



# THE VOICE



OF THE GOLDEN GATE LETTER CARRIERS

BRANCH #214

NATIONAL ASSOCIATION OF LETTER CARRIERS, AFL-CIO

January/February 2008

Award-winning newspaper

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## OFFICERS BEGIN 2008-2009 TERM NALC PRESIDENT YOUNG ATTENDS NBA MANNY PERALTA INSTALLS OFFICERS



*Bill Young, National President NALC, attended the January officer installation meeting. Here he presents gavel to re-elected Branch 214 President Lili Beaumont.*



*From left, being sworn in for new term, returning officers Bill Thornton, Vice-President, Lili Beaumont, President Branch 214, Ray Fong, Executive Vice-President, and Carol Maggio, Assistant Secretary-Treasurer.*



*Cathy Simonson, EEO officer, left, and new Secretary-Treasurer Karen Schuler preparing to be sworn in for 2008-2009 term.*



*New Field Director Karen Eshabarr and Franklin Woo, NALC Health Benefits Representative, being sworn in along with other full and part-time officers at January Branch meeting by National Business Agent Manny Peralta.*

Photos by Ivars Lauersons

### ALSO INSIDE:

- Injured carriers —page 3
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- PCA woes —page 6
- More officer photos —page 9
- Missing 3996 —page 10
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## Branch 214 notes

Elections were held in four locations for contested shop steward positions.

At **Sunset, Pacific Carrier Annex**, Juan C. Caldera had 47 votes; Angelo Mandala had 45 votes; Steve McCaffree had 26 votes. The top two vote getters are the shop stewards for 2008-2009.

At **Collections**, Carlos C. Ocampo, Jr. received 37 votes; Romeo S. Manuel received 38 votes; and George Young received 25 votes. The top two are the new shop stewards.

At **Parcel Post** Larry Gerigk received 25 votes and Mark Mindrup 9 votes in the contest for the one shop steward position.

The election at **Station F** had five candidates for the two positions. The votes were as follows: Ghan-Gee Chang 33, Curtis Cheung 31, Jose Nacorra 23, Alonzo Hutton 18, and Vi T. Tran 6. The top two vote getters are elected.

\* \* \*

### Branch Officers

Lili Beaumont ..... President  
 Ray Fong ..... Executive Vice-President  
 Bill Thornton ..... Vice-President  
 Karen Schuler ..... Secretary-Treasurer  
 Karen Eshabarr ..... Field Director  
 Carol Maggio ..... Assistant Secretary-Treasurer  
 Charles Gonzalez ..... Sergeant-at-Arms  
 Franklin Woo ..... NALC Health Benefits  
 Leonard Cruz ..... Safety and Health  
 Cathy Simonson ..... EEO Officer  
 Mike Callahan ..... MBA representative  
 Kim Truong ..... Director of Organization  
 Roberta Bojo ..... Trustee  
 June Buccat ..... Trustee  
 Sheila Gardner ..... Trustee

### Voice Staff

Ivars Lauersons ..... Editor  
 Gerry Lee ..... Graphics

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GOLDEN GATE BRANCH  
 2310 Mason St., 3rd Floor, San Francisco, CA 94133  
 Phone: (415) 362-0214  
 WEB page: <http://www.nalc214.org>  
 Office hours: 8:00 a.m. to 5:00 p.m. Monday to Friday



Photo by Ivars Lauersons

Guests at January meeting Doug Schuler (left) and Ken Gardner, waiting for installation of Secretary-Treasurer Karen Schuler, and Trustee Sheila Gardner.

Herb Mitchell (and his faithful computer) of the Vallejo office of **The Voice** helped in the production of this issue.

\* \* \*

### Transitional Employees (TE's) rights clarified

The "NALC Bulletin" (1/18/2008) announced that the "NALC and USPS have developed a joint document that provided the mutual understandings of the two national parties on issues related to NALC transitional employees." This question and answer document is the only source for accurate information of the joint agreement on transitional employees.

The document is available on the NALC website: [www.nalc.org](http://www.nalc.org)



Photo by Ron Callaug

Retirees at Branch 214 December 3, 2007 luncheon, from right, Bob Murray, President retirees, unidentified retiree, Vernon Capps, recording secretary retirees, Steve Cristafi and friend.

### T.V. 214 Schedule

SAN FRANCISCO, AT&T Cable Channel 29:  
 Every third Sunday of the month at 7:00 p.m.  
 February 17, 2008, March 16, 2008,  
 April 20, 2008

National Reassessment Process

## More dangers to injured carriers

By Lili Beaumont, President

The “National Reassessment Process” (NRP) is a national process developed with intent supposedly to properly place employees who have been injured on the job into positions within their medical limitations, and to maintain their productivity as employees while they recover from their job-related illnesses/injuries. However, the Postal Service intends to change its policy on providing limited duty work to employees who have partially recovered from work-related injury or disability via the NRP. Management intends to change from a traditional approach of providing “make work” to providing “necessary work only” as limited duty carriers, unilaterally tweaking the NRP. The terms “make work” vs. “necessary work only” are being used by management without clear definition.



### If you're hurt, we don't want you.

There is currently a national level grievance regarding implementation of the NRP because of management's unilateral change in the definition of the Postal Service's obligation to provide limited duty work that is incorporated into the NRP. The union maintains that how management is administering the NRP is inconsistent and in conflict with section 546.142 of the Employees Labor-Relations Manual (ELM) as well as pertinent provisions of the EL-307 and EL-505 handbooks, and applicable laws and regulations.

