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January 2022

Queen City Letter Carriers - NALC Branch 43 News & Views

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Ted Thompson
President

From the President's Desk

New year - new building. With the help of many officers, most notably Jerry Giesting and Burt Hughes, the branch moved to our new facility the weekend of December 18th.

As of this writing, we are fully operational in our new building located at 11070 Southland Road, Cincinnati, Ohio 45240. I want to take this opportunity to thank the Branch 43 officers and building committee (Jerry Giesting, Burt Hughes, Connie Griffith, Denny Doud, & Skip Grant) for their efforts in making all this happen. To truly appreciate where we are now, we must acknowledge what led us here.

In 1983 under the leadership of Branch 43 President Emeritus Gary Gabbard, the branch purchased the property at 4100 Colerain Avenue for a sum of \$102,500. For many years, that building served all the needs of the branch. We used that building for our offices and membership meetings. We also used that building for special events. That building also serviced the needs of many other union organizations throughout the years for similar purposes. As proud and thankful as I am for that building, when I became President of Branch 43 three years ago, I really started to analyze the needs of the branch with consideration to declining finances and a deteriorating building. By late 2019 and early 2020, I began discussing our financial situation and budget along with our building condition during officer meetings. At the time, we were just having informal discussions and looking at options. Do we repair, do we build, do we sell - then COVID-19 hit, and all movement was put to a drastic halt. Early 2021 came and the branch officers became refo-

cused on the task thanks to a mandate from our insurance provider (USI).

USI insurance conducted a random inspection on the outside of our building. Their inspection required the repair or replacement of our roof. Many branch members already knew we needed a new roof as it was leaking in three separate locations (2 in the hall, 1 in the men's restroom). USI insurance required us to fix the roof in order to maintain our insurance. This is when I formed a building committee to really start looking at our options moving forward. Initial estimates to put on a new roof and repair the damaged sub sections came in at over \$100,000. USI insurance then inquired in to our electrical and plumbing and whether they were up to code. Estimates to fix those came in at \$80,000. The building boiler and furnace was from 1984. Estimates to replace that came in at over \$100,000. The building hall was sunk on one side. Estimates to pump that back up were \$30,000. While all of these were significant costs, none of them took into consideration that the front office building (built in 1890) is housed on top of a deteriorating rock foundation. The building was leaning toward the road causing stress fractures in the hall building (built in 1935). The building committee then looked into the possibility of rebuilding on the current lot. To build similar to what we had, estimates were almost one million dollars. Thus, the building committee, with approval of the membership, began to look into selling the property and purchasing or renting a new property.

When looking to sell the building committee spoke to many different realtors, ultimately selecting one to list our property at 4100 Colerain Ave. The property sold (as is) for \$375,000. The building committee then had to look at whether we want to rent or purchase. If we purchase, where do we purchase, how much do we have to purchase, what size build-

Continued on following page



NEWS & VIEWS

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Dir. of Legislative & Political Affairs:

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Enwright, Skip Grant, Randy Utz
A.F.L.- C.I.O. Delegates:
Exec. Council— Ted Thompson
Brian Bailey, Kevin Hensley,
Lamont Seaborough, Natasha Wever,
& David Utz

EDITOR'S (Taylor Whitt) 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: taylorwhitt777@gmail.com

Printed in House

President cont.

ing are we looking to purchase. The goal was to find a property from which the branch offices could operate but still house membership meetings. Another goal was to have the property located inside the Interstate 275 loop with a Cincinnati zip code. After much searching, many conversations with realtors and a handful of viewings, the building committee noticed the property at 11070 Southland Rd. Myself, along with all five members of the building committee viewed the property. After back-and-forth negotiations with the seller, it was agreed, with approval of the membership, we would purchase the property for \$358,000 cash. We have no mortgage. Our current property was built in 1984 and passed all final inspections after a few minor electrical repairs. We also got the seller to reduce the price by \$6,000 for money towards a new furnace as the current one is old and there is no air conditioning in the hall space. While this building could use some cosmetic makeovers, there is no immediate structural work necessary (we are fully insured without conditions). Moving was done entirely through volunteer work of branch members. Going through branch inventory and records was a tremendous feat. Hundreds of thousands of documents were painstakingly gone through and organized. A shredding company was called to get rid of all personal information for documents not necessary to move (medical records, social security numbers, tax records, payroll identifications, etc). Service providers were out the weekend of December 18th to get all operational necessities established (phones, internet, etc.). All office software was then set up and ready for business on Monday December 20th.

