

MEMO To The Branch 2184 Leadership Council, February 13, 2024



Walt Gregory
Jackie Gregory
Darryl Clay
Katrina Jones
Mark Owen
Jerry Cerpa
Phil Ashford
Scott Watts
Erik Venzke
Tracy Mitchell
Dave Reise
Felicia Davis
Dave Reise
Joe Golonka
Kris Shaw
Scott Russell
Ryan Zyngier
Tod Lilla
Byron Hendricks
Jillian Hudgins
Mohamad Rahal
Kim Miller
Symone Coleman
Yvonne Jackson
Karl Tamburro
Shaun Fowlkes
Marwan Ghotemi
Chanel Harrison
Marquel Davis
Justin Leal
Lillian Bogosian
Rachel Stachulski
Scherrie Lacey
Jennifer Rake
Dan Marek
Diego Forshaw
Courtney Duran
Keith Benedict
Victor Siemiesz
Jeff Webb
Casey Pennigton
William Douglas
Nakia Whitfield
Ananias Epps
Ramon Robinson
Shatyra Young
Paul Bordine
Ashley Seper

This month's Leadership Council Memo will begin as usual with an update regarding Branch administrative matters and events. Our next regular Branch membership meeting will take place on Wednesday, March 6 at 7:30 p.m. in the meeting room at the Branch 2184 office. There will be two steward meetings in March. The first one will take place on Tuesday, March 12 at 7:00 p.m. in the meeting room at the Branch 2184 office. The second will be an online steward meeting conducted by WebEx on Monday, March 18 at 7:00 p.m. An executive board meeting is scheduled for Monday, March 25 at 7:30 p.m.

Next up on our Branch events list is our second annual retiree dinner, which this year will also include the formal installation of Branch 2184 officers and stewards for the 2024-2026 term of office. This dinner will which will take place on **Sunday, March 10 at 2:00 p.m. at the Prestige Banquet Hall, 6600 Allen Road in Allen Park.** This event will be free for all Branch 2184 retired members and one guest, as well as for the Branch 2184 officers and regular stewards that will be installed at the banquet. The cost per ticket for all other Branch 2184 members and guests as well as for the guests of Branch officers and regular stewards will be \$40. The event will include dinner, music and dancing, a cash bar, and door prizes, and a NALC National Officer has been invited. Tickets are available from the Branch 2184 office.

Branch 2184 has been officially registered to participate on this year's NALC Food Drive, taking place on Saturday, May 11. Branch Food Drive coordinators this year are Jackie Gregory and Katrina Jones. Our station coordinators for the Food Drive as well as our stewards will be receiving additional information.

Stewards that have grievances which are unresolved at the initial informal step of the Dispute Resolution Process must ensure that union grievance appeals to Formal Step A are completed **as soon as possible** following the informal meeting. Although Article 15, section 2, Informal A (c) provides seven days for the date of the informal discussion file a written appeal, there should be no delay in this. This is done by completing the Informal Step A portion at the top of PS Form 8190, Items 1 through 13.b. The 8190 should then be handed directly to or sent to the installation head or their designee. Informal step A stewards should not complete the issue statement portion of the 8190, as this is done by the union's Formal Step A representative.

The informal step A steward is also responsible for getting the entire grievance file, including a copy of the 8190, to the union's formal Step A designee. **This should also be done as soon as possible**, so as not to delay the appeal process or jeopardize timeliness. Additionally, if a grievance remains unresolved at the formal Step A level and is appealed to Step B, the Branch's formal Step A designee should ensure that a copy of the complete grievance file is brought to the Branch 2184 office **as soon as possible**. Any local issues or concerns regarding grievance appeals should be discussed immediately with Branch President Walt Gregory.

