

The Voice Of Western New York

March 2009

Volume 3

Issue 4



“Without all of your support, this local would not be the strong and effective Union that we are”

From Our President...Timothy Northem

Reduced work hours, threatening behavior and intimidation, the issuance of discipline, reduced staffing, denied leave requests, management's inability and/or incapability to adequately address issues, co-workers being excessed from the office, delayed mail, tasks interrupted and unfinished, bargaining unit work being performed by numerous non-clerk personnel, stress – stress – stress. Without a doubt, every member reading this article can relate to several of these issues. When you look back at this list, they all have one thing in common: management – management – management. Every one of them is contributed by or a direct result of management, whether it be your local supervisor and postmaster or upper management.

There are other issues nationwide that do not directly affect us in the AO's, such as tour compressions and consolidation of operations in many facilities. There has also been a drastic increase in the number of intended excessing events out of installations throughout the region. To say that management has stepped it up a notch would be an understatement. We are facing attacks from all directions.

These are trying and difficult times and the future remains cloudy and uncertain. Yet, during this time, I have witnessed strength and courage in the face of pressure and adversity. For many, many years, there has been a devout group of strong and active supporters; fellow members who have always stood behind the Union and all that it stands for; members who stood strong against the injustices of management, who also stand behind and support their fellow brothers and sisters. And now, in the midst of all this, other members are stepping forward, wanting their voices heard with the rest of us. This is management's biggest fear; that this great Union will join together in solidarity. Not just in the expressive form, but one in actual form. Right now, and at a level unprecedented in our history, managers are pulling out all the stops to demoralize and break this union. Pitting member against member in an attempt to divide and conquer. Although these tactics have yielded success in some offices, I know it has had the opposite effect in many others. Our members are much more intelligent than management gives them credit for. And in those cases, more and more members have had enough, are stepping up and joining the fight. (Continued page 2)

We Are ONLINE!

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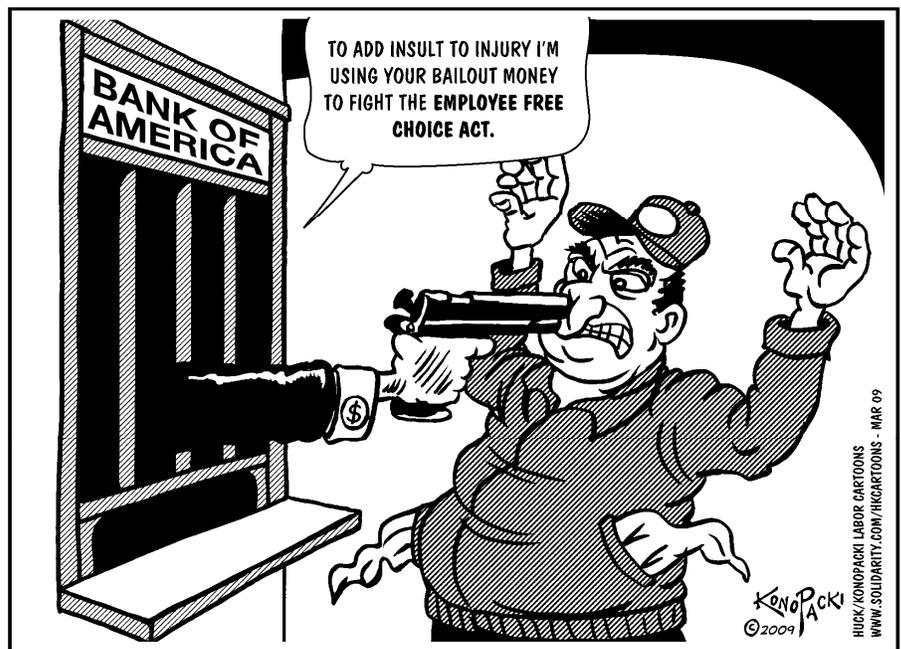
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APWU

From Our President (continued from page 1)

To those members who have always been there, thank you for your unwavering support and commitment. To those members who have recently stepped up to support us, and in some cases, take the front line in your installation, I express my admiration and gratitude. Without all of your support, this local would not be the strong and effective union that we are. To those members who ridicule their co-worker, bash the union, or who have numerous complaints but are afraid to "create waves". Take a moment to look around and see the real issues for what they are. Stand up for what is right and join with us. The road ahead of us will be long and difficult, but let's travel that road together. I recognize that when our efforts to resolve grievances at the local level are unsuccessful, and the grievance is pending arbitration, the wait is often lengthy and the outcome is uncertain. However, it is noteworthy to mention that we have been very successful with the majority of the issues we have represented in this local over the last couple of years. A trend I am confident we will continue in the future.

