From the President’s Desk

By the time you read this the Branch has just completed the first of our biannual Steward Seminars, Route Adjustment training and our annual Retirement Seminar. While April has been a busy month, I want to start by thanking all the Stewards and members for attending these events. Special thanks to Dave Kennedy (RAA Region 11) for returning home and facilitating the Retirement Seminar. A delegation of Branch members also recently participated in the annual Ohio State Association legislative conference in Washington DC. While there, we got the opportunity to sit down with and discuss Postal legislation with Congressman Brad Wenstrup (OH-2) and aides from Congressman Steve Chabot’s (OH-1) office tasked with government oversight. Congressman Chabot was not in town as congressional recess was called early by the Speaker. In both instances our Branch Congressional Liaison’s (Jim Meale & Kevin Grabel) were very well prepared to discuss the topics of Postal reform.

Congressman Wenstrup was very attentive and had many great praises for the Postal Service, especially the services provided to the United States armed forces serving both domestic and abroad. Congressman Wenstrup seemed concerned with the current situation of the Postal Service and the unfair pre-funding mandate that manufactured the current financial crisis. Congressman Wenstrup also informed us his office has not heard any news in regard to comprehensive Postal reform out of the congressional Ways and Means committee. In the last congress, comprehensive legislation was compiled in the Ways and Means committee so during this visit with the congressman we discussed the positives and the negatives with what proposals the last congress had. We also discussed with Congressman Wenstrup the recent White House Task Force Report which called for privatization. While the NALC can support some proposals or recommendations contained within the report, as a whole the report is deeply flawed and misguided. Many of these issues were addressed and myths were debunked during our visit with congressional representatives. Shortly after our return from Washington DC, President Rolando’s office provided a report titled “Misdiagnosis: A Review of the Report of the White House Task Force on the Postal Service.” This twenty-page report is available online in its entirety at nacl.org. I recommend all members take the time to read this report; it’s your future at stake.

The NALC has recently filed two national level grievances on CCA caps and the USPS unilateral implementation of a consolidated casing program. For CCA caps, hopefully this will result in the career conversion of more of our members as in the past. As for the consolidated casing, Branch 43 is the only large branch in all Region 11 that has not been selected by the Postal Service to be part of the consolidated casing initiative. Essentially, consolidated casing calls for the letter carrier assignment to be separated into two separate components; Office Caser/Carrier and Street Carrier. Routes are combined through reduced cell size into casing groups and casing equipment is reduced. The Caser/Streeter will case multiple routes and carry little or no mail while the Street Carrier(s) assigned will begin with staggered start times and have absolute minimal office time which is used mostly for retrieving accountable items and set-
From the Vice President

Pat Dougherty
Vice President

Maximum hour limits

There are two separate restrictions on the maximum number of hours a letter carrier craft employee may be required to work. One is found in Section 432.32 of the Employee and Labor Relations Manual (ELM), and the other in Article 8, Section 5.G of the National Agreement.

ELM Section 432.32 provides the following rule that applies to all employees, including city carrier assistants:

Except as designated in labor agreements for bargaining unit employees or in emergency situations as determined by the PMG (or designee), employees may not be required to work more than 12 hours in 1 service day. In addition, the total hours of daily service, including scheduled work hours, overtime, and mealtime, may not be extended over a period longer than 12 consecutive hours.

Because this ELM provision limits total daily service hours, including work and mealtime, to 12 hours, an employee is effectively limited to 11.5 hours per day of work plus a half-hour lunch. However, the ELM also permits the collective-bargaining agreement to create exceptions to this general rule. An exception to this rule can be found in Article 8, Section 5.G of the National Agreement, which provides the following:

Full-time employees not on the “Overtime Desired” list may be required to work overtime only if all available employees on the “Overtime Desired” list have worked up to twelve (12) hours in a day or sixty (60) hours in a service week. Employees on the “Overtime Desired” list: may be required to work up to twelve (12) hours in a day and sixty (60) hours in a service week (subject to payment of penalty overtime pay set forth in Section 4.D for contravention of Section 5.F); and excluding December, shall be limited to no more than twelve (12) hours of work in a day and no more than sixty (60) hours of work in a service week.

The exception in Article 8.5.G applies only to full-time employees on the overtime desired list. Excluding December, the above provision limits those employees to no more than 12 hours of work in a day and no more than 60 hours of work in a service week. However, since the term “work” within the meaning of Article 8.5.G does not include lunch, the 12 total hours of work in a day for carriers on the overtime desired list may extend over a period of 12.5 consecutive hours.

