



The Hi-Lites



The official publication of Milwaukee, WI Area Local APWU, AFL-CIO
(Proud Postal Press Association National Awards Winner)

JANUARY 2017

Volume 39 Issue 1

The USPS and STAPLES deal is over!!!



The Staples boycott is over!

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(see page 4)

Milwaukee Wisconsin Area Local

Big Bend Brookfield Burlington Butler Cedarburg Cudahy Darien
Delafield Delavan East Troy Elkhorn Elm Grove Franklin Fredonia
Germantown Grafton Greendale Hales Corners Hartford Hartland
Jackson Kewaskum Lomira Milwaukee Menomonee Falls Mequon-Thiensville
Muskego Mukwonago New Berlin Oak Creek Oconomowoc Oakfield
Okauchee Pewaukee Plymouth Port Washington Salem Slinger South
Sussex Wales Walworth Waterford Watertown Waukesha Whitewater



Paul McKenna
President

Now that the Holiday craziness is behind us, its time reflect on 2016 and to start looking forward to 2017.

In 2016, the National APWU was successful in contract negotiations. While there were many contractual enhancements some of the bigger ticket items were that we were able to secure included a decent pay raise for the next two years (with back pay) and retention of the no lay off clause and cost of living allowances. We were also able to retain limits on excessing and an all career workforce in MVS and Maintenance.

The PSE's also seen many benefit increases in this contract as well. They received a good pay rate increase (as well as back pay), better health insurance options, and paid holidays. Many were also converted to career.

The National APWU was also successful in winning a National Labor Relations Board charge against the Postal Service in regards to the fight against subcontracting our work out to Staples. This is a big win for our members as it protects our work from being pieced out to private companies.

On a local level, we were very successful in negotiating new Local

Contracts for all of the Associate Offices that recently joined the Milwaukee Area Local. We also negotiated new improved language for overtime provisions and holiday calls at others.

Looking forward, the Milwaukee Area Local will conduct nominations for Officers at our January General Membership Meeting (with the elections to follow). Please take the time to fill out your ballots when they arrive at your home and get involved in your union.

We still have many issues that need to be resolved here in Milwaukee. In the Milwaukee Installation and some of the Associate Offices, we are still trying to resolve the issue of management using 204b's in violation of the National Contract. This violation has been going on for too long. Grievances are still being filed by the pay period.

We also need to address the problem in the automation department of how management is not assigning employees to the job as it was posted, or to their "Principle Assignment Area".

We have many safety concerns that need to be resolved; everything from a recent armed robbery at a city station, truck drivers having their personal items stolen from

their trucks while unloading at stations, to the maintenance department not having the proper safety equipment on lifts.

One of the more important issues that we are going to have to keep in our sights is what kind of changes Congress is going to throw at Postal Workers. There have been many ideas already floated around to change our benefits and retirement.

I realize that Postal Workers are on all sides of the political spectrum but , regardless of your political affiliation, at some point we need to stand up and fight for our future. Unfortunately, some members of Congress have their eyes on union workers and (specifically Postal Workers) to weaken our standard of living.

It doesn't matter if you are a Republican, Democrat or an Independent, if it affects your job, it affects your family. If Congress wants to reduce our benefits or retirement, I hope you are going to get involved and fight for what our union has fought for years to obtain; that is a decent standard of living for all members of the American Postal Workers Union.

Looking Forward

"...regardless of your political affiliation, at some point we need to stand up and fight for our future."



APWU MILWAUKEE AREA LOCAL NOMINATION MEETING ANNOUNCEMENT

FRIDAY, JANUARY 27, 2017

7:00 AM APWU UNION HALL 417 N. 3RD ST.

The following information is reprinted pursuant to requirements of the Department of Labor and provisions of the Labor-Management Reporting and Disclosure Act (LMRDA) of 1959, as amended for the election of Union officers.

The following offices will be open for nomination:

- ♦ **President**
- ♦ **Vice President**
- ♦ **Local Business Agent**
- ♦ **Treasurer**
- ♦ **Recording Secretary**
- ♦ **Dir. Customer Service**
- ♦ **Dir. North Sectional Center**
- ♦ **Dir. South Sectional Center**
- ♦ **Dir. West Sectional Center**
- ♦ **Dir. Clerk Craft Automation**
- ♦ **Dir. Clerk Craft**
 - Manual/Mechanization**
- ♦ **Dir. Motor Vehicle**
 - Service Craft**
- ♦ **Dir. Maintenance Craft**
- ♦ **Trustees (two positions)**

Note: The Trustees shall not be part of the Executive Board and will not be an Officer or Steward of the Local.

