



# THE VOICE



OF THE GOLDEN GATE LETTER CARRIERS

BRANCH #214

NATIONAL ASSOCIATION OF LETTER CARRIERS, AFL-CIO

July/August 2005

Award-winning newspaper

Vol. XXXV, No. 4

Calling all volunteers

## A proud tradition

By Don Griggs, MDA Chair

Over 50 years ago, the NALC was the first organization to agree to sponsor and aid the Muscular Dystrophy Association (MDA) and its telethon. I am proud to continue that great tradition and hope you will join me in working during your free time during the Labor Day weekend—a holiday honoring labor and its unions—at the telethon.

We shall be taking up a collection in all stations at the end of August and presenting it on TV.

The telethon this year will be at Channel 2 KTVU

**We will be taking up a collection at all stations in late August.**

in Oakland from 8am–5pm on Labor Day, Monday, Sept. 5, 2005.

We are needed on the phone lines in all our languages. It benefits us all to find time to give back to the community some of the generosity we have received. Our visibility is of the essence in creating an atmosphere of support by the general public during contract negotiations, and this is one project postal management cannot horn in on.

One of the medical problems that the MDA provides research, treatment and mobility aids for is ALS (or Lou

**You can volunteer to answer telephones on Channel 2 on Labor Day.**

Gehrig's disease), suffered by one of our own Branch member families. During our stint at the telethon the recipient of this year's Courage Award, Flora Daggao Griggs, will be featured in a video.

To join the committee or be your station rep, contact Don Griggs at 415-725-0859 or at the union office.

## ELECTION NOTICE

Nominations for all elective branch officers shall be made at the regular meeting at 7:00 PM, on October 5, at the ILWU Hall, 400 Northpoint, San Francisco. Officers to be elected are: President, Executive Vice President, Vice President, Secretary-Treasurer, Field Director, Assistant Secretary-Treasurer, Health Benefits Representative, Safety & Health Officer, Equal Employment Opportunity Officer, MBA Officer, Director of Organization, Sergeant-at-Arms, and three (3) Trustees.

Proposed changes to the by-laws effecting officers and/or officer duties, which will be voted on at the September 7th branch meeting, may affect the above positions for election. Be sure to check local bulletins and the website ([www.nalc214.org](http://www.nalc214.org)) for updates.

Nominations shall be made from the floor and all candidates must be present at the time of their nomination or shall have signified, in writing, to the branch Secretary-Treasurer their willingness to accept the nomination. Election shall be by mail referendum vote. The election committee will mail ballots to all eligible voters on the first Monday of November.

Nominations for delegates and alternates to the 2006 state and national conventions shall be made at the regular branch meeting at 7:00 PM on November 2, with the election to be held at 7:00 PM at the regular branch meeting on December 7. Elections for Shop Stewards will take place in January 2006 at each respective station and/or city.

*Carol Ann Maggio  
Assistant Secretary-Treasurer, Br. 214*

## Branch 214 notes

At **Diamond Heights** three carriers received cash awards for **putting out a fire** in the station. The **quick-acting carriers** were Minh Phong, Anthony Ow and Sidney Wong.

**Diamond Heights** station also gave out special achievement awards of \$300 each to J. Zullo, A. Ow, M. Crespin, and C. Lowery. This information comes from John Zullo.

Branch 214 member Bor Lee and her husband George Lee's daughter, **Annie L. Lee**, won one of the 2005 **Saxsenmeier scholarships, worth \$1,200**. Congratulations to Annie and we wish her success in college.

The approved **budget** of April 1–September 30, 2005 (**Voice**, May/June 2005, page 14) needed to be **modified** because a proposed by-laws change did not pass at the June meeting. At the July meeting members voted to allocate the \$18,915 instead to election training (about



Photo by Spence Burton

*Cathy Burton, left, Italian Consul General Roberto Falaschi, and Mrs. Falaschi*

\$8,500) and as a reserve for a possible litigation expense regarding the branch building.

\* \* \*

**Cathy Burton**, Past President Spence Burton's wife, has received a special award from Italy's President, Carlo Azeglio Ciampi. She has been honored with the title of Cavaliere dell'Ordine della Stella della Solidarietà Italiana (Knight of the Order of the Star of Italian Solidarity). The award is conferred to Italians abroad and foreigners for special contributions to the prestige and honor of the Italian republic. Cathy and Spence attended a special ceremony on June 3 at the St. Francis Yacht Club where the Consul General of Italy of San Francisco, Roberto Falaschi, bestowed this honor on Cathy.

Cathy is an Italian instructor and department chair at Tomales High School and an Italian instructor at Santa Rosa Junior College. She has been involved in numerous activities that promote the Italian language and culture, has made several presentations to teachers in the foreign language field, and is the co-leader with Spence, of an exchange program between Tomales High School and Italian schools. In March, Cathy and Spence led their fourth group of Tomales High School students to Italy to visit the school's partner school in Marsala, Sicily. Cathy's paternal grandparents and Spence's maternal grandparents were Italian immigrants from Sicily.

## Branch Officers

- Tony Gallardo ..... President
- Lili Buencamino Beaumont .. Executive Vice-President
- Bill Thornton ..... Vice-President
- Jerome Tercero ..... Secretary-Treasurer
- Ray Fong ..... Field Director
- Carol Maggio ..... Assistant Secretary-Treasurer
- Leonard Cruz ..... Sergeant-at-Arms
- Franklin Woo ..... NALC Health Benefits
- Larry Gerigk ..... Safety and Health
- Cathy Simonson ..... EEO Officer
- Mike Callahan ..... MBA representative
- Kim Truong ..... Director of Organization
- June Buccat ..... Trustee
- Kathleen McConnell ..... Trustee
- Vicki Sawicki ..... Trustee

## Voice Staff

- Ivars Lauersons ..... Editor
- Juliette Chen ..... Associate Editor
- Gerry Lee ..... Graphics

Permission is given to trade union and labor publications to copy or reproduce any article contained in this publication, providing appropriate credit is given. Permission to others must be granted in writing by the Voice Editor or Branch President. Opinions expressed by contributors are their own, and not necessarily those of Branch 214. If possible, all articles and letters to the editor should be submitted on disk in a standard word processing program with a hard copy included. Articles typewritten or written may also be submitted.

