



Tampa Letter Carrier

VOLUME 20, ISSUE 8

AUGUST 2021

— Notice —

Until further notice, as has been our practice, everyone attending Branch Meetings is required to wear a facial mask... your cooperation is appreciated.

Around The Horn from The President's Desk

15 more Tampa PTFs were converted to fulltime regular on July 3!

Congratulations to the 15 top PTF carriers for being converted to full-time regular carriers. These 15 converted PTFs were recently converted to PTFs (career) on May 8. Added to the previous 19 conversions earlier in the year, gives Tampa 34 conversions for the 2021 year. The conversions were well deserved after serving right at 39 months, almost entirely as CCAs. All began in 2018, a long waiting period since their hire date. **Again, congratulations to the 15 new fulltime regular carriers!**



Tony Diaz
President
Branch 599

Brothers and Sisters,
Manual Bids
When bid postings are released, why are they called manual bids? And how is the most efficient way to submit a manual bid? Can all bids be submitted manually?

Manual bids are produced locally to comply with the contractual requirements outlined in Article 41. Routes vacated as a result of retirement, a successful bid, a resignation, or a termination may need to be posted manually. This may be the

result of a vacancy falling in the middle of an automated bid. Contractually, routes must be posted within 14 days of becoming vacant. Waiting for the automated bid posting might fall outside the time to be in compliance, thus a manual bid posting is created. The manual bid posting could comprise of one route or three pages of routes. Bidding on a route through a manual bid requires a manual bid sheet. The sheets can be provided to you by management or your union steward. Simply

ask for a PS Form 1717a to submit the bid; fill it out completely. The Posting/Notice Number and the Job Number can be found on the Manual Bid Posting. Your name, EIN, seniority date, pay location, current position title, route number, and your craft are all important. Then the most important part, be sure to round-date the form, make a copy and hand it to your supervisor/manager. The round-date validates your submission within the contractual 5-day

(Continued on page 3)

Branch 599
servicing
Brandon
Plant City
Sun City
Tampa

Branch 599
Meeting
Thursday
August 5
7:30 PM

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National Association of Letter Carriers, Branch 599,

3003 W Cypress Street,
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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, NALC. It is the policy of this publication that all articles submitted for print must be signed by the writer.

Please submit any and all articles to be published in the *Tampa Letter Carrier* to the Editor via email at editor.nalc599@gmail.com and also to the Branch Office at nalc599@verizon.net no later than the 5th of each month in order for us to meet our time limits to the publisher.

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Shop Stewards

<i>Station</i>	<i>ZIP</i>	<i>Steward</i>	<i>Station No.</i>	<i>Steward's No.</i>
Tampa Stations/Branches Chief Steward, Brian Obst 727.458.0679				
Brandon	33510/11	David Rivadeneira	813.661.1636	813.403.9525
Brandon	33510/11	Luis Cruz	813.661.1636	813.431.3223
Carrollwood	33618	Tina Bausch	813.961.2962	813.892.2282
Commerce	33602	Cynthia Williams	813.242.4507	813.778.4373
Forest Hills	33612	JR Sanchez	813.935.2954	773.849.6229
Forest Hills Annex	33613	Juan Andujar	813.935.2954	813.377.7266
Hilldale	33614	Brian Obst	813.879.4309	727.458.0679
Hilldale Annex	33634	Latoya Dupuy	813.879.4309	305.414.3527
Interbay/Port Tampa	33611/16	Clement Cheung	813.831.2034	813.758.5910
Interbay/Peninsula	33629	Clement Cheung	813.831.2034	813.758.5910
Palm River Annex	33619	Pam Benton	813.663.0048	813.475.0753
Plant City	33564	Todd Soular	813.719.6793	813.719.6793
Produce	33610	Jerry J.D. Lewers	813.239.4084	813.528.5519
Ruskin/Sun City Ctr	33570	Cherry Berry	813.634.1403	585.230.0266
Seminole Heights	33603	Michael Smith	813.237.4569	813.326.0717
Sulphur Springs	33604	Stephen Hall	813.237.4569	813.494.4669
TCA/Hyde Park	33606		813.873.7189	
TCA/Peninsula	33609		813.873.7189	
TCA/West Tampa	33607	Michael Williams	813.873.7189	813.541.3092
Temple Terrace	33617	Lori McMillion	813.988.0152	813.263.7101
Town 'N Country	33615/35	Brian Obst	813.884.0973	727.458.0679
Ybor City	33605	Maurice Rice	813.242.4507	813.334.3189