Another matter within the NRP the union disputes is that the NRP also involves the application of new criteria for selecting which employees will receive limited duty. Specifically, employees who reach maximum medical improvement (MMI) within one year of the date of their work-injury will be afforded a preference over employees who reach MMI after one year following the date of their work-injuries. This change has never been the subject of negotiation, and there is no basis for this new selection criterion in any of the applicable ELM provisions, or any other applicable provision of law or regulation.

The union also vehemently disputes the Postal Service's intent to remove employees who have non-work related injuries from existing light duty assignments in favor of employees who have been injured on the job. Any such policy would violate the National Agreement



Photo by Ivans Lauersons

*National Business Agent Manny Peralta, at podium, with arm raised, installed the full time and part time officers of Branch 214 at the January 9, 2008 meeting. Then he resumed his regular duties, here answering questions from carriers at the meeting. Listening in is National President Bill Young, seated foreground, special guest at the meeting. Also in photo, from left, Secretary-Treasurer Karen Schuler, Assistant Secretary-Treasurer Carol Maggio, and Executive Vice-President Ray Fong.*

as well as a previous (binding) national level grievance settlement.

### Information class for carriers

Recently our branch hosted and offered to many of our members two four-hour sessions on the NRP, its implementation, and how it would affect employees injured on the job. Basically, it was a “know your rights” meeting for limited duty employees, and it was taught by Ann Moore who is from San Diego NALC Branch 70. Ann just recently retired from her full-time union officer position in Branch 70 and was kind enough to spend three days in our branch preparing and giving the classes. Since the San Diego District was a pilot site for

## Carriers on disability or who are injured face new hurdles.

the NRP and Ann's union position specialized in OWCP (workers' compensation) issues, she is well-versed on the subject. She is rated by the national, state, and local levels of our union as one of the best OWCP representatives in the country. Our members enjoyed the information Ann shared and on behalf of our branch, I thank her for taking the time to help our members out with the information she presented.

In the session Ann shared her experiences dealing with management in the NRP. Her information was intended

*(continued on page 4)*

**Beaumont** (continued from page 3)

to educate our members to enable them to make sound decisions for themselves should NRP affect them. It usually begins when a limited duty (LD) carrier is requested by management, either in writing or verbally, to submit updated medical information pertaining to their work-related injury. Based on that information, management will re-evaluate that employee's job offer. In doing so, management is still obligated to comply with the ELM section 546.142a.

**Can work up to four hours, or cannot**

LD carriers who cannot work even up to four hours per day because of their medical limitations are placed on the rolls of OWCP for eight hours per day. One must be able to work at least four hours per day. Otherwise they become eligible candidates for vocational rehabilitation. Vocational rehabilitation is a program for job placement of permanent and stationery LD carriers who can no longer do work but are getting paid by the DOL/OWCP while on LWOP from the Postal Service. (DOL is the Department of Labor.) Those eligible are assigned a vocational rehabilitation counselor who will interview you, assess your qualifications for other jobs, and present you with opportunities for training in another field of employment. If you agree to go to training, you receive 75% of your

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### Management is acting unilaterally to change the rules.

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pay tax free for eight months and the DOL/OWCP pays the difference between your letter carrier salary and the salary of the "new" job/position you are training for.

Vocational rehab training can take place up to two years. Then you are placed in the job market for that vocation with "job leads". But you must find your own job and you have up to ninety days from when you completed vocational training to find a job. If you are unable to find a job, then you are evaluated and assigned a "wage earning capacity" which is the amount of salary you may earn based on your training, what you are qualified to do and how much that occupation earns. If after training you do find a job in the field you were trained and your salary is less than what you were making as a carrier, the DOL/OWCP will pay you the difference in those salaries, but should you for any reason be separated from that "new vocational job," you will still only receive the difference in those salaries until you find another job in that job market. You will not be able to return to the Postal Service.

**Vocational training or not**

If vocational rehabilitation is not up your alley, your best scenario is to find as much work as you can do in



*Newly re-elected President Lili Beaumont receives a kiss and a bouquet of roses from her husband, California State Association of Letter Carriers President and Branch 214 member John Beaumont at the January 9, 2008 branch meeting.*

the carrier craft. Keep a diary and document everything. Keep an eye out and document what work you can do in your office even if you are not currently doing that work (somebody else is). It is fine to have a job offer and work within your job offer, but you should also be aware of work that is being done by Transitional Employees (TEs), PTFs, and ODL carriers daily that you can also do because that work is within your medical limitations. Keep these daily observations at home recorded as specifically as you can in your diary. Also, see your doctor at least twice per year to keep your OWCP claim open. If management requires you to see your doctor more than that, complete a CA-7 for the time you spent at the doctor, but remember to have the doctor state when he would like to see you again. Your doctor dictates when you should be seeing him, not the Postal Service.

**Disability retirement**

LD carriers also become eligible for disability retirement when they can no longer do the job they were hired to do at all. In fact, if a LD carrier is on LWOP for one year, the USPS can issue to that carrier a letter to separate them from the Postal Service. If this happens, then that carrier should immediately file for disability retirement and indicate on the paperwork responding to the Postal Service that they still want to remain on the OWCP rolls and that they want to vie for OPM disability retirement. You could also file a grievance. One earns up to only 80% of your letter carrier salary per year, but you can still work another job and still qualify for disability retirement. Your salary in that other job should not put your earnings more than 80% otherwise you will be disqualified for the disability retirement.