After the nominations, each candidate will be given the opportunity to have his/her picture taken. These photographs will be taken after the General Membership Meeting and published with the candidate's campaign article in the February issue of the *Hi-Lites*.

The following are excerpts from the APWU Milwaukee Area Local's Constitution and By-Laws, relevant to the nomination and election of officers.

Article 6

Representation

By virtue of their positions, the President and Vice President shall be delegates to all conventions of the APWU, and the Milwaukee County Labor Council and the Wisconsin State AFL-CIO convention. By virtue of their positions, all Executive Board members shall be automatic delegates to all Wisconsin and National conventions of the APWU.

Article 8

Craft Officers

Section 3. Each Craft Director shall be actively employed in their respective crafts.

Article 9

Officers, Nominations, Committees, Elections

Section 1. The officers of this Union shall be elected by secret ballot, by plurality vote, and shall consist of the General Officers and two (2) Trustees (Article 7) elected by the general membership, and Craft Officers (Article 8), all of which shall be elected by their respective craft members.

Section 2A. All nominations shall be made at the membership meeting held in January of each odd numbered year.

Section 2B. No member may serve or be eligible to accept nomination for election to any official office or position with this UNION as defined in the provisions of Article 10 of the National Constitution.

Section 2C. To be eligible for an office under this constitution, a candidate must be present at the nomination meeting or submit a letter of intent to the Recording Secretary stating position desired, prior to the nomination board.

Section 2D. No nominated member may be a candidate for more than one (1) elected office in this UNION. He/She shall be considered a candidate unless such nomination is declined at the meeting at which nomination were made. Subsequent withdrawals must be in writing, signed and dated by the candidate, to the Election Committee.

Section 3. Officers shall be elected biennially and installed at the next regular meeting.

Section 11. By virtue of their elected positions, all officers of the Executive Board shall automatically be stewards, except Recording Secretary, Financial Secretary, and Treasurer. However, during the first Executive Board Meeting of the term of office, the Executive Board will appoint the aforementioned Officers when appointing Stewards if those officers are interested.

NOMINATION NOTICE

We Won!!! The USPS and Staples Deal is Over!

APWU Web News Article

Postal management informed the APWU in writing that the "Approved Shipper" program in Staples stores will be shut down by the end of February 2017. This victory concludes the APWU's three-year struggle. The boycott against Staples is over! "I salute and commend every member and supporter who made this victory possible," said APWU President Mark Dimondstein. "I never doubted that if we stayed the course, stuck together and kept the activist pressure on, we would win this fight."

APWU Sprung Into Action

"The Staples pilot was an acceleration in the privatization of retail services and a direct assault on our jobs," said Dimondstein. "It was time to draw a line in the sand." "We wasted no time swinging into action," Dimondstein continued. Early in 2014, the *Stop Staples* campaign started to put pressure on Staples and the USPS. On April 24, 2014, APWU members staged a country-wide National Day of Action with 56 *Stop Staples* protests in 27 states. After this, the APWU launched the official Staples Boycott. The APWU delegates to the 2014 National Convention reaffirmed the *Stop Staples* fight, authorizing necessary resources for the campaign. A thousand delegates took to the streets in front of a Staples store in downtown Chicago, IL, proclaiming, "The U.S. Mail is Not for Sale!" "If Staples was going to take our work and jobs for their private profit, we were going to hit back and affect their bottom line," Dimondstein explained. The APWU launched *StopStaples.com* where tens of thousands pledged to join the boycott. The union also engaged in a postcard campaign which resulted in over 100,000 postcards delivered to Staples' CEO.

The entire labor movement showed great solidarity with the APWU. Many national unions endorsed the boycott including large teacher unions, the American Federation of Teachers (AFT) and the National Education Association (NEA). The other postal unions enthusiastically supported the campaign. The 12 million worker-strong AFL-CIO added Staples to their official boycott list. UNI the Global Union, an international union association, endorsed the Staples boycott urging all of the affiliated unions throughout the world to put pressure on Staples, since the company does business in 26 countries. Dozens of state AFL-CIO federations, local unions, Central Labor Councils, community allies and city councils passed resolutions endorsing the boycott.

