



# Tampa Letter Carrier

Volume 4 - Issue 5

A.R. "Tony" Huerta NALC Branch 599

Tampa, Florida

May 2005

## President's Report

by Jim Good

President - Branch 599

### OWCP, EEO and Retirement

As you will see as you read further into this month's *Tampa Letter Carrier* newsletter, the *Branch 599 Bylaw Committee*, chaired by Vice-President Gilbert Cabanas, has been very busy. A total of thirteen bylaw additions and changes were submitted at the April branch meeting. They have been posted on the station union bulletin boards and are contained in this newsletter. Some of the additions and changes address the duties of the branch officers, some address the branch officers' salaries and expenses, and others address the finances of the branch.

It has been some time since the bylaws have been closely reviewed and updated, and I'm sure that more submissions will follow. If you are aware of any changes that you feel are necessary, you can contact the bylaw committee through my office or follow the directions in *Article XVII* of the branch bylaws. The proposed bylaw additions and changes will affect all members of the branch, so please take the time to read and understand them and come

to the May branch meeting and let your voice be heard.

One of the proposed bylaw changes moves the duty of handling *Workers' Compensation* cases from the vice-president to the president. This is being done because the president is in the union office during the days and hours that are most convenient to the members. I have been handling OWCP cases for three years now for branch members, and although Executive Vice-President Detlev Aepfel has been trained for this function, we both realized that it was extremely difficult for him to schedule meetings with the carriers. Vice-President Cabanas was ready and willing to attend the training classes in Jacksonville but we both decided that it would be better if OWCP cases were made part of the president's duties. Because of the complexity of these cases, it is imperative that the carriers follow the proper procedures from the very first day. I again want to stress the importance of calling the union office immediately if you are injured so that I can guide you through this process.

On the other hand, *Equal Employment Opportunity (EEO)* cases for branch members will still be handled by the branch vice-president, Gilbert Cabanas. *EEO* cases are also very complicated, with time limits that must be adhered to. If you feel that your *EEO* rights have been violated, please call the office or Gilbert as soon as possible for his assistance.

There have been a large number of carriers that have recently become eligible for retirement. The *Employee and Labor Relations Manual, Section 569.123* states that all employees are entitled to individual pre-retirement counseling. This is to be done by an official who can provide detailed information on retirement and the health benefits and life insurance programs. *The Suncoast District* has generally held these conferences by phone after the carrier has completed the paperwork. I have been assisting carriers with completing their retirement paperwork and have become familiar with this process. I have also helped a large number of carriers apply for disability retirement so if you need assistance in either of these situations, feel free to call the office to set up an appointment. The officers of Branch 599 have been elected by you, the membership, and are here to assist and represent you in whatever way we can. Please feel free to call us for assistance.



TLC

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**Branch Meeting**

**Thursday**

**May 5**

**7:30 PM**

**at the Union Hall**

**Branch 599 Officers**

PRESIDENT	Jim Good	(813) 960-3759, cell 417-8877
EXECUTIVE VICE-PRESIDENT	Detlev Aeppel	(813) 907-9685
VICE-PRESIDENT	Gilbert Cabanas	(813) 855-0516
RECORDING SECRETARY	Cheryl Clothier	(727) 385-7337
FINANCIAL SECRETARY	Tony Diaz	(813) 598-9635
TREASURER	Michael Anderson	(813) 681-5688
TRUSTEE(Chairman)	Henry Dupree	(813) 621-6471
TRUSTEE	Jose Oliva	(813) 873-2747
TRUSTEE	Terry Franklin	(813) 657-9690
SERGEANT-AT-ARMS	J.C. Howard	(813) 621-1976
MBA / NSBA	Albert Guice	(813) 621-7931
HEALTH BENEFITS	Lance Jones	(813) 220-1292
DIRECTOR OF RETIREES	Jack Newman	(813) 805-2942
LABOR - MANAGEMENT	Veronica Lorenzo	(813) 926-9555
LABOR - MANAGEMENT	Brian Obst	(727) 507-0135
MAPS COORDINATOR	Chris Albrecht	(727) 781-7162

**Presidents Emeritus**

Michael Anderson	Orbe Andux
James Butler	Milton McConnell
Don Thomas	Garland Tickle
Lenin Perez	

