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May 2023

Queen City Letter Carriers - NALC Branch 43 News & Views

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Ted Thompson
President

From the President's Desk

Recently I was offered a job with national working out of the Region 11 office. I had many discussions over the course of two weeks. I talked to family and friends, I talked to Branch 43 members, stewards, and officers, and I talked to national officers. In the end, I declined the job. Career wise, this would have been a great opportunity for me. But, there was a lot more to consider than just myself, what I want, or what any career goals I may have. While I am humbled at the prospect of working for national, I have, and always will, love Branch 43. For now, I wish to remain, and am honored to be, President of Branch 43. However, this opportunity did make me really look deep at Branch 43 currently and in the future. In reflection, this month, I wish to share a Branch 43 State of the Union currently and share some of my goals for the future, starting with the most important aspect: membership.

Branch 43 currently has 1,606 members. This number has consistently been down from years past, almost entirely due to inadequate staffing throughout the branch. Throughout the branch, we are approximately 180 active members down from where we should be. This takes a toll on both the members working in the offices and the finances of the union. This, in turn, drives down participation and satisfaction in the union. Low membership and staffing levels create a perfect storm. Nonetheless, this storm must be weathered. That is the current state of Branch 43 in a nutshell. We are weathering the storm, and staying afloat, but its difficult. Its difficult for carriers and its difficult for union activists in the branch. Thus, one of my

main goals for our branch in both the present and the future is to increase membership and staffing. Financially, even with reduced membership our finances remain strong.

In January of last year, the branch took a massive undertaking in purchasing and moving to our current office building, which we own. This move has already been paying off with significantly reduced utilities and upkeep, but we do have some work to do to finish the hall space and finalize permits. All of our current bank accounts and funds also remain stable or strong. The march financial report shows the delegates fund at \$30,000, the stewards pay fund at \$33,000, the building fund at \$116,000, the leave fund at \$87,000, the scholarship fund at \$7,000, and the general fund at \$205,000. Every year, Branch 43 trustees, treasurer, secretary, and president compile a budget. This budget is used as a guide for spending and voted on at a membership meeting. Financially we remain strong, but this is something that must be continually monitored and addressed so that the resources we have are utilized in the most productive or efficient manner.

When looking at the State of the Union, we need to get more, and younger, members involved. Average attendance at union meetings is around 50. Ten years ago, that number was around 80. Twenty years ago, that number was over 100. This downward trend needs to be addressed. Membership meetings also contain more senior, or retired members, than young members. When looking at the demographic of our membership, we are representative of southwest Ohio and America. Within those 1,606 members we represent we have all ages, races, and sexes. We have members in every neighborhood. We have members that align with various political organizations. We really have it all. Looking at Cincinnati's seniority roster, we have 169 members that are currently eligible, or will be eligi-

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NEWS & VIEWS

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NALC Branch 43
11070 Southland Road
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www.branch43.org
Phone: 513-542-6400
Fax: 513-542-0043

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Corey Isham, Kevin Hensley,
Lamont Seaborough, Natasha Wever,
& David Utz

EDITOR'S (Ted Thompson) NOTES
Branch 43 members are encouraged to
send articles to the *News & Views*. Items
of interest about your station, current
events, etc. are welcome. The following
guidelines apply:

- (1) We may edit your article for grammar, punctuation, spelling, etc.
- (2) If it should prove necessary to edit an article for space or coherence, every effort will be made to preserve the substance and intent of the article.
- (3) Unsigned articles will not be printed. Letters, criticism and suggestions for improving the *News & Views* are also welcome. If your letter is not intended for publication, please state so. Letters held to 150 words are less likely to be edited.
- (4) Articles must arrive at the Branch office by the 15th in order to make the next month's issue. Digital format is preferred. Send items to: thompson@branch43.org

Printed in House

President cont.