Voting and

## Other participation in the electoral process

By Carol Ann Maggio  
Assistant Secretary-Treasurer

### Carrier Corps—we need you!

NALC's Legislative and Political Action Department works hard for letter carriers every day. They keep tabs on key legislation coming before Congress and meet with legislators as need be. The Legislative Department also coordinates the grass-roots political program which is staffed by letter carrier member volunteers. *That's me and you.*

You ask, "What can we do as letter carriers volunteers?" As you have read in the *Postal Record*, the NALC has asked us to pledge 10 hours and join the Carrier Corps. The NALC is asking us to help build on the momentum of the highly successful 2006 election season by joining the Carrier Corps. This program is designed to help friends of letter carriers in Congress no matter what their political affiliation is.



To join the Carrier Corps, letter carriers and retirees need to pledge at least 10 hours of personal time to walk precincts, hand out flyers/leaflets, participate in a phone bank or help out in other ways when NALC's leaders call. More information can be found in the Legislative Department October 2007 article in the *Postal Record*. We made a difference in 2006 and we can make a difference in 2008. Contact the branch office for your pledge form.

### De-mystifying precinct walking, phone banking, etc.

Many carriers have a hard time thinking of walking a precinct after a long week of carrying mail. Precinct walking organized by the labor councils (an association

### Pledge just 10 hours of volunteer work.

of several regional unions) has improved through the years. The labor councils now target union households to get out the vote. You may only have one or two houses on a block to drop voting information off to, and you usually are partnered with someone who has done it before, and you drive the route.

Phone banking has also improved. Depending on

where your phone bank is located, you can be calling on regular phones or cell phones and reading from a printed script in front of you. You can also be using a sophisticated system of headphones and computer auto-dialers with a printed script on the screen in front of you. There are always many volunteers who have done it before to help you. Many times labor councils just need you to come in and stuff envelopes or, as letter carriers, help organize the precinct walks in a logical progression of movement (A Street is followed by B Street, etc.).

### Windfall Elimination Provision (WEP)/ Government Pension Offset (GPO) Update

Hearings were held on November 6, 2007 before the Senate Finance Subcommittee on Social Security, Pensions, and Family Policy regarding the Windfall Elimination Provision (WEP) and Government Pension Offset (GPO.) The Social Security Fairness Act of 2007 would repeal both the GPO and WEP.

The WEP reduces benefits of those who retire under the Civil Service Retirement System (CSRS) and also reduces earned Social Security benefits from other employment. It applies to anyone who becomes 62 or

### Who wins in 2008 can affect our jobs dramatically.

disabled after 1985 and becomes eligible for their government annuity after 1985. It can reduce a worker's earned Social Security benefits by up to 55.6%. The GPO also affects CSRS employees retiring December 1982 and later.

The GPO reduces or eliminates the Social Security spouse or survivor benefits for which a federal retiree may be eligible based on the Social Security record of his/her spouse. The retiree's Social Security "spousal" benefit is cut by an amount equal to two-thirds of the retiree's CSRS annuity.

California's Congressional legislators lead the way in House and Senate bills to repeal the WEP and GPO which affects postal workers and teachers, police officers, firefighters, and many other public employees. Senator Dianne Feinstein introduced S 206 and has 34 co-sponsors. Congressman Howard Berman of southern California introduced HR 82 and has 333 co-sponsors. The NALC supports the attempts to repeal or substantially revise both provisions, and continues to work with legislators to encourage action on the bill, although most experts agree such a bill would almost certainly be vetoed by President Bush.

Keep on top of these developments by checking the updates in the *Postal Record* and online at [www.NALC.org](http://www.NALC.org), click on the department header, and click on legislation & politics in the drop down menu.

Improvements sorely needed in

## The 3 C's: Civility, Cooperation, Communication

By Ruth Mattes, Shop Steward, Station P

Is it the season of peace on earth and good will towards men? Maybe the opposite is happening.

In honor of the holidays, Station P supervisors in the Pacific Carrier Annex, San Francisco, have increased two-fold their hostile treatment of carriers. They are extremely rude, confrontational, and unprofessional in their conduct. The carriers are being subjected to daily verbal abuse, sarcastic remarks, and in-the-office, and on-the-street harassment.

Our newest supervisor loves to issue disciplinary letters just for the fun of it and for the lack of something to do with her time. She makes the wicked witch in the movie, "The Wizard of Oz" look like an angel in comparison. In the twisted mind of this supervisor, she thinks her main function is being the big DT (Detractor/Troublemaker) of Station P. She goes out of her way to create problems where there are none. It is okay for her to use profanity, but when a carrier does it, he/she is cited for it.



### Clipboard intimidation by supervisor

In the station she intimidates the carriers by standing behind them, and taking notes on her clipboard. Now, when she takes a carrier into the office, she goes and



Edsel Rivera, third from left, Station P carrier, speaks directly to President Bill Young about the harassment at Pacific Carrier Annex (PCA), San Francisco



Ruth Mattes, Station P Shop steward, standing, center background, speaking of problems in her station.

gets the station manager to be a witness/supporter in her discussions with the carrier. She does not stop there. Daily, she goes out on the street (supposedly to do street observations), but in reality, she is using this as a form of harassment. Her observations are done covertly. The tar-

### What is the opposite of civility?

getted carrier has no knowledge of her presence, which is a violation since a supervisor is supposed to identify herself to the carrier at the time of observation. Despite this violation, she happily fills out the Observation Form 4584 (for whatever she deems an infraction), and gives it to the carrier. Then she summons the carrier into the office for a Day in Court; and finally issues him/her a disciplinary letter. This supervisor manages to keep herself very busy by filling her days with in-office and on-the-street harass-

### Sarcastic remarks, yelling, even swearing, are common.

ment, Days in Court, and by issuing disciplinary letters.