Kept Up the Pressure

In February 2015, the APWU released two research papers critical of Staples' proposed \$5.5 billion merger with Office Depot and met with the staff of the Federal Trade Commission (FTC) examining the merger. The FTC eventually blocked the merger and Staples was forced to pay a \$250 million penalty to Office Depot.

ional Labor Relations Board culminating in a recent Administrative Law Judge's decision that said the USPS failed to bargain with the union over the subcontracting of postal work to Staples. "This is not only a victory regarding the Staples' dirty deal," Dimondstein said. "In regards to the USPS's planned retail privatization expansion to dozens of other corporations, those companies have largely backed-off and gotten the message – mess with postal workers and customers and you will have to tangle with the APWU family!"

"With the Staples deal out of the way, there is a fresh opportunity for postal management and the APWU to consider the future expansion and improvement of retail operations without these misguided privatization schemes that undermine great service, good jobs, and a strong postal brand." President Dimondstein said. President Dimondstein applauds "the many local and state organizations that joined in the fight; our retiree and auxiliary chapters who stepped up with enthusiasm; APWU National officers and staff who stayed the course; and especially the many *Stop Staples* activists, active and retired, career and non-career, who worked day-in and day-out to see this struggle through and were the heart and soul of the campaign. "A job well-done, Sisters and Brothers!" said Dimondstein.

"The struggle continues and this victory helps strengthen and steel us for the battles ahead."

GOP bill would ELIMINATE UNION REPRESENTATION and other protections for new POSTAL WORKERS

A bill introduced by GOP congressman Todd Rokita of Indiana would eliminate civil service protections, including the right to union representation for all new federal employees, including new postal workers.

A key provision of Rokita's "Promote Accountability and Government Efficiency (PAGE) Act" states: Notwithstanding any other provision of law, any employee in the civil service (as that term is defined in section 2101 of title 5, United States Code) hired on or after the date that is 1 year after the date of enactment of this Act shall be hired on an at-will basis. *Such an employee may be removed or suspended, without notice or right to appeal, from service by the head of the agency at which such employee is employed for good cause, bad cause, or no cause at all.*

The bill also says that:

The term "employee" has the meaning given such term in section 2105 of title 5, United States Code, and includes any officer or employee of the United States Postal Service or the Postal Regulatory Commission. American Federation of Government Employees National President J. David Cox Sr. said "Giving political appointees and the managers who serve them free reign to punish workers without cause, while removing the checks and balances that keep everyone honest, is the antithesis of accountability."

In addition, the bill would:

- ♦ Deny any pay adjustment whatsoever to workers who fail to receive a performance rating above "fully successful" in a new, management-designed rating system that would inevitably allow subjectivity, favoritism, and politics to influence ratings.
- ♦ Allow the government to deny earned pensions to any current or future employee who is convicted of a felony.
- ♦ Eliminate an employee's right to representation at the worksite by no longer allowing union representatives to resolve disputes, address issues of discrimination or retaliation, or propose improvements in the workplace during the workday.
- ♦ Allow agencies to continue workplace investigations even after employees have quit or retired.
- ♦ Allow political appointees to demote career executives and reduce their pay without cause.

Hi Lites Quotables



**"The only effective
answer to
organized greed
is organized labor."**

Thomas Donahue





Mark Ferrari
Local Business Agent
& Health Plan Rep.

Over the past several months the local Executive Board has been working on creating a website for our members.

We live in an electronic age with more and more people relying on their computers and smart phones for information. In light of this, we felt it made sense to keep up with the times

Our Local Website



"The web address for this new site is: apwumilwaukee.org."

and our hope is that the website will provide useful information to assist the membership in their daily lives as postal workers.

The web address for this new site is: apwumilwaukee.org. No registration is needed to access the site at this time.

The website is accessible on your mobile device as well as any computer and contains information that our members rely on in their daily lives as postal workers.

This information includes, but is not limited to: The National Agree-

ment; copies of Local Memorandum of Understandings (local contracts) for all of our represented offices; updated APWU/postal related news; and, many important links such as liteblue, OPM, pay charts and the APWU Congressional Info Center. We are also working on having the bids and postings available each month for the Milwaukee Installation members who must bid by computer or phone.