**Branch 599 Shop Stewards**

Brandon	33510	Terry Franklin	(813) 657-9690
Brandon	33511	Miroslaw Oldziej	(813) 661-1636
Carrollwood	33618	Freddie Nimphius	(813) 968-7491
Commerce	33602	Dook Ramotar Sr.	(813) 780-6254
Forest Hills	33612	John Watts	(813) 971-5525
Forest Hills Annex	33613	Eddie Alvarez	(813) 817-7391
Hilldale	33614	Gilbert Cabanas	(813) 855-0516
Hilldale Annex	33634	Lance Jones	(813) 220-1292
Hyde Park	33606	George McEndree	(813) 935-0244
Interbay	33611	Brian Obst	(727) 507-0135
Interbay	33629	Brian Obst	(727) 507-0135
MacDill	33608	Brian Obst	(727) 507-0135
Palm River	33619	J.C. Howard	(813) 621-1976
Plant City	33565	Misty Bauer	(813) 681-6890
Port Tampa	33616	Brian Obst	(727) 507-0135
Produce	33610	Eric Fleming	(813) 310-8274
Ruskin / Sun City Center	33570	Jack Hencoski	(813) 633-5422
Seminole Heights	33603	Tony Diaz	(813) 872-1542
Sulphur Springs	33604	Matt Kokich	(813) 431-3686
Tampa Carrier Annex	33607	Ken Lee	(940) 368-4771
Tampa Carrier Annex	33609	Pedro Jiminez	(813) 727-9280
Temple Terrace	33617	Mike Anderson	(813) 681-5688
Town & Country	33615	Brian Obst	(727) 507-0135
Ybor City	33605	Detlev Aeppel	(813) 505-7914

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**A.R. "Tony" Huerta NALC Branch 599**

**3003 W. Cypress St.**

**Tampa, Florida 33609-1617**

**Tel: (813) 875-0599 Fax: (813) 870-0599**

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**website: <http://www.nalc599.com>**

**TAMPA RETIREES' BREAKFAST**

**First Monday of Every Month**

**9:00 AM at**

**The Coffee Cup**

**4407 N. Hubert**

**in Drew Park**

**BRANDON RETIREES' BREAFAST**

**Second Tuesday of every month**

**8:00 AM at**

**Buddy Freddy's**

**134 Gornto Lake Rd S.**

**in Brandon**

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The National Association of Letter Carriers Branch 599, 3003 W. Cypress Street, Tampa, FL 33609-1617, publishes The Tampa Letter Carrier monthly. The opinions expressed in this publication are those of the writers, and do not necessarily reflect the opinions of Branch 599. It is the policy of this publication that all articles submitted for publication must be signed by the writer. All articles are subject to editing and revision at the discretion of the publisher & editor. Please submit articles to the branch office no later than the tenth of the month. Submit articles as .txt, .doc or .wpd documents attached to email sent to: [newsletter@nalc599.com](mailto:newsletter@nalc599.com)

Jim Good - Publisher

Kit Kelley - Editor

**Executive Vice-President's Report**

**by Detlev Aeppel**

*Executive Vice-President - Branch 599*

***District 9 Lobbies for Postal Reform***



On April 6, 7, & 8, 2005, letter carriers from NALC District 9 representing Florida, Georgia, North Carolina, and South Carolina traveled to Washington, DC for a legislative breakfast and to lobby members of Congress in support of the postal reform legislation currently in the process of being considered. The House version is known as HR-22 and the Senate version is known as S-662.

Florida State Association of Letter Carriers President John Giordano organized the Florida delegation. He asked each branch in the state to send two representatives. Branch 599 was represented by President Jim Good and me. In addition, Lance Jones, our Legislative Liaison, and John Gebro were chosen by the FSALC to join 20 other letter carriers as representatives of the State Association. These letter carriers from around the state each lived in one of the 22 US House districts in Florida.

Activities started Wednesday afternoon with an orientation meeting at NALC National Headquarters. Over 200 letter carriers from all over Region 9 were jammed into the meeting room. We were greeted by President Bill Young and the other resident officers. They were totally

amazed to see so many activists from Region 9. Then NALC chief lobbyist George Gould gave an overview of what to expect and how to approach the members of congress and their staff as well as what points to emphasis and what pitfalls to avoid. Our message was to be that the NALC supports the reform bills as now written but support will be withdrawn if amendments are added that would weaken collective bargaining or change the health and retirement benefit system. Thursday morning started with the legislative breakfast. As it turned out, many of the congressmen and congresswomen were out of town due to the death and funeral of Pope John Paul II.

On the bright side, all the offices were open and the congressional staff people and legislative specialist were available to meet with us. We spent the rest of the day visiting as many of the congressional offices as time would allow. All representatives and both senators were lobbied regardless of party affiliation. Several staff members stated that their congressman would now be cosponsoring this legislation. If postal reform is to succeed, it must be a bipartisan effort.

On Friday we headed home. I spoke with several letter carriers and they all felt that we had made good progress toward getting this

much needed postal reform passed.

By now everyone should have gotten their copy of the *NALC Route Protection Pocket Handbook*. This handbook was created and distributed by the national officers to help every carrier learn what needs to be done to protect their route during route inspection and adjustment. It discusses in detail what the line items are and how you should approach your routine activities. Study it and learn it.