The NALC at the National level has resumed publication of the *NALC Activist*, a valuable asset for all NALC Branch leaders and especially Contract enforcers. *The Activist* is a great resource for all stewards, both newer as well as those that are veterans in the business. The Winter 2024 issue and more than 30 years of archives are available on the NALC website. One copy has also been printed and distributed to the steward mailboxes for our offices where there is a least one on site steward or Formal Step A designee.

We continue to receive frequent reports of our members being told that they have been placed on a "Deems Desired List." Simply put, there is no such contractually legitimate thing as a "Deems Desired List." There is something known as "Restricted Sick Leave," per the provisions of the ELM 513.391, but that procedure, which requires a series of steps that take a minimum of 9 months to properly complete, is NOT and has nothing to do with what management refers to as "deems desired." What management is actually continuing to attempt to do is to circumvent the actual restricted sick leave requirements and procedures with their so-called "deems desired" program, which stems from an option in the eRMS absence reporting procedures.

The use of "Deems Desired" has its genesis in language that is found in ELM 513.361, where management can request medical documentation or other acceptable evidence of incapacitation "for the protection of the interest of the Postal Service." However, per a USPS letter to the Union (M-01597 in the NALC Materials Reference System or MRS), **such requests must be made on a case-by-case basis.** Creation of a "list" is tantamount to placing a carrier on restricted sick leave without following the procedures required by ELM 513.391. Thus, any verbal or written notification from management to a Branch 2184 letter carrier that they have been placed on a "Deems Desired List" is a clear Contract violation and it must be responded to through the grievance procedure, the first time and every time. Additionally, the most effective way for a letter carrier to respond to any documentation demand of a sick leave absence of 3 scheduled workdays or less is to **make management pay** – not only for out-of-pocket costs incurred such as copays and mileage, but also make it cost them in grievance time.

Management in one of our stations misinformed a letter carrier that had sustained a traumatic on the job injury (OWCP Form CA-1) by telling the employee that could not use leave without pay (LWOP) during 3-day waiting period for Continuation of Pay (COP) following the injury. However, USPS employees may use sick, annual OR LWOP, and this is solely at the employee's discretion. **Management has no say in this decision.** The controlling regulations in this situation can be found in applicable Federal Law, Title 20 of the Code of Federal Regulations (CFR) @10.200.c.

As reported by Branch 2184 President Walt McGregory and our Route Inspection Specialist Dave Reise, two Branch 2184 installations have (thus far) been scheduled for the TIAREAP (Technology Integrated Alternative Route Evaluation Process) route adjustment process this spring. As before, the Branch is offering online training via WebEx technology to our members to help familiarize them with TIAREAP procedures. The training is scheduled for Thursday, February 22 beginning at 7:00 P.M. Although our Plymouth and Rockwood members are a priority for the training, it will be available for any interested Branch 2184 member. Please see the announcement that should be posted on station Union bulletin boards.

In light of last year's widespread fraud and falsification of employee safety training records by postal management in Branch 2184 and throughout the United States, it is imperative that ALL stewards closely monitor management's full compliance with OSHA requirements this year. Minimally, we should have clear (not verbal or anecdotal) evidence that EVERY active Branch 2184 letter carrier has completed the online heat safety training in HERO. The heat safety training module must be completed no later than Friday, March 15.

The February 2024 Postal Record is the annual Letter Carrier Political Fund (LCPF) issue, including a listing of all LCPF contributors in 2023. Branch 2184 continues to lag in regards to LCPF contributions, despite the participation of all Branch officers and stewards. Our Branch average of 9.64% of members contributing to the LCPF is below the 10.92% average for the State of Michigan. We can and we must do better, especially in this critical National election year. Special recognition goes to Branch 2184 Vice President Darryl Clay and to Branch Recording Katrina Jones, who led the entire Branch with impressive \$480 LCPF contributions in 2023. Runner up recognition goes to Northville steward Jennifer Rake, with a \$450 LCPF contribution in 2023. Among our retired members, Branch Trustee and Contract Administration Unit member Joe Golonka led the way with a \$360 LCPF contribution last year.