The website is still evolving as we go so if you have any suggestions please feel free to share them with us by contacting me at the Union Hall at (414) 273-7838.

What Does the UNION Do For Me?

Mark Ferrari, Local Business Agent

Below are some examples of what APWU represented career (and non-career) employees are guaranteed as compared to what they would reasonably expect to get without the union bargaining for us. See below examples and remember if you ask "what does the UNION do for me?" The answer is very lengthy.

<u>Current Rules for APWU Career Represented Employees</u>		vs.	<u>Without the UNION</u>
<u>Pay:</u>	Competitive or well above similar private sector Jobs.	vs.	Much lower pay.
<u>Pay Raises:</u>	Guaranteed under the UNION contract.	vs.	No guarantees. Keep your fingers Crossed. Kissing butts is no guarantee.
<u>Scheduling for Overtime & Holidays:</u>	Fair rules under the UNION contract. Volunteers take precedence.	vs.	Whoever management wants to work-or not work. Hopefully the boss likes you....
<u>Cost of Living Adjustment (COLA):</u>	Guaranteed under the UNION contract.	vs.	None. The only COLA you get is the kind that you drink.

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<u>Time and a half:</u>	Paid for working over 8 hours in a day and/or for working first off day.	vs.	Paid only if working over 40 hours in a week.
<u>Double Time Pay:</u>	Over 10 hours on a regular day and/or working second off day.	vs.	HA! What's that?
<u>Retirement Plan:</u>	Pension and Thrift Savings Plan	vs.	No pension. Maybe a 401k plan if you are lucky.
<u>Bidding/Applying for jobs:</u>	Seniority/Agreed to qualification qualification rules.	vs.	Whomever management wants. keep your fingers crossed. Kissing butt is no guarantee.
<u>Annual Leave:</u>	Generous amount given. Guaranteed amount of employee allowed off per day.	vs.	Much less. Only given if management agrees to let you have off. No guarantees.
<u>Missing work due to sickness:</u>	Up to 104 sick leave hours per year. FMLA per year. FMLA rights are enforced. 80 hours of sick leave dependent care given. Sick leave can be advanced in some situations.	vs.	Very little given. FMLA. rights are often ignored. No advancement of sick leave.
<u>Subcontracting:</u>	Rules that prohibit and limit subcontracting that helps protect postal employee jobs.	vs.	No rules. Could affect postal Jobs. See next item below.
<u>Layoffs:</u>	Not allowed under the UNION negotiated contract.	vs.	You can be laid off. Find a new job if you can. Good luck finding one with the current pay/benefits you get now.
<u>Grievances:</u>	The UNION investigates and files grievances when necessary to correct any problems with your contractual rights.	vs.	No contract to follow. Rules can change day to day and you have no recourse to be compensated when wronged.
<u>Congress:</u>	UNION lobbies Congress on legislation that is important to postal workers and the USPS.	vs.	Congress will make their decisions decisions solely based on what they receive from groups/competitors who want to harm the USPS.
<u>Postal Support Employees:</u>	Good pay, annual leave, pay increases, health insurance, path to career status, rights to grievance procedure. Right to challenge discipline.	vs.	Much lower pay, no vacation time, no health insurance, no path to career employment. No grievance procedure. Little right to challenge discipline.

And there you have it Brothers and Sisters,.....as predicated by your Union leadership.

Congress Heads Out after Funding the Federal Government

by: APWU Legislative & Political Director Judy Beard

APWU Web News Article 12/21/2016

On the heels of the 2016 elections and with the New Year approaching, APWU members should make a resolution to stay engaged on legislation at all levels (city/state/national) crucial to our livelihoods. In that spirit, we should reflect on our successes and failures in building economic justice in order to pave the way for 2017.

On Friday, Dec. 9, the U.S. Senate followed the House and passed a continuing resolution (CR) which provides funding for the federal government at current levels through April 28, 2017. President Obama signed the measure into law early the next morning, averting a government shutdown. The passage of the CR marked the end of the legislative activity for the 114th Congress. In many ways, the 114th Congress was notable in what it did not accomplish. Although negotiations continued to the final minutes, Congress adjourned without addressing urgently needed postal reform legislation.

