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May 2021

Queen City Letter Carriers - NALC Branch 43 News & Views

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Ted Thompson
President

From the President's Desk

With the ratification of our contract with the Postal Service, there are new contract updates to share. New pay rates have been released and are set to take effect in pay period 9 (April 10th – April 23rd) with a pay date of April 30th. New pay charts will be out soon for all contractual wage increases and cost of living adjustments from which we are all to receive back pay for. Back pay is still being calculated and worked on; however, the NALC is told by mid-July back pay should be received to all available letter carriers and retirees. Also with the ratification, on May 8th the branch has CCAs in our associate offices making career as PTFs under the 24-month conversion memorandum. For those, and those in the future, the branch has received a couple inquiries on the qualifying period for those newly converted. CCAs being converted to PTF have incorrectly received notification letters from the district informing them that they will have a 90-day qualifying period where they will not be able to use annual leave. While this was true prior to our new agreement, it no longer applies due to a new Memorandum of Understanding. Under the new MOU it states, "The parties agree that City Carrier Assistants with a minimum of 90 days of consecutive service as a CCA prior to conversion to career status will be exempt from the 90-Day Qualifying Period in ELM 512.313. Any break in service as required by Appendix B, Section 1.1.b will not impact this continuous service requirement. The ELM will be updated to reflect this change." For any CCAs converted to career who receive a letter notifying them of a 90-day qualifying period, please contact the

branch office. Also along the lines of annual leave, the MOU allowing carriers to carry over 520 hours instead of the usual 440, that memo has been extended for 2021 as well.

Currently there are eight city delivery taskforces created. From a recent teleconference with Fred Rolando, he expressed that the Postal Service seems serious to have good joint taskforces working together to accomplish common goals, unlike the past. For starters, there is a taskforce to address the culture in the office. This taskforce will address the issue of dignity and respect in the workforce, from which Postmaster DeJoy allegedly stands behind. There is an efficiency taskforce. This taskforce will look at various methods of how we case and deliver the mail. This will be done through joint pilot programs, unlike past unilateral programs such as consolidated casing. There is a taskforce on staffing, scheduling, and transportation. This taskforce started in Chicago where conditions are horrific. This taskforce resulted in hundreds of conversions to career. While addressing long term needs of hiring, this taskforce is also addressing the short term needs of simply who is going to deliver the mail day to day and how. There is a taskforce on joint route inspections. Management needs this, whether they like it or not. One of the top grievances resulting in millions of dollars annually is improper unilateral route adjustments. Currently this taskforce is looking at different modules now and what technology is available. There is a taskforce on safety. Not just for COVID-19, but many other Article 14 safety and health issues. This taskforce will analyze what works and doesn't work as well as identify what really matters, not focus strictly on a chart or graph created showing the number of safety accidents or issues related. There is a taskforce created to address contract compliance. PMG DeJoy just released a new video stressing how important this is.

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.

With managements continued failure at contract compliance (sometimes ignorantly, sometimes out of immediate necessity, and sometimes purposefully with malicious intent) escalating remedies have become a problem for them. So often, a remedy for a simple violation can result in exorbitant amounts. There is a taskforce on CCA attrition and mentorship. This taskforce is already running a pilot mentorship program for incoming CCAs in certain regions. Branch 43 has had one CCA selected to take part in this program. This taskforce will also be tasked with finding ways to address our horrendous attrition rates across the country. Whether these bad rates are a result of being treated like crap, over worked, poorly trained, and numerous other avenues that result in employees quitting as well as looking at the financial and benefit portions to what CCAs get. Lastly, there is a taskforce created to address business growth and innovation. This taskforce will deal with technology and marketing people as well as addressing local communities and how to generate revenue and business.

Following last month's article in which I wrote about the American Rescue Plan Act and Emergency Federal Employee Leave (EFEL), there is now more updates to share. As I reported last month, the Act provided paid leave for federal employees impacted by COVID-19 for one of eight qualifying reasons. \$570 million was allocated for funding this leave. Nationally, the NALC was concerned about keeping members financially covered. The NALC took the stance that nowhere in the law does it state, if funding were to exacerbate, that employees would have to use their own leave. Fred Rolando has been assured that the finances will not run out, however, I, personally, am cautiously optimistic of that reality. Also with the American Rescue Plan Act, Office of Personnel Management (OPM) was tasked with addressing guidelines for

