

Branch 2184 ... "Speaks"

Official Publication of Branch 2184, NALC, AFL-CIO

January/February 2020

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Western Wayne County, MI
National Association
of Letter Carriers
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Office Hours:

9:00 a.m. - 5:00 p.m.
Monday through Friday

Calendar

Branch Meetings:

April 1st, 2020
May 6th, 2020
(7:30 p.m. - Union Hall)

Retirees Meetings:

April 8th, 2020
May 13th, 2020
(12:30 p.m. - Union Hall)

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President's Report

CCA Conversions

On January 22, 2020 the NALC and the USPS settled a national level grievance concerning the postal services non-compliance with the contractual caps regarding the hiring of City Carrier Assistants. The settlement (M-01906) provides for the conversion of all CCAs in any size office with 30 months or more of relative standing as of February 15, 2020, to be converted to career status within 60 days from the signing of the agreement. Branch 2184 CCAs meeting the settlement requirements in 200-workyear offices (Dearborn and Westland/Wayne/Canton) will be converted to full time regular. All other conversions in Branch 2184 represented Installations will be converted to part-time flexible career employees. Key points to remember, the 30 months or more of relative standing has to be in the same office or installation and all conversions should occur as soon as administratively possible but not longer than 60 days from the date of the settlement. If you have any questions regarding the settlement please ask to see your steward or give the office a call.

Contract Update

On February 5, the NALC and USPS announced that Arbitrator Dennis R. Nolan has accepted appointment as the neutral chair of the three-person arbitration board that will be responsible for crafting our next National Agreement. Under the law, both the NALC and USPS are each required to name one arbitrator and select a third neutral arbitrator to serve as the chair of the interest arbitration board. The arbitration hearings to resolve our national contract are expected to begin in the spring.

Battle of the Branches

The date, time, and place has been set for this year's Battle of the Branches! Once again Branch 2184 will do battle against our cross-town rivals from Branch 1 to determine the winner of our annual MDA Bowl-a-thon. Join us for a fun filled afternoon of letter carrier solidarity on Sunday, April 19th at 12:00 at Cherry Hill Lanes. For more information on the Bowl-a-thon turn to page #4 of this month's edition of the "Speaks".

-- *Mark Judd*
President

Officers

President.....	Mark Judd
Executive Vice President	Walt Gregory
Vice President	Joe Golonka
Recording Secretary	Jacqueline Gregory
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Sergeant at Arms	Scott Watts
Health Benefits Rep	Jim Powell
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Trustee.....	Gloria Warthen
Trustee.....	Felicia Davis
Editor.....	Leonard Zawisa
Branch Scribe	Joe Golonka
Injury Compensation.....	Michele Szafran
Injury Compensation	Joe Golonka
Web Page Design	Jim Hales

Stewards

Belleville.....	Bryon Hendricks
.....	Greg Bodziak (alt)
Dearborn (Main)	Darryl Clay
.....	Symone Coleman
.....	Yvonne Jackson (alt)
.....	Mark Spight (alt)
Dearborn (Annex)	Melvin MacDonald
.....	Jacqueline Gregory
.....	Rose Miller (alt)
.....	Tom Klecha (alt)
Dearborn Heights	Denise Viola
Dundee	313-295-1640
Flat Rock.....	Lillian Bogosian
Grosse Ile	Christopher Biegalski
.....	Kim Bumbul (alt)
.....	Gloria Warthen (alt)
Inkster	Phil Ashford
.....	Scherrie Lacey (alt)
.....	Robert Clark (alt)
Lincoln Park.....	Scott Watts
.....	Dave Reise (alt)
Monroe.....	Joshua Nagy (alt)
.....	Shavon Alexander (alt)
Northville	Valerie Watkins
.....	Beth Bays (alt)
.....	Jennifer Rake (alt)
Plymouth.....	Tamara Bosman
.....	Diego Forshaw
.....	Kristie Nelson (alt)
Rockwood	Gloria Warthen
Taylor.....	Michele Szafran
.....	Keith Benedict
.....	Scott Horn (alt)
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Westland	Walter Gregory
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.....	Nakia Whitfield
.....	Katrina Jones (alt)
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Canton.....	Ramon Robinson
.....	John Hite
.....	Tyler Haverstick (alt)
Ypsilanti.....	Paul Bordine
.....	Mike Tredway
.....	Danita Smith (alt)
.....	Alan Grajczyk (alt)
.....	Rick Rider (alt)



Branch 2184 Speaks is published 6 times a year by Branch 2184, National Association of Letter Carriers.

The opinions expressed in this publication are not necessarily those of the editorial staff or the officers of the branch.

