



# THE VOICE



OF THE GOLDEN GATE LETTER CARRIERS

BRANCH #214

NATIONAL ASSOCIATION OF LETTER CARRIERS, AFL-CIO

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## Route adjustments complete, route adjustments continue Process takes place every 3 to 4 months

By Lili Beaumont, President

Change in the post office is coming rapidly nationwide. Transitional Employee (TE) lay-offs, route reductions through the “Modified Interim Alternate Route Adjustment Process” or “MIARAP”, and facilities consolidations and closures are just a few of the changes being invoked by the post office. Transitional Employees who are given a notice of separation due to “lack of work” are

### MIARAP is different from other route adjustments.

advised to apply for unemployment benefits at their local unemployment office.

Hopefully, this general information on the new route adjustment process will help give carriers a better understanding about how this process works.

Everywhere in our branch route adjustments were done and the last of them were completed and implemented September 12, 2009. The next route adjustment cycle will begin again in October 2009. This route adjustment process, known as the “MIARAP”, is a joint agreement between the national post office and union and will continue indefinitely at a pace of approximately every three to four months. Its structure is different from any previous route adjustment process in that the calculation of the office and street times for a route relies heavily on the regular carrier’s actual clock rings and the mail volume recorded for that route during the month used for evaluation. Also critical are the regular carrier’s comments during the initial consultation. Because it is a joint process, the MIARAP has teams of NALC/USPS pairs at four levels of the process – the local level, the District level, the Area level, and the National level.

The local level consists of a NALC representative designated by the local branch, and a USPS representative designated by the Postmaster. They are responsible for conducting the initial and final consultations as well as reviewing the data provided to them by the District Team, and revealing and reporting any information about the station and the routes that may not be included in that data,

so that as much information as possible can be considered before making territorial adjustments. The local teams are not responsible for making territory adjustments. Their responsibilities are limited to the local station they represent and ensuring that the consultations are conducted properly and completely. They are the liaison between the carriers whose routes are being adjusted and the District team in charge of the MIARAP for their station.

The District level consists of one “lead” team that oversees the route adjustment schedules, directs the District Evaluating and Adjustment Team (called “DEAT”), and addresses any disputes that reaches their level for resolution or appeal to the Area team. Each District team is comprised of one NALC representative and one USPS representative designated by the national business agent’s

### It’s based on the carrier’s actual clock rings and the recorded mail volume.

office. The DEATs are responsible for reviewing the data used to evaluate the routes, including the carriers’ comments during local consultations, and any operational factors within a station that may affect the carriers’ office and/or street times. Once they agree on the routes’ evaluated times, they begin to make proposed territory

*(continued on page 14)*

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- Strong opinions..... —pages 10, 11, 13

## Branch notes

The SF Post Office Retirees Group would like to invite all current and retired letter carriers and family to A DAY AT THE RACES AT GOLDEN GATE FIELDS, October 25, 2009. \$40 per person includes premium seating in the turf club, buffet lunch, and valet parking. Come on out and have some fun with the old guys and win some money. Send checks to Herb Mitchell, 101 Carnival Court, Vallejo, Cal 94589. Make checks out to Herb Mitchell or SF POST OFFICE RETIREES GROUP. Hurry, seats are limited. You can contact Herb at 707-557-0541.

\* \* \*

### For your information

The Green Committee is working with the Ecology Center in Berkeley, California. The Ecology Center helps people from all walks of life to make their work/home spaces more productive, energy and water efficient, carbon neutral, and ecologically friendly. They offer a wide variety of low cost classes and workshops. They have a library, seed library, information desk, and hotline

where experienced staff can answer your environmental questions with reliable facts, advice and referrals.

The Ecology Center has been a great source of information and help. Their e-mail address is [www.ecologycenter.org/support](http://www.ecologycenter.org/support). Or, you may reach them at 510-548-2220.

Victoria Sawicki, Chairperson,  
Green Committee, Branch 214

\* \* \*

At press time the **House of Representatives passed HR 22 by a vote of 388 to 32**. This amended version reduces the prepayment of future retirement for 2009 from \$5.4 billion to \$1.4 billion. This would reduce the financial pressure on this year's postal budget. The fight now goes to the Senate, where a similar bill, S1507, has an amendment the NALC opposes. This process is part of the political fight referred to in Lauersons' article on page 10.

\* \* \*

**We'll take the good news where we can department.** The discount retailer Costco asks questions of its members in its monthly magazine, *The Costco Connection*. In August it asked, "Should mail delivery be cut to five days a week?" The results, printed in the September 2009 issue, page 17, were 11% Yes, and 89% No. Costco respondents like 6-day delivery. And just to show that they are not hopeless nostalgics, for the July question they favored "Should the U.S. develop high-speed rail lines?" The vote was 67% Yes, and 33% No.

## Branch Officers

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 Karen Schuler ..... Secretary-Treasurer  
 Karen Eshabarr ..... Field Director  
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Ivars Lauersons ..... Editor  
 Edwina Wu ..... Associate Editor  
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## Bylaws passed

All three of the proposed by laws printed in the last issue of **The Voice** passed at the September meeting. The bylaws on convention delegates was amended to clarify eligibility now that it is possible that state conventions will be held every three years. The bylaws on shop stewards' duties and pay passed as written. The proposal to make the part-time position of Secretary Treasurer a full time position with added duties was also passed unchanged.

The bylaws will take effect upon approval by the national union.

## T.V. 214 Schedule

SAN FRANCISCO, AT&T Cable Channel 29:  
 Every third Sunday of the month at 7:00 p.m.  
 September 20, 2009; October 18, 2009;  
 November 15, 2009.

NRP enters new phase

## Carriers sent home

By Bill Thornton, Vice President

As has been the case historically, the union remains concerned about timely processing of CA-7s, etc, so that pay is not delayed. The situation is being monitored closely for any mishaps. There is certainly a spotlight on the current situation with regards to timely processing of forms and carrier stations/supervisors/managers performing their responsibilities. Any problems should be immediately reported to the union.

The long awaited National Decision/Agreement regarding NRP (National Reassessment Process) indicates that the Postal Service "...obligation to provide limited duty ... for injured employees... has not developed new criteria for assigning limited duty..." Now the old grievances will be processed that were held in abeyance along with new ones coming down the pike, including carriers not getting full 8 hour job offers and/or not being provided 8 hours work.



