



## MEMO To The Branch 2184 Leadership Council, April 12, 2022

Walt McGregory  
Jackie McGregory  
Darryl Clay  
Mel MacDonald  
Cathy Tondreau  
Jim Powell  
Phil Ashford  
Tracy Mitchell  
Gloria Warthen  
Felicia Davis  
Leonard Zawisa  
Joe Golonka  
Dave Reise  
Erik Venzke  
Kris Shaw  
Mark Owen  
Bryon Hendricks  
Jillian Hudgins  
Symone Coleman  
Yvonne Jackson  
Karl Tamburro  
Shaun Fowlkes  
Chanel Harrison  
Lillian Bogosian  
Scherrie Lacey  
Scherkeira Wells  
Scott Watts  
Valerie Watkins  
Elizabeth Bays  
Tamara Bosman  
Kristie Nelson  
Diego Forshaw  
Otis Barney  
Keith Benedict  
William Douglas  
Jake Szor  
Jeffrey Webb  
Nakia Whitfield  
Katrina Jones  
Ananias Epps  
Ramon Robinson  
Tonya Rutledge  
Paul Bordine  
Mike Tredway  
Danita Hill

This will begin as usual with an update of Branch events and administrative matters. The Branch will in the near term continue to conduct our meetings virtually by utilizing the WebEx program, as well as telephonically. This will include the regular monthly membership meeting on Wednesday May 4, as well as steward meetings on Tuesday May 10 and Monday May 16, and the executive board meeting on May 23. Note that the executive board meeting will take place a week earlier than usual because of the Memorial Day holiday.

Plans are proceeding for the return of the NALC Food Drive this year on Saturday, May 14. Branch 2184 will be fully participating, as in the past. Station coordinators and stewards will be receiving updated information about the Food Drive during the next few weeks.

On Tuesday, March 8, the United States Senate passed the Postal Service Reform Act of (H.R. 3076) by a vote of 79-19. The legislation had been 12 years in the making and had previously been passed in the House of Representatives on February 8. It has been sent to President Biden for his signature to become law. Key provisions of this bipartisan legislation repeal the mandate to pre-fund retiree health care benefits decades in advance, and codify a minimum of six-day delivery of mail and packages into federal law. This will eliminate the need to renew the six-day requirement every year through the congressional appropriations process.

The bill also maximizes the integration of future postal annuitants into Medicare without in any manner limiting annuitant coverage and benefits under the Federal Employee Health Benefits (FEHB) Program. The legislation was led in the Senate by Homeland Security and Governmental Affairs Committee (HSGAC) Chairman, Michigan Senator Gary Peters and reflects a broad bipartisan consensus that is supported by the four postal unions, the mailing industry and Postal Service management. The focused activism of NALC members across the United States was critical to the passage of this historic legislation, which addresses most of the longstanding external challenges to the Postal Service. It now remains to be seen if the USPS can get its act together to effectively address many of its self-created internal challenges.

On March 15-18, Branch 2184 hosted a School of Stewards I training conducted by the National Business Agents Office for NALC Region 6. Three Branch 2184 stewards, William Douglas, Tonya Rutledge, and Ananias Epps attended and successfully completed the training, with Tonya and an attendee from another Branch tying for the highest test score. Branch 2184 stewards have always demonstrated exceptional contract enforcement knowledge, and this long-established tradition continues.

On Sunday, March 20, nearly 100 NALC members from the Region 6 – the K.I.M. Region or Kentucky, Indiana, and Michigan, participated in the highly informative virtual retirement seminar that was conducted our National Business Agents office. This included at least 20 members from Branch 2184.

Branch 2184 steward Keith Benedict will be attending the School of Stewards II training on May 3 through 6 in Indianapolis, Indiana. Additionally, Branch 2184 Contract Administration Unit member and injury compensation specialist Erik Venzke, Branch Vice-Presidents Jackie McGregory and Darryl Clay, as well as Branch Trustee and injury compensation specialist Tracy Mitchell will be attending OWCP training on conducted by the NALC Region 6 National Business Agents office on May 10 and 11 at the NALC Branch 1 office in Detroit.