We invite all members to contribute articles for publication. Copy should be typed, double-spaced and signed by the contributor. The editorial staff reserves the right to edit, delete or reject the article for the good of the branch.

In the hope that material contained herein may be of benefit to the goals of the NALC, permission is hereby granted to copy or use material in this publication with our best wishes.

EVP's Report

CONGRATULATIONS

Congratulations to all the CCAs that have been and will be converted to career status per the M-01906. Remember that upon your conversion to career status, this is considered a "QLE" Qualifying Life Event. You have 60 days from this date to make changes, update and/or enroll in your federal benefits. You should have received or should soon be receiving a "Blue Book" in the mail with all your benefit(s) information. See your supervisor or Postmaster for more information regarding your conversion to career status.

Now That You're Career/NALC Health Plan

When choosing a health plan for you and your family as a new career employee, take a moment and look at the NALC Health Benefit Plan. Do a comparison with the other plans. The NALC Plan is a plan that is run by letter carriers and is for letter carriers. If you need more information about the NALC Health Plan or want to sign up for it as a new career carrier, give us a call here at the hall and we can set up a time for you to meet with someone to assist you.

HATCH ACT

I have been asked by a few members over the last few months about "what could be said and done on the workroom floor and what could not". Here are a few Hatch Act specifics that all active letter carriers should know **while in performance of their letter carrier duties**:

NEVER

- Send or forward a partisan political e-mail.
- Wear or display any political or campaign material, even as a computer screensaver or desktop wallpaper.
- Circulate partisan political materials to co-workers.
- Sign up electronically to contribute to the Letter Carrier Political Fund or solicit other letter carriers to contribute.

Active letter carriers may not—even on their own time, away from work, out of uniform and without using a postal vehicle:

- Use their official titles or positions when engaging in otherwise permissible activities.
- Raise money for partisan political groups or campaigns (except for the Letter Carrier Political Fund), including phone-banking, letter-writing, selling tickets, hosting a fundraiser, inviting people to attend a fundraiser, or allowing your name to be used in a fundraising appeal.
- Otherwise solicit, receive or handle contributions for a partisan political group or campaign.
- Run for elective office in partisan (party-label) elections (even if you report "No Party Affiliation"). Raise money for the Letter Carrier Political Fund from non-NALC members (except from their immediate family members in the same household).

To be clear, you can, on your own time, make personal donations with your own funds to candidates for partisan political office. However, you may NOT at any time organize or engage in fundraising activities on their behalf.

See your supervisor, your NALC steward, or call the Branch 2184 office if you have any further questions about the Hatch Act.

In Unionism,

-- *Walt McGregory*

Executive Vice President





Deliver the Cure with **MDA**

**COME
HAVE A
BALL!!**

Branch 1 vs. Branch 2184

SUNDAY, APRIL 19th at 12:30 PM

CHECK IN BEGINS AT 12:00 PM

Fundraise a minimum of \$50 and receive

- 3 Games of 9 Pin No-Tap Bowling
- Pizza and Soda
- Shoe Rental

Prizes will be given to those that raise:

- \$100 Receive a T-shirt
- \$250 Entry into drawing for \$100 Visa gift card and T-shirt (one winner)

\$20 fee per additional bowler

For additional information

Contact your Branch President or

Kendra Kroll, MDA at 734.416.7076



MDA

Cherry Hill Lanes
300 North Inkster Road
Dearborn Heights
313.278.0400

VP's Report

The Way It Isn't

Letter carriers that step up and serve their union sisters and brothers as NALC Union representatives quickly discover that one of the more important requirements of union work is that we must always tell letter carriers what they NEED to hear, not what they WANT to hear. This responsibility becomes even more necessary because of widespread misinformation concerning work rules and contractual provisions that exists throughout the Postal Service. Although it is easy (and often justifiable) to blame management, some letter carriers are also culpable for feeding the postal misinformation machine.

Misinformation combined with mindless fear is responsible for nearly every poor decision made by a letter carrier as it pertains to their job. Unfortunately, it sometimes takes years to discover and correct erroneous beliefs, and in some cases this never occurs. Moreover, "I heard that..." and "somebody said..." are NOT valid substitutes for authentic and documented information as it pertains to your job or to any other aspect of life. Additionally, not all misinformation is innocently passed on. All too often there is an underlying agenda to deceive and misdirect.

The dangers of misinformation in the Postal Service and with the letter carrier job itself have been especially magnified during recent years because of a large influx of new employees. In our 21st Century world we have endless opportunities to communicate – and to miscommunicate with others anytime, anywhere, and for any purpose. There is an intrinsic value to this modern era of instant communication that can and does serve both the individual as well as the common good. However, there is also a great potential as well as the realization of mischief and consequently great harm to the unknowing.