### And the other supervisor yells

The other supervisor is just as rude and hostile. Her way of communication is to outshout you. Whenever you have something to say to or tell her and she does not want to hear it, she yells: "EXCUSE ME, EXCUSE ME,!" to drown you out and not let you talk.

### In the grievance procedure

In the co-operation department: none exists. It is very trying to resolve grievances with these supervisors for a number of reasons. 1. They will not give you adequate

(continued on page 7)

**Mattes** (continued from page 6)

time to meet with them. 2. They will not review documents, or discuss violations, and they simply deny all wrongdoing, etc. Suffice to say, it is very *TRYING*—the

**When street observation is done covertly, it is against the contract.**

supervisors try their best to be: un-cooperative, uncivil, and uncommunicative. As a result, many grievances go up to the Formal A level totally unnecessarily.

**Picking on individuals**

During a single week in December, both supervisors managed to harass two female carriers and make them cry. Each was a favorite target of one of the supervisors.

Supervisor One refused to give the daily one-hour hand-off for this carrier, who only works six hours per day. The supervisor kept yelling at her until she broke down and cried.

Supervisor Two makes her day by continuing on a daily basis to bully this carrier, who is on the own assignment only overtime list. The supervisor finds fault with



Photo by Ivars Lauersons

*Audrey Davis, alternate steward PCA, back to camera, hands crossed, listens to National Business Agent Manny Peralta at podium suggesting some of the steps the union is planning to take to deal with the problems at PCA.*

everything the carrier does: not putting up enough mail; working too slow; talking too much; falsifying requested time on her 3996's. Then she goes out to harass and instruct the carrier on how to carry her route and to do it in an unsafe manner. On one particular day, it was not enough to take the carrier into the office (with the Station Manager and shop steward), for a discussion, but also to keep bullying her back on the workroom floor later. It



Photo by Ivars Lauersons

*National President NALC Bill Young, standing, responds with how to deal with issues raised by PCA carriers.*

got to be too much for the carrier. She got really upset and began to cry uncontrollably. Whereupon the warm-hearted, ever-present, Station Manager was so nice to

**Even the grievance procedure is not handled properly.**

allow the carrier to go home.

Well, folks, these are just a few of the on-going horror stories that are happening in Station P. Happy New Year, Station P! Dream on, carriers!



Photo by Ivars Lauersons

*Steve McCaffree, shop steward Sunset Station, standing right, and alternate steward Audrey Davis, standing left of photo, listen to discussion about major problems of harassment at PCA.*

**WELCOME NEW MEMBERS**

- Alyah Allen (TE-180)
- Dante Asunciaon (TE-Bryant)
- Soe Aung (TE-Parkside)
- Fadi El-Baradei (TE-Golden Gate)
- Aric Bernstein (TE-EPC)
- Karen Black (TE-180)
- Mohamed Sohel Bobat (TE-Mill Valley)
- John Brennan (TE-Golden Gate)
- Phillippee Brown (TE-Diamond Heights)
- Stanley Cheung (TE- Parkside)
- Rose Copper (TE-EPC)
- David Crow (TE-Parkside)
- Desiree Davis (TE-Bayview)
- Edelon Diaz (TE-Pine)
- Franklin S. Escobar (TE-Pine)
- Felipe Estrada (TE-Redwood City)
- Jayson Garcia (TE-Bryant)
- Stephen Hanson (TE-Pine)
- Albert Ho (TE-PCA)
- Cindy Huang (TE-PCA)
- Terrie Kyer (TE-180)
- Steven Kyi (TE-PCA)
- Henry Lam (TE-180)
- Wei Li (TE-PCA)
- Austin Liang (TE-Parkside)
- Jean-Paul Liautaud (TE-PCA)
- Frank Luong (TE-Novato)
- Sengphet Manivong (TE-San Rafael)
- Diane Marcal (TE-Bryant)
- Joseph Marcano (TE-Pine)
- Margarita Mayorga (PDC)
- Jose Mesen (TE-Bryant)
- Justin Moore (TE-Bryant)
- Lonnie Peterson (TE-180)
- Oscar Ramos (TE-Bryant)
- Reuel Refugio (TE-Golden Gate)
- Jose Reyes (TE-Bryant)
- Bryant Rivera (TE-Bryant)
- Erick Rogue (TE-Bryant)
- Edmund Ruperto (TE-Golden Gate)
- Jessica Smith (TE-Novato)
- Faatamalii Spruell (TE-180)
- Ly Tran (TE-Pine)
- Harry Vafiadis (TE-Bryant)
- Edilberto Vicencio (TE-Pine)
- Anton Villarica (TE-Parkside)
- Mu Win (TE-Bryant)
- Gene Wong (TE-Redwood City)
- Wei Yang (TE-180)
- Ka Yuen (TE-PCA)
- George G. Zhu (TE-EPC)
- Joaquin Zuniga (TE-PCA)



The social scene at retirees meeting in South San Francisco.