Much of the advice and recommendations in this handbook are things that a letter carrier needs to be watchful of even if their route is not being inspected. The "old days" of running your route however you please all year long and then brushing up on the M-41 to get a good inspection are gone forever.

Letter carriers must perform their jobs in a professional manner every day and exercise care to ensure that paperwork is filled out properly. This is part of our job and we owe it to the USPS but we especially owe it to ourselves to take this responsibility seriously. If there is anything in the handbook you don't understand, don't be afraid to ask your steward for help or call the Union Hall.

In Solidarity...

TLC

**Photos from Region 9 Congressional Lobbying Trip to Washington, D.C.**



### President's Station Visits

33618	CARROLLWOOD	TUESDAY	5/3
33619	PALM RIVER ANNEX	THURSDAY	5/5
33634	HILLDALE ANNEX	WEDNESDAY	5/11
33510	BRANDON	TUESDAY	5/17
33570	SUN CITY CENTER	FRIDAY	5/20
33564	PLANT CITY	THURSDAY	5/26

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### Health and Welfare

Mark Demicheli's brother passed away.

Dook Ramotar is recovering from surgery.

Milton Moyer, retired carrier, passed away

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### TLC, Inc. Board of Directors Meeting Summary

Tampa Letter Carriers, Inc. – March 22, 2005 – Board of Directors Meeting

The meeting was called to order at 7:00 pm by Chairman Brian Obst. The minutes of the previous meeting were read and accepted. The building manager's report was given by Jack Newman. A new bingo machine was purchased at a cost of \$8,510.91. There are 34 hall rentals scheduled so far for 2005 plus New Year's Eve. Jack will purchase ten new tables for the union hall. This was previously approved by the board. Donation Committee report was given by Cheryl Clothier. Mike Stewart will contact *Faces of Courage* to come to the hall to collect the donation from TLC, Inc. A motion was made and passed to donate \$250.00 to the West Tampa YMCA. A safety deposit box was opened at Colonial Bank at a cost of \$70.00. Chairman Obst gave a report about the defeat of the proposed bylaw change, the purchase of a new computer and the purchase of the bingo machine. Cheryl, who is the branch food drive coordinator, requested an advance from TLC, Inc. in the amount of \$2,000.00 for the deposit on T-shirts. A motion was made and passed to advance this money and to purchase 50 T-shirts for the shop stewards and food drive sponsors. \$1500.00 will be repaid to TLC, Inc. as soon as possible. A motion was made and passed for TLC to pay for a cell phone plan for the branch vice-president. Motions were made and passed to purchase a replacement computer to process the newsletter, and to replace the two sets of double doors in the front of the hall. Meeting adjourned at 8:25 pm.

Jim Good, *Secretary - TLC, Inc.*

### Important Branch 599 Meetings

#### April Meetings:

Tues 4-26-05 - TLC Board of Directors Meeting  
Union Hall, 7:00 PM

Thur 4-28-05 - Executive Board Meeting  
Union Hall, 7:00 PM

#### May Meetings:

Tues 5-3-05 - Shop Stewards Meeting  
Union Hall, 7:00 PM

Thur 5-5-05 - Branch Meeting  
Union Hall, 7:30 PM

Tues 5-24-05 - TLC Board Of Directors Meeting  
Union Hall, 7:00 PM

Thur 5-26-05 - Executive Board Meeting  
Union Hall, 7:00 PM

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### Photos from Region 9 Congressional Lobbying Trip to Washington, D.C.



## A Point of Personal Privilege

### Who Cares?

Over the last few weeks the weather has been unpredictable. In the northern states most of our brothers and sisters are delivering the mail in snow so deep they have to shovel out their delivery vehicles prior to checking them out. I know from past experience once you get wet from the snow you stay cold all day or until you can get into dry clothing. We in Florida are much luckier. In a worst case scenario we have to check the vehicle in rain.

Last month I stated that most of management has gotten a large bonus for their hard and diligent work. Couldn't the USPS have used that money to build shelters over the vehicles so that the most important spoke in the wheel of the USPS remains healthy? Couldn't the USPS have financed the building of mail rooms for apartment cluster boxes so that carriers are out of the inclement weather? How can letter carriers properly protect the mails from the weather when the USPS refuses to protect the letter carrier? Couldn't the USPS have set aside through the federal government enough vaccines for the employees of the USPS? I guess postal workers are not an important part of postal connect.

I wonder what the proposed two cents postage increase is going to be used for. In 2004 I got my first flu vaccine since I was in the military and it kept me well enough. This year I was unable to get the vaccine and have been extremely sick with colds and flu-like symptoms. The station I work at has had many people working that should have been sent home because of illnesses that were contagious. What is really bad about this flu season is that this year individuals believe they are well enough to return to work only to have a relapse with severe ramifications. You know--paper letters of warnings, paper suspensions, etc.