Social Media Misdirection

During the past several years I have served as an administrator as well as a contractual resource for a large Facebook discussion group of NALC letter carriers. My initial involvement in the group was spurred by the vast amount of bad information that was posted in response to questions about contractu-

al matters and work rules as well as requests for assistance with matters such as job-related injuries and dealing with USPS management misconduct.

The use of an Internet based forum for this purpose has both great potential value as well as great risk. On one hand, a NALC representative or an individual member can potentially ascertain valuable and immediately helpful information for contract enforcement purposes or for dealing with problematic work issues. Conversely, the information provided in response to many posted questions is all too often incomplete, unsourced, and just plain wrong. Bad information is in most instances worse than no information.

However, there is no point in merely identifying a problem without also proposing a viable solution to problem. Fortunately for all letter carriers, the antidote to rampant and potentially harmful misinformation within our ranks has always existed and is now more readily available to every NALC member than ever before. This antidote requires nothing except a small commitment of time and a willingness to discover and learn factual information about your job. Authentic information is available and immediately accessible from several sources - first and foremost from your union.

Knowledge is Power

The world of information and our access to it has vastly changed since I began working as a letter carrier in June 1971. What has not changed is the critical importance of approaching your daily work with the confidence that is only attained through the acquisition of knowledge. This has never been easier to do. Each month every NALC member receives *The Postal Record*, your union's official publication which is loaded with the information necessary for a letter carrier to effectively deal with the post office work environment. Every two months each Branch 2184 member receives our Branch publication, which is also filled with important and timely contractual and workplace information.

Additionally, the Internet provides a vast array of resources for obtaining accurate and official information about everything a letter carrier needs to know in order to proceed with knowledge and confi-

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VP's Report

dence. The two most essential of these are the NALC National union's website, NALC.org, and our Branch 2184 website, NALC2184.org. In addition to contract and work rule information, there is a wealth of information available concerning federal employee workers compensation (OWCP), the Family and Medical Leave Act (FMLA), health and life insurance programs, and retirement.

Most of all, NEVER rely on your supervisor or any member of USPS management to provide you with authentic information concerning any aspect of your job, especially work rules and contractual provisions. In far too many instances they lack sufficient knowledge of the job and in some instances, they will deliberately misinform you. Also beware of information received from coworkers, much of which is erroneous in nature. Instead, ask your steward or call the Branch 2184 office. We can and we will provide you with the correct information concerning all aspects of your job. When possible, take the time to read and learn from the publications and Internet sources listed above.

Make 2020 the year of working smarter; armed with the knowledge of your workplace rights and benefits and how to consistently enforce them. Year after year there is nothing that USPS management fears more than an informed and knowledgeable letter carrier. Give yourself the gift of power and control over your personal work environment, both present and future.

-- Joe Golonka
Vice President

The Weingarten Declaration

"If the discussion I am being asked to enter could in any way lead to my discipline or termination or impact my personal working conditions, I ask that a union steward, representative or officer be present. Unless I have representation I respectfully choose not to participate in this discussion."

Keep in mind if you do not **REQUEST UNION REPRESENTATION**, then you are considered to have waived this valuable right.

**Remember the magic words --
"I WANT TO SEE MY STEWARD"**

Dear NALC Branch 2184,

I offer my sincerest gratitude for the \$500 contribution to my education. With your assistance, I was able to pursue a Bachelor of Business Administration, focusing on Information Systems Management and Digital Marketing. I am a third year student at the University of Michigan-Dearborn, expecting to graduate in the spring of 2021.

Thank you for your support of my father, a former mailman who retired after 23 years as a letter carrier, and our family.

Sincerely,

-- Alyssa Abaloz (daughter of retired Trenton Carrier Alan Abaloz)

Address Correction Requested

When you **move, change your name, leave the letter carrier craft, retire, or your phone number changes**, we need to hear from you. Your member benefits, newsletter and other mailings may be affected if we don't have the new information. It only takes a **phone call** or drop us a **note**.

We will do the rest.

Call 313-295-1640

Attend Your Branch Meetings

Next Branch Meeting

April 1st, 2020

7:30 pm @ Union Hall

Next Retirees Meeting

April 18th, 2020

12:30 pm @ Union Hall

Route Adjustments

As some of you may know, we are currently going under route adjustments following "full-blown" inspections last fall in many of our 2184 installations. These are unilateral adjustments and are done without any input or assistance from the union. In most cases, the adjustments are being done improperly and the carriers are the ones that must deal with mess that management makes of their routes. Even though this process can be very upsetting; I like to look at it as an opportunity. What do I mean by opportunity?