As there has been an increased interest in members getting the knowledge and support to represent local issues themselves as Union Stewards, we are scheduling a New Steward Training Class in the very near future. If you have an interest or desire to be a certified Union Steward in your office, please contact Lori or myself. Additionally, I would like to welcome the newest member of our Executive Board as a Trustee; Joe Juliano from East Amherst accepted the appointment at our General Membership meeting on February 21st. Welcome aboard Joe. In closing, I would also like recognize a dedicated Union Steward and Officer who recently resigned as Union Steward for the Lockport Post Office. Michelle Kwoka is remaining as our Treasurer but resigned the position of Union Steward for personal reasons. Michelle did a wonderful job representing the multitude of issues in the Lockport office and will be sorely missed. Thank you for your dedication and commitment.



From The Vice President



Lori Ennis

Greetings again brothers and sisters. It has been a busy couple of months! I was happy to see some of you dancing the night away at the installation dinner! Again this year, we had a nice turnout and the food, music and open bar were again a huge hit! Thanks to Michelle Kwoka for planning this event with me....we are looking forward to the summer picnic which will be announced in an upcoming newsletter.

Small Office Issues

The new focus, as many of you already know, is the small office PTF's. We have seen a significant change in the scheduling of our PTF's. In some offices, the Postmaster is picking up an additional hour or two of bargaining unit work a day and in other offices, PTF hours are being eliminated almost completely. In some offices, management is contemplating PTF's with a PMR. If this is occurring in your office and you have not contacted either Tim or me, please do so as soon as possible! In those situations where there is a contract violation, we need to file a grievance as soon as possible. If too much time passes, we have a much more difficult fight ahead of us. These are your jobs, your hours and your paycheck! We have already addressed this issue in several offices in the area and we are being met with strong opposition, but we haven't given up the fight.

Management has the belief that they can do anything they want due to decreased mail volume. I am not going to deny that volume is down, however, we have a contract and that contract is binding. If adjustments need to be made, it is not enough to chop up the craft while allowing the same number of managers to run each installation. On top of that, why is any Postal manager all the way up to the PM General receiving a bonus? How many times have we heard in our little "pep talks" that we all have to work together to sustain the operation and avoid complete destruction? According to the Service, we all need to "sacrifice" and "work harder" to ensure the business remains viable. I agree...**ALL** of us. That includes each and every manager in the field and headquarters. How can the Service cry poormouth and hand out bonuses to managers that have made achieved their "plan"? When we are all

giving equally to sustain the business, that is the time when we will succeed. Until that time, I will not accept the reasoning for excessing, reduction of hours and elimination of bargaining unit positions being "reductions due to operational changes". To me, these are solely contract violations and that is how they will be treated. We are fighting every violation, one at a time, and we will not relent.

Article 12

As always, Article 12 is on the rise. If you have never read Article 12, you probably should. It is the focus of almost all of Labor Management meetings and it is covering this area like a tidal wave. Another meeting to discuss possible excessing in the future is scheduled for March 20th. It seems we just finish a meeting and deal with all of the fallout and we start the process all over again. What is the fallout? (Continued page 7)

Upcoming Membership Meetings

March 21, 2009

April 18, 2009

May 16, 2009

June 20, 2009

Our next General Membership meeting is scheduled for Saturday March 21, 2009 at 7:00pm at the

AMVETS Post
149 Lake Avenue, Blasdell.

A buffet and non-alcoholic drinks are provided. We also have a split club raffle that benefits COPA and every member that attends is entered into a raffle for a \$50.00 Gift Card.

Currently, the following agenda items are scheduled for this meeting:

- National President's Conference
- 1.6.B Violations
- Article 12 Activity

Please make an effort to attend and participate in your union meetings. We look forward to seeing you there.