EFEL. OPM originally told the Postal Service and other federal agencies not to put any guidelines out until OPM administered them. The Postal Service then had to backtrack the guidelines they originally put out, and since have been approving EFEL in 80-hour increments. Just recently, OPM has issued guidelines for the federal leave. OPM came out with a three page employee notification and request form, as well as an employee agreement page. Therefore, on April 30th, the Postal Service released a notification on what is required of employees who request EFEL. Effective immediately, employees wishing to take EFEL for COVID-19 related absences under any of the eight qualifying reasons must complete three items. First, the employee must complete a PS Form 3971, which is a postal form for a request for or notification of absence. Previously, this was all employees completed and requested a specific code. Second, employees must fill out the OPM COVID-19 employee notification and leave request form and provide all documentation required by the specific qualifying circumstance as indicated on the request form. This is a three page form. Third, the employee must complete a signed employee agreement in connection with EFEL as provided under Section 4001 of the American Rescue Plan Act. This is essentially an employee agreement. This employee agreement is only required for the first use of EFEL. This agreement also indicates that approval of the leave is conditional and subject to the availability of funds. All employees who were conditionally approved EFEL under the Postal Service's interim policies, prior to this new guidance from OPM, must complete the employee notification and leave request form, supply any additional related documentation, and complete the employee agreement retroactively for the EFEL that was previously approved. This must be submitted within 10 days (of April 30th). Failure to submit such

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Pat Dougherty
Vice President

From the Vice President

Contractual Provisions Prohibiting Employee Mistreatment

Management's treatment of letter carriers sometimes violates one or more contractual provisions prohibiting certain types of behavior and treatment. When this happens, letter carriers should speak to their steward. However, some letter carriers will not stand up for themselves for fear of retaliation from their supervisor or simply out of fear of admitting they are being bullied or harassed. Too often, some managers and supervisors make these letter carriers feel like powerless victims with no hope in sight.

Under no circumstance is there ever a legitimate reason for a letter carrier's supervisor or manager to treat him or her in any way which lacks dignity or respect. There is never a situation that would justify such treatment. A few common causes of mistreatment by supervisors and managers are pressure to make the numbers and meet workload projections, unhappiness with a carrier's performance, a personal dislike of the individual, poor management skills, or simply a lack of respect for others. These are only a few examples of the factors that contribute to supervisors and managers mistreating letter carriers through harassment, intimidation, or bullying.

A supervisor or manager solely relying on Performance Engagement Tool (PET) projections to determine a carrier's daily workload and using that information to harass or intimidate letter carriers into making those projections is a real-world example of abusive behavior. Here is the language in **M-01769 (Step 4 decision)** The subject office efficiency tool is a management tool for estimating a carrier's daily workload. The office efficiency tool used in the Greater Indiana District or any similar time projection system/tool(s) will not be used as the sole determinant for establishing office or street time projections. Accordingly, the resulting projections will not constitute the sole basis for corrective action. This agreement does not change the principle that, pursuant to Section 242.332 of Handbook M-39, "No carrier shall be disciplined for failure to meet standards, except in cases of unsatisfactory effort which must be based on documented, unacceptable conduct that led to the carrier's failure to meet office standards." Fur-

thermore, as stated in the agreement for case Hi N-1 N-D 31781, "there is no set pace at which a carrier must walk and no street standard for walking." Projections are not the sole determinant of a carrier's leaving or return time, or daily workload. The use of any management created system or tool that calculates a workload projection does not change the letter carrier's reporting requirements outlined in section 131.4 of Handbook M-41, the supervisor's scheduling responsibilities outlined in section 122 of Handbook M-39, or the letter carrier's and supervisor's responsibilities contained in Section 28 of Handbook M-41.

Below are several contractual provisions that protect letter carriers against mistreatment by their supervisors or managers. These are the most common provisions that stewards will enforce to stop such actions.

Article 14 Section 1 of the National Agreement specifically provides that it is management's responsibility to provide a working environment which is safe to work in. That provision does not only mean the Postal Service is required to provide an environment which contains safeguards such as fire extinguishers, clean work areas, etc., it also means an environment which is free of harassment, bullying, intimidation, or threats of physical violence as well.

Article 19 of the National Agreement incorporates many USPS handbook and manual provisions into the National agreement. Several provisions contained in these handbooks and manuals deal directly with the way employees should be treated and management's responsibilities in this regard. The USPS has made commitments to providing a work environment which maintains a level of dignity and respect between a letter carrier and their supervisor.