Around The Horn from The President's Desk

(Continued from page 1)

period, same as an automated bid posting. It is also a good idea to give your steward a copy and I have also received emails for additional confirmation. This step(s) is for your benefit should your fax not reach its destination or the bid not be submitted by management to H.R. Believe me, there have been issues with the manual bid sheet submissions not reaching their destination. Several times I have been contacted when a carrier views the bid awards and sees a carrier with less seniority having been awarded the position. This is where the steps mentioned above are the critical element to changing an already awarded position. For your knowledge, within 10 days after the closing date of either the manual or automated bid posting, the USPS shall post a notice indicating the successful bidder. The successful bidder must then be placed in the new assignment within 15 days except in the month of December.

Should you have any questions, please contact our Branch office.

Back Pay

There have been many inquiries about back pay as a result of the newly signed National Agreement. The back pay will be for the 11/2019 – 4/2021 period when negotiations were ongoing. This will apply to all active carriers and for retirees or those separated from November 2019 until your last day of service. Computations are being finalized and processed through the Quality Assurance Department. Payments are now projected to be paid on August 20, that is Pay Period 17. Payments will be in active carriers' payroll checks. **Checks will be sent to the last station of employment for those that retired or were separated during the 11/2019 – 4/2021 period.**

Management can either mail it to you or you can make arrangements to pick it up. I would suggest that affected retirees contact their offices for the arrangements.

House committee holds hearing on paid family and medical leave for federal employees

On June 24, the House Committee on Oversight and Reform held a hearing on the Comprehensive Paid Leave for Federal Employees Act (H.R. 564).

This bill, which was introduced by Chairwoman Carolyn Maloney (D-NY) in January, would provide up to 12 weeks of paid family and medical leave for federal employees, including Postal Service employees. This paid leave could be used for personal illness, caring for a family member, or time off work needed when a family member is leaving or returning from active military duty. Federal employees are currently entitled to 12 weeks of leave under the Family and Medical Leave Act (FMLA) for such reasons, but it is not guaranteed paid leave.

—*nalc.org*

Quick Hits:

Information you should know

*Hold downs

We are having issues with hold downs in several stations. Remember, all classes of carriers may exercise their right to submit a PS Form 3971 on a hold down. Management cannot simply, for convenience purposes, remove a carrier from a hold down without certain circumstances occurring. For instance, if a CCA is on a hold down and is brought in for parcel delivery on Sunday, management cannot schedule an extra day off in addition to the day off of the hold down during the regular work week. This is a violation of Article 41, where CCAs are

afforded the same treatment as the regular.

JCAM, 41.2.B

4. Part-time flexible letter carriers may exercise their preference by use of their seniority for vacation scheduling and for available fulltime craft duty assignments of anticipated duration of five (5) days or more in the delivery unit to which they are assigned. City carrier assistants may exercise their preference (by use of NALC-USPS Joint Contract Administration Manual - July 2014 Page 41-9, their relative standing as defined in Section 1.f of the General Principles for the Non-Career Complement in the Das Award) for available fulltime craft duty assignments of anticipated duration of five (5) days or more in the delivery unit to which they are assigned that are not selected by eligible career employees. General opting rules for CCAs are further addressed by the parties.

This is also covered in Article 41, under QUESTIONS AND ANSWERS 2011 USPS/NALC NATIONAL AGREEMENT

66. Is there a difference in the application of opting (hold-down) rules between part-time flexible city carriers and CCAs?

No.

Please educate yourself, know right from wrong, and know when you are being aggrieved.

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



Supporting our community

For 27 years the National Association of Letter Carriers has been proud to hold the Stamp Out Hunger Food Drive. This is the nation's largest one-day food drive, held annually on the second Saturday in May.

For the past two years, due to the COVID-19 Pandemic, the Food Drive has been cancelled. In response, NALC created the Stamp Out Hunger *Donor* Drive to assist food banks in our communities. For the past 4 years our food bank has been Metropolitan Ministries and all their partners.

Founded in 1972, Metropolitan Ministries is a local nonprofit, nondenominational, faith-based organization that provides comprehensive care for poor and homeless families in the Tampa Bay region. Their services are designed to help those homeless and at-risk children and families, no matter how serious their needs. Whether they need to get off the streets at night, or they're seeking education so they can get a job that will support their family, Metropolitan Ministries can help. Last year Branch 599's membership approved a donation of \$1,000 and this year the Branch membership again approved a donation of \$1,000 in lieu of the cancelled Food Drive. NALC will match the donations that come from the Branches throughout the country. This donation again this year will provide many meals throughout Hillsborough County.



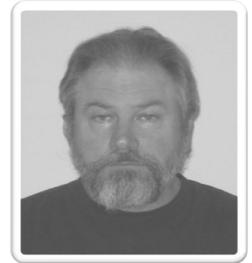
Branch 599 President Tony Diaz proudly presents Metropolitan Ministries Event Coordinator and Food Drive Coordinator Paula Dang a check from Branch 599 in the amount of \$1,000.



Congratulations Bolts!

The Tampa Bay Lightning won their second straight Stanley Cup Championship by defeating the Montreal Canadiens four games to one! Before a sellout crowd and thousands of fans outside the arena, the Lightning won game five 1-0 to keep the cup in Champa Bay.

Unionism – The Dispute Resolution Process – Article 15 of the National Agreement Part II



Brian Obst
Vice President
Branch 599

Last month we addressed the first two steps of the Dispute Resolution Process, **Informal and Formal A hearings**. This month we pick up our topic with the **Step B hearing**, step three in the dispute resolution process.

The hearing at Step B consists of one management representative and one union representative who together shall hear and attempt to decide the case based on the information contained in the file as well as the merits of the parties' contentions as laid out. These two representatives do not act as representatives of the union and management during the hearing process; they are more like contract representatives as they represent the process rather than the individual sides of the argument. If the parties are able to determine, based on the information/evidence contained in the file, whether there was a violation or not, then they can resolve the issue; if not, they will revert to their positions as representatives of their respective side, union/management, and address their respective arguments in support of the position of their side.

The Step B team has a time limit of 14 days from their receipt of the grievance package with which to reach a decision on the case. The Step B team has 4 different options when finishing with a case appealed to them for decision.

Option 1: Resolve – the parties find enough information/evidence in the case file and the parties are able to agree that there either was or wasn't a violation of the specific contractual provisions in the case at hand. Resolves by the B Team are precedent setting in the installation where the case is from.

Option 2: Impasse – the parties are unable to make a determination of whether there was or wasn't a violation of the issue presented in the grievance file before them. The individual representatives will write contentions to argue their side of the issue and the case will be forwarded under appeal to the National Business Agent (Union) and Labor Relations (Management) for preparation and scheduling for Arbitration.

Option 3: Remand – if both parties feel that the case at hand is not properly developed or they determine that the parties might benefit from another meeting on the case, based on additional evidence/information that they failed to consider. If the case is remanded the time limits will resume at the level where the remand was returned to (7 days at Formal A) unless the parties agree to extend the time limits by mutual agreement.

Option 4: Hold – If a case is on an issue that is being addressed at national level, the case can be set to hold, pending the decision on the national issue. On cases of this nature the B Team works with the National Business Agent to coordinate the cases being held pending the National decision.

Presuming that the case has been impasse, the next step of the process is a **hearing at Arbitration**. Arbitration is akin to a court hearing where both parties will present opening statements, present witnesses for testimony and cross examination, present evidence that is contained in the file, and submit closing summaries. The Arbitrator is a neutral hearing official who will act as the judge and decide the case based on

the merits of the evidence and arguments presented by both sides. They will establish what level of credibility to attach to any witness testimony and they will render their decision based on all the information presented under the guidelines of the agreements, handbooks, and manuals. Arbitration decisions are the final step in the process and their decisions end the process. Arbitration's decisions set precedent in the region they are rendered and may be used to influence cases outside the region to show how other arbitrators have ruled on a particular issue.

Prior to a case being heard at arbitration, the parties continue to attempt to resolve grievances impasse to arbitration. These cases are all looked at by the National Business Agent's office as well as Labor Relations' and many are heard at Pre-Arbitration to attempt to resolve the issue prior to going to an Arbitration hearing.

The purpose of the Dispute Resolution Process is to attempt to resolve as many issues at the lowest possible level to cut down on individuals having to wait lengthy periods of time to get a decision on their issue. No matter whether a case is impasse at any level and appealed forward, the parties have the option to continue to meet and discuss in an attempt to resolve the case. If the parties are able to resolve the case after appealing it forward: simply contact the people at the next step and inform them that you have been able to resolve the issue and

(Continued on page 6)

Sharing Our Members' Joys and Sorrows

Our deepest sympathy and prayerful support is extended to **Su Kim** [TCA] and family at the passing of his father, Chunsik Kim, June 21; and to **Christian Saltos** [TCA] and family at the passing of his father, Antonio Saltos, July 1.

Things to remember when returning to work

Employee and Labor Relations Manual - 513.37 Return to Duty

An employee returning from an FMLA —covered absence **because of his or her own incapacitation** must provide documentation from his or her health care provider that he or she is able to perform the functions of the position with or without limitation. Limitations described are accommodated when practical. Bargaining unit employees must also comply with requirements in 865.

865 Return to Duty After Absence for Medical Reasons

865.1 Clearance Required: All Bargaining Unit Employees and Those Non-bargaining Unit Employees Returning from Non-FMLA Absences

The decision to clear an employee to return to work rests with management. Management can require employees who have been absent due to an illness, injury, outpatient medical procedure (surgical), or hospitalization to submit documentation (as set forth in 865.3) in order to clear their return to work when management has a reasonable belief, based upon reliable and objective information, that:

- a. The employee may not be able to perform the essential functions of his/her position; or
- b. The employee may pose a direct threat to the health or safety of him/herself or others due to that medical condition.

In making the decision whether to require documentation in order to

clear the employee's return to work, management must consider the following in order to make an individualized assessment:

- a. The essential functions of the employee's job,
- b. The nature of the medical condition or procedure involved, and
- c. Any other reliable and objective information.

When management is considering requesting return-to-work documentation, management should also seek guidance from the following regarding the return-to-work decision:

- a. Occupational health nurse administrator,
- b. Occupational health nurse, and/or
- c. Postal Service physician.

Unionism — The Dispute Resolution Process — Article 15 of the National Agreement Part II

(Continued from page 5)

provide a copy of the resolve, thus ending the case and its appeal.

It is important to note here that it is in the best interests of the parties to make every good faith attempt to resolve the case at the lowest level. Remember, once you appeal and send

the case forward, you no longer have any control on the case and you are allowing someone else to decide in your place and they might not see the issue the same way as you.

Again, this information is a brief description of what is covered in Article 15 of the JCAM and I highly recom-

mend that you read the actual article so you are completely informed of its contents.

As I always say...
Knowledge is the Key.

Until next month,
Brian Obst
Vice President



Get involved!
Your future depends on it!



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<http://www.mrtherapycenter.com>

NOTICE

Meetings are subject to change
due to any upsurges of COVID-19.

Shop Stewards will Meet

Tuesday 7 PM

August 3

August 31

Executive Board Meets

Thursday 6:30 PM

August 5

September 2

Branch 599 Meetings

Thursday 7:30 PM

August 5

September 2

October 7

November 4

December 2

January 6

February 3

Retirees Breakfasts

Monday *Date to be Announced* 9 AM

Denny's Restaurant

at Dale Mabry & Spruce

2004 N Dale Mabry Highway, Tampa

Tuesday *Date to be Announced* 8 AM

Bob Evans Restaurant off Fletcher

12272 Morris Bridge Road, Temple Terrace 33637



A.R. Tony Huerta Branch 599

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