GOLDEN GATE BRANCH  
 2310 Mason St., 3rd Floor, San Francisco, CA 94133  
 Phone: (415) 362-0214  
 WEB page: <http://www.nalc214.org>  
 Office hours: 8:00 a.m. to 5:00 p.m. Monday to Friday



## T.V. 214 Schedule

**SAN FRANCISCO, AT&T Cable Channel 29:**  
**Every third Sunday of the month at 7:00 p.m.**  
 August 21, 2005; September 18, 2005;  
 October 16, 2005

Your branch building

## End of assessment report

By Tony Gallardo, President

The assessment for the building officially ended on 4/8/05, (Pay Period 7) when your paycheck with what should have been your last \$3.00 deduction was paid out. The dues deducted from your paycheck on 4/22/05 (Pay Period 8) should have been reduced from \$26.55 to \$23.55. Through no fault of your officers at Branch 214, an error at National kept those deductions going until 6/3/05 (Pay Period 11). Thanks to the diligent observation of members like you, we were informed of the error, and moved swiftly to correct it.



The money erroneously deducted from your paychecks from 4/22/05 through 6/3/05 (Pay Period 8 through Pay Period 11) are being subtracted out again in the form of reduced dues from 6/17/05 through 7/29/05 (Pay Periods 12 through 15). The union dues deducted from these paychecks are \$20.55. On 8/12/05 your dues will be 23.55, which is the regular amount without the assessment.

### Uses of assesment money

Now that the assessment is over, it is time to review and evaluate what this money has been used for. Unless you are a new member of Branch 214 or have spent the last three years under a rock, you know that the assessment was used to purchase our portion of the office building where we currently have our offices. If you have not yet visited your branch building, I invite you to do so. In the meantime, here is my report on the assessment and the building.

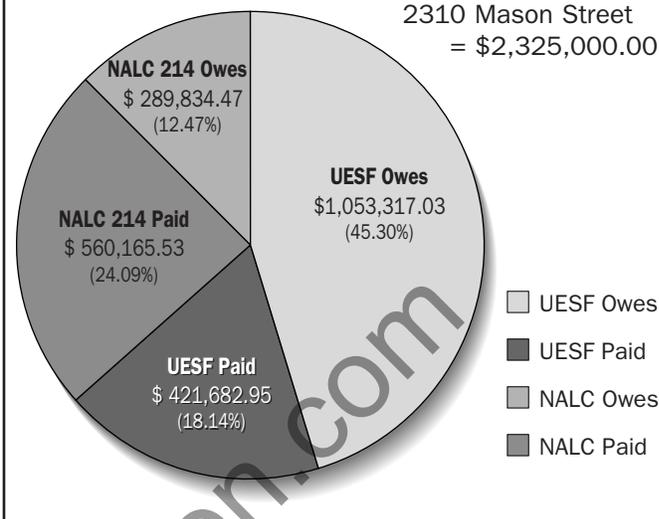
The branch building has been an ongoing project since December 5, 2001 when the final vote on the assessment

**In our 112-year history we have never before owned our office space.**

for \$3.00 per active carrier per pay period for three years, was passed. On December 16, 2002, Branch 214 moved into the building at 2310 Mason Street, which we own in partnership with the Teachers' Union, the United Educators of San Francisco (UESF). In the more than 112-year history of Branch 214 we have never before owned our office space.

## Building as of 6/1/05

Total purchase price of  
2310 Mason Street  
= \$2,325,000.00



### Four-story building in North Beach

2310 Mason Street is a four-story office building situated between Francisco and Bay Streets located in the San Francisco neighborhood of North Beach. The building is constructed of concrete block reinforced with steel and timber framing. The New Orleans inspired architecture features a distinctive facade with exterior decks or walkways accessible from the second and third floors and an attractive mansard roof treatment at the fourth floor level. The building encompasses approximately 13,923 gross square feet, including a secured, 12-space building

### If you have not visited the building, please do so.

parking lot, leaving approximately 9,940 square feet of net office space on the 2nd through 4th floors. A photograph of the building was published on the front page of the January/February 2003 issue of **The Voice**.

The building cost was \$2,325,000.00. There were additional closing costs of 43,412.00, for a total cost of \$2,368,412.00. Of those costs, Branch 214 was only responsible for 36.56% with the UESF carrying the rest. Branch 214 spent \$15,871.43 on the closing costs. The branch also made a down payment of \$270,000.00 and took out a loan of \$580,000.00. This total amount of \$850,000.00 is 36.56% of the total cost of \$2,325,000.00.

### Breakdown of payments

If you look at the pie chart you will see the financial breakdown of the building. Because of our assessment, we have been able to pay down a lot of the mortgage up

(continued on page 4)

**Gallardo** (continued from page 3)

front. Our payments have been \$13,500.00 per month. This changed at the end of March 2005. At that time, your dues went back down by three dollars per pay period, and our mortgage also went down to \$ 2,274.45 per month. This is a fixed mortgage, which will not go up. Our rent at 214 12th Street, our previous location, was \$2,750.00 per month. So, our mortgage is now \$ 475.55 less in 2005 than our rent was in 2002. Of the \$850,000.00, which is our share of the cost of the building, we still owe \$289,834.47 as of June 1, 2005. In other words, we have paid off 66% of our share of the cost of the building.

**Current status**

What this all means in terms of our financial investment in the building is as follows. If we were to sell the building tomorrow at the exact same cost for which it was purchased (\$2,325,000.00) after we paid the bank for the

---

### **We own 36% of the \$2.3 million building.**

---

remainder of the loan, NALC Branch 214 would have \$560,165.53 free and clear.

Of course, the building has appreciated in value over the last 33 months. San Francisco's real estate market in general has climbed to dizzying heights during this period of time. Additionally, during this same time, a low income housing project was demolished across the street from our building and replaced by a mixed use complex, including low income housing, market value apartments, and businesses, including a new "Trader Joe's" grocery store. Because of these factors, our actual equity in this building, the direct result of your assessment, is probably substantially more than the \$560,165.53 currently invested.

