

Postal Worker

West

October 2014

Affiliated with the Postal Press Association

171 Reverted Jobs To Be Properly Filled

WASHINGTON DC- More than 170 improperly reverted clerical assignments in the Pacific Area will be filled as a result of appeals submitted to HQ by the Western Region Coordinator.

The Pacific Area had identified more than 200 clerical residual assignments to be reverted (reduced). Pursuant to the March 2014 MOU (Filling of Residual Vacancies) the Regional Coordinator and Area Labor Relations met to review and discuss the viability of the targeted assignments management to eliminate.

Although the Regional Coordinator argued against the reduction of clerical assignments, especially with the impending excessing imposed by the PMG's actions, the USPS Area designee refused to consider the extra ordinary hours worked by PSEs and the inordinate amount of OT being worked at the various work sites. The Area unilaterally decided to revert the assignments and issued notice to the Region and locals. Regional Coordinator Omar Gonzalez appealed the decision to USPS and Union Headquarters in accordance with the Alternate Dispute Resolution Process (ADRP).

"I am not a huge proponent of ADRP but that is the means by which our HQ chose to facilitate appeals of reversions nationwide", said Gonzalez. On October 4th Coordinator Gonzalez was contacted by National Clerk Craft Assistant Director Lynn Pallas-Barber advising that she had met on a majority of the Region's ADRPs and a tentative agreement had been reached to post 171 improperly reverted jobs. Asst. Director Lynn further advised that PTFs will get an opportunity per Item 6 of the March 2014 MOU to be converted and any PSE conversions will be back dated. However, there was no agreed upon date as of yet.

Gonzalez thanked the Assistance Clerk Craft Director. "It was good news but I do not trust management will do the right thing. Once I secure confirmation of the settlement I will forward the info to the Locals. I will also contact the Area LR Manager to ensure proper application of the MOU," said a leery Omar Gonzalez.

The Coordinator explained hundreds of clerks (and others) have been targeted for involuntary reassignment in 2015 and these assignments will be sorely needed for placement opportunities. Hopefully not all will be converted and some will return to "withheld" status for landing spots for retreating and excessed impacted employees.

ISSUED BY

OMAR M. GONZALEZ
REGIONAL COORDINATOR

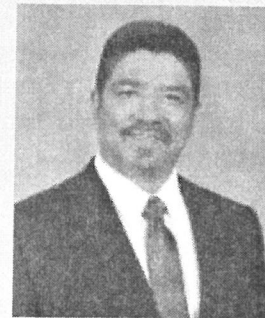
In Memory

Gilbert C. Ybarra

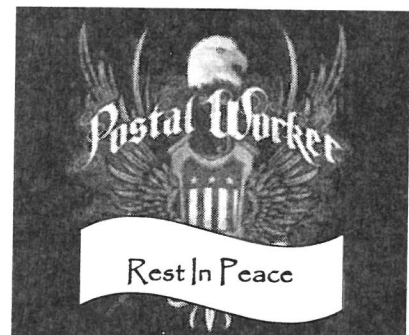
National Business

Agent

Clerk Craft



"Lord, as we mourn the sudden death of our Brother Gilbert, show us the immense power of Your Goodness and strengthen our belief that he has entered into Your Presence."



Brother Ybarra is a decent human being, an excellent NBA and good unionist. His passing is tragic. He was on his way to an arbitration in the service of others. Our prayers go out to his family and all who know him and love him.

Omar M. Gonzalez, Regional Coordinator

Multiple PSE Conversions And Their Impact On the Regular Workforce

Full-time senior regular workforce employees should not lament over the conversion of their fellow postal workers from Postal Support Employee (PSE) status to Regular Career Status employees (PTF or FT).

PSE status was introduced in the 2010 National Agreement in an attempt to eliminate the casual workforce and allow for the representation of the "supplemental non career" workforce. Once that was achieved the reality set in that a clear path to career status had not been negotiated.

The various agreements now being reached attempt to cure that gap and provide a means by which our brothers and sisters can get hired in career status. *"These workers need to make a living, support their family and secure a chance at decent postal jobs like everyone else,"* said Regional Coordinator Omar Gonzalez who maintains- "The PSE is NOT the enemy!"