Issues remain about Reasonable Accommodation/EL-307. What is it? There is some common sense involving this. The essence of letter carrier duties is to deliver mail. Not, for example, to put mail in a pouch or to carry DPS as a third bundle. Thus, a possible reasonable accommodation is to use a push cart or to case DPS.

### Can't deliver mail?

Carriers who have medical limitations and are not able to perform full duties of the route from compensable injuries are receiving notices that they will be removed from

### Old grievances held in abeyance are now being processed.

their bid positions. Critical to this grievance is whether the injured employee is Permanent and Stationary and has reached Maximum Medical Improvement (MMI).

Carriers performing much of their bid assignments are no longer being given full 8 hour job offers. They are no longer being provided work outside their bid assignments, such as delivering express mail, etc. Some carriers

are being told to clean out their lockers, given CA-2As and CA7s and being sent home indefinitely. (See how to handle this further on in this article)

### Going back to full duty?

Miraculous recoveries? I'm not a doctor or a faith healer. There has been a system in place to ferret out any cheats, and human nature notwithstanding, I never thought I was in the position to hazard such opinions of injured carriers.

Consider your options—Disability Retirement. Call

### Carriers sent home should immediately contact the union.

Shared Services (877) 477-3273 to initiate process, get information, estimated annuity, etc. Some injured carriers have already taken this option and it is well worth considering, along with other retirement alternatives depending on your eligibility, including early out offers.

### Vocational rehabilitation and the impact

USPS responsibility to employees does not end with Voc/Rehab/Separation. There are so called Restoration Rights if you recover and are able to again perform carrier duties.

EEO and MSPB also offer alternatives, but would require you to hire your own attorney. Carriers filing EEOs are not getting mediations so they will have to go to the Formal A grievance process. The union can direct you to lawyers who can ascertain if the case should be pursued as a viable one. Then there are rights you didn't think you had. For example, MSPB without being a preference eligible veteran.

### Rights to bid under Article 41

Any regular employee can bid on a route. If you have medical limitations that do not allow you to perform all the duties of the position, management will ask you to provide medical documentation that you can perform all the duties within 6 months. If you will be able to provide such medical documentation, they must award you the route. At the end of the 6 months, if you cannot perform the duties, you will be given another 6 months to be able to perform the full duties. At that point if still unable, you will lose the bid.

### What happens when you're sent home?

Management gives you a CA-2A—Notice of Recurrence. There is plenty of misunderstanding on this issue. (See Linda Temple article "Recurrence of disability" from Postal Record, January 2007; available online at NALC.org under *Compensation Columns*). In this circumstance, it is considered a "Recurrence" according to

(continued on page 4)

**Thornton** (continued from page 3)

20CFR10 because management has withdrawn Limited Duty. (See 20 CFR10.5 (f) et. al. regarding the situation when you are losing wages, "...OWCP defines disability as an inability to earn wages..." (Temple) The misunder-

### Some carriers are told to clean out their lockers and sent home.

standing seems to be the worry that you are filing a new claim and will have to jump through hoops to get a new claim approved. It is probably confused with a CA-2 or the other 2A circumstances when a CA-2A is appropriate, specifically when the injury returns spontaneously, or in the circumstance of a "consequential" injury, or when an employee needs to get a claim reopened when it has been closed for "lack of medical activity." This may be an added protection for you because you will be paid at your current rate of pay rather than the pay rate at the date of your injury, particularly important if the date of your original injury was long ago.

Management gives you a CA-7, and this will get you paid by the Department of Labor. You fill out the first page. The rest of the form is management's responsibility, including any breakdown of hours. A CA-7A is only necessary for payment of intermittent time (say you worked a partial day when they sent you home.) Carriers with job offers who are sent home periodically will need CA-7As for the days where they worked part of the day and then were sent home, or worked on and off during the pay period, submitting a CA-7, CA7A and 3971 indicating LWOP/Compensation/management did not provide work.

540 ELM and 20CFR10 contain guidelines for appropriate time frames for submission and processing of

### There are a number of forms to fill out to continue to get paid.

paperwork to OWCP/DOL. Carriers should keep copies of everything submitted and follow up with the Injury/Compensation Office to confirm that forms have come in from their stations and have been forwarded to OWCP. Carriers on OWCP will fill out a CA-7 every week and a CA-7A will not be needed because these are continuous periods, and not intermittent. At some point carriers on OWCP will be placed on "periodic" rolls, which will not necessitate CA-7s.

Carriers that are sent home on a daily/intermittent basis

should file grievances with their stewards. There are procedures that are in place with management responsibilities before sending injured carriers home on a daily basis. Carriers sent home should immediately contact their steward or if unavailable, the union office.

Even though injured carriers sent home receive compensation payments that are more or less equal to their Postal Service wages, (paid at either 67% or 75 % tax free depending on marital/dependent status) and can transfer health benefits and life insurance to OWCP, with premiums being deducted. There are other downsides, including lack of TSP contributions and employee matching, non-accrual of leave hours, since in a LWOP status with Postal Service while on OWCP.

### Check references to information in "Postal Record" cited in this article.

Other issues remain, including "Effects of workers compensation benefit on retirement," Linda DeCarlo Compensation Department article, March 2003, available on [NALC.org](http://NALC.org).

Employees on OWCP will have their premiums charged at the "Federal Rate" but are entitled to refunds. See Ron Watson article, "Health Benefits Premium Refund," Postal Record, May 2005 available on [NALC.org](http://NALC.org) under compensation columns.



Cartoon courtesy Acedo, Branch 782, Bakerfield, CA

NALC HBP will deliver 4 U

## Annual 'Open Season' will benefit you and yours

By Franklin H. Woo, NALC Health Benefit Representative

This year's 'Open Season' (Nov. 9 - Dec. 7, 2009) will allow you to be enrolled in a health benefit plan or to switch from one plan to another within the Federal Employees Health Benefits (FEHB) program. This upcoming 'Open Season' may be considered to be a very important one for all letter carriers and their family members today!

Because of depressingly low mail volume nationwide and the serious financial crisis facing the Postal Service, letter carriers are forced to work harder than ever before!



Consequently, hard working letter carriers are facing a lot of stressful situations and other health related ailments. Do your managers and supervisors care? If you say yes, think again! Only you can look after yourselves and seek the proper medical care to help resolve your potential medical problems.

We are in the midst of a national debate about health care coverage, so to examine the coverage we have is more important than ever. Further, carriers thinking of retirement must remember that to participate in the FEHB plan after retirement, you have to have been a member of FEHB five years prior to retirement. Carriers who have relied on coverage by their working spouse should take note.

