our intent to limit the objections of full dues paying members with a compromise that would still recognize retirees for their contribution yet appease any fear that “Retirees would take over the Union”. As Union representatives, we know what negotiations/give and take are all about and that is what the 1-100 Retiree vote is all about. We are merely seeking a middle ground to give all the parties involved-full dues and retiree dues paying members-a satisfactory solution. We believe the 1-100 vote achieves such. Practically speaking, passage of the subject resolution would not make for a huge number of retiree delegates on the Convention floor as Retiree Chapters simply could not afford to send any large number of delegates. Nonetheless, the presence of some dozens of retiree delegates would give us a voice and vote in Solidarity with our still working brothers and sisters and give retirees the recognition they deserve for their role in building the APWU to where it is today. As the subject resolution states in one of the “whereases” RETIREES COLLECTIVELY PAID OVER (1,000,000) YEARS WORTH OF FULL DUES. WHERE WOULD THE APWU BE WITHOUT ALL THOSE YEARS WORTH OF DUES MONIES?

In Solidarity.

~~A·R·E·A·9·D·I·R·E·C·T·O·R~~

by
Lisa
Borchardt

Tidbits Of Info

LMOU:

There is a LMOU (Local Memorandum of Understanding) for Offices without a Local Union Structure. You may want to familiarize yourself with this booklet. When we get a new contract, we will also get a new LMOU for MAL offices. This booklet would give you a little more insight into Leave Guidelines, Overtime, Jury Duty, Light Duty and Seniority. You can never be too informed!

Deals:

I recently was in the middle of a grievance with a Postmaster when a clerk in the office said that he and the PM had come to an agreement. That is all fine and dandy but doesn't mean SQUAT to me. Unless that agreement followed the contract and had a correct monetary award, then I will continue with my grievances.

A deal with one person will have no record and is not worth the breath used to make the deal. If that PM leaves and another one comes in, the deal will be null and void. Also, what about everyone else in the office? The deal cannot be made between one person and the PM. How would you like it if the PM made a deal with another clerk? Because the deal will not just affect one person in the office, it will affect everyone. Let me be the deal maker and follow the proper procedure in filing grievances.

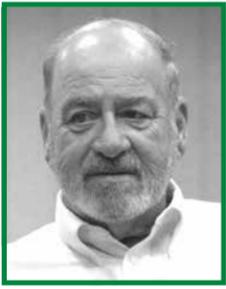
I am glad we have all made it through another Peak Season. We have a fresh New Year ahead of us to look forward to!

As Always in Solidarity.

Paychecks:

We should be recording hours worked, leave taken, overtime and any other things that may show up on our paychecks. There is actually a form on the National APWU website to keep track of this on. When you get your paycheck, you should compare these numbers with what you have been paid for and charged for on your pay stub. If there are any discrepancies, they should be addressed immediately. I have recently had to deal with some yearlong discrepancies. The longer you wait to deal with a pay issue, the longer it is going to take to figure it out and fix it!

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!”

Corrected Correction Corrected: Confusing, but true! Please bear with me. Reference the last paragraph of my previous Nov.-Dec. “Mitt” column wherein I made comparisons between APWU Health Plan High Option and Blue Cross/Blue Shield Standard premiums. I based my initial information on Facebook and APWU Health Plan charts. Just as the Nov.-Dec. issue of the *Messenger* was going to press, I received the November 2019 issue of the NARFE magazine that traditionally publishes the FEHBP premium charts during Open Season for Retiree (non-postal) annuitants. To my horror, I discovered a huge mistake quoting the BC/BS Standard Self+One premium as **\$578.83** per month. The Nov. NARFE chart; BC/BS Standard Self+One stated; **\$1,092.26**. I immediately sent a “correction” to the editor which he dutifully did just under the wire. Great! Don’t want to mislead anyone. Then comes the December 2019 issue of the NARFE magazine just prior to the Dec 9th close to Open Season. Again, the 2020 FEHBP premiums charts for Retirees (non-postal) published. A quick read to confirm, and . . . **What the . . . ?!** BC/BS Standard Self+One **\$578.83!** **No-o-o-o!** Had it right the first time! A panic e-mail to the editor, Chapter and Local contacts, APWU, and NARFE Communications to advise members of the incorrect, misleading info. The **last thing** any writer ever wants to do! Then, I received the following from NARFE Communications in an e-mail:

“Hello: Thanks for reaching out to us about this error in the November NARFE magazine. For the BC/BS Standard Self+1 premium the correct amount is \$578.83 . . .” NARFE’s clarification went on to describe how the error happened and measures taken to correct it. So I wasn’t “losing it” after all! After going through this unprecedented maze in an honest attempt to inform retiree members of the comparisons in premiums for comparable coverage between the APWU Health Plan High and the almost universally accepted BC/BS Standard. Now that the corrected correction has been corrected; **the BC/BS Standard Self+1 is still \$146.06 more per month than APWU High Self+1**, a whopping \$1,752.72 per year. That’s what I intended to convey in the first place! **Phew!** Thanks a bunch NARFE! Proof positive that no good deed goes unpunished!

