



Tampa Letter Carrier

VOLUME 14, ISSUE 4

APRIL 2015

Around The Horn from The President's Desk



Tony Diaz
President
Branch 599

Defenses to Discipline

Brothers and Sisters, I received many responses to last month's article on *Defenses to Discipline*. With that said, this month I decided to continue on that course so you will better know your rights.

Questions & Answers Questions:

1. What is the true definition of an Investigative Interview or an II?
2. What is the purpose of an II?
3. How will my answers affect the issuing of the discipline?
4. Are II's properly used?
5. Should an II be timely?

Answers:

1. An **Investigative**, [definition for Investigate is: to carry out a systematic or formal inquiry to discover and examine the facts of (an incident, allegation, etc.) so as to establish the truth]
Interview, [definition: a meeting at which information is obtained, a discussion, conference, examination, and what it should not be, an interrogation].

2. What is the purpose of an II? It is a fact finding meeting to discover and examine the facts to establish the truth, get to the root cause of the issue.

3. How will my answers affect the issuing of the discipline?

Your answers are very important to the defense of your case and **should be** vital to the thorough and objective investigation that management is obligated to conduct. You answer truthfully, answer to the point, and do not vary from the question. This is extremely important as the language in essentially all issued discipline (Letter of Warnings) will state in some variation: During your II you failed to provide a satisfactory explanation to avoid the issuing you this discipline. Your defense will attack this statement with your proper answers. The language in the LOW (Letter of Warning) is then untrue, the carrier answered they scanned and delivered all their parcels, they scanned all their MSP points, etc. In addition, do not simply answer yes to questions during your II in

regards to segments cited from USPS handbooks

and manuals. For example, Question #1, Are you aware ELM 665.15, Employees must obey the instructions of their supervisors? 1st answer recommended: Could you please provide me a copy of that section of the ELM for review and I will then be clearer as to my answer. Management should then provide you the documentation to review: *665.15 Obedience to Orders Employees must obey the instructions of their supervisors. If an employee has reason to question the propriety of a supervisor's order, the individual must nevertheless carry out the order and may immediately file a protest in writing to the official in charge of the installation or may appeal through official channels.*

Final answer recommended: Yes.

Example #2, Question, Are you aware ELM 665. 41,

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Branch 599 Meetings

Thursday
April 2
7:30 PM

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Please submit any and all articles to be published in the *Tampa Letter Carrier* to the Editor via email at editor@nalc599.com 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

Station	ZIP	Steward	Station No.	Steward's No.
Tampa Stations/Branches		Chief Steward, Brian Obst		727.458.0679
Brandon	33510/11	Grant Daniels	813.661.1636	850.210.4906
Carrollwood	33618	Freddie Nemphius	813.960.8894	813.263.7895
Commerce	33602	Detlev Aepfel	813.242.4507	813.505.7914
Forest Hills	33612	Alan Robinson	813.935.2954	813.843.9762
Forest Hills Annex	33613	Nick Cullaro	813.935.2954	813.541.8159
Hilldale/Annex	33614/34	Varick Reeder	813.879.4309	315.491.6234
Hyde Park	33606	Joe Bitz	813.873.7189	813.465.0004
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	Christopher Woodside	813.719.6793	813.924.6869
Produce	33610	Elvin Rodriguez	813.237.4280	646.346.3288
Ruskin/Sun City Ctr	33570	Aric Person	813.634.1403	813.545.7779
Seminole Heights	33603	Walt Rhoades	813.237.4569	813.389.1708
Sulphur Springs	33604	Steve Hall	813.237.4569	813.494.4669
TCA/Peninsula	33609	Troy Figueroa	813.873.7189	347.403.1644
TCA/West Tampa	33607	John Lacko	813.873.7189	347.453.4562
Temple Terrace	33617	Warren Sumlin	813.988.0152	813.486.7612
Town 'N Country	33615/35	Brian Obst	813.884.0973	727.458.0679
Ybor City	33605	Detlev Aepfel	813.242.4507	813.505.7914

Around The Horn from The President's Desk

(Continued from page 1)

Employees are required to be regular in attendance? 1st answer recommended: Could you please provide me a copy of that section of the ELM for review and I will then be clearer as to my answer.

Management should then provide you the documentation to review: 665.41 Requirement of Regular Attendance *Employees are required to be regular in attendance. Failure to be regular in attendance may result in disciplinary action, including removal from the Postal Service.*

Final answer recommended: Yes.

While you should know the two answers to these two questions, many carriers have never read either of these 2 cites segments of the ELM.

4. Are II's properly used? Absolutely not, and that is what the basis of this article is about. Investigative Interviews (the majority) are not used in the context for what they are intended to be (answers #1 & 2). They are not well thought out, they become an accusation, many do not have the correct information, in many II's you may feel guilty before anything is considered. II's are generally conducted because it is procedure, a requirement, they are basically a formality. Management does not usually care and does not listen to the carrier's account of the situation, nor does management rarely review the II to read what the carrier answered or any thoughts. In actuality, the discipline is already predetermined; normally nothing a carrier could have answered would have prevented the discipline from being issued anyway.

5. Should an II be timely to when the alleged misdeed was committed? Yes, disciplinary actions should be taken as promptly as possible after the offense has been committed. For instance, carrier Smith allegedly missed an MSP scan on March 4, and the II is being conducted on March 13. First of all, no one can remember every stop,

delivery, and scans with all the responsibilities in a carrier's day. So why wasn't this issue addressed immediately or soon thereafter? If the II is not conducted promptly, there is nothing corrective about the process, and should the carrier receive discipline, it is punitive in nature. Remember last month, *Defenses to Discipline*, we discussed, **Was the disciplinary action taken in a timely manner?** Disciplinary actions should be taken as promptly as possible after the offense has been committed.

Corrective and Progressive

The requirement that discipline be *corrective* rather than *punitive* is an essential element of the *just cause* principle. In short, it means that for most offenses management must issue discipline in a *progressive* fashion. The basis of this principle of *corrective* discipline is that it is issued for the purpose of correcting or improving employee behavior and not as punishment or retribution.

Stewards' responsibilities:

Stewards are asked to request to speak to the carrier in private before the II begins. The steward will share any information they may have with the carrier as to what issue the II will address, if known. The steward will remind the carrier again, to answer truthfully, answer to the point and do not vary from the question. Do not offer anything extra, and you are trained to scan everything, and that is what you always do. Stewards are also trained to be on the lookout for certain things, do not take any information provided in the II for granted. Are the times, dates, alleged missed MSP, missed office scan, and missed parcels information all correct? Was the carrier in question even on the route that day? and is the route number and scanner number correct? Are the segments cited from the handbook and manuals used in the

questioning correct? and is the supporting documentation for those segments from the handbook and manuals available to review before questions are answered?

Quick Hits:

Information you should know

*) Mail trucks are in line for a makeover. The boxy white vehicles first appeared 27 years ago, and consumer trends and age have now rendered them too small, inefficient and unsafe. The US Postal Service issued a request for information as the first step in replacing the aging delivery-vehicle fleet, which is suffering from wear and tear and burdening an organization already strapped for resources. General Motors Co., which supplied the chassis for the current truck, is interested in winning the contract, which could be worth more than \$5 billion in revenue. Though the existing fleet has served the Postal Service well, it has become expensive to continue to maintain the aging vehicles. More importantly though, said USPS spokeswoman Sarah Ninivaggi, shifts in consumer trends are driving a lot of factors being considered in a next-generation vehicle. A change to the familiar trucks emblazoned with red and blue stripes and the eagle logo means a major contract for an auto maker, likely an American one. It also means big fuel savings and logistics improvements for a service that had a \$5.51 billion deficit in 2014. The proposal is for some 180,000 next-generation delivery vehicles, which would over time replace the 163,000 right-hand-drive, light-duty mail-delivery trucks now in use. The service says the trucks would ideally cost between \$25,000 and \$35,000.

—The Wall Street Journal

*) We are addressing uniform allowance/purchasing issues affecting CCAs and newly converted CCAs to regular carriers in a Class Action Citywide

(Continued on page 4)

Report: FSALC District 2 Training

Steward training was held on Sunday, March 15, from 10 AM – 2 PM, in Saint Petersburg. I am proud to say we had a total of 13 stewards and officers attend the training and the subject matter was insightful. This training was a first for many of our new stewards; several stewards asked questions and all were engaged and attentive. Branch 599 had more stewards attend the training than the host, Branch 1477. This shows a commitment to learn and educate to better inform the membership.

Facts: Nationwide

- 203,000 active letter carriers
- 36,000 CCAs
- 17% of the carrier workforce is CCA
- 13,876 CCA conversions