The Executive Board will meet at 6:00pm.

APWU Assists Veterans at 'Winterhaven Stand Down'

APWU Web News Article #003-09, Jan. 13, 2009

Nearly 400 homeless veterans received new backpacks, blankets, and care packages that were donated by APWU state and local organizations as well as by individual union members from throughout the country. The contributions were the result of the APWU having answered the call to take part in the Department of Veterans Affairs' "Winterhaven Stand Down," which took place Jan. 10 at the Washington VA Medical Center. The union's efforts were organized by Human Relations Director Sue Carney.

Various organizations set up distribution points. At the APWU station, backpacks filled with gloves, hats, scarves, hand- and foot-warmers, can openers, flashlights, toiletries and a variety of other items were given to homeless veterans, who also received new undergarments and socks. Along with the backpacks were care packages stuffed to capacity with ready-to-eat food items to help sustain American's neediest veterans.

At the suggestion of the VA, the APWU also provided vinyl "portfolio" briefcases to help the homeless veterans protect their important documents.

Other stations at the event offered social services. Community agencies from around the D.C.-metropolitan area provided legal and medical aid, HIV testing, flu shots, dental care, employment counseling, and housing assistance. Hot meals, haircuts, showers, coats, shoes and other necessities were also offered to participants.

Veterans Affairs Secretary James B. Peake, VA Medical Center Assistant Director Paula Gorman, and the center's Chief of Staff, Ross Fletcher, each stopped by the APWU station to express appreciation and offer congratulations to our organization, our members, and volunteers for a job well done.

Peake presented APWU Human Relations Director Sue Carney with a special commemorative VA coin for organizing and coordinating APWU's efforts. The tradition of coin-giving dates back to World War II, and is now a way to immediately recognize above-and-beyond the call-of-duty actions on the part of a soldier in the field or as a symbol of appreciation for exemplary service on behalf of U.S. troops.

Carney said she was pleasantly surprised to receive the honor, but was quick to advise Peake that "the recognition belongs to the APWU membership. The thanks and smiles received from the veterans were more than enough. The coin was a beautiful, unexpected bonus," she said, "but the true appreciation belongs to the men and women who volunteer to wear our country's uniform."

APWU Executive Vice President and Marine Corps veteran Cliff Guffey told the VA's top official that the union's efforts on behalf of all veterans would continue. "The APWU will support our troops in every way we can," he said. "We want to ensure that our veterans are well taken care of. It's especially important that we reach out to the less fortunate who find themselves homeless. We want to make sure that they receive the attention they need. They deserve all that we can give them."

Thanks to the generosity of APWU members and local and state organizations, the union was able to provide more than \$33,500 in food and necessities to veterans during this one-day event.

How We Played A Part

In support of the Human Relations Department, our Local donated one complete backpack to the "Stand Down". All items requested on a list distributed by the Human Relations Department were purchased and placed into the backpack.

In addition, Doris Sloan in our Depew Office also donated a complete backpack for the cause. Doris assembled a second complete backpack and the Local sent them both off to assist a veteran in need. Thank you Doris for your generous donation and your ongoing support of the Local and National Union.



The Issue That Looms Large in 'Article 1.6.B Offices'

(This article first appeared in the January/February 2009 issue of The American Postal Worker magazine.)

It doesn't take a brain surgeon to realize that mail volume down substantially throughout the Post Office: This obviously has an impact on revenue, work hours and work schedules.

In this article, the Clerk Craft will address how these factors affect offices with less than 100 bargaining-unit employees. Because these offices are spotlighted in an often-referred to section of our National Agreement, these small workplaces are known as "Article 1.6.B offices." The contract says:

In offices with less than 100 bargaining unit employees, supervisors are prohibited from performing bargaining unit work except as enumerated in Section 6.A, 1 through 5, or when the duties are included in the supervisor's position description.

Article 1.6.A of the National Agreement spells out that supervisors in larger offices are prohibited from performing our work except in emergencies, for training purposes, to assure proper operation of equipment, and to protect the safety of USPS employees and postal property itself.