The Downside

Per the CBA when ever there is excessing management is supposed to reduce/eliminate PSE hours before excessing of FT regulars. Now, these newly converted PSEs will be the most junior regulars and be exposed to involuntary reassignment (excessing) like the rest of the junior employees if not more so. There is no safe haven in today's postal service unfortunately.

National Reaches Settlement on PSE Cap Violations

WASHINGTON DC— Without much explanation the National Union issued a settlement on the Step 4 appeal filed on a Maintenance Craft dispute over the violations of Postal Support Employee contractual caps.

The settlement was expanded to include future violations of District PSE cap restrictions in the Clerk and Motor Vehicle Crafts as well as the PSE cap violations at the International Service Centers and the Remote Encoding Center.

The Settlement reached October 3rd does not provide any monetary remedies. It does, however, provide for an additional conversion of 468 PSEs to career within 30-60 days. The National Union and USPS will decide where those conversions will be made.

The 2010 Collective Bargaining Agreement (CBA) places caps on the utilization of Postal Support Employees. Future PSE District, ISC and REC cap violations will be remedied by converting the appropriate number of PSEs within the craft and occupation group. USPS and APWU HQ stipulated that the union at the national level will have input as to where the conversions are made.

A hint as to future possible modifications of the CBA caps restriction was revealed within the text of the settlement. The parties did stipulate that PSEs shall not be terminated in order to come into compliance with the specific cap requirements. The National parties will administer the process of conversions. All grievances (filed by locals) held pending the resolution of the Step 4 appeal are declared withdrawn and resolved according to the HQ settlement.

The National Office requested field officers to notify the Locals. Upon notifying the Locals the Western Region Coordinator received various inquiries on the settlement. Coordinator Omar Gonzalez pointed out that the field was not notified or solicited for input on the settlement. He referred inquiries to item #5 of the Settlement which specifies the National parties will administer the process. [Locals with concerns should call HQ]

PSE Conversions Expose Pay Problems

EAGAN MINN— The rapid fire of PSE conversions appears to be resulting in a multitude of pay problems due in part to late Form 50 s or conversions in mid pay period.

In some cases management is changing non-scheduled time to LWOP exposing the employees to forfeiture of incremental leave. Also, because some conversions are being effectuated haphazardly some converted PSEs may be missing out of schedule pay, overtime, Sunday premium or even proper night differential.

Locals must be on the alert to these possible pay issues and take appropriate action. Thus far an inquiry made to the National Union on how to best handle this matter has not been responded to.

Rank & File Bargaining Committee Summoned to DC



Union HQ in Washington D.C.

In accordance with the National Union's Constitution and By-Laws the National President has summoned the Rank and File Bargaining Advisory Committee to convene in Washington D.C. on December 9, 2014.

This critical Committee is to recommend and to

advise the National Negotiations Committee on bargaining demands for the upcoming contract talks slated to begin in February 2015.

Although the union's constitution grants full authority to negotiate the terms of any CBA (collective bargaining agreement) to the National Negotiation Team it is the Rank & File Committee that has full veto power over a proposed National Agreement.

If the majority of the voting members of the Rank & File Committee vote against acceptance of a proposed agreement, the contract WILL NOT be sent out for a referendum vote to the membership.

Following the 2010 CBA negotiations delegates to the National Convention voted changes to the Constitution requiring the completion of as many Q&As as possible

regarding new or changed CBA language prior to submitting a tentative CBA to the Rank & File Committee. Also, the Committee can submit questions to the negotiators and include those questions in the ratification process if and when the CBA is mailed out for membership vote.

Clearly signifying concerns over incomplete contract provisions the delegates added to Article 13 Sec C of the Constitution a change which reads...*"when an agreement is sent to the members for ratification, it should reflect exactly what the contract will be. The language will not be changed after it is approved."*

Regional Coordinator Omar Gonzalez applauds the changes to the Constitution, *"Anything that ensures the members benefit from their dues and membership is a good thing, but especially when it comes to their contract protections,"* said Gonzalez.