Additionally, Article 8.5.G provides that the limits do not apply during December when full-time employees on the overtime desired list may be required to work more than 12 hours. These exceptions do not apply to city carrier assistants, part-time employees, or full-time employees who are not on the overtime desired list, all of whom are effectively limited to 11.5 hours of work per day by ELM Section 432.32, even during December.

National Arbitrator Mittenthal ruled in C-06238 that the 12-and 60-hour limits are absolutes. Excluding December, a full-time employee may neither volunteer nor be required to work beyond those limits. In C-07323 Arbitrator Mittenthal ruled that when a full-time employee reaches 60 hours in a service week, management is required to send the employee home—even in the middle of a scheduled day. He further held that in such cases the employee is entitled to be paid the applicable eight-hour guarantee for the remainder of his or her scheduled day.

On October 19, 1988 the national parties signed a memorandum of understanding (M-00859) to implement

Continued on next page
the above mentioned Mittenthal awards. Part of that memorandum states:

The parties agree that (except the month of December) full-time employees are prohibited from working more than 12 hours in a single work day, or 60 hours within a service week. In those limited instances where this provision is or has been violated and a timely grievance filed, full-time employees will be compensated at an additional premium of 50 percent of the base hourly straight time rate for those hours worked beyond the 12- or 60-hour limitation. The employment of this remedy shall not be construed as an agreement by the parties that the employer may exceed the 12- and 60-hour limitation with impunity.

As a means of facilitating the foregoing, the parties agree that, excluding December, once a full-time employee reaches 20 hours of overtime within a service week, the employee is no longer available for any additional overtime work. Furthermore, the employee’s tour of duty shall be terminated once he or she reaches the 60th hour of work.

Arbitrator Snow ruled in C-18926 that the Memorandum of Understanding M-00859 limits the remedy for any violations of the Article 8.5.G maximum hour limits to an additional premium of 50 percent of the base hourly straight time rate. However, Arbitrator Snow’s award does not necessarily limit remedies for repeated or deliberate violations of ELM 432.32.

In Solidarity,
Patrick Dougherty

---

**Blast from the Past!**

---

**Steward Corner**

Well summer is just around the corner and with that comes the heat. Would like to remind everyone to make sure you hydrate yourself throughout the day and to take your two 10-minute breaks as well as your 30-minute lunch break. Do not skip these because the boss told you need to “stay in eight.” At many if not all the stations we are seeing grievances filed daily on forced overtime issues. Stewards need to file these grievances for both the OTDL and the Non OTDL carriers. If you are a steward and have any questions call the union office to have your questions answered.

When filing these overtime grievances at the Informal A level be sure to ask for the following information:

- Overtime Alert Report
- Carrier Schedule
- Copy of Vacation Schedule
- Employee Everything Report TAC’S for date of incident
- Workhour/Workload Report for the day of violation
- Any PS Form 3996’s that were filled out on the day of violation
- Any PS Form 1571’s that were filled out on the day of violation

This information is what the Formal A Representatives need to put together the case file to fully investigate the violation as well as prepare the case if it would need to be sent to the DRT. Again, if you have any questions contact the union hall or your Formal A representative.

Have a great and safe summer,
Denny Doud

---

**National Association of Letter Carriers**

---
Hunger in America

49 million or 1 in 6 Americans is food insecure

- Food insecurity means living at risk of hunger and not knowing where the next meal is coming from.

Over 13 million or 1 in 6 children is living in a food insecure household

- Hungry children cannot thrive- their physical, intellectual and emotional developments are limited.

Children from families struggling with hunger may;

1) Repeat a grade in elementary school
2) Experience developmental impairments in areas like language and motor skills
3) Have more social and behavioral problems

5.4 million Seniors (age 60+) choose between paying for groceries and buying medicine

1 in 7 Americans live at or below the poverty level

1 in 5 households served by Feeding America has a member who has served in the US military

1 in 10 adults served by Feeding America is currently a student

1 in 3 households served by Feeding America includes a member with diabetes

- There are many places to partner with as your local recipient for food collected. Besides using your relationships with local partners, look to social services in your county and state local government offices and local shelters and faith community centers. You can also find your nearest United Way office at https://www.unitedway.org/find-your-united-way, or reach out to your nearest Feeding America food agency at www.feedingamerica.org/find-your-local-foodbank

THANK YOU FOR ALL YOU DO TO HELP STAMP OUT HUNGER!
WE NEED YOU TO JOIN US!

IT’LL BE IN THE BAG WHEN YOU DO!