The APWU worked closely with legislators on both sides of the aisle, staff, sister postal unions, and key stakeholders to craft a reform bill that, although not perfect, addressed our priority issues. Ultimately, another session of Congress failed to secure a robust future for the Postal Service by fixing the congressionally-mandated pre-funding obligation.

There were bright spots as well in congressional inaction. Opposed by our delegates at the APWU National Convention as well as by many in organized labor, congressional Democrats, Freedom Caucus Republicans, and President-Elect Trump, the Trans-Pacific Partnership trade deal never came to a vote. This is a testament to the hard work and unity of our members and other unions. Although passed by both Houses and signed by the President, the CR was not without controversy.

Language to reverse drastic cuts to mail service standards, which was supported by APWU and endorsed by the House Appropriations Committee, failed to gain inclusion in the final spending bill. Senate Democrats, led by Senator Joe Manchin, (D-WV) sought to provide a full year of funding for health insurance for retired coal miners instead of a four month extension which expires next April. Rallying outside the Capitol, the APWU recently stood shoulder-to-shoulder with miners, demanding Congress “Keep the Promise” of their retirement healthcare benefits.

Unfortunately, Senate Republicans blocked Senator Manchin’s efforts and would not approve a full year for miners’ healthcare. Majority Leader Mitch McConnell (R-KY) agreed to discuss the issue further next year. Senator Manchin was supported in his efforts by Senators Sherrod Brown (D-OH), Heidi Heitkamp (D-ND), Bob Casey (D-PA) and Claire McCaskill (D-MO). Among other items included in the year-end funding bill, the CR provided funds to fight opioid abuse and support cancer research. The measure contains funding to help Flint address its contaminated water supply, as well as Hurricane Matthew and Louisiana flooding disaster relief.

Beginning on Jan. 3, 2017, the 115th Congress will feature Republican majorities in both chambers. Because the CR expires next April, as opposed to the end of the fiscal year in September, lawmakers must move quickly early next year to pass a government funding bill – all while working to confirm the new president’s cabinet nominees, a possible Supreme Court nominee, repealing Obamacare, and enacting tax and regulatory reform.

As we move into 2017, we all must all make an effort to be informed on the issues affecting the labor movement and our personal lives. I encourage you to attend union meetings and local meetings on issues affecting your communities. Engage on the local level and remind your legislators who they are supposed to be serving.



Jeff Worden
West Sectional Director

Let's face it; we have ALL worked hard to earn the pay and benefits we now enjoy! With the new TRUMP administration taking over the Oval Office, and with a GOP controlled Senate and Congress we will definitely have our work cut out for us. I anticipate a continuous battle to pro-

tect our pay and benefits. COPA will help us fight this battle. I know your thinking that this sounds like an infomercial, but here is the truth: you really can protect your JOB and BENEFITS by donating to a thing called COPA (Committee on Political Action)!

COPA is the best way for ALL postal workers to make sure that their voices are being heard in the upper throughout the government. Donations can be as small as \$1.00

per pay period. Just imagine if all APWU members gave \$1.00 per pay period. Our legislative results would be phenomenal!

Donating is easy as one, two three... You can give to COPA via payroll deduction. Let's face it; \$1.00 a pay period... not a bad insurance policy to protect your job, is it?

To contribute through Postal Ease just follow the instructions listed below.

Donate To COPA

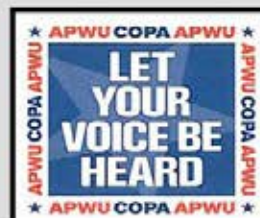
"Donating is as easy as one, two, three..."

Become a COPAMATIC Club member

To contribute through Postal Ease just follow the instructions listed below.

Add your Social Security Number to this 8-digit COPA account number (29320001) in line 10 below. This 17-digit number (no hyphens) will enable the APWU to identify this contribution as having come from you.

1. Dial 1-877-477-3273 (1-877-4PS- EASE)
2. Press #1 for PostalEase.
3. When prompted, enter your employee identification number.
4. When prompted again, enter your USPS PIN number.
5. When prompted, choose option #2 (to select payroll allotments)
6. When prompted, choose option #1 (to select type of allotment)
7. When prompted, press #2 to continue
8. When prompted, press #3 to "add" the allotment
9. When prompted, add routing number: 054001220
10. When prompted, enter the COPA account number: 29320001, followed by your Social Security Number (no hyphens, 17 digits total). Press #1 if correct.
11. When prompted, press #1 for checking.
12. When prompted for the dollar amount of the allotment, enter \$____.00, your choice for a biweekly allotment. Press #1 if correct.
13. When prompted, press #1 to process. At this point you'll be provided with a confirmation number and the start date of the allotment. Record the confirmation number _____ and start date _____.
14. Press #1 to repeat, or press #9 to end the call.