A key component of union representation is providing timely and accurate information to our membership, with an emphasis on **accurate**. Stewards and Branch officers are frequently asked questions about contractual and work rule information as well as about applicable laws and larger scale Postal Service matters. These questions occur on the post office work floor, in calls made to the union office, as well as in other situations and forums. **It is essential that the information provided in response to member questions is always correct.**

With this in mind, NEVER guess or provide information that you are unsure about in response to a member inquiry. Even if you “think” that you know the answer – always make sure! As a rule of thumb, unless you can cite a specific source for information you are providing, do NOT do so unless and until you have verified it. Your integrity as well as that of the Branch and the NALC is at stake. When in doubt, advise the member that you will get back to them – and then be sure to follow up. Nobody knows everything in this business and there is always much more to learn.

Branch 2184 continues to hold the distinction of being the largest NALC Branch with 100% participation of its leadership in the Letter Carrier Political Fund (LCPF). The NALC’s legislative clout was amply displayed with the bipartisan passage of the recent Postal Reform legislation. Yet, there is still much more to be accomplished in the legislative arena. It is quite apparent that far too many letter carriers, and not just newer carriers, have little or no understanding of the critical importance of the legislative process to the Postal Service, to the NALC, and all of Organized Labor.

A pertinent example of the above is a widely held but erroneous belief by many letter carriers that retirement-related matters are part of the Contract negotiations process, which is not and has never been the case. For example, there is a lot of interest with allowing non-career employees such as CCAs to “buy back” retirement credit for time spent in a non-career status, in much the same manner that former military service members can already do. Many carriers have called for the NALC to “negotiate” this into the next Contract – without knowing or understanding that ALL retirement matters are governed by Federal Laws and are NOT subjects for Contract negotiations. There is legislation (H.R. 4268) that was introduced in the current Congress that would amend the FERS retirement law to allow the opportunity to buy back retirement credit for non-career service by making retirement contributions for these time periods. However, at this time the legislation has not been further advanced in Congress, meaning that it is not on the current agenda for debate and a possible vote to adopt it. That is where the LCPF and carrier activism comes in.

With rampant and repeated Contract violations including but not limited to those involving the assignment of overtime work in many Branch 2184-represented stations as well as elsewhere, the NALC has begun to gain some success with escalating (increasing) grievance remedies where the Union has carefully documented a repeated and continuing pattern of willful violations committed by Postal management. However, grievances requesting escalating remedies must be selectively chosen and must ALWAYS involve NEW violations of a contractual provision or provisions that has previously been successfully grieved at specific location. Never attempt to re-litigate a previous violation that has already been the subject of a grievance settlement, no matter how egregious any continuing violations are. The legal doctrine of “res judicata” – meaning something previously adjudicated, will be applied and the grievance will be unsuccessful.

The Department of Labor (DOL) has announced that their Office of Workers Compensation Programs (OWCP) will no longer be accepting paper forms for OWCP claims submission. With this in mind, stewards and Branch officers should be prepared to assist any member by providing information for the member to register for an ECOMP account. Attached to this memo is the DOL's own instructions for this purpose. Please keep this with your union documents and be sure to reference it or make copies whenever necessary. Also keep in mind that that our members must be allowed access to employing agency computers for purposes of initiating an OWCP claim (CA-1 or CA-2). Make sure that such access is not being delayed or denied.

The NALC and the Postal Service have agreed to a Memorandum of Understanding (M-01979) that increases the maximum allowable annual leave carryover amounts outlined in the Employee and Labor Relations Manual (ELM). For leave year 2023, regular work force career employees covered by the USPS-NALC National Agreement may carry over 520 hours of accumulated annual leave from leave year 2022 to leave year 2023. Provisions in the Employee and Labor Relations Manual (ELM) regarding payment of accumulated leave are not changed as a result of this MOU, which expires December 31, 2023.

### **Registering for an ECOMP Account**

Before you can use ECOMP as an injured worker or claimant, you must first register and create an ECOMP account. By doing so, this places you in control of your claim. You can view your case details, the parties to your claim, and other basic information via the ECOMP Dashboard provided to injured workers.

To register, click the "Register" link on the ECOMP home page at <https://dlhwc.dol.gov/>.

First, enter your name, telephone number, and email address. This email address will be used to send notifications to you about your workers' compensation claim file in ECOMP.

After entering your email address, enter your date of birth and home address. You must also enter your social security number (SSN) and confirm it by entering it a second time.

Next, choose a password, which must be a minimum of 8 characters and contain at least one upper case letter, one lower case letter, one number, and one special character. You will need to confirm it by entering it a second time. You will need to use this password, along with your email address, to sign into ECOMP.