The current CBA expires at midnight May 15, 2015. There is no indication of what the National Union Negotiators will actually be proposing. Delegates have submitted resolutions but no actual report has been issued to the National Executive Board nor is there an indication, as of yet, how inclusive the National Negotiators will be when it comes to field representation during next year's contract talks. [see page 5 for related story]

Lisa Ortega of the East Bay Area Local is the Western Region designee on the Rank & File Bargaining Advisory

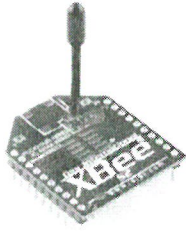
Maintenance Agreements Ignite Sparks of Irritation Within Craft

Despite being touted as "defeating improper excessing" and "going beyond what an arbitrator would give" a recent settlement over Building Equipment Mechanics and a Memorandum of Understanding (MOU) dealing with custodial staffing have been met with open resentment in some parts of the country.

The custodial staffing MOU signed three months ago resulted from management's notice to the Union back in **Dec. 2011** changing the MS 47 (Housekeeping Handbook) supposedly to make facilities cleaner and provide more healthful working conditions. The National Maintenance Director believed the service's goal was to cut the workforce and involved a method known as "Team Cleaning." After reaching agreement, it was conceded that the agreed to MS-47 TL5 will result in a reduction in staffing at "most" locations but the level of reduction will vary by facility size. A number of local union officers voiced concern over the implementation and settlement itself despite a stipulation there will be no excessing (except cross sectional within craft/installation) based on the MS-47 TL5 changes at a facility.

The BEM settlement likewise was not wholly received by some craft members and leaders because it is limited to one occupational group despite the stipulation that management cannot declare an installation "non maintenance capable" to justify excessing.

When asked about those issues the Western Region Coordinator responded he had raised the concerns as he understood them to be at the July National Executive Board meeting and was assured by the Director that the historical elements of the Union's staffing struggles were maintained. The Coordinator was further assured the full program associated with the new MS47 had been developed. "While the issue of the principles of seniority were also raised at the NEB, often times in heated debate, the full ramification of the agreements remains to be seen especially since Maintenance is heavily targeted under management's mad drive to downsize operations nationwide", said Regional Coordinator Omar Gonzalez



New Badge Reader Coming

A new wireless badge reader located at each machine or stand alone sites will be coming to postal facilities in the near future. It will be used by management to identify machine performance opportunities (usually not a good thing for workers). Also, it will let management know who is/was working on what machine, manage productivity and staffing, as well as, monitor and establish employee assignments.

In a presentation given to the National Union management claims it will also provide data to resolve disputes and grievances. It was not clear how this will occur. The Badge Reader will, however, be able to issue a report that identifies the machine, it's location, an identifier number, operation code, start and end time, and give the name(s) of employee(s) and apparently the output of that employee in what appears to be in 24 minute increments.

"There are no current work standards under Article 34 of the CBA", says Regional Coordinator Omar Gonzalez. "Just about everyone knows that current data used for staffing is often inaccurate as not everyone working on a particular equipment clocks in on the correct operation. Just how this new reader will impact staffing is my true concern," said Omar. Information from HQ indicates more meetings on this roll out will be conducted at that level.

The Reader will be used by management to manage productivity and staffing....Just how this reader will impact staffing is a true concern!

POSTAL BOSSES FAILED TO STUDY FULL IMPACT OF CONSOLIDATIONS

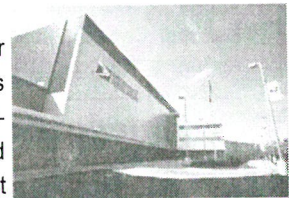
The OIG issued a report confirming what the Region and many local union officials have been saying for sometime now— *management has not analyzed the impact of planned service changes related to Phase 2 Consolidations.*

Management failed to detail information during their so called "Area Mail Processing" (AMP) studies regarding the downgrading of mail service. But, according to the report the Postal Service did not complete the service standard impacts worksheets because "the revised service standards for market-dominant mail products associated with Phase 2...had not been finalized when the Postal Service conducted the AMP feasibility studies." (Ya think?)

