

Tampa Letter Carrier

OLUME 14, ISSUE 3

M A R C H 2 0 1 5

Around The Horn from The President's Desk

Defending Discipline

Brothers and Sisters, this month I want to delve into the defenses to discipline... the manuals, handbooks and articles vital to defending our membership efficiently and successfully. First we must establish: was management justified in issuing the discipline? Was there just cause and was the discipline progressive in nature (Article 16)? The principle that any discipline must be for just cause establishes a standard that must apply to any discipline or discharge of an employee. Simply put, the just cause provision requires a fair and provable justification for discipline.

We find a substantial amount of discipline issued is usually unsupported, punitive, and predetermined, basically unnecessary. In addition, this discipline is a waste of United States Postal Service time and money.

Was a thorough investigation completed?

Before administering the discipline, management must make an investigation to determine whether the employee committed the

offense. Management must ensure that its investigation is *thorough and objective*. This is the employee's *day in court* privilege. Employees have the right to know with reasonable detail what the charges are and to be given a reasonable opportunity to defend themselves *before* the discipline is initiated.

Was an Investigative Interview conducted? Were the questions for the purpose of fact finding or to accuse? A quality I.I. should ask the questions to get to the root cause of an issue. Stewards have been trained to be on the alert for questions that accuse, nothing should be pre-determined without the facts.

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



Tony Diaz President Branch 599

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.

What is progressive in administering discipline? Article 16, Section 2. Discussion

For minor offenses by an employee, management has a responsibility to discuss such matters with the employee. Discussions of this type shall be held in private between the employee and the supervisor. Such discussions are not considered discipline and are not grievable. The four parameters of a discussion are:

- I) notifying the carrier s/he has a failing of some sort,
- 2) identify to the carrier

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Branch 599 Meetings

Thursday March 5 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/Brand	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 Aeppel	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 Aeppel	813.242.4507	813.505.7914

Around The Horn from The President's Desk

(Continued from page 1)

what the proper procedure is that s/he should be doing,

3) notify how to correct the failing, 4) identify the parameters of the failure to correct. Following such discussions, there is no prohibition against the supervisor and/or the employee making a personal notation of the date and subject matter for their own personal record(s).

Article 16, Section 3. Letter of Warning

A letter of warning is a disciplinary notice in writing, identified as an official disciplinary letter of warning, which shall include an explanation of a deficiency or misconduct to be corrected.

Article 16, Section 4. Suspensions of 14 Days or Less

In the case of discipline involving suspensions of fourteen (14) days or less, the employee against whom disciplinary action is sought to be initiated shall be served with a written notice of the charges against the employee and shall be further informed that s/he will be suspended. A suspended employee will remain on duty during the term of the suspension with no loss of pay. These disciplinary actions shall, however, be considered to be of the same degree of seriousness and satisfy the same corrective steps in the pattern of progressive discipline as the time-off suspensions.

Article 19, Handbooks and Manuals M-39, 115 Discipline 115.1 Basic Principle

In the administration of discipline, a basic principle must be that discipline should be corrective in nature, rather than punitive. No employee may be disciplined or discharged except for just cause. The delivery manager must make every effort to correct a situation before resorting to disciplinary measures.

Referring back to the question: Was a thorough investigation completed? We are also supported by M-39, 115.3, here is what management is obligated to do:

115.3 Obligation to Employees When problems arise managers mu

When problems arise, managers must recognize that they have an obligation to their employees and to the Postal Service to look to themselves, as well as to the employee, to:

- a. Find out who, what, when, where, and why.
- b. Make absolutely sure you have all the facts.
- c. The manager has the responsibility to resolve as many problems as possible before they become grievances.
- d. If the employee's stand has merit, admit it and correct the situation. You are the manager; you must make decisions; don't pass this responsibility on to someone else.

This language in 115.3 is one of the most violated of all the articles, handbook and manuals that we utilized. I have contended a violation of 115.3 for many years when arguing a discipline case. Management does not fulfill their obligation to employees. In most cases, management makes no effort to listen to the grievant and thoroughly investigate a case in order to settle before it becomes a grievance, (a) who, what, where, and why.

USPS-NALC Joint Statement of Expectations (M-01492)

*We will make every effort to establish and maintain a more constructive, and cooperative working relationship between union and management at all levels of the organization by promoting integrity, professionalism, and fairness in our dealings with each other. *We are committed to honoring our labor contract and the specific rights and responsibilities of the parties set forth therein.

* We will work together to prevent

contract violations through communication, training, and good faith efforts to anticipate workplace problems and resolve disputes in a timely manner.

