



THE VOICE



OF THE GOLDEN GATE LETTER CARRIERS BRANCH #214
NATIONAL ASSOCIATION OF LETTER CARRIERS, AFL-CIO

January/February 2006

Award-winning newspaper

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Photo by Herb Mitchell

Beaumont sworn in as Branch 214 President

NALC National Secretary-Treasurer Jane Broendel, right, swore in President Lili Beaumont at the January Branch 214 meeting. Between them in back, Dale Hart, National Business Agent.



Photo by Herb Mitchell

Transition of leadership, as outgoing President Tony Gallardo embraces incoming President Lili Beaumont at ceremonies at the January 2006 Branch 214 meeting at Longshoreman's Hall, San Francisco. Jane Broendel in back left.



Photo by Herb Mitchell

Outgoing Branch 214 President Tony Gallardo yielding the gavel for one of the last times.

List of guests at meeting on January 2006: page 2 (more photos inside)

Also Inside: Route checks experience p.4 • New officer reporting p.6 • Getting along p.7 • How to be a shop steward p.10

Branch 214 notes

Attending the January 2006 meeting were, **Jane Broendel**, National Secretary-Treasurer; **Dale Hart**, National Business Agent, Region 1; **Bryant Almario**, Regional Administrative Assistant, Region 1; **John Beaumont**, President, California State Association of Letter Carriers (CSALC); **Harold Kelso**, Vice-President CSALC; **Charlie Miller**, President Branch 1100, Garden Grove; **Barbara Stickler**, newly appointed Executive Vice President Branch 1100; **Anita Guzik**, Recording Secretary Branch 24, Los Angeles and NALC, AFL-CIO delegate; **Jerry DePoe**, President Branch 1111, Greater East Bay; **Daisy Pacas**, 1st Vice President, Branch 1111; **Jose Ochoa**, 4th Vice President, Branch 1111; **Ricardo Guzman**, President Branch 70, San Diego; **Jim Walzenbach**, Chief Trustee Branch 70, and CSALC District Officer; **Alex Mallonee**, President Branch 183, Santa Rosa; **Jerry Anderson**, Executive Vice-President, Branch 183; **Graham Vane**, President Branch 1280, San Mateo; **Robert Madrid**, President Branch 1427, Santa Clara; **Julie Turney**, Secretary Branch 52, San Luis Obispo, and her hus-

band **Mark Woelfle**; **Tom Flack**, Executive Vice President, Branch 133, Sacramento; **Tony Cortese**, President Branch 193, San Jose, and his wife; **Guillermo Martinez**, CSALC District 2 officer, and **Kent Yeager**, Trustee, Branch 133, Sacramento.

* * *

Welcome new stewards: **Dino DeBernardi** (Novato); **Patricia Gutierrez** (San Rafael Main); **Sam Prior** (San Rafael Mission); **Tony Gallardo** (San Rafael Civic); **Stephen Wong** (Bel-Tiburon); **Edward Villafior** (Daly City); **Kevin Sweeney** (Daly City); **Sharon Manansala** (San Leandro Main); **Roland Garshol** (San Leandro South); **Robert Sy** (AM Collections); **Jerome Tercero** (Rincon East); **Annette Quadra** (Station F); **Bladimir Arguello** (Station G); **Audrey Davis** (Sunset PCA); **Jeanette McLaine** (Sunset PCA); **Angelo Mandala** (Sunset Finance); **Dean Cunningham** (Steiner); **Carl Bryant** (Steiner); **James Reilly** (Redwood City).

Welcome new alternate stewards: **Eric Jones** (San Rafael Main); **Sue Garshol** (San Leandro South); **Roland Menis** (Steiner); **Ray Menis** (Steiner); **Roberta Bojo** (Redwood City).

A complete list of all the stewards will be published in the next issue of the *Voice*.

Steward elections were held at Steiner Station. The results are, top two elected, **Dean Cunningham**—34 votes, **Carl Bryant**—29 votes, **Roland Menis**—26 votes, **Ray Menis**—11 votes.

Steward elections also held at Sunset PCA Station. The results are, top two elected, **Audrey Davis**—41 votes, **Jeanette McLaine**—22 votes, **Leland Chune**—15 votes, **Simon Dang**—4 votes.

Steward elections also held at Redwood City. The results are, top three elected, **David Barela**—78 votes, **Tauchia Cobbins**—77 votes, **James Reilly**—75 votes, **Richard Beutler**—52 votes.

Special thanks to Kim Truong (180 Napoleon Street) and **Karen Schuler** (Novato) for taking up a collection at their work locations to assist the families of laid off union garment workers (UNITE) during the holidays. The two union activists were called into action with a two day notice, on the 21st of December and still collected \$605.00 between the two of them. The money collected provided the families with grocery cards, food for their holiday party and gifts for their children. The families would also like to thank the carriers at these facilities that gave so generously. In addition, kudos to the carriers at Daly City and San Leandro who also made generous donations for the toy drive benefiting the children of laid off machinist from United Airlines. Special acknowledgment to stewards, **Ronaldo Caluag** (Daly City) and **Charles Gonzalez** (San Leandro) for their organizing efforts.