M-39, Section 115.4 Maintain Mutual Respect Atmosphere

The National Agreement sets out the basic rules and rights governing management and employees in their dealings with each other, but it is the front-line manager who controls management's attempt to maintain an atmosphere between employer and employee which assures mutual respect for each other's rights and responsibilities. According to the provision, it is the supervisor's responsibility to control management's attempt to maintain an atmosphere of dignity and respect for each other's rights and responsibilities. Obviously, if the supervisor is engaged in harassing, intimidating, threatening, or bullying techniques, then he or she is certainly not controlling management's attempt to provide an environment free of abuse. This provision sets a basic



Denny Doud
NALC DRT Rep

STEWARD'S CORNER

Unwanted Overtime

The branch continues to receive concerns from letter carriers who wish not to work overtime. Please believe me when I state that the union completely understands the frustration of non-overtime carriers and the overwhelming experience they may encounter when forced to work overtime. The union is also aware of the impact to a letter carrier when he or she is mandated to work overtime and how it affects their personal lives. Additionally, it is even more frustrating to non-overtime carriers when required to work on a non-scheduled day including Sundays. The union will investigate these issues to ensure that management is in compliance with the National Agreement when scheduling and the need for overtime occurs. However, we ask that carriers remain patient, be objective, and understand that the Postal Service is an essential service provider which is required to operate within the current pandemic. Moreover, letter carriers are essential workers and may be required to work overtime during the pandemic. Carriers sometimes ask how and when does management decide who is scheduled to work unwanted overtime.



The National Agreement makes it clear; management is required to follow the provisions of Article 8 when scheduling for overtime. In the JCAM under the Article 8 provision, a section known as the Letter Carrier Paragraph prescribes the pecking order that management must follow when scheduling for overtime that reads in part as follows:

In the Letter Carrier Craft, where management determines that overtime or auxiliary assistance is needed on an employee's route on one of the employee's regularly scheduled days and the employee is not on the overtime desired list, the employer will seek to utilize auxiliary assistance, when available, rather than requiring the employee to work mandatory overtime. Furthermore, the National Agreement provides the implementation of the Letter Carrier Paragraph, and how management should apply the language in part as follows:

Implementing Memorandum on "Letter Carrier Paragraph"

A memorandum of understanding signed December 20, 1988 (M-00884) further explained the requirement to seek to use auxiliary assistance before requiring letter carriers not on the ODL or Work Assignment List to work overtime on their own route on a regularly scheduled day. Management must seek to use all of the following to provide auxiliary assistance:

- Part-time flexibles at the straight-time or regular overtime rate.
- City carrier assistant employees at the straight time or regular overtime rate.
- Available full-time regular employees such as unassigned or reserve regulars at the straight time rate.
- Full-time carriers from the Overtime Desired List at the regular overtime rate.

However, the memo states that management does not have to use ODL carriers to provide auxiliary assistance if such an assignment would mean that the ODL carriers would be working penalty overtime. In that limited situation—if no auxiliary assistance is available without going into penalty overtime—management can require full-time regular carriers not on the Overtime Desired List to work overtime on their own routes on a regularly scheduled day. Remember that this limited exception applies only when a full-time non-ODL letter carrier is required to work overtime on his/her own assignment on a regularly scheduled day. Before requiring a non-ODL carrier to work overtime on a non-scheduled day or off his/her own assignment, management must seek to use a carrier from the ODL, even if the ODL carrier would be working penalty overtime (Article 8.5.D).

Needless to say, there is plenty of overtime available for those who want it. However, for those that don't, if you have any questions on overtime rules or assignments, please feel free to call the union office during normal business hours.

In Solidarity,
Denny Doud

President cont.

forms timely will result in the leave being converted to LWOP and the employee will be liable for repayment of the leave taken. Or the employee may elect to convert the EFEL to another applicable paid leave. If anyone has any issues or concerns with these new guidelines, please contact your steward or the branch office.

Fraternally,
Ted Thompson

AN IMPORTANT MESSAGE FROM THE OHIO AFL-CIO

TELL YOUR SENATORS

PASS THE PRO ACT



SOME 60 MILLION WORKERS would vote to join a union today, yet for far too many, America’s outdated labor laws are no longer effective at ensuring our freedom to make our voices heard. The Protecting the Right to Organize (PRO) Act is transformative civil rights, economic stimulus and labor law reform legislation that would give workers more power and prosperity. Here’s what it would do:

- Hold corporations accountable for union-busting
- Protect workers’ rights to form and join unions freely and fairly
- Repeal Jim Crow “right to work” laws that lower wages and reduce benefits
- Ensure workers can reach a first contract quickly after a union is recognized
- End employers’ practice of punishing striking workers by hiring permanent replacements



Let’s change the power dynamics in America and give working people a real say in our future. The PRO Act will create pathways for workers to form unions, without fear, regardless of region and industry. Stronger unions mean higher wages, safer working conditions and dignity for all. And when working people have the freedom to make our voices heard, America is stronger and our democracy is more secure.



The House of Representatives passed the PRO Act on March 9 in a bipartisan vote. President Biden has asked the Senate to send the PRO Act to his desk. It’s time for the Senate to stand with working people and President Biden and protect the right to organize.

CALL 866-832-1560

TELL YOUR SENATORS IT IS TIME TO
BUILD BACK BETTER WITH UNIONS AND PASS THE PRO ACT

A Letter From the Editor

Hey there! My name is Taylor Whitt and I am a carrier out of the Lockland office. As of this issue, I am also the new editor-in-training for the News & Views. I have a bachelors degree in Creative Writing, as well as experience making the newsletter for a couple clubs and organizations on my college campus. I hope with this background I can bring a fresh voice into the publication as well as a dollop more creativity. However, I know I have a lot to learn, and as a general rule I always save room for improvement. While I have many ideas on how to make this publication better I am not shy from suggestions or criticism. So, I wanted to take the time to reiterate an already open invitation: please feel free to send us any suggestions or opinions on improvements to this newsletter (or my editing, god forbid), as well as any written responses to anything we publish here, items of interest about your station, or current events, too. We would just be glad for your involvement, if I'm being honest. When responding, please just make sure to follow the submission guidelines which you'll find in the section labeled Editor's Notes. You can email any submissions to me, Taylor, the rookie editor, at taylorwhitt777@gmail.com or to Ted Thompson the one and only branch 43 NALC president at thompson@branch43.org. Just make sure to send it to whoever you think will do a better job with it. Then when you're done emailing Ted, please email me too please. Thanks!

Another PSA from EAP

Or actually, the very first PSA from EAP, but who even reads this newsletter to know that there hasn't *always* been "Another PSA from EAP" section until now? Oh right! You. The one member who looked at this News & Views and didn't immediately throw it away, again. Maybe this was a fluke, or maybe it was fate, or maybe you *do* read your News & Views before throwing it away, again. Whatever it is! While I have you here, could you please turn your attention to the following public service announcement: If you, or someone you know, gambles so much that it seems to take priority over family, jobs, and friends it might be time to seek help. Please read the following PDF for more information on signs and symptoms of gambling, as well as the Employee Assistance Program's contact information. If you or someone you know struggles with gambling please email or call EAP for help. Or don't, it's a free country. But if you do, you should also know that EAP is not only an avenue of

confidential services, it is one that is completely free to you, your family, or your coworkers. So please call EAP. There's nothing to lose and everything to gain. Think about it.

This has been a public service announcement for the Employee Assistance Program. Written by Editor, Taylor Whitt.

Vice President cont.

standard that must be followed by managers and sometimes may be sufficient to stand alone in a grievance, depending on the egregiousness of the behavior.

It is suggested the following provisions be relied upon as well to support grievances documenting behavior of a more egregious nature. Such egregious behavior would be violence or threats of violence, harassment, intimidation, threats of any kind, or bullying. The Employee Labor Relations Manual (ELM), Section 665.24 incorporates specific provisions against such behavior, stating: **665.24 Violent and/or Threatening Behavior**

The Postal Service is committed to the principle that all employees have a basic right to a safe and humane working environment. To ensure this right, it is the unequivocal policy of the Postal Service that there must be no tolerance of violence or threats of violence by anyone at any level of the Postal Service. Similarly, there must be no tolerance of harassment, intimidation, threats, or bullying by anyone at any level. Violation of this policy may result in disciplinary action, including removal from the Postal Service.

A workroom floor environment which contains elements of harassment, intimidation, threats, or bullying is certainly an environment which is unhealthy and unsafe. Such an atmosphere could potentially cause an individual to act out in ways they normally would not act, therefore creating an environment which contains unsafe working conditions. These are just a few provisions prohibiting employee mistreatment and if you are sick of the harassment, intimidation, and bullying that goes on in many of the Cincinnati Installation workroom floors than I encourage you to start attending our monthly union meeting every 2nd Thursday each month at 7:30 pm at our union hall. Remember, information is power, and your union will provide you with the information and skills to protect you from these rogue supervisors and managers on the workroom floor!

In Solidarity,
Pat Dougherty

Is Gambling Taking Control?