Only the regular carrier's time can be used when adjusting routes. No two carriers are the same in the way they deliver, walk or drive. Simply put, the route must be adjusted to fit the regular carrier (aka **YOU!**). I know management will go around with their DOIS numbers and tell you if you are under/over 8 hours (in their opinion), but what are these numbers based on?

During a route adjustment, territory is moved from one route to another. Parts of other routes were put onto yours and some of your route will no longer exist as it did before the adjustment. Those new parts added to your route were based on someone else's time. You have the opportunity after the implementation of the adjustment to demonstrate **your** times on your (new) route.

Every day you should be filling out a PS Form 3996 stating that extra time is needed due to these adjustments. If your route was adjusted, it becomes a perfect time (opportunity) to ensure your route is based only on you and how you deliver as a carrier. You can do this by always taking both full ten-minute breaks, a full 30-minute lunch, walking at a safe and comfortable pace, using your emergency brake at every jump stop and park point, and all those other little things that are usually skipped in order to make management's fictitious times. Believe it or not, you don't have to cross every lawn.

Make the route your own based on your delivery style. Management will still come to you every day and try pressure you into making "their" times. Don't let this upset you; just ask for a 3996 and state you will do the best you can. If manage-

ment continues to get aggressive with this; ask for your steward.

After the adjustments are made, management is contractually mandated to do a 60-day review. During those 60 days, if you are showing that you are over 8 hours then you may be entitled to a route cut. On the other hand, if you buckle under management's pressure and are getting the route done in 8 hours or less, you could be facing an addition to the route.

Just remember the route **MUST** be adjusted to fit you, not the other way around. Take the time necessary you need to do the job, every day.

-- *Michele Szafran*
Step A Representative

Branch Uniform Bank Now Open!

As our new CCA Brothers and Sisters join us as new members, Branch 2184 is asking our retired and active carriers to donate new or used uniforms that they no longer need. If you would like to donate please bring them to the Branch office or give them to your Steward to drop off.

Thank you to **Cindy Burke** (Dearborn Main Retired), **Tom Klecha** (Dearborn Annex), **Scott Irwin** (Taylor Retired), **Darryl Clay** (Dearborn Main), **Lazandria Grimes** (Dearborn Main), **Kahadijah Hawkins** (Dearborn Main), **Mary Ellen Hornyak**, (Dearborn Annex Retired), **Dave Bartaway** (Trenton Retired), **Mark Amos** (Dundee), **Anjeanette Parks** (Taylor), and **Nancy Cadorn** (Ypsilanti) for their donations.

CCAs please call prior to coming in so that we can make sure someone is available to assist you.

Lets make our new members feel welcome.

For more information call
313-295-1640

Conflicting Instructions – How to Respond To Management’s Game Playing

Periodically the Branch 2184 office receives reports from our members concerning situations where letter carriers have received intentionally conflicting instructions when calling from the field or in response to the submission of PS form 3996 in the morning. Typically, these so-called “instructions” take the form of a directive (i.e. “deliver all the mail and be back in 8 hours”) that is impossible for the carrier to safely comply with, or that would require the carrier to skip their lunch, breaks, or other unnecessary and improper response. This is one of the oldest management games around, and its sole purpose is to intimidate and confuse letter carriers into working unsafely or to forego their contractual rights.

At the outset it is essential for all letter carriers to understand that it is a **requirement** to notify management of your inability to complete your duties within the time authorized, per the M-41 Handbook (City Delivery Carriers Duties and Responsibilities),

section 131.4. This includes so-called “pivots” when they are assigned. Failure to do can result in disciplinary action taken for allegedly working unauthorized overtime and/or alleged “failure to follow instructions.” Of importance, once the carrier has notified management of the need for additional time, an instruction to complete all deliveries before returning constitutes authorization of the time necessary to do so. Any attempt by management to claim otherwise or to complete a form 1017-B (unauthorized overtime record) should immediately be responded to with a grievance. NEVER let their game playing go unchallenged.

Supervisors have a responsibility to provide clear and reasonable instructions, and some of them lack the willingness or perhaps the intellectual capacity to do this. Management’s failure or outright refusal to provide clear and reasonable instructions is cause by itself to enter into the grievance procedure. If this happens in the morning in response to your submission of a form 3996, immediately request your Steward to discuss the matter and attempt to proactively enlighten the misguided supervisor.