The USPS has re-opened an office that was closed because of anthrax and placed in that building equipment to sniff out this toxin. Yet on a daily basis how many letters are handled by individuals that have flu and cold symptoms? Medical doctors have said that individuals should wash their hands often when the flu and cold season arrives. Try leaving your work area or route as

needed to prevent the spreading of these germs! If you did you'd never finish your daily job. When an individual sneezes or coughs, the germs are airborne as far as 25 feet. There are masks that individuals can wear but these are not sufficient to stop a viral bacteria.

One good thing is happening though. The USPS is trying to install a circulation fan attached to the rear vent to blow air onto you while you are working. I used one of these 6 months ago and it was so noisy I couldn't hear the vehicle engine or a horn from a passing private vehicle. These fans take the hot or cold outside air and blow it into the driving area of the LLV. What is the cost to buy and install these devices? How much would it cost to install A/C units in the vehicles? I guess A/C units are too expensive to buy and install. If what weather forecasters are predicting is correct, it is going to be another hot summer in 2005. To those of you who have had heat exhaustion in the past, medical records indicate that you are susceptible for a more severe episode. You need to take precautions by hydrating yourself and be in a cool environment. Of course you are not allowed to have personal items on the work-room floor such as an ice chest, so you have to place them outside your vehicle until you do your vehicle inspection. Last year I placed my cooler on the floor beside me on the left while delivering and my frozen ice packs, water and Gator-ade had melted by 1 PM. So much for having something cool to drink all day. Maybe I need an inside job.

Have any of you read what is going on down in the Palm Beach Gardens area of Florida? A rather large problem has been occurring there in the form of a population boom. It has been reported that the growth is so fast the USPS can not hire letter carriers fast enough. So the USPS is turning to private contractors with their own crews that are non-uniformed and usually casually dressed. Many of the residents of these areas have concerns for the security of the mail. Postmaster Floyd McDaniel said that the contractors and their employees all must pass the criminal background checks administered to regular postal workers. They are fingerprinted and issued photo ID badges. I don't know about you but when I applied for the job at the USPS, my background was gone over with such a fine tooth comb had the terrorists of 9/11 had

this done, the Twin Towers would still be standing today and over 3000 lives would have been saved. The growth number is 4,000 in this area of new addresses a year which would be enough work for what Postmaster McDaniel states is 5 full time letter carriers. I guess the Postmaster really believes the DOIS figures that seem to be provided by Mickey Mouse!

Mike Albritton, whose limousine and delivery service now delivers mail to parts of Wellington, Jupiter, Rivera Beach and Palm Beach Gardens, is a former postmaster. Postmaster McDaniel stated that "...we find that we can get the entire package through a contractor at a cheaper cost." The USPS started hiring contractors in that area two years ago because of a supposed hiring freeze. Nearly two dozen routes have been turned over to private contractors. Mr. McDaniel states that private carriers cost half as much as the postal carriers.

It seems that these contractors are receiving complaints that much of their mail is delivered ten days late or not at all. Are the graphs and percentages for production, express deliveries, etc. higher than what letter carriers are doing? Do these contractors have to adhere to bar code scans, etc.? These contractors are delivering the mails well after 5:30 PM. What happened to the 5 PM window here? Mr. Albritton said his employees are paid at least \$13 an hour and he doesn't have any labor disputes, frivolous complaints, employees don't complain about fans not working, etc. He proudly stated "We are not unionized and we don't have a retirement plan." Now for the real test of privatization: Mr. Albritton admits his employees would be better off working for the Postal Service, and he encourages them to apply there but he says his employees are delivering what the USPS can't. I wonder if letter carriers are unable to deliver maybe because there is a hiring freeze...

"Those who can, do; those who can't, teach; and those who can do neither, administer."

Collett Calverley

TLC



by Leslie Ray Garcia

Unionism

by Brian Obst

Labor Management Representative - Branch 599

Opting on Temporary Vacancies: Article 41 Sections 3, 4 & 5

Opting is a procedure allowing for exercising seniority in filling a temporary vacancy in a full time duty assignment. The period of vacancy must be for a minimum of 5 days. Employees eligible for opting would be Full-Time Reserve, Full-Time Flexible, Full-Time Unassigned and Part-Time Flexible letter carriers. Those employees not eligible for opting would be Probationary employees and carriers acting in 204(B) supervisory positions.

Duty assignments which are eligible for opting are vacancies in Full-Time Grade 1 assignments, this would include Reserve Regular assignments. Vacant routes under consideration for reversion are available for opting until they are reverted or the position is filled, provided that the vacancy is for a period of at least five days. Those positions unavailable for opting would be Auxiliary routes as they are not full time, Full-Time Flexible positions as they are not bid positions and Carrier Technician positions. Carrier Technician positions are higher level positions and they are covered under a separate heading in Article 25.

