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July 2020

Queen City Letter Carriers - NALC Branch 43 News & Views

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Ted Thompson
President

From the President's Desk

Locally the number of confirmed COVID-19 cases continue to rise. Southwest Ohio, particularly Montgomery and Hamilton counties, the number of confirmed cases has risen to the point where Governor Mike DeWine is considering options to help contain the spread. Hamilton County Commissioner Denise Driehaus was quoted this week as saying, "I'm saddened to report that Hamilton county is seeing its biggest spike in new cases since the COVID-19 crisis began." Three local hot spots have been identified and the county is working with the national guard to open more test areas. These hot spots include 45231 (Mt. Healthy), 45238 (Western Hills), and 45240 (Forrest Park). In line with the area, and with increased testing, Branch 43 has had multiple members test positive recently. While the state continues to phase in re-opening guidelines, the message has not changed; mask up, social distance the best possible, and continue to wash your hands and sanitize frequently. Now is not a time to let our guard down and I ask each member to think about their coworkers. Branch 43 has many members that are considered high risk but need to work and many members have family that is considered high risk. Also troubling, some members continue to report to work while feeling ill with symptoms. If you are sick stay home! The Postal Service has, and continues, to put that message out along with the union. The Centers for Disease Control and Prevention (CDC) has also recently added three new symptoms of the novel coronavirus to its ongoing list: congestion or runny nose, nausea, and

diarrhea now join the CDCs list that included fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss or taste or smell, and sore throat. If you experience any of these symptoms, please stay home and do not report to work. The branch has received many calls from members concerned for themselves and their family members when they are notified a coworker has tested positive. The Postal Service does not give out or administer coronavirus testing. If you are concerned you need to contact your healthcare provider and explain your particular situation. Notify them you have a coworker who has tested positive, the particulars of your office and amount of potential exposure and follow whatever your healthcare provider orders.

Within the Postal Service, I have been informed new scanners should be arriving shortly. While I still have many questions, I'm told the new scanner is android based with touch screen capability that will be used throughout the postal network to scan, track and trace packages and provide real-time information to customers. Around 300,000 of these scanners will be rolled out as part of a next-generation Mobile Delivery Device (MDD). The Postal Service throughout the region has de-coupled many urban hubs for Sunday delivery, however, Cincinnati did not make that list. This continues to be an issue national pushes the Postal Service for. The USPS and NALC did recently settle our national-level grievance on the unilateral testing of case consolidation. M-01923 now requires that all 93 test sites throughout the country be returned to their original route structure by no later than November 27th. It was further agreed there will be no further expansion of the case consolidation test. While Branch 43 was not impacted by this test, we are the only large branch in the entire region that was not impacted.

Continued on following page



NEWS & VIEWS

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EDITOR'S 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.

Consolidated casing has resulted in thousands of grievances from local branches and the national parties are looking at options to move those cases forward for resolution currently.

Within the branch, the office will continue to use the most recent Ohio Directors Stay Safe Order. This order still prohibits private gatherings of ten or more and requires six-foot social distancing for all people gathering. For this reason, along with the recent spike in Hamilton county, membership meetings will continue to be cancelled. There will be a July Officer meeting and a July CCA conversion class. At last months officers meeting, 2020 scholarship drawings were held. I have written letters to all five winners this year notifying them of their selection and have posted the winners in this months *News & Views*. Also determined at last months Officers meetings, all delegates that successfully attended last years Ohio State Convention will be compensated their share of the state's delegates fund and all deposits for National Convention are to be returned. Branch 43 will also be doing a donor drive in place of the annual food drive. More information on this will be coming shortly.

I still must emphasize the importance of branch members and their families reaching out to their members of Congress requesting funding for the Postal Service for all costs related to the COVID-19 pandemic. Initially, letters or emails I received from some members of Congress were concerning. Lately, the tune of their communication has changed. With communication, education, and a joint goal to secure the future of the Postal Service, we now have members listening. Much of that has to do with you, your family and friends, and the public reaching out and demanding action. For those of you that have done so, thank you. For those of you that have not, please do. Members can take action by going to the branch website

(www.branch43.org), nationals' website (www.nalc.org), or through the NALC mobile app. Family, friends and the public can take action by going to www.heroesdelivering.com. Please, I urge you to continue to take action and continue to have your family and friends do so.

