



Tampa Letter Carrier

Volume 5 - Issue 12

A.R. "Tony" Huerta NALC Branch 599

Tampa, Florida

December 2006

President's Report

by Jim Good

President - Branch 599

Limited & Light Duty

When a letter carrier sustains an injury that prevents him/her from being able to perform their normal duties they fall into one of two categories: limited duty or light duty.

If the injury occurred while on the job, and the Office of Workers' Compensation Programs has approved it as a compensable injury, the carrier is placed in a *limited duty* status. The Employee and Labor Relations Manual (ELM) directs management as to the procedures that must be followed when an employee has partially overcome a compensable disability. Section 546.142 states the Postal Service's obligations. First, the limited duty carrier is assigned work within their medical restrictions, within the carrier craft, within their station and during the same hours they normally work. If there is not adequate work in the craft and station where they are assigned within their regular hours of duty, other work may be assigned at their station. If adequate work is not available at their station within their regular hours, work outside their regular schedule may be assigned. "However, all reasonable efforts must be made to assign the employee to limited duty within the employee's craft and to keep the hours of limited duty as close as possible to the employee's regular schedule. An employee may be assigned limited duty

outside of the work facility to which the employee is normally assigned only if there is not adequate work available within the employee's work limitation tolerances at the employee's facility. In such instances, every effort must be made to assign the employee to work within the employee's craft within the employee's regular schedule and as near as possible to the regular work facility to which the employee is normally assigned." As you can see the ELM gives injured carriers who have been hurt on the job and are in the process of recovering from those injuries, certain rights. It also directs management to make every effort to assign the carrier to carrier duties within his/her regular schedule and as close as possible to his/her assigned station.

If the injury occurred off the job and the carrier is unable to perform all of his/her assigned duties, they must request *light duty* through the postmaster. The request must be in writing and include a medical statement from a licensed physician. If possible the anticipated duration of recovery should also be included. Items 15, 16 & 17 of Branch 599's Local Memorandum of Understanding (LMOU) address light duty issues and what constitutes a light duty assignment. The LMOU states "The installation head will make every effort to place the ill or injured employee in an assignment." Article 13 of the National Agreement also deals with light duty assignments, both temporary and permanent.

The reason that I am relating this information to you is because you have certain rights, guaranteed by the National Agreement and our LMOU, that protect you when you are injured, either on or off the clock. Although you have greater protection under the OWCP

laws regarding your guarantee to compensation if you are unable to work, you still have rights if you are injured or develop an illness not related to your employment.



We now have an upper level management official in Tampa who believes that a carrier is not deserving of light duty unless he/she can demonstrate that they can be as productive as a healthy employee. It is true that in some situations you are not guaranteed eight hours of work if you are on light duty. But as you can see management must make every effort to find you work. If you feel that they are not, ask to see your shop steward and file a grievance to protect your rights.

I, along with all of the officers of Branch 599 wish you a very Merry Christmas and a Happy Holiday season! See you at the Christmas Party on December 17th.

Nominations & Election of Delegates to the 2007 Florida State Association of Letter Carriers Convention

Nominations for delegates to the 2007 Florida State Association of Letter Carriers' Convention will be held at the regular branch meeting on December 7, 2006. The meeting will be held at 7:30 pm at the union hall, 3003 West Cypress, Tampa, FL 33609. Election of delegates, if necessary, will be held at that meeting.

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Garland Tickle	

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Jim Good - Publisher

Kit Kelley - Editor

**RETIREES BREAKFAST
(In Tampa)**

Monday, December 4, 2006

**9:00 AM at
The Coffee Cup
4407 N. Hubert
in Drew Park**

**RETIREES BREAKFAST
(In Brandon)**

Second Tuesday of Every Month

**8:00 AM at
Buddy Freddy's
134 Gornto Lake Rd S.
in Brandon**

Executive Vice-President's Report

by **Detlev Aepfel**

Executive Vice-President - Branch 599

An Amazing Bargain

For the past few months there has been quite a bit of discussion about COLCPE and the *Gimme 5 for COLCPE* campaign. COLCPE is the acronym for the Committee On Letter Carriers Political Education. COLCPE is the political voice of letter carriers. The sole purpose for which COLCPE exists is to promote the welfare of letter carriers. This is done by lobbying members of Congress on our behalf. The goal of the *Gimme 5 for COLCPE* campaign has been to enroll 5% of our membership, both active and retired, for automatic contributions at the rate of \$5.00 per pay check. That comes out to about 36 cents per day for active letter carriers and about 16 cents per day for retired letter carriers. What an amazing bargain!

So how are the members of Branch 599 doing at carrying their fair share? Between 01/01/2006 and 10/05/2006 a total of 31 active members and 14 retired members of Branch 599 contributed a total of \$2,649.00. Of the 45 contributors, 38 are enrolled on the automatic contribution program. In addition, 2 members contributed one time donations equivalent to the annual minimum. All this means that

Branch 599 is very close to reaching the goal of having 5% of our membership enrolled in this automatic contribution program. If just 14 additional letter carriers enroll in the automatic contribution program we will reach that goal.

As you may be aware, our National Agreement will expire on November 20. Shortly after the national convention in August the USPS management and the NALC began meeting in the preliminary steps to a new National Agreement. This was mostly committee work and lower level talks. In October the parties entered into what is called main table negotiations. This is where the real negotiations about the major issues take place. Things seemed to be going as expected until October 31. Suddenly management announced that they were not prepared to make their economic proposals. Management also announced that they were not prepared to discuss their non-economic proposals nor to withdraw any non-economic proposals. This included proposals directed at other crafts and that had no bearing on letter carriers. Management proposals included elimination of time and a half pay for Christmas work, reduction of holiday benefits, greater use of casu-

als, elimination of time and work standards protection, and an end to the no lay off clause. Finally, management declared that they would not discuss resumption of negotiations until after November 9. In other words, management wanted to know whether the new Congress would be more letter carrier friendly or less letter carrier friendly before returning to the negotiating table.

On November 7 Congress took a huge leap back to the center when the Democrats regained control after more than a decade of radical right wing dominance by the Republicans. By all indications this return by Congress to main stream values will benefit all workers, not just letter carriers. This shift was brought about in part by the efforts of e-Activists and the support of COLCPE contributions to worker friendly candidates of both parties. No doubt this change will have a beneficial effect on the contract negotiations. Not a bad return for investing pennies a day.

In Solidarity...



Health Benefits Report

Health Benefits Open Season

Happy Holidays to all the members of branch 599! Have a safe and healthy Merry Christmas. God bless you all.

Open season is upon us and it's time to make a difficult decision for you and your family. It runs through December 13. The biweekly cost of the NALC plan this year is \$38.80 for self only and \$60.85 for self and family, which is very competitive with all the other plans. They made many changes and lowered the out of pocket expenses for participating members again this year. There are new electronic health

records for easier access to your personal medical info and there is *NO* out of cost expense for much of the lab work if you use Quest Diagnostics. Remember, the NALC plan is the only UNION-owned, run and managed plan available. It may some day be the only affordable plan in existence with managements on-going attacks on our health benefits. Why not support it now?

A lot of members have asked about the prescription drug program CareMark being bought out. I've been told it's in the newspapers. I have not yet seen any articles in the newspapers or heard anything from the NALC or the Health Benefits Office, from which I get regular updates. *If* this is the

case understand that almost every plan in existence and available to postal employees uses Caremark so we are not the only ones involved. CareMark, like First Health Network, is a program shared by most of the plans. If this is going to happen it will more than likely be for our benefit in that there will be more pharmacies available to fill prescriptions at lower cost to members. As soon as I have substantiated and accurate information, I will pass it along.

Again, Happy Holidays.
In unity...



by **Lance Jones**

Health Benefits Representative - Branch 599

Meeting Dates

Tues 12-5-06 Shop Steward Meeting
 Thur 12-7-06 - Branch Meeting
 Union Hall, 7:30 PM
 Tues 12-14-06 - TLC Board Of Directors Election
 Union Hall, 7:00 PM



**MERRY CHRISTMAS
 &
 HAPPY HOLIDAYS
 FROM YOUR
 BRANCH OFFICERS!**

Around The Horn *(from page 5)*

have confronted the Postal Service, it has been able to improve service and maintain a strong financial footing mainly due to the hard work of the Letter Carriers. At press time for this Around The Horn article, the Postal Service had yet to fully respond to the NALC's proposals. Remember, these are just proposals, and while they sound great, you always aim high when negotiating; hopefully they all come to fruition. You can stay up to date by reading your union bulletin board, by logging on to the NALC website or by being an e-activist and having the updates e-mailed to you. Take an interest, this is about your job, your future.

Look forward to talking to you again in the next *Around The Horn*.

ARSLAN UNIFORMS

Bill & Shirley Moran

Retired Letter Carrier Branch 1477 St. Petersburg

Honorary Member Branch 599 Tampa

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Unionism

Tidings of Good Cheer

We are once again approaching the holiday season and it is time to look inward and examine how we have done for another year. While I usually use this space to provide information and opinion on matters of contractual enforcement issues and union activism, I am going to stray from my normal topics and go into matters of the holidays.

As we head into the final days of November, we approach the Thanksgiving holiday and all that it means for all Americans. A time to give thanks for all that we have been provided through this past year as well as a time to reach out to help those who may need a helping hand. As has been pointed out many times in this publication, the NALC has a proud record of helping the hungry and/or homeless with the annual food drive. This drive generally helps to fill the many food kitchens and charitable organizations with food to carry them through the lean donation months from May until the Thanksgiving holiday. This year Branch 599 was asked to help out the Local APWU Thanksgiving Food Drive. I hope it was a success and that you contributed to that success.

The second item I want to address is the Christmas holidays. I say holidays because I mean to address them all, for all people. This

is the time of year for goodwill towards all men and women as well as peace on earth. We in the NALC locally have been taking part in the USMC Toys for Tots Drive which takes place this year on December 2. While I do not pretend to know how everyone felt on Christmas morning, I can speak as to how I felt. It is a magical time for a child, dreams of Santa and his reindeer going around the world to provide toys for all the good children of the world. Can you imagine waking up Christmas morning and finding nothing under the tree? I cannot fathom the feeling and I am very happy to be able to do my part to assist in ensuring that there are gifts for as many of the children of the Tampa Bay area as possible. For me Christmas has always been a time of family, friends and good cheer. So please join me in helping out with this year's Toys for Tots Drive. Don't forget that not only do we help pickup and distribute the toys with the USMC but we also make our own donations. Just imagine the feelings of happiness and joy that a child will feel on Christmas morning thanks to the help we provide this holiday season.

Finally, I would like to express my thanks and gratitude to all the members of Branch 599 for allowing me to assist them in whatever way I can during the past year. I have been able to attend several training seminars as well as the National Convention in

stability is necessary. This agreement does contain a continuation of the existing COLA clause, with no changes and general wage increases of 3 percent in each of the seven years of the agreement. Also as was negotiated in the current contract (level 5 to level 6), a pay upgrade of one grade for all letter carriers. Other important proposals include significant changes in the way routes are evaluated and designed and for the letter carrier craft to be converted to a 100 percent all-regular work force. President Young firmly believes that "letter carriers are the very heart of the service provided by USPS, as well as the deeply respected everyday face of the Service. A dedicated workforce of full-time regular professionals is essential in an increasingly competitive and challenging environment". In addition the NALC offered creative suggestions for reducing the ever-increasing costs of health benefits without reducing the Postal Service's share of the cost of premiums. These creative suggestions were made to combat the belief

by **Brian Obst**

Chief Steward - Branch 599

Las Vegas and I am eternally grateful for the opportunity to continue to serve in whatever capacity I can. I am looking forward to the coming new year and the many challenges that it presents for our union.

With a new Democratic House and Senate, as well as the ongoing contract negotiations, there are going to be many areas where we can all help out. So remember that our union is only as strong as the members that it is comprised of and that means, YOU. Don't be afraid to step up and ask what you can do to help out. That's part of brotherhood.

Until next month, remember that knowledge is the key.



Election of Directors for TLC

An election will be held on December 14, 2006 at 7:00 pm at the union hall for Directors for the Tampa Letter Carriers, Inc. Board of Directors. Any member, in good standing of Branch 599 may be nominated for a vacancy and/or vote in the election. The Directors will serve during the 2007-2008 two-year term.

Around The Horn

Contract Negotiations

Brothers and Sisters, I wanted to update all of you this month on the ongoing contract negotiations. November is already upon us and so is the expiration of the current 2001-2006 contract. The parties resumed main table talks October 31 (Halloween) in an effort ratify a new contract by November 20, that will be very essential to the futures of all Letter Carriers and the United States Postal Service. President Young and our negotiating team has proposed the NALC's economic proposals aimed to allow the parties to work cooperatively toward the transformation of the USPS. The current five-year contract served us well with Cost of Living Adjustments (COLA) and general wage increases. With that in mind, the NALC has proposed a seven-year agreement, believing an even longer period of

by **Tony Diaz**

Financial Secretary - Branch 599

that one of the USPS proposals will be to reduce the amount they contribute into health benefits program. Lastly President Young reiterated his concerns regarding labor relations even though dramatic improvements have been made during the current contract. Major strides have been made to change the adversarial culture of labor relations at the national and regional levels. However, "the traditional paradigm of adversarial confrontation at the workroom floor level remains". This situation is no longer acceptable and a joint revision has been called for to eliminate the daily confrontation over delivery issues. Thus the proposals on the way routes are evaluated and designed are an effort to do away with these disagreements. One encouraging reminder as these negotiations heat up is, despite multiple challenges that

(continued on page 4)



And The Beat Goes On

by Ray Wallace

A Lot To Be Thankful For

Hope you all had a very nice Thanksgiving. We sure have a lot to be thankful for.

#1. All of our men and women serving in the armed services worldwide.

#2. All of the men and women who put their lives on the line everyday serving on the police force in every town in this country.

#3. All of our union shop stewards in the NALC. They don't put their lives on the line but they sure put themselves in the position for harassment, on a daily basis, trying to uphold the local and national agreement in the member's best interest.

Isn't it a shame that since the reorganization of the Postal Service, in 1971, over thirty years ago, that we have gone backwards in the treatment of the craft employees and in service to the public? You would not think that, with all of the modern technology in today's world and all that has been put into the Post Office in the way of machines

sorting the mail, we still are not giving out good service. The declining service in the delivery of the mail is a national disgrace.

It makes everyone wonder who is trying to destroy the Post Office. Where can a person drop off a letter? What happened to the mailbox on every corner? Have you noticed that United Parcel and Fed Ex have collection boxes everywhere? Have you heard the Postal Service is doing away with 23,000 stamp machines? Did you know that UPS has over 5,600 UPS stores nationwide? United Parcel and Fed Ex are giving service to the public. Why isn't the Post Office?

Where do we get the men and women who run this place? Who is in charge? Why doesn't upper management listen to the craft employee who is on the front line on the street everyday and knows where and what the problems are? It is for sure not the people in the office wearing the ties, looking at the computer all day, or the postmasters, who think because they have the title and the overpay that they know what they're doing! They can't start the carrier early any more because the ma-

chines can't sort the mail fast enough. Well, something is wrong here. When they had twice the volume of mail and the clerks hand sorted the mail, carriers started early, got on the street and back early. Working in the dark was unheard of. From what I hear, the number one item on the craft employee's mind anymore is, "How much time do I have left before I can retire?"

The number one complaint is why do the carriers have to be harassed every morning, every day of the year by a lousy manager who wouldn't know what a good mail route looks like. Management only know what the computer tells them. They never listen to the carrier. Most of you never knew the Post Office of yesterday. Some time in the near future, I will write an article and tell you about it.

I wish each and every one of you and your family a very Merry Christmas and pray that the new year of 2007 will bring you good health and much happiness. And the beat goes on . . .



Brother C. E. Fritts receives his NALC 50 year Gold Card from President Good



Brothers Gebo and Quintanilla present Morning Star School with a charitable donation from TLC, Inc. at Letter Carriers Bingo

A Point of Personal Privilege

by Leslie Ray Garcia

The Fix Is In

Many of you do not believe any voter has never had his or her vote not counted! Well, guess what? I recently found out that my wife's vote and my vote for president in the 2000 election were not counted. The record shows that we did not participate in the presidential election but we did participate in all other voting on that ballot. Say what? I also found out that a friend and his wife had the same result. You might think that this is just a coincidence but there was no incident of errors with regards to the 'butterfly ballot' or any 'hanging chad.' The one defining issue on this 2000 election was that all four of us are registered Democrats. Another factor is that my friend and I are of Hispanic decent and our wives have our Spanish last names. I wonder how many other voters in Florida, thanks to Governor Jeb Bush and Supervisor of Elections Katherine Harris, were disenfranchised in this manor. Unlike the appointed President (Bush), Vice President (Cheney), and Defense Secretary (Rumsfield), I did serve my country in a war zone: Vietnam. I wasn't AWOL like Bush, I didn't have better things to do like Cheney

and I wasn't a chickenhawk like Rumsfield. Bitter? Yes, I am, especially since I joined the Navy 12/7/64 and I now find out my constitutional right to vote was eliminated. I can hear the Republican cry to arms rumbling like a herd of elephants: "Get over it!" I got news for you: wait till it happens to you.

By the time this article is read, ignored or thrown away, the 2006 mid-term elections will be history. Hopefully, Democrats will have regained control of the House Of Representatives and the Senate. However, I doubt very seriously that it will happen. You see, most Americans refuse to act on one of the most cherished rights that was ever fought for and died for over the 200 plus years of our country's existence. They vote in mass for *American Idol*, or *Survivor* or whatever. Yes, Americans do vote but not for their own benefit.

I have read that the Republicans are blaming former President Bill Clinton and multi-billionaire George Soros for the release of the information surrounding former Congressman Mark Foley's indiscretions. The Republican Speaker of the House Dennis

Hastert stated to the *Chicago Tribune*, "When the [GOP] base finds out who's feeding this monster, they're not going to be happy. The people who want to see this thing blow up are ABC News and a lot of Democratic operatives, people funded by George Soros..." Hastert claimed that political operatives aligned with Bill Clinton knew about the Foley *business* and perhaps orchestrated the disclosure in the weeks before the congressional elections. Yet, the speaker offered no concrete evidence or hard proof. What the speaker seems to have conveniently forgotten was that Foley's former chief of staff, Kirk Fordham, warned Hastert's office about Foley's conduct between 2002 and 2004. Don't forget that the information released about Foley was *truthful* and *extremely accurate*. The Democrats have their hands tied behind them because they are in the minority and they do not have the power to open a committee to investigate the possibility of GOP malfeasance and nonfeasance.

"In politics a week is a very long time."

Harold Wilson



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