Photo by Ron Callaug



Photo by Ivars Lauersons

Being sworn in at the January 2008 meeting, from left, Leonard Cruz, Safety and Health, Kim Truong, Director of Organization, Charles Gonzalez, Sergeant-at-Arms, and trustees June Buccat, Sheila Gardner and Roberta Bojo.



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**Branch 214 Meetings**

**Branch meetings, 7:00 P.M.**

- February 6, 2008 ILWU Hall, 400 North Point, SF
- March 5, 2008 ILWU Hall, 400 North Point, SF
- April 2, 2008 ILWU Hall, 400 North Point, SF

**Steward meetings, 4:30 P.M.**

- February 6, 2008 Union Office, 2310 Mason St., SF
- March 5, 2008 Union Office, 2310 Mason St., SF
- April 2, 2008 Union Office, 2310 Mason St., SF

**Retiree social meeting, 12:30 P.M.**

- February 4, 2008 740 Del Monte Ave., South SF
- April 7, 2008 740 Del Monte Ave., South SF
- June 2, 2008 740 Del Monte Ave., South SF

**IN MEMORIAM**

Sidney Shired



Photo by Ivars Lauersons

Waiting to be sworn in for the 2008-2009 term are Mike Callahan, MBA representative, and Cathy Simonson, EEO officer. National Business Agent Manny Peralta swore in the officers at the January 2008 meeting.

It ain't right

## San Francisco management attempting to destroy carrier request for overtime or auxiliary assistance

By Bill Thornton, Vice President Branch 214

A carrier asked me if management had a flow chart. Yes, they do. It is all the postal service manuals, regulations including applicable federal laws, and the Labor Management Contract including the section of the M-41 -134.1 that applies when carriers cannot complete all their duties in 8 hours.

In San Francisco there is concerted attempt to practically eliminate that part of the contract. The supervisor comes around early-how you doing today—before all mail is distributed and wants you to commit verbally to their figure. Nothing in writing. Usually the instructions are vague, either deliberately or because of the incompetence of the supervisor.



When the carrier attempts to exercise his/her rights under 131.4 M-41 and get a 3996, the supervisor may be busy performing mail handler work and/or standing behind carriers.

I didn't agree with the national position years ago when it was asked how many bundles a carrier could be required to carry and was told no limit—just take the time. This issue was eventually resolved in a somewhat satisfactory manner.

And currently, I do not agree that it's ok to stand behind a carrier all day, because if you're not doing anything wrong you have nothing to worry about. That's easy for those of us who have not been on the workroom floor in a long while in a carrier position to say.

### 15 minute rule?

Management has a right to manage and they have the right to correct carrier deficiencies, etc. This may include standing behind carrier. But if the supervisor cannot observe the deficiencies within 15 minutes of observation for eventual correction, then one could question the competency of the supervisor.

We must assume that if after 15 minutes the supervisor has not enough information to correct possible deficiencies, he or she is either a nitwit, or it's plainly harassment and a carrier can and should take action within the grievance procedure or the EEO. This is not in the manuals. It

is just common sense.

You may sometimes hear from union that it doesn't matter how long management stands behind you as long as you're not doing anything wrong. This can only come from one of us who hasn't carried mail in a while.

The failure to follow the procedures in 131.4 creates stress and anxiety among carriers.

It also puts them in danger of receiving discipline for unauthorized overtime or delay of mail.

If there is no 3996, filled out properly by carrier and supervisor, as well as a properly executed 1571, all bets are off and the carrier is in jeopardy.

As a union we must persuade all carriers to follow the procedures in 131.4 and file a grievance when ignored by management.

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### You submit 3996's to create a paper trail.

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In stations where only a handful of carriers submit and demand 3996 responses, management is able to do what they want and single out the carriers who exercise their rights.

Let there be no mistake about it. It comes from the top. It is strictly numbers driven with the scenario of the postmaster representative chewing out the station management personnel, and it then rolls downhill.

Management continues to impose their version of *The Carrier Commitment Program*. This was resurrected from the past when some of the more "cooperative" letter carrier branches opted out of the contractually correct submission of Form 3996 when the carrier cannot complete all their duties in 8 hours.

Branch 214 never went for this rope-a-dope. Nonetheless, *commitment* has reared its ugly head again. Supervisors come around early and inform carriers how much they will be working verbally and maybe even give some unclear instructions on what to curtail. This is a way to get around 131.4 of the M-41 and the rules on the misuse of DOIS/computer generated management workload estimates.

### Enter laughing

Humor is recognized as an antidote to the various unpleasant circumstances that we may encounter in life.

Management proscribes grinning and laughing.

The pooh bah from the PMs office arrives at the carrier station and there is an extensive meeting whereby the manager and supervisors have a new one carved out of their anatomy because their numbers are not up to snuff. The following morning the scowling management monitors the carriers, and in addition tries to inflict their own version of the contract—they don't like 3996s or 1571s.

(continued on page 12)



**Thornton** (continued from page 10)

They want to come around early after the carriers clock in and indicate what the carrier should be doing-work this many hours, curtail this, yada yada. All verbal. Later, if the carrier gets a 3996/1571, and/or gets it back, gets a response from management when leaving for the street and telling the supervisor he/she is not going to make it, and/or management answers the phone when the carrier calls in from the street, management has already made up their mind.

#### **Insist on your rights**

Decisions indicate that it is improper to rely entirely on the projections that come out of the management computers in determining time needed for carriers to complete their assignments.