However, DO NOT EVER argue with a supervisor or become stressed out in response to man-



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- Brookfield replaces uniforms lost due to fire and natural disasters!
- Brookfield, along with State and Local NALC Branches, has raised over \$500,000 for the Letter Carrier Political Fund.
- Brookfield provides assistance for Conventions, Seminars, and Charity fund raising events!

Contact Your Brookfield Representative!

Denise Kreager

Retired Letter Carrier

4953 Sycamore Newport, MI 48166

313-478-5910 (voice)

agement's game playing. It is not "your" route. Rather, it is the Postal Service's route. It is not your mail, either. Let management worry about it. If you have ten hours of work and management tells you to work eight hours, then so what? Simply do eight hours of conscientious and professional work while performing your duties with accuracy, situational awareness and safety in mind at all time. ALWAYS take a full 30-minute lunch and both of your 10-minute breaks, as well as all necessary additional comfort (personal service) breaks. In other words, make management actually do their job. You are paid to case and deliver mail, nothing more and nothing less.

"Deliver all the mail and be back in 8"

An especially difficult situation for a letter carrier sometimes occurs when he or she calls from the field after realizing that they will not be able to complete deliveries within the time authorized. This call should always be made in a timely manner, and not ten minutes before your eight-hour tour ends. Inform the supervisor that you will not complete your deliveries within the time previously authorized, be prepared to tell the supervisor where you are on the route, and have an estimate ready of how much you have left to do, including travel as well as time for any remaining breaks or lunch. **If the supervisor gives you an instruction to either complete your deliveries *or* to be back at your scheduled return time, be sure to follow that instruction.**

However, in some instances an unreasonable supervisor will attempt to intimidate you or set you up for bogus disciplinary action by responding that you must "deliver all the mail *and* be back on time," or by stating that "you received your instructions this morning." At this point, it is essential that you remain calm, and once again, you should NEVER argue with the supervisor. Inform the supervisor that you called because you are unable to do deliver all the mail and be back on time. If the supervisor continues to refuse to give you instructions that you are able to follow, advise them they that they have given you conflicting instructions, and that you understand that their instruction is "to be back on time." Then return to your delivery duties and do the best that you can, being sure to return to the office by your scheduled time.

If you are returning to the office with undelivered mail it is essential that you immediately complete a PS Form 1571, reporting the mail that you have curtailed. In the "reasons" section of the 1571, always write, "As instructed by supervisor _____." Be sure to hand the 1571 to a supervisor and obtain a copy before leaving for the day. Also be sure to request to see your Steward to discuss management's refusal to give you clear and reasonable instructions. As long as you have complied with reporting requirements, you will be okay even if management subsequently chooses to issue a phony disciplinary action in response to intentionally conflicting instructions that they gave you. A timely grievance should result in the discipline becoming nothing more than a waste of time and paper.

Management's childish and petty game playing need not be a source of daily angst and frustration for overworked letter carriers. Always remain calm, cool, and professional, and let them act like petulant children. For any management game to succeed, you also must choose to play. Simply make the choice NOT to play, and your life will be better for having made that choice.

-- Joe Golonka
Vice President

Branch 2184 Web Site **www.nalc2184.org**

Retirement Information
 CSRS & FERS Annuity Payments
 Branch Calendar
 "FMLA" forms
 OWCP Information
 Carrier Pay Chart
 Online Forms 3971, 3996, 3189
 CCA Information
 2184 Memo of Understanding
 National Agreement
 Grievance Forms
 Grievance Guidelines

To the NALC leadership of Branch 2184 and those whom they represent,

My name is Daniel K. Smith. I am a retired letter carrier from the Dearborn Main Post Office and a proud member of this Union since day one of my career starting back in April, 1994. I have been retired now just shy of ten years. Prior to my Postal career I had eight years with the FAA as an Air Traffic Controllers. I mention the FAA because I was a proud member of PATCO, the Union that represented Controllers. In 1981 over 11,000 controllers went on strike as a peaceful pretest of some very poor working conditions, not to mention a pay scale that started me off at \$10,000.00 and four years later I was making \$23,000.00. At that time, my wife was waitressing and we had two small children and could not qualify financially for a house in the Ann Arbor area where I was working as a controller at the Ann Arbor Municipal Airport. We had at that time outgrown our small apartment. Through my VA Benefits I was able to secure a loan for a mobil home located in Belleville.

We were all fired by President Reagan, agree or disagree with the politics of it all. Less than a year earlier, then candidate Reagan sought and received the endorsement of our union saying that he agreed with our concerns and if elected would support and address those concerns. We were the only major union to support him. After we were fired our union was decertified and the attack on unions began. I mention this because so many current letter carriers weren't even born yet. History is an important lesson to learn and complacency can be very harmful to an uneducated work force.