Branch Officers

Lili Beaumont President
Ray Fong Executive Vice-President
Bill Thornton Vice-President
Cherry Vargas Secretary-Treasurer
Juan Dominguez Field Director
Carol Maggio Assistant Secretary-Treasurer
Leonard Cruz Sergeant-at-Arms
Franklin Woo NALC Health Benefits
Karen Schuler Safety and Health
Cathy Simonson EEO Officer
Mike Callahan MBA representative
Kim Truong Director of Organization
June Buccat Trustee
Kathleen McConnell Trustee
Sheila Gardner Trustee

Voice Staff

Ivars Lauersons Editor
Gerry Lee Graphics

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SAN FRANCISCO, AT&T Cable Channel 29:
Every third Sunday of the month at 7:00 p.m.
February 19, 2006, March 19, 2006
April 16, 2006

Our joint problem

The route you lose could be your own

By Lili Beaumont, President

I would be remiss if I did not thank all of you who voted in the recent branch elections. I am glad that so many of you exercised your right to choose your union representation. I am especially honored that you selected me and the team I am on. I am confident that we will do the best we can to represent the members of Branch 214.

I am also very grateful that so many of the leadership from our national office, the CSALC and other NALC branches around California attended our installation on January 4th. I am honored and thankful for their show of

support towards Branch 214 and its new leadership.



On another note, as most of you already know, route inspections throughout most of Branch 214 are coming and the Pacific Area level of management has its hands all over it. This is not just isolated to Branch 214 but rampant throughout the Pacific Area. Their involvement has made joint efforts with local management a struggle. It is management's intent to absorb or eliminate as many routes as they can, based on their projections that mail volume will continue to decrease due to the postage rate increase, and that many routes are less than eight hours for various reasons, but local management has not been effective in capturing this "undertime".

The city of San Francisco alone is scheduled to have 712 out of 822 routes inspected and adjusted, with management expecting to eliminate approximately 11% of these routes. In the north bay inspections are scheduled to

Management plans to eliminate as many routes as they can.

begin the first week in March and continue through May, and will occur in Sausalito, Mill Valley, San Rafael, San Anselmo and Novato. Daly City and one zone in Redwood City will also be inspected during this time.

Our branch's strategy is to offer as much training as possible to our union members on how to properly complete the route inspection forms and apprise them of their rights during the week of inspection. Our office has also

been aggressively training our shop stewards and other union activists who will be your representatives during route inspections, so that they will be informed to answer questions you have during the week of your inspection. They will also assist you during your meeting with management where the data collected on your route will be discussed with you. Audrey Davis, Eduardo Sobalvarro and June Buccat have been selected and have been instrumental in developing the training module for these route inspection classes.

We, as union representatives, will do the best we can to protect your rights but ultimately it is up to you as the carrier on the route to protect your route. I strongly suggest that you take advantage of any information we have to

We're countering with as much training as we can give.

offer with respect to knowing how to protect your route. Come to the route inspection classes offered by our branch, refer to the Route Protection booklet (pocket-sized) sent to you by our national office, and perform your duties on a daily basis on a professional, safe and consistent manner. If you have not received a route protection booklet please contact the union office and we will make sure you get one. Please pay attention to your union bulletin board(s) at your office as we will be often announcing dates, times and places where route inspection classes will be offered by our union.

OUT THERE



Cartoon courtesy Aceido, Branch 782, Bakersfield, CA

Lessons learned

Route inspection heck

By Roland Garshol, Steward, San Leandro

The other evening at the union meeting I heard that many parts of our Branch were going to undergo route inspection in 2006. So, I thought I would relate some of what your brother and sister letter carriers in San Leandro went through in 2005.

Route inspections announced

Word came out in March or April that we would be inspected in May. Someone in management told us that

San Leandro did not agree to have co-leaders for the inspection.

DOIS said there was something in the vicinity of eleven routes that needed to be abolished.

President Tony Gallardo came over and met with the outstanding group of mental giants that make up the San Leandro Management Team and attempted to negotiate a co-leader program like we had four years previously. Unfortunately, he could only get management to reluctantly agree to one union person to observe the project.

By the time all was finished it was realized that despite our NALC representative's awesome advocacy talents, the task of staying on top of over one hundred route inspections was overwhelming. Many of management's misdeeds were caught but some may have been missed. At this point all the San Leandro Carriers know that the union rep I'm talking about is my wife Sue, and I figured this was the proper point to let the rest of you in on who's fanny I was kissing with that awesome advocacy business.

Gangbusters inspection team

Management's "game plan" was strong. The inspection team came in like gangbusters, in numbers like I had never seen in 33 years in the Postal Service. In the dry runs, the Inspectors told the carriers that they had been secretly observing them for weeks and that they already

One union rep had to check over a hundred routes.

knew each carrier's demonstrated performance. This preposterous claim was meant strictly to intimidate carriers

into running faster. There were many other very strange instructions to speed up the carriers and many attempts to keep them from getting their proper time allowances.

The inspectors proceeded to find every gray area in the rulebook, and then stay there for the entire time they were

Route inspectors complained about every gray area in the rule book.

in San Leandro. The team immediately began bellyaching about carriers not having enough mail on their ledges and not holding enough mail while casing. New sins were discovered daily and carriers were sentenced to time on line 22-which is a time-out and not regarded as something you do on a daily basis. Meanwhile, the examiner instructed our feeble supervisor crew to explain that not having your eyes rocket back to the mail in your hand was a very major crime against not just the Postal Service, but all of humanity. This was merely the opening ceremony for the "World Championships of Nitpicking". If the daily degradation of the job my fellow letter carriers have always performed to the best of their abilities

A "World Championship of Nitpicking" took place.

was inadvertent or part of the plan, I suppose we will never know.