When you have entered all information, click CREATE ACCOUNT. ECOMP will now send a message to your email address asking you to confirm your ECOMP account registration. Click on the link within the email message to confirm your account and complete the registration process. You will then be taken to ECOMP and a message will be displayed confirming that your account has been created. After clicking OK, you may then sign into ECOMP using your email address and ECOMP password.

After signing in for the first time, the Rules of Behavior will be displayed. Read the Rules of Behavior and acknowledge your agreement to the terms. Once the box is checked, click Next. You will now be asked to verify your identity on the Identity Verification page. You will then be taken to your Employee Dashboard.

Your Employee Dashboard will now be displayed. A message at the top will indicate that your identity has been successfully verified.

# ***BRANCH 2184***

## ***MEETING NOTICE***

**Wednesday, May 4, at 7:30 p.m.**

This meeting will be conducted via WebEx. To participate, contact Branch Executive Vice President Jackie McGregory at (313) 412-0028, or [ravier7498@gmail.com](mailto:ravier7498@gmail.com). Provide your name, the office you work at or retired from, and the email address you want to use for the WebEx link to log in. The link will be sent at least two days prior to the meeting. The Branch website ([NALC2184.org](http://NALC2184.org)) also has a telephone number and access code if you want to participate telephonically.

### **MEETING AGENDA:**

- **Branch Officer Reports**
- **Committee and Activities Reports**
- **Letter Carrier Contractual Information**
- **Legislative Updates**

LABOR RELATIONS

**UNITED STATES  
POSTAL SERVICE****RECEIVED**

DEC 20 1996

**CONTRACT ADMINISTRATION UNIT  
N.A.L.C. WASHINGTON, D.C.**

Mr. Vincent R. Sombrotto  
President  
National Association of Letter  
Carriers, AFL-CIO  
100 Indiana Avenue NW  
Washington, DC 20001-2197

Re: H90N-4H-C 96077604  
SON-SC-C 89395  
CLASS ACTION  
NAPLES, FL 33941-9998

Dear Mr. Sombrotto:

On several occasions, the most recent being September 26, 1996, I met with your representative, Jim Edgemon, to discuss the above captioned grievance at the fourth step of our contractual grievance procedure.

Based on the most recent discussion, it was agreed that the following mutual understanding will supercede the original decision in this case dated August 13, 1996.

The case at issue deals with an office in a DPS environment. The September 1992 MOU at Appendix C of Building our Future by Working Together, as well as Handbook M-39 (243.614), specify that, within 60 days of implementing the planned adjustments for future automated events, the parties will revisit those adjustments to ensure that routes are as near to 8 hours daily as possible. Both the planned adjustments and subsequent minor adjustments that may be necessary are based on the most recent route inspection data for the route. In this case, the reexamination process was timely conducted in August (within 60 days of implementing the planned adjustments). During its revisitation of the adjustments, management also conducted one-day counts in order to determine each carrier's office performance as provided for in M-39, Section 141.2.

The interpretive issue in this grievance is whether Management violated the National Agreement by conducting one-day special office mail counts as part of its requirement to revisit and reexamine previously planned adjustments.

During our discussion, we mutually agreed that Special Office Mail Counts (M-39, 141.2) are conducted when management desires to determine the efficiency of a carrier in the office, and cannot form the sole basis for route adjustments. However, no prohibition exists that restricts management from also conducting a one-day count for the above purpose in conjunction with the 60-day reexamination of planned adjustments. The only time restraint imposed by the M-39 is that the carrier must be given one-day's advance notification.

Accordingly, please sign and return the enclosed copy of this decision as your acknowledgement to remand this case to Sept 3 for further processing and application of the above understanding.