While there will still be some work done on our current building in the future, I cannot emphasize enough how grateful I am for our branch to be in the position we are in the years

ahead. I encourage every branch member to visit us at our new location. We are, however, still in the process of unpacking and reorganizing the offices and hall space. Currently, we are also having building signs made and acquiring office furniture. While it will be a process to get settled, we are fully operational. Hopefully, the branch officers will be able to help organize an open house event in the near future.

Branch officer and steward elections are closed and finalized. A listing of the 2022-2023 branch stewards can be found on page 5. A listing of all officers can be found on page 2. These are extremely tumultuous times for the Postal Service and the NALC, so I ask all members to throw your support in helping these individuals navigate the complex and evolving era of the current Postal Service. Installation of branch officers will be conducted by NALC Director of Life Insurance Jim Yates at our January 13th meeting. I hope you all had a happy new year and I hope to see you at the meeting for installation!

Fraternally,
Ted Thompson



Vice President cont.

processing so many grievances in a historically (Covid-19) difficult year. These grievances also fail to consider the number of issues resolved without having to resort to filing a grievance.

In Solidarity,
Pat Dougherty



Pat Dougherty
Vice President

From the Vice President

2021 Grievance Year in Review

As Branch 43 Vice President one of my primary duties is heading the grievance committee. With the year ending and beginning a new year I wanted to share with the membership the branch grievance activity for 2021. Branch 43 had 1760 grievances in 2021. In 2020 the branch had filed 1280 grievances, so the grievance numbers for 2021 are significantly higher. While I do not have the availability of space to list all the grievances that have been filed, or every issue filed for, I will list the most common grievances that were filed this year by contract and discipline. The breakdown for contract grievances is as follows:

- * Article 8/Forced Overtime- 999
- * Steward Time/No Information Provided/No Meeting- 28
- * Harassment/JSOV – 41
- * Non-Compliance- 24
- * Removal from a hold down- 164
- * Quarterly Overtime Equitability- 22
- * LWOP in lieu of SL/AL/LWOP issues- 52
- * Limited/Light Duty- 6
- * Uniform Allotment- 3
- * Workhour Guarantee- 34
- * Mgmt/Rural doing craft city work- 44
- * Letter of Demand- 2
- * Holiday Schedule- 4
- * Change in start time- 8
- * False Editing of Clock Rings- 2

These contract grievances show an increase of 361 overtime grievances from the prior year. This is a clear correlation of management inability to retain non-career carriers (CCAs) as many stations are running open routes. Management is giving carriers unrealistic expectations in the form of pivots by using the Performance Engagement Tool (PET) and this creates conflict among carriers and management resulting in an unharmonious working environment. The breakdown for discipline grievances is as follows:

- * Letter of Warning- 156
- * 7-Day Suspension- 66
- * 14-Day Suspension- 32
- * Emergency Placement- 15
- * Removal- 17

The discipline grievances filed this year show a decrease of ten (10) total from the year prior. However, the number of lower-level disciplines has increased by twenty-two (22) on Letter of Warning (LOW). I must also note that every year we have discipline issued that is not grieved because management issued it without a union representative present or mailed it to employee home of record and the carrier failed to notify the union, they were issued discipline. Many times, the union only becomes aware that lower-level discipline was issued when we grieve a higher-level discipline that cites it as elements of past record. If management ever attempts to issue you discipline without a union representative present, always inform the union of this, so a grievance can be initiated on your behalf for the discipline issued. Keep in mind that signing the discipline issued to you is not an admission of guilt it just acknowledges that you received the discipline and that is the incident date for the grievance in which the union only has 14 days to file on your behalf. If you do not grieve the discipline issued to you it will remain in your personal files and records for two years.