### Compare the cost, coverage and changes

It is very important during this 'Open Season' that you compare the coverage and the premium (cost) of your current health benefit plan to the other plans available within the FEHB program. Most likely, there will be a lot of changes concerning coverage, benefits and premiums with most health benefit plans. Why? Most of the plans within the FEHB program are profit oriented. There are bonuses and incentives for doctors to help save money for most health benefit plans. Therefore, patients may not be getting the needed medical care for their injuries or illness most of the time. Scary? You bet!

### NALC Plan is non-profit

Your union owned and union operated plan, the NALC Health Benefit Plan, has been protecting letter carriers and their family members since the 1950's and is totally non-profit! Any profit made at a given time will be put

back into the pot and will be used to introduce new benefits or to improve current benefits for the members. And, profits go to keep premiums controlled as low as possible for the active letter carriers and retirees / annuitants! Sounds good? It gets better!

### Freedom to choose doctors.

The NALC Health Benefit Plan still allows the members the 'freedom' to choose their own doctors, hospitals and other medical providers. The members do not need to obtain permission from any primary doctors to do so.

## Most plans within the FEHB are profit oriented.

If a member needs to seek medical care from a specialist, no problem! How good is this freedom? The best kind, I would say!

The NALC Health Benefit Plan continues to offer new and improved benefits year after year for letter carriers and their family members. For 2009, the Plan came out with near twenty new / improved benefits for its members. And, very attractive premiums to boot! Members are never alone when potential questions or claim problems arise. We have an outstanding team of unionized Customer Service Representatives (CSR) at our home office in Ashburn, Virginia to assist members' questions and other inquiries. The toll-free phone number is 1-888-636-6252 (EST).



Photo by Ivars Lauersons

*Mill Valley carrier, Yvonne Lei, excused from the clerk craft, is welcomed at her first meeting in August by being sworn in as a member of the union by Branch 214 President Lili Beaumont.*

*A shop steward's perspective*

## MIARAP, discipline, dropping mail volume, abusive management; why not throw in the kitchen sink?

By Charles Gonzalez, Chief Steward, San Leandro

From my perspective, I have seen a drastic and prominent shift in the attitudes, morale, and the overall general mood of the membership of NALC Branch 214. I'm not surprised by this shift, which is close to 180 degrees from where it was just a few months ago, given the fact that there has been a boatload of changes recently. Most of the changes are nothing less than burdensome on the heart and soul of the Postal Service--the craft employees. But what does surprise me is the way that some of the membership has chosen to channel the anger that has developed as a byproduct of the frustration brought on by these managerial changes toward the union.



### Strong leadership in San Leandro

In my office, San Leandro, there has been a long history of strong leadership, which includes Richard Becker, and Sue and Roland Garshol. There are also others in other offices of our branch with strong leadership, which include, but is not limited to, stewards and officers such as Tony Gallardo and Juan Dominguez in San Rafael, Karen Schuler in Novato, and Karen Eshabarr from the Marina Station, just to name a few. The dedication and devotion that these individuals have to our great union and our local cannot be disputed.

### When angry at how things are at work, blame those who are responsible.

Another fact that cannot be disputed is that the sacrifice that these individuals have made, while giving selflessly of themselves, has been the foundation for most of the success that our local has experienced for as long as most of us can remember. The knowledge and experience that these individuals have shared, and continue to share even into their retirement, with other stewards and officers are a source of pride that motivates others to attempt

following in their footsteps.

### Negative knee-jerk reactions by management

The changes that I spoke of at the beginning of this article, with the exception of MIARAP, have been the byproduct of the deepest recession that our country has experienced since the great depression, and the knee-jerk panic-mode reaction that the Postal Service has taken in response. While a downward spiraling economy has been the culprit in the drop in mail volume (a problem that should correct itself once the economy rebounds,) mismanagement and incompetence in the managerial ranks, and an outright denial of these two factors from the Postmaster General down to the front-line supervisor, has

### A contributing factor to problems in the post office is incompetent management.

been the main contributor to the host of other problems that the Postal Service is experiencing right now.

If the Postal Service were a private company, all of them would be out of a job and looking for work. Unfortunately, this isn't the case. The Postal Service is self-regulated, and as such, the rat has been put in charge of watching the cheese.

### The kitchen sink

This brings me back to the title and subject of this article: MIARAP, discipline, dropping mail volume, abusive management, which may have been lost in my ramblings of our great union. We have the challenges of dealing with a management force that is hell-bent on a plan of divide and conquer, and what seems to be a goal of self-destruction. Management, at the national level, has mandated a reduction in the workforce of 60,000 employees, as well as a reduction of millions of work hours.

This, of course, has caused the Area, District, and local managers to push the panic button to be in compliance. It does not surprise me that management has chosen to take the low road in their attempts to satisfy the insatiable beast, which is the Postal Service, and in doing so, have set themselves, and the NALC, up for extinction.

### All out assault on craft

The low road that I am referring to is an all out assault on employees in the carrier and clerk craft. Management has no problem manufacturing trumped-up charges, which lead to accusations of "Failure to Follow Instructions," non-compliance of Service Quality, SOP, and "Unsatisfactory Work Performance," which will ultimately lead to discipline. And they harass carriers into running their routes by skipping lunches, comfort stops and other rest breaks.

*(continued on page 7)*

**Gonzalez** (continued from page 6)

I am, however, surprised that some union members in the branch have shifted the blame from the true culprit, management—who, on a consistent basis has taken every opportunity to squeeze every ounce of sweat and toil out of the craft employee—to the union, which has been the one defending its members against this assault.

If you are a craft employee who has not been the victim of this shameless assault by management, then you are in the minority. In my office, and there's probably a good chance that it's happening in your office as well, the distribution of discipline is non-discriminatory. Even if you are the fastest runner, absorb the most under-time, and never miss a day of work, all it will take is one accident, a "sleeper", or a missed scan point for management to start beating you like a rented mule. Instead of fixing what we all know is broken, they play "the blame game" by shifting blame from incompetent and abusive managers to the honest, hard working craft employees. Management has chosen to continue down this wasteful and costly path, which is reflected in line 44 of the District Managers Budget as the cost that is paid out in grievance settlements.