NOTE: To obtain your PIN: Call PostalEase at 1-877-477-3273. Press #1 for PostalEase.

When prompted, enter your Social Security Number. When prompted for your PIN, pause, then press #2. Your PIN will be mailed to your address of record the next business day.



Larry Brown Jr
Automation Director

For my first Hi-Lites' submission of the New Year, I would like to open up by saying Happy New Year. I hope everyone got their year started off on the right track.

If you are the type to make New Year's resolutions, *(which I'm not)* I hope you haven't given up on them already. *(I would have, which is why I don't make them)* You made those resolutions for a reason; Maybe to get healthier, maybe to become an all-around better person. Either way it goes, that resolution was made at a point in which you had nothing but positive thinking, good vibes and aspirations for yourself. Following through with it can't be a bad thing, right?

If you know me, then you know that I listen to a lot of talk radio while I'm at work. While I was listening to it last month, I heard something that I thought would make for an interesting, yet different, kind of Hi-Lites article. I would now like to share that with you.

Outline your life in pencil not pen.

Now, what does this mean? It's simple. When you outline your life in pencil, it gives you the ability to erase. Don't put yourself in a pre-

Outline Your Life In Pencil Not Pen

"Set yourself up for success... Make your life easier ..."

dicament in which you trap yourself. Don't get hired and buy a new Cadillac truck right away. Now you're trapped. You have to make that payment. Trying to buy that new house too soon? Don't know if you can really afford it? If you get it, you have to make that payment *(trapped)*.

Set yourself up for success before you get the new Range Rover. Make your life easier before you just start chasing things that you want. You've got a long time to live. The houses and cars will be there. Try to think ahead. Don't just live for the moment. We've all heard the saying, "play chess not checkers." Try to think a couple of moves ahead. Anticipate a reaction instead of just, "crossing that bridge when you get there."

How does the saying, "outline your life in pencil not pen", pertain to my job? I believe it means, don't box yourself in.

We all know the employees that have been hired and quit their previous jobs right away *(something you should never do)*. This is boxing yourself in. You have put a supreme dependency on a job that you are not guaranteed to have for at least 90 days. If you just so happen to get let go, you cannot even grieve termination. Now comes the problem of finding a new job and paying bills until the new job is found. This is a lot of added stress on top of being terminated.

I'll give you another example. Do you know anyone that lives off of the overtime list? *(something else that we should never do)* I understand being on the overtime is for the extra money. That's fine. It's when the overtime money stops being the extra money and becomes the needed money. What happens when the overtime dries up?

I was in the general clerks office one day back in 2004. This was around the time when we were getting the casual in lieu of settlement. Management had stopped calling overtime and an older gentleman came into the office complaining about how he had to dip into his thrift savings *(retirement)*, just to make his mortgage payment. This is a perfect example of someone that outlined their life in pen. He was under the assumption that the overtime would always be there and lived his life accordingly. When the overtime was not there, he made one of the worst decisions possible. He utilized his retirement money to pay bills.

I've been forced to different tours in my career. My start time has been changed so many times, due to the constant movement associated with having this job. I was put out of the building when I was excessed. Nothing about this job makes me comfortable. Also, no one cared about what I had to deal with when forced into these predicaments. At the end of the day, this is a business. The Post Of-

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fice is an ever changing company. We don't do enough to protect ourselves against Article 3, which is Management's rights (*to mismanage*).

Let me give you a scenario. If your job was abolished right now, would you be able to transition into your new position with minimal impact on your life? If you had to leave Tour 3 and go to Tour 1 (*or 1 to 3, or 3 to 2, you get where I'm going with this*) would you be prepared for the change? What if you're an unencumbered employee and end up being involuntarily assigned to the annex from downtown, or even a station? If your answer to that question is, "well, I would just file a hardship," you are outlining your life, as far as your job is concerned, in pen. You are believing that everything is set. Not anticipating that things may change.