But these decisions are meaningless unless carriers insist on their rights under 131.4 of the M-41. These reporting requirements have not changed. It has become obvious that management is intent on ignoring these requirements and forcing carriers to accept their figures. Don't accept this. It is understandable that carriers become frustrated as management arrogantly ignores the 3996s. Why submit them? The reason is to put on paper all your estimates of workloads and authorized curtailment through the 1571. Unless these procedures are followed the carrier does not have the paper trail that protects him/her from harassment or discipline for among other charges *unauthorized overtime, delay of mail, etc.*

If you deal with the supervisor verbally you better have a lot of faith in that supervisor to tell the truth. Don't risk

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### **Carriers not using the 3996 are throwing in the towel.**

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it. Follow the procedures in 131.4 of the M-41 and let management sweat whether the mail is being delivered. Eliminate the afternoon or next day harassment by having everything in writing. It's their responsibility. You do the work. There are no standards, only an honest day's work for an honest day's pay. And in places that treat people like garbage, there should be no inclination to give any marginal effort, unless you feel you want to help subsidize your manager's next purchase with a productivity bonus that comes on your shoulders.

#### **Union needs 3996 to fight**

The union can fight this but only if carriers submit the 3996 when appropriate/needed. That means anytime you cannot complete all your duties in 8 hours.

Branch 214s local agreements are pretty specific as to when you should get a response, along with Article 41 of the national agreement.

Management should be instructing you as to whether and how much overtime or auxiliary assistance you will be getting and/or what you should curtail. Form 1571 should be filled out. Only management authorizes curtailment and this should be indicated on 1571 with the supervisor's signature.

This process makes life a lot simpler for carriers. Stress and anxiety arises largely from not knowing what is expected. Management plays on this. Don't let them

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### **It should not be O.K. to stand behind a carrier more than 15 minutes.**

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make you miserable. Carriers are paid by the hour. Don't subsidize their bonuses.

It is one thing to have these procedures in the manuals and by extension falling within the parameters of the contract and enforceable by the grievance procedure. It is quite another to have the procedures have any effect. If carriers do not take the initial step to demand the 3996 then the rights are essentially negated. Then why have them? And maybe this is what is coming. If the carrier accepts the figures of management, you already have somewhat of an *evaluated route*.

What's wrong with having the pad of 3996s on the supervisor's desk? While not contractually guaranteed, it would make things a lot easier for the carrier. Not having the form available is another impediment to its use.

Disputes occur when the carrier estimates that he or she will be unable to complete their assignment within 8 hours and management feels otherwise. The contrary position of management is usually based on DOIS or is simply arbitrary. Nor does the contract recognize DOIS as the final arbiter of whether or not a carrier needs auxiliary assistance. Carriers are advised not to engage in any discussions involving DOIS numbers as a basis for

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### **There are no standards, only an honest day's work for an honest day's pay.**

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denial of a request for auxiliary assistance. The only factor that has relevance is the carrier's determination that help is required and his or her estimate of how much. DOIS is a measurement program which is exclusively for management's use. The program's computations are not binding on any carrier with respect to performance or estimating the need or amount of auxiliary assistance. When a carrier believes or determines that they will be unable to complete the assignment within 8 hours, he or

(continued on page 13)

**Thornton** (continued from page 12)

she is to follow the requirements as spelled out in Handbook M-41.

## **M-41 City Delivery Carriers Duties and Responsibilities**

### **131.4 Reporting Requirements**

131.41 It is your responsibility to verbally inform management when you are of the opinion that you will be unable to case all mail distributed to the route, perform other required duties, and leave on schedule or when you will be unable to complete delivery of all mail.

131.42 Inform management of this well in advance of the scheduled leaving time and not later than immediately following the final receipt of mail. Management will instruct you what to do.

131.43 Complete applicable items on Form 3996, Carrier-Auxiliary Control, if overtime or auxiliary assistance is authorized in the office or on the street.

The key point is that the carrier must inform management as soon as it is realized that overtime or auxiliary help will be necessary to complete the assignment. Management must be given the opportunity to decide what is to be done. Possible action may include or be a combination of: router help, auxiliary assistance, authorized overtime, curtailment, pivoting, etc. The decision as to what to do rests solely with management and their instructions are to be followed as given.

### **Don't argue, fill out forms**

In situations where the request for auxiliary assistance is contentiously questioned, challenged or disputed by supervision, the carrier is to refrain from any arguing whatsoever. Under those circumstances it is imperative that the carrier obtain clear and concise instruction as to what he or she is to do. After a carrier has followed the

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## **There is no contractual "carrier commitment" program.**

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requirements of M-41, Section 131.4, management is then obligated to make a decision following the requirements of M-39, Section 122.33 that identifies numerous options available to management. Refusing to provide a Carrier with PS Form 3996 is not one of them. The employee, upon request, will be provided a Form 3996, Carrier-Auxiliary Control, after the supervisor has been verbally informed as to the reason for the request. The employee shall not be denied the form and, upon request, a duplicate of the completed form will be provided the

employee. The instruction "Complete the assignment and be back in 8 hours" is not uncommon on the postal work floor. However, when a carrier has verbally stated or given a Form 3996 informing that he or she cannot follow that instruction, management must make a decision. The instruction actually contains 2 directives. The carrier has said that he or she can do one or the other. It is

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## **Get everything in writing.**

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management's responsibility to decide which one it wants complied with.