This does not mean that we should sell our building. Since all real estate prices in San Francisco have gone up, and since we would still have to purchase another building if we sold our share of this one, our purchasing power would still not be sufficient to buy enough space for the meeting hall and the office space combined. The current configuration, with a partner to share the cost of a meeting hall, is still the best deal for our needs.

**New group United Educators**

In May of 2003, the officers of the United Educators of San Francisco, our partners in the building, were voted out of office and replaced by a whole new slate. These new officers were no longer willing to join with us in paying for the renovations to this building which would allow us to share a meeting hall on the second floor. The only reason we had agreed to partner with the teachers in the first place was to enable both organizations with their

limited resources, to share the ownership of a meeting hall, in addition to completely owning our respective offices, all under one roof.

When the partnership was being formed, from July through November of 2002, several documents were signed which assured binding commitments from both partners, agreeing to renovate the building and share the new meeting hall which would be formed by these renovations. When the new officers of the UESF took office, they reneged on these agreements.

**Attempting to solve differences**

For the last 2 years, the UESF and NALC Branch 214 have been attempting to overcome their differences on this issue. So far, we have not been successful.

On Tuesday, June 14, 2005, we had a meeting of the Board of Directors of the Building Corporation. Branch 214 once again asked the UESF to honor their contract and agree to the renovations to the building. Once again the UESF refused to do this.

I have recently sent a letter to the San Francisco Labor Council addressing the unresolved issues. I am asking for their assistance in resolving our ongoing dispute on renovations. I asked them to provide a venue for us to settle our dispute. I also asked the Labor Council to put out the word that we are looking for a new partner in this building. We have made it clear, both at the meeting with the teachers and in the letter to the Labor Council, that Branch 214 is not waiving its rights to litigate this matter, but that we will continue to do everything within our power to resolve this ongoing dispute.

**Meetings at Longshoremen's Hall**

In the interim, the branch has been holding our monthly meetings at the historic Longshoremen's Hall at 400 North Point, which is only 2 blocks away. The fourth floor, which is destined to be our new home, remains

---

### **Our fixed mortgage payment will not go up.**

---

vacant. We, your officers, are still ensconced in our temporary digs on the third floor, and the UESF continues to occupy the second floor, which is the future location of our meeting hall.

This ends my report on what has been done with your three-year assessment. At this time I would like to thank each and every member for their support of the Building Fund, especially those of you who have voluntarily given extra contributions to this cause. If you have any comments or suggestions, please feel free to contact this office or make your opinions or wishes known at any of our branch meetings held on the first Wednesday of every month.

Does anybody care?

## Get hurt and have your rights denied

**Bill Thornton, Vice President**

As tiresome as it seems, the issue of procedures when a carrier gets hurt still is an issue.

Another recent horror story involving a broken leg at a large San Francisco facility indicates that management just doesn't get it or they just don't care. The response to a most recent abomination by a higher-up from Human Resources emphasized the point.

Essentially, we are talking about procedures when a carrier suffers a *sudden and traumatic* injury.

We know that even after assurances in the past from Postmasters that carriers would not unnecessarily be sent to contract physicians after an injury and after they have chosen their own doctor, the practice or a variation thereof continues.



### **Not informing injured of rights**

The problems center around management failing to inform the injured of their rights under OWCP/FECA and failure to provide Form CA-16.

This is not an option for management. It is a requirement, mandated by federal law and regulations and by contractual obligations that come from those legal requirements.

The basic requirements are listed in the Employee Labor Relations Manual, the Code of Federal Regulations and other manuals.

Right to choice of personal doctor vs. contract doctor. Rules allow management to take injured employee to a contract doctor if it does not delay the injured employee going to his/her own doctor. In San Francisco, a previous Postmaster has agreed to limit this gratuitous taking of injured carriers to the contract physician. But it is good to have a doctor in mind in case of an injury and try to make an appointment with your own choice of doctor as soon as possible after the injury. If, somehow you end up at the contract physician, you still can choose your own doctor but going to the contract doctor more than once may make that your doctor of choice and necessitate a request to change doctors from OWCP.

### **All-important form CA-16**

For purposes of payment of the treating physician there is Form CA-16 "Authorization for Examination and/or

Treatment". Management should provide you with the CA-16 within four (4) hours. It should be noted that Form CA-16 will not be given after one week.

ELM 545.21 indicates management responsibility to provide this form and also indicates the responsibility to inform the injured employee of their right to choose their own doctor. These requirements are also in 20CFR 10.300, the Code of Federal Regulations that is the basis for Postal Service compliance with OWCP regulations under 540 ELM, etc.

Other manuals that cover these subjects are also CA-

### **The CA-16, or authorization for treatment form, must be provided to the carrier.**

810 Injury Compensation for Federal Employees and Handbook EL-505.

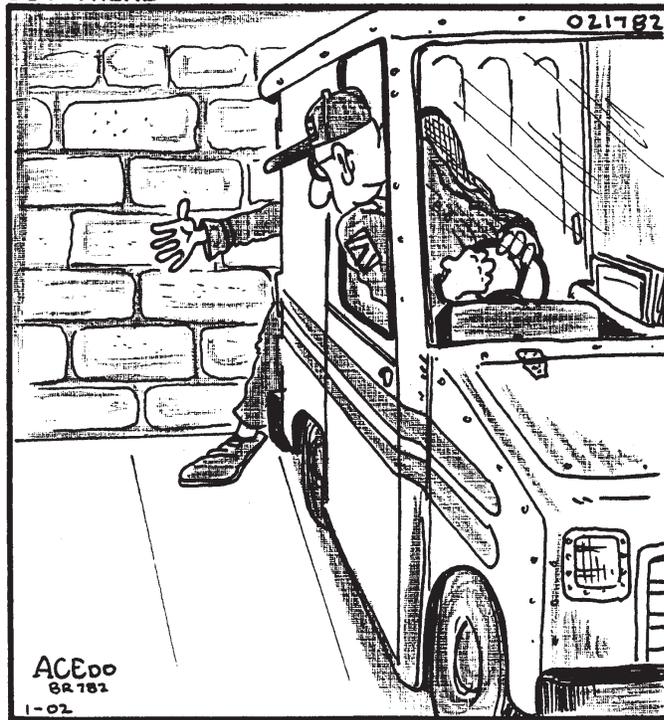
Any doctor's and therapy appointments can be made during working hours and COP can be used during the first 45 days of the injury and should be indicated on the 3971 form. You shouldn't have to use your sick leave.