ble, for retirement in the next five years. Attrition is coming, and we must be prepared. This branch will always be open to any member, but in the future, this downward trend in participation will continue without getting younger members actively involved in the union. One day, while not today, I will not be here, and many other officers and members will not be here. The torch must be passed. Passing the torch is a process. This process starts with membership investment and involvement. At the branch level, every member can attend meetings. This applies to city of Cincinnati carriers and all the members from our associate offices. This is my plea, if you have never been, or have not been in a long time, to start attending membership meetings. Attending meetings you will hear local information, national information, political information, as well as vote on motions and bylaws that directly affect branch finances, regulations, and policies that govern us. You will also meet carriers from all across the branch going through the same plight together. And that is the point, that we do this together. As president of Branch 43 I just have a title, that's all. I am nothing more than a letter carrier with a title. Branch 43 also has a lot of positions with a title for which there is currently, and always will be in the future, a need. One beautiful aspect of a labor union, and the members it represents, is that not everyone needs to be great at everything. I don't need or want a handful of people doing everything, I want a lot of people doing one thing. I want to share some of the titles or positions we have a current or future need for when looking at the State of the Union. Each of these titles or positions play an important role in the mission of Branch 43.

YOPC: The Ye Old Pharts Club. This is our retiree club. This club comes to the union office the Wednesday prior to the union meeting each month to label and mail the *News & Views* you are currently reading. If

you are retired, and want to donate a few hours of your time, this is a great group of retired carriers that help. Come on out one day.

News & Views Editor or Branch Scribe: Want to help with the *News & Views*? Have something to offer or share? Have new or unique ideas? Please, get involved. When is the last time you have read something from Cincinnati in the *Postal Record*? Been a while, that's because that is the vacant position of Branch Scribe. Interested?

Delegate: This is an elected position every two years, but there are always positions not filled. Did you know it is the delegates that attend state and national conventions that submit and vote on resolutions that form our official bargaining position with the Post Office during contract negotiations or interest arbitration? Delegates also vote on resolutions that amend our bylaws or constitution and the rules from which we are governed.

Steward: This is an elected position, however we do have offices without an elected steward in them. Are you interested in knowing and enforcing your rights and those of your brothers and sisters? Are you already a quality steward and want to be challenged more? We not only need now and in the future good shop stewards (Informal A), but good Formal A stewards overseeing the grievance process that can't be settled in office.

Dispute Resolution Team Representative: This is for the most experienced and advanced stewards and is generally a full-time position. Currently, Branch 43 has a member (Denny Doud) that sits on the DRT. Who wants to challenge themselves to be there when Denny retires or is on vacation?

Arbitration Advocate: This is the highest level of representation one can do locally. When grievances don't get settled through various steps, they advance to a neutral arbitrator who will render a final and binding decision. Are you ready to act as counsel for the

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Pat Dougherty
Vice President

From the Vice President

Article 13 Assignment of Ill or Injured Regular Workforce Employees

The provisions of Article 13 govern voluntary requests for light duty work by employees who are temporarily or permanently incapable of performing their normal duties as a result of illness or injury. The term 'light duty' should not be confused with the term 'limited duty.' The term limited duty is not used in the National Agreement. Rather, the term limited duty was established by 5 Code of Federal Regulations, Part 353—the O.P.M. regulation implementing 5. U.S.C. 8151(b), that portion of the Federal Employees Compensation Act (FECA) pertaining to the resumption of employment following job-related injury or illness. USPS procedures regarding limited duty are found in Section 540 of the Employee and Labor Relations Manual (ELM). Limited duty may be provided for an employee who is temporarily or permanently incapable of performing their normal duties as a result of a job-related compensable illness or injury.

Article 13.2 A. Temporary Reassignment reads any full-time regular or part-time flexible employee recuperating from a serious illness or injury and temporarily unable to perform the assigned duties may voluntarily submit a written request to the installation head for temporary assignment to a light duty or other assignment. The request shall be supported by a medical statement from a licensed physician or by a written statement from a licensed chiropractor stating, when possible, the anticipated duration of the convalescence period. Such employee agrees to submit to a further examination by a physician designated by the installation head, if that official so requests.

