

MEMO

To The Branch 2184 Leadership Council, May 9, 2023



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Darryl Clay
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Jim Powell
Phil Ashford
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Kris Shaw
Mark Owen
Scott Russell
Karen Russell
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Ryan Zyngier
Byron Hendricks
Jillian Hudgins
Symone Coleman
Yvonne Jackson
Karl Tamburro
Damon Green
Shaun Fowlkes
Marwan Ghotemi
Chanel Harrison
Lillian Bogosian
Rachel Stachulski
Scherrie Lacey
Scott Watts
Valerie Watkins
Kristie Nelson
Diego Forshaw
Keith Benedict
Victor Siemiesz
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Jeffrey Webb
Nakia Whitfield
Katrina Jones
Ananias Epps
Ramon Robinson
Paul Bordine
Mike Tredway
Danita Hill

This month's Leadership Council memo will begin with information concerning Branch 2184 administrative matters and upcoming events. As our Branch has now returned to an "in person" meeting format, the next regular membership meeting is scheduled for Wednesday, June 7 at 7:30 p.m. at the **Branch 2184 union office**. As always, attendees will have the option of wearing a face covering if they choose, and these will be available at the door. Additionally, the meeting will be conducted with the outside doors to the meeting room open to increase the indoor air circulation. In accordance with our Branch Bylaws, there will be no regularly scheduled membership meetings in July and August.

A steward meeting will take place on Tuesday, June 13 at 7:00 p.m. Again, this will be a "in person" meeting at the Branch 2184 office. This is the only steward meeting scheduled in June. The resumption of in person steward meetings will be advantageous to the Branch and its members, as it will allow for much more direct interaction between stewards, branch officers, and contract administration unit members. Finally, an executive board meeting is scheduled for Monday, June 26 at 7:30 p.m.

It is almost Food Drive Day 2023, and Branch 2184 continues to make plans for this year's NALC Food Drive on Saturday, May 13. We are fully committed to resuming our participation in the Food Drive at the same level as we did prior to the Covid pandemic. Everyone – most importantly our active members, but also our retired members, our Branch station coordinators, and our branch officers and stewards should work as a team to make this year's NALC Food Drive a success. Our Letter Carrier Food Drive is the largest single day event of its kind in the United States, and it is a perfect manifestation of the NALC's commitment to the common good of all of America's people.

Next up on the Branch 2184 calendar will be our annual Branch picnic, which will be held on the grounds of the Branch office on Sunday, June 25, 2023 from 12:00 to 6:00 p.m. The picnic is our largest and most popular membership event each year, and this year's picnic will be bigger and better than ever. Critical to the success of the picnic is our volunteers, who will be needed before, during, and after the picnic. **Branch stewards, officers, and activists are strongly encouraged to volunteer at least a few hours of your time to help ensure the success of this year's picnic.**

On May 1 and May 2, the Michigan State Association of Letter Carriers (MISALC) convention was held at the Motor City Casino Hotel in Detroit. 28 delegates from Branch 2184 were in attendance and as always, our delegation actively participated in the convention proceedings and attended the training classes conducted by the NALC Region 6 National Business Agent's office. Seven of our Branch 2184 delegates served on MISALC convention committees or held

other convention administrative positions.

A highlight of the MISALC convention was the election of three Branch 2184 members as State officers. Branch 2184 Mutual Benefits Representative Erik Venzke was elected as MISALC Vice-President, succeeding Branch President Walt Gregory who chose not to run again. Branch 2184 Financial Secretary-Treasurer Cathy Tondreau was reelected as MISALC Treasurer, and Branch 2184 Vice-President Darryl Clay was elected as a member of the MISALC Executive Board. Finally, the convention delegates chose the Great Wolf Lodge near Traverse City as the site of the 2025 MISALC convention, which will take place from April 26 to April 29, 2025.

On April 24, the NALC and the USPS signed a Memorandum of Understanding (MOU), which is numbered M-01993 in the NALC Materials Reference System or MRS, concerning Annual Leave carryover for Leave Year 2024. Regular work force career employees covered by the USPS-NALC National Agreement may carry over 520 hours of accumulated annual leave from leave year 2023 to leave year 2024. The Memorandum continues the provisions of recent MOUs on Annual Leave carryover but does not change existing provisions in the Employee and Labor Relations Manual (ELM) for payment of accumulated leave. This MOU will expire on December 31, 2024.

There have been a few recent instances where the personal vehicle of a Branch 2184 letter carrier was damaged while parked on Postal property. Although damage to a letter carrier's personal property while at work can result in the filing of an employee claim, per Article 27 of the Contract, **there is a specific exclusion for privately owned motor vehicles.** However, if a letter carrier's automobile is damaged by "the negligent or wrongful act" of the Postal Service, **the carrier may seek recovery under the Federal Tort Claims Act. Do NOT file such a claim through Article 27 and do NOT use PS Form 2146 to initiate such a claim.**

To initiate a Tort Claim, a carrier should complete and submit a Standard Form (SF) 95. Also note that the standard for establishing liability under the Tort Claims Act is different than the standard for reimbursement under Article 27, because they treat fault differently. Specifically, the Postal Service must pay a claim under Article 27 unless it was "caused in whole or in part by the negligent or wrongful act of the employee"—regardless of whether there was also negligence on the part of the Postal Service. However, to recover under the Tort Claims procedure the employee must establish that the damage **was the fault of the Postal Service.**

Additionally, non-motorized vehicles are not considered "privately-owned vehicles" within the meaning of Article 27. A claim for the loss or damage to non-motorized bicycles can be made and decided in accordance with the provisions of Article 27. See the arbitration Settlement of F90N-4F-C 95004286, April 19, 2001, which is M-01440 in the NALC Materials Reference System (MRS).

To the surprise of no one, USPS management continues to be flagged for falsifying employee training records on a widespread basis throughout the United States. This specifically involves the mandatory heat illness prevention course on the HERO platform that should have been completed by every letter carrier by April 1. Despite this requirement, it is all but certain that many Branch 2184-represented carriers have not yet completed this training. Additionally, USPS management falsification of these training records has already been documented as occurring in Branch 2184-represented offices.

Stewards, if you are aware of letter carriers in your stations that have not yet completed the heat illness prevention course, request copies of the training records from management and follow up if necessary to ensure that this is done. **If you discover evidence that training records have been falsified by management, notify the Branch 2184 office ASAP. Any letter carrier can (and should) go into the HERO section of Lite Blue and see if they have been reported by management as having completed the training.**

Negotiations continue between the NALC and USPS on a new collective bargaining agreement to replace the current one which expires at midnight on May 20. If the parties can reach agreement by May 20, the proposed new Contract will be sent to all active (non-retired) members in good standing along with a ratification ballot. Non-members will not receive a copy of the proposed Contract or a ratification ballot. If the parties are unable to reach agreement, the terms of the existing Contract will be extended while the parties either continue to negotiate or will begin a mediation process that could potentially culminate in interest arbitration. The decisions of a National Arbitrator are final and binding on both the NALC and the USPS.

On Monday, May 8, Branch President Walt McGregory received a written notification from NALC National Executive Vice-President Paul Barner that our union's National President Brian Renfroe has taken a leave of absence from his duties to deal with urgent personal matters. In Brian's absence, EVP Barner is handling the duties of NALC President. This includes the current work on a new collective bargaining agreement with the Postal Service, which continues without interruption. Updates on the status of Brian Renfroe's absence will be provided when they are received.