When a manager refuses to clearly instruct as to whether the carrier should complete the assignment or return within 8 hours, the carrier may have to call from the street. At that time, the carrier is to inform the supervisor where he or she is, what work is left and an estimate of what time they will return to the office. The manager will then have a second opportunity to give clear instructions that can be followed. If none are given, then the carrier is to complete as much as possible without going into overtime. If instructed to go back out to complete the route he or she must follow the instruction. No carrier has the authority to curtail mail; only management may make that decision.

If the carrier is told to **Finish** that means that overtime is authorized.

Keep written notes or phone records of any conversation or attempt to call.

Fill out another 3996, 1571 when you return, as appropriate.

Grievances/EEOs should be filed as appropriate for any harassment/threats that occur during these requests for instructions as well as management refusal to provide forms, respond to form and/or provide/respond to Form 1571.

I've heard the litany: When did you leave, you only had so much mail, et. Any performance issues should be conducted in private not while you are on the street on the phone.

Carriers failing to utilize their rights under 3996 and the rules and regulations in 131.4 M-41 give away any control they have over their daily workload, throwing in the towel and letting San Francisco management do anything they want.

You do the work.

### **3996 Checklist**

A 3996 checklist summarizing carrier rights and duties appears in the September/October 2007 issue of **The Voice** on page 11. The page can also be found on Branch 214's website [www.nalc214.org](http://www.nalc214.org)

*Stand up for your rights*

## Thoughts about not having to do it anymore

By Ivars Lauersons, Editor

“Nothing is impossible to the person who doesn’t have to do it.”

This is an observation you can throw at any supervisor who asks for the impossible. In the last two years or so, since San Jose took over San Francisco, almost every carrier has been harassed to the point of frustration when being asked to do an impossible set of tasks. It usually involves being asked to take out more mail than you think you can deliver in eight hours.



### The DOIS scam

With the advent of DOIS there is generally the suggestion that we have undertime on our routes and that we will have to pivot. The responses to this vary by carrier, but the gist is that if it is generally impossible for the carrier to do what DOIS suggests. It is impossible. Reactions by individual carriers also vary greatly.

There is an article in this issue about carriers being reduced to tears by management pressure. That’s a totally unacceptable situation to develop in a professional workplace where everyone is an adult.

Looking at it from the outside, not having to do it, solutions seem easier, in line with the first sentence. But I also have been removed from carrying for less than 9 months, and I’ve experienced some of the same pressures that carriers are experiencing and complaining about.

### The bullying approach

Something that carriers need to learn early is that the most recent supervisory approach is bullying. And if we understand the nature of bullying, we know it is to pick on the weakest. To find the weakest, you first have to pick

## DOIS and bullying can be resisted.

on everyone and here comes the first challenge to new carriers. As a carrier you have an absolute and powerful tool in the contract, and to help you with the contract, the union shop steward. Our new transitional employees are protected by the contract, unlike the casuals who worked in the post office before.

The individual carrier can stand up to bullying by

insisting that their rights are taken into account. If you cannot challenge the supervisor on the spot, or if you are unsure of your rights, you can obey the directions given (a good choice in any case) and then ask your shop steward or your co-workers about your rights. After a few days the supervisor may get the idea that you will not be pushed around.

### Insist on your rights.

It’s important that you insist on your rights. If you are given too much work on the street, call in. Do not skip a lunch break. If you are given too much the next day, call

## Know what your rights are, or ask your steward

in. Do not skip your lunch break.

If you feel that you only want to be left alone to do your work, this is a good way to ensure that. After a certain time you will not be picked on because there is no advantage to the supervisor. But if you try to be nice and try to fulfill the impossible, the bullying will continue. Remember that you are not alone. Your union supports you, your co-workers support you.

### Two way obligation to follow rules

There is also something so obvious that we sometimes don’t even mention it. It is also the obligation of the carriers to follow the contract, to follow the rules. It is not a case of how much we can get away with, or that we think that we can do something more efficiently than the rules prescribe. Some recent examples of what carriers do that are definitely not within the rules. Carriers drive around with no seatbelt and the door open. There is no excuse for this. Carriers do not scan MSP points. There is no excuse for this either. Carriers do not scan certified letters. There is no excuse for this; you could get fired. Carriers do not call in to get their overtime authorized. There is no excuse for this, and discipline has been issued on this.

These are blatant examples of what you are doing against the rules and against the contract. There is an additional negative to this. There is no good defense the union can muster if you get caught and disciplined. If you do something right, we can defend you in the grievance procedure. If you do nothing wrong, we can defend you in the grievance procedure.

### The “you” in union

We have individual responsibilities to perform our jobs. We do this by following all rules and regulations. We also have common responsibilities with our union brothers and sisters, to take care of each other.

The union is not some abstract notion, or a group of full-time officers on Mason Street in San Francisco. When you say, “What’s the union going to do about it?” look at yourself first. You are also the union.

## National President at January 2008 meeting

By Lynda Beigel

Bill Young, the National President of our union, as he kept pointing out – “a boy from San Luis Obispo” who hobnobs with senators and congressmen – spoke to our membership at the installation of officers for the 2008-2009 term. National Business Agent Manny Peralta installed our new officers at the Wednesday evening meeting, January 9, 2008.

The main thrust of his talk was to mention some of the leadership strengths of Hillary Clinton, candidate for President of the USA, her support of labor unions, and the working people who are their members, her support of universal health care (not just for the lucky 8% who are government employees), and her ability to gather strong leaders together to work for the citizenry rather than CEOs.