As the day progressed carriers were able to pass out of the penitentiary of office time and into the exercise yard of street delivery. The pentathlon of Nitpicking moved onto a new phase of outdoor beat down where the inspectors knew that arbitrations prohibited them from following carriers for 100% of the 6 days on the street so they

If your eyes did not rocket back to the mail, it was a crime against humanity.

would shoot for 90 to 95%. And they almost always were there to follow you back into the office and try to cut down the time you spent there prior to punching out.

Technology bites back

Any carrier who has ever been inspected knows that the examiner is supposed to just observe and write down anything that they don't like. But technology has created a new way for them to try and get around this little harassment protection. What they would do is get on their cell

(continued on page 5)

Garshol (continued from page 4)

phone and call your supervisor back at the Post Office, tell the supervisor what they wanted and then hand you the phone. How the heck giving you your supervisor on

**They called from the street
by cell phone to have your
supervisor give you instructions
for the street.**

the cell phone is any different than just telling you what to do, is a mystery that can only be solved in the minds of Postal management. It was also the cause of some good writers cramp in the arm of our Union representative and it is still a subject in the grievance procedure. And I forgot to mention that the whole time that the dialing and talking was going on you were on line 22 and the clock stopped ticking until the incident was over.

Nineteen routes down

At the end of the inspections management got their eleven routes plus 8 more. By constantly protesting and grieving the union whittled the number down to 15. Now

months later, as the result of the grievances filed, management is willing to return 3 more routes. At the end of the day the net loss will be 12 routes, one more than management's original goal. The letter carriers that came to the route inspection class given by Tony, generally were beaten less severely than the Einsteins who stayed home because they thought they already knew enough.

There are two things you need to know; first, management is deadly serious about eliminating routes and second, mail volume is down and your street time is going to increase. Let's face it, just how difficult your job will be in the future, is in your hands. If you really want to run like a racehorse, management will be more than happy to build you a racetrack. If you envision a future of working at a dignified pace, then go to the Route Inspection

**Those who came to union
training mostly did better.**

schools, conducted by the officers, where you will learn to get full credit for what you do in the office and you will know how to better fight the abuse of the inspection team, in the office and on the street. Believe me, this is one time that you really can't know too much.



Branch 214 presidents and honorary president, Bill Lawrence. From left, Ray Fong, Roland Garshol, Bill Lawrence, Lili Beaumont, Richard Becker and Tony Gallardo.

Photo by Roland Garshol

From Daly to the City

The novice officer

By Cherry Vargas, Secretary-Treasurer

Hello, Brothers and Sisters of Branch 214. I was approached by our esteemed editor to write an article – primarily to introduce myself to you all.

In case some of you are unaware, we recently (November, 2005) had an election in our local, and I was elected Secretary-Treasurer for our Branch 214.

For those Union members who voted in the election, I would like to thank you for taking the time to cast your ballot and choosing to have a say as to what direction you want our local Union to go.

My background is that I have been a career carrier for 12 years, all of those years at the Daly City Post Office.

Prior to working at the Daly City Post Office I worked

Upholding the contract and dignity and respect were our common goals.

as a casual clerk and carrier in other facilities in the city and peninsula, and was briefly a mail handler at the P&DC.

Before Daly City I was a shop steward for 6 to 7 years. As much as I would like to say that I became a steward because I fervently believed in the Union cause – the reality was that I wanted the security of having super seniority and not having to be concerned too much about being excessed out of my station.

Other steward mentor

Speaking with other stewards, I've come to realize that quite a few had the same reason for becoming a steward for their office. In any case, I think I lucked out in having another steward in my office that was kind of like a mentor to me, who taught me how to properly investigate a grievance and how to differentiate between what was a grievance vs. what wasn't.

In fact, some of the more "seasoned" union members might remember who I'm speaking of – Mark Fitzpatrick. Along with the training I received from the local and national officers, having a shop steward like Mark in our office was an ideal learning situation.

As many members know, Mark left the Postal Service about 5 to 6 years ago and after he left I came to realize just how important it is to have a co-steward in your office that believes in upholding the contract and is concerned with employees being treated with dignity and respect.



Photo by Herb Mitchell

Cherry Vargas, Secretary-Treasurer, reading budget item at podium at January meeting. Dale Hart, National Business Agent in back, Carol Maggio, Assistant Secretary-Treasurer at left.

For the election

As "Team 214" was being brought together for this election, the importance of teamwork and being on the same page regarding workplace issues came to mind. I can recall feeling the same way when Mark Fitzpatrick and I were the primary stewards at Daly City, and how important teamwork was in trying to achieve a workable median with management. I would also like to say that Daly City lucked out with the carrier who stepped up to sign up for the open steward position after Mark left – Ronaldo Caluag. Ronaldo is very much a team player and believes in upholding the contract and the rights that the contract gives employees. Daly City has lucked out once again in having a strong, determined steward.

Goal of stronger union

Similarly, one of the criteria President Lili Beaumont based her decision as to who she wanted on the "Team 214" ticket was on each individual's common goals of wanting our local union to become stronger and to try to have the individuals of our membership come together and move the union forward as a whole.