#### **Why state the obvious?**

Why, you might ask, am I saying the things that most union members, and non-union members for that matter, should already know? The answer, at least from my perspective, is simple. Shop stewards are overwhelmed and besieged by grievances that must be filed due to the relentless and unwarranted discipline that management has indiscriminately issued. Formal-A designees and branch officers are worked to the point of exhaustion, due to the fact that most of the grievances are denied at Informal-A. Even the Dispute Resolution Team (DRT) is backlogged by the countless grievances that have been appealed to the "B" team. We see a management plan to "gum-up" the grievance/arbitration process.

#### **Pathetic response of a "five day delivery" and...**

In keeping in line with their short-sighted and panic-mode philosophy, management has focused their efforts on cutting back delivery to five days per week, and made a pathetic offer of \$15,000 to clerks and mailhandlers, which they have the nerve to call an incentive. These two lame-brained ideas are wrong on a number of levels, and I will break them down one by one. The first one, 5-day delivery, is one that should have Postmaster General Potter on the T.V. show, "Are you smarter than a 5th grader?" You don't have to be an economic expert to know that the Postal Service is not the only delivery company in a world of hurt. Our competitors, UPS and FedEx, are also reeling from the free-falling economy.

The main difference between us, however, is in the management ranks. While UPS and FedEx are run by

top-notch managers, it seems like the Postal Service is run by Beavis & Butthead. You can bet your guaranteed 40-hour week that both UPS and FedEx are salivating over the idea of taking Saturday delivery away from us. Once we lose six-day delivery, what's to stop Congress from dropping it down to 4 or 3 days per week, or asking if there is even a need for the Postal Service at all.

#### **... the effect on some people and...**

Another victim of the loss of the six-day delivery that we now offer would be the public, particularly the elderly and the homebound. My mother, and my grandmother before her, lives in a small community of approximately 12-15 homes on the outskirts of Santa Fe, New Mexico, about 13 miles outside of town. She is eighty-five years

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### **Losing six day delivery would affect the public, especially the elderly and homebound.**

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old, doesn't drive, and takes medication to control Parkinson's disease, high blood pressure, and heart ailments. Since her home is on a rural route, her mail delivery is already limited. Take away a day of delivery, and throw in a holiday, and there could be a gap of 4-5 days in her mail delivery. Heaven forbid that one of those days might be the day that she ran out of her medication. Even if UPS or FedEx did take over Saturday delivery, it's very unlikely that they are going to drive all that way to deliver her meds. It's been a slice mom, but you've just been 86'ed by Potter.

#### **... the so-called incentive to retire**

Now let's look at the, quote/unquote, incentive, which totals \$15,000. While this buy out is not offered to letter carriers yet, I would have to ask if it is even worth considering when, or if, it ever is offered. If the "incentive" is offered to the carrier craft, at about \$53,000 annually, \$15,000 is not even 6 months pay. Unless you're well off financially, I'd be more than a little concerned about just how long this measly amount will last in this economy. Add to that the extra cost of maintaining one's health benefits after retirement, and the deductions that will be taken by the government, the only one I see gaining any incentive is the Postal Service.

The main point is that there are a few things that need to be recognized. Management will never stop trying to take advantage of the craft employee whenever the opportunity presents itself, and the union is only as strong as its membership. While we may be going through a rough and tumble part of our journey, always remember that it has been the union that has protected us when we needed it, and never forget that it has been management that we were being protected against.

# 2009 Saxsenmeier Scholarship Winner: Joaquin Carcache

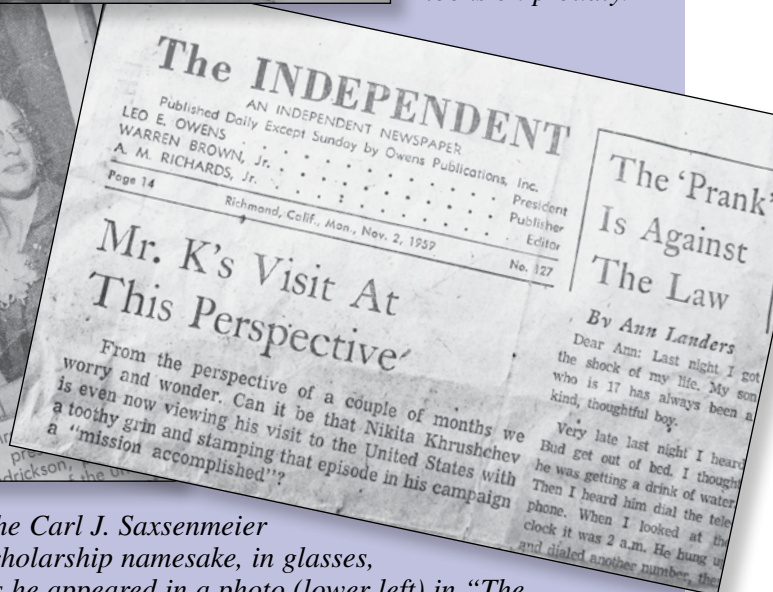


Photo by Ivars Lauersons

Joaquin Carcache, Jr., center, is presented with the plaque for winning a 2009 Saxsenmeier Scholarship by John Beaumont, President California State Association of Letter Carriers at the August Branch 214 meeting. His mother, Nancy Marinsik, letter carrier, Novato looks on proudly.



Photo by Ivars Lauersons



The Carl J. Saxsenmeier scholarship namesake, in glasses, as he appeared in a photo (lower left) in "The Independent," Richmond, CA on November 2, 1959. Carl was a longtime president of the state association.

## Branch 214 Meetings

Branch meetings, 7:00 P.M.

- September 2, 2009 ILWU Hall, 400 North Point, SF
- October 7, 2009 ILWU Hall, 400 North Point, SF
- November 4, 2009 ILWU Hall, 400 North Point, SF

Steward meetings, 4:30 P.M.

- Sept. 2, 2009 Union Office, 2310 Mason St., SF
- October 7, 2009 Union Office, 2310 Mason St., SF
- November 4, 2009 Union Office, 2310 Mason St., SF

Retiree social meeting, 12:30 P.M.

- October 5, 2009 740 Del Monte Ave., South SF
- December 7, 2009 740 Del Monte Ave., South SF
- February 1, 2010 740 Del Monte Ave., South SF

## WELCOME NEW MEMBERS

Frieda Smith (EPC-94103)

## IN MEMORIAM

Kenneth Thornton

Photos by John Beaumont



2009 MDA telethon. Karen Eshabarr, Field Director, and Ray Fong, Executive Vice-President, man the phone bank.

Trustees Sheila Gardner, left, and Roberta Bojo answering telephones at KTVU, Channel 2, Oakland.