Departing From My Usual Fare: This column in the Nov.-Dec. Mes-

senger was a laundry list of internal issues raised during the just concluded national officer elections and Las Vegas All-Craft, that I deem to be addressed and resolved in the coming months that I’ve furnished to the appropriate elected national officers, which to date, has resulted in roaring silence from 1300 L Street! (Must be the election is over). Instead, I’m going to hone in on an incredibly disturbing question, that I’m advised by several unimpeachable sources who were in attendance, arose at an All-Craft Retirees’ Dept. general session and deliberations breakout.

Hell NO! Astounding that a question would actually be asked at a Union conference reportedly was; **“Can a supervisor who continued to pay APWU dues belong to an APWU Retiree Chapter?”** The short answer is above. Again, reportedly; there appeared to be an attempt to justify just such a situation in a Central Region Chapter. A trusted source privy to the situation advises that a Chapter president allegedly appointed a retired supervisor, a dues-paying member of the Chapter, to a vacant Chapter officer position. One such justification proffered was that the supervisor had continued to pay full APWU dues. While that’s perhaps admirable either out of gratitude, or to maintain eligibility to carry the APWU Health Plan, or whatever prompts them to pay Union dues; they made the choice to go to a management position, not us, thereby forfeiting eligibility to a voice, vote, or to hold office. No “If’s”, “And’s”, or “But’s” about it! Another weak argument reportedly was that Retiree Chapters aren’t Unions. True. Chapters aren’t subject to many of the Dept. of Labor regulations. The Retirees’ Dept. is, however, a **department** of the **APWUnion** with Local & State Chapters’ affiliation. Retiree member derived dues is deposited into the **APWUnion** general fund. What part isn’t Union about that? **Only** APWU bargaining unit members-in-good-standing at the time of retirement are eligible to belong. If the supervisor wishes to retain the APWU Health Plan, they can do so by enrolling as an Associate Member.

Did the subject supervisor have a voice, vote, or hold office in the **APWUnion** Local?! So, what would prompt anyone to accept it in their **APWUnion** Chapter? Just doesn’t pass the Union principles I.Q. test. Is any Chapter so hard-up for revenue as to sign up supervisors? It doesn’t matter that they may have been a past officer, great boss, a spouse, relative, dear friend, or saint on earth. I would recommend they join the respected, non-partisan federal/postal advocate organization NARFE. NARFE accepts spouses, family members, both bargaining

unit and management federal/postal active and retired employees. I’m a NARFE member. AARP and Alliance for Retired Americans (ARA-an amalgamation of Union retirees) too. Any ‘port in the storm’ advocate for retirees, seniors, the elderly.

While it’s ludicrous the issue would be subject to debate in a Union conference, let’s cut to the chase. Precedent was set in 1995 with the first election of the Original 5 APWU National Retiree Delegates to the National Convention, one from each Region. Central Region had two candidates; one from a large Michigan Local, and myself. I came in on the short end of the vote. But, not so fast my friends! I received notice that then Retirees’ Dept. Dir., John R. Smith discovered, then referred to then APWU Sec.-Treas. Doug Holbrook, who ruled my opponent ineligible by virtue of having retired as a supervisor, declaring me duly elected (I always say) by default. To this day, I don’t know who blew the whistle. I’ve some ‘suspects’, but it wasn’t me. In this instance, the candidate who continued to pay full dues to their Local, had transferred to a facility in another state as a Maintenance supervisor, ostensibly to boost their high-3 years salary prior to retiring, a common practice back in the day.

The APWU Retirees’ Dept. was established to represent retired APWU bargaining unit members so the parent **APWUnion** can collect our COPA PAC money per the Dept of Labor. At a pre-Convention Retirees’ Dept. Conference, then APWU Retirees’ Dept. Dir., Doug Holbrook put to rest the matter of whether a non-postal spouse of a retired member could belong to a Chapter with eligibility to a vote, voice, or hold office. It was No! Non-postal spouses of APWU members and retirees are encouraged to belong to the APWU Auxiliary.

One would expect that common Union-minded sense would have settled the question without debate. If this isn’t enough to clarify the question; refer to APWU Constitution and By-Laws; Article 10. Section 2. (b) & (c); **Eligibility to Run and Hold National, State, or Local Office.** Local and State **APWUnion** Retiree Chapters are subject to the provisions of the APWU Constitution, and cannot be in conflict with it’s provisions, period! The answer remains; **No!** End of story. Don’t give it another thought.