I believe the ticket she put together, and that was voted in by you the membership, is all about contract compli-

We looked for a workable median with management.

ance from management and that all employees should be treated with dignity and respect.

As I am the "greenest" officer in our local, I can only promise that I will try to do the best job that I can as your Secretary-Treasurer. I know the previous Secretary-Treasurers we've had in Branch 214 cast a long shadow, but it's my goal to maintain the integrity that you, the membership, have come to expect from all of the officers of Branch 214.

Can't we all get along?

Dispute resolution

By Juan Dominguez, Field Director

First and foremost I would like to thank everyone that voted for me. And team 214. I truly think that this is the best team assembled in a long time, the experience, personalities & diversity of our team will make a big difference. I also would like to thank Vicki Sawicki for running a clean and honest campaign in our race for Field Director, Branch 214 is very lucky to have stewards like Vicki in our branch.

I would like to bring out the general subject of dispute resolution. Dispute Resolution takes on many forms and meanings; it is utilized in every arena imaginable. EEO, grievance procedure, Neighborhood Committees, and disputes among co-workers, to mention a few. The one I would like to touch upon is the disputes among co-workers, which seems to be happening more and more frequently. First, I would like to emphasize that when a carrier has a dispute with another co-worker you can not file a grievance or an EEO against that co-worker.

Carriers against carriers

The Union takes the position that it is not the carrier or the Union's responsibility to correct the problem. If the situation is at a level that you feel threatened or unsafe, you must immediately report it to management or the Union. There are many policies and memos that were created to secure that we don't work under a hostile envi-

Management must provide a safe work environment.

ronment. Examples are the Joint Statement on Violence And Behavior in the Workplace, Workplace Violence Prevention section 1-1.1 Zero Tolerance Policy And Action Plan, Postal Service Regulations Governing Conduct On Postal Property (C.F.R.) 232.1 and of course Article 14 of the N.A. which states in part. " It is management's responsibility to provide safe working conditions; it is the Union's responsibility to cooperate with and assist management in its efforts to fulfill this responsibility." There is also the Joint Statement On Violence and Behavior in The Workplace in where it partially states " That there is no excuse for and will be no tolerance of violence or any threats of violence by anyone at any level of the Postal Service".

The San Rafael Method

Many offices deal differently with disputes among co-workers. San Rafael for example has a terrific process in



Photo by Herb Mitchell

Juan Dominguez, Field Director, at far right, at swearing in ceremony at Longshoreman's Hall. From right, Cherry Vargas, Secretary-Treasurer, Bill Thornton, Vice President, and Ray Fong, Executive Vice-President.

place. Where the Union & Management have agreed that when there is a dispute among co-workers and it is brought up to the Union's or Management's attention, the parties immediately will be asked to participate in a dispute resolution meeting with the stewards of their choice. The team includes a respected and specialized steward who acts as the mediator, the Postmaster or supervisor who will be responsible for ensuring that whatever resolution was agreed upon is adhered to. This method is used even if the dispute is between a Supervisor and employee.

Two sides to every story

Most employees try to resolve disputes themselves by talking to their manager or steward without the other party being present, so they can give their side of the story without interference. This is fine, but remember that there are always two sides to each story. After a dispute arises among co-workers you should be thinking about a dispute resolution process, whether or not one exists in your workplace. Not everyone will want to participate in a dispute resolution process, especially if they think they are not going to get any results from such a meeting. If one party refuses to meet that is fine but the benefit of the doubt has to go with the person who wants to resolve the dispute.

The bottom line is that when any carrier is involved in a dispute with a co-worker, you should immediately report it to your steward or supervisor. Do not take matters into your own hands. Management has an obligation to provide a safe working environment. I recommend that if at all possible Stewards should create their own dispute resolution process in their office, with the cooperation of their manager or Postmaster. If management is unwilling to create or help with disputes, shame on them, but remember it is their responsibility to provide a safe working environment.



Photo by Herb Mitchell

A view from President Tony Gallardo's perspective of the members and guests at the January meeting.

WELCOME NEW MEMBERS

- Norma Bailey – Novato
- Damien Chen – Daly City
- Maria Elena Correa – San Rafael Main
- Vijay Kumar – San Anselmo
- Robert Lin – EPC-94103
- Hector Monte – EPC-94102
- Jian Zhong – 180-Stonestown

IN MEMORIAM

- Gerald Caron
- Felix Cassidy
- Michael Flynn
- Maurice Garcia
- Darland Gilchrist
- James Johnson
- Takashi Ozawa
- Leonard Smith
- Kristina VonRubens



Photo by Herb Mitchell

Among those at the January 2006 meeting, (from right), Wendy Amort and Audrey Davis.



Photo by Herb Mitchell

The new officers of Branch 214 for the 2006-2007 term being sworn in by National Secretary-Treasurer Jane Broendel (center, at podium) with National Business Agent Dale Hart also present. A full list of names and positions appears on page 2. Hands upraised, being sworn in, from left, Lili Beaumont, Ray Fong, Bill Thornton, Cherry Vargas, Juan Dominguez, Carol Maggio, Franklin Woo, Karen Schuler, Cathy Simonson, Kim Truong, Mike Callahan, Kathleen McConnell, June Buccat and Sheila Gardner. (Leonard Cruz was not present.)