While talk of taking action on the workroom floor is permitted, discussing partisan issues is not. I must remind all members of the Hatch Act that prohibits certain political activity of government employees. Recently, we have had members post comments on social media that very well may violate the Hatch Act. Do not discuss your opinion or views of partisan politics while on the job, on the clock, or in uniform. The Office of Inspector General (OIG) has agents out doing nothing but viewing letter carrier's social media posts. If in doubt, do not post it. I also must sadly address this with other issues as well. We have recently had members post on social media what one could consider inappropriate at best, criminal at worst. While I am a firm believer everyone has a 'right' to their opinion, I do not believe it appropriate to make posts on social media making references to vote by mail being a scam, or anything that could potentially harm our employer and I do not believe making inappropriate references to race, religion, gender or sexual identity with all the social issues of today is acceptable. I ask all members to think about how it could affect your job or your coworkers before you post something on social media. Between COVID-19, social injustice issues of today, and what is shaping up to be a potentially ugly and divisive political campaign season, I do not want to see these issues divide us. Take a moment when you are on social media before you hit that post button and ask yourself, is this really appropriate to post?

Fraternally,
Ted Thompson



Pat Dougherty
Vice President

From the Vice President

One Day Counts 1838-C

For some carriers, the mere mention of a route count being performed on them evokes feelings of intimidation, fear, and then being mad. Why are they counting me? I am not doing anything wrong. WTH! These are normal reactions. However, being knowledgeable and aware of your rights will eliminate any fears or worries one may have and will build confidence in their abilities. Do not be afraid. Management should notify carriers of the count and provide at least one days' notice of doing an 1838-C. The following is relevant:

M-39 section 141.2 Special office Mail Counts:

When management desires to determine the efficiency of a carrier in the office, a count of mail may be made. The carrier must be given one day's advance notification of this special count. Use 1838-C to record count and time items concerned. The carrier must be advised of the result of the office mail count. See your steward to file a grievance if this does not happen. If management does not provide proper notification then no problem, come in that day and perform the normal duties. Clock in and check your vehicle, go to your case and ask the person who is performing the count, if they counted the mail? When they state yes, tell them you want to verify the count. The following step-4's support that position:

M-00536--- Based on the intent of Section 221.131 of the M-39 Handbook, the carrier may, upon request, verify the entire mail count. **M-00814—** Normally, a spot verification of the mail volume is adequate to determine that the mail count is accurate. However, the parties agree that based on the intent of Section 221.131 of the M-39 Handbook, the carrier may, upon request, verify the entire mail count. **M-01216—**The issue in these cases is whether management violated the National Agreement by not allowing carriers to count the mail counted by the supervisor during a "one day count." During our discussions, we mutually agreed to the following: On the day of a "one day count" when management performs the mail count the carrier serving the route, upon request, may verify the count.

The carrier should verify every piece of mail including but not limited to all letters, flats, DPS, parcels, and accountables. Verify everything record the time

it took to count and verify all mail and write it on your 3996, requesting auxiliary assistance if necessary. From the NALC Route Protection Program/Policy in relevant part: Upon request, you have a right to verify the inspector's count. This is an important right and you are strongly encouraged to insist that you be allowed to verify the count. This includes all DPS, S999, and any machine counted mail. Just relax, do your assignment the same way, every day, like you should have been doing. Do not speed up, or slow down, work to your volume. Do not think because "your being counted or watched" this is the time to start changing your habits. Your performance on that day should not be used against you as the following agreements have been reached:

M-00005—Data from the (one day) counts were not, nor will they be, used as a basis for disciplinary action. **M-00829—**Under Article 16, no employee may be disciplined except for just cause. In this instance, the parties agree that a one-day count and inspection may not be used as the sole basis to establish a standard against which a carrier's performance may be measured for disciplinary purposes. **M-00111—**A one (1) day count of mail should be utilized for the purposes intended by the M-39 Handbook and local officials are to ensure that one (1) day counts are not used for the purpose of harassment.

Do not let management take away any of the rights our brothers and sisters have fought so hard for. Stand up for yourself and let your steward know if this happens. Attend a union meeting, read the contract, ask questions from other carriers and become more knowledgeable of your job. Like the adage states, knowledge is power so utilize it!

Standard Work Instructions for Maintaining Social Distancing While Conducting a PS Form 3999. Management must follow these guidelines when conducting a PS Form 3999 on a letter carrier during this Covid-19 pandemic. Examiners will remain at least 6 ft. away from the carrier at all times in the office, including during clock ring activities, DPS retrieval, vehicle load and unload, and retrieving and returning empty equipment. Comply with social distancing at all times. Examiner and carrier will wear face coverings in accordance with local ordinances and when social distancing cannot be maintained. Practice good respiratory etiquette and hygiene. Sanitize DCD before and after use.

Examiners will remain at least 6 ft. away from the carrier at all times on the street. This will include mail delivery, relay/reloading, accountable delivery, package delivery, MSP scan & collection



Mark Camilli
Region 11 NBA

NALC Region 11 Summer 2020 Newsletter NBA Mark Camilli

Looking back at my last quarterly article, I can't believe how much our lives have changed since then. The year 2020 has revealed itself to be the most challenging year in my lifetime. Covid-19, civil unrest, USPS finances, new PMG (not hired from within), election year, collective bargaining agreement – the list goes on. Those of us who live in the world of “postal blue” surely feel the heavy burden that each of these challenges bring. I am thankful to be part of a great union. Having each other, working for a common cause will help us get through each of these challenges.

I am pleased to report to you that President Rolando has appointed Doug Lawrence Br. 134 Syracuse, NY as Region 11 and 14's RWCA (Regional Worker's Compensation Assistant) effective May 18, 2020. Doug has assisted and served on a part time basis in this capacity over the last few years. He works tirelessly for both members and branches. He has great knowledge, knows how to navigate OWCP and truly is an asset for the membership of Region 11. Welcome to “Team 11” Doug! As soon as Covid restrictions are lifted, I plan on utilizing Doug to conduct training for Region 11 Branch OWCP representatives.

In other good news, the NALC and the USPS have settled the national-level grievance on the Postal Service's unilateral testing of “Consolidated Casing”. The settlement requires 31 of the 62 sites to be returned to their original route structure by July 31, 2020. The remaining sites will continue through November 27, 2020. The joint City Delivery task force (established by a memorandum of understanding) will analyze the data. The task force will either continue testing, jointly conduct an alternative test or if there is no joint agreement than these sites will be returned to their original structure by January 22, 2021. Although the USPS had plans of expanding this test to (at least) 240 sites, this agreement calls for no further expansion of the current 62 Case Consolidation test sites. I want to thank President Rolando and the team at HQ for getting this agreement. A bigger thank you goes out to the Letter Carriers of Gahanna Br.78 Columbus, OH; Webster Br. 210 Rochester, NY; Station A Br. 40 Cleveland, OH and Niskayuna Br. 358 Northeastern NY. They have en-

dured many challenges both at home (from major schedule changes) and the contentious at times work-room floor. I also want to thank the branches, grievance handlers and observers - I know this has been a long tiring road for all involved but each of you exemplified patience and professionalism.

I would be remiss if I did not take the opportunity to discuss the current civil unrest issues sparked by the outrage to the George Floyd killing while in police custody in Minneapolis. While that video and act is truly disturbing and hard to watch, it brought about a national discussion and awareness of a turbulent under current of deep social problems facing our nation. This is a time when our national and local elected leaders should be listening, taking action and helping unite us. Unfortunately, the lack of messaging from our highest position seems deafening. I had the opportunity to serve in the US Navy where every race, creed, color and religion served side by side making us the greatest naval force in the world. I also had the opportunity to serve as a letter carrier and officer in the NALC where the same holds true. We work side by side, where every race, color, creed and religion is represented making us (in my humble opinion) the best delivery force and union in the world. If some of our political leaders refuse to recognize the value of our diversity and choose to use it to divide us, then we must stand united to make positive change from the bottom up. If they took and we took an oath to support and defend the Constitution, then perhaps it's time to review its preamble:

“We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America”

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When Do I Need My Steward?

Mike Winters
Formal A Rep

Prior to employees being disciplined by management, generally they will be given a pre-disciplinary interview (PDI) or an investigatory interview (II) by management. If you are given one of these interviews, there is no doubt your supervisor or manager is looking for information to use against you so they can issue you discipline.

All letter carriers, including CCAs (regardless of how long they have been employed) have Weingarten Rights, which means you have the right to have a union steward present during a meeting in which management asks you questions that could lead to discipline. Stewards can assist you in any investigation by management and help ensure you get your “day in court.”

Generally, if you are asked a question concerning something you allegedly did wrong,

you should reasonably believe that discipline could result, and you should request a steward. The steward cannot exercise Weingarten Rights on the employee’s behalf. Unlike “Miranda

Rights” which involve criminal investigations, the employer is not required to inform the employee of the Weingarten right to representation. **You must ask for representation.** You can ask at any point during an interview, even if you did not ask for it in the beginning. No matter how smart you think you are, no matter how innocent you are, you should never under any circumstances participate in an investigative interview without a steward present.

Although postal employees are required to cooperate with postal investigations, the carrier still has the right under Weingarten to have a steward present before answering questions. In the event a steward is not made readily available or if a steward is not present after you have asked for one, you may respond that you will be happy to cooperate in any investigation, but you will only answer questions once a steward is provided.

In a Weingarten interview the employee has the right to a steward’s assistance, not just a silent presence. The employer would violate an employee’s Weingarten Rights if it refused to allow the representative to speak or tried to restrict the steward to the role of a passive observer.

- * The steward can inquire from management the reason for the investigative interview prior to going into the office. This will allow you to discuss the situation with your steward

prior to answering any questions management may ask.

- * Management asks questions that you may not understand. In most interviews’ management asks if you are aware of a rule or an ELM site. They ask if you have been aware of something that you may not have been. Discipline is to be issued as corrective action, to correct a behavior or situation that they have attempted to correct before issuing the discipline. The carrier needs to be fully aware of the rule, instruction or whatever it is that needs to be corrected. The steward can help clarify what it is that management is asking you.
- * Having your steward present during the interview will assure an accurate account of the questions being asked and your answers to those questions. The steward will write down all questions and your answers to ensure that management has recorded the correct responses.
- * The steward has the right to interject during the interview if he/she feels that a clarification or explanation needs to be given prior to your responding to their questions. He may inquire why a question is being asked if he feels it is not pertinent to what is currently being investigated.
- * If you do receive discipline because of a PDI it is important to request to see your steward to make them aware of the discipline. There are time limits in which to file a grievance regarding the discipline. You have 14 days from the date you received this discipline to file a grievance, the sooner you inform your steward the more time they will have to prepare and file the grievance. If you do not file a grievance than the discipline will remain in your file for 2 years.

Stewards can help clarify any questions you may have regarding the contract. In addition, if there are working conditions which you feel need to be addressed with management your steward can help you with that as well. Stewards must make sure that management sticks to agreements which have been negotiated with workers. They must also make sure that management carries out decisions reached in grievance settlements. The stewards spend a lot of time making sure the Carriers are represented in our offices. Please do not hesitate to ask questions of your steward whenever the need arises.

In Solidarity,
Michael J. Winters
Formal A Representative



Jacob Bingham
Steward

The annual NALC Stamp Out Hunger food drive in May was cancelled due to the coronavirus pandemic. The NALC food drive is not held the second Saturday in May for no reason. Historically, as school lets out and the summer months set in this is one of the neediest times for local food pantries. National has released plans for the NALC to continue providing this needed community service.

With no expiration date set, the NALC is advocating for an online donor drive. Instead of collecting donations on the second Saturday in May we will be the urging our customers and the public to donate using at www.nalc.org/food.

Locally in Cincinnati our food donations go to the Freestore Foodbank and in normal circumstances during the summer months they will see an increase of up to 30-35% of families with food insecurities seeking help. According to a recent Forbes article the amount of food insecure households has doubled due to the Covid-19 pandemic. In the 20-county radius the Freestore services, thousands of children are on free or reduced lunches and in lieu of no school since March they may not be eating breakfast or lunch. A \$1.00 donation equals three meals and if we as letter carriers donate \$15.00 per paycheck, we can feed a person for two weeks. I am asking to help give what you can to this worthy cause, whatever the amount. If possible, please specify this is for stamp out hunger when you donate.

Letter carriers, however, cannot do it alone. We will need the help of the public. I have already asked that we be permitted to buy and wear the food drive t-shirts to aid in this effort. They can be found on the NALC website under the Stamp Out Hunger food drive section through the food drive tool kit. We are in the public on a daily basis and displaying something other than our uniform will help get the word out. Branch 43 will be releasing a press release to local media companies as well as utilizing social media to help get the word out.

National has stated they will match any donation local branches give. I hope to get the aid of other local union crafts to either help advertise or to donate as well. I look forward to seeing what Branch 43 can do and donate because as a union we are only as strong as the solidarity we show.

Thank you,
Jacob Bingham
Branch 43 Food Drive Coordinator

Vice President cont.

and lunch/breaks. Observations, notes and DCD entries can be made from a 6 ft. distance. If a vehicle is needed, examiner must utilize a separate vehicle. Examiner and carrier are prohibited from being in the same vehicle. While vehicle is in motion, examiners must operate vehicle safely, professionally, and without distraction. Examiners should not attempt to utilize the DCD or take notes while driving. Carriers should always request a copy of the original PS Form 3999 and the edited version of the PS Form 3999. If the carrier does agree with the PS Form 3999 ask to see your shop steward so they can investigate this and possible file a grievance on your behalf.

In Solidarity,
Patrick Dougherty

Congratulations 2020 Branch 43 Scholarship recipients!