So, taken together, Article 1.6.A and 1.6.B prohibit supervisors from performing craft work in offices of less than 100 bargaining unit employees except in an emergency, for training purposes, to assure proper operation of equipment, to protect the safety of employees and postal property, or when the duties are included in the supervisor's job description. A Memorandum of Understanding stipulates that where the National Agreement makes reference to offices with a certain number of employees or man years, "that number shall include all categories of bargaining unit employees in the office/facility/installation." (See Page 288 of the [National Agreement](#) "Re: Article 7, 12 and 13 – Cross Craft and Office Size.")

Article 1.6.B has been arbitrated at the national level on two occasions: Rulings have been issued by Arbitrator Sylvester Garrett in 1978 (Case AC-NAT-5221) and by Arbitrator Shyam Das in 2005 (Q98C- 4Q-C-01238942), with the two arbitrators deciding that historical practice sets the baseline for what work can be performed by postmasters and supervisors.

In Practice

It's no secret that management has been cutting PTF hours and, in some cases, reverting and/or abolishing clerk duty assignments and allowing managers to do the work historically performed by the bargaining unit. In an effort to put a stop to this practice of cutting our bargaining unit hours, we began a two-phase plan.

Phase One began four years ago, when the Clerk Division sent out the first Article 1.6.B. survey, a copy of the 2005 Das Award, and a synopsis of our arguments for the "post-Das" era. There were two versions of the survey form to be used by stewards and/or state officers who represented small offices.

They helped us to establish the history of supervisors/postmasters performing bargaining unit work at these small offices. Of the two sets of forms, one was for when the manager agreed to sign it and the other was to be signed by the clerks in the office when the managers refused to cooperate.

Now we are ready to move on: During Phase Two, we will investigate possible violations of Article 1.6.B. Only the APWU can protect clerks.

But we cannot protect clerk work in small offices without your help: We need you to alert us when hours are being cut. Postmasters worried about their own paychecks cannot be expected to protect Clerk Craft hours. Unfortunately, the clerks themselves in small offices frequently do not fully understand their rights.

We must reach out and provide the support to enable them to help themselves. We must make it clear that although the contract language suggests that window transactions and distribution tasks are functions that a postmaster can perform, they should not be a major portion of their daily work responsibility.

We also want to assure the 1.6.B clerks that this is not our first or last effort in protecting their jobs. We were successful negotiating a [Local Memorandum of Understanding for Members At Large](#) (MALs) that provides the protection of a local contract to thousands of union members in small offices who have not previously been covered by one. It's because we have completed that task that we seek support in our probe into possible Article 1.6.B violations.

DVD, MOU Updates

A new APWU-produced DVD about Function 4 audits shows how window clerks can protect their jobs by working the window consistent with their training and the standards that management has established. The goal of the DVD is to help retail clerks understand how the Postal Service determines workload and staffing. [The DVD costs \\$30 and can be ordered through the APWU Store.](#) It can be reproduced as often as necessary for distribution to stewards and window clerks.

The Clerk Craft is also in the process of finalizing several MOUs, regarding:

- Career Opportunities for TEs currently working in the Remote Encoding Centers;
- Impacts on Self-Service Postal Center Technicians (SSPCs) affected by the removal of vending equipment;
- Automated Postal Centers (APC); and
- Lobby Assistance: The assistance provided to postal customers in the lobbies featuring APCs, as well as in full-service retail operations staffed by Sales and Service Associates.

FERS Sick-Leave Bill Introduced

APWU Web News Article #013-09, Feb. 12, 2009

Two Virginia congressmen introduced legislation Feb. 10 that is intended to correct an inequity between the FERS and CSRS retirement systems.

The "FERS Sick Leave Equity Act" (H.R. 958), introduced by Rep. Jim Moran (D) and Frank Wolf (R), provides Federal Employees Retirement System employees a sick-leave benefit equal to that received by employees under the Civil Service Retirement System. For the purposes of determining an annuity during retirement, the benefit adds unused sick leave to the number of years an employee has worked.

"FERS 'use-it or lose-it' system for sick leave hampers productivity and increases training costs," Moran said in a press release. "We need to be incentivizing the accrual of sick leave, not encouraging employees to call in sick in the weeks leading up to retirement."

Proponents of the measure cite data going back nearly four decades. In 1969, the Civil Service Commission — the forerunner to the Office of Personnel Management — estimated that half of all retiring federal employees had *zero* sick leave; reports showed that retiring employees used an average of 40 sick-leave days in their last year of employment.