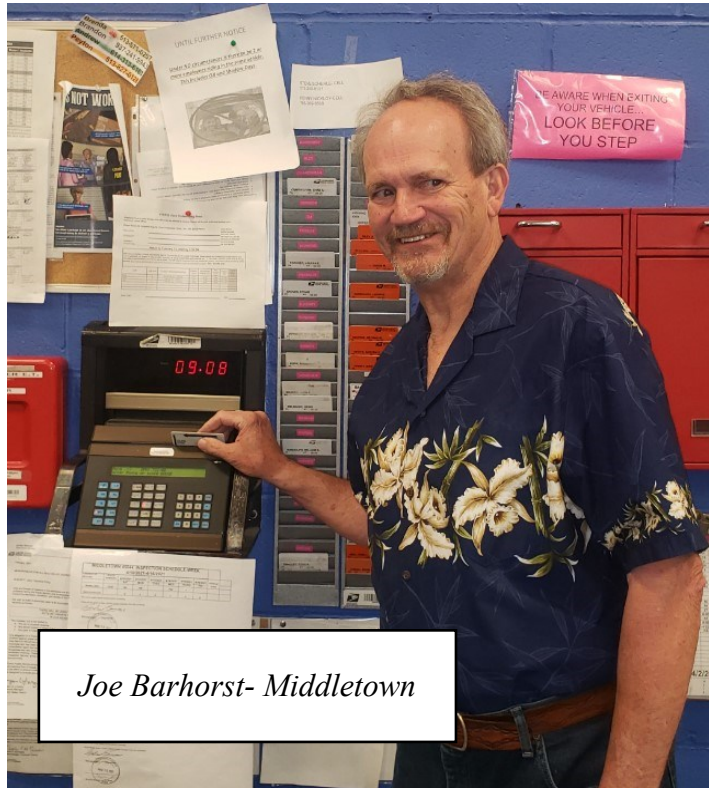
Addiction to gambling can be treated if you are willing to acknowledge the problem.

Do you or someone you know gamble so much that, at times it seems to take priority over family, job or friends? Do you often worry about these gambling habits? If you answered **yes** or **maybe** to these questions, consider the following list of behaviors:

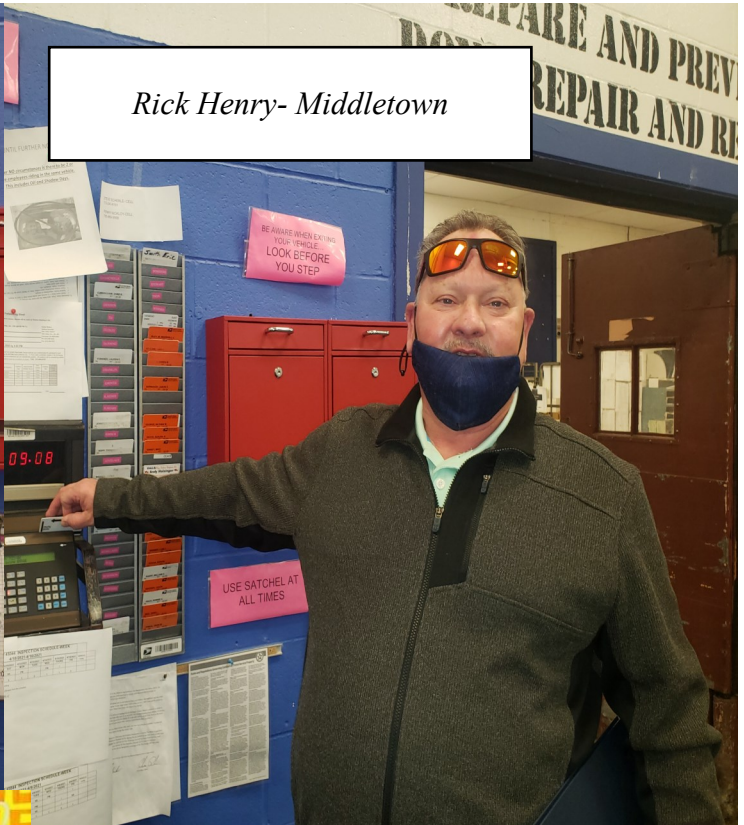
- A preoccupation with gambling and getting money to continue engaging in it
- Repeated, unsuccessful attempts to cut down or stop gambling
- Continuing to wager larger amounts of money when bets at smaller amounts fail to produce the desired excitement
- Withdrawal, restlessness and irritability
- Returning to gambling another day in order to get even (“chasing” one’s losses)
- Gambling as a means of escaping from problems or intolerable feelings
- Lying to others about the extent of gambling
- Jeopardizing relationships, education, finances, or career
- Engaging in illegal activities to finance gambling or pay gambling-related debt
- Reliance on others or institutions to relieve a financial situation created by gambling

If these behaviors sound familiar to you, chances are you or a loved one has a problem with compulsive gambling. Addiction to gambling can be treated if you are willing to acknowledge the problem. Your EAP can help.