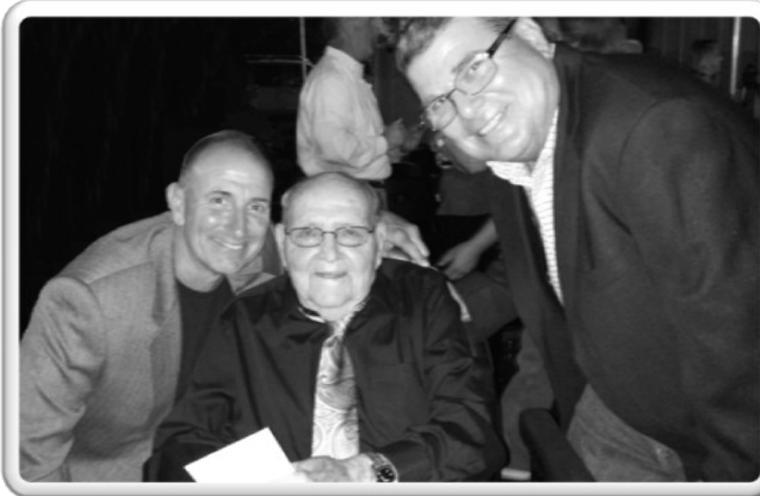
- 80% of all CCAs are union members
- 94% of all regular carriers are union members
- Amazon Fresh, delivering groceries has been a big success in San Francisco. The pilot program will be expanding to several big cities. With the Amazon processing plant located in eastern Hillsborough County, the Tampa Bay area might be an Amazon Fresh destination.
- There are several pending interpretive issues we are hopeful to get answers to soon, we will notify all our membership at that time.

District News:

- CDRAAP is progressing well; 22 routes and counting have been

- created district-wide thus far.
- What's next? LLVs must be brought back to the carrier craft, along with equipment for the 22 plus new routes. Management was not prepared for this occurrence. Beginning in April, when the beginning of these changes are implemented there will be a mad scramble to find equipment and LLVs that have been given away.
- 271G, Special Route Inspections are going well. All routes that the carriers requested a 271G for have done a great job. The carriers have performed their duties professionally by just doing their jobs, no more, no less.

Thanks again to those who attended!



Branch 599 President Tony Diaz and Vice President Alan Peacock share a photo with Saint Petersburg Branch 1477 President Emeritus John W. Bourlon during the dedication ceremony on March 14; the Branch 1477 union hall will be named in his honor.

Around The Horn from The President's Desk

(Continued from page 3)
grievance.

*) **Next work party** – April 12, 2015

Brothers and Sisters, in my December 2014 article I wrote about PS Form 3996 (help slip), an informational guide

to your rights and proper procedures in filing out the important form. Within the next few months I will cover information on a form equally important, PS Form 3971 (leave slip). Like the 3996, the 3971 is a form that is not properly completed and not

properly submitted.

Look forward to talking to you again on the next *Around The Horn from the President's Desk*

The Birdseye View

After many years of hard work with the Florida Legislature we finally have a crack at accomplishing something to end voter suppression during elections. There are bills in both the Florida Senate SB 894 and the Florida House HB 971 to legislate for vote by mail, replacing absentee voting. This would be a major obstacle removed that has confused many voters who had the impression you had to be away from your voting district to use absentee ballot. The current law allowed county supervisors of elections to decide the absentee process and it was different from one county to the next. We need to have our members contact their state representatives and ask for support for this legislation. It will increase voter turnout, as Oregon has the highest voter return in the nation using vote by mail. This is also good for our job as postal workers; it supports our business. Remember, we are the most trusted federal agency...who better to get the job done?

Locally we have several representatives who are on the different committees that will shape these bills and we need to let them know we want their support.

Currently there are three committees in the Senate for its bill: Committee on Ethics and Election; Appropriations Subcommittee on Transportation, Tourism and Economic Development; and Rules Committee A. Janet Cruz of Tampa is on the State Affairs Committee and has always been a great supporter of letter carriers and their issues. Also locally, contact Edwin Narain who is on the Government Operations Subcommittee along with Blaise Ingoglia of Springhill. Other members of the State Affairs Committee are Shawn Harrison, Tampa; Amanda Murphy, New Port Richey; and Jake Rayburn, Valrico. The only local member of the Transportation & Economic Development Appropriations Subcommittee is Kathleen Peters, St. Petersburg. Please contact these state representatives and ask for their support.



Alan Peacock
Vice President
Branch 599

Even though many of us vote by mail in our elections it is more important to have this legislation

become consistent for vote by mail for the whole state of Florida and restore voter confidence and end any voter suppression in a true democracy. The outcome of this legislation which all Floridians are aware of can determine the difference in national elections as well. Florida is a large and diverse state and also a swing state in all major national elections. Many voters determine how they vote based on one or two basic issues: taxes and individual freedoms, but the freedom to vote is the most precious freedom we are allowed in our constitution and no legislation should ever suppress that right. We all need to do our part to protect that right.

Fraternally for Unity and Solidarity,
Alan Peacock, Vice President

Sharing Our Members' Joys and Sorrows

Our deepest sympathy

and prayerful support is extended to the family of **Joe Traina Sr.** [retiree] at his passing, March 5.

Ricardo Garcia Morales

Retired!

President Diaz recognized **Ricardo Garcia Morales** [Plant City], during our March Branch meeting and presented him with a check from the Branch for his retirement.