Branch 214 Meetings

Branch meetings, 7:00 P.M.

February 1, 2006 ILWU Hall, 400 North Point, SF
 March 1, 2006 ILWU Hall, 400 North Point, SF
 April 5, 2006 ILWU Hall, 400 North Point, SF

Steward meetings, 6:00 P.M.

February 1, 2006 ILWU Hall, 400 North Point, SF
 March 1, 2006 ILWU Hall, 400 North Point, SF
 April 5, 2006 ILWU Hall, 400 North Point, SF

Retiree social meeting, 12:30 P.M.

February 6, 2006 740 Del Monte Ave., South SF
 April 3, 2006 740 Del Monte Ave., South SF
 June 5, 2006 740 Del Monte Ave., South SF

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Old style chip: on shoulder

Qualifications for a shop steward

By Cathy Simonson, former steward, Exelsior Station

As an alternate, then regular, steward in San Francisco for the past 12 plus years, I have been honored to represent the members of NALC Branch 214. Over the years I have come to realize that most problems are like fads and bell bottoms that come around every so often. Management's focus on discipline for things like attendance, penalty overtime, missing MSP scans, etc. seem to surface when new top management arrives, during route inspections and special audits of performance.

Most of the seasoned supervisors have come to know the secret to getting more out of the carriers is not nitpicking on them or issuing discipline but rather treating them with respect and asking nicely if they can help out. They have learned that approving leave and allowing changes in schedules make for a happy carriers and ones who are less likely to call in unscheduled absences. These supervisors also cringe at the fact that every time new managers come in, they must temporarily go back to their "crack the whip" ways and take many steps backwards in trust, thus causing grievances to resurface.



the secret to getting more out of the carriers is not nitpicking on them or issuing discipline but rather treating them with respect and asking nicely if they can help out. They have learned that approving leave and allowing changes in schedules make for a happy carriers and ones who are less likely to call in unscheduled absences. These supervisors also

Happy carriers

Supervisors that have been around for a while know that when the carriers are not happy they can't be either. This is mostly because all of the extra things that carriers are doing to help move the mail are all of a sudden not allowed. Stewards are requested, and in turn they must request time and information from supervisors. Resentment, anxiety and animosity rock a previously smooth

Experienced stewards have learned the power of the pen.

sailing boat. Many supervisors have been known to get seasick from a combination of steward pressure and upper management pressure. The latter is worse. Some will convert to the Dark Side to please their bosses, like little Vaders they are influenced by the lure of power and brainwashed by Sith managers. Not to fear the Union is here!

Constant attack instead

It is at this time that stewards must be vigilant and defend against the constant attacks on carriers. Experienced stewards have learned the power of the pen. Grievances and more grievances along with all of the information requests do more damage than any angry outbursts or insults ever could. With tireless precision a steward can easily wear out management by constantly requiring their time and energy to research their position. This is particularly effective during the morning hours when a supervisor has to absorb routes and turn in work hours.

Time to interview, gather information, investigate, write and meet must be given to the steward. Management is forced to face the error of their ways and discontinue violations or face more paperwork, time and energy.

Learning to listen is an important skill.

Monetary remedies are the next step to continuing violations along with the attention of their superiors due to excessive grievance activity.

Why be a steward

Why would anyone want to become a steward? It was a bully unfair supervisor that prompted me originally to become involved in Union activities. The mere fact that I received training and support from the Union helped me to stand up for myself and eventually for others.

Selfish as it was in the beginning, it became exciting and dangerous as I learned more and more about rules and regulations that management themselves did not know. It was thrilling to find a section in management's own manual that proved the union's position. Loving reading, learning and writing became an asset as a steward. What I didn't know I researched or else called the union for their guidance. At first I felt unsure of what I was doing but eventually after many of my questions were answered I felt confident that I could in turn answer questions.

Technical expertise

Questions from members came to me about pay status, annual leave, discipline and any problems with working conditions that they had. Over the years I got to know many people's problems and solutions to their problems.

Being a steward helped my self-esteem and increased my ability to empathize and sympathize with people in general. I learned to listen and guide both management and carriers into resolving their differences. Eventually I even learned when not to file a grievance and where it would do more harm than good. It can be difficult to tell

(continued on page 11)

Simonson (continued from page 10)

a fuming member they have no grievance although it might seem wrong. After doing many grievances on similar subjects one learns what the outcome will be determined by existing higher level grievance decisions.

Seasoned supervisors have learned to treat carriers with respect.

The technical qualifications to become a steward are that you must submit your name on the official nomination form and it must be received by the close of business January Branch meeting. Candidates must certify that they have not applied for or served in a supervisory position within the past two years. If more persons apply than there are steward positions, an election is held in that station.

PTF's also can become stewards

You need not have a degree of any sort or seniority. Part time flexible carriers may apply. The only requirements are that of a willingness to learn and do your best. A chip on your shoulder may be an asset if it is properly directed and used.

I once looked up the definition of steward in the dictionary. As I recall it said a steward is said to be a selfless person. Although at the beginning that may not be the case. Eventually a caring heart will prevail and the time and energy that you put in will be rewarded with a good feeling that you were able to help others.



Photo by Herb Mitchell

A close up view of new trustees (from right) Sheila Gardner, June Buccat, Kathleen McConnell, MBA representative Mike Callahan, and Director of Organization Kim Truong, preparing to be sworn in at January 2006 meeting.