Following these reports, the sick-leave benefit for CSRS employees was instituted. The FERS system was created in 1986, but did not include the "unused-leave benefit."

"FERS employees have long seen this as a gross inequity," said Myke Reid, director of the APWU Legislative and Political Department. "We are pleased that Rep. Moran and Rep. Wolf have re-introduced this bill, which appears to have broad support on Capitol Hill."

Rep. Wolf said that the "bipartisan legislation" will save taxpayers' money. "It will increase efficiency by cutting down on use of sick leave prior to an employee's retirement, which has cost taxpayers \$68 million each year," a figure he said is based on a recent OPM analysis.

"Congress ignored the lessons learned under CSRS and history is repeating itself," Moran said. "Our federal workforce is the best in the world; they deserve a benefit designed to reward, not punish, those who play by the rules."



APWU Health Plan
Helps Children Stay Well

We believe that helping your children stay well is as important as helping when they're sick. That's why both the APWU Health Plan Consumer Driven Option and High Option provide 100 percent coverage for children's preventive benefits when you use in-network providers.

Consumer Driven Option
Your children have full coverage for in-network preventive services including routine visits, examinations and laboratory tests; and routine immunizations, and other screenings

High Option
When you use PPO providers, children have 100 percent coverage for routine office visits, examinations and laboratory tests, and routine immunizations and screenings

If non-PPO providers are used, you pay only the difference, if any, between the Plan allowance and the billed charge

APWU
HEALTH PLAN
Live Life Well

This is a summary of benefits and features offered by APWU Health Plan. All benefits are subject to the definition, limitations and exclusions set forth in the Plan's Brochure (RI 71-004).

APWU Health Plan • 799 Cromwell Drive, Suites K-Z • Glen Burnie, MD 21061 • 1-800/222-APWU • www.apwuhealthplan.com

Vice President's Report (continued from page 3)

Any of you who are in offices that have been impacted by Article 12 can tell the story. Managers and supervisors have a new found habit in this area. They want to "share" information with the employees. Why do they want to share all of a sudden? Ask a manager and they will tell you that they care about the well being of their employees, which in many cases is absolutely true, and they want to "prepare" them for a possible excessing. Ask me and I'll give you some choices for an answer. One reason could be that the immediate manager, such as a postmaster in a small office actually does care and is concerned. They feel that they are being your "friend" by helping you to find another office to work in on the chance that you "may be excessed in the future". Second, it could be that the manager simply doesn't understand the process and has never read Article 12 in the contract. This manager thinks that since the POOM says that hours need to be reduced and jobs "will be eliminated" that that is the end of story and they don't see any reason not to tell the employees. After all, they will be affected. It makes perfect sense to them and to some employees, too. The third possibility I would give you is that management was trying to get you to do their job for them. Excessing takes time and is clearly outlined in steps in the National Agreement. When management wants to cut hours, they want to do it NOW! So why not put a little bug in your ear that your job is "probably" going to be eliminated and you should try to transfer to another office so that you will have a job. They are even so kind as to "help" you by telling you which offices in that area have openings! Isn't that thoughtful? Hardly! Considering that both times this has happened in the area, excessing wasn't even proposed! This third choice may seem like a stretch and not possible since you are "pals" with your supervisor or PM and they "would never do that to you". But it has happened and obviously, even though we have received "promises" from managers that it would "never happen again, our members are STILL being advised that jobs are going to be eliminated before any meetings about the office have taken place. Management and the Union are bound contractually NOT to discuss any proposed excessing with employees UNTIL there is a Regional meeting between the parties. Period! So, guards up...if they seem like they are trying to "help you" they are probably just helping themselves.

Call us and let us know. This is a violation that we will not take lightly...people lives and careers are involved. We are on your side and at times like these; you need to confide in us just what is taking place in your office.