* We are committed to eliminating abuses of our grievance-arbitration procedure, such as the filing of unwarranted grievances to clog the system or a refusal to resolve grievances even where there are no legitimate differences of opinion between the parties.

*We are committed to mutual and joint efforts to improve the workplace environment and to improve the overall performance of the Postal Service.

M-01517,

reinforcement on non-compliance PRESIDENTS, AREA OPERATIONS MANAGER, CAPITAL METRO OPERATIONS

SUBJECT:

Arbitration Award Compliance

Headquarters is currently responding to Union concerns that some field offices are failing to comply with grievance settlements and arbitration awards. While all managers are aware that settlements reached in any stage of the grievance/arbitration procedure are final and binding, I want to reiterate our policy on this subject.

Compliance with arbitration awards and grievance settlements is not optional. No manager or supervisor has the authority to ignore or override an arbitrator's award or a signed grievance settlement. Steps to comply with arbitration awards and grievance settlements should be taken in a timely manner to avoid the perception of non -compliance and those steps should be documented. Please ensure that all managers and supervisors in your area are aware of this policy and their responsibility to implement arbitration awards and grievance settlements in a timely manner.

-Patrick Donahoe, Postmaster General, dated 5/31/2002

(Continued on page 4)

Sharing Our Members' Joys and Sorrows

Our deepest sympathy

and prayerful support is extended to **Robert Giaquinto** [Interbay] at the passing of his grandmother; to **Jim Williams** [Interbay] at the passing of his mother; and to **Pam Benton** [Palm River] at the passing of her father, January 27.

Around The Horn from The President's Desk

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Legislative News

We must keep ourselves educated!

Resolution introduced in House to restore USPS' service standards: Reps. David McKinley (R-WV) and Paul Tonko (R-NY) introduced H.Res. 54, a resolution expressing the sense of Congress that the Postal Service should take all appropriate measures to restore the service standards that were in effect as of July 1, 2012.

H. Res. 54's initial co-sponsors were Reps. David Joyce (R-OH), Marcy Kaptur (D-OH), Doug LaMalfa (R-CA), Cedric Richmond (D-LA), Linda Sanchez (D-CA) and Don Young (R-AK).

As a part of its Network Rationalization Plan over the last few years, the Postal Service has proposed service standard reductions resulting in the closure of hundreds of processing plants and reducing hours at thousands of post offices.

Prior to July of 2012, overnight service for First-Class Mail was the standard for most metropolitan areas and rural communities. But on July 1, 2012, the Postal Service began Phase I of its rationalization plan and, citing the need to save money, adjusted service standards so that overnight mail service was eliminated from most rural communi-

ties and severely reduced in metropolitan areas.

This year, on January 5, USPS implemented Phase 2, which further adjusted service standards in such a way that overnight mail service was eliminated nationwide and that mail sent outside of its originating area was slowed even further. These service reductions are being realized ahead of a plan to close or consolidate 82 mail processing plants nationwide by the end of 2015.

We commend Congressmen McKinley and Tonko and their colleagues for stebping up to help preserve service standards at the Postal Service, NALC President Fredric Rolando said. The agency cannot cut its way to prosperity—not when it has a constitutional obligation to provide timely and efficient service to business and residential customers nationwide. Reducing service standards is an unnecessary financial solution for a Postal Service that, in 2014, recognized an operating profit of \$1.4 billion. Educate your legislators about what reduced service standards mean for all postal customers, Rolando said, and urge your congressional district's representative to sign on to H.Res. 54.

-nalc.org.legislative

Quick Hits:

Information you should know

- *) I want to announce the conversion of 3 more CCAs to full time regular, effective January 24, 2015.
- *) In the next coming months look for starting times to be moved earlier with new operational changes. The goal is to get the carriers back earlier and get the mail processed earlier, wow, what a concept, sounds like what we used to do 25 years ago. The earlier starting times not only will get the carriers back earlier, but the overtime desired list (ODL) carriers should now have additional time to carry trips without forcing non-ODL carriers.
- *) CDRAAP has begun in several local stations, the 3999 teams are only conducting street inspections (3999), not an office count (1838C). Tampa opted in 8 zones, 134 routes. As a District, 108 zones were opted in 1553 routes. We will monitor the adjustments; Warren Sumlin is the Branch local contact. I will be visiting the selected stations during the week they are scheduled.
- *) Next work party March 8, 2015

Look forward to talking to you again on the next

Around The Horn
from the President's Desk



Join together with tens of thousands of other letter carriers to make your voice heard!