Thornton (continued from page 16)

Sec 131 M-41, in the daily battle over work load issues are useful. Nonetheless, despite these efforts, *pivoting* remains a terrible daily burden for many carriers.

Third bundle issues continue to rankle and carriers suffer on a daily basis under these conditions. Issues are currently unadjudicated at national level.

Agreement limiting our response

Article 3 of the National Agreement between the NALC and the postal service allows management to run the business that the postal service is engaged in. Even though management gets to run the place, there are limitations that derive from a multitude of handbooks and manuals, as well as applicable federal laws and regulations that fall under Article 19. As an example, management determines how a carrier's mail is delivered but is restricted by Section 200 of the M-39 that sets out the

Lately, the sore issue has been the later starting times.

rules for the adjustments of routes. Issues like what constitutes 8 hours work, what rate is to be paid for that work, who performs the work, etc. are contractual issues under Art 8, 41 etc. that limit management's ability to do anything they want.

Even the manner in which mail is delivered—*Work Methods*—management is not totally free to do anything they want. Third bundle issues are in the grievance procedure and issues to be decided at the National Level.

The union essentially is limited to the challenging of management activities in areas relating to wages and working conditions. This is important to understand because many times carriers bring up issues that while disturbing are not grievable.

Management has the right to mismanage. What?

This is somewhat of a dangerous thing to say because in the real world things are not always that simple and this is counterintuitive. But the functionality of that statement is that, as an example, management can *improperly* curtail mail. There are limitations on this right that comes from Article 3. There are "delivery standards" that are part of Art 19-handbooks and manuals. So, carriers need not sit by and watch sale mailings become worthless without any response other than

(continued on page 12)

Thornton (continued from page 11)

embarrassment. The grievance procedure can address this but a more direct tool will be discussed later.

Carriers not independent contractors

What is important here is for carriers to separate themselves from the independent contractor concept. Management has not always made these distinctions clear, leav-

In grievances the union can challenge management about wages and working conditions.

ing carriers perplexed. Management, of course, wants it both ways, taking advantage of carriers whose individual personality, etc. lead them to attempt to work as an *independent contractor*, while management retains the ultimate and virtually absolute authority over when mail is distributed.

Wages and working conditions

Despite past attempts at Employee Involvement, American labor in general signed on long ago to the concept of union responsibility to concern themselves with wages and working conditions, and leave the running of the business to the management. NALC legislative activities supplement this basic responsibility, focusing also on issues of how the business will be operated in the future, and pursuing postal reform as a long-range goal.

What can be done?

The cry *what's the union going to do about it* can be analyzed from the previous perspective? Sometimes, we must honestly acknowledge, reluctantly, that the union can do little or nothing about a particular issue. But at the same time, it shouldn't be forgotten that there are many carrier protections and rights, some of which are listed below

Among those carrier rights:

- **The right to be treated with dignity and respect.**
- **Weingarten Rights.** This is a right you have to ask for. You have a right to be represented by a steward/union representative when interviewed by Postal Inspectors or

Sometimes, reluctantly, we must acknowledge there is nothing we can do about a particular issue.

supervisors when *the employee reasonably believes the interview may result in disciplinary action.* **But the employee must request representation.**

- **Equitable distribution of overtime hours for carriers**

on the overtime list. Art 8.5 of the National Agreement requires that *during the quarter every effort will be made to distribute equitably the opportunities for overtime among those on the ODL.* This should limit tendencies towards favoritism by management. That favoritism can sometimes manifest itself as a preference towards giving overtime to those they consider most *efficient.* But that's a "no" because Art 8.5 is interpreted as everyone of the ODL carriers being equally qualified.

- **Federal Employment Compensation Act Rights.** There is coverage for on-the-job injuries and there is a right to choose one's own physician.
- **Family Medical Leave Act**
- **The right to an 8 hour route.** 271g of the M-39 gives relief to overburdened routes via a request for a special route inspection.
- **The right to be able to report on Form 3996** and/or verbally when unable to finish route in 8 hours and also be treated with dignity and respect.
- **The right to be paid for all the time you work.** Don't laugh; it is commonplace for employers to attempt to not pay you. Coverage by FLSA Fair Labor Standards Act, and the National Agreement guarantees you payment for all time worked. Management must follow spe-

There are effective actions like picketing and petitions.

cific procedures for disallowance of *any* time. In our case, the clock rings indicate the time worked.

- Any of the rights cited are moot without an enforcement mechanism and that is primarily the Grievance Procedure and the Shop Steward system under Art 15.
- All Branch 214 offices have an agreement that carriers can speak *immediately* with a steward for 5 minutes. This is often underutilized.
- Finally, Article 14 and OSHA **guarantees your right to work in a safe workplace.** Use postal form 1767 and, if necessary, OSHA COMPLAINTS TOLL FREE NUMBER 800-475-4020.
- Carriers can also access and file OSHA complaints on the web.
- The list goes on.

Insist on exercising our rights. They are a powerful antidote to management's right to mismanage.

Rank and file responses to abusive management

Over the years these kinds of actions have included petitions and picketing.

