

# MEMO

To the Branch 2184 Leadership Council, Nov. 9, 2020



Mark Judd  
Walt McGregory  
Jackie McGregory  
John Hite  
Cathy Tondreau  
Jim Powell  
Scott Watts  
Joe Golonka  
Gloria Warthen  
Felicia Davis  
Leonard Zawisa  
Kris Shaw  
Mark Owen  
Bryon Hendricks  
Melvin MacDonald  
Darryl Clay  
Symone Coleman  
Yvonne Jackson  
Denise Viola  
Lillian Bogosian  
Chris Biegalski  
Phil Ashford  
Scherrie Lacey  
Dave Reise  
Erik Venzke  
Joshua Nagy  
Shavon Alexander  
Elizabeth Bays  
Valerie Watkins  
Jennifer Rake  
Tamara Bosman  
Diego Forshaw  
Kristie Nelson  
Keith Benedict  
Tracy Mitchell  
Nakia Whitfield  
Katrina Jones  
Ananias Epps  
Ramon Robinson  
Tyler Haverstick  
Paul Bordine  
Mike Tredway  
Danita Smith

This Leadership Council Memo will begin in the same manner as the past several months, with an administrative update concerning Branch matters. First, there are several changes in the Branch officer structure, necessitated by the tragic loss of Michele Szafran on October 19 and the decision by Vice-President Joe Golonka to step down from this position on October 31. Effective on November 2, Branch President Mark Judd has made the following appointments:

Branch 2184 Recoding Secretary and Dearborn Steward/Step A designee Jackie McGregory has been appointed as Branch 2184 Vice-President. Canton Steward John Hite has been appointed as Branch 2184 Recording Secretary. Retired member Joe Golonka has been appointed as a Branch 2184 Trustee. NALC Step B representative Erik Venzke has been appointed as a Branch 2184 injury compensation specialist, and will be assisted by Trenton Steward Tracy Mitchell. All appointments are for the balance of the current term of office, which will be until nominations and elections are completed and Branch officers and stewards for the new term of office are installed. Finally, NALC Region 6 National Business Agent Troy Clark has appointed Plymouth alternate steward Kristie Nelson to serve on the Detroit District Safety Committee.

With the ongoing resurgence of the COVID pandemic, the Branch will continue to conduct all Steward and Executive Board meetings telephonically until further notice. Additionally, it has become necessary to cancel the Branch membership meeting scheduled for Wednesday, December 2. Finally, the customary December holiday gatherings/meals have also been canceled for this year, including the officer/steward meal that had been scheduled on December 15. The payouts for attendance at steward meetings this year will be made as usual, based on attendance at the meetings (both in person and telephonic) and the usual application of the Branch Bylaws.

The annual four-week penalty overtime exclusion period this year will begin on Saturday, November 28 (the first day of pay period 25, week 2, 2020) and will end on Friday, December 25 (the final day of pay period 1, week 1, 2021). A reminder that the absence of penalty overtime during this period does not change or invalidate any other contractual provisions regarding the assignment of overtime work. Article 8 should be enforced accordingly. The 12/60 work hour limitations do not apply to ODL carriers in December, per Article 8.5.G.2.

On Tuesday, December 1, the initial round of vacation selections for 2021 (February 2021 through January 2022) should begin in every station within Branch 2184. There is no valid reason to delay this process. Stewards, be sure that you involved in the configuration of the annual leave boards in your stations. Do NOT allow management to unilaterally configure the annual leave boards. Please contact the union office immediately if management attempts to unilaterally implement the 2021 leave program.

Additionally, all stewards are strongly encouraged to 1) read the separate Branch Memo regarding 2021 Leave Year information, and 2) review and be sure that you fully understand each negotiated provision regarding our local program that is found in our Branch 2184 Local Memorandum of Understanding (LMOU), Items 4 through 12. Even veteran stewards will find that periodic reviews of documents such as our LMOU are helpful for contract enforcement purposes.

USPS Leave year 2021 begins on Saturday, January 2, 2021, which is the first day of pay period 2, week 1, 2021. It is on this date that the annual leave which is advanced to all career regular employees becomes available to use. The newly credited leave will appear in employee leave balances accompanying paychecks dated Friday, January 22, 2021. However, it is available for career employees to use beginning on January 2. Career regulars in leave earnings category 1 (less than 3 years of creditable service) receive 4 hours each pay period, or 104 hours for a full year. Career regulars in leave earnings category 2 (3 to 15 years of creditable service) receive 6 hours each pay period, or 160 hours for a full year. Career regulars in leave earning category 3 (more than 15 years of creditable service) receive 8 hours each pay period, or 208 hours for a full year.

Career carriers with more than 15 year of creditable service will have two adjustments in their leave earnings category, at 3 years and again at 15 years. These adjustments nearly always occur sometime during the leave year, not coincident with the beginning of the leave year. When this occurs, as it does for nearly everyone, the leave advanced at the beginning of the year is prorated, with leave earned at the lower rate advanced for the number of pay periods it in effect, and the remaining pay periods of the year advanced at the higher rate.

An example is where a carrier attains three years of creditable service and goes from leave earnings category 1 to category 2 after the 20<sup>th</sup> pay period of the year (or about early October). The first 20 pay periods of annual leave for that year should be advanced at 4 hours a pay, and the last 6 pay periods of annual leave for that should be advanced at 6 hours a pay. In this instance, the amount of advanced annual leave that year in January should be 116 hours. In January of the following year the same carrier should be advanced a full 160 hours.

Also related to pay periods and annual leave, the color-coded calendars for 2021 are still available. Stewards, please contact the Branch office or Financial Secretary-Treasurer Cathy Tondreau to obtain them to sell to our members. The cost is \$6.50 and all proceeds go to MDA.

Periodically NALC stewards will be in situations at work where they are witnesses to incidents involving other carriers. Management will sometimes interview a steward as part of their investigation. This can and often does present a tricky situation for the steward. The Employee and Labor Relations Manual (ELM) section 665.3 provides that "Employees must cooperate in any postal investigation, including Office of Inspector General investigations." Thus, a steward is obligated to "cooperate" in a management investigation, and he/she should do so. However, there are limits to this obligation.

A steward's requirement to cooperate does NOT mean that they must function as management witnesses against a letter carrier or other craft employee. Instead, it means answering relevant and pertinent questions about what the steward may or may not know about the issue or incident being investigated. Most of all, stewards should NEVER provide written statements to management concerning other letter carriers. Doing this will compromise the steward's ability to fully represent the employee, should disciplinary action be issued as a result of the investigation. Additionally, this undermines employee confidence in the steward and well as their confidence in the NALC and the Branch, and it could potentially create an ethical and legal challenge for the union. In summary, yes, you must cooperate in a postal management investigation. No, you NOT required to be a management witness, either verbally or in writing. When in doubt, contact the Branch 2184 office for further guidance.

A reminder the Federal Employees Health Benefits open season has begun and will continue through Monday, December 14. Active or retired letter carriers wanting to switch plans or make changes within a plan can do so during this period.