The OIG warned the failure to complete and disclose the analysis of "planned service standard changes" may result in degradation of service to communities, including delayed mail (Duh!), carriers delivering mail after 5 pm because of unexpected workload and customer dissatisfaction (OMG!- really?).

What's management's response? *"Management disagreed that failure to complete and disclose the analysis of planned service standard changes may have a negative effect on delivery service quality,"* according to the October 6th OIG report [NO-MA-15-001].

The Deputy Assistant Inspector General's report reveals that the OIG's previous audits show that management's response is "not the case" and the OIG believes it is critical that management complete and evaluate service standard impacts BEFORE implementing consolidations to ensure there is no negative impact on delivery service quality. The OIG has not closed their case on the issue.

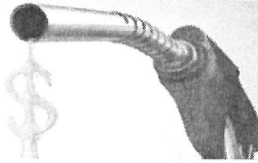


81 plants are slated for closure beginning January 2015

UNION FILES NATIONAL APPEAL

The Union at HQ level filed a "dispute" in Washington DC alleging violations of Article 19 (Handbooks) in the implementation of Phase 2 consolidations. Regional Coordinator Gonzalez communicated with the Industrial Relations Director suggesting amending the appeal to include the requirements of federal law management is obligated to follow under Article 3 (Mgt Rights clause). "With less than 3 months before the first wave of consolidations and excessing hits us anything and everything we can do to stop the PMG, even if Congress won't, is critical," said Regional Coordinator Gonzalez.

Management Mismanages Postal Contractors-What's New?



While postal bosses continue their quest to destroy the Motor Vehicle Service and contract out all postal mail transportation, recent reports expose management's incompetency which should alarm everyone on just how bad contracting out all mail transportation will be for the service.

Management spends more than \$4 billion on subcontracting out mail transportation that *does not* include fuel payments (those are extra). Recent OIG reports expose the fact management has poor oversight over actual miles driven by the contractors and that the bosses have inadequately managed fuel purchasing for those contractors.

Postal managers paid **\$2.5 billion** a year for 20,420 contracts without verifying that payments matched services performed. In addition an OIG report reveals that management may be paying as much as **\$42 million** in fuel over payments annually.

Both reports go on to state the methodology used and what was found, as well, as management's responses. (But waste in the Postal Service is nothing new.)

Yet, the PMG gallops throughout the USA claiming USPS is broke and is in need of "his" legislative programs while he feeds the media the notion and false premise that ~80% of the postal service's problems are related to so called "labor costs" attributed to postal workers and their benefits.

Dismantling MVS Truck By Truck

The Union's Motor Vehicle Division is in the struggle of it's life, literally fighting management's intent to contract out postal vehicle service at all 162 PVS sites nationwide.

Management has ignored union contract requirements to bring back 600 Highway Contract Routes (HCRs) into the postal vehicle services.

Management also ignored repeated requests by the Union for documentation related to transportation costs. The Union filed a charge with the National Labor Relations Board. The NLRB found that management was violating the law.

At press time the MVS National Officers and the legal counsel are in arbitration over subcontracting, cost comparisons, comparative analysis between Highway Contract Route Suppliers and the Postal Service.

"This is a do or die fight that the Union must win," declared Regional Coordinator Omar Gonzalez. "The very existence of the motor vehicle craft which has been organized since 1923 is in question," National MVS Director Mike Foster and Assistant MVS Director Javier Pineres are leading the fight in Washington DC against management mad drive to contract out postal vehicle services.

National Union Summons All Officers to DC

The National Executive Council (NEC) of the Union has been notified of a tentative week long session that coincides with the kick off of negotiation talks over a new (CBA) National Collective Bargaining Agreement in February of next year.

The NEC is comprised of all elected national union officers including Department Directors.

The National Executive Board, (NEB) comprised of the top 13 executive, administrative officers and craft directors, will also be in attendance.