1.6% Diet COLA: Don’t spend it all in one place! Curiously, my own bottom-line monthly CSRS Windfall Elimination Provision reduced Social Security Benefit didn’t budge after the 6% increase (from \$135.50 to \$144.60) in the Medicare premium sucked up the anemic COLA increase. S.S. monthly benefit static 3

years running. All the more incentive to renew efforts petitioning Members of Congress to enact H.R. 141/S. 521 to repeal WEP/GPO, and H.R. 1553 Fair COLA for Seniors Act of 2019, to use the Consumer Price Index for the Elderly (CPI-E) that more accurately measures seniors spending, replacing the current CPI-W. Of course, that means each of us has to do our part beyond lip-service by personally petitioning our elected Members of Congress regardless of their political stripe. After FICA took it’s slice, nearly half the paltry **boost** to the annuity came from the \$25.67 monthly **decrease** in the APWU Health Plan premium. Better than a sharp stick in the eye, I guess.

H.R. 3: The *“Elijah Cummings” Lower Drug Costs Now Act*, passed by a 230-192 vote in the U.S. House and now goes to the Senate to join the pile of bills languishing on Mitch’s desk. All 6 GOP members of the Michigan Congressional Delegation voted **No**, including my own 1st District Rep. Jack Bergman-R, Watersmeet; along with ex-GOP Independent Amash. All 7 Michigan Congressional Delegation Democrats voted **Yes!** Remember this when you vote in November 2020! Make absolutely sure **You’re Registered to Vote!** You’re not going to want to miss this one! *“Elect our friends, and defeat our enemies!”* (former AFL-CIO Pres. George Meany).

Holding My Breath . . . In anticipation for receipt of the Winter Quarterly USPS Retiree Newsletter to see what the USPS Ministry Of Propaganda (M.O.P) cranks out this time. The promotion of Medicare for all, bombarded with Medicare Advantage plans that are private insurers like United Health Care via TV ads. It’s as if we’re in the midst of a concerted effort to eliminate choice of secondary coverage as with our Federal Employee Health Benefits Program (FEHBP), which includes our APWU Health Plan. I believe the USPS’s not so veiled threat in the Fall newsletter, to be a blatant in-your-face admission of their ulterior motives. Don’t be swayed by wolves in sheep’s clothing!

Solidarity Forever!

Flash News: 1-15-20. As this goes to press, and after the “Mitt” column was written; I’m pleased to report that I received a call from Dir. Olumekor, initially regarding the passing of former Dept. Dir. John R. Smith, which led to a ‘no stone unturned’ discussion on virtually every retiree related issue arising from the national election process, to those items brought forth at the All-Craft. As a result, I’m confident each is being addressed, and grateful for the reception to my input. Al

LEGISLATIVE DIRECTOR



by Roscoe Woods

At What Length Will You Go To Secure Your Future?

Tell them that the APWU is united and strong. Here we are, and we are prepared to fight.

— APWU President William Burrus

Brothers and Sisters.

As we move into what can be easily called one of the more uncertain years for us not only as APWU members but as Postal Employees I wonder who among us is prepared to go to whatever lengths may be necessary to secure not only our futures but the futures of this service, this union and at the end of the day our ability to defend what is an increasingly endangered way of life.

The fact we still have a pension that is not wholly defined by a 401K is in fact unique in today's work life. If we continue to take that for granted, we do a dis-service to ourselves and we doom the future generation of postal employees to a lesser way of life should they decide this is the occupation for them.

At the risk of alienating the readers it is true only one party wishes to see us turned over to the private sector. Under pressure from powerful lobbyists from Fed-Ex and UPS GOP members in the White House and in Congress are seeking to gut this service for the sake of private profits.

A report solicited by President Trump out of the Office of Management and Budget (OMB) stated: "the U.S. Postal Service should be sold off to private interests and perhaps shouldn't even be allowed to ship packages."

Fed-Ex and UPS have been fighting for access to the mailboxes across this nation for decades.

Fortunes on line Magazine had an article on December 27th, 2019 titled:

USPS Could Privatize As Early As Next Year From The article:

The United States Postal Service shipped more than 13 billion pieces of mail and packages this holiday season. But now that gift-giving has abated, the agency, which falls under President Trump's jurisdiction, is facing another deadline: find a new Postmaster General by January 2020.

The new leadership will be hand-picked and approved by the Postal Service's Board of Governors: a group of five men (mostly with investment banking and private banking experience), three of whom were appointed by Trump, along with the

current Postmaster General and her deputy.

Once the new leadership is in place, the board will also be tasked by the Trump administration with creating a package of large, structural changes intended to help the ailing Postal Service. Those changes will likely include privatizing and selling pieces of the public service off, according to the American Postal Workers Union (APWU), which represents more than 200,000 current and retired postal employees.

In 2018, Trump issued an executive order to create a postal task force, led by Treasury Secretary Steven Mnuchin. The group was charged with figuring out how to make the postal service a more profitable entity. They recommended that the agency roll back collective bargaining rights for postal workers and sell off pieces of the service to private industry.

"The USPS's current business model has become outdated due to changes in technology, markets, and customer needs and preferences," the report stated. "It is unsustainable and must be fundamentally changed if the USPS is to avoid a financial collapse and a taxpayer-funded bailout."