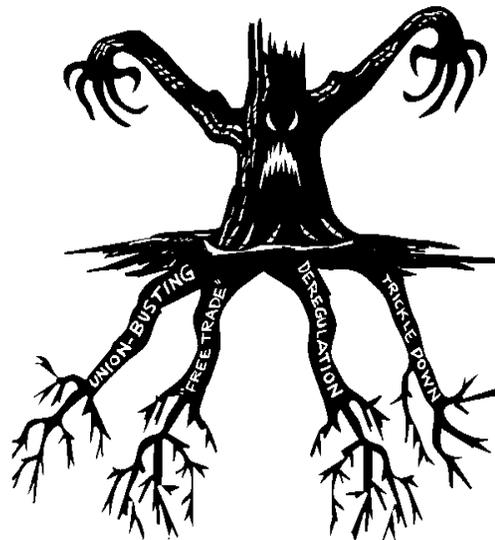
A Call To Stewards

There have been some changes in the Local. We have added three new stewards; Julie Liable in Elma, John Dybowski in Angola and Sue Pieczynski in East Aurora. Brian Lewis served as Steward in east Aurora "forever" and I would like to recognize him and thank him for so many years of dedicated service to the Local. In addition, he has stayed on as alternate in East Aurora and will assist Sue when needed. I also wish to thank Michelle Kwoka in our Lockport office for her dedicated service as a Steward, Trustee and currently Treasurer of the Local. Michelle has resigned her position as Steward in Lockport for her own personal reasons and she will be missed in that office! Thank you to Brian, Michelle and to our new stewards for stepping up to fight the good fight along with us! We also have a new addition to our Executive Board, Joe Juliano from our East Amherst office. Thank you for coming on board! With these changes, I am reminded that in these changing times, we need as many stewards and advocates in the field as we can get. Tim and I appreciate all of the calls we have been getting and we are out there representing each issue; but we could really use some more help! If you have ANY interest in becoming a steward, even if you have just thought about it, please let us know ASAP. We do have one person who is interested in representing their office so we will be planning a training session for early March. We would love to have you join us.

Until next time, hang in there! We are all in this and we are all fighting for the same thing...our jobs! Continue to keep us informed and don't be afraid that having us come out to file a grievance will "rock the boat". I have news for you, the boat has capsized...we need to survive the storm!

As always, I remain yours in Union Solidarity

The Roots of our Current Economic Crisis





Our deepest sympathies go out to the following members and their families who have suffered a recent loss.

Tammy McEachon who lost her Father in January

Raul Mercado who lost his Father-in-law in January

Our thoughts and prayers are with you through this difficult time.

Charles Amadori
East Aurora



**WELCOME
NEW
MEMBERS**

What Do You Think?

What would you like to see in the next issue? What is going on in your office...retirements, marriages, new baby, off to college, sympathies...please let us know so we can keep everyone informed!! All correspondence can be e-mailed to: lennisapwu@yahoo.com or mailed to:

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We look forward to hearing from you!!

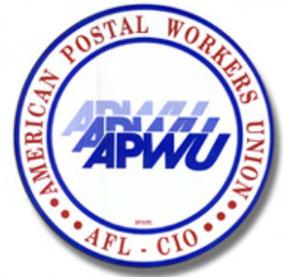



Stand-By Time

We have had a recent rash of Article 12 events in the Local and the Comparative Work Hour Report is generated after the excessing to determine if the excessing was justified.

As we all know, management has many "tactics" for trying to save money. The latest tactic that has been seen in other areas is management's practice of improperly placing employees on stand-by time in TACS when employees were actually gainfully employed. The reason that management prefers to show stand-by time after an excessing is because it shows that the employees were not gainfully employed and are therefore, not needed.

We have not seen this as a problem as of yet, however, as Article 12 events become more and more frequent, we will be faced with determining the validity of even more Comparative Work Hour Reports. If this becomes an issue in any upcoming events, we will be contacting our members directly in those cases to see if the stand-by time is genuine. Please take note anytime you are placed on stand-by time for legitimate reasons so that we have an accurate account later.

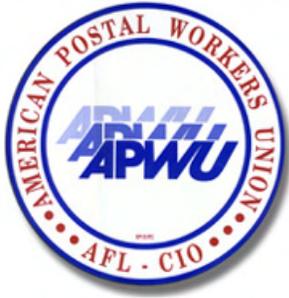


WNY Area Local Installation of Officers



January 24, 2009





We were honored to have NBA Pete Coradi perform the Installation





WNY Area Local Installation of Officers



January 24, 2009



And We Danced!!