Among the volunteers at the Labor Day telethon answering telephones were Karen Schuler, Secretary-Treasurer, left, and Branch 214 President Lili Beaumont.

## Branch 214 officers and members help raise funds for MDA

By John Beaumont, President, California State Association of Letter Carriers

Labor Day is traditionally seen as a celebration and recognition of the value and dignity of work, and its role in the American way of life. Most Americans celebrate the last holiday of summer by attending picnics, parades, barbecues, fireworks displays, or just kicking back and enjoying their hard earned day of rest. However, many NALC branches use this day off to help promote awareness and raise much needed funds to help those less fortunate than ourselves who are dealing with muscular dystrophy. Branch 214 officers and members also donated their holiday to help work on the annual Bay Area Muscular Dystrophy Association telethon presented by KTVU (channel 2) television. *For several hours your officers and members helped staff the television phone banks, assisted in the accounting office, and worked in the MDA mailroom.* Letter carriers have been raising funds and helping the Muscular Dystrophy Association fight neuromuscular diseases for over the past 50 years. *Branch 214 members alone helped raise over \$5,000 for MDA this year.*

2009 has been a very tough year on children who suffer from muscular dystrophy. Since children are much more vulnerable to infection because of their weakened respiratory muscles their chances to contract H1N1 (swine flu) virus is extremely high when not in a controlled environment. This flu outbreak forced MDA to have to cancel all their summer camps nationwide. MDA is looking forward to reopening these camps next summer. To help raise money to send as many Bay Area children with muscular dystrophy as possible to summer camp in 2010 Branch

214 is holding two events this fall. The first event is to help bail out your union officers who voluntarily are placed in a temporary "jail cell" set up by the Muscular Dystrophy Association at a public location. The second event will be our first annual Branch 214 MDA bowl-a-thon to be held November 1st in Daly City. *Please get involved donating to these events.*

Representing our branch at the MDA Labor Day telethon were: Branch 214 President Lili Beaumont, Executive Vice-President Ray Fong, Secretary-Treasurer Karen Schuler, Field Director Karen Eshabarr, Trustees Roberta Bojo and Sheila Gardner, Sheila's husband Ken Gardner, and shop stewards Ron Caluag and Ka Ming Lau. Branch 214 wishes to thank the many letter carriers who called in during the telethon to pledge for MDA.

### Do you wish to...

- **Protect property for your children?**
- **Avoid probate?**
- **Preserve the privacy of your estate plan?**
- **Reduce or eliminate estate taxes?**
- **Be able manage your property upon incapacity?**

If you answer "YES" to one of the questions, contact

**Newsy Yan, Esq.**

**Estate Planning**

**Probate**

**Trust Administration**

**870 Market Street  
Flood Building, Suite 921  
San Francisco, CA 94102  
Phone (415) 433-9900**

*As sound as General Motors*

## Permanent on shifting sands

By Ivars Lauersons, Editor

Back in the good old days the post office was fuelled by coffee, nicotine and alcohol. It wasn't necessarily the best of times, but it certainly wasn't the worst of times, as it is now.

We're looking at something as radical as a discussion of a five day delivery, or the loss of one sixth of our letter carrier jobs. This suggestion comes from our own postmaster, who seems totally panic stricken by the Great Recession that we are in.



People are losing their jobs in the post office. Look at the appearance and disappearance of Transitional Employees. There has now been a monetary offer of early outs to clerks and mailhandlers. We also hear horror stories now of people being excessed to positions a hundred miles from their homes. Postal management is determined to slash the total number of employees.

### Radio talk shows

Radio talk shows deal with this issue as if the move to a five day delivery would save taxpayers money, ignoring the fact that the post office is not tax-supported, and is mandated to break even. There has been seriously taken talk, albeit on the radio, to save money by abolishing the post office. The refrain is that everyone uses the internet to pay bills, and that parcels can be sent with UPS and FedEx, and that any other missing deliveries can be filled in by new private carriers that would spring up. This sounds a lot like the old idea of privatizing the post office.

We have the continued attack on injured carriers, well documented in many issues of **The Voice**, including this

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### The first step is political.

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one. Carriers who are injured are told there is no work for them and are told to go home and get paid by Workers Comp.

### Abuse of route adjustment process

The current route adjustment process, MIARAP, is being abused by management despite seemingly iron-clad safeguards negotiated by the national union. It seems that if there isn't someone from the union spending 24 hours a day checking that the route adjustments are done

properly, management will unilaterally go wild. The fact that management positions themselves may be at risk, probably contributes to this game of who can be more abusive to carriers.

### How to handle the swine flu in the post office

Imagine the reaction of the post office if the swine flu, H1N1, hits with any severity this fall. National public health officials advocate that you stay home if you have the symptoms, and they suggest that companies make

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### The second step is to get rid of the postmaster.

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plans to cover shortages of employees that are sick. Imagine this public health suggestion clashing with the post office's radical interpretation of "irregular attendance." We can see half the carrier force up for removal, or a 100% sick carrier force making even more people sick.

Let the post office unilaterally declare an amnesty on discipline on attendance cases during a swine flu epidemic. Make that decision now, so the post office makes a minimum contribution to spreading the virus.

### Losing money

The post office is losing money. This is a reality, but the numbers involved are exaggerated by the requirement to prepay the anticipated retirement costs. The expected loss this year is \$7 billion. But about \$5.8 billion of that is to pre-fund retiree health benefits. In an attempt to fix this, the Senate and House have bills to shift this burden

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### The third step is to apply professional standards to local management.

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over a larger period of years. This would be revenue neutral. The House bill, HR 22 deals with this.

But there is a poison pill provision in the Senate version, S 1507, to change arbitration rules of the contract so the arbitrator would have to take into account the current financial situation of the post office before considering any other matters. The NALC is trying to defeat this amendment.

### As secure as a government job

A job in the post office was once as permanent as a job in General Motors. Shortly after I went to work as a carrier, you could make top grade pay after 6 and a half years, down from the previous 21 years, and compared to the 15 years now.

We got a no layoff clause in our contract which guaranteed our job after 6 years of service. When this was

*(continued on page 11)*

**Lauersons** (continued from page 10)

enacted nobody thought it was ever to be used, since a job loss seemed impossible. Now people are checking when they were hired.