This leads to my next point. Since day one of my start with NALC, continuing till today, I have donated to our political action causes. It greatly concerns me that so many carriers do not contribute. For family reasons I was not able to be as active in the NALC as I would have liked to be. Financial support was my small way of helping.

Nobody has asked me to write this letter. The only thing I hope to gain from it is to perhaps motivate some or many to get involved with our union. In the current political climate, the stakes could not

be higher! Because of my personal experiences, I have always been very impressed with the terrific job that the NALC does year after year, contract after contract. It is easy for carriers to just take those contracts and benefits for granted.

On the local level, I'd like to recognize and thank the union leadership at Branch 2184 for great job and hard work that they do! When my time to retire finally arrived, Leonard Zawisa was so very helpful and instrumental in guiding me through the difficult navigation of the process. I often tell people that the best view I ever had of the Dearborn Post Office was the one I had in my rearview mirror as I drove away on my final day!

I would also like to highlight Vice President Joe Golonka. He does not know me personally but over the course of my career we have interacted occasionally. Joe has had a distinguished and honorable career with USPS and NALC. Joe is extremely knowledgeable of the contract and is a proven fighter and educator. His value to this union is priceless. He is articulate, fearless and cares deeply for the rights of all carriers and represents us proudly. When I was a new carrier in the early 90's Joe got my attention when he would command the workroom floor during service talks. I've been impressed with his abilities and skills ever since, I read the "Speaks" newsletter when it arrives in my mailbox here in Chicago where I now reside. I always go straight to the V.P.'s report to be enlightened by what Joe has to say. Joe is very gifted, and we are all so lucky to have him fighting for our rights and causes. There are many others at Branch 2184 who were helpful leaders during my career including: Mark Judd, Cathy Tondreau and Darryl Clay.

In closing, I would say that I feel so blessed to have had a good career with the USPS and because of the hard work and commitment of the NALC be able to enjoy a very comfortable retirement. During the difficult times (and there were many) I kept my focus by realizing that the customers on my route were the ones I really worked for, not Postal Management! My advice to young carriers would be to follow the rules, know the contract and do your job with great pride despite managements attempts to distract you from that. Do what they ask of you and let your union steward fight your battles for you should you disagree. Enjoy the journey and

the destination will one day arrive! Don't blink because it will come sooner than you think. I can't tell you how many times during my career that I wanted to just quit. It was either all the silly, senseless rules, the inconvenience of changing start times, the fear of being stuck in the dark or the changing weather conditions. It's one very tuff job and I commend all who can survive it to retirement!

I'm not rich but I'm comfortable and so very much enjoying my retirement, living here near Chicago so that I can be close to my grandchildren. Because of the many benefits I enjoy, benefits fought for over the years by my union, I'm in a position that I don't have to work, and I can travel and enjoy life!

I wish all of my fellow carriers only the best and many thanks to all at Branch 2184.

Sincerely,

-- Daniel K Smith
Dearborn Main
Retired

**NALC - Region 6
National Business
Agent**

February 2020 Report



Brothers and Sisters,

Everyone should know that when one of us gets injured, it affects us all. The injured employee could miss work, suffer pain or even worse. It also affects their loved ones as well. Someone getting injured affects their co-workers. Forced overtime, fatigue, lost time spent with family and friends, just to name a few. An injured worker even affects management. Paperwork, scheduling woes, and budgets. Let's face it; nobody wants to get injured on the job. It sucks! I just spent two days at the Great Lakes Area discussing our safety efforts. Believe it or not, upper-level management doesn't want to discipline carriers for having accidents - I believe they genuinely want to do the right thing and help STOP accidents.

For over 25 years, I've protected the rights of letter carriers through the grievance procedure, and I

can never understand when management issues discipline to someone for simply having an accident. Of all the people I've represented, I know of no one acting deliberately to have an accident.

Let's look at what Article 16.1 states regarding just cause in supporting the issuance of discipline:

*"... No employee may be disciplined or discharged except for just cause such as, but not limited to, insubordination, pilferage, intoxication (drugs or alcohol), incompetence, failure to perform work as requested, violation of the terms of this Agreement, or **failure to observe safety rules and regulations...**" (text in bold for emphasis)*

Now, the JCAM on page 16-3 states the following:

***Examples of Behavior.** Article 16.1 states several examples of misconduct which may constitute just cause for discipline. Some managers have mistakenly believed that because these behaviors are specifically listed in the contract, any discipline of employees for such behaviors is "automatically" for just cause. The parties agree these behaviors are intended as examples only. Management must still meet the requisite burden of proof, e.g. prove that the behavior took place, **that it was intentional**, that the degree of discipline imposed was corrective rather than punitive, and so forth. Principles of just cause apply to these specific examples of misconduct as well as to any other conduct for which management issues discipline.*

(Text in bold for emphasis)

Again, I know of no one proven to have deliberately been involved in an accident! It's bad enough to have had an accident, but to be issued discipline simply because there *was* an accident adds insult to (possible) injury. Don't you think that someone will be more conscious of their mistake or poor judgment once they've been involved in an accident? I know I am!

