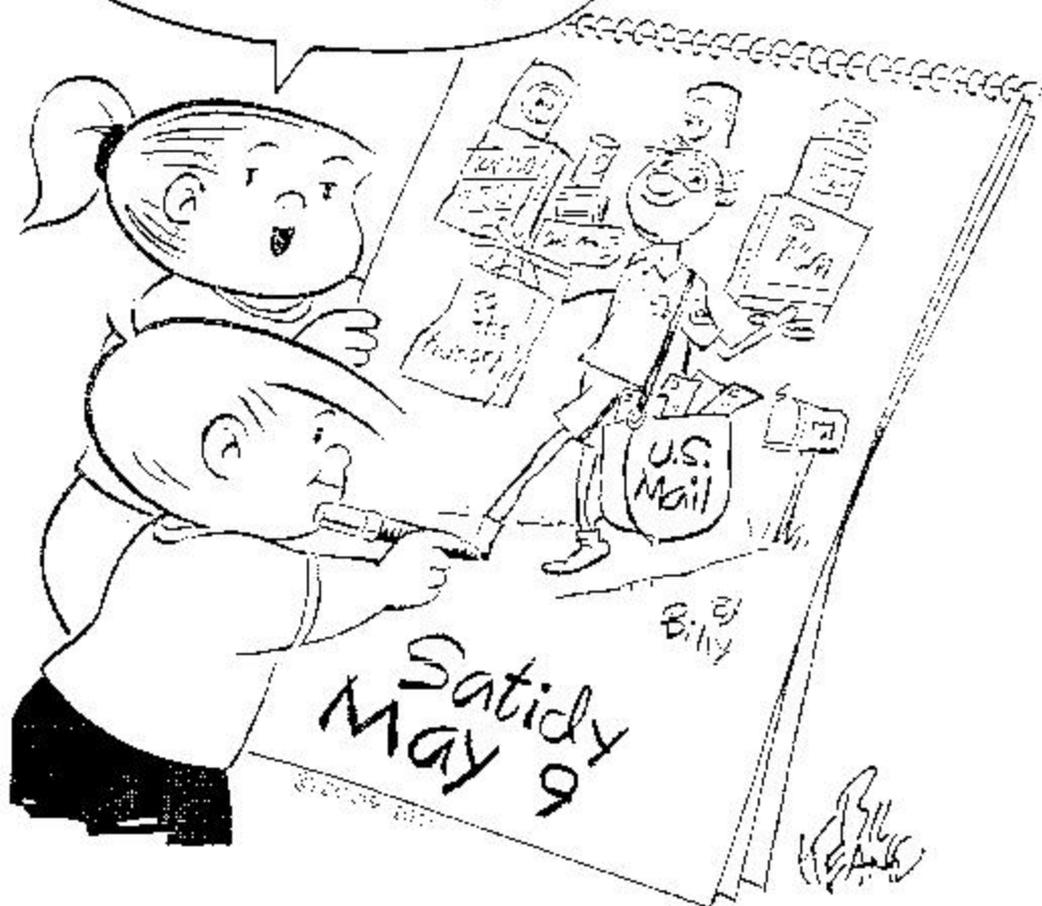


LETTER CARRIERS'

FOOD DRIVE

IT'S THE DAY YOUR LETTER CARRIER CARRIES MORE THAN THE MAIL!



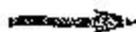
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United Way



PUT YOUR NON-PERISHABLE DONATION IN A BAG BY YOUR MAILBOX. WE'LL DELIVER IT TO A LOCAL FOOD BANK FOR YOU. YOUR LETTER CARRIER

The Voice Of Western New York

May 2009

Volume 3

Issue 5



"Scanning of the box section and the use of operation 353; we need your help in addressing concerns with these issues"

From Our President...Timothy Northem

As many of you may already be aware, I had surgery on both my knees recently. The procedure went well with no difficulties or complications. And now comes the difficult part, the road to recovery! I would prefer a much shorter recovery period, however, with both knees, the period is going to be a bit longer than I would like. Thank you all for your kind words and thoughts as I go through this. And on a special note, I have to thank Lori for taking over the entire Local. Every issue over the last couple of weeks normally shared by the two of us has been handled exclusively by her. And I have to tell you, the workload over the last couple of months has been more than at any time previous. It's a near impossible task for any one person to run this Local alone. As I have said numerous times before, we are extremely fortunate to have Lori as our Vice President.

There are two articles in this newsletter that address recent issues regarding the scanning of the box section and the use of operation 353. We need your help in addressing concerns with these issues. Please call us if your office is experiencing the problems outlined in the articles. The other major concern/issue we are having in our Local is the ongoing and continued violations of Article 1.6, management performing bargaining unit work, throughout out Local. As management continues to reduce the staffing in our offices, the potential for these violations becomes almost inevitable. We have filed numerous grievances in many of our offices already, but we fear this may just be the tip of the iceberg. Pay especially close attention during the Prime Time Vacations. Management does not have the right to perform bargaining unit work, or increase the historical work performed in our small offices, as a result of vacation (or annual and sick leave for that matter). Along those same lines, management has started using PMR's in offices with bargaining unit employees. This is a clear violation of the Collective Bargaining Agreement. If you know of any instances where a PMR is utilized in any office where clerk craft employees work, let us know. We will address these and any issues you bring to our attention immediately.

(Continued page 2)

We Are ONLINE!

www.apwuwny.com

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President's Report (Continued from page 1)

Our Contract requires the resolution of grievances at the lowest possible level of the grievance process. Lori and I put this obligation at the forefront of every grievance we represent. Our success however is dependent on a variety of issues. Once a grievance is appealed to arbitration, it can unfortunately take time before final resolution. Recently, our National Business Agent Pete Coradi was in town and asked Lori and I to discuss some of our grievances with local management in an attempt to get Pre-Arbitration settlement agreements. Pete took time to discuss these grievances with Lori and me before meeting with local management. Although not every grievance was resolved, Pete was able to achieve significant success with a large number of them. These successes are outlined elsewhere in this newsletter. So here also I must thank our Union Stewards and Lori for the time, effort and material documented in these grievances which had a direct impact on the success. A special thanks to our National Business Agent for the time and effort to reach settlement agreements with local management, providing resolution to these issues for our members.

So once again, I hope it won't be too long before I'm back to the grind. During these trying and difficult times, as pressure and stresses increase daily, let's support one another. Remember, the situations we now face daily were not created by you or me; they were created by the Postal Service and those who run it. Stay focused and strong, get through each day and enjoy your time at home with family and friends.

Upcoming Membership Meetings

May 16, 2009

June 27, 2009

September 19, 2009

Our next General Membership meeting is scheduled for Saturday May 16, 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:

- 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.

From The Vice President



Lori Ennis

Greetings brothers and sisters! Happy Spring!! Hopefully you are all enjoying the sunny weather away from the Post Office and leaving work at the office. Let me bring you up to date on some things

going on in the Local.

Article 12

Is it over yet? Every night, I lay down close my eyes and think "is it over yet?" What a nightmare day after day. I have gotten to the point that I don't even want to look at my email since that venue seems to be nothing but more bad news from above. Article 12 is being slammed down our throats almost daily and in the process, a complete disregard for the rest of the contract. It's funny; management argues time and time again that you can't look at one article of the contract or one section of an article of the contract, but the contract must be interpreted as a whole. Yet, when it comes to Article 12, I often wonder if management is sitting at their desks with the "augmented" version of the contract prepared specifically by their peers which contains only Article 3 and Article 12 which basically reads....since they wouldn't understand much more..."we have the RIGHT to EXCESS". And they run with it, time after time, meeting after miserable meeting. Meanwhile, as I look across the table at them with the crinkle on my forehead in full force, I have to wonder where is this, and keep in mind I am using the following word loosely, LOGIC coming from. I have learned after far too many Article 12 meetings that the answers from management have evolved to something just short of scripted. During my first meeting, I was infuriated. How dare they disregard the contract and upset people's lives, knowing full well, there was a better way to get what they needed. After that, each meeting became more of a "who has the biggest folder" argument. I have **THIS** documentation...well; I have **THIS** documentation....and so on. Now, before I go through the meeting door into Neverland, I can pretty much tell you word for word what each management person will say. Now, don't get the wrong impression. By no means am I saying we have given up the fight or that it's not worth fighting. What I am saying is that each meeting, we have to find a new way to fight. The thing with Article 12 of days past is that you had the Comparative Work Hour Report to rely on. They either justified the excessing or they didn't, case closed. Now, in

"phase 2" Article 12, the craft is actually being removed completely from the office and replaced with management doing all of the Bargaining Unit work while a PMR replaces them on Saturday. It's a whole new ball game. Not only are our small offices losing hours, some are losing the craft altogether! You are going to see this more and more....so how do we fight it? The answer is relatively simple; we fight it together. We need to hear from you. We need information; what is the Postmaster doing each day? How many hours were you working and how many have you been cut down to? What tasks did you perform before the shift of work that the Postmaster NEVER touched? What work is the Postmaster doing that is outside of his/her job description? You have the answers and we need them. So far, we have had a great deal members come forward and tell us what's going on. We have been able to get into most of the affected offices, which will eventually be all of them I'm sure, and file grievances where they arise. In some cases, the Postmasters are in an uproar because once the craft is gone, guess who's doing ALL of the work? That's right and piling more work onto what they already have is not very appealing to most managers. But, without you, we don't have the information. Without information documented, we have no grievance. It's that simple...we will fight this together.

(Continued page 4)



GET WELL SOON TIM!
- RECOVERING FROM
KNEE SURGERY -
OUCH!!

VP Report(Continued from page 3)

A Changing Landscape

Our Local, as I have always said, is an extension of my family. And like any family, there are changes. We have new additions and members of our family sometimes leave. This is no different in my Union family. And going forward into the future, I want to share some possible changes that could arise in the future. As you know, Tim and I often reach out to our surrounding areas to strengthen our Union. In the past, this Local has been successful in several mergers, and some have not come to fruition. You should know that we have been approached for a possible merger by the established Jamestown Local and Member At Large office, Wellsville. We have currently been given information on merger interest in Bemus Point as well. So, as you can see, many members out there are feeling the stress of management and wish to band together to strengthen what we already have and surge forward. I know I can speak for Tim when I say that he and I share the same philosophy on this subject – There is Strength in Numbers! No merger can be complete without full support of the membership and we will not even consider mergers unless the climate is conducive for a successful merger. Be certain, as we explore these possibilities and continue to communicate all progress, we will consider only what is best for the Local as a whole. If we are in favor of a merger, be assured that we will have looked at all aspects of it with open eyes and will make recommendations only when we believe it is in all of our best interest.

Sales Goals -Are You Kidding Me?

At the last Union meeting, it was brought to my attention that management is now assigning a daily sales goal to each SSA and then posting both the goals and actual sales by each SSA for all to see. As you can imagine, this is a recipe for disaster. First and foremost, this is BS meant to pit one employee against another. As USPS employees, you have an obligation to perform your job duties and remain gainfully employed. There are no work standards, no sales goals that need to be met and no discipline should be issued for not reaching these goals. So far, we have not seen any discipline as a result of the goals, but make no mistake, if they can find a way to use it for discipline, they will! I have passed this information on to one of our Business Agents and I am sure he will relay back to us any information he can find on this new "program". In the meantime, my suggestion is this: ignore the goals. If management informs you of your goal each day, fine. However, if it becomes harassment or

Intimidation, that's another issue altogether and that is a problem that needs to be addressed. By no means should employees be comparing their sales to other employees. That is exactly what they want. So, keep us posted as to how management is using their new "tool" and we will keep you up to date on anything that we hear from APWU National. But all in all remember – Stick Together!

On a Much Lighter Note

As many of you know, Tim had knee surgery in April and is recovering at home. With many trips to physical therapy, he is getting better every day. I am sure I speak for the entire Local when I wish him a speedy and complete recovery. His shoes are not easy to fill and every day that I try to keep up his pace, I appreciate his hard work even more! On that same note, thank you to all stewards and members that have been very supportive and helpful to me during his absence. Hopefully, we will see him back before the June meeting!

As always, I remain yours in solidarity



Let's Go To the Movies!!

The Western New York Area Local is giving away Five (5) \$20 Regal Gift Cards to help our members enjoy a rainy Spring day at the movies! The winners listed below were drawn at random by members of the Executive Board. If you are a winner, you must attend the May membership meeting to claim your Gift Card. Any Gift Cards unclaimed at the end of the meeting will be raffled off and only those members present at the meeting will be qualified to enter.

Congratulations to all of our winners!!! Please make an effort to attend the May meeting, claim your prize and get great information on what's happening in the Local, and believe me, there is A LOT going on!

Our May Gift Card Winners Are:

**Tracy Begier
Ruth Keipper
Joel Malinverni**

**Valerie Piscitello
Bridget Wilson**

BOX SECTION SCANNING

By: Timothy Northem

The United States Postal Service is required to establish modern service standards in accordance with the Postal Accountability and Enhancement Act. The Scan Point Management System (SPMS) was developed as an internal measurement system utilizing the scanning technology to ensure the timely availability of the mail by the posted Box Section time. And just like every other policy or procedure the Postal Service has established to capture and record "ACCURATE" data, this one is being manipulated by local postmasters and supervisors who are more interested in capturing the "goal" than they are at recording accurate data. Many of you have contacted us with questions about this scanning requirement. I have heard many scenarios that raised very questionable activities in many of our offices. Some of these included: scanning the box section immediately after the first class mail was completed, employees being instructed by their supervisor to scan the box before the posted time and before the box mail was completed, or in other offices, the supervisor just walking over and scanning the box section before the posted time while the clerks are still working the box mail. Obviously, these are serious issues that we need to address immediately.

A request for information was sent to the Postal Service by this Local to determine what exactly the policy and procedure is for the scanning of the box section. The information we received is as follows:

1. All committed mail for that day is worked into the box section.
2. Committed mail is:
 - All first class letter mail and parcels.
 - All periodical mail coded for that day delivery.
 - All Standard mail coded for that day delivery.
 - All Standard packages coded for that day delivery.
3. After all the committed mail is placed in the PO Boxes, the barcode is scanned by an employee who performs box distribution.
4. Any mail received after the critical entry time (CET) would be considered committed for the next day.
5. This should be the only time the box mail is scanned.

Based on the information provided to us by the Postal Service, there are a few items we need to expand on. First, all mail delivered to your office by the contract driver as part of the normal transportation schedule would make the critical entry time for your installation. An example of when item 4 might come into play would be if a tray of your first class mail was erroneously delivered to another office and it took awhile to redirect and transport the mail to your office. Second, if periodical and/or standard mail is comingled with first class mail, in accordance with the National Color Cod

Policy, the mail is upgraded to first class and would be considered committed for that day delivery. Any periodical and standard mail NOT committed for that day delivery would be clearly identified with the color for tomorrow.

On that note, I must add that the National Color Code Policy has recently changed and if you have not already been informed, no one should be changing the color code on any mail received in your facility. This mail is already tagged with the "day of delivery" color by the P&DC. The old method of adding two days to the mail upon arrival should no longer be occurring in your office. If it is, please let us know so we can address it. Because of this new policy, it is possible, and it does happen, where you will receive mail already delayed. This mail should be recorded as delayed by management at your facility. So again, if color codes are being changed in your office, please let us know.

Getting back to the Box Scan Policy, note that the committed mail identified above would include the notices for numbered items such as certified mail. Once the box mail is complete, the scan is performed by an employee. If your supervisor or postmaster is performing this scan, please identify this work as clerk craft work and ask them to stop. If this fails, please contact us so we can address the issue in your office. This may seem like a small matter, but as many of you are already aware, we are losing our positions in offices throughout our local. Ever little bit we can capture is going to help.

Finally, although the one scan should be the only scan performed in your office, there may be times were "committed" mail was discovered and thrown into the box section. If this occurs in your office, a second scan should be performed; after all, accurate data is what the Postal Service is after. An example of this scenario would be if a bundle of box section DPS mail was erroneously placed up by the caller mail, and once identified, it was redirected to the box section. Also, if you observe or know that the box section was scanned before all the mail was in, either because the supervisor instructed you to do so or performed the scan themselves, we need to know immediately. The recording of false data is a form of fraud. Employees or supervisors engaging in such actions could find themselves being disciplined. If you have any questions or concerns on this matter, please call us.



Memorial Day
May 25, 2009

We shall
never forget,
Freedom
is not Free

A Job to do

Many job requirements are put on the Union Officers and at each union meeting, the past months union activity is discussed. Grievances filed, won, lost and present status of step 3 and arbitrations are outlined and presented for review at each meeting. The most important job of our president and vice president is to respond as soon as possible to phone calls, conduct investigations into possible grievances and especially disciplines, at the post offices we represent in the WNY Area Local. Also, communicating directly with our members is sometimes required with office visits in order to show support and protect our rights under the contract. Our union is only as strong as we all make it. So after paying close attention to activity in our Local, this is what I found.

As you know our local is 255 members strong, spread out over an area covering from Lewiston, Niagara Falls, to the Penn line, over to Olean and up to Batavia, totaling 74 postal installations. This area requires a lot of travel, more than ever before, in response to management's inability to follow the agreed upon contract and JCIM. Travel time is up more than ever and the number of grievances filed, is also way up. Many of the violations are of the discipline type, as management takes a more aggressive approach to every aspect of pushing and motivating employees with bird dog supervisor tactics. These types of grievances require PDI's and are very time consuming. Postal management is told to stall, delay and deny, at every step of the grievance process, with very few supervisors or postmasters settling any disputes at the step one level verbally, as in the "old days". Each fact brought out to management in grievances is always met with, "can I get a copy of that?" Another problem in some installations is management's lack of meeting with our union officers. After asking I found out that in Lancaster Annex alone there are 68 grievances awaiting postal management "to find time" to sit down and discuss the issues. We are still working on more outstanding grievances! These steps of delay, then denying every grievance, requires more time of our union officers and stewards. But remember always, **justice delayed, but not denied**. We still have many of our offices without a steward, but still need representing and this falls to our union president and vice president to accomplish. The structuring and ordering of importance on grievance issues is the job of the President and that schedule is NOT set by the postal management, but in response to what type of workplace abuse is going on out in our 74 article 1.6.B offices. Frankly, as automation and restructuring continue to affect clerk jobs, we need more help with policing the contract in our offices to document and recapture work illegally done by management. The time needed to defend this unwillingness to follow the contract is not improving and management is to blame why Lancaster's two officers are spending so much time away from their bids. Get mad at management. Work the rule. Stand up and fill out papers when management does our work. Remember, the jobs we save may be our own.

Further observations of our Union officers' activities and time spent bring up some frequently asked questions; does the time spent on representation fall within our Union's Constitution and Bylaws? The answer is

yes. As a matter of fact, our Union President and Vice President are not compensated for all of their time. Is that much time required to do all of those grievances? Yes. The planned training and craft conferences are also very important to stay updated and equipped to give solid representation and are needed. All expenditures are board approved.

Yes, our Union officers are taking a lot of time away from their bids right now, but it is justified and don't forget who is causing them to have to do it. It is management's unwillingness to follow the contract. Some clerks do not come to meetings, some are members for insurance purposes only, and a dedicated few carry the Union's grievance load and represent people who are not members in good standing. Why? Because one person's rights violated is all of our rights violated. You have the luxury and right to pick how involved with the Union you want to be, but based on the Contract and Labor Law, your Union Officers have taken an oath to represent all of you as best we can, because a wrong done to any of my Union brothers or sisters is a wrong done to me. This will not be tolerated, period, ever! For as long as this Union has been around, we have had some good officers, some officers who stepped up to do it when no one else would and some who did it for self-serving reasons. Right now we have more involvement and excellent leadership. We can always use more. Always question and point out anything but remember that 100% of the pain out there is caused by management. We have a job to do and will do it not for the minor stipend given, but because we believe in all of our Union Brothers and Sisters.