Article 13.2 B. Permanent Reassignment reads any ill or injured full-time regular or part-time flexible employee having a minimum of five years of postal service, or any full-time regular or part-time flexible employee who sustained injury on duty, regardless of years of service, while performing the assigned duties can submit a voluntary request for permanent reassignment to light duty or other assignment to the installation head if the employee is permanently unable to perform all or part of the assigned duties. The request shall be accompanied by a

medical certificate from a physician designated by the installation head giving full evidence of the physical condition of the employee, the need for reassignment, and the ability of the employee to perform other duties. A certificate from the employee's personal physician will not be acceptable.

Article 13.2. C reads installation heads shall show the greatest consideration for full-time regular or part-time flexible employees requiring light duty or other assignments, giving each request careful attention, and reassign such employees to the extent possible in the employee's office. When a request is refused, the installation head shall notify the concerned employee in writing, stating the reasons for the inability to reassign the employee.

On Branch43.org website you can see the local agreements for the Cincinnati installation along with all the associate offices local agreements regarding light duty assignments. I will go over bidding while on light or limited duty. A Memorandum of Understanding dated March 16, 1987 (M-00752), governs bidding by letter carriers on light or limited duty. It provides: The following procedures will be used in situations in which a regular letter carrier, as a result of illness or injury, is temporarily unable to work their normal letter carrier assignment, and is working another assignment on light duty or limited duty basis, or is receiving Continuation of Pay (COP) or compensation as a result of being injured on the job, sick leave, or annual leave, or leave without pay (LWOP) in lieu of sick leave.

- A) A regular letter carrier who is temporarily disabled will be allowed to bid for and be awarded a letter carrier bid assignment in accordance with Article 41, Section 1.C.1, or, where applicable, in accordance with the provisions of a local memorandum of understanding, provided that the letter carrier will be able to assume the position within the six (6) months from the time at which the bid is placed.
- B) Management may, at the time of submission of the bid or at any time thereafter, request that the letter carrier provide medical certification indicating that the letter carrier will be able to perform the duties of the bid-for the position within six (6) months of the bid. If the letter carrier fails to provide such certification, the bid shall be disallowed, and, if the assignment was awarded, it shall be posted for bidding. Under such circumstances, the letter carrier

Proposed By-law Change. Second Printing. Vote to take place at May Membership Meeting**Current** Language Article V Section 1:

Each member shall pay monthly dues equal to two hours base pay for an NALC grade 1, step O letter carrier employed by the United States Postal Service. The dues of each retired member shall be thirty-seven dollars and twenty cents (\$37.20) per annum. Per the National Constitution all 1189 for deduction of dues, unless retired on OWCP.

Proposed Language Article V Section 1:

Each member shall pay monthly dues equal to two hours base pay for an NALC grade 2, step P letter carrier employed by the United States Postal Service. The dues of each retired member shall be thirty-seven dollars and twenty cents (\$37.20) per annum. Per the National Constitution all 1189 for deduction of dues, unless retired on OWCP.

RETIREMENT SEMINAR

Sunday, June 11th, 1:00 PM

This retirement seminar will be conducted by Region 11 RAA Dave Kennedy and Branch 43 President Ted Thompson. This retirement seminar is open to *ALL* members, and their spouses or partners. For those unable to attend in person, a virtual option is available. Any member wishing to attend in person or virtually, please contact the branch office so we know how many copies of material to make. If you plan to attend virtually, please provide an email address to the branch so that a link may be provided prior to the event. If there are any questions, please contact the branch office.



Vice President cont.