While the USPS remains one of the if not the most popular agency in the Federal Government the Trump administration and those in Congress seeking our demise are not driven by providing a public service, they are driven by corporate interests seeking to make money off the destruction of this centuries old service.

A report by the conservative think tank the Cato Institute states 2 of the top 5 issues driving the problems the postal service is confronting are:

More than three-quarters of USPS costs are employee compensation, which includes excessive health and pension benefits. About four-fifths of the USPS labor force is unionized.

USPS assets are falling and liabilities are soaring. The largest liabilities are unfunded retiree health benefits, worker compensation costs, and debt.

Now part of this is disingenuous since the USPS under 2006 legislation has in fact funded future retiree benefits and labor costs while truthfully this agencies largest expense are manageable through honest rate setting, proper staffing and the proper use of this agencies equipment and resources.

It is always somewhat perplexing and sometimes shocking to hear, from respected unionists a lack of concern for the struggle of brothers and sisters outside their own backyards. Such failure to bear faith and allegiance to real solidarity is what lies at the heart of labor's inability to coalesce into the force that some of our greatest leaders have envisioned. We must come to the realization that we are all coworkers, brothers and sisters in the struggle with owners.

—Donald L. Foley

This can be said of ourselves as well in the manner we approach the entirety of Labor's struggle.

As the attacks on organized labor continue the APWU and the USPS are becoming more and more a focus of those attacks, as the forces that wish to exploit labor grow stronger despite some gains at the ballot box we have to ask ourselves if by our own actions when voting are we engaging in a self-defeating act by choosing elected representatives who will overtly attack us as the biggest part of the problem all the while openly admitting their agenda is driven by those who can put the most cash in their campaign coffers?

We have allowed ourselves to be divided in our own house. We fight amongst ourselves over issues that in the end will not put food on our tables, gas in our tanks or put our kids through college.

We are still one of the largest industrial unions in this nation and as such we have an ever-growing target on our back. One needs to look no further than the destruction of due process and the Executive Orders gutting AGFE's ability to represent to understand what the Executive

Branch and the GOP have in store for us, if we do not understand the impact our vote has on our ability to maintain our current way of life.

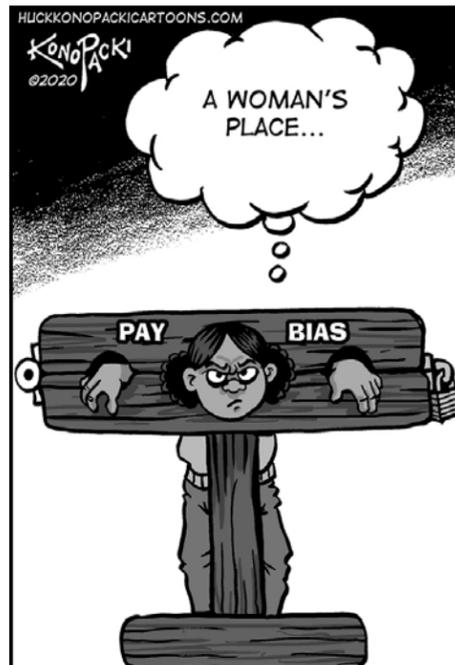
In September 1988 I made a choice to be a working person, I proudly wrapped myself in a blue collar and went to work. I went to work knowing because I had a good union contract, I would receive a fair days pay for a fair days work. Some of the best moments of my life have been spent on the clock, some of the best friends I have were because we spent hours side by side moving America's mail.

Those working relationships became personal relationships and decades later I find those friends and those friendships to be a large part of my life. I could not imagine things being any other way. We were able to sustain those relationships because we made a living wage and we had job security. Quite succinctly put, we had the APWU and the APWU had our backs. Hell, it still does and we still do. For how much longer is the fear that nags me as I watch the forces arrayed against us gain foothold one sickening inch at a time.

32 years later I have found my politics shaped by my experiences as a working person. I am drawn to those in Congress who stand with me and I stand opposed to those who deride our hard work while truthfully the only thing they hate is the fact we have a voice in the work place and we have the audacity to believe we have the right to have a seat at the table when it comes to deciding what may be acceptable compensation for what is now 3 decades of my life spent in the USPS.

I make no apologies, this work we do, moving the nations mail will grind

continued on page 6



NATIONAL BUSINESS AGENT



by
James
Stevenson

Challenge Improper Details (The Phantom Job)

We have all seen it. Those “special” employees who have been missing from their bid assignments for months and yes sometimes years. Some have been missing from their bid assignment for so long that many employees did not even realize that the missing employee even had a bid assignment. These employees often times were “hand-picked” by management and “tucked” away in a non-existent job that was never posted for bid or worse yet allowed to be detailed outside of their bid assignment to a position or section which has previously reverted positions, abolished positions, or excessed employees. Although you may not win any popularity contests with management or the employee receiving the improper detail the actions must be challenged as they could possibly violate the principles of seniority, bidding, and utilizing all

hours under Article 37 to create duty assignments.