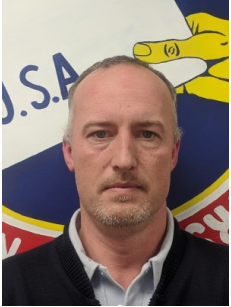
Of the 1760 grievances filed in 2021 so far 393 remain open at some level of the grievance procedure Informal A, Formal A, Step B or pending arbitration, while the rest have been resolved at some step of the grievance arbitration process. The step and status of the cases resolved is as follows:

- * Withdrawn- 69
- * Settled by Informal A (Shop) Steward- 439
- * Settled by Formal A Steward- 598
- * Settled at Step B- 107
- * Awarded through Pre-Arbitration or Arbitration- 154

Branch 43 took two (2) cases to arbitration in 2021 and both cases were sustained. The first case was a class action Article 8 at the Middletown Installation awarding the improperly forced carriers administrative leave for every hour improperly forced and the second case was an individual out at Sharonville being awarded 40 hours of administrative leave and credited back 32 hours of sick leave and 8 hours of annual leave back to their leave balance. The remaining cases appealed past Step B this year have been resolved at pre-arbitration. John Collins (RAA Region 11) has resolved many of these appeals for us at the area level. John does an excellent job representing the members of this branch. Others have been resolved by myself and Ted Thompson in pre-arbitration negotiations.

I want to personally thank all the stewards for their dedication and challenging work filing and

Continued on page 2



Matt Bauer
LCCL

The Republican state lawmakers divided Hamilton County into three (3) congressional districts. The Ohio Supreme Court will determine if this new map is constitutional. On Tuesday, December 28th, the court heard legal arguments from both sides on whether the map violated voter-approved changes to curb gerrymandering. Hamilton County was at the center of the debate. Attorneys for the groups challenging the map said Republicans

could have kept most of Hamilton County together, but the mapmakers carved it up into three (3) districts – one of which has downtown Cincinnati (majority Democrat) mixed in with the Warren County (majority Republican). Hamilton County was required to split because it held 50,000 more population than one district can hold. The attorney Robert Fram argued that a constitution provision was passed, that Cincinnati would be kept whole, but it was also argued by Phillip Strach (representing Republican leaders) that Hamilton County was divided to join it with a whole county based on a provision where it states, “where possible every district should have a whole county.” There was no decision at this time, and the Justices are expected to eventually issue a written ruling on the matter.

I hope most of our members are contacting Congress regarding the Postal Reform Act (HR 3076 and S.1720). This bill would help bring financial stability for the Postal Service, by repealing the mandate to prefund retiree healthcare; an appropriate integration into Medicare for postal employees, and language to protect 6-day delivery. This bill was hopeful to hit the floor before Christmas, but unfortunately did not. One of the reasons is that some Democrats are currently pushing the new members of the Board of Governors to get rid of Postmaster Louis DeJoy. DeJoy is a huge contributor to the Republican Party, and if he is fired then many of the current Republican cosponsors of the Reform Act has stated they would not vote for the bill. This has given a sense of uneasiness of moving forward with the Postal Reform Act. Please visit www.nalc.org and click on the “Take Action” banner and contact your congressperson daily. We need all letter carriers to help fight for this. Another way to help fight for carrier benefits is to give to the Letter Carrier Political Fund (LCPF). This fund is used to lobby Congress for letter carriers. The NALC has taken an approach that puts Congress on the spot and would not be possible without the LCPF. Please consider making at least a \$5 contribution per

paycheck to this fund. You can contact me at Matt.Bauer@branch43.org and I will help you set this up. If you recently retired and was giving to this fund, please contact me so I can make sure that you are still set up to give.

Matt Bauer

Letter Carrier Congressional Liaison (LCCL)



Denny Doud
NALC DRT Rep

Weingarten Rights - Article 17

Federal labor law, in what is known as the Weingarten Rule, gives each employee the right to representation during any investigatory interview which he or she reasonably believes may lead to discipline. **The Weingarten Rule does not apply to other types of meetings such as: Discussions.** Article 16.2 provides that for minor offenses by an employee, discussions shall be held in private between the employee and the supervisor. So, an employee does not have Weingarten representation rights during an official discussion.