The same goes for me as a steward. I can't be so rigid that I argue things to the point that I leave no room for discussion. The methods and means that Management uses to maintain the efficiency of their operations may change. I don't want to be locked into only one argument just because I argued it so dogmatically. I could give many examples as to what I'm speaking of specifically, but I know that Management reads this also and I'm not trying to give them any ideas.

In closing, I just wanted to write a different type of article this month. We, as officers, are supposed to use these articles to inform and educate our members. I've written articles on PSE annual leave usage, (that was useless to the regulars) and articles for regulars that I'm sure PSEs cared nothing about. This was an article that everybody could use. As a steward I see this way too much. We wait until the last minute to figure something out, the whole time expecting the supervisor to help us. Take it from me, when management makes a decision that they know they can make, they tend to be less likely to help an employee in need. Or, the help they offer is miniscule. I have a perfect example.

Last year Management hired on some of the Christmas PSE's after the peak season. One PSE needed to work on nights and another needed to work days. Management would not allow a body for body trade between the two of them. They were told and I quote, "This is your job as offered, if you can't do it your only option is to quit." So leave your options as open as possible. Don't trap yourself. Continue to look to the future and prepare for it. You can live for today but what happens if you are blessed to be here tomorrow?



TALKIN' SHOP



Arbitration Appeals

Certain issues which are not resolved locally will automatically be appealed to arbitration and sent to Step 3. These are usually individual grievances and are divided into two types of issue; *Expedited and Regular Panel* issues. The *Panel* refers to particular Arbitrators who can hear these cases. They were chosen by the USPS and APWU.

The following issues should be direct appeals to arbitration from Step 2:

Expedited Arbitration Panel Issues: AWOL, Letters of Warning, Suspensions (14 days or less), Letters of Demand (less than \$2000), Withholding of Step Increases, Higher Level Assignments, Overtime, Annual Leave, Sick Leave, Leave Without Pay (LWOP), Court Leave, Restricted Sick Leave, Requests for Medical Certification, Holiday Scheduling, Seniority Disputes.

Regular Arbitration Panel Issues: Suspensions (over 14 days), Discharge, Indefinite Suspension, Emergency Placement, Safety and Health and LMOU Disputes (interpretation, application of, or compliance with the LMOU).



Chris Czubakowski
North Sectional Director

When I'm at the Associate Offices I get a lot of questions regarding what happens to residual vacancies. As such, this month I would like to discuss the Memorandum of Understanding (MOU) contained within our National Agreement that sets forth the procedure of filling residual duty assignments.

The MOU states that residual duty assignments will be filled in the following order:

1. Assign existing unencumbered clerks in the same installation pursuant to Article 37.4;
2. Employees with Clerk Craft retreat rights pursuant to Article 12.5.C.5.a (5) or Article 12.5C.b(6);
3. Reassignment of full-time regular Clerk Craft employees in an installation impacted by excessing, pursuant to Article 12.5.C(5), who request a transfer from an installation within the District or a 100 mile geographic radius through the eReassign Clerk Craft 21-Day Posting;
4. Conversion of part-time flexible (PTF) Clerk Craft employees in the same installation pursuant to Article 37.5;

Residual Duty Assignments

"...residual duty assignments will be filled in the following order"



5. Reassignment of full-time regular Clerk Craft employees in an installation impacted by excessing, pursuant to Article 12.5.C5, who request a voluntary transfer from an installation beyond the District or 100 mile geographic radius through regular eReassign;

6. Residual vacancies that remain after Item 5 above will be filled by the: a) conversion of Postal Support Employees (PSEs) within the same installation; or, b) acceptance and placement of voluntary reassignment (transfer) requests pending in eReassign from bargaining unit employees who meet the minimum qualifications (including full and part-time Clerk Craft employees) or reassignment of bargaining unit employees within the installation. Employees from other APWU crafts in an impacted installation will receive priority consideration. If there are insufficient requests from bargaining unit employees who meet the minimum requirements, non-bargaining unit employees may be reassigned to a full-time regular opportunity.

Reassignment requests will be made with normal considerations contained in the Memorandum of Understanding, Re: *Transfers*, based on the order the applications are received. The number of career reassignments allowed under this paragraph is limited to one in every four full-time opportunities filled in

offices of 100 or more work-years and one in every six full-time opportunities filled in offices of less than 100 work-years. At least three or five as applicable, of full-time opