



Tampa Letter Carrier

VOLUME 16, ISSUE 12

DECEMBER 2017

Around The Horn from The President's Desk



Tony Diaz
President

Merry Christmas and Happy Holidays to all Branch 599 Brothers and Sisters!

1 CCA Converted to Fulltime Regular

Former Ybor City CCA **Marvin Suarez** was converted to fulltime regular carrier on Saturday, Veteran's Day, November 11. Marvin was a CCA for a little under 33 months. *Congratulations to Marvin, a Christmas gift in November!* Charkemma Hinnant is now the #1 CCA on the relative standing (CCA seniority) list.

Branch 599's MDA Golf Tournament a huge success!

The 4th Annual Branch 599 MDA Charity Golf Tournament was a record breaker. The tournament was Sunday, November 5, at Heritage Harbor Golf and Country Club, for the second consecutive year. The records were: the most players, the most hole sponsors, and the most raffle tickets sold. The day began a little foggy, but the day turned out beautiful, clear skies and low humidity. *Thanks to all the golfers who*

participated, hole sponsors, donors, and those who volunteered. It is a team effort; we succeed together for a great cause. *Special thanks to Alan Robinson, with local negotiations ongoing during the planning, Alan spearheaded the effort, great job!* (Pictures are included in the newsletter.)

Get Ready to submit your 2018 Choice Leave: Information you need to know

Annual leave submissions for the 2018 Advance Commitment Period will begin December 4 and conclude no later than December 22, 2017. Military leave as well as leave to attend union conventions must be submitted prior to this time. Fulltime career carriers are credited at the beginning of the leave year with the total number of annual leave hours that will be earned for that leave year. Annual leave will be credited to full time carriers on January 6, 2018. The calendar method will be used and the senior carrier in each zone/section will make their selections first. Carriers can request selections of

two periods during the choice vacation period (one week and one week or one week and two weeks). Leave applications must be in increments of forty (40) hours or if 2 weeks are submitted (80) hours **with the vacation period beginning on a Sunday. This is always confusing to some with our work week beginning on a Saturday.**

This year CCAs will also be able to submit for Choice Annual Leave. Negotiations are currently ongoing as to how CCAs will be inserted with the new process.

Investigative Interviews

Let's review your rights regarding Investigative Interviews or an I.I. Investigative Interviews are intended to be fact finding in nature, without assumption, without predetermination of any guilt, without coercion or intimidation, and without any

Branch 599
serving
Brandon
Plant City
Sun City
Tampa

Branch 599 Meeting

Thursday
December 7
7:30 PM

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National Association of Letter Carriers, Branch 599, 3003 W Cypress Street, Tampa FL 33609-1698, 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.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.

Officers

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President	Tony Diaz	813.875.0599 cell 813.598.9635	tony_diaz599@yahoo.com
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Treasurer	John Gebo	813.503.1256	jjg7d7@aol.com
Sergeant-at-Arms	J.C. Howard	813.310.0689	
MBA/NSBA	Al Guice	813.465.9754	
Health Benefit Rep.	Detlev Aepfel	813.242.4507	
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	Jim Good	813.417.8877	jgood.nalc@tampabay.rr.com
Labor Management	Nick Cullaro	813.541.8159	
	Warren Sumlin	813.486.7612	
Presidents Emeritus	Garland Tickle • Orbe Andux Donald Thomas • Michael Anderson James Good • Alan Peacock		

Shop Stewards

Station	ZIP	Steward	Station No.	Steward's No.
Tampa Stations/Branches		Chief Steward, Brian Obst		727.458.0679
Brandon	33510/11	Terry Franklin Luis Cruz	813.661.1636	813.758.3061 813.431.3223
Carrollwood	33618	Freddie Nimphius	813.961.2962	813.263.7895
Commerce	33602	Reuben Perez	813.242.4507	813.508.7094
Forest Hills	33612	Ed Humphries	813.935.2954	813.787.3914
Forest Hills Annex	33613	Nick Cullaro	813.935.2954	813.541.8159
Hilldale	33614	Darrick Smith	813.879.4309	813.446.5555
Hilldale Annex	33634	Varick Reeder	813.879.4309	315.491.6234
Interbay/Port Tampa	33611/16	Jackie Allen	813.831.2034	813.508.1440
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	508.615.6517
Produce	33610	Elvin Rodriguez	813.239.4084	646.346.3288
Ruskin/Sun City Ctr	33570	Patrick Wimberly	813.634.1403	813.245.0847
Seminole Heights	33603	Walt Rhoades	813.237.4569	813.389.1708
Sulphur Springs	33604	Steve Hall	813.237.4569	813.494.4669
TCA/Hyde Park	33606	Mike Williams	813.873.7189	813.541.3092
TCA/Peninsula	33609	Andre Stafford	813.873.7189	813.600.0638
TCA/West Tampa	33607	Michael Smith	813.873.7189	813.326.0717
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	Andre Hinton	813.242.4507	931.980.5169

Around The Horn from The President's Desk

(Continued from page 1)

trickery or deception. However, the intention is not how I.I.s are ultimately used. Most I.I.s seem to lead to discipline, regardless of the answers provided, most discipline seems predetermined. The majority of Investigative Interviews we deal with involve discipline. Investigative Interviews, however, can also be for a criminal investigation. In either circumstance, letter carriers have the right to union representation. Whether the Investigative Interviews are conducted by supervisors and/or managers or by postal inspectors or USPS Office of Inspector General (OIG) agents, letter carriers have the right to union representation. Criminal investigations will likely be conducted by postal inspectors or OIG agents, usually in pairs. Asking for a steward or union representative is your right; this will be mentioned later in the article. It is important to understand your rights in these situations, but it is also critical to understand the different types of warnings a postal inspector or an OIG agent may issue you when an investigatory interview crosses over into the realm of a possible criminal investigation. The 1975 U.S. Supreme Court decision in *NLRB vs. J. Weingarten* gives each employee the right to representation during any *investigative interview which he or she reasonably believes may lead to discipline*. These rights are commonly referred to as Weingarten rights. **The Postal Service is not required to inform you of these rights.** A steward cannot exercise these rights for you. **If you are asked a question by management that you believe could lead to discipline, you are responsible for requesting your shop steward. Management is required to provide a steward upon request.** Once a steward has been provided, you have the right to a private discussion with the steward before the interview continues or begins. You also have the right to a steward's assistance, not just a silent presence. The

employer would violate your Weingarten rights if it refused to allow your representative to speak, or tried to restrict the steward to the role of a passive observer. When an Investigative Interview is being conducted by law enforcement officers, such as postal inspectors or an OIG agent, an employee may be read warnings. The most well-known warning is Miranda. Most people are familiar with this warning from watching crime programs on television.

The Miranda warning is: *You have the right to remain silent. Anything you say can and will be used against you in a court of law. You have the right to have an attorney present before any questioning. If you cannot afford an attorney, one will be appointed to represent you before any questioning.*

Once this warning is given, anything you say can be used in a court of law to try to prove guilt. If you are given a Miranda warning, you should consult with an attorney before answering any questions. Postal inspectors and OIG agents often present a PS Form 1067, Warning and Waiver of Rights and request that employees sign it. By signing this form, postal employees waive their Miranda rights. Letter carriers should not sign PS Form 1067 without first consulting with an attorney. If you do sign a PS Form 1067, anything said from that point forward can be used against you in a court of law.

Since ELM Section 665.3 requires all postal employees to

cooperate with postal investigations, the Postal Service may take disciplinary action against an employee when he or she fails to cooperate during a normal Investigative Interview that does not cross the threshold into a criminal investigation. This would appear to put the employee in an impossible position. Should an employee answer questions even if the answers may result in criminal charges, or should the employee refuse to answer, risking the possibility of discipline for

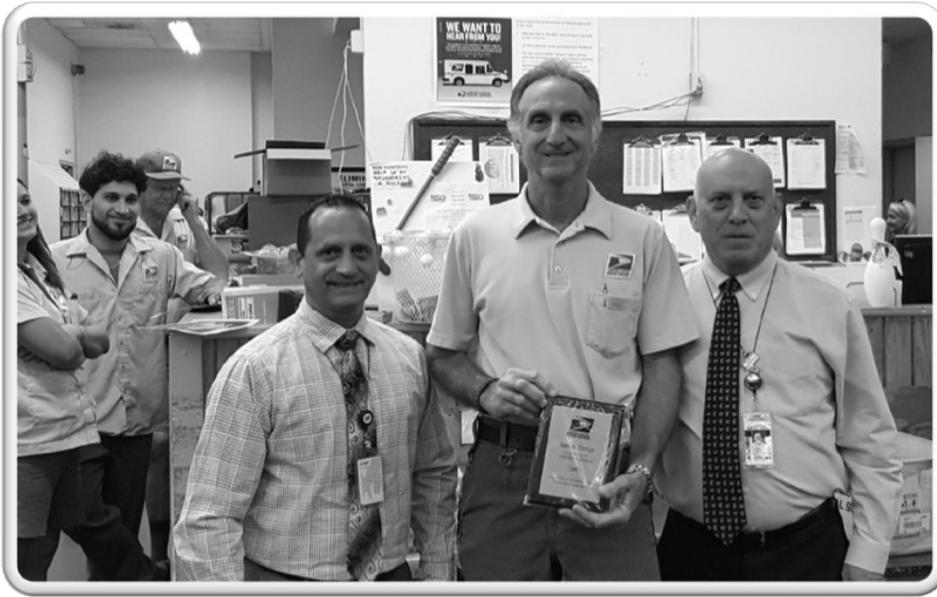
failure to cooperate in an investigation? This problem was resolved by the federal courts in the *Kalkines* and *Garrity* decisions.

The Kalkines warning requires employees to make statements and cooperate, even if it could lead to being disciplined or discharged, but provides criminal immunity for their statements. An example of a Kalkines warning, though the exact wording may vary, could read something like this: You are being questioned as part of an internal and/or administrative investigation. You will be asked a number of specific questions concerning your official duties, and you must answer these questions to the best of your ability. Failure to answer completely and truthfully may result in disciplinary action, including dismissal. Your answers and any information derived from them may be used against you in administrative proceedings. However, neither your answers nor any information derived from them may be used against you in criminal proceedings, except if you knowingly and willfully make false statements. This warning means the employees must be truthful, but can do so without their answers being used against them in criminal proceedings.

A Garrity warning advises suspects of their criminal and administrative liability for any statements made, but also advises suspects of their right to remain silent on any issues that may implicate them in a crime. An example of a Garrity warning, though the exact wording may vary, could read something like this: You are being asked to provide information as part of an internal and/or administrative investigation. This is a voluntary interview and you do not have to answer questions if your answers would tend to implicate you in a crime. No disciplinary action will be taken against you solely for refusing to answer questions. However, the evidentiary value of your silence may be considered in administrative

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Sick Leave Award



Sulphur Springs carrier, **Sam Darrigo**, was presented with an award for accumulating 3,000 hours of sick leave. Presenting the award is Postmaster Richard Fermo and MCSO Tim Dose.

Great job, Sam!

Around the Horn from the President's Desk

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proceedings as part of the facts surrounding your case. Any statement you do choose to provide may be used as evidence in criminal and/or administrative proceedings. The Garrity warning helps to ensure suspects' constitutional rights. It also allows federal agents to use statements provided by suspects in both administrative and criminal investigations. If you are given a Garrity warning, you should consult with an attorney before answering any questions. —*Postal Record*

Quick Hits:

Information you should know

Legislative News

The current administration is attacking all Federal Workers, trying to eliminate the Cost of Living for FERS employees, trying to change the high 3 to the high 5 for retirees.

If a federal employee didn't work the extra time, then according to the Congressional Budget Office, the high five calculation would reduce a Civil Service Retirement System (CSRS)

pension by an average of \$1,424 per year, and for a Federal Employee Retirement System (FERS) pension the average reduction would be \$462 per year. So although the high five versus the high three calculation is not optimal, it doesn't inspire one to run for the doors to retire years early to avoid a high five calculation. On the other hand, if a federal employee was going to retire soon anyway and an announcement came out of a hard date that a high five would apply if they left after that date, it would be worth evaluating retiring months early to avoid the reduction or having to work longer. The Washington Post first reported these specific changes to the federal retirement system, which include other proposals, such as basing future retirement benefits on the average of an employee's highest five years of salary. Currently, retirement benefits are based on an employee's length of service, salary and highest three-year average salary. Federal financial experts are most worried by two specific proposals: increasing employee contributions and

eliminating the Cost of Living Adjustment (COLA) for FERS participants. Specifically, the budget calls for:

- An increase in employee contributions by 1% each year for the next six years,
- An elimination of the COLA for current and future FERS participants,
- Cutting the COLA by 0.5% for CSRS participants of what the typical formula currently allows.

* **e-Activist**

I urge everyone who is not already an e-Activist to sign up; it is free and simple. With all the changes and legislative issues we are dealing with, being an e-Activist helps you stay in tune. The following is the ad from nalc.org: *NALC members! Join tens of thousands of your brothers and sisters to make your voices heard! NALC sends e-mail alerts when it's time to act on issues affecting active and retired carriers and the future of the Postal Service. To join go to nalc.org and click on to e-Activist.*

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

Unionism...As another year comes to a close...

Well, the year of 2017 has zoomed past us like a zephyr wind and we now find ourselves on the cusp of 2018. I feel that this would be a good time to look back over the past year and examine where we were and where we are going in 2018 and forward.

At the start of the year our national officers were embroiled in intense negotiations trying to secure a new national agreement that protected the rights and benefits we have secured in the past while also attempting to gain new rights and benefits for our CCAs. This difficult task was concluded and we now have a new national agreement and while not everyone was satisfied with the outcome there have been pay increases, benefit protections, and the CCAs have secured many new benefits to help them and their families as they weather the trials of waiting to become a regular carrier.

On the local front there have been ongoing local negotiations (LMOU) for each installation in our branch. Tampa, Plant City, Sun City Center and Brandon all have LMOUs that were being negotiated and I am happy to report that as of this writing all should have been concluded successfully. Feel free to consult your officers and stewards for information on any new changes that may have occurred and watch for an upcoming meeting addressing each area's changes.

Many of our members attended the Florida State Association of Letter Carriers (FSALC) convention, held in Orlando this year, to receive news and

information from the national officers. Election of the FSALC officers for the next term was held and many and various training classes were attended to help keep your officers and stewards up-to-date on issues concerning letter carriers. Looking forward, the branch will be sending members to Detroit, Michigan for the National Convention in July of 2018. Please don't hesitate to pass on any questions, concerns, and/or suggestions to your stewards and officers so they can be brought to the attention of the national officers.

This year, our branch sent two stewards to specialized training for Formal Step A and beyond to help provide the stewards in Tampa with the best training possible to ensure the representation of our letter carriers is second to none. This is the second year in a row that the branch has sent stewards to this training and our defense of the carriers is better for it.

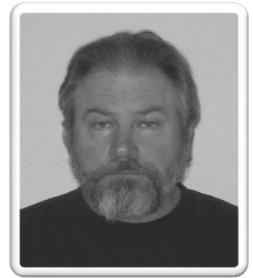
We cannot end our year without considering the retirement of many of our most experienced letter carriers and union members. While the loss of these members is felt throughout the branch we must continue to move forward. These individuals have spent time to ensure that the loss of their experience will be offset by the training they provided to those who have had to step up to replace them. It is important as we move forward that we do not forget this valuable lesson. Always train your replacement to help everyone moving forward. Also if you are new, seek out those preparing to retire and

ask for their counsel. Learn from them while they're here because all too soon they are gone and the opportunity may be lost.

Finally, I would like to take this opportunity to say thank you to all of the members of our branch for allowing me to be a part of this great organization. Over the past 19 years I have had the privilege of serving you, the members, in various capacities. You have graciously allowed me to attend training seminars and conventions, the branch has sent me for many advanced training opportunities, and I have been permitted to serve to benefit the membership for the 19 year period ending. I can tell you that it has been an interesting and rewarding time for me and I hope I have been able to do some good for the membership along the way, I recommend that all letter carriers get involved in whatever way you can so that we all can reap the benefits of truly being involved in a **UNION**. I look forward to what 2018 has to offer and I hope I can continue to be of service to our membership long into the future.

**Remember,
Knowledge is the Key.**

Until next month,
Brian Obst
Vice President
Stations/Branches Chief Steward



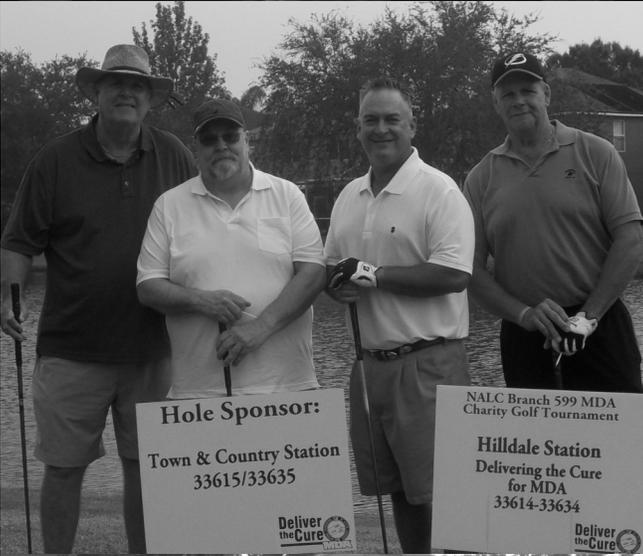
Brian Obst
Vice President
Branch 599

Sharing Our Members' Joys and Sorrows

Our deepest sympathy and prayerful support is extended to Frances and family at the passing of her husband, **Jimmie Scaglione** [retiree], November 13; and to **Sandor Sam Price** [Sulphur Springs] at the passing of his sister, November 13.

4th Annual MDA Charity Golf Tournament was huge success!

The 4th Annual Letter Carriers Charity Golf Tournament for MDA set several records: the most golfers, the most hole sponsors, and the most raffle tickets sold. The donated gifts were awesome, thanks to all who played, donated and helped secure a donation. We will be presenting a check to the Muscular Dystrophy Association with all the proceeds.



Hole Sponsor:
Town & Country Station
33615/33635
NALC Branch 599 MDA
Charity Golf Tournament
Hilldale Station
Delivering the Cure
for MDA
33614-33634

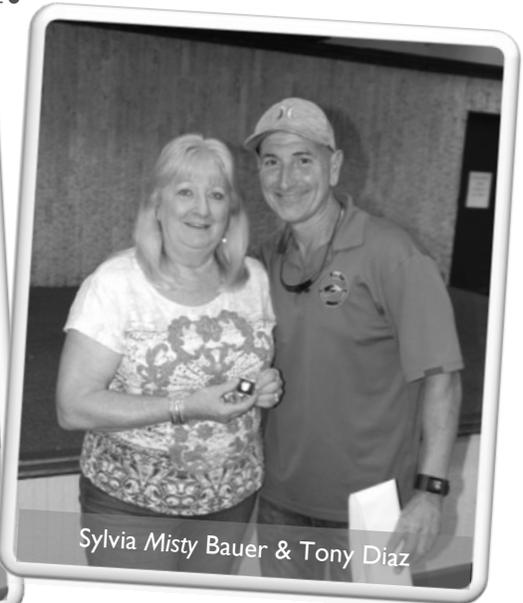
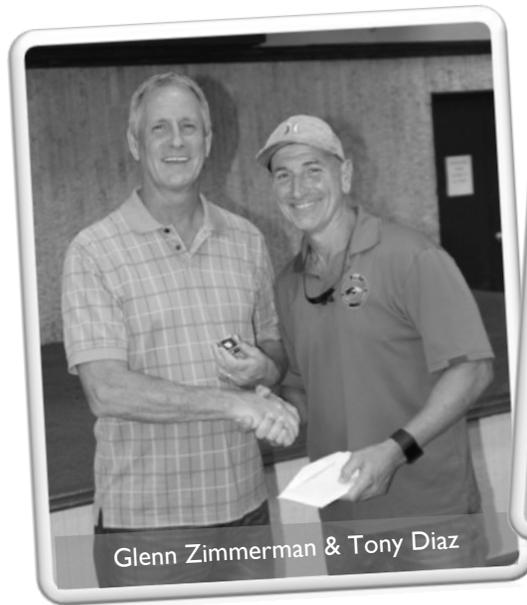


NALC Branch 599 MDA
Charity Golf Tournament
Team Worldwide
Air, Land, and Sea Solutions
NALC Branch 599 MDA
Charity Golf Tournament
Interbay
33611/33616/33629
Make A Muscle
For MDA



Zimmerman and Bauer Retired!

Congratulations to **Glenn Zimmerman** [Forest Hills] and **Sylvia Misty Bauer** [Plant City] who received their retirement pin and gratuity from President Tony Diaz during our November Branch meeting!



Local Negotiations have been completed



Local negotiations between Branch 599 and the USPS have concluded. The 30-day negotiating period began October 16 and ended November 14. The Local Memorandum of Understanding has 22 Items. These were the first local negotiations in over 10 years. Because of our new National contract, all LMOUs around the country were mandated to open and to include CCAs' submission for annual leave. We reached agreement with all four of our cities: Tampa, Sun City Center, Plant City, and Brandon. *Thanks* to the hard work from all the Branch negotiators, in all four cities.