Sincerely,



Nora A. Becker  
Grievance and Arbitration  
Labor Relations



Vincent R. Sombrotto  
President  
National Association of Letter  
Carriers, AFL-CIO

Date: 1/6/97

PS Form 1838-C, Carrier's Count Mail – Letter Carrier Routes Worksheet

June 2019



1977	7 Month	4 Month
Feb.	1st Week	--
Mar.	4th Week	2nd Week
		4th Week
Apr.	2nd Week	3rd Week
		1st Week
May	3rd Week	1st Week
		3rd Week
June	xxx	xxx
July	xxx	xxx
Aug.	xxx	xxx
Sep.	1st Week	4th Week
Oct.	Count month	Count month

- d. Should the count week fall in 2 months, the later month will be considered the count month for the purpose of selecting the 7 weeks random timecard analysis. If the regular carrier was not serving the route on at least one of the days of a week so selected or, if conditions during a week were obviously abnormal so as to justify that week being excluded from the 7 weeks random timecard analysis, the next available week in which the carrier so served at least 1 day shall be used for the 7 weeks period. If 7 such weeks do not exist, the maximum number of such weeks available will be used for the random timecard analysis of street time.
- e. Once the appropriate 7-week (or less if necessary) period is selected, the average street time for a composite week (i.e., average of actual time used on all Mondays, all Tuesdays, etc.) will be recorded on PS Form 1840-B.
- 242.324 The average street time for the week following the week of count and inspection (including only the days the regular carrier served the route) shall then be recorded on PS Form 1840-B, and averaged into the 7 weeks random time analysis to obtain an 8 week composite week average. If the regular carrier did not serve the route on at least one of the days of the week following inspection, that week will not be used in computing the street time allowance for the route. The average weekly street times for those weeks will then be transferred to PS Form 1840.
- 242.325 The base time selected under [242.321](#) may be adjusted where appropriate provided the reasons for such adjustment are documented on PS Form 1840 or attachments thereto.
- 242.33 **Office Time Allied Work Rules**
- 242.331 All CFS and throwback mail will be transported to its designated location by the carrier.
- 242.332 No carrier shall be disciplined for failure to meet standards, except in cases of unsatisfactory effort which must be based on documented, unacceptable conduct that led to the carrier's failure to meet office standards.



EMPLOYEE AND LABOR RELATIONS GROUP  
Washington, DC 20260

July 11, 1977

Mr. J. Joseph Vacca, President  
National Association of Letter  
Carriers, AFL-CIO  
100 Indiana Avenue, N. W.  
Washington, DC 20001

Re: NC-NAT-6811  
Washington, DC

Dear Mr. Vacca:

On April 19, 1977, the National Association of Letter Carriers filed a Step 4 grievance alleging a dispute existed between the parties regarding the interpretation of the Memorandum of Understanding dated September 3, 1976, involving the 18 and 8 casing standards and imposing discipline on carriers for unsatisfactory effort.

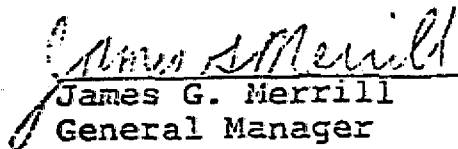
In discussion as to specifically what the alleged dispute involved, it was agreed between the parties that pursuant to the U. S. Postal Service's position outlined in Mr. James V. P. Conway's letter to you of April 6, 1977, the following agreement will dispose of any misunderstanding between the parties:

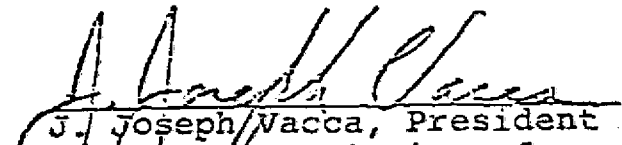
Management may not charge or impose discipline upon a carrier merely for failing to meet the 18 and 8 casing standards. Any such charge is insufficient. Under the Memorandum of Understanding of September 3, 1976, the only proper charge for disciplining a carrier is "unsatisfactory effort." Such a charge must be based on documented, unacceptable conduct which led to the carrier's failure to meet the 18 and 8 criteria. In such circumstances, management has the burden of proving that the carrier was making an "unsatisfactory effort" to establish just cause for any discipline imposed.

- 2 -

Please sign the attached copy of this letter to acknowledge the agreed to settlement.