Faith Roaden

Daughter of Daniel Roaden -
UK College of Health Sciences

Griffin May

Grandson of James Metz -
Lincoln College of Technology

Austin Stacy

Son of Richard Stacy -
Lipscomb University

Sarah Griffin

Daughter of Reginald Lowe -
Capital University

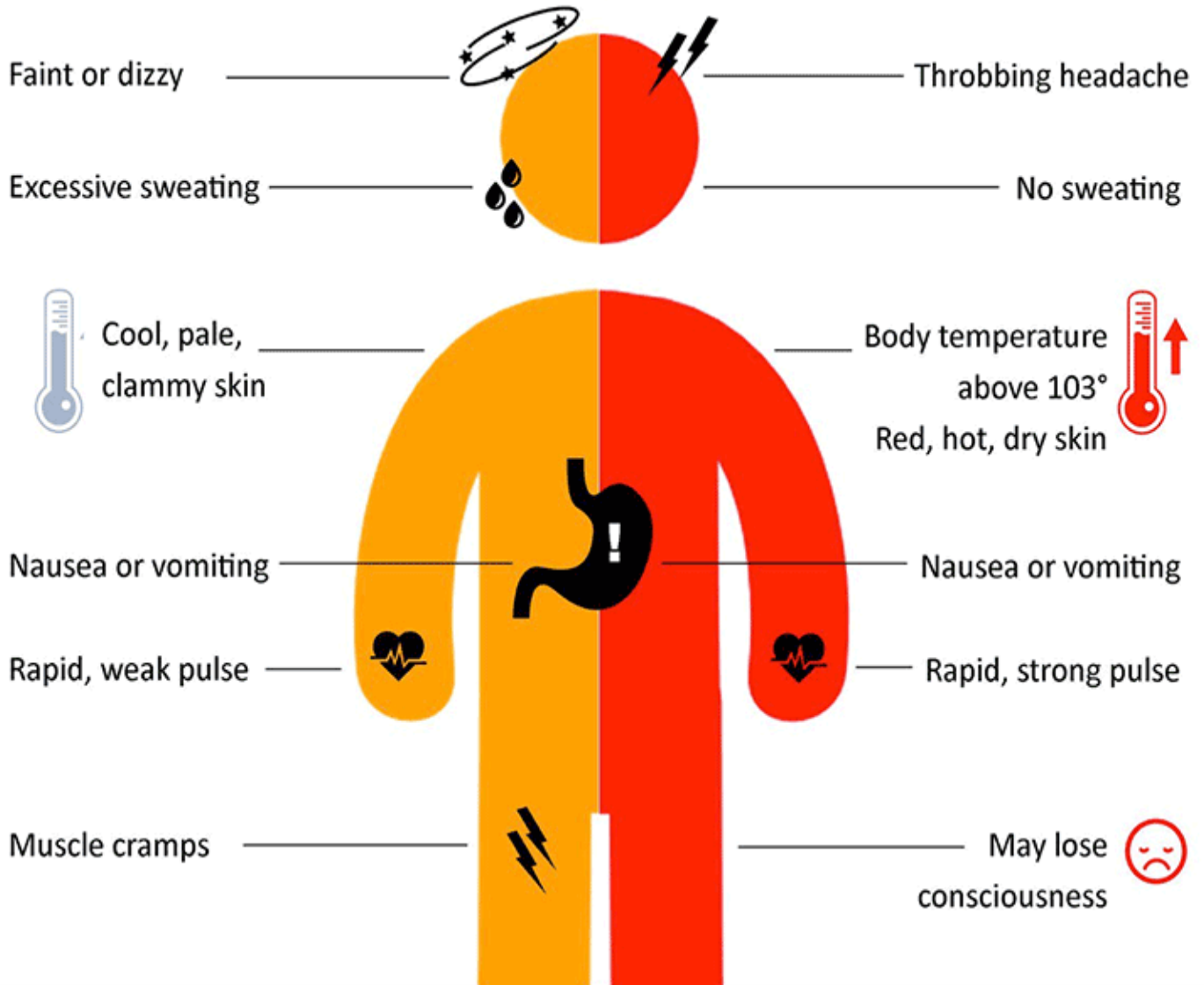
Matthew Hibbard

Son of Diane Hibbard -
Mount Saint Joseph University

HEAT EXHAUSTION

OR

HEAT STROKE



- Get to a cooler, air conditioned place
- Drink water if fully conscious
- Take a cool shower or use cold compresses

CALL 9-1-1

- Take immediate action to cool the person until help arrives



Motions made at the June Officer Meeting

To dispense with the roll call of Officers and reading of the previous month's minutes. **Carried**

To transfer money that would have gone to eligible delegates for the 2020 Hawaii convention to the building fund. **Carried**

Give eligible delegates that attended the State Convention in Cincinnati, in 2019, their share of the State delegates fund. **Carried**

Renew contract with Carbonite for three years at a cost not to exceed \$500. **Carried**