When opting on vacancies it has been determined by arbitrators that the vacancy must be for at least five days. This has been determined to be five work days not calendar days although the five work days may include a holiday.

Posting of vacancies and procedure to be followed for opting is set out in the LMOU (Local Memorandum of Understanding) which states the following: A chart will be posted at each delivery unit. This chart will list all full-time craft duty assignments of five days or more that will be vacant for any of a variety of reasons. This chart will be posted in an area that is accessible to the carriers, as soon as possible and will be kept current at all times. It is agreed that Management must post qualifying positions for preference bidding no later than Tuesday each week with the exception of holiday weeks where the posting must be by Monday. Requests for opt bid on an assignment should be made on a 3971 form, submitted in triplicate. Ensure when you submit your opt bid that you completely fill out the 3971 and are provided back a signed copy showing the super-

visor signature as having received the form, this is for your protection.

It must be clearly understood that the carrier making the opt bid request is volunteering for a change in schedule; that is, hours and days to comply with the assignment and that they will maintain the assignment for the duration of the vacancy. This means that one cannot change their mind partway through a vacancy and also should the vacancy extend longer than initially thought to be they are required to maintain the opt until the vacancy ends.

Involuntary assignment and removal from an opt bid is a contractual violation that may not occur. Management may assign a carrier to a residual vacancy however if the carrier is on an opt bid they may not be compelled nor may they volunteer to move to the assigned position until the opt bid ends. The exception to the rule is that a part-time employee may be "bumped" from their hold down to provide sufficient work for full-time employees. Full-Time employees are guaranteed 40 hours of work per service week and they may be assigned to occupied opt bid assignments if there is not sufficient work available of a particular day. This is still a last resort option and should it occur it does not terminate the bid. Another exception is when the T-6 is bumped by the regular carrier called in on SDO. In the event of this the T-6 must go to a vacant assignment on their string if there is one and absent of a vacancy on the string the T-6 would then "bump" the opt bid on their string for that day.

Employees on an opt bid are entitled to work the regularly scheduled days and hours of the position they have an opt bid on. While this guarantees the bidder to work the hours and days of the schedule of the assignment it does not, in the case of a part-time flexible employee, guarantee the day off from the schedule unless the bidder is not scheduled by management.

The information presented above is taken from the 2004 Edition of the JCAM (Joint Contract Administration Manual) as well as the LMOU Tampa, FL Branch 599. Should you have any questions please contact your station steward or contact the Union Hall. Both publications are available in your station for review and I encourage all mem-

bers to familiarize yourself on these issues. If you feel that Management is not properly following these guidelines please see your steward for you options to help correct any deficiencies. Remember knowledge is the key.

Yours in Brotherhood,  
Brian Obst  
Steward , Town and Country



From The Chair of TLC, Inc.

by Brian Obst , Chairman - TLC, Inc.

Hello again to all members of TLC, Inc. It is Spring and we are maintaining a constant vigil over the operation of our hall. The maintenance of our stage is almost complete and I would like to recognize the efforts of our maintenance man, Gary Stone, for the good work he has been doing for us. Sometimes it is easy to overlook the work of one individual but I want you to remember that when you see our hall it takes a lot of hard work to maintain it in good condition and Mr. Stone is a key individual in that maintenance. So next time you see Gary, why not say thanks? I know I will. Thank you, Gary.

If you have already read the published notes from our last meeting you will have seen that we make charitable donations to organizations in the Tampa Bay area. These donations are important to our maintaining our non-profit status in the state as well as to our commitment to doing some good in the community. These donations are presented at Letter Carrier Bingo and look for photos of the check presentations in future issues of the newsletter. Also, if you know of a worthy local charity please get some information on it to our charitable donations committee which is headed by Cheryl Clothier from Interbay Station. You can direct any information to her directly or you can mail it to her via TLC at the Union Hall address.

Once again I would like to extend my personal invitation to all members to come and attend our monthly Board meeting which is held on the fourth Tuesday of every month. Until next month. Serving the carriers of Branch 599,

Brian Obst, Chairman TLC, Inc.



## And The Beat Goes On

by Ray Wallace

### Former Letter Carriers In Management

With the Internet, and with most everybody now online, I would hope that the active and retired keep abreast of what's going on with postal issues all of the time. There is so much going on that will affect all of us.

I know there are a lot of Republican employees in the post office and not all of the congress people are against the working class, but the majority are only for the rich. Every thing that President Bush does in some way makes the rich better off in the long run and the poor just get poorer.

Brandon got their new postmaster from the St Petersburg area. I hear that he used to be a carrier. Whenever the carriers hear that the postmaster used to be a carrier they all say, "Great. He knows what I go through every day and he will understand much more what I go through than a clerk would or some one who has never been in the craft." I have found out first hand that is *not true*. You know why? Because most letter carriers (not all) that go into management are crooks to begin with and with their mentality they think every one is as crooked as they are.