LETTER CARRIERS’ FOOD DRIVE
SAT., MAY 11, 2019
Trip to Washington DC

Pictured left to right: Ted Thompson (Branch 43 President), Patrick Dougherty (Branch 43 V.P.), Doug Lape (Assistant to the Director of City Delivery), Congressman Brad Wenstrup (OH-2), Matt Bauer (Dir. Of Political & Legislative Affairs for Branch 43), Kevin Grabel (Congressional District 2 Liaison), Jim Meale (Congressional District 1 Liaison)

DID YOU KNOW?
The Letter Carrier Political Fund is a non-partisan political action committee (PAC) established for the purpose of electing qualified candidates who support letter carriers and who are committed to maintaining a strong and innovative U.S. Postal Service.

Each year, NALC fights to fend off attacks in Congress that threaten letter carriers’ collective-bargaining rights, retirement benefits and livelihood. We’ve been successful so far, and we want to continue helping to elect House and Senate candidates who will protect us, promote our issues and deliver our message to Washington.

Since union dues can’t be used to support candidates for political office, NALC relies 100 percent on member contributions to the LCPF, which in turn helps us support those on Capitol Hill who defend the issues that matter most to us. Our PAC brings together in Washington strong letter carrier advocates—from all political parties—who are dedicated to helping to defend a strong USPS that provides universal, innovative and affordable service.

Please contact Matt Bauer via email at Matt.Bauer@branch43.org to sign up today!
May Retiree Birthdays

<table>
<thead>
<tr>
<th>May Retiree Birthdays</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bach</td>
</tr>
<tr>
<td>Bryant, Jr.</td>
</tr>
<tr>
<td>Curtis</td>
</tr>
<tr>
<td>Dryden</td>
</tr>
<tr>
<td>Foster, Jr.</td>
</tr>
<tr>
<td>Furnish</td>
</tr>
<tr>
<td>Baker</td>
</tr>
<tr>
<td>Hall</td>
</tr>
<tr>
<td>Humphries</td>
</tr>
<tr>
<td>Jordan II</td>
</tr>
<tr>
<td>Lipp</td>
</tr>
<tr>
<td>Marksberry</td>
</tr>
<tr>
<td>McMillian</td>
</tr>
<tr>
<td>McNulty</td>
</tr>
<tr>
<td>Nolan</td>
</tr>
<tr>
<td>Perine</td>
</tr>
<tr>
<td>Powell</td>
</tr>
<tr>
<td>Reis</td>
</tr>
<tr>
<td>Russell</td>
</tr>
<tr>
<td>Schauer</td>
</tr>
<tr>
<td>Scott</td>
</tr>
<tr>
<td>Smed, Jr.</td>
</tr>
<tr>
<td>Steward</td>
</tr>
<tr>
<td>Epure</td>
</tr>
<tr>
<td>Wileman</td>
</tr>
<tr>
<td>King</td>
</tr>
</tbody>
</table>

Gold Carders

<table>
<thead>
<tr>
<th>Gold Carders</th>
</tr>
</thead>
<tbody>
<tr>
<td>Haley</td>
</tr>
<tr>
<td>Knock</td>
</tr>
<tr>
<td>Koch</td>
</tr>
<tr>
<td>McDonald</td>
</tr>
<tr>
<td>Nadermann</td>
</tr>
<tr>
<td>Rieskamp</td>
</tr>
<tr>
<td>Russo</td>
</tr>
<tr>
<td>Sharp</td>
</tr>
<tr>
<td>Wagner</td>
</tr>
</tbody>
</table>

April YOPC Attendees

<table>
<thead>
<tr>
<th>April YOPC Attendees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deborah Bryant</td>
</tr>
<tr>
<td>J.R. Ford</td>
</tr>
<tr>
<td>Jerry Giesting</td>
</tr>
<tr>
<td>Art Holt</td>
</tr>
<tr>
<td>Burt Hughes</td>
</tr>
<tr>
<td>Dick Keller</td>
</tr>
<tr>
<td>Gerry Mees</td>
</tr>
<tr>
<td>Jim Metz</td>
</tr>
<tr>
<td>Tony Sciamanna</td>
</tr>
<tr>
<td>Bob Shepherd</td>
</tr>
<tr>
<td>Robert Wilkinson</td>
</tr>
</tbody>
</table>

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

Join fellow retirees for lunch

1:00 pm - 1st Monday of each month

June 3

The Cabana

Call Gerry Mees
(859) 491-2008
Or Greg Stulz
(859) 380-9512

Stamp Out Hunger
Food Drive

In Loving Memory

Timothy Bick
George Murrray
Joseph Steuer
Lynum (Buddy) Williams
NOTE FROM EDITOR

Greetings! I would like to take a moment to share my recent experience visiting our nation’s capitol. I have been to Washington D.C. previously for vacation; however, this was my first trip as a representative of our great union. We met with Congressman Brad Wenstrup and a staffer from Congressman Steve Chabot’s office. I found that both were very approachable and listened to our concerns; however, neither are willing to put their names in ink to support our cause.