Some districts are not as dysfunctional as ours is right now. We can only hope for responsible leadership to immerge sometime in the WNY District, as the level of malice and abusive workplace managerial conduct continues. Many troubles are continuing to plague us in offices around our Local, but document it, and we will grieve it. No matter the violation, the attitude is "throw it against the wall and see if it sticks, see if they catch it". This will continue and we will always remember, it is an everyday battle to protect our rights and ask to be treated like a human being.

Yours in Solidarity,

Brother Jim Snyder

PS – **Empathy is the catholicon to win this battle.**

If I do not deliberately choose to be a friend of the powerless, I become by default an ally of the powerful. – Author unknown



GRIEVANCE CORNER

The following settlements were a result of resolution at various steps of the grievance process including Step 3, Pre-Arbitration and Arbitration Awards. These settlement agreements were reached for various offices represented throughout our local.

ISSUE

SETTLEMENT

Removal

Member returned to work

Removal

Member returned to work

14 Day Suspension

Reduced to LOW for 18 months

14 Day Suspension

Reduced to a Discussion

7 Day Suspension

Reduced to a Discussion

Letter of Warning

Expunged

Letter of Demand

Rescinded

Administrative Leave

8 Hours Admin. Leave for 3 members

Administrative Leave

8 Hours Admin. Leave for 3 members

Administrative Leave

5 Hours Admin. Leave for 2 members

PTF Leave

\$250.00 paid to member

Out-of-Schedule Premium

\$150.00 paid to member

Out-of-Schedule Premium

\$880.00 paid to member

Cross Craft Violation

\$50.00 paid to 2 members

Cross Craft/1.6 Issue

\$600.00 (\$50.00 paid to 12 members)

Cross Craft

\$500.00 paid to member

OPERATION 353 – STANDBY TIME

By: Timothy Northem

As a means of justifying the excessing of clerk craft positions throughout our local, management has started to use operation 353. This operation number is also referred to as "standby time." In a situation where there truly exists a need to excess one of our members, management should be placing clerks in operation 353 as the work no longer exists. This is the entire premise behind the relocation of clerk craft employees under Article 12. However, what we have been observing is the manipulation of operation 353 to inaccurately represent the workload in the office. There are two significant points to make regarding operation 353. If any employee is told to punch into operation 353, they should be performing absolutely NO work. When in this operation, employees are usually in the swing room and can do whatever they wish, watch TV, read a book, take a nap, etc. There is no work to be performed while in this operation, this would include UBBM mail, cutouts, second notices, or anything else management assigns you. We have had situations where management instructed employees on the window to punch into operation 353 and remain on the window. So, if you are being required to punch into operation 353 and management is requiring you to perform ANY form of work, then we need you to contact us immediately. You should contact us each and every time this is occurring.

The second obligation management has with regards to operation 353 is that there be no work available. Again, in an effort to justify the excessing of clerk craft positions, management is placing clerks in this operation and using this time to prove the work no longer exists. The obvious problem with this occurs when

management instructs an employee to punch into operation 353, places them in the swing room, while there remains plenty of work on the floor. In essence, an employee cannot be placed into operation 353 while there remains work available on the floor. This work could be Nixie mail, UBBM, 2nd Notices, Cutouts, Empty Equipment, 3rd class breakdown, 3rd class mail, or ANY other work. So here again, we need your help to call us if this is occurring in your office. Management is doing everything they can to eliminate clerk craft positions throughout our local and with your help, we may be able to save some of these positions.

There is one last item to discuss on operation 353. There have been cases in offices with badge readers where local management is placing employees into operation 353 through the TACS system without the employee even being made aware. This is obviously a serious situation that we would need to address. If you believe management may be doing this in your office, let us know so we can view the documentation and verify it one way or the other. In non badge reader offices, local management records and reports the operation for which the work was performed. Here also we need to be aware of where the work hours are being credited. The same need to call us would exist if you believe or know your time is being charged to operation 353. With your help, perhaps we can save a position or two in your office.



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:

Lori Ennis, Editor The Voice of Western New York - 115 S Main Street - Delevan, New York 14042

We look forward to hearing from you!!