To give you an example: A carrier transferred into Brandon years ago from New Jersey. He told me he was 100% union and we got along great. One time he came in to give me help on my route. It was a hot august day and he said, "Here, Ray..." and handed me an ice cold can of beer. I said, "I can't drink this!" He said, "Why not? I do it all of the time." I replied, "First, it's illegal to drink alcohol on the job. Second, I'd be drunk."

At that time they were keeping track *big time* on excess mileage on the Jeeps and my friend asked if I ever took side trips off my route. I said, "No way, and how can you? They check the odometer very closely." He said, "Watch this..." and put his hand under the dash and took off the speedometer cable. He said, "See! Now they will never know what you do."

To make a long story short, that carrier transferred to the east coast and went into management. I was in union training and saw the president of the local of the city where he was and I said "Do you know John Doe? I used to work with him in Brandon?" He replied, "That s.o.b.? He is the worst manager we have ever had. He hides behind the 7-11 and keeps time

of the letter carriers on their breaks.

We've had more grievances on him than any other manager. The carriers hate him." That's a true story.

When I started in Brandon there were two carriers that got their haircuts on the clock and went to a friend's house to watch the Gators play when on the clock. These two became managers in 33511 and the discipline went through the roof. Whenever you told them you needed more time, they would say, "Yeah, tell me another one." To them both, every carrier was as big a crook as they once were. But the postmaster at that time, R.W. O'Neil, who was a former letter carrier, was not that bad and showed compassion. So it's not true all of the time but be careful when you hear about an ex-carrier becoming a manager.

The hot weather is almost here once again. Drink plenty of fluids every day and *No Alcohol!*

TLC



## TAMPA LETTER CARRIERS PRESENT

# BINGO

COME JOIN THE FUN

EVERY WEDNESDAY AND FRIDAY

DOORS OPEN AT 5:30

GAMES START AT 6:30

AT THE TAMPA LETTER CARRIERS HALL

3003 W. CYPRESS St.

Tampa, Fl. 33609

813-877-4785

## Around The Horn

by Tony Diaz

*Financial Secretary - Branch 599*

## ***LWOP Employees and The Annual Leave Quota***

I received an email pertaining to my March article on safety awareness. Speaking of safety, we have had several loaner LLV's lately and a number of them are in need of repair. It seems that, since these vehicles are not the permanent vehicle on routes they are used on, carriers feel there is no need to write them up. We have found many of the loaner LLV's with various safety and repair problems. Please check your vehicles thoroughly in the morning regardless if it is your assigned truck or a loaner. We have found worn tires, windows that do not work, faulty flashers and wipers, broken fans and very dirty vehicles. We the carriers have a responsibility to write these vehicles up for our individual safety as well as for the next carrier that should drive these unsafe LLV's.

I recently filed a grievance at my station and I wanted to share some of that with you this month in my educational portion of my article. My grievance was concerning LWOP employ-

ees that remain on the main roster and thus are counted against the annual leave quota. All stations and branches have a negotiated annual leave cap depending on the number of carriers at the facility. For instance at my station (Seminole Heights) our quota is 4 employees and at one time we had 3 employees in an LWOP status or an extended sick leave status counting against the cap. So when only one spot was remaining on the negotiated quota for the entire station, I started to investigate the situation closer. After studying the matter more closely and collecting important information pertaining to this matter, I realized I had solid argument. The Local Memorandum of Understanding in Item 9 does address extended sick leave of 30 days of more being counted against the cap, so my focus was directed towards LWOP/OWCP employees. My case asked the question, is management violating the National Agreement, the Local Memorandum of Understanding and an arbitrator's ruling by counting these employees against the cap. My arguments are as follows: (1) a review of the local does not provide either OWCP or LWOP destinations to be included when determining the percentage allowed off for leave. Management

has decided to count these employees without ever negotiating the matter. (2) Arbitrator Johnson states that it really should not matter why a carrier is off which is incorrect and inconsistent with the provisions of Article 30 of the National Agreement, which allows the parties to negotiate their leave program. Arbitrator Armendariz in May 2004 also disagreed with Mr. Johnson and stated that since Item 9 does not specifically address LWOP, it is therefore reasonable to conclude that it should not be counted against the negotiated annual leave percentage cap. If management wanted to incorporate OWCP/LWOP (as other memos have) into the local, the time to do that was during the local negotiations in 2002. In my summary I have compiled a solid case, and I can tell you no decision was made at the informal or the formal stages of this grievance so it has been directed to the next level, which is the "B Team" for their guidance. Results next month when I look forward to talking to you again in the next *Around The Horn*.