Example: James Stevenson is an automation clerk on Tour 3 who has been given a detail to a non-existent position on Tour II as a General Clerk, a secretary or a “special assistant” to the MDO. Remember a detail as defined by the EL-312 as “the temporary assignment of an employee to an established duty assignment to which the incumbent is absent.” If the detail job was never posted for bid and there does not exist an incumbent employee who is absent from that position then the job should be posted for bid. James Stevenson has 3 years seniority and Bob Gunter has 25 years seniority as a clerk at the “DO AS WE PLEASE PROCESSING AND DISTRIBUTION CENTER.” If James Stevenson is given a job which would have gone to Bob Gunter had it been properly posted then it violates the principles of seniority. Improper details are often nothing short of an “end run” around

the proper posting and bidding of jobs.

I have attached a copy of a Step 3 Direct Area Grievance I filed when management wanted to create “Phantom Details” by improperly allowing Mail Processing Clerks to work as SSDA’s. The actions were extremely egregious as the USPS had reverted over 30 SSDA jobs in that section. Rather than properly post the positions for bid the employer came up with “Phantom Details.” Allowing “Phantom Details” to occur hurts us on two fronts. The contract requires employees to work their Form 50 bid assignment. If an employee is out working on a “Phantom Detail” now his job is vacant and the employee for all practical purposes is holding down “two” jobs.

Although Article 25 allows for the proper utilization of detail assignments, it is not intended to be abused in such a manner in which it is now being utilized to circumvent seniority and the proper posting of jobs. It is

important that employees work their bid assignments, if management wants to “tuck” an employee away in a “cushiony job” then that “cushiony job” should be posted for bid to the senior bidder. If management claims the position is an EAS job make sure that you conduct a proper investigation to verify whether or not the work falls within bargaining unit duties or EAS duties. If the employee is working in an EAS position outside the bargaining unit for more than 90 days then their bid assignment must be posted for bid. Often times the employer will try to combat the argument by saying, “Oh no. We are only paying the employee their regular PS level 6 or 7 bargaining unit pay.” This is not a defense as it matters not how the employee is being paid which determines whether it is bargaining unit work but rather does the work being performed fall under job descriptions or work which has been historically performed by the clerk craft.

In Solidarity.

At What Length Will You Go To Secure Your Future?

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you up and we will all be lucky to walk away healthy enough to fully enjoy the retirement we have all earned, no one has given us one damn thing, we have earned every damn cent and

we have earned every damn second when we can finally step away to do whatever it is the hell we want.

It is not wrong to expect to have a decent quality of life when your

days of laboring are over, there is virtue in hard work, there is pride in seeing a life well lived and as far as I am concerned a living wage while living in the greatest nation on earth is a fundamental human right not something to be begged for and not something that ought to be unique.

Ulysses S. Grant said: “Labor disgraces no man; unfortunately, you occasionally find men who disgrace labor.”

There is no disgrace in working for a living, nor should there be any guilt or remorse in demanding an employer recognize that hard work and make certain we are all properly compensated for it. I make no apologies for believing in my DNA I have every right to sit at the table and demand those things so many now take for granted.

Eugene Debs said: “Labor Creates All Wealth”

Labor. Hard work. Those same things created the APWU and it is only those things that will sustain it.

Brothers and sisters, make no mistake our turn in the battle for all we have is coming, while it will more than likely require Congress to truly move us towards our demise realizing that labor does in fact create all wealth we ought to be filled with a righteous indignation when we go to the ballot box and it’s this workers bees opinion that the indignation we ought to feel

should have us voting for those who will stand with us, those who appreciate what we do, those who understand the wealth we create and when we pull that lever or fill in that blank we do so supporting politicians who will stand with us and protect our rights to pursue the happiness that can be found through job security and a good solid union contract.

My mom told me decades ago when I started working at the post office. All those things I had before were jobs, not one of them given my young age had the permanence a job at the Postal Service had and still has. I am grateful to look back at the conversation over 30 years ago knowing my mom was right on about the future that was laid before me. A future that has enabled me to whether some harsh economic times never ever worrying about whether or not I would have a job. That fact, which still remains is unique to this service and we must remember not to take all of those things for granted, lest they be swept away with the stroke of a pen.

Like all good things this career requires constant attention, we need to come to work, be on time, and do our jobs. Now with the forces arrayed against us we have an obligation to stand up for this service, stand up for our way of life, we must stand up for the next generation and make choices when necessary that may rub against our usual political strands.

In Solidarity I Remain.

PETITION DRIVE

Tell USPS Board Of Governors Not To Privatize USPS

We need your help. Specifically, we need your signature — and that of any friends or family you have.

As you are aware the United States Postal Service is the most popular federal agency. USPS provides critical services to the American public, but now it’s at risk.

If we don’t all act soon, USPS could be privatized.

Last year the White House announced proposals to privatize the Postal Service. Postmaster General Megan Brennan is leaving the agency in January, and it’s likely that the White House’s next pick will have privatization high up on its agenda.