### **Emergency room versus contract doctor**

Another problem with the Postal Service handling of traumatic injuries is the issue of where to send the injured employee for emergency medical care. 545.41 ELM indicates that "...an employee needing emergency treatment

*(continued on page 6)*

### **OUT THERE**



**SO...? HOW'S THE BACK UP LIGHTS ?**

Cartoon courtesy Acedo, Branch 782, Bakersfield, CA

**Thornton** (continued from page 5)

must be sent to the nearest available physician or hospital or hospital chosen by the employee..."

Management has hauled carriers across the city for emergency care. As an example, an injured Marina Station carrier was taken to a contract physician in the

**"Animal bites or eye injuries are always (emphasis added) considered medical emergencies." ELM 545.41**

Potrero District, on the other side of the city.

**Locking in doctor of choice**

Additionally, this section of the ELM also indicates that "...The physician who provides emergency treatment is not considered the employee's initial choice of physician..."

Management pushes some baloney in these regards, counting the emergency visits toward the maximum visits an injured employee can make before being locked into that doctor as the doctor of record.

**Specific language**

We return to the ELM, 545.41. "An employee needing emergency treatment must be sent to the nearest available physician or hospital or a hospital chosen by the employee... Animal bites or eye injuries are always considered medical emergencies..." In the event that there is any doubt as to whether the injury is an emergency, "...it should be handled as an emergency."

**Employees on total disability should not be doing acrobatics on their front lawn.**

Above all an injured carrier must know their rights and exercise them, including getting the CA-16, and making an appointment to see your own doctor after being injured.

**Filming carriers on disability**

On another note, and the hypocrisy is blatant here, injured employees continue to be filmed/monitored by Postal Inspectors. In view of management failure in their responsibilities it strikes one as utter hypocrisy for the Postal Service to be inflicting the Gestapo on injured employees. But the harsh reality is that there is increased scrutiny of injured employees, particularly those on total disability.

**Do not exceed medical limitations at home**

But injured carriers should protect themselves, especially when on total disability and be careful not to exceed any medical limitations that the doctor has indicated in documents that have been provided to the Postal Service and the Department of Labor.

**You don't have to let Postal Inspectors in your house.**

**Do not talk to Postal Inspectors without a union representative.** In cases involving possible criminal charges do not talk to Postal Inspectors without an attorney.

**Do not sign anything without consulting with your representative.**

Postal Inspectors are an investigative arm. It is inap-

**If a postal inspector comes to your house to discuss your disability, contact the union.**

propriate and dangerous to be discussing possible resignation, etc. with them.

You cannot cut a deal with them.

**Carried Away**  
Uniforms & Accessories  
24 Hours • Toll Free • Lowest Prices • Save 10%

**Involuntary SHORTS**  
ALL SIZES - LENGTH UNPREDICTABLE  
No 2 Pair Alike!



♣ Made in the neighborhoods ♣



Bar Code  **LIP BALM**

**Lip SLEUTH** **TRACK 'EM!**  
"Know where and when those lips have been!"

©2005 hermann / NALC Branch 391 Maine

## WLCA contest winners 2004

The 2004 Western Labor Communications Association (WLCA) Journalism Awards were presented at a luncheon at the Holiday Inn, located on Van Ness Avenue in San Francisco, on May 21, 2005. **The Voice** won six awards, competing in the category of Newsletter/Magazine (Print).

Associate Editor Juliette Chen won an honorable mention for her cartoon, "Jeopardy Question."

Ed Cuadra won a third place for his cartoon, "The Passion of a Carrier," in the same category.

Mike McAdoo won third place in the Best Feature Story category for "Prinseugracht 263."

Editor Ivars Lauersons won second place in the Best Column/Editorial category for "The last election."

Branch president Tony Gallardo won second place for Best In-Depth Analysis with "Postal supervisors and unauthorized time clock deletions."

Former Branch 214 Secretary-Treasurer John Beaumont won first place for the Best In-Depth Analysis category for "Postal Reform."

The WLCA is composed of labor newspapers in the western region of the United States. This year's contest judge was Jean Hughes Wright, a former editor of SAG, the Screen Actors' Guild publications.

The awards were presented by WLCA President Rob Weinstein.

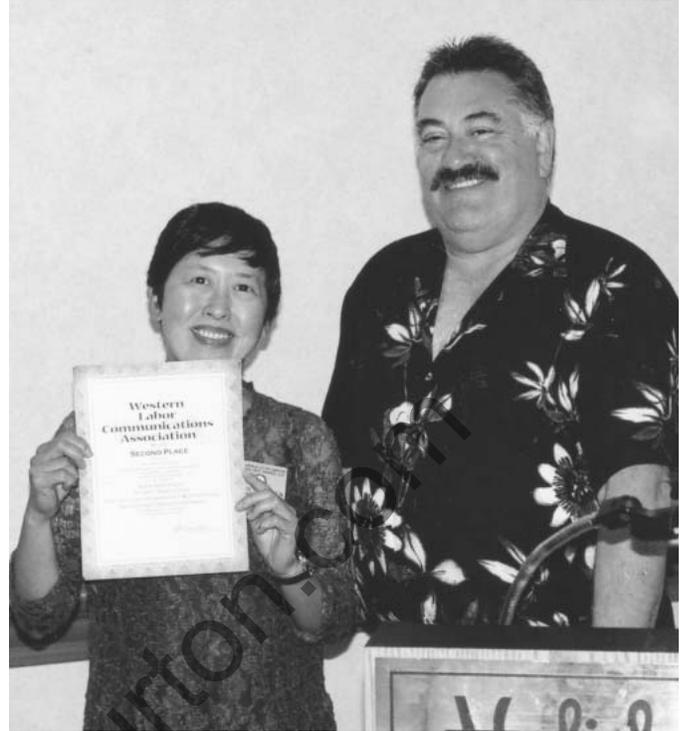


Photo by Ivars Lauersons

Associate Editor Juliette Chen receiving awards for Voice contributors from WLCA president Rob Weinstein at awards luncheon.



Photo by Jim Perry

WLCA contest judge Jean Hughes Wright and Voice Editor Ivars Lauersons at awards luncheon.



# Brookfield®

## Uniforms

---

**UNION MADE**



**HAVERT HILL**

*Retired Member  
Greater East Bay Branch 1111  
Weinbrenner-Rocky Shoes*

**Brookfield's Newest Representative  
Serving Branch 214**

1646 PARTRIDGE DR.  
HERCULES, CA 94547-1520

(510) 799-5533  
(510) 799-5440  
1-800-200-8616



At the Bryant Annex, Station G table for the dinner honoring retirees in 2005. From right, Lupe Perez, Jose Urrutia, Diana Simpson-Estebez, Jose Moreno, Wendy Amort; and standing, from right, Gil Lopez, retired, and Norma Leonardo, and Wendy's guest.

Photo by Jose "180"



From left, Norma Leonardo, Bryant Annex, Station G, Gil Lopez, retired from Station G, presenting a picture to past Branch President Richard Becker. It is a picture of a carrier on a horse confronted by two bears titled "Why the mail was late." Presented to Richard "for being one of the best presidents in the past at NALC," according to Norma.

Photo by Diane Simpson-Estebez

# SEEN IT ALL: RETIRING SAN LEANDRO CARRIER



Photo by Sharon Manansala.

## WELCOME NEW MEMBERS

- |                                |                                      |
|--------------------------------|--------------------------------------|
| Maria Arnaldo –<br>Mill Valley | Tat Man Lau- Golden<br>Gate          |
| Scott Buckley –<br>Golden Gate | Weiming Li –<br>Parkside             |
| Rodel Calalo –<br>Station E    | Lemuel Marucot –<br>San Rafael Civic |
| Pensky Chen –<br>Redwood City  | Raymundo Mauricio –<br>San Leandro   |
| Paung Chi –<br>Mill Valley     | Donald Urge –<br>Steiner             |
| Philip Choi –<br>Station G     | Lin Win –<br>Redwood City            |
| Yat Hsu –<br>Redwood City      | Kin Wong –<br>Redwood City           |
| Pierre Lam –<br>Redwood City   | Stanley Wong –<br>Station J          |
| Lyman Lau –<br>EPC North       | Anders Yan –<br>Station J            |

*Last swipe: From the start of his postal career in 1967 to his last day in May of 2005, San Leandro city carrier Ron Stanley has seen and experienced a postal service that most of us today have only heard about. In 1970, amid threats from managers at that time to have the National Guard deliver the mail, Ron Stanley joined his union brothers and sisters in the strike/walkout that ensured collective bargaining for the NALC. He has also been subject to, and has endured the attempted intimidation of present-day abusive managers, who threaten letter carriers using irrational theories such as DOIS and reference volume. In short, he has seen it all. (By Charles Gonzalez, Chief Steward, San Leandro Main.)*

## IN MEMORIAM

- Kent Carroll
- William Duncan
- Thomas Harris
- William McDonald
- Richard Tabarez

Sweatshop memories

## Growing up radical

By Myron Mar, City Letter Carrier Trainer

(This is part 1 of a multi-part article.)

I am the senior carrier instructor for the San Francisco District. Those who have been unfortunate enough to attend my classes at Daly City will attest that the three to four days of classroom training they received were the most boring and confusing in their lives. For the newly hired PTF, I am their first impression of how the Postal Service really operates! We're talking about someone who was once given the title of being the worst carrier in the City of San Francisco by a former manager. Due to my tendency to ruffle management feathers, former Branch 214 officers Richard Becker and John Beaumont have had to save my instructor position not once but several times.

### Those "radicals" at Branch 214

I have also been selected and trained as one of 36 classroom trainers nationwide for the new training program for city letter carriers. Nancy Scudder, one of my fellow trainers from Oregon, mentioned to me that Branch 214 is one of most radical branches in the NALC, and after the first day in class she told me I fit the profile perfectly. Being a radical and outspoken is bad enough, but being Chinese as well makes me an explosive combination!

### Outside vs. inside supervisors

First I wish to answer Voice Editor Ivars Lauersons' comment on the use of supervisors from outside the post office. I was given the opportunity to indoctrinate those

**Postal management employees tend to have that "my way or the highway" mentality.**

applicants for three days of training, during which they had to case mail, pull down and simulate carrying a three-bundle route. They were clueless on the postal jargon and the complex postal infrastructure. The majority of them, however, offered something lacking in in-house applicants—they had better "people skills". Postal employees tend to have that "my way or the highway" mentality. Unfortunately, they too came out of the carrier academy

with the same thinking as all my former students: "Who made this guy the instructor?"

### Joining the union

I have been asked many times by students about why they should join the union. The standard response is: There would be no decent wages, no COLA, no health benefits, no uniform allowances, no sick or leave benefits, no safety procedures, and the most important reason—no four fun-filled days in the carrier academy!

But being a "bewhiskered Victorian gent" wannabe, my answer to them is this: In the vast postal organization, you are a mere number. Someday in the near future

**The workers were taught what to say to the union officials when questioned about wages.**

you will need either some assistance or incur some incident that requires a meeting of two minds: management and yours! Naive little PTF against fast-talking management would be like a pitchfork-carrying peasant against storm troopers. Therefore you need the trained representatives of the union and its enormous membership backing to do your battle! Cue the patriotic theme!

(continued on page 11)



Mar (continued from page 10)

**How things used to be**

Branch President Tony Gallardo once mentioned that his maternal grandmother was a member of the International Ladies Garment Workers Union (ILGWU). Well, my mother belonged to the same union when she worked as a seamstress in a Chinatown sweatshop. The difference being that my mother was from the so-called “model minority” that works hard and keeps quiet. Every quarter the workers had to attend a union meeting as a mandatory requirement if they were to get their pension upon retirement. I can still remember attending a few of those meetings with my mother while I was enjoying the latest issue of “Donald Duck Digest” as the speaker was speaking in English and the Chinese audience didn’t have a clue of what was being said!