Last Punch Bunch



Joe Barhorst- Middletown



Rick Henry- Middletown



Kevin Murphy- Middletown



Angie Rowenkamp- Mt. Healthy



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NALC Health Benefit Plan

Customer Service

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PO Box 970905

Greensboro NC 27497-0905

FAX: 651-456-6041

April Membership Meeting Raffle Winners

Split the Pot - Jerry Giesting (\$49.00)

MDA - Janet Miley-Moore, Lamont Seaborough,
Melissa Crawley & Craig Young

Gregory	Bach
Linda	Baker
Charles	Bryant, Jr.
Scott	Charcholla
Robert	Curtis
Wm.	Dryden
Ronald	Furnish
Kathleen	Griesinger
Connie	Griffieth
Ralph	Jordan II
Craig	King
James	Klensch
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



May Gold Carders

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

April 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 April Membership Meeting

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

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

Purchase two small signs for the Youngstown Branch Chubby DiGiacomo golf outing. **Carried**

Spend \$500 on prizes for MDA raffles. **Carried**

To adjourn. **Carried**

MEMBER BENEFITS

You've earned them.

Now enjoy them!

Check out all 40 great cost-saving benefits created exclusively for union workers and their families.



Union Plus
See more at UnionPlus.org

Join fellow retirees for lunch

1:00 pm - 1st Monday of each month

June 7th

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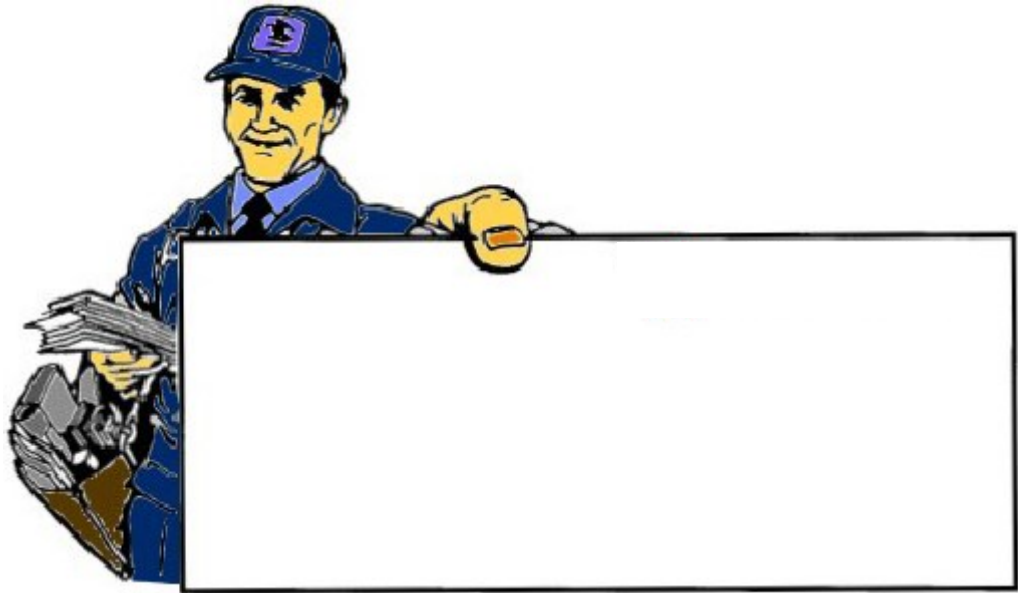
*Balance must be at least \$10,000 or greater to qualify. For loan balances below \$10,000 only the 90 day deferment will be offered. Member must qualify for the loan under normal underwriting guidelines. Minimum rate floor of this offer is 2.99% APR. Interest will accrue over the 90 day deferment period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

- Officers Meeting - May 13th, 6:00 PM**
- Delegate Meeting - May 13th, 7:00 PM**
- Branch Meeting - May 13th, 7:30 PM**
- Hall Clean Up - May 16th, 9:00 AM**
- June YOPC - Wednesday, June 2nd**