We can’t let that happen — it’s time to mobilize support to protect the U.S. Postal Service.

Visit usmailnotforsale.org or apwu.org for more information and a link to electronically sign the petition, or download and print a hard copy petition.

Now, more than ever, the U.S. Postal Service is at risk of privatization. The people expect — and deserve — a postmaster general who will uphold the USPS’s critical importance as a public service.

Add your voice now. Help protect the people’s post office.

VETERANS' DIRECTOR



by
**John P.
Smeekens**

It's Official

President Donald Trump signed the National POW/MIA Flag Act into law in November. The presidential signing and the daily display of the POW/MIA flag at all prominent federal properties will now serve as a daily reminder that these heroes, and their families, are forever in our thoughts.

Law now requires the POW/MIA flag to be displayed whenever the American flag is displayed on prominent federal properties, including the White House, U.S. Capitol, World War II Memorial, Korean War Veterans Memorial, Vietnam Veterans Memorial, every national cemetery, the buildings containing the official offices of the Secretaries of State, Defense, and Veterans Affairs, office of the Director of the Selective Service System, each major military installation, each Department of Veterans Affairs medical center, **and each U.S. Postal Service Post Office.**

The National POW/MIA Flag Act was initially introduced by U.S. Rep. and Marine Corps Lt. Gen. (ret.) Jack Bergman and U.S. Rep. Chris Pappas March 7, 2019. The bipartisan bill received endorsement from the VFW, the National League of POW/MIA Families, and other veterans service organizations. "Over 82,000 men and women who've served our nation in uniform are unaccounted for or listed as POW/MIA, including many Michiganders," said Congressman Bergman. "Flying this flag at federal properties 365 days a year is just a small way that we can ensure their sacrifice and devotion to our nation is never forgotten." Pappas added that the POW/MIA flag is a symbol of courage and sacrifice that our armed forces have given on behalf of this nation. "I have seen how important the flag is to demonstrate that these heroes are not forgotten," said Congressman Pappas. "By putting the flag on full display outside of prominent federal buildings, memorials, and national cemeteries, we are reaffirming our commitment to the more than 82,000 service members who remain unaccounted for." Prior to this landmark signing, the POW/MIA flag was only required to be displayed by the federal government on certain prominent federal properties only six days per year to include Armed Forces Day, Memorial Day, Flag Day, Independence Day, National POW/MIA Recognition Day, and Veterans Day. The National League of POW/MIA Families is the reason the POW/MIA flag exists today. The organization's mission supports our POW/MIAs and killed-in-action from the Vietnam War by obtaining the release and return of all prisoners, the fullest possible

accounting for the missing, and the repatriation of remains of those not yet recovered.

Evelyn Grubb, former national coordinator of The National League of POW/MIA Families, oversaw the development of the POW/MIA flag and campaigned to gain its widespread acceptance and use by the U.S. government in 1972.

New V. A. Scam

Here are the latest details of a new scam targeting Veterans. This scam is particularly scary because it imitates the 1-800-827-1000 number as well as VA identity verification protocol. **There is never a need to provide VA with credit card information.** Veterans beware! There is a new scam sweeping the country targeting U.S. veterans. This one involves the use of new telephonic technology, and a well-orchestrated cast of scam artists who mimic Veterans Affairs (VA) culture. Unfortunately, the scam has already ripped off thousands of veterans – don't be the next victim.

The scam uses sophisticated telephonic technology that imitates VA operating signatures, thus, giving the impression via caller ID that the veteran is receiving a telephone call from the VA. Most veterans will see the following on their call ID system: **"Department of Veterans Affairs, 1-800-827-1000."** The second part of the scam involves scam artists pretending to be VA personnel. The scam artists are using scripted material to mimic the culture of VA personnel by implementing processes that would be used when a veteran contacts the VA. PLEASE BE CAREFUL!!!

F-35's May Come After All

Area residents from Madison Wisconsin, are pushing back regarding the housing of F-35's in their community. And now, a letter to the Secretary of the Air Force, signed by a majority of the Michigan Congressional Delegation, has asked Ms. Barbara Barrett, the Secretary, to reconsider SANG Base as one of the preferred alternate locations for housing the F-35's. Selfridge has a range of capabilities that cannot be offered by other facilities around the country. Selfridge, which is a former F-16 housing facility, could house, inside environmentally controlled hangars, every one of the planned F-35's. Being on Lake St. Clair it give's immediate access to 3 overland water military operations areas, along with other pertinent advantage's The people who live around Selfridge have hosted SANG's military operations for 100 years. A decision is expected sometime in February 2020.

PTSD Stamp And Fund-raiser

The U.S. Postal Service has just issued a "Healing PTSD" semi postal stamp that will raise money to be

distributed to the VA for the National Center for PTSD. The First-Class Stamps will sell for 65 cents, a ten-cent premium over the standard price. A semi postal stamp is one designed to fund causes in the public interest, and in this case, that interest is Post-traumatic Stress. The extra money will be donated to the cause.