#### **Cost of living**

Just last year active carriers received a 5% cost of living allowance (COLA) increase. There will be no COLA's in the near future because there is no inflation, but the principle is still there. In the past, and at each contract negotiation, the post office tries to cancel this provision as a way to reduce our wages and reduce costs. And I'm sure in the next contract negotiations the post office will once more attempt to eliminate COLAs even though at the current lack of inflation, there are no increases in sight.

#### **Capping cost of living**

At one time a contract made baseball caps legal as a uniform item. The same contract also kept our COLAs which the post office had tried to at least cap above a

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### **We never thought the no-layoff clause would be activated.**

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certain level. A proud claim of our national union after the negotiations was that the only cap in the contract was the baseball cap.

#### **What to do**

What is the future of the post office under the current Great Recession.? The first step is political. If other companies like the automakers can get a bailout, and bankers can get millions, which they can stash away, start with the band-aid to the post office, passing bills HR 22 and S 1507. We're not asking for a loan, a bailout or adding to the national debt.

The second step is to get rid of our current postal leadership, including Jack Potter. They are doing more harm than the economy. Their misguided policies, from DOIS, to the automatic flat sorters, which now have no flats to sort, are never recognized as being in error. They have become scripture.

The third step is to recognize competent managers in a way that a successful business does. And that includes removing those at local levels who have shown themselves incapable of meeting the standards of their job.

We have to recognize that public opinion has turned somewhat against the post office as an institution. Poorly worded Gallup poll questions seem to indicate this dissatisfaction. And we have become mixed in with everything the public thinks that government does wrong. Above all, let's not destroy ourselves.

#### Technological age

## **Do we need a post office?**

By Lynda Beigel, Retiree

In this modern age, the technological 21st century, does any nation still need a postal service? What is its purpose? Is it sufficiently needed to be retained? Do we, the Letter Carriers' Union need it? And if not, why should we fight so hard to continue to exist? And if it is needed, shouldn't we be the first to defend it? And if so, how?

#### **The bad news**

First, the bad news. We use the fax machine to telephone data on the same day – because the country can no longer rely on the Postal Service to provide the same or next day delivery, as it did until 25 years ago. We use e-mail to provide postal forms (expecting the recipient to download and provide the paper) and contractual information, when we used to carry the National Agreement (contract) in our pocket.



#### **Embracing new technology**

In our private lives we happily correspond by e-mail and text messaging or telephone. Many people enjoy doing all their bookkeeping on-line, although it does not have the security of the USPS and it lacks privacy protection under the law. When the post office was written into the Constitution and Benjamin Franklin was the first postmaster, there was no telephone. Even the teletype arrived a hundred years later!

The emphasis of the Postal Service's propaganda is on providing cheap service to the corporate world, by subsidizing bulk rate – even renaming it “standard” mail – with

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### **We do use the telephone, faxes and email to the detriment of mail.**

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first class mail and its supposedly improved expensive replacement, priority mail. And even there they are renegeing on their promise, for example, by laying off those implementing the Customer Connect program to increase mail volume and revenue.

#### **Self-defeating programs**

Even before the USPS gave the contract to FedEx to move mail by plane in the first Bush administration, it had begun the self-defeating process of destroying the

(continued on page 12)

**Beigel** (continued from page 11)

country's faith by encouraging the use of the term "snail mail" to describe us. Now their agenda has become urgent: FedEx must be saved (from its financial disaster emanating from the purchase and destruction of Kinko's) by being given the contract to run the USPS itself, leaving only the Board of Governors and Postmaster in government.

For ourselves and our children, are we letter carriers

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### **The post office began a self-destructive process by having FedEx move mail.**

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economic dinosaurs? Not when 40% of Americans do not have a computer at home! Read on!

#### **The good news**

Next, the good news. In small towns all over the country, communities under 30,000, the post office is still the center of the community, where people come to get the news, to see their neighbors and friends, to chat, to check the bulletin board for items of interest and local events. And some of those towns are in our Branch!

In these communities, there is often no profitability for the corporate world to provide speedy internet service or even cell phone service. Sometimes the communities themselves reject the placement of cell phone towers and wifi (for their electromagnetic fields' negative effects on DNA). Unless they have a locally provided non-profit radio station, there is often no way to put local news items in the media imported from larger population bases.

#### **What to do**

We still cannot send presents to family and friends without using a delivery service. And the post office is not only the most convenient – it is also the cheapest way to do so!

If Congress chose, they could require all airlines to give priority to first class mail movement in their cargo

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### **In small communities there is no profitability for corporations.**

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bays. They could insist that cruise ships take on and deliver its parcels on a priority basis, when crossing large bodies of water. They could require the railroads to go back to housing mail cars, where our clerks sort as they travel and drop the mail at stops (now likely cities) across the country. They could require an OMB audit of the Postal Service to find out where the money we pay for service

actually goes (and it is not largely to letter carriers)!

And everywhere, nationwide, our daily delivery of mail is the first mode of survival for those who live alone

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### **In small communities, under 30,000, the post office is a center of the community.**

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and have accidents or illnesses that would otherwise go undetected in time to get help. We are the lifeline of communication for the lonely, the solitary, and the physically handicapped. Britain has managed to retain full six-day service and seven day collection with next-day delivery. Are they so much more advanced than we... or are their priorities more ethical?

This is what we must bring to Congressional and national attention, this and the way those running the Postal Service are not only destroying it, but also our health and livelihoods. It is not enough that we be eligible for Disability Retirement; it is crucial that we have ergonomically and psychologically acceptable jobs that enable us to work healthily and sanely for thirty or forty years before retiring.

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**Beaumont** (continued from page 14)

During the initial consultations, it is also very important that the carrier being interviewed share any idiosyncrasies about the route that may not be obviously reflected in the data. For example, delivery growth on a route, extra office duties that were added after the last route adjustments and any issues pertaining to the day management "walked" with them all day long to get the street time for that route (also known as the 3999). The carrier participating in the initial consultation is responsible for bringing up any bit of information that may potentially give more time to the route.

Subsequently after route adjustment implementations management will be conducting one-day walks with the regular carrier on each route in order to capture the street time for the routes in preparation for the next round of route adjustments. This is known as conducting a "3999". Management is not required to provide advanced notice to the carrier in order to conduct a 3999. However, management should review the 3999 with the carrier soon after conducting it in order to review the results with the carrier and afford the carrier an understanding of why the 3999 was done. Carriers should know that the time collected on the 3999 will be used in the next route adjustment process for making territory changes for street time adjustments.