- er shall not be permitted to rebid the next posting of that assignment.
- C) If at the end of the six (6) month period, the letter carrier is still unable to perform the duties of the bid-for position, management may request that the letter carrier provide new medical certification indicating that the letter carrier will be able to perform the duties of the bid-for position within the second six (6) months after the bid. If the carrier fails to provide such new certification, the bid shall be disallowed, and the assignment shall be posted for bidding. Under such circumstances, the carrier shall not be permitted to re-bid the next posting of that assignment.
 - D) If at the end of one (1) year from the placement of the bid the carrier has not been able to perform the duties of the bid-for position, the letter carrier must relinquish the assignment, and shall not be permitted to re-bid the next posting of that assignment.

E) It is still incumbent upon the carrier to follow procedures in Article 41.1.B.1 to request notices to be sent to a specific location when absent. All other provisions relevant to the bidding process will also apply. Letter carriers who bid to a higher-level assignment pursuant to the procedures described in the preamble and part 1 bidding, above, will not receive higher level pay until they are physically able to, and actually perform work in the bid-for higher level position.

If an employee who has accepted, and is working, a light or limited duty assignment subsequently bids and is awarded a new bid position pursuant to this memorandum, there is no contractual requirement to adjust the light or limited duty assignment as a result of the newly awarded bid position. If, however, management determines that a new limited duty assignment is in order, the new assignment must comply with the ELM Section 546.142 relative to the newly awarded bid position.

In Solidarity,
Pat Dougherty

**Motions made at the
April Membership
Meeting**

To dispense with the roll call of Officers and reading of the previous months minutes. **Carried**

To take out a \$400 full page ad, for the Ohio State Convention book August 4-5. **Carried**

To give Art Holt a \$200 gift card in appreciation for cooking for the YOPC. **Carried**

To send the President to Hero/Humanitarian Awards in Washington DC May 9-12 to include travel, hotel, and per diem. **Carried**

To send Health Benefits Representative to the NALC Health Benefits Seminar in Las Vegas October 15-18 to include hotel and per diem. **Carried**

To send up to 8 people to the RAP session in New Orleans November 17-19 to include travel, hotel, per diem and wages. **Carried**

To pay the bills. **Carried**

To adjourn. **Carried**



Denny Doud
NALC DRT Rep

STEWARD'S CORNER

It appears too many carriers represented by Branch 43 are not taking disciplinary action seriously. Discipline is a profoundly serious matter. There are progressive steps of discipline at the USPS which include official discussion, letter of warning, 7-day suspensions, 14-day suspension and removal. All disciplinary official actions should be treated seriously. All adverse actions may be cited as elements of prior discipline in subsequent disciplinary actions and remain in an employee's OPF for two years, unless otherwise negotiated. The issuing authority does not have to have a concurring official for letters of warning. If any of the actions are issued and not grieved, they will remain active in the grievant OPF for a period of two years.

Any disciplinary action must contain written notification of the grievant rights and time limits to file a grievance. No disciplinary action should take place before a pre-disciplinary investigation (PDI) takes place. A letter carrier has the right to a steward in a PDI, if they ask for one to be present. If management does not offer them a steward upon request, they have a right to not say anything until the steward is present. If management calls an employee back to the office, they should ask if the matter could lead to discipline. If management says, "no," then the matter is a discussion. A discussion, in this case, should be one-sided. Management talking and the employee listening. This is especially important for the employee to remember, so that they will not give management any additional ammunition. Discussions are not grievable but are required for most minor offenses before management moves on to taking disciplinary action. Management is putting the employee on notice that some type of behavior or action is unacceptable and must be corrected.

If a PDI does take place and you ask that a steward be present, both you and the steward are entitled to know what the charges are. The union steward should move to union time for a PDI. The employee receiving the PDI should either move to union time or meeting time. The union steward and employee should have a chance to discuss the matter privately before meeting with management. This pre PDI counseling can be particularly important, so the steward is not taken by surprise in the PDI. Questions are supposed to be open ended and not leading. The steward should object to any leading questions that suggest an answer or contain testimony on what happened in a particular

incident. You and the steward need to remember this is your day in court.