NPC LEGISLATIVE CONFERENCE

March 3, 2015

Calling All Locals to Lobby
on Capitol Hill

THE MAILERS AND POSTAL POLICIES

by Phil Warlick, WR Grassroots Coordinator

Below the radar of our postal financial woes and struggles against consolidations is the \$1.3 trillion mailing and printing industry and the major mailers such as flagship corporations the likes of R.R. Donnelley, Pitney Bowles and Amazon.

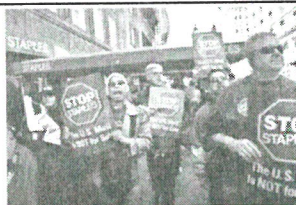


The discounts given to major mailers by postal management amounts to a subsidy of private corporations. The average American citizen does not get this discount when using the US Mails. When the founders of our country placed the Post Office under the authority of Congress the apparent intent was to place postal services under the will of the people of the United States not the major mailers.

These major mailers, known as the Mailers Technical Advisory Committee (MTAC) have an office at Postal HQ and have private meetings with postal officials. These mailers have major influence over postal policies that affect all Americans and especially you the postal workers on the work room floor.

As Postal Workers you have a collective voice which is your Union. Together, the Union works to be heard in Congress, media, Postal Headquarters and the communities. A cliché of American politics is- "if you are not at the table, you're on the menu." Well Sisters and Brothers we sure are not at the table with MTAC and USPS. So guess what- "They are out to eat us!" Management gives \$\$\$\$billions of discounts to these mailers while they discount our voice! What do we have? We have the Union and WE HAVE THE VOTE- Please **VOTE IN THE ELECTIONS!**

EDITOR'S NOTE: A recent resolution by the Directors of the Association For Postal Commerce voiced continued support of USPS effort to right-size it's infrastructure. This means that corporations in the mail business support the elimination of postal jobs, consolidation of plants and even the closure of post offices. The PMG continues to blame postal workers for ~80% of all costs yet 200,000 jobs have been cut.. While PostCom makes their support contingent on USPS ability to maintain quality, predictable and timely mail services for business communication and commerce. under the PMG's current 24 hour clock revised standards "commercial mail" may get over night service while all other Americans are simply told to expect 66% of their mail to be delivered in like manner. Way to Go PMG !!!



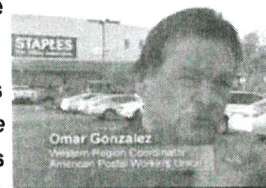
IS THE STAPLES FIGHT DEAD?

NO- bottom line! In fact the STOP & BOYCOTT STAPLES campaigns if anything are escalating. Protests continue in California, where the campaign began, often with ten protests per week.

Another campaign kicked off in Philadelphia on October 7th with a major boost by supporters and the community!

Despite the announcement of the PMG that USPS and Staples have entered into a "Approved Shipper" contract and the expansion of post office services along side UPS, at Staples nationwide the Union's struggle to protect America's Postal Service continues! "We have a hard struggle ahead of us to stop the continual privatization of the Postal Service....we have to get the American public...and our own postal workers' support to stop the sale of the US Mail and the degradation of postal services," said Carolina Federico, South Bay Area Organizer and San Jose Local Maintenance Director.

Regional Coordinator, Omar Gonzalez, has often informed the media that the STOP Staples effort is not just about saving postal jobs but a real fight to preserve the Postal Service of the people. "It is the United States Postal Service, it belongs to the people of this country," Gonzalez said to reporters recently. Reduced hours at post offices near Staples stores and anticipated closure of Post Offices in the surrounding communities is a real concern.



Union Organizers will be visiting postal installations to secure the critically needed support of postal workers and to solicit volunteer organizers and picketers. ALL POSTAL WORKERS need to step up and participate in this struggle- Our Postal Service Depends on it.

Editor's Note: In a related story the OIG is currently conducting a study on the Oversight of Approved Shippers Program. USPS has over 6,000 Approved Shippers, (soon to include over 1,000 Staples stores) which offer services for competitors also yet are required to ensure the security of the US Mail. The objective of the OIG study is to determine if USPS maintains adequate oversight of Shippers. (We will see! But, like in many of these studies when management's does not agree with the OIG's findings not too much happens after that.)