TLC

# ***ARSLAN UNIFORMS***

*Bill & Shirley Moran*

*Retired Letter Carrier Branch 1477 St. Petersburg*

*Honorary Member Branch 599 Tampa*

***NEED UNIFORMS IN A HURRY?***

***SHOP BY PHONE FROM HOME***

320 PATLIN CIRCLE EAST PHONE: 727-584-4307

LARGO, FL 33770-3063 CELL: 727-543-0705 FAX: 727-585-9367

wfm505@tampabay.rr.com



Proposed By-Law Addition to read as follows:

### ARTICLE III

#### Meetings

##### Section 7:

The following Branch Officers, President, Executive Vice President, Vice President, Recording Secretary, Financial Secretary, Treasurer, Sergeant-At-Arms and all Station Stewards will no longer receive the previous compensatory pay or cash outlays of moneys for attending monthly meetings. The remaining Branch Officers, MBA-NSBA Representative, Health Benefits Representative, Director of Retirees and the three man/woman Board of Trustees will receive the previous compensatory pay or cash outlays of moneys.

The current By-law reads as follows:

#### Article VI

##### Duties of Officers

##### Duties of the President

##### Section 1

(A) The President shall preside at all meetings of the Branch, preserve order sign all warrants on the Treasurer ordered drawn by the Branch, and all other papers ordered by the Branch, have general supervisory powers over the Branch, see that officers perform their duties, enforce the Constitution, By-laws, Rules and Regulations of the Branch, appoint all committees not otherwise provided for, give the deciding vote when a tie occurs, examine and announce the results of all balloting and other votes. He/She shall not make or second any motion or take part in any debate while in the chair, he/she shall ascertain from the Financial Secretary before adjournment of the meeting the amount of money received since the previous meeting, and from the Treasurer if he/she has received the same. At the end of his/her term he/she shall make a report showing the progress and condition of the Branch.

#### Proposed to Read:

#### Article VI

##### Duties of Officers

##### Duties of the President

##### Section 1

(A) The President shall preside at all meetings of the Branch, preserve order sign all warrants on the Treasurer ordered drawn by the Branch, and all other papers ordered by the Branch, have general supervisory powers over the Branch, see that officers perform their duties, enforce the Constitution, Bylaws, Rules and Regulations of the Branch, appoint all committees not otherwise provided for, **shall be in charge of all OWCP cases for the members of Branch 599**, give the deciding vote when a tie occurs, examine and announce the results of all balloting and other votes. He/She shall not make or second any motion or take part in any debate while in the chair, he/she shall ascertain from the Financial Secretary before adjournment of the meeting the amount of money received since the previous meeting, and from the Treasurer if he/she has received the same. At the end of his/her term he/she shall make a report showing the progress and condition of the Branch.

The current By-law reads as follows:

#### Article VI

##### Duties of Officers

##### Duties of the President

##### Section 1

(D) The President of A. R. "Tony" Huerta, Branch 599, N.A.L.C., shall serve on a full-time basis and shall receive a salary of P.S. Level 10, Step O, and all other benefits equal to letter carriers. The Branch shall pay his/her Civil Service Retirement and Health Benefits. The Branch, as the employers, and the President, as the employee, shall each pay their respective portions of all other requirements of applicable state and federal

laws.

#### Proposed to Read:

#### Article VI

##### Duties of Officers

##### Duties of the President

##### Section 1

(D) The President of A. R. "Tony" Huerta, Branch 599, N.A.L.C., shall serve on a full-time basis and **shall receive a yearly salary of \$63,000.00** and all other benefits equal to letter carriers. The Branch shall pay his/her Civil Service Retirement and Health Benefits. The Branch, as the employer, and the President, as the employee, shall each pay their respective portions of all other requirements of applicable state and federal laws.

The current By-Law reads as follows:

#### Article VI

##### Duties of Officers

##### Duties of the President

##### Section I

(E) The President of Branch 599, N.A.L.C., shall receive \$500.00 per month for meal and auto expenses.

#### Proposed to Read:

#### Article VI

##### Duties of Officers

##### Duties of the President

##### Section 1

(E) The President of Branch 599, N.A.L.C., **shall be allocated a total of \$200.00 per month in a business account to be replenished upon his/her submitting receipts pertaining to official Union Business.**

The current By-Law reads as follows:

#### Article VI

##### Duties of Officers

##### Duties of Executive Vice-President

##### Section 2:

(E) The Executive Vice-President shall be expected to remain current in the on going operations of the Branch. For the faithful fulfilling of these duties, the Executive Vice-President shall receive \$100.00 per month for allowed expenses. *(continued on page 10)*

**Proposed to Read:**

Article VI  
Duties of Officers  
Duties of the Executive Vice President

Section 2:

(E) The Executive Vice President shall be expected to remain current in the on going operations of the Branch. For the Faithful fulfilling of these duties, the Executive Vice President shall receive \$200.00 per month for allowed expenses.