Although the union steward has no contractual right to ask questions in a PDI, they do have the right to object to leading questions. They also have the right to ask the employee to clarify answers or explain the answer in further detail. If management tries to issue you disciplinary action, they do not need to provide you with a union steward. Don't try to avoid accepting the discipline or asking for a steward. Management is under no contractual obligation to provide a union steward to an employee who is receiving disciplinary action. The first copy that management hands you, is your copy to keep. Do not let it leave your possession. Immediately date it as received. Signing for disciplinary action is not an admission of guilt, it just means that you have received the notification. It is up to the employee if they are going to grieve notices of adverse action. Any letter carrier who wants to stay in the Postal Service for an exceedingly lengthy career needs to grieve any disciplinary action issued. Remember the union has an extremely limited time to grieve matters (within 14 days of the incident date) and you should immediately contact the steward and provide him a copy of the disciplinary action, a statement of why you think the charges are improper or deserve mitigation and any documentation that may help the steward prevail in your case. Remember, it is your case that the steward is trying to win, so please provide them with all relevant documentation necessary. If you are off for an extended period, management may send you disciplinary action to your address of record. Make sure, if you have an action pending and you are off work, check your mailbox daily to ensure you are aware if any disciplinary action is sent. Do not ignore requests for PDIs or extend absence letters. Plan to attend the PDI or reschedule it to a time you can attend. Remember this is your day in court, so do not pass up the opportunity to present evidence and testimony on your behalf. Be reasonable in your expectations. The union often gets employees out of disciplinary action because management fails to follow rules and requirements set forth in the handbook and manuals. Do not count on these procedural arguments to keep yourself discipline free. Do the right thing, show up to work, fill out PS forms like 3996, 3971, 1767, 1571s to document and protect yourself. Bring in properly worded medical documentation that has the right verbiage of unable to perform duties when requested.