Ricardo Garcia Morales and Tony Diaz

A Blunderful Blizzard of Boz

Having just submitted my retirement application to Shared Services, it dawned on me that in the near future I will be saying goodbye to customers and coworkers. What a daunting endeavor! What will I say? I suppose I could take my cue from the song made popular by Bill Haley and the Comets, extrapolating to other critters as well:

See you later, alligator.
 After while, crocodile.
 Go in peace, chimpanzees.
 Toodle-loo, kangaroo.
 Now vamoose, silly goose.
 Until then, barnyard hen.
 Gotta scam, stubborn ram.
 Outa here, papa steer.
 Time to scat, kitty cat.
 See you soon, big baboon.
 Time to flee, honey bee.
 Be seeing ya, hyena.
 Take the coach, filthy roach.
 Paid my fare, old gray mare.
 Got my ticket, Jiminy Cricket.
 Lots of luck, Donald Duck.
 Set me loose, Mr. Moose.
 Run for the money, Easter Bunny.
 So long, King Kong.
 I must sail, little snail.
 Don't miss the boat, billy goat.
 Hugs and kisses, little fishes.
 Mustn't tarry, dromedary.

I shall return, little tern.
 'Til next we meet, parakeet.
 All my love, turtle dove.
 Fare thee well, whippoorwill.
 I must withdraw, old macaw.
 23-skidoo, cockatoo.
 Good afternoon, crazy loon.
 No longer present, pheasant.
 It's goodbye, butterfly.
 Show me the door, labrador.
 Pardon me, manatee.
 Have to leave here, busy beaver.
 One last hug, lady bug.
 Have to bolt, frisky colt.
 Godspeed, faithful steed.
 Stay on course, horse.
 Must escape, ape.
 Gotta go, buffalo.
 Hit the road, toad.
 Out of time, porcupine.
 Don't stampede, centipede.
 Aim for the horizon, bison.
 Ride into the sunset, marmoset.
 I'm on the lam, clam.
 Take a hike, yellow pike.
 Kiss my grass, bass.
 Jump in the lake, rattle snake.
 I tip my hat, river rat.
 I'll be back, wolf pack.
 Auf wiedersehen, whooping crane.
 Au revoir, jaguar.

Adios, octopus.
 I'll be out there,
 panda bear.
 I'll buy some
 beer, reindeer.
 Take care,
 teddy bear.
 Can't stay,
 blue jay.
 'Til you post bail, nightingale.
 Out the door, dinosaur.
 Hang loose, mongoose.
 Mañana, iguana.
 Better swish, jelly fish.
 Go get funky, monkey.
 Gotta bail, great white whale.
 In a smidgen, pigeon.
 Pretty soon, raccoon.
 Off we go, rhino.
 Sayonara, calimara.
 A rivederci, turkey.
 Ciao, cow.
 Adieu, emu.
 Aloha, koala.
 Flit, nit.
 Go, crow.
 Goodbye, magpie.
 Ta-ta, cheetah.
 30, birdie.
 It's over, gopher.
 Carry on, Boz.



Jim Boczarski
 Sulphur Springs
 Member
 Branch 599

The eyes and ears of the community: Letter carriers are often first on the scene in situation that threaten the safety and security of the communities they serve.

As one of the few—and some days only—point of human contact for homebound patrons, letter carriers are particularly attuned to signs of an accident or illness. In 1982, NALC and USPS created **Carrier Alert**, a cooperative and voluntary community service program to monitor the well-being of elderly and disabled mail patrons.

The very nature of letter carriers' jobs puts them in constant contact with the public. As a result, countless letter carriers are often the first to arrive on the scene of a crisis, or perhaps they are the first to recognize some sort of problem within their neighborhoods. NALC publishes stories about letter carrier heroism in its monthly membership magazine, *The Postal Record*, and each fall the organization pays public tribute to outstanding examples of letter carrier selflessness with an annual **Heroes of the Year** awards ceremony.

—NALC Fact Sheet: Door Delivery

NALC supports H.Res. 28, which protects door delivery for all businesses and residential customers.

Shop Stewards will Meet

Tuesday 7 PM

March 31

May 5

Sunday Work Party at our Hall

9-11 AM

April 12

May 10

Executive Board Meets

Thursday 6:30 PM

April 2

May 7

Retirees Breakfasts

Monday April 6 9 AM
Coffee Cup Restaurant
4407 N Hubert Avenue, Tampa

Tuesday April 14 8 AM
Bob Evans Restaurant
SR-60 & Falkenburg Road, Brandon

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Bill & Shirley Moran

Gold Card Member Branch 1477 St. Petersburg

Honorary Member Branch 599 Tampa

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