---

**By-law addition to read as follows:**

**Article VI**  
**Duties of Officers**  
**Duties of the Vice President**

**Section 3:**

**(B) When the Vice-President serves in the absence of the President, as directed by the branch, the provisions of Article VI, Section 1, D: shall apply.**

---

The current By-Law reads as follows:

Article VI  
Duties of Officers  
Duties of Vice President  
Section 3:

(B) The Vice-President shall be in charge of all OWCP and EEO cases for the members of Branch 599.

**Proposed to Read:**

**Article VI**  
**Duties of Officers**  
**Duties of the Vice President**

**Section 3:**

**(3) The Vice-President shall be in charge of all EEO cases for the members of Branch 599.**

---

The current By-law reads as follows:

Article VI  
Duties of Officers  
Duties of the Vice-President  
Section 3:

(C) The Vice-President shall be expected to remain current in the on-going operations of the Branch. For the faithful fulfilling of these duties, the Vice-President shall receive \$100.00 per month for allowed expense.

**Proposed to Read:**

**Article VI**  
**Duties of Officers**  
**Duties of the Vice President**

**Section 3:**

**(D) The Vice President shall be expected to remain current in the on-going operations of the Branch. For the faithful fulfilling of these duties, the Vice-President shall receive \$200.00 per month for allowed expenses.**

---

The current By-law reads as follows:

Article VI  
Duties of Officers  
Duties of the Sergeant-At-Arms

Section 7:

The Sergeant-At-Arms shall preserve order in the meeting under the instructions of the President. It shall be his/her duty to see that none but the members are present at the meeting unless directed by the President or a vote of the branch. He/she shall verify the eligibility of all delegates from the regular meeting attendance records according to Article V, Section 15.

Proposed to read as follows:

**(A) The Sergeant-At-Arms shall preserve order in the meetings under the instructions of the President. It shall be his/her duty to see that none but members are present at the meeting unless directed by the President or a vote of the Branch. He/She shall verify the eligibility of all delegates from the regular meeting attendance records according to Article V, Section 15.**

---

**Proposed by-Law Addition to read as Follows:**

**Article VI**  
**Duties of Officers**  
**Duties of the Sergeant-At-Arms**

**Section 7:**

**(B) For the faithful fulfilling of his/her duties, the Sergeant-At-Arms shall receive \$50.00 per month for allowed expenses.**

---

The current By-Law reads As Follows:

Article VII  
Fees, Dues, Fines, and Assessments  
Section 1:

(E) Each month \$1.00 per active members shall be set aside in an appropriate savings institution for the purpose of establishing an Educational and General Fund. Fifty cents (\$.50) to a General Fund. The present Job Action Fund Account will remain as such in case of work stoppage. Such funds shall be under the control of the Trustees and shall be used for no other purpose. (continued on page 11)

Proposed to read as Follows:

Article VII

Fees, Dues, Fines and Assessments

Section 1:

(E) The present Job Action Fund Account will remain as such in case of a work stoppage. Such funds shall be under the control of the Trustees and shall be used for no other purpose.

The current By-Law Reads as follows:

Article VII

Fees, Dues, Fines and Assessments

Article VII

Fees, Dues, Fines and Assessments

Section 1:

(E) Each month \$1.00 per active members shall be set aside in an appropriate savings institution for the purpose of establishing an Educational and General Fund. Fifty cents (\$.50) to a General Fund. The present Job Action Fund Account will remain as such in case of work stoppage. Such funds shall be under the control of the Trustees and shall be used for no other purpose.

Proposed to read as follows:

Article VII

Fees, Dues, Fines and Assessments

Section 1:

(F) Each month \$1.00 per active member shall be set aside in an appropriate savings institution for the purpose of establishing a General Fund. Such General fund shall be under control of the Trustees of the Branch.

The current By-Law Reads as Follows:

Article XV

Station Stewards

Section 6:

All Station Stewards shall receive \$60.00 per month for allowed expenses. All Station Stewards shall receive \$35.00 for attending monthly Shop Stewards Training meetings. The President, Executive Vice-President and the Vice President shall be paid \$35.00 a month for attending the monthly Shop Steward Training meetings.

Proposed to read as Follows:

All Station Stewards shall receive \$85.00 per month for allowed expenses. All Station Stewards shall receive \$45.00 for attending monthly Shop Stewards Training meetings. The President, Executive Vice-President and the Vice President shall be paid \$45.00 a month for attending the monthly Shop Steward Training meetings.

All the Bylaw changes and/or additions listed were submitted and signed for by the following members in good standing of Branch 599: Leslie Ray Garcia, Gerardo Sainz, Robert Murray, Charles Kelley, Jack Newman, Brian Obst

Photos from Region 9 Congressional Lobbying Trip to Washington, D.C.



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