Sincerely,

  
James G. Merrill  
General Manager  
Grievance Division  
Labor Relations Department

  
J. Joseph Vacca, President  
National Association of  
Letter Carriers, AFL-CIO

- 221.123 Hand-held computers may be used to input data from the PS Form 1838-C worksheet and used to record office activities, mail volumes, possible delivery counts, and street delivery times by block face or ZIP+4 sector/segments of a route. The hand-held computer is not a new work measurement system but only a new and improved method of collecting information currently recorded manually on various route inspection forms.
- 221.124 Hand-held computers that are used on the day(s) of inspection by the examiner must be synchronized with the carrier's timeclock rings for begin tour, leave for street, return from street, and end tour, as appropriate. When hand-held computers are used, manually prepared PS Form 1838, *Carrier's Count of Mail — Letter Carrier Routes (Mngt. Summary)*; PS Form 3999, *Inspection of Letter Carrier Route*; PS Form 3999-A, *Deliveries/Inspection Record — Worksheet*; and PS Form 3999-X, *Deliveries/Inspection Record — Worksheet*, are not required. Computerized facsimiles will be produced in lieu of these manually prepared forms.
- 221.125 Computers and software programs used in the mail count and route inspection process must be approved by the Delivery Policies and Programs at Headquarters, and conform to procedures outline in this handbook.
- 221.13 **General Rules for Making Count**
- 221.131 The carrier should count and record the mail every day except on the day of inspection when the mail must be counted and recorded by a manager. On one or more days during the count week, each route will be inspected by a manager. **When management performs the mail count the carrier serving the route, upon request, may verify the mail count.** Where hand-held computers are used on the day(s) of inspection, the route examiner will complete entries on PS Form 1838-C in the usual manner, except for line item elapsed time totals and mailpiece count totals by category. The calculations remain the same as previously performed manually. The carrier will continue to make timeclock entries on PS Form 1838-C for beginning, leaving, returning, and ending times. Total mail counts and times will be provided to the carrier on a computer generated facsimile of PS Form 1838, *Carrier's Count of Mail — Letter Carrier Routes (Mngt. Summary)*.
- 221.132 Replacement carriers assigned to regular, full-, and part-time routes must count the mail and enter the data on the prescribed forms in the same way as the full-time carrier.
- 221.133 There should be no changes in normal distribution procedures or clerical schedules during the period of mail counts. The normal cutoff time for distribution should be observed.
- 221.134 There must be no accumulation of curtailed mail on the day preceding the beginning of the count, and no mail may be curtailed on the last day of the count. (For exceptions, see [144](#), *Expedited Preferential Mail Delivery Program*.)
- 221.135 Carriers must not be allowed to case any mail upon their return to the office on the day preceding the first day of the count period. However, if a carrier is regularly scheduled throughout the year to case mail on return from the street, the carrier must continue to do so during the count period. Carriers must not case any mail for delivery after returning from the street on the last day of the count period until they have clocked off the PS Form 1838-C for



UNITED STATES POSTAL SERVICE  
475 L'Enfant Plaza, SW  
Washington, DC 20260-0001

Mr. Joseph H. Johnson, Jr.  
Director, City Delivery  
National Association of Letter  
Carriers, AFL-CIO  
100 Indiana Avenue, N.W.  
Washington, D.C. 20001-2197

FEB 11 1985

Re: Class Action  
Shawnee, OK 74801  
HLN-3T-C 36385

Dear Mr. Johnson:

On November 28, 1984, we met to discuss the above-captioned grievance at the fourth step of our contractual grievance procedure.

The question in this grievance is whether a letter carrier is entitled to verify mail count.

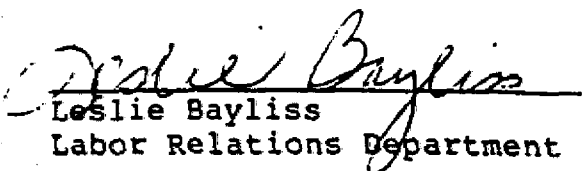
During our discussion, it was mutually agreed that the following would represent a full settlement of this case:

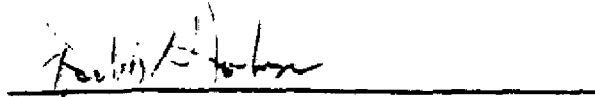
Normally, a spot verification of the mail volume is adequate to determine that the mail count is accurate. However, the parties agree that based on the intent of Section 221.131 of the M-39 Handbook, the carrier may, upon request, **verify the entire mail count.**

Please sign and return the enclosed copy of this letter as your acknowledgment of agreement to settle this case.

Time limits were extended by mutual consent.

Sincerely,

  
Leslie Bayliss  
Labor Relations Department

  
Joseph H. Johnson, Jr.  
Director, City Delivery  
National Association of Letter  
Carriers, AFL-CIO