NALC will send you email alerts when it's time to act on issues affecting active and retired letter carriers and the future of the Postal Service. www.nalc.org

The Birdseye View

We already have a fast and furious legislative agenda early in the current session with H. Res. 12 for Six Day delivery, H. Res. 28 for door delivery and the latest H. Res. 54 for restoring the delivery standards back to the 2012 requirements for overnight mail delivery. The US Postal service has continued to show a profit since 2012 and with the increase in parcel business and reduced transportation cost with lower fuel prices alone is estimated to bring multi-billion dollar operational profits. Beside all that there is still a lot of work to get the monkey (GORILLA) off the back of the postal service and receive some reasonable reform legislation. There is also legislation stirring in the Senate for total civil service reform from hiring to retirement in all federal agencies even though we are the only one that receives zero tax dollars, we will be targeted as well. Our salvation is the dedication of our members and our representatives who band together to bring our concerns to Congress and don't just sit idle and wait for our hard earned benefits and retirement to be destroyed. Just as there is pressure on the workroom floor and through street initiative, there is also pressure on the rewards that retirees have earned from their years of service. The NALC has and always will be a forward, never reverse, advocate for its members both active and retired as long as we stay united and informed and strong activists. It takes an effort by all of us to contact our representatives and inform them how we feel about the need for reform to preserve the historic service we provide. Yes I mean historic because today's workers work as hard or harder than they ever have and continue to rise to the top and they are the most supervised and watched employees ever.

By the way, as the economy recovers so do the revenues in first class mail;

some people will admit it was a whole lot simpler to stick something in an envelope, put a stamp on it, and you would get it in a couple of days, no problem. Today, is the scanner working, is the email working or fax, and will it come through clearly or will I have to send it several times just so it gets there faster. THINK ABOUT IT. Have we really made so much progress? We already see the next generation that is so electronics connected at a very young age and already teaching the previous generation a thing or two about technology that never stops. We just need to create an app that shuts everything off when we turn the car

If any member is interested in becoming more involved in our legislative process from local and state up to national level, we need more delegates to represent our branch at the Central Labor Council. We are allowed four delegates and no limits on alternate delegates; we currently average one delegate attending meetings each month. The meetings are the first Tuesday of every month at 7 PM, at the IBEW Hall [International Brotherhood of Electrical Workers], 6603 E. Chelsea Street, across from Mary Help of Christians Center. These meetings are great sources of information and allow us to partner with other unions in support of the labor and working family goals for protecting middle class American jobs. If you think this is something you are interested in, call or make an appointment at the branch office and let President Diaz know since he signs the delegate appointments; if you have any questions I will be glad to answer any concerns [contact numbers are in this newsletter]. If any member is not an e-Activist then you are less informed and if you don't support COLCPE with a little support which many members of our Branch don't, then you don't value the

protection and efforts it takes to fend off the wolves that want you to have less. These are just cold hard facts in a nation that has

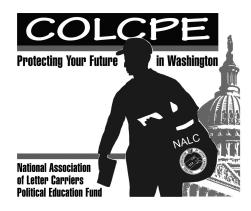


Alan Peacock Vice President Branch 599

many burdens and few good solutions when it comes to resolving its debt and international gifts that fall as heavy and hard on the working class that actually only has 10 percent of our national wealth. We are not trying to tell you how to budget your household, but just informing you that we provide the only job protection insurance to assist you in maintaining your livelihood. Personally, if not for the NALC Health Benefit Plan and other NALC mutual benefit plans and insurance, I would have never survived the millions of dollars of medical debt that my family and I incurred. Everything we offer is union run and secured for all our members; for information just go to NALC.org and there is a wealth of information, or contact your different benefit representatives for information. The best protected member is an all in member of the National Association of Letter Carriers.

Fraternally in Solidarity for Working Families,

Alan Peacock, Vice President



Retirees Banquet was January 17 at Our Hall!



Retiree Station

Our 2015 Retirees Banquet went well and had a lot of positive feedback about doing it at our Hall once again. Being my first as Director of Retirees, I listened, observed and learned; driving at night and driving in certain areas with heavy traffic are concerns. Should we try a Saturday afternoon Retirees Banquet next year at our Hall?...just a thought at this time, however one that I think is worth considering. This might let more of our retirees attend that may not drive at night. Our Branch goal is to honor our retirees at these banquets; making it more accessible to them by changing the hours could help our attendance.