Inspiration

## On leadership

By Mike McAdoo, Parkside, San Francisco

Of late, the older self has given reflection on leadership. The older self has pondered what defines that “X” factor which elevates an individual from the ranks of administrator, i.e., one who determines policy and dictates that subordinates execute, or carry out, said policy to fruition.

Notable examples come to mind. One was Admiral William F. Halsey. In mid-1942 Halsey relieved another admiral in the midst of the Guadalcanal Campaign. The other admiral was an academically brilliant administrator as far as administration went. However, the other admiral seemed oblivious that inspiration rather than policy adherence was needed to wage a successful campaign.



Halsey was sent in because the campaign was in a quagmire and the stagnation which had infected the command structure had spread to divisions, battalions, companies, squads and individual soldiers and Marines on the island of Guadalcanal.

### Checking on the numbers

Rather than accept the numbers as sacred, Halsey felt that he had to speak first hand with ground units under his command. He literally went to the front line squads and listened, most importantly, listened to the men describe the situations which the individual units faced.

As well, Halsey literally ate the C-rations the troops had to eat. When one squad had SPAM (which not every-

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### Inspiration is the ‘X’ factor in an effective administrator.

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one considers a delicacy), which was prepared by the unit cook, Halsey said it was damn good. A young Marine who was feeling his oats replied, well, with the same words the older self used when he saw the phony numbers used for the route adjustments in 2006. Halsey, true to his nature as a leader, commended the young Marine for his candor and succinct description of the entrée.

### Relying on troops’ perspective

Halsey relayed the troop perspectives to senior commanding colonels and generals. He emphasized that the

collective troop perspectives, though not expressed in numbers, but expressed based upon the situations the troops faced, was of equal, and more times than not, of superior value than the staid, if not questionable, numbers

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### The troops’ perspective is as accurate as any statistical numbers.

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presented by staff analysts. By this action, Halsey demonstrated that he realized that the best effort emanates from the inspiration and respect when individuals feel that they are respected by the top commander.

### Failure to inspire

The administrators of the postal service fail to inspire. In 2006 and 2009 Enron–Madoff\* numbers were pre-

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### Postal administrators fail to inspire.

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sented to the carrier force as absolute. Numbers can be fabricated. Jack Benny was 39 years old. Yeah, sure. 39 is a number, an integer at that. But the comedian Jack Benny stopped being 39 in the 1930’s.

The older self has been depressed by the condescending, if not flagrantly corrupt, canards by those who “compiled” the numbers. If these reports were real estate loans,

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### Numbers in the 2006 and 2009 route inspections were presented as absolute.

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the reports would be high risk, sub-prime loans. Holy Lehman Brothers. Hot, hell, and Merrill Lynch.

Perhaps Postmaster General John Potter, and for that matter, San Francisco Postmaster Noemi Luna should sojourn over to Arlington National Cemetery, across the Potomac River from L’enfant Plaza, and pay a pilgrimage to the final resting place of an Admiral who knew how to inspire, and not just administrate. Some 620,000 postal employees would be much better off to deal with the changes that the postal service faces in a crucial campaign for its survival. So thinks the older self.

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\*Enron is a Texas energy company that collapsed with fraudulent accounting. (Bernie) Madoff is a Wall Street financier who pleaded guilty to defrauding his clients of billions of dollars.

**Beaumont** (continued from page 1)

adjustments to the routes. No territory adjustment is supposed to be final until they are first discussed with the regular carriers on the respective routes during the final consultations.

Members of the Area and the National Teams are selected by the national union and USPS headquarters.

The Area team (known as the Area Route Adjustment Team or "ARAT") oversees the route adjustments Area wide and is in constant contact with the "lead" teams in the area. The ARAT's are also responsible for dispute resolution of disagreements amongst the District Team leaders. If they are unable to resolve the dispute at the Area level, it is forwarded to the National Team in Washington DC.

The data reviewed in this MIARAP consists of but is not limited to workhour-workload reports, overtime reports, clock rings, and volume reports. The volume reports are relied upon in calculating a route's office time. Unfortunately, our NALC representatives were not able to challenge management's recordings of mail volume because in many places virtually no curtailment slips (known as PS Form 1571s) are submitted by the carriers to certify exactly how much volume is curtailed daily. Also, there are very few PS Form 3996s submitted by the carriers to certify that they provided a route auxiliary assistance and when they started and ended working on that route. The "auxiliary assistance" referred to pertains to time a carrier works on a route other than his own assignment either to case up mail and/or to deliver a piece of that route. Currently, this auxiliary assistance is known as "pivoting" due to "undertime". Whether it is work per-

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**It also takes carrier comments about unusual patterns of the route into account.**

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formed on overtime or undertime, carriers should record this work on the PS Form 3996 because this form is official record that work for that route was conducted by someone other than the carrier assigned to that route. The carrier who completes the PS Form 3996 is also entitled to a copy of that PS Form 3996 from management after it is signed off by management, but that carrier must request the copy. The carrier who completes the PS Form 1571 is entitled to a copy of that form as well after management has authorized the mail curtailment, but the carrier must request the copy. All carriers should exercise their right to request and complete PS Forms 3996 and 1571. These documents validate the time worked on the routes. They also help verify the volume the routes are receiv-

ing separate from management's reports and officially record how much pivoting time or overtime is being used on the routes. These forms are carrier forms – filled out by carriers – so the union can use them to compare to management's reports, and to challenge any inaccuracies in management's data. The PS Forms 3996 and 1571 are very important in the outcome of route adjustments and

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**The local NALC/Management teams do not make territorial adjustments.**

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carriers should be diligent in filling them out and obtaining copies when necessary.

Other factors that impact a route's evaluated time are the "Fixed Office Time" (known as "FOT") and the casing standard of "18 and 8". The FOT is all other office duties outside of casing and pulling down mail. The ten-minute office break, going to the throwback case, getting mail from the hotcase, withdrawing mail, getting accountables and filling out the PS Form 3849, vehicle check (for routes with vehicles), strapping out DPS mail and taking relay sacks to the relay driver staging area (for foot routes), retrieving equipment needed to do your job, checking pink cards once a week – all duties done on a regular and daily basis – are all included in the FOT. The minimum FOT credited to any route is forty-three minutes. However, in the MIARAP, we try to credit the route with as much justifiable FOT as possible, but more FOT must be raised by the carrier being interviewed in the initial consultation meetings. If the carrier does not mention that he/she needs more FOT and for what reasons, the teams will not automatically credit the route with additional FOT. It is the carriers' responsibility to bring it up.