To accept financial reports and pay the bills. **Carried**

To adjourn. **Carried**



Last Punch Bunch



Rhonda Pringle - Mason



Glen Sims - Mason



Connie Bueter - Parkdale

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Retired Member of Branch 43

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HRSSC FMLA EASTERN

PO Box 970905

Greensboro NC 27497-0905

FAX: 651-456-6041

July Membership Meeting is cancelled

Raffles will continue at earliest opportunity possible

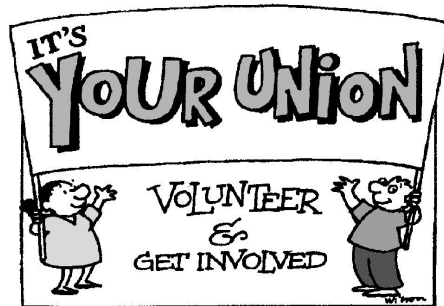
| | |
|-------------|-------------|
| Richard | Berndsen |
| Edward | Colegate |
| Stephen | Depenbrock |
| Steve | Dison |
| John | Eveland Jr. |
| Dalton | Fee |
| Roger | Giblin |
| Stephen | Ginn |
| Frederick | Holl |
| Edward | Holzschuh |
| Jeffery | Jacobs |
| Calvin | Johnson |
| Denise | Knue |
| Thomas | Kroner |
| Paul | Leslie |
| Dale | Lusk |
| Barbara | Martin |
| David | McCleary |
| James | McNulty |
| James | Meale |
| Gerald | Mees |
| Melvin | Miles |
| John | Neeley |
| Christopher | Padgett |
| Mark | Petersen |
| Mary | Rosenacker |
| Harry | Schwettman |
| Albert | Sellmeyer |
| Richard | Smethurst |
| Mark | Walter |

July Retiree Birthdays

June YOPC Attendees

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

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



July Gold Carders

- | | |
|---------|-----------|
| Jerry | Ashmore |
| Robert | Caldwell |
| Billie | Chitwood |
| John | Corcoran |
| Herman | Douglas |
| Dennis | Estridge |
| Fred | Hugenberg |
| Gerald | Knight |
| Raymond | Koch |
| William | Saurewein |
| Donald | Scheben |
| Paul | Wilbers |

MEMBER BENEFITS

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Join fellow retirees for lunch

1:00 pm - 1st Monday of each month

August 3rd
Barleycorn's

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(859) 491-2008
Or Greg Stulz
(859) 380-9512

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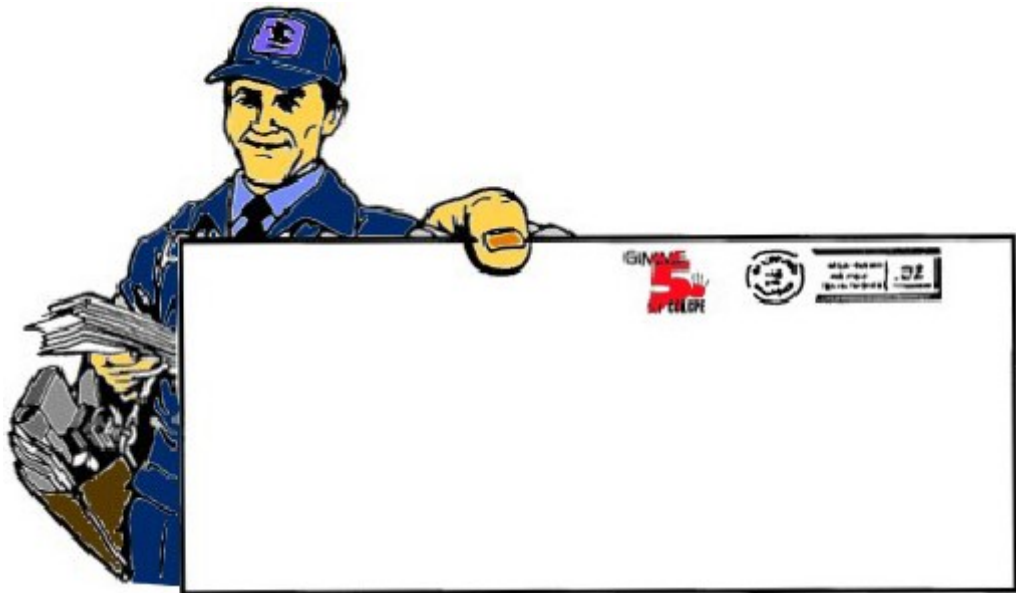
*Balance must be at least \$10,000 or greater to qualify. For loan balances below \$10,000 only the 90 day deferment will be offered. Member must qualify for the loan under normal underwriting guidelines. Minimum rate floor of this offer is 2.99% APR. Interest will accrue over the 90 day deferment period 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 45223

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Upcoming Events

Officers Meeting - July 9th, 6:00 PM

Branch Meeting - Cancelled

August YOPC - Wednesday, August 5th

Labor Day Holiday - Monday, Sept. 9th