It was great to see everyone enjoying the evening. I learned some things to improve next year's, with one of the most important being, when you call in that you will be attending, we need to get the first and last names, as well as the correct spelling for name tags. Please accept my apologies for the misspelled names and missing names. Spotlight Catering once again did an outstanding job for us; I received many compliments on how good the food was.

Our special quests were: Ron Watson, Director of Retired Members, NALC; Kenneth R. Gibbs Jr., National Business Agent, Region 9; Al Friedman, President, FSALC; Steven D. Fore, President, Branch 1779 Lakeland; and Bill & Shirley Moran, Arslan Uniforms.

Our Branch Office needs our current address, phone number, email (if you use email), and spouse's name; this is necessary to best communicate with each of us as needed. This information is not given out, to protect you. If

someone you worked with is trying to get in touch with you, our Branch Office can get his/her permission to give you

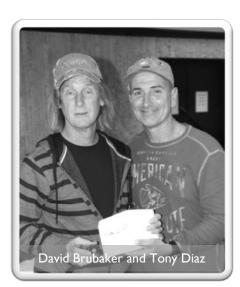


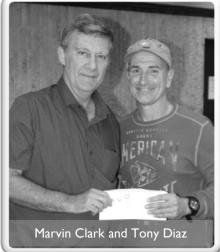
Don Thomas
Director of Retirees
Branch 599

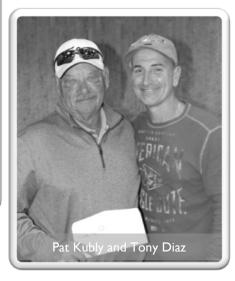
his/her contact information, and then call you with this information. This gives each of us a way to contact others; keep in mind your contact information will not be given out...you will be contacted by our Branch Office with the other person's contact information. Also, from time to time, our Branch needs help from retirees and would use your contact information to seek our help.

You need to mark your calendar for January 16, 2016...for next year's Retirees Banquet at our Hall!

Marvin Clark, David Brubaker & Pat Kubly Retired!







President Diaz recognized **Marvin Clark** [Interbay], **David Brubaker** [Sulphur Springs], and **Pat Kubly** [Carrollwood] during our January Branch meeting and presented each of them with a check from the Branch for their retirement.

Post Office Fun Trivia #1

I. Who was the first person to serve as Postmaster General of what is now the United States Postal Service?

A. Benjamin Franklin

B. Thomas Jefferson

C. John Wanamaker

D. Thomas Paine

2. Which organization created overnight air service?

A. United States Postal Service

B. Airborne

C. Federal Express

D. DHL

3. What service should be used when sending valuables through the mail?

A. Certified Mail

B. Registered Mail

C. Priority Mail

D. Special Delivery

4. Which form do consumers use when they fear they've lost mail?

A. Form 3987

B. Form 3972

C. Form 1510

D. Form 1782

5. Where is the largest post office located?

A. Houston

B. New York City

C. Los Angeles

D. Chicago

6. Who appoints the Postmaster General of the United States Postal Service?

A. Congress

B. Postal Board of Governors

C. President of the United States

D. GAO

7. Who is responsible for the subjects depicted on stamps?

A. President of the United States

B. Congress

C. The Stamp Advisory Board

D. Stamp Officials

8. What agency protects and monitors mail?

A. CIA

B. Department of the Treasury

C. The Postal Inspection Service

D. FBI

9. Roughly how many people were employed by the USPS as of 2003?

A. 500,000

B. 250,000

C. 300,000

D. 800,000

10. What does ZIP in the ZIP code stand for?

Answer (3 words):

Answers on page 10...

no peeking!

-fun trivia.com



A Blunderful Blizzard of Boz

Many of us have enjoyed watching television comedies that center around the workplace. Some examples are The Office, Barney Miller, McHale's Navy, WKRP in Cincinnati and Taxi. Although Seinfeld and Cheers had postal characters, their main focus was not letter carriers. This is why I have envisioned a new comedy series called Sulphur Springs 33604. While it is true that this writer's observations of friends and acquaintances have inspired me, I wish to assure you that none of the following characters are representations of actual individuals.

Raymond Haynes, a cocky ex semi-pro football player with a bowling ball shaped head, who is known for exaggerated personal tall tales and a penchant for hypochondriacal illnesses and injuries. It is said that he regularly makes a parcel run on his mounted route before even pulling down. His street name is Shalomar.