The casing standards of the carrier on a route also importantly impacts the route's evaluated office time. The minimum standards for casing are 18 letters per minute and 8 flats per minute. In this route adjustment process, there are two numbers reviewed for each route's office time – the actual office time used by the carrier and the minimum standard time based on the volume on that route broken down by pieces. The evaluating team is required to use the lower of the two numbers, and that lower number will be considered the evaluated office time value for that route. So, if a carrier is not casing to minimum standards, they must provide reasons for why they are not casing to minimum standards during their initial consultations. Depending on the reasons, this extra time may be credited back to their office time, but the carrier must bring it up in the initial consultations. Otherwise, the evaluating team will evaluate the route's office time to minimum standards.

(continued on page 12)

## Letter:

### To President of National Letter Carriers Branch 214:

I am obliged and compelled to write you with regards to the government practice of forcing the union to support nonpaying carriers. This is an outrage and an unacceptable practice that weakens the whole body of what the Union stands for. We should not condone a single letter carrier from paying his fair share of dues. These non-members, by their inaction are actually fostering an atmosphere that is demoralizing and discriminates against those who contribute to protect the rights, benefits, wages, and yes even jobs of everyone. They are allowing the same managers we all have issues with to divide our unity on the workroom floor.

I have been employed with the Postal Service for over 25 years, a letter carrier for over 24 years. I have written letters to two past Union Presidents regarding this matter and I feel it is time for change. The Union is putting forth every effort during these trying times to keep all of us employed which leaves me to question *why are some carriers still freeloading on the rest of us when we need to pull together during the largest recession to ever hit the Postal Service?* This feeling is shared by an overwhelming number of my fellow Union members who work at 180 Napoleon Street in San Francisco and I have no doubt this feeling is universally felt throughout the entire branch.

It is time that we seriously look at making changes to the National Labor Relations Act which currently forces the National Association of Letter Carriers to support of nonpaying Union members. While I understand that it would be very difficult to make changes, I do not think it is impossible. We need to start the wheels spinning on this, today!

After reading the National Labor Relations Act (written in 1934) and The Railway Labor Act (written in 1926), I have a better understanding of the limitations under which our Union must abide. We must consider that these acts were written decades ago and an amendment may be long overdue.

In the city of San Francisco alone, as of July 2009, we had a total of 127 nonpaying union members. Members pay \$732.72 per year. The Union loses \$93,055.44 in revenue per year by giving nonpaying members free representation. Since we are considered an "open shop" we must allow these letter carriers the right to work, even if they choose not to pay their dues. "Closed shop" opera-

tions like Teamsters (UPS) and Baker's Union, after a standard probation of 90 days, are offered to join the Union or shown the door!

Personally, I am not sure I agree with "closed shop" Union policy to dangle one's job over his head and give him an ultimatum to join the Union or be forced to quit; however, *I strongly disagree with someone getting a free ride on benefits that I pay for and he or she does not.* I would propose an amendment that basically gives absolutely no support to nonpaying members. If nonpaying members have a question, grievance, or any need, they should be referred to outside resources, perhaps a library, internet, Dept. of Labor, or in severe cases retain the services of their own attorney. Another idea would be to charge nonpaying members per diem specifically for time spent for information provided or representation. These charges should be "fair" increments to be determined as to fair market rates and regulated by a committee elected or appointed by Union paying members.

In all fairness, I want to emphasize that this letter is in no way to be interpreted as an attack on nonpaying union members. Maybe some of these nonpaying Union members genuinely cannot afford to pay their dues and must choose to pay their house note, food, health insurance, etc. and are just cutting back to survive. Personally, I can relate to this situation. I work two jobs, 7 days a week to pay a Jumbo mortgage, put my 2 children through school, normal cost of living, but *I still pay my Union dues.*

To summarize my message, to provide support for nonpaying Union members is offensive to those of us who pay our dues *as we all should.* The Government's policy to instruct our Union to do this continues to demoralize me and my coworkers and that is why I am compelled to express myself to you. This one issue shows how the Government has intervened from allowing us to be a stronger Union, one in which is needed to keep all of us employed during these trying times.

*Every single member in San Francisco should pull together and take the time to address any and all non-members your station may have and make a conscious effort to get them to join together with us on the same team.* We also need to work on a message to Washington and pass an amendment to change this policy expeditiously. *This policy is long overdue for change!*

In Solidarity,

**Rich Cairo**  
**Visitation Station #3418**



**GOLDEN GATE BRANCH NO. 214**  
**NATIONAL ASSOCIATION OF LETTER CARRIERS, AFL-CIO**  
2310 MASON ST., THIRD FLOOR  
SAN FRANCISCO, CALIFORNIA 94133



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Photo by Edison Domingo

*Postal employees and families from Embarcadero Postal Center (EPC) celebrated the holiday with a picnic on July 5, 2009.*

## CONVENTION DELEGATES

Nominations for delegates and alternates to the 2010 National Convention shall be made at the regular Branch meeting, at the ILWU Hall at 400 North Point St. San Francisco CA 94133 at 7:00 PM on November 4, 2009, with the election to be held at 7:00 PM at the regular Branch meeting on December 2, 2009. Nomination on official form, or in writing, is due to the Secretary-Treasurer prior to the close of the November Branch meeting.

The State Convention will be held in 2011, nominations and elections of delegates will be held in 2010.

No candidate for election as a compensatory delegate for the National Convention shall be absent for more than six of the twenty four regular meetings prior to the election meeting except where the member is absent due to an assignment of official NALC business by the branch, state or national organization. No candidate for election as a compensatory delegate for the state convention shall be absent for more than nine of the thirty six regular meetings prior to the election

meeting except where the member is absent due to an assignment on official NALC business by the branch, state, or National organization.

This change shall be for the current state Convention cycle only and shall revert back to a twenty four month cycle unless the next state convention passes a motion to permanently change the frequency of the State Conventions from every two years to every three years.

Members who have transferred into the branch from another NALC branch in the two years prior to the election meeting for two year conventions cycles, or three years prior to the election meeting for three year convention cycles may use meetings attended at their former branch to help qualify as a compensatory delegate- provided that attendance at specific branch meetings is verified in writing, on branch stationery, by the Recording Secretary of their former NALC branch.

**Karen Schuler**  
*Secretary-Treasurer, Branch 214*