Pictured above, Branch 599 President Tony Diaz poses with Tampa Postmaster Richard Fermo and Brandon Postmaster Caroline Rutledge after signing the Local Memorandum of Understandings in the respective cities. Not shown is Plant City Postmaster, Dennis Brooks, and Sun City Center Postmaster, Tina Cochrane.

Merry Christmas and Happy Holidays

from your Branch Officers,
Stewards, and Staff



Mark your Calendar! Branch meetings in 2018 will be...

January 4 • February 1 • March 1 • April 5 • May 3 • June 7
July 12 • August 2 • September 6 • October 4 • November 1 • December 6

Real-world testing of prototypes began



The U.S. Postal Service has launched full-scale testing of a series of prototype delivery vans from which it plans to select its next mail truck.

The order will be huge for the companies involved.

The USPS will choose models from the prototypes to replace up to 180,000 mail trucks over the course of seven years, an estimated \$6.3 billion of business. The post office's current fleet is aging. Of the 215,000 mail trucks in operation, 140,000 are at least two decades old.

Real-world testing of the prototypes began last month in Flint MI, Leesburg VA, and Tucson AZ in early October. Other test locations include Tempe AZ, Utica MI, and Manassas VA according to the USPS.

Five contenders are participating in the competition, which the USPS has named the Next Generation Delivery Vehicle, or NGDV, program. They include two team entries: VT Hackney/Workhorse Group and Karsan/REV Group. The three additional companies are AM General, Oshkosh and Mahindra.

The postal service said the winner of the vehicle contract will be announced in early 2018.



BRANCH 599 HOLIDAY PARTY!

Sunday December 17 11 AM - 3 PM

Our Union Hall at 3003 West Cypress Street

ACTIVITIES INCLUDE

Santa Claus ❄ Face Painting ❄ Balloon Figures
Craft Table ❄ Bounce House ❄ Toys for each child

DJ

Refreshments/Snacks

RSVP to your Shop Steward or call Branch office: 813.875.0599
Deadline to RSVP: December 11

50/50 Raffle to benefit MDA

*Please bring a new unwrapped toy in support of our
Letter Carriers Toy Drive!*



Retirees Dinner

Save the date...

January 20, 2018

Details to Follow

**Call the Branch Office no later than January 10 to signup.
813.875.0599**

**Our Branch is providing the meal for Retiree and One Guest.
Other/Additional Guest tickets will be at an additional price
and must be paid for by January 10.**



**Job Related Injuries
Government Workers' Comp Provider**

**4150 N Armenia Avenue, Suite 102, Tampa FL 33607
Phone: 813.877.6900**

Shop Stewards will Meet

Tuesday 7 PM

December 5

Note Date Change! Wednesday, January 3

Branch 599 Meeting

Thursday 7:30 PM

December 7

January 4

Executive Board Meets

Thursday 6:30 PM

December 7

January 4

Sunday Work Party

at our Hall 9-11 AM

December 10

January 7

Retirees Breakfasts

Monday January 8 9 AM

Denny's Restaurant at Dale Mabry & Spruce
2004 N Dale Mabry Highway, Tampa

Tuesday January 9 8:30 AM

Bob Evans Restaurant off Fletcher
12272 Morris Bridge Road, Temple Terrace 33637

ARSLAN UNIFORMS

Bill & Shirley Moran

Gold Card Member Branch 1477 St. Petersburg

Honorary Member Branch 599 Tampa

**NEED UNIFORMS IN A HURRY?
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FAX 727.585.9367

bilmor11@gmail.com



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Address Service Requested



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*By signing this form, you agree to allow Tampa Postal FCU to withdraw the applicable fees associated with skipping your loan(s) from the account you designated on the form. Interest will accrue on all loans affected by the program, which may cause that maturity date on all loans to be extended. If recent data shows you have been delinquent on any account(s), the Credit Union reserves the right to deny your application to Skip-A-Payment. If your request is denied, the Credit Union will contact you. To skip your November 2017 loan payment, you must complete and return this coupon with payment information completed no later than October 31st, 2017. To skip your December 2017 loan payment, you must complete and return this coupon with payment information completed no later than November 30th, 2017. Restrictions may apply. Excluding 1st Mortgages, Home Equity Loans, MasterCard, RV Loans and Postal Premier Option (PPO) Loans.