My mother was paid by the piece, not by the hour as

**The union was a great concept but without a real grass-roots infrastructure, it meant nothing.**

the union had negotiated with the owners. The workers were taught what to say to the union officials when questioned about wages. As a youngster the concept of capitalism held no meaning, but after years of history and

political science classes I came to understand the concept and knew that something was wrong. I noticed that my mother’s payroll slip didn’t reflect what she was being paid. I questioned my mother and she said they were told if someone spoke up they would all be fired—standard

**My mother was paid by the piece, not by the hour as the union had negotiated with the owners.**

intimidation. I wanted to bring the matter to the Department of Labor but my mother came back with her typical Chinese proverbs; something to the effect that whatever happens now it would come back to haunt us later. I wasn’t too keen on proverbs but the “romantic notions of being a radical” were instilled in me quite early in those days!

I don’t talk to my mother of the past since she retired. Her monthly pension is \$54 and Social Security kicks in another \$399! The owners submitted lower payroll figures which resulted in lower retirement payments! Another proverb—the rich make their wealth on the backs of the poor. The union was a great concept but without a real grass-roots infrastructure, it meant nothing.

(To be continued)

**Together.**



hermann Br.391-Maine

More topics

## Zingledude, the Netter

By Arnold Jones, Shop Steward, Corte Madera

*The Internet chat rooms on postal matters are a mystery to most of us. For one, you have to have AOL as your ISP (in jargon). At the Editor's request, Arnold has been keeping up with topics covered. Below are some recent topics, edited for space, from Postal Bytes.*

### Fired on probation

**Question:** Here is a question that I posted to the group. The history is that a PTF was fired. I filed on their behalf and my case won. I was going to file again but I was having problems finding the right regulations. In 1999 I filed on behalf of a PTF on probation and I won the case. Looks like I might have to do the same thing again but this time I am either missing something or it was left out.



**Answer:** Unfortunately, your experience in 1999 can probably not be repeated. On September 10, 2001, National Arbitrator Shyam Das held in award C-22547 that the Postal Service has a right to separate probationary employees at any time during their probationary period without establishing "just cause" and that employees separated during the probationary period are contractually barred from filing a grievance concerning the separation. He specifically held that this includes challenges to their separation on the grounds of alleged noncompliance with the ELM procedures (formerly Section 365, now 584). This issue is discussed on JCAM page 12-1 (not under Articles 15 or 16 where people tend to look).

### Exchanging bid routes

**Question:** Where can I find the info that disallows the "swapping" of routes? Got a grade 1 and a grade 2 that want to swap assignments in the same office. I'm thinking they can't do it—but don't know where to find the info.

**Answer:** When something is a violation of the contract, it is often true that you cannot find language prohibiting the practice. The question should be: Where is the language that allows carriers to swap bid jobs? The answer is that there is no such language. Article 41.1.C.4 (page 41-6 of the JCAM).

**Answer:** There is a shortcut or loophole, if you will, that would make the swap a non-violation; that would be

if every carrier in the installation signs off in writing on allowing the swap to take place. If even one carrier objects, then it cannot be done. The premise is "no harm, no foul". What happens, just suppose five years later, if one of those carriers bids out of the station? Now, the new carrier who gets the bid, wants the route they bid on, not the one the previous carrier traded for. This could really complicate things. It would be better just to do things the way they're supposed to be done.

**Answer:** Besides, allowing every carrier in the installation to sign off in writing on anything they want can open

---

**It would be better just to do things the way they're supposed to be done.**

---

a whole Pandora's box. If everyone signed off so that the WAL (Work Assignment List) can work their N/S day without maxing out the ODL, would that make it right? Could everyone sign off and create a cigarette break? How about if we don't like our LMOU (Local Memorandum of Understanding) as well as the one in the next township, so we all agree to use that one instead? Why bother? It will only come back to bite you in the butt.

### Steward harassment (excerpted in middle)

**Answer:** Now concerning the stupidvisor: It should be brought up that he now has interfered in the grievance process by influencing a carrier that provided no statement to the grievance to upset him about what he may have said to Carrier A.

What I would do is tell the carrier that threatening the steward is a violation of the Zero Tolerance policy and he is now trying to intimidate and harass the steward for something another carrier did. Also, the stupidvisor was playing into the scenario and helping to create a hostile working environment. Another carrier's statement should be a private matter within the grievance procedure unless Carrier B is affected within this grievance, other than the statement attributed to him. If the supervisor did not interview him to see if he said this statement he is alleged to have said, then the only reason for the meeting was to stir up trouble for the grievance and the union and I would list that under the Joint Statement against Behavior.

### A feel-good excerpt

**Answer:** Management tells me at a Step A meeting that this statement is just hearsay. I take the wind out of his sails by responding, "You're absolutely correct. It's by far the weakest of our four statements that testify that the Postmaster who issued the discipline is lying again."

Are you sure you want to log off? Yes.

Extra duties

## The route with Alcatraz on it

By Ivars Lauersons, Editor

A lot of San Francisco routes have landmarks on them, and mine is no exception. At one time it had Alcatraz on it. I didn't really have to row a boat out to the island to deliver the mail, although that would have made a good story. We used an outboard motor—and that is just a good story.

In fact, Alcatraz was on route 2307 in the Marina district in San Francisco, the same section of town heavily damaged in the 1989 earthquake. The old prison, already empty in the 60s, was part of the National Park Service, the Golden Gate National Recreation Area, and mail was delivered to their building on solid ground in Ft. Mason.



Visitors by this time in the 1980s were free to come and go to the island as tourists.

### Not our job description

What reminded me of this was that as carriers we do extra work that is not in our job description. We are expected to know all the streets of San Francisco, and all the major routes through the city. Because my route now borders one of the exits from Highway 101 going south, I'm often asked, which is the way to San Jose?

San Jose, now the 10th largest city in the U.S., lies on the southern end of San Francisco Bay, and to get to it from the Golden Gate Bridge (101), you have to go through city streets. There is no freeway connection through the city from this direction, part of an old anti-freeway revolt, and that is another story.