Denny Doud

Branch 43 Membership Awards Part 2



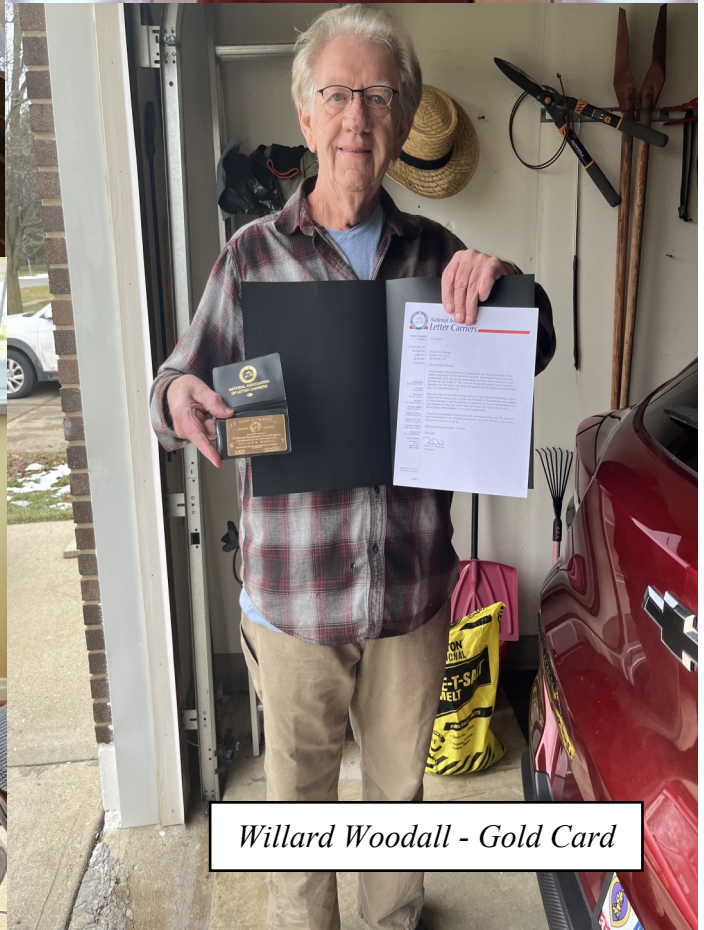
Dan Warnock - Gold Card



Ed Brown - Gold Card



Andrew Camele- Gold Card & 60 Year



Willard Woodall - Gold Card

Last Punch Bunch



Lori Cox- Mt. Washington



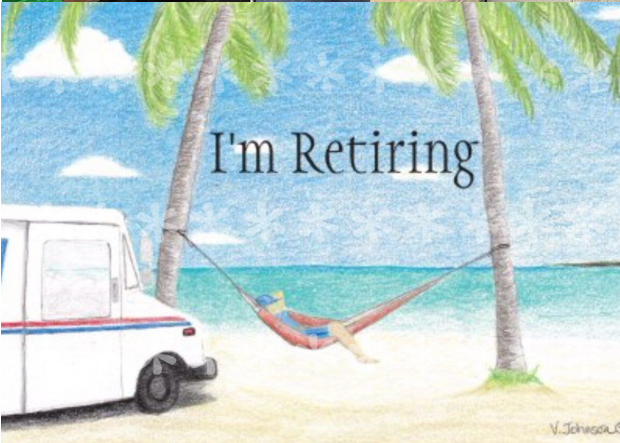
Stan Mohr III - Anderson



Steve Jagers - Mt. Washington



Mt. Washington Crew





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NALC Health Benefit Plan

Customer Service

For eligibility, claim and benefit information

1-888-636-NALC (6252)

For additional information visit our website at:

www.nalc.org/depart/hbp

www.nalchbp.org

President cont.

NALC? Currently Branch 43 only has two members qualified in myself and Vice President Dougherty.

Branch Officer: Currently we have 20 branch officers serving various titles with varying responsibility and job duties. Nine of these officers are retired. Next election, positions will be available. Are you ready to step up and serve as an officer, make fiscally responsible decisions, and represent the membership?

When looking at Branch 43 should I have accepted the job offered nationally, this is what I have to look at for us. These are all positions that need to be filled currently or in the near future. Attrition has hit this branch for years and we have not replaced what was lost. It is my job as branch president to find, mentor, and coach not only my replacement, but all positions within the branch. While current working conditions are no doubt tough, unless we get more members involved to adequately fill these vital roles, the future State of the Union is bleak. If you are curious and want to know more about how to get involved, please contact me, the branch office, a current branch officer, or your steward.

Fraternally,
Ted Thompson

Family and Medical Leave Act (FMLA)

Human Resources Share Service Center

1-877-477-3273 Option 5, then Select 6

TTY: 1-866-833-8777

MAILING ADDRESS:

HRSSC FMLA EASTERN

PO Box 970905

Greensboro NC 27497-0905

FAX: 651-456-6041

April Membership Meeting

Raffle Winner

Split the Pot - Diana Enwright



Gregory	Bach
Linda	Baker
Charles	Bryant, Jr.
Scott	Charcholla
Robert	Curtis
William	Dryden
Ronald	Furnish
Kathleen	Griesinger
Connie	Griffieth
Paul	Guidugli
Ralph	Jordan II
Craig	King
Bill	Lipp
Deborah	Marksberry
Jaimee	McNulty
Terrill	Nolan
David	Perine
Billie	Powell
Joseph	Reis
Judy	Russell
Michael	Scott
George	Smed, Jr.
William	Steward
Alan	Wileman

May Retiree Birthdays

April YOPC Attendees

- Deborah Bryant
- Liz Darby
- Diana Enwright
- JR Ford
- Art Holt
- Burt Hughes
- Dick Keller
- Gerry Mees
- Ken Pflanz
- Robert Wilkinson

Join fellow retirees next month for sharing old times, playing cards and lunch



May Gold Carders

- | | |
|----------|-----------|
| Harry | Humphries |
| John | Knock |
| James | Koch |
| James | McDonald |
| Lawrence | Nadermann |
| Thomas | Rieskamp |
| Michael | Russo |
| Ronald | Sharp |
| George | Wagner |



Donald E. Ruark

You will be missed.