Our job is at risk, maybe more than ever. President Trump has released his task force recommendations to reform the Postal Service 4 months ago. These recommendations were misguided by the current financial and operational condition of the Postal Service. As many already know, our financial burden of pre-funding health benefits for future retirees are our biggest component of red ink.

Due to this red ink, recommendations were made to dramatically increase mailing costs for “commercial mailers” and shippers, slash the frequency and quality of delivery, and cut the standard of living postal employees by outsourcing their jobs. This would also include stripping us our collective bargaining rights and reducing our retirement and workers’ compensation benefits. These recommendations would threaten the most efficient and affordable universal postal system in the world — not to mention our livelihood as postal carriers. Congress has the power to take from us in many ways.

The NALC continues to find ways to get legislation introduced to the House and Senate that will fight new legislation that takes away from us. All of these resolutions can be found at www.nalc.org/government-affairs/

With such high turnover of the 2019 midterms, many of our representatives are now new and not aware of our issues. These representatives need to be educated and require each of us to take a moment to reach out to our representative to let them know how they can represent us. Research your congressman and contact them.

Your Editor,

Matt Bauer

Contact Information for U S Representatives/Senators

**OHIO**
Steve Chabot – 1st District
http://chabot.house.gov
202-225-2216
513-684-2723

Brad Wenstrup – 2nd District
http://wenstrup.house.gov
202-225-3164
513-474-7777

Sherrod Brown – Senator
www.brown.senate.gov
202-224-2315
513-684-1021

Rob Portman – Senator
www.portman.senate.gov
202-224-3353
513-684-3265

**KENTUCKY**
Thomas Massie – 4th District
http://massie.house.gov
202-225-3465
859-426-0080

Mitch McConnell – Senator
www.mcconnell.senate.gov
202-224-2541
859-578-0188

Rand Paul – Senator
www.paul.senate.gov
202-224-4343
859-426-0165

**INDIANA**
Greg Pence (New Representative) – 6th District
http://pence.house.gov
202-225-3021
317-421-0704

Todd Young – Senator
www.young.senate.gov
202-224-5623
317-226-6700

Mike Braun (New) – Senator
www.braun.senate.gov
202-224-4814
317-226-5555
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 Winners

Split-the-Pot - Fritz Johnson ($40.00)

MDA
Jim McNulty, Marlin Casey, Natasha Weaver, and Bill Sullivan
Motions made at the March Membership Meeting

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

Pay $3,951.00 for furnace repair and tune up. Carried

Branch spend $100.00 to purchase a hole at the 1st annual Brad’s Blessings Golf Tournament Carried

To pay the bills. Carried

To adjourn. Carried

The 27th annual Letter Carriers’ Stamp Out Hunger Food Drive is coming up on Saturday May 11th. The branch will be hosting a meeting with all stakeholders involved on May 1st and more information will be put out at the May membership meeting. Thank you for all the hard work you do on Food Drive day. 2019 Branch scholarships will also be drawn at the May membership meeting. Hope to see you there.

In Solidarity,
Ted Thompson

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
"Bring your loan HOME"

✓ Receive a $100 Gas Card! *
✓ Defer your payments for 90 days!
✓ We will match or beat your rate! *

Transfer an existing loan or credit card balance from another institution and bring your loan home!

How can you say no?

Stop in or call 513.381.8600 Ext. #3

POSTAL Family Credit Union, Inc.
1243 West 8th Street • Cincinnati, OH 45203-1004 • 513-381-8600
1111 East Fifth Street • Dayton, OH 45402-2299 • 937-228-7691
Mail: P.O. Box 14403 • Cincinnati, OH 45250-0403
Toll Free 1-800-265-4527 • www.URmyCU.org

*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
NALC Branch 43
4100 Colerain Avenue
Cincinnati, Ohio 45223

"ADDRESS SERVICE REQUESTED"

Upcoming Events

Officers Meeting - May 9, 6:00 PM
Delegates Meeting - May 9, 7:00 PM
Branch Meeting - May 9, 7:30 PM
Food Drive - May 11 (Saturday)
YOPC- May 29 (Wednesday)