### Tour guides

So we end up directing traffic in the proper direction. It's amazing how many commercial drivers, besides tourists, don't have maps with them, or any but the most

### Alcatraz Island does get mail.

general directions on a scrap of paper. With luck, they will have a contact telephone number.

Out of self defense, we have to know the way to most major landmarks and museums. "How do we get to Fisherman's Wharf?" is the most common question.

The answer is always a question first: do you have a map with you? If yes, it's easy. If not, well, you go to Safeway and then turn left at the traffic light....

It's also a confirmation of the stereotype that the

person asking the question from the passenger side (closest to the sidewalk) is a woman. The male driver is only half listening.

The crookedest street in the world? The Palace of Fine Arts? Macy's? All the roads to these places go through my route.

It may slow you down a bit to answer these questions, and it is a part of our job that is not described in the M-

### "How do we get to Fisherman's Wharf?"

39 Handbook or the ELM (Employee Labor Relations Manual). On a route check, with an examiner, it would be noted as "Wasting two minutes giving directions to a tourist." This is not an unrealistic scenario since I was once written up on a route check as "wasted two minutes waiting for a friendly customer to get a band aid for a bleeding finger." I've carried band aids with me since, not to avoid wasting time, but because there may not always be a friendly customer around.

Welcome to San Francisco.

## Update

Our local passed a resolution endorsing a study by the EPA (Environmental Protection Agency). The resolution was passed unanimously a while ago. The study was recently highlighted on the News Hour on PBS. The study consists of collecting breast milk samples from first-time breast-feeding moms within the first two weeks of birth. This study is looking for the chemical PBDE, a flame retardant. Once we know what is in our bodies and communities we can then regulate those harmful chemicals out of the environment. Anyone interested, please call Vicki Sawicki at the union office or at 510-237-3987.

Thanks. Vicki Sawicki

## Branch 214 Meetings

### Branch meetings, 7:00 P.M.

August 3, 2005	ILWU Hall, 400 North Point, SF
September 7, 2005	ILWU Hall, 400 North Point, SF
October 5, 2005	ILWU Hall, 400 North Point, SF

### Steward meetings, 6:00 P.M.

August 3, 2005	ILWU Hall, 400 North Point, SF
September 7, 2005	ILWU Hall, 400 North Point, SF
October 5, 2005	ILWU Hall, 400 North Point, SF

### Retiree social meeting, 12:30 P.M.

August 1, 2005	740 Del Monte Ave., South SF
October 3, 2005	740 Del Monte Ave., South SF
December 5, 2005	740 Del Monte Ave., South SF

Annoying technical stuff

## What are working days?

By Jeremy Hancock, Novato, CA.

What are “working days”? Most people, I believe, would say, “a day at which you are at work”. But we’re not most people, we’re Letter Carriers. And, as carriers, we normally work 5 out of 6 (and sometimes 7) possible days. So what then is a “work day”? Is it one of your regularly scheduled days at work, or could it be your non-scheduled day? What if you come in on your day off? After all, just because you’re not at work, it doesn’t mean someone else isn’t.

### Important for retreat rights

I ask this question in relation to job bidding and retreat rights. I recently bid on a new route here in Novato where our Local Agreement allows us to retreat to our original routes within “5 working days”. The first day of the week, Saturday, was my non-scheduled day and so being the twisted, silly person that I am, I figured that I had until Friday to decide whether or not I wanted to keep the route.

My assumption was dismissed on Thursday when one of our stewards told me that I had to decide that day. This didn’t sound right to me, so I checked with another steward, and we looked at the Local and found the “5 working-day” clause. I told him that I started the new route that Monday, and he and I agreed that I had until Friday to decide.

### Making up mind deadline

Again, being the silly, twisted person that I am, I let the first steward I spoke to know that the Local said “5 working days”. She told me that Saturday counted as a working day. She then told the second steward I spoke to that I started the route on Saturday, not Monday and he told me not to “withhold facts” and said that I had until the end of the day (Thursday) to make up my mind. The first steward later said to me that everyone is treated the same under the contract and that there was not a special contract for me. That’s when I realized that she was wrong about when I had to make up my mind whether or not to take the route.

If she was right and a person’s non-scheduled day counted as a work day, then not everyone would be treated the same because some people would be allowed to try a route five times before they decided on it while others would get only four tries. And that would mean that there was no equity under this portion of the Local Agreement.

### Follow me on this

I’ll explain: If your non-scheduled day counts as a

work day, then those who have Friday as a day off would get to try the route five times before deciding (Saturday, Monday, Tuesday, Wednesday, and Thursday). While everyone else would only get four shots at it before they had to decide. If, however, a work day is defined as a regularly-scheduled work day, then everyone would get five chances to do a route before he or she had to decide whether or not to take it.

I don’t know why my representatives took a position that treats me less fairly than others and gives me less flexibility, especially when the OIC (officer in charge) was willing to give me a fair shake and allow me until Friday to make up my mind. It may have been because of past practice. In that case, the past practice is wrong. Or it may have been because of personality. And that’s just plain wrong.

*Editor’s note: See the technical reply on the points raised here following this article.*

## Technical note:

The National Agreement (Article 41, Section 1.A.1) requires management to post a vacant or newly established duty assignment not under consideration for reversion *within five working days* of the day it becomes vacant or is established.

When Branch 214 negotiated retreat rights in our local agreements, we had to make sure that management knew for sure which route was vacant to be posted, so that they could comply with the National requirements. All Local Memoranda must be in compliance with the National Agreement, otherwise they could be nullified by management at some later time.

The language that Brother Hancock is complaining about is required in order to ensure that the rights of all carriers to retreat to their previous routes are secure for all time. The fact is that most carriers have only four days instead of five to try out their new routes. This fact is unfortunate but necessary.

If Brother Hancock had had Monday, Tuesday, Wednesday, or Thursday off, during his first week on the route, he would still have had only 4 days to try out his route before deciding on his retreat rights. Only 1 in 6 carriers gets to work a route for 5 days when that carrier’s day off on that first week happens to fall on a Friday. This is a small inequity, necessitated by the National Agreement.