Join fellow retirees for lunch

1:00 pm - 1st Monday of each month

June 5th

Ludlow Bromley Yacht Club

860 Elm St.
Ludlow, KY 41016

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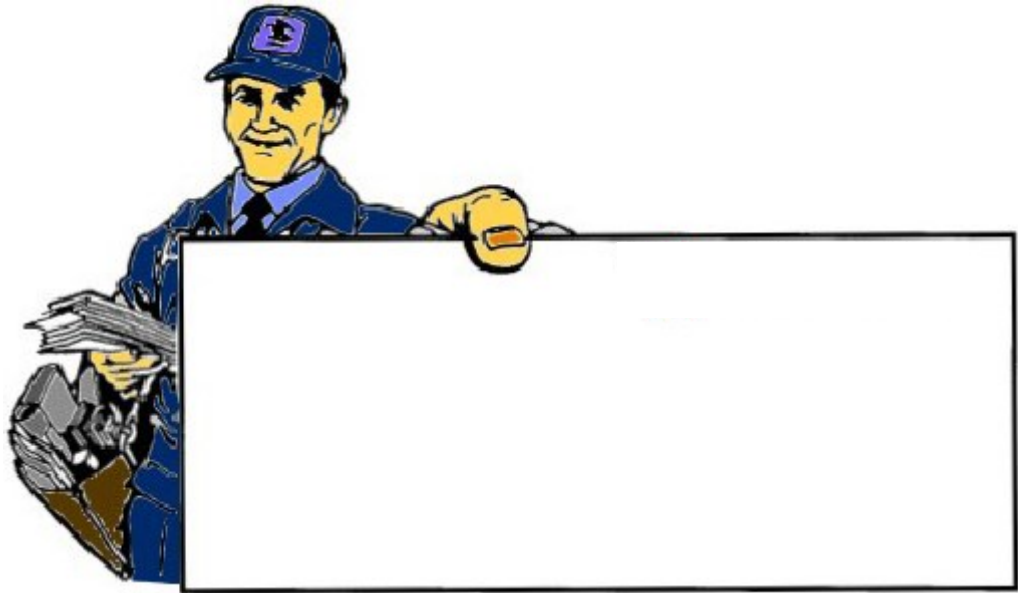
*Balance must be at least \$10,000 or greater to qualify. For loan balances below \$10,000 only the 90 day deferment will be offered. Member must qualify for the loan under normal underwriting guidelines. Minimum rate floor of this offer is 2.99% APR. Interest will accrue over the 90 day deferment period regardless of balance. Member must be able to provide verification of existing rate. Existing PFCU loans are excluded. This institution is not federally insured. **MEMBERS' ACCOUNTS ARE NOT INSURED OR GUARANTEED BY ANY GOVERNMENT OR GOVERNMENT-SPONSORED AGENCY**

Queen City Letter Carriers

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Cincinnati, Ohio 45240

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Upcoming Events

- Officers Meeting** - May 11th, 6:00 PM
- Delegate Meeting** - May 11th, 7:00 PM
- Branch Meeting** - May 11th, 7:30 PM
- Food Drive** - Saturday, May 13th
- Hall Clean Up** - Sunday, May 21st, 9:00 AM. Good Delegate volunteer event.
- June YOPC** - Wednesday, May 31st
- Retirement Seminar** - Sunday, June 11th, 1:00 PM . To attend virtually, please provide an email address.