The key to being safe is to ensure a safe working environment and to stress the importance to always keep safety on our minds. Don't take a break from safety simply to meet your supervisor's expectations. Don't disregard safety because you have a ballgame to get to after work, and you're running

(Continued on page 12)

(Continued from page 11)

behind. Do not drive without your seatbelt fastened just because it's a nuisance. And, never ever leave your vehicle running and you are not in the seat! **Never** take a break from safety!

As I have said for quite some time, management, at the supervisory level, must be instructed by their managers to never sacrifice safety for making their numbers. Do you think this will ever happen? I'm not sure... Management, at the higher levels, talks a good game regarding safety but I don't see the safety initiative adhered to on the front lines of management.

In other news... Management has announced they are going forward on a new initiative - the Caseless Environment. Again, this initiative is **without NALC involvement** (like the Consolidated Casing Initiative). The NALC has not been fully informed on this process, but, the idea, as we know it, is that carriers will not be casing their residual mail and will take all mail to the street to infuse the residual mail in with either the DPS mail and/or the FSS mail on street time. Genius! The street environment is a very conducive way to do this work. NOT! Carriers will have weather, external distractions, lack of equipment, not to mention delay of service to our customers - just to name a few of the obvious obstacles. If you think this will work without NALC involvement - City Carrier's involvement - in the historical words of President Emeritus Bill Young... HELLO!

Here's what we know - management is looking for offices that receive 100 or less pieces of residual mail to be a test site per Article 34 (again). Those sites have not been announced yet, but management did indicate they want to start this "test" by the end of March 2020. Stay tuned...

On a somewhat brighter note, management just announced they are suspending rolling out additional Consolidated Casing sites. For our Region, that means New Albany and Marion Indiana, along with Fenkell Station in Detroit, will not be rolling out Consolidated Casing at this time. Keep in mind that can change at any time.

On a related note... The National Arbitration on the Article 34 violation for Consolidated Casing

will be closed on March 9th with the parties' submission of their respective briefs. Again, stay tuned for that decision.

Two more items... 1). The National Arbitrator has been selected for our contract impasse, and the esteemed Arbitrator David Nolan was selected. Hopefully, early spring, the case for our next contract will kick off with opening statements. And, 2). Congratulations to all the CCAs that will be converted to career status on March 15th due to the national level grievance concerning district CAPs. I know there are individual concerns regarding this settlement; however, I ask our members to understand the bigger picture. Our union, as well as all unions, must look at the "Big" picture when negotiating a settlement. Please understand, it is for the betterment of the whole (in this case, the City Carrier craft throughout the country).

In Solidarity,

-- Troy Clark

National Business Agent - Region 6

Kentucky - Indiana - Michigan (KIM)

Contract Corner:

Q: The postal vehicle assigned to my route is unsafe to drive and needs repairs. My supervisor said not to write the vehicle up to just tell the VOMA about it. Is that the right thing to do?

A: No, the supervisor's instructions in this regard were improper. USPS Handbook M-41, City Delivery Carriers Duties and Responsibilities, section 842.1 states that "Driver must report all mechanical defects or failures and major body damage on Form 4565, *Vehicle Repair Tag*, as soon as noted, and turn in the completed form to a dispatcher or manager." **A mere verbal notification is insufficient for this purpose.** It is likely that the supervisor's only concern in this situation was to save a minute or two by not having the carrier complete a form 4565. However, management's obsessive quest to save even minimal amounts of time does not supersede the work rule requirements found in the M-41 Handbook. Always complete Form 4565 for any notification of the need for vehicle repairs or service. If instructed not to do so, comply with the instruction and

see your steward.

Related to the issue discussed above is the paramount importance of the vehicle inspection that is always to be conducted either at the beginning or during the morning office portion of the letter carrier workday. **Vehicle inspections are NOT optional – this is a mandatory daily requirement of the letter carrier job.** The M-41 Handbook, section 832.1, mandates that the vehicle must be inspected by using Notice 76 - Expanded Vehicle Safety Check.