But Bill also listened to some of our members who spoke up towards the end of the meeting. These were the carriers from Pacific Carrier Annex (PCA), who are identifying with their prisoners and who are suffering from traumatic stress. And his message to PCA carriers and to all of us is that we must stick together and support one another on the workroom floor. “An injury to one is an injury to all” is not just an old union slogan; it is crucial to regaining respect from bosses who think they can run roughshod over us!



Photo by Ivars Lauersons

*Kathleen McConnell, long time Branch 214 trustee, is honored at the January 2008 branch meeting for her thirty plus years of service. Applauding, at left, Carol Maggio, Assistant Secretary-Treasurer.*

## A retiree column

By Lynda Beigel

*Some letter carriers retire and never want to be  
Around postal people, or even other retirees,  
But a few have so little to do, that they will stay  
Around the union office and make work for themselves.  
It's true: our branch never had a retiree chair  
Until Dan SooHoo decided to organize info there.  
And poor Ivars Lauersons, retired, but was he done?  
No! He cannot find an editor to replace himself.  
And truth to tell, he likes to keep his hand in, not on the  
shelf.  
And Lynda Beigel, though her hearing grows worse and  
worse,  
Answers the phones while you who call curse and curse.*

And this column is looking for news of retirees, their lives and doings so send your ideas and information to the union office, attn: Ivars Lauersons.



Photo by Ron Callaug

*50-year member Robert L. Miller with Branch President Lili Beaumont at December 2007 retirees luncheon.*

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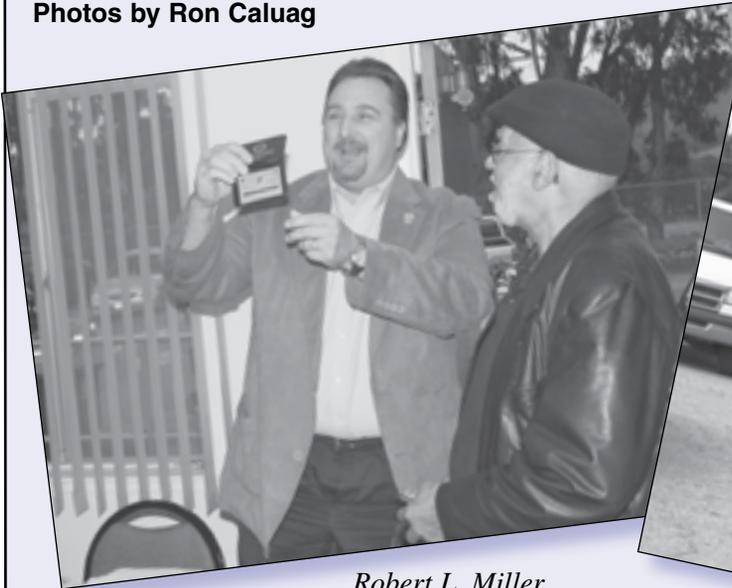
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## RETIRES LUNCHEON 2007

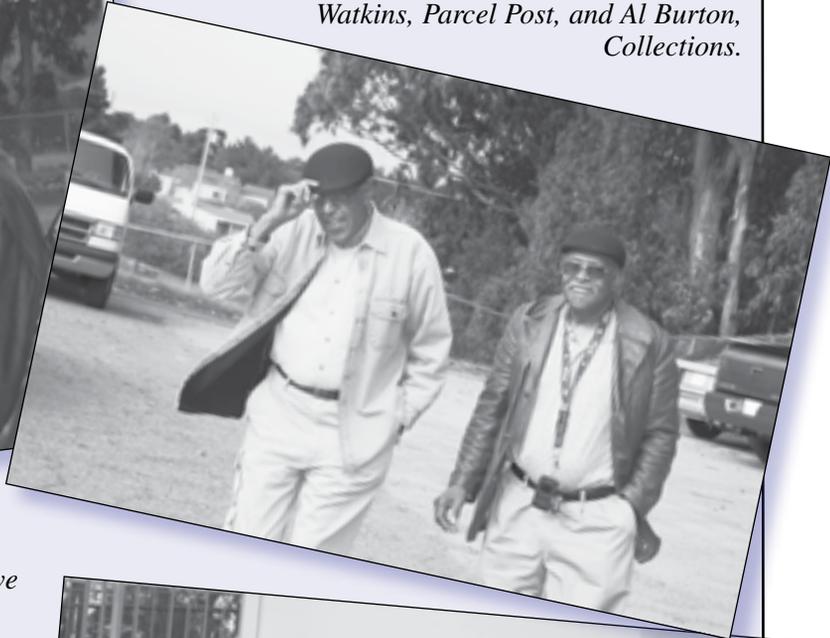
Photos by Ron Caluag



*Robert L. Miller, Marina, right, receiving his 50 year service pin from Brian Voigt, Regional Administrative Assistant, NALC, at Branch 214 retirees dinner December 3, 2007.*

*Some of the retirees and family members enjoying their meal at the Branch 214 retirement luncheon, December 3, 2007.*

*Arriving at the December 3, 2007 retirees luncheon in South San Francisco, from left, retirees Chuck Watkins, Parcel Post, and Al Burton, Collections.*



*Phil Vosburg, retiree Redwood City, and former associate editor of **The Voice**, receiving his 35 year service pin at the retirement luncheon on December 3, 2007. Looking on, from left, Ray Fong, Executive Vice-President, Brian Voigt, Regional Administrative Assistant, and on the right, Lili Beaumont, President Branch 214.*