Base Access For Newly Privilege

The Defense Department has announced expanded Commissary, Military Service Exchange and MWR access, and has established a standard for physical access to military installations. Veterans and Primary Family Caregivers who are eligible and want to take advantage of in-person benefits must have a **Veterans Health Identification Card**, or VHIC. Primary Family Caregivers must have an eligibility letter from VA's Office of Community Care. Veterans use VHICs for identification and check-in at VA appointments, but will also use them for base access under the new program. The card must display the Veteran's eligibility status (i.e., **PURPLE HEART, FORMER POW or SERVICE CONNECTED**).

Veterans must be enrolled in the VA health care system to receive a VHIC. To enroll, you can complete an application for enrollment in VA health care by telephone without the need for a signed paper application. Just call **1-877-222-VETS (8387)** Monday through Friday from 8 a.m. until 8 p.m. Eastern Time. You can also apply for VA healthcare benefits online at **www.va.gov/healthbenefits/enroll**, or in person at your local VA medical facility. Once your enrollment is verified, you can have your picture taken at your local VA medical center, and VA will mail you your VHIC. Make sure you bring your DD-214, Driver's License or State approved I.D. or a Passport! After your picture is taken it will take about 10 days before you get your VHIC in the mail. If you have questions about

the status of your VHIC, you can call your local VA medical facility where you receive your care or contact someone at 1-877-222-VETS (8387).

VA's New Virtual Hearings For 2020

The U.S. Department of Veterans Affairs (VA), Board of Veterans' Appeals (Board) and Office of Information and Technology (OIT) are working towards nationwide availability of virtual hearings for Veterans in 2020, allowing access using their mobile phone or laptop via the VA Video Connect app. The virtual hearings are based on the Veterans Health Administration's tele-health platform and lets Veterans participate in their appeals hearings from the comfort of their homes. The testing of virtual hearings began July 2019. The collaboration with OIT, Veteran Service Organizations and other Veteran representatives has been positive. To date, the Board has held 155 successful virtual hearings. Veterans who otherwise would have had to cancel their hearings were able to participate in virtual hearings and receive decisions.

The Board of Veterans' Appeals (Board) makes final decisions for VA regarding appeals for Veterans' benefits and services. The Board's mission is to conduct hearings and issue timely decisions for Veterans and other appellants in compliance with the law.

Veteran Of The Day

Do you want to light up the face of a special Veteran? Have you been wondering how to tell your Veteran they are special to you? VA's #VeteranOfTheDay social media feature is an opportunity to highlight your Veteran and his/her service. It's easy to nominate a Veteran. All it takes is an email to **newmedia@va.gov** with as much information as you can put together, along with some good photos. Visit our blog post about nominating to learn how to create the best submission.

In Memory of

REQUIEM: JOHN R. SMITH,
former APWU Retirees' Department Director,
died Saturday, January 11, 2020, at age 94

Brother Smith was appointed as first Director of the fledgling department. John was a friend and mentor, building the department from the foundation upon which we stand. Funeral services were held Friday, January 17th in Dayton, Ohio. Condolences may be sent to: **Cheryl Brown & Family, 6167 Southampton Dr.; Dayton, OH 45459.**

*"Eternal rest grant unto our Brother John, O' Lord;
and let Perpetual Light shine upon him. Amen."*

NATIONAL BUSINESS AGENT



by Linda Turney

Turney At The Table

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

Accommodation In Our United States Is Not Always Equal

Accommodating a pregnant employee could mean management allowing limited weight restrictions or standing restrictions or needing additional bathroom breaks. The Federal Pregnancy Discrimination Act (PDA) has not been updated or amended. State laws treat pregnancy accommodation differently. There are 27 states that have passed Pregnancy Accommodation Laws.

The PDA does specifically require the USPS not to discriminate against pregnant employees. It requires the USPS to treat all employees the same as non-pregnant employees who are temporarily disabled. If they offer light duty work to all employees who need light duty work for other reasons, pregnant women are entitled to the same.

The law is less clear when it comes to the USPS offering light duty work to some (FTR/NTFT career) who are disabled for other reasons.

The United States Supreme Court recently provided guidance on this issue. In *Young v. UPS*, a pregnant employee sued United Parcel Service (UPS) after she was denied light-duty work. UPS provided light-duty work to some employees, including those who were injured on the job. But it didn't provide light duty to other employees, including pregnant employees and employees injured off the job.

The Supreme Court decided that employers are not required to accommodate pregnant employees any time they accommodate non-pregnant employees. However, employers must be able to show a legitimate, nondiscriminatory reason for the different treatment. If the employer doesn't have a sufficiently strong reason for treating pregnant employees differently, that may be evidence of pretext for discrimination. Michigan is covered by this Supreme Court decision. Even if pregnant women are accommodated under this case in

Michigan, it would not include PSEs.