Artie Romaine, an ex-Marine who spent more time in the brig than on duty. Always getting himself in some sort of trouble, he seems to be a cross between Sad Sack and Gilligan. Claiming to be of Puerto Rican descent, his family tree seems to be planted securely in New York City, and his children's number and whereabouts are often a mystery. Never ashamed to accept a handout, he can often be heard asking, Are you gonna eat all that? His pronunciation of words can be entertaining, especially when migrant worker becomes migraine worker and minorities becomes minamina.

Arnold Benedict Rollinger, a true pedigreed American who tries his best to live up to the family's status and reputation, oftentimes having to introduce his qualities into the conversation himself. His talent for photography is unmatched, except by maybe two or three or twelve others in the building.

Elroy Chan, a potpourri of ethnicities rolled into one. This smooth operator knows more than he tells. He will remind you that a good carrier never gets wet, and he doesn't.

Jake "Bog" Bogarski, whose calling card reads: Have pun, Will travel. If you groan at his jokes, it will only entice him. He comes from Buffalo, but sounds like he's from Poland. If you're from Gdansk, he's a north Pole. If you're from Krakow, he's a south Pole. After 28 years on the job he still underestimates on his estimates.

Spam Dorito. This Sicilian has done everything, except those things he hasn't done yet. And he knows everything, more or less. He was the inspiration for Cliff Claven. He can give you the coordinates of the Burmuda Triangle, but don't bet on it. He has a three-year Associate's degree, but has trouble subtracting. He holds up the line at the time clock if he's converting minutes to units. He has delusions about having been a Navy Seal, Or an Easter Seal, Or Shamu, He won't eat food off the floor like the rest of the crew. He faints when they draw his blood, even with crayons. He writes with a pin, won't eat Vietmanese food, refers to Native Americans in the southwest as Pablo Indians, and can understand Artie.

Angelo Wild-otter, a German guy from Dominica who loves playing the lottery. He's not ashamed to bring his son's old lunchbox from home, hence the nickname Spider Man.

Jon Gazebo, an old-timer with the attitude of grizzly bear, but with a heart of aluminum. He thinks nothing of walking over a retired old lady's orchids as a shortcut. He used to pedal his postal bicycle so slowly that it appeared as if he were stationary. He's a bit unorthodox, but he knows

the contract. And that's what matters.

Jim (JD) Parsons, a StarWars-StarTrek-comic book fanatic who



Jim Boczarski Sulphur Springs Member Branch 599

has more memory than Watson. He will never tire of discussing quantum mechanics, boolean algebra, and multiple dimensions. He is certain that we will someday be able to travel through time. (Aren't we travelling through time right now?) And he has pointy ears.

Now, with such a motley cast of characters, it's hard not to imagine the kinds of interactions which might arise. Picture Elroy and Spam challenging each other to a foot race around the block after work only to find out the next day that neither won by default, as they both never showed up.

Next, picture Raymond spouting off about the radio interrupting his train of thought, and blaming the speaker in the corner with Artie misinterpreting it as SP*CK IN THE CORNER. A session of sensitivity training would be deemed necessary to resolve this issue.

A television show like this would help us all laugh at ourselves, help us to cope, and above all, allow us to Carry On! -Boz

The NALC has joined a wide range of progressive national organizations in a coalition known as
A Grand Alliance to
Save Our Public Postal Service.
Read about it at nalc.org.























Post Office Fun Trivia Answers

- I. (A) Benjamin Franklin
- 2. (A) United States Postal Service
- 3. (B) Registered mail
- 4. (C) Form 1510
- 5. (B) New York City

- 6. (B) Postal Board of Governors
- 7. (C) The Stamp Advisory Board
- 8. (C) The Postal Inspection Service
- 9. (D) 800,000
- 10. Zone Improvement Plan (ZIP)

Shop Stewards will Meet

Tuesday 7 PM March 3 March 3 I

Executive Board Meets

Thursday 6:30 PM March 5 April 2

Sunday Work Party at our Hall

9-11 AM March 8 April 5

Retirees Breakfasts

Monday March 2 9 AM Coffee Cup Restaurant 4407 N Hubert Avenue, Tampa Tuesday March 10 8 AM Bob Evans Restaurant SR-60 & Falkenburg Road, Brandon

ARSLAN UNIFORMS

Bill & Shirley Moran

Gold Card Member Branch 1477 St. Petersburg Honorary Member Branch 599 Tampa

NEED UNIFORMS IN A HURRY? SHOP BY PHONE FROM HOME

320 Patlin Circle East, Largo FL 33770-3063
BILL'S CELL 727.543.0705 • SHIRLEY'S CELL 727.543.0708
FAX 727.585.9367
bilmor@tampabay.rr.com



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