Unfortunately, management is typically more interested in using as little office time as possible for any purpose. However, under NO circumstances should any letter carrier forego a complete inspection of the vehicle assigned to them that day. For CCAs and others who may not be assigned to a route or that report later in the morning, you should immediately do a vehicle inspection after being assigned the vehicle you are to use for that day. Most of all, any letter carrier that is instructed to forgo inspecting their vehicle or is even discouraged from doing so should immediately request to see their steward.

Q: I wanted to cancel a week of scheduled annual leave but still wanted leave for two of the days during that week. Can I just cancel the days I don't want?

A: No, in Branch 2184-represented offices that cannot be done, except under one very specific and uncommon circumstance. **In accordance with the Branch 2184 Local Memorandum of Understanding (LMOU), Item 4, section 5(a), "Vacations selected in units of five days must be canceled in units of five days."** The intent of this language is to prevent letter carriers from selecting entire weeks of leave in order to ensure that they will be off on a specific day or days within these weeks, and with the advance intent of later canceling all but the days that they actually wanted. This unfairly fills weekly vacation slots with the names of employees that really don't want those weeks, while at the same time making them unavailable to those with less seniority that will subsequently be making their own leave selections.

The one exception to this rule is where a letter carrier does not have enough annual leave left to cover all of a previously scheduled vacation week. In this instance, management can require that the

carrier cancel the amount of leave that he or she is short but they cannot require that the carrier cancel the entire week if some annual leave remains in his/her balance. In this instance the carrier determines which day or days are canceled, which must be consecutive if more than one day is canceled.

Requests for individual days of annual leave can be made on PS form 3971 after the initial round of vacation selections has been completed, which should be no later than January 15 each year. This can be done up to six weeks in advance of the week which has the day or days desired and such requests are approved on a first-come, first-served basis. Branch 2184's negotiated local leave rules which govern this process are also found in our LMOU Item 4, section 7 and in Item 12, section 2. Finally, the entire Branch 2184 Local Memorandum of Understanding, which deals with all of our locally negotiated leave rules as well as other matters such as holiday schedules, can be found on our Branch's website at NALC2184.org

Q: How does the Employee Assistance Program (EAP) work?

A: The United States Postal Service has an active Employee Assistance Program (EAP), which can be found in Article 35 of our Collective Bargaining Agreement. This affirms the joint support of the Postal Service and Postal Unions for a national program of employee counseling for alcohol or drug abuse as well as for other types of family or personal problems. The EAP provides free confidential counseling to all postal employees and their family members by trained outside professionals.

EAP Counselor services are available to letter carriers, through voluntary self-referrals, to letter carriers and their family members. A management official may also refer an employee to EAP. **However, participation is entirely voluntary.** Article 35, section 1 of the Contract also provides that "an employee's voluntary participation in EAP for assistance with alcohol and/or drug abuse will be considered favorably in disciplinary proceedings."

Currently the national contact number for self-referrals is 1-800-EAP4YOU, or 1-800-327-4968. Additional information is also available at the website www.eap4you.com.

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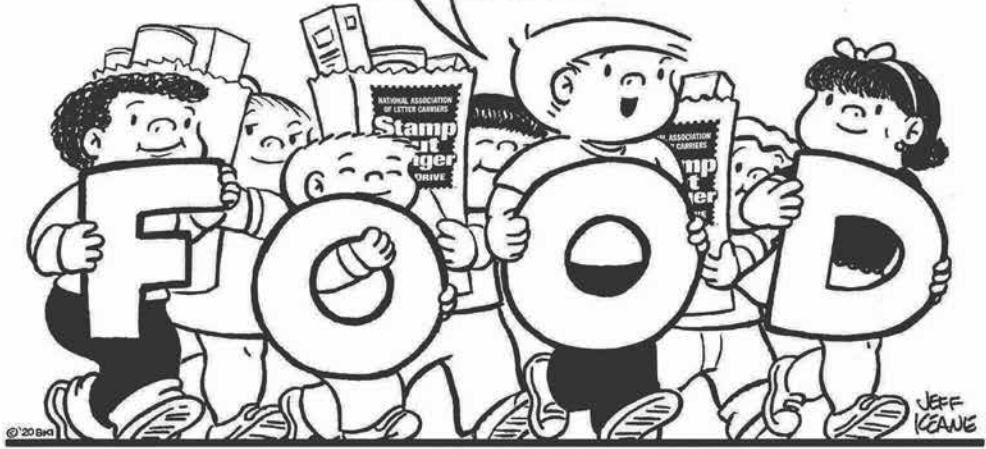
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