The Weingarten Rule applies only when the meeting is an investigatory interview - When management is searching for facts and trying to determine the employee's guilt or decide whether to impose discipline. An employee has Weingarten representation rights only where he or she reasonably believes that discipline could result from the investigatory interview. Whether or not an employee's belief is reasonable depends on the circumstances of each case. The union steward cannot exercise Weingarten Rights on the employee's behalf. And, unlike Miranda Rights which involve criminal investigations, **the employer is NOT REQUIRED to inform the employee of the Weingarten right to representation.** In a Weingarten interview the employee has the right to a steward's assistance-not just a silent presence.

If called to a meeting with management, postal inspectors, or an IOG agent, *READ THE FOLLOWING STATEMENT BEFORE THE MEETING STARTS:* "If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working conditions, I respectfully request that my union representative, officer, or steward be present at this meeting. Without my Union representation present, I respectfully choose not to answer any questions or participate in this discussion."

In Solidarity,
Denny Doud

2022-2023 NALC Branch 43 Stewards

Cincinnati Office

Anderson- Bill Stratman & Randy Seale
Corryville- Sean Moore
Dedicated Collection- Jeff Strong
Groesbeck- Corey Isham & Travis Nehus
Lockland- Matthew Stewart
Mid City- Stacie Baldwin & Andrew Garbett
Mt. Healthy- Brian Bailey
Mt. Washington- Ryan Toft
Murray- Marlon Casey & Dave Utz
Norwood- James Anderson
Parkdale- Brandon Patterson
Sharonville- Kevin Hensley
St. Bernard- Natasha Wever
Sycamore- Al Slaughter
Symmes- Lamont Seaborough
Taft- Matt McCarren
Western Hills- Olubunmi Adigun & Keyasha Spikes
Westwood- Steve Carlin & Jeff Snider

Associate Office

Amelia- Matt Bauer
Batavia- Kevin Spires
Harrison- Blake Watters
Lebanon- Terry Brinck
Mason- Mike Baker
Loveland- Brandon Elliott
Middletown- Mike Saylor
Milford- Angela Rheude
Oxford- Rob Moore
Springboro- Jerry Butcher
Wilmington- Ryan Cope

Patrick Dougherty will be the NALC Steward for all other Associate Offices

2022 Pay Period Chart				
Pay Period	Begins	Ends	Pay Date	Holidays
1	12/18	12/31	1/7	12/25 (Sat)
2	1/1	1/14	1/21	1/1 (Sat)
3	1/15	1/28	2/4	1/17 (Mon)
4	1/29	2/11	2/18	
5	2/12	2/25	3/4	2/21 (Mon)
6	2/26	3/11	3/18	
7	3/12	3/25	4/1	
8	3/26	4/8	4/15	
9	4/9	4/22	4/29	
10	4/23	5/6	5/13	
11	5/7	5/20	5/27	
12	5/21	6/3	6/10	5/30 (Mon)
13	6/4	6/17	6/24	
14	6/18	7/1	7/8	6/20 (Mon)
15	7/2	7/15	7/22	7/4 (Mon)
16	7/16	7/29	8/5	
17	7/30	8/12	8/19	
18	8/13	8/26	9/2	
19	8/27	9/9	9/16	9/5 (Mon)
20	9/10	9/23	9/30	
21	9/24	10/7	10/14	
22	10/8	10/21	10/28	10/10 (Mon)
23	10/22	11/4	11/11	
24	11/5	11/18	11/25	11/11 (Fri)
25	11/19	12/2	12/9	11/24 (Thur)
26	12/3	12/16	12/23	
1	12/17	12/30	1/6	12/26 (Mon)
2022 Leave Year				
Begins: PP 02-2022 (Jan 1, 2022)				
Ends: PP 02-2023 (Jan 13, 2023)				

2022 Carrier Bid Schedule			
opens	1/7/2022	1/21/2022	closes
	2/25/2022	3/11/2022	
	4/8/2022	4/22/2022	
	5/20/2022	6/3/2022	
	7/1/2022	7/15/2022	
	8/19/2022	9/2/2022	
	10/7/2022	10/21/2022	
	11/25/2022	12/9/2022	