Management is extremely sensitive about these kinds of actions. If there's anything they hate its bad publicity. But some of the dinosaurs in postal management sometimes don't understand anything else. Rank and file

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actions are by definition actions that fall outside the official framework of the union. The union, local and national, has an interest in these kinds of actions and generally there is communication between the carriers that initiate the action and the union officers. This comes generally when advice is sought for the legal and other ramifications of what is being done and for assistance in carrying out what is being done.

Rank and file actions are the heart and soul of the labor organization although there is almost always some tense

Management hates the resulting bad publicity.

relationships between the rank and filers and the union bureaucracy. The view from the workroom floor is a distinctly different one than from that of a union office and we forget that at our own risk. Anybody not actually suffering under the current third bundle chaos and other management follies does not truly understand the problem.

Certain managers, who are obviously taking orders from above, but effecting those orders in an uncaring and arrogant manner motivate recent movement to some kinds of direct action.

Some dangers in direct action

The union can assist in explaining any dangers in any such action. These have primarily been stated in 666 to 668 in the ELM-Employee Labor Relations Manual that proscribes certain kinds of behaviors by employees. If management is going to go after a carrier for raising issues of management mismanagement, they generally hang their hat on these manual cites and others from which these are derived. This would include some public criticisms of Postal Service policies that edge over into specific operational details. Most of these regulations are really aimed at corruption at the top of the bureaucracy when the awarding of private contracts, etc. are concerned. Locally and historically there was the example of a manager shaking down a service provider. But disciplinary action has also been taken against craft employees for alleged violations of these sections.

Protection from reprisal

Interestingly, these sections also include a section that protects employees from reprisal for activities questioning management actions. 668.17 ELM: *Reprisal For Exercising Appeal Rights: Taking or failing to take any personnel action as a reprisal for the exercise of any appeal right granted by a law, rule, or regulation is prohibited.*

In reporting safety and health issues that have not been taken care of within Postal Service channels you can uti-

lize OSHA. In the area of discrimination you can utilize the Equal Employment Opportunity process.

Mismanagement: The Office of Inspector General-OIG.

The OIG website *Hotline* page description: *The Hotline receives information from employees, customers and the general public, and is an important avenue for reporting fraud, waste and misconduct...*

Among the areas of concern for OIG is *Alleged violations of law, rules or regulations...Significant Misconduct...Abuse of Authority... Whistleblower Reprisal...*

The OIG cannot assist in issues surrounding *Day to day management decisions...EEO Complaints...Issues that are handled by the grievance procedure...Issues handled by other government agencies such as EEO, Department of Labor...*

Just looking at the list, it becomes obvious that contacting the OIG is not appropriate in most issues that fall within the grievance procedure, EEO, OWCP, etc.

Curtailed mail concern

But lately, carriers have increasingly raised concerns about the curtailment of mail that probably goes beyond normal management rights to curtail/ manage mail volume. The grievance procedure does not offer a particularly good tool for addressing these issues.

That's when reports to the OIG as well as elected representatives, etc. can have impact on possible resolutions.

Carriers are put into the position of sorting and delivering mail that is way beyond the parameters of any *delivery standards*. The obvious examples are *election mail* that is delivered after the election is over and sale materials that are sorted and delivered after the sale dates. The problems do not necessarily reside entirely at the carrier station level.

Responsibility in management does not seem to be readily accepted for some chronic delivery problems. And the hypocrisy is overwhelming. Carriers accused of

The hypocrisy over late delivery can be overwhelming.

delaying mail can be subject to serious discipline but the statutes, regulations, manuals indicate that the penalties can apply to...*persons who knowingly or willfully obstruct or retard the mail...* Where is the proportionality? Carriers accused of delaying small amounts of mail are dealt with severely while a chronic and endemic system wide problem is apparently ignored.

You can access the OIG at www.uspsig.gov/hotline There are online forms that deal with complaints: *United States Postal Service Office of Inspector General Fraud, Waste, and Misconduct Complaints on-line Complaint*

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Form and in case management does not like what you reported and goes after you there is another form: *United States Postal Service Office of Inspector General Report of Possible Whistleblower Reprisal*.

EEO complaints

Those who have experience with EEO complaints know that once you file an EEO complaint you fall under another category, that of *Reprisal*.

Similarly in these processes. It would be futile not to have such protections. It would mean that employees filing complaints could be targeted by management.

There are also posters in stations with OIG complaint numbers.

Ironically, the union has warned people on OWCP disability to watch their backs and the possibilities of the OIG scrutinizing them.

On the workroom floor management does not have complete *carte blanche*.

Normally, the union advises carriers to follow instructions that they question and file grievances later. That avoids the inevitable *Failure to Follow Instructions discipline*.

Safety and health and following orders

But there are areas where a management instruction should not be followed.

The obvious instances normally involve safety and health issues. *Delivering after dark* comes up quite fre-

quently. As usual this issue is not that simple, arbitrators, etc. determining that delivering in the dark is not *ipso facto* dangerous. A specific danger needs to be stated.

Recent problems with unreasonable curtailment of mail and the delivery of *guaranteed* time value items have raised other issues. Clearly, any employee who engages in any falsification is putting himself or herself in jeopardy.

And a management order to engage in any such activi-

Delivering in the dark alone, failing specific hazards, is not considered dangerous.

ty should not be followed. Immediately contact your steward or union office in such a case.