If you feel that the Contract or Local Memorandum is being administered unfairly in your office, and you don’t get an adequate response from your steward, please don’t hesitate to call the Union office. You might be surprised at how much good sense can be made from contractual language.

*Tony Gallardo, President*

# Proposed by-laws changes

*Proposals will be read on August 3, 2005 and the vote will be taken on September 7, 2005.*

The following is a proposal to change Article IV Sections 4, 5, and 7 of the By-laws of NALC Branch 214. The proposed changes are reflected in the "Proposed to Read" sections (specifically identified by the bold and italicized font).

## Current Language

### SECRETARY-TREASURER

**SECTION 4.** The Secretary-Treasurer shall be a full-time employee of Golden Gate Branch 214. He/she shall preside in the absence of the President, Executive Vice President, and Vice President. Subject to the direction of the President, the Secretary-Treasurer shall conduct station visits and be available to the Branch and its members for all purposes during a forty (40) hour week and as needed. The Secretary-Treasurer shall process grievances and by virtue of the office, shall be a member of the Grievance Committee. The Secretary-Treasurer shall perform the duties of the Recording Secretary and the Financial Secretary as set forth in Article VI, Section 3 and 4 respectively, of the National Constitution of Federal and Subordinate Branches.

## Proposed to Read

### SECRETARY-TREASURER

**SECTION 4.** The Secretary-Treasurer shall be a full-time employee of Golden Gate Branch 214. He/she shall preside in the absence of the President, Executive Vice President, and Vice President. ***The Secretary-Treasurer shall be responsible for the Branch payroll, including all attendant records and necessary reports, including the LM2 as required by law. Subject to the direction of the President, the Secretary-Treasurer shall be available to the Branch and its members for all fiscal/clerical purposes and any other duties during a forty (40) hour week and as needed. The Secretary-Treasurer shall perform the duties of the Recording Secretary, Financial Secretary, and the Treasurer as set forth in Article VI Section 3, 4, and 5 respectively, of the National Constitution of Federal and Subordinate Branches, with the exception of processing deposits and any other moneys due the Branch, and recording deposits along with a monthly deposit report.***

## Current Language

### FIELD DIRECTOR

**SECTION 5.** The Field Director shall be a full-time employee of Golden Gate Branch 214. He/she shall preside in the absence of the President, Executive Vice President, the Vice President, and the Secretary-Treasurer. Subject to the direction of the President, the Field Director shall conduct station visits and be available to the Branch and its members for all purposes during a forty (40) hour week and as needed. The Field Director shall process grievances and by virtue of the office, shall be a member of the Grievance Committee.

## Proposed to Read

### FIELD DIRECTOR

**SECTION 5.** The Field Director shall be a full-time employee of Golden Gate Branch 214. He/she shall preside in the absence of the President, Executive Vice President, the Vice President, and the Secretary-Treasurer. ***The Field Director shall perform the following duties of the Financial Secretary as set forth in Article VI, Section 4 of the National Constitution of Federal and Subordinate Branches including but not limited to processing deposits and all other moneys due the Branch, and recording deposits along with a monthly deposit report.*** Subject to the direction of the President, the Field Director shall conduct station visits and be available to the Branch and its members for all purposes during a forty (40) hour week and as needed. The Field Director shall process grievances and by virtue of the office, shall be a member of the Grievance Committee.

## Current Language

### ASSISTANT SECRETARY-TREASURER

**SECTION 7.** The Assistant Secretary-Treasurer shall be responsible for the Branch payroll, including all attendant records and necessary reports as required by law. The Assistant Secretary-Treasurer shall also perform the duties of the Office of Treasurer as set forth in Article VI, Section 5 of the National Constitution of Federal and Subordinate Branches, and shall perform other duties as assigned by the Branch, being available for twenty (20) hours pay at level 6 Step O per week, payable biweekly. The Assistant Secretary-Treasurer shall be entitled to 50% benefits, if not covered by the USPS, under section 6 of this Article and 50% of officer expenses under Article 12, Section 5.15.

## Proposed to Read

### ASSISTANT SECRETARY-TREASURER

**SECTION 7.** *Omit entire section.*

*Should these bylaw changes be accepted by the membership of NALC Branch 214 and approved by the NALC Committee of Laws, they shall become effective at the beginning of the 2006-07 term of elected officers.*

The above proposal was signed by the following people:

Lili Beaumont  
John Beaumont  
Roberta Bojo  
Cherry Vargas  
Franklin Woo  
Alonzo Hutton  
Michael Williamson  
Kim Truong  
Arnold Jones  
Karen Schuler  
Bill Thornton  
Sheila Gardner  
Val Palattao

**GOLDEN GATE BRANCH NO. 214**  
NATIONAL ASSOCIATION OF LETTER CARRIERS, AFL-CIO  
2310 MASON ST., THIRD FLOOR  
SAN FRANCISCO, CALIFORNIA 94133



*Address service requested*

A Non-Profit Organization  
U.S. POSTAGE

**PAID**

San Francisco, Calif.  
Permit No. 10302

## Trip to Reno

The Branch 214 Third Annual Herb Mitchell Retirement Reno Bus Trip is on the way, Sunday, October 9 through Monday, October 10, 2005 (Columbus Day).

Join Herb and Adrean for lots of fun, gifts, surprises, lots of good food and drinks, and the star of the show, "Cousin Norma."

The cost is \$70 per person for double occupancy, and \$80 for single occupancy. There's a refund of \$28 in cash and credit. First come—first served, so get your money in!

Checks or money orders only—payable to: NALC, Branch 214.

Send the names, addresses, and phone numbers of the parties, and emergency contact information for those attending, along with your check to:

NALC Branch 214, care of:  
Herb Mitchell  
2310 Mason St., 3rd floor  
San Francisco, CA 94133-1800  
Telephone Herb at (707) 557-0541

Deadline for receipt of money is September 2, 2005.

Departure is from San Francisco, San Pablo and Vallejo. There's a 3-hour stop at CalNeva Club and \$5 cash. Stay at the Sands Regency Hotel and Casino. \$5 match play coupon and \$5 food credit. Monday, depart to Silver Legacy Casino, receive \$10 cash and \$3 food credit.