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Carol King- Westwood



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Tony Tellez- Westwood





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Depenbrock	Cheryl
Donahue	Roger
Donley	Robert
Eaton	Donald
Homan	Ronald
Howard	Karen
Janson	Gary
Kamp	Michael
Kelch II	Earle
Kirchgessner	Judy
Losito	John
Luken	Ronda
Marksberry	Randall
McGowan	Carol
Miles	Carla
Moran	Sharon
Mulvaney	Patrick
Myers	Gary
Northcutt	Robert
Parsons	Allan
Pez	Christine
Quinlan	Daniel
Ruffin	Rodney
Sharma	Amarjit
Smith	Steve
Stulz	Mark
Thomas	Toni
Tiemeier	Gerald
Walker	Jeffery
Wilkinson	Robert
Williams Jr.	Dandy
Zureick	Bev

January Retiree Birthdays

December YOPC Attendees

- Deborah Bryant
- Diana Enwright
- JR Ford
- Jerry Giesting
- Art Holt
- Burt Hughes
- Dick Keller
- John Macon
- Gerry Mees
- Robert Wilkinson

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

Motions made at the December Membership Meeting

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

Carried

Give \$500 gift card to Jerry Giesting & Burt Hughes for their efforts in helping the branch relocate. **Carried**

Give \$500 gift card to Dave Utz for his efforts on Formal A Steward work. **Carried**

To pay the bills. **Carried**

To adjourn. **Carried**

YOU WILL BE
missed.

Joseph Yount

January Birthday Gold Carders

Anderson	Clyde
Brown	Elbert
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Harrell	Carl
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Join fellow retirees for lunch

1:00 pm - 1st Monday of each month

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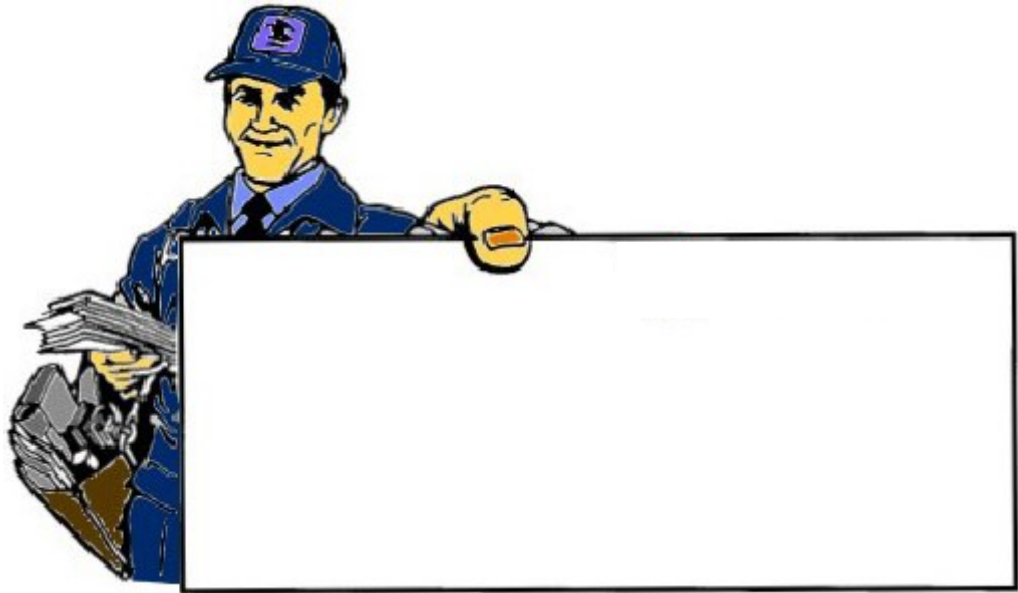
*Balance must be at least \$10,000 or greater to qualify. For loan balances below \$10,000 only the 90 day deferment will be offered. Member must qualify for the loan under normal underwriting guidelines. Minimum rate floor of this offer is 2.99% APR. Interest will accrue over the 90 day deferment period 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**

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Upcoming Events

- New Year Holiday** - Sat. January 1st
- Officers Meeting** - January 13th, 6:00 PM
- Delegate Meeting** - January 13th, 7:00 PM
- Branch Meeting** - January 13th, 7:30 PM
- MLK Holiday** - Mon. January 17th
- February YOPC** - Wednesday, Feb. 2nd