If management wants to engage in *peculiar* practices in recording/reporting mail, that's their problem and possibly an appropriate times to utilize the tools and processes available. At the minimum, carriers should be utilizing Forms 1571-*Report of Curtailed/Undelivered Mail* whenever all the mail is not sorted/delivered on any particular day.

Bottom line is that there are limits in the union's key defense, the Grievance Procedure. But there are other avenues of redress, some just mentioned.

But the greatest defense in these troubled times is *Solidarity*. Management cannot take away your dignity. You need to give it to them and there's no need to do that.



Photo courtesy Vernon Capps

Bill Lawrence, 90 plus years old, being honored with recognition in Congressional Record at the union training session in Burlingame, CA in November 2005. Bill is holding plaque, white jacket, in front, surrounded by members of Branch 214.

Almost one hundred

Retirees annual luncheon

By Carol Maggio, Assistant Secretary-Treasurer

On December 5, the retirees celebrated their 4th Annual Retiree Luncheon. Branch Officers, Lili, Ray, Carol and California State Association of Letter Carriers President, John Beaumont served a traditional turkey and ham meal with all the trimmings to the retirees and their guests at Grace Covenant Church in South San Francisco. John Beaumont started the Retiree Luncheon during his tenure as Branch Secretary-Treasurer. The attendance has been slowly building through the years and we almost reached 100 people this year, and it was a tight squeeze in the church hall.



Presentations were made to the attendees of their 25, 30, 35, 40, 45 and 50 year NALC pins. Friendships were renewed. It was great to see friends not seen in a long time. A good time was had by all.

Keep your eyes peeled, we will probably need to find another hall and kitchen next year to accommodate the growing crowd. The turkeys, ham, potatoes, stuffing,

cranberry and gravy were provided by Tommy's Joint on Van Ness Avenue in SF and it was very tasty. Carol made green bean casserole and the salad using Ray's recipe. Many of the retirees asked for the salad recipe and here it is:

Ray's Spinach Salad

Baby spinach leaves
 Baby tomatoes
 Hard boiled eggs
 Crumbled bacon
 Sliced small mushrooms
 Thinly sliced red onions (bite size pieces)
 Shredded mozzarella cheese
 Marie's poppy seed dressing (located in the refrigerated packaged salad section at your local market.)

Use the amount of ingredients to your taste, mix and serve.

If making a very large salad, most of the ingredients can be found at Costco—packaged spinach, shredded cheese, mushrooms (you will need to cut them in small pieces), red onions (in a sack), eggs to boil, baby tomatoes, bacon (fry and chop).



From the past of Branch 214, in front row, from right, retirees Vernon Capps, Bill Lawrence, and Bob Murray applauding the inauguration events.

Photo by Ivars Lauersons

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2005: STARTING TIME CHANGES; THIRD BUNDLES; PIVOTING

What's the union going to do about it? Redux.

By Bill Thornton, Vice President

Lately, the sore issue for carriers has been the change in starting times. The changes have had tremendous negative impact on child care and commuting and adds the additional hazard, recognized by the Postal Service or not, of delivering after dark. This is an area that in terms of management rights and union ability to have influence would probably fall into a gray area. The union has something to say about this including the right of carriers to have "a permanent schedule" but ultimately the reality is that manage-



ment has right to change schedules. It is not a right that is without limits but there is no use in denying that they have that right. The union can and does what it can in this regard, including the Branch President attempting to persuade management of the negative repercussions of actions like these. But these are discussions that fall outside the parameters of the actual grievance procedure.

Pivoting became a major issue over the last several years, especially in places that had route adjustments, with the understanding that after the adjustment/additions the pivoting would end but continued nonetheless. Contractual protections like the use of 3996s, enumerated Art 41.3.G and utilizing the *reporting requirements* from

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STEWARD BRUNCH

IT'S TIME TO HONOR YOUR HARD-WORKING SHOP STEWARD!

Sunday, March 5, 2006 • Gathering 10:30 AM • Brunch 11:00 AM

🌀 Deadline !!! Send money by February 24 🌀

H's Lordships Restaurant, 199 Seawall Dr., Berkeley Marina

Brunch includes – Roast Beef Au Jus w/Carver, Baked Herb Chicken, Omelet Station, Scrambled Eggs, Crisp Bacon, Sausage Links, Potatoes O'Brien, Green Bean Almondine, Spinach Salad, Seafood Salad, Fresh Cut Fruit, Cakes and Pastries, Muffins, Danish, Coffee and Tea Station, Juice Station, Champagne

COST: Formal A and Full Stewards – Free after \$25.00 reservation fee refunded; **Alternate Stewards, Members, Immediate Family and Guests** – \$25.00; **Children 4 to 12 years** – \$12.50; **Children 3 and under** – Free; **All Others** – \$50.00

Send \$25.00 check made out to NALC Br 214 to the union office, 2310 Mason St., 4th Flr., SF, CA 94133.
 Your tickets held at the door. Questions? Call the Union office at 415-362-0214.

Member's Name _____ Phone # _____

Address / City / Zip _____

Send _____ tickets @ \$25 each. Send _____ Child tickets @ \$12.50 each. Enclosed check or money order for \$ _____

Adult Guests Name(s) _____

Child Guest Names(s) _____

Toddler Guest Name(s) and Ages _____

I will need _____ Booster seats for Toddlers. I will need _____ High Chair for Toddlers.