On the EEOC web page, https://www.eeoc.gov/laws/guidance/pregnancy_guidance.cfm#IID, you can find that, "**Employers must comply with state or local laws regarding pregnant workers** unless those provisions require or **permit discrimination based on pregnancy, childbirth, or related medical conditions.**" They have to follow the state law unless the state law is worse than the Federal law.

The California Supreme Court found that, "Congress intended the PDA to be 'a floor beneath which pregnancy disability benefits may not drop – not a ceiling above which they may not rise.'" (*California Fed. Sav. & Loan Ass'n v. Guerra*)

In Illinois, under an amendment to the Illinois Human Rights Act, pregnancy accommodation applies to every employer in the state with one or more employees, just as the law concerning disability discrimination and sexual harassment does. It applies to Illinois employers with 15 or more employees. Illinois law covers full-time, part-time and **those on probation** and job candidates who are pregnant or who become pregnant. This Illinois language covers our PSEs!

The Illinois Pregnancy Accommodation Amendment requires employers to make reasonable accommodations for a pregnant employee even if her impairment does not meet the official determination of "disability."

The 27 states that have passed state pregnancy laws often reach above and beyond Federal law. **In this specific situation, pregnancy accommodation, State Law preempts Federal Law.** Illinois has passed additional accommodation for pregnant women that does go beyond the PDA.

Michigan as of today, has not added an additional law to cover pregnancy. Michigan is still covered under **Young vs. the United Parcel Service**. This is the Supreme Court case where when the USPS provides light duty to career employees who need accommodation, they must also include pregnant employees. PSEs would not be included in this situation for accommodation.

Illinois law is a great example of what should be the law nationwide and in our Collective Bargaining Agreement, Article 13. In the meantime, Illinois stewards can use the state Human Rights Law to file grievances for pregnant women who are not being accommodated. Michigan has a more difficult analysis. You will have to show that the USPS is disparately treating employees as a pretext for discrimination.

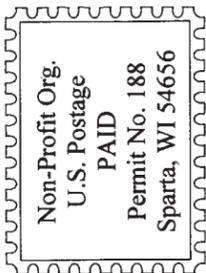
We must continue to progressively file grievances on behalf of pregnant women who still have not achieved equality in all states. In Illinois, stewards can add the state law to your grievances.

Go to your state law makers and ask them to support laws that provide accommodations. Ask our National Leaders to include pregnancy accommodation language in the CBA. Talk to your Federal Representatives and ask them to support the bi-partisan bill called the "**Pregnant Workers Fairness Act, H.R.2694**" written by Congresswomen Suzanne Bonamici (D) and Jaime Herrera Beutler (R). If this bill passes, all states and the USPS shall be required to accommodate pregnant women in the workplace.

Keep up the good fight.

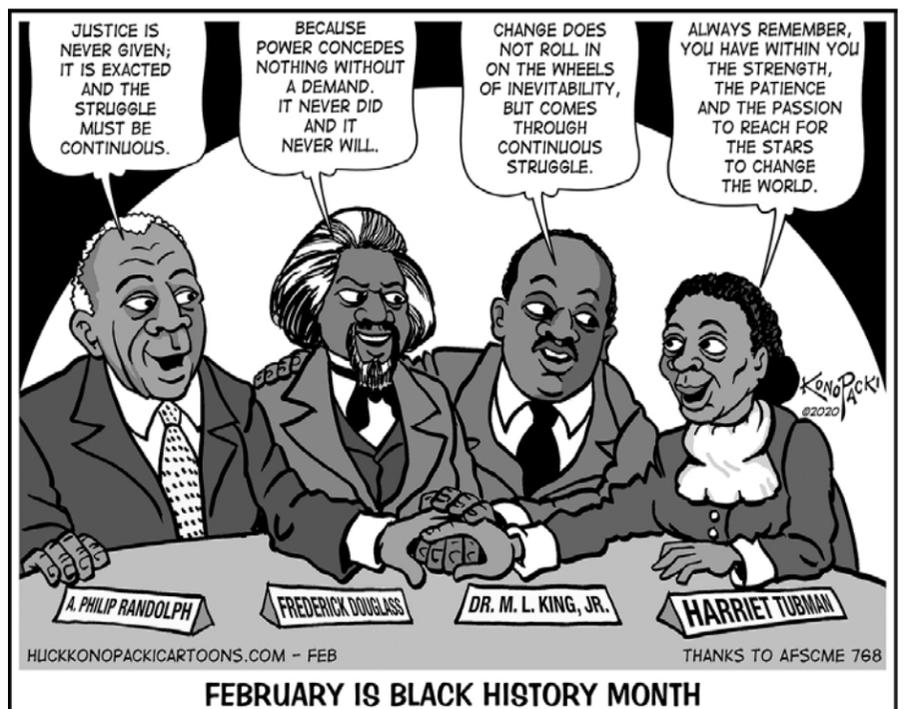
Get into good trouble.

Your NBA.



Return to APWU/MPWU
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Change of Service Requested



FEBRUARY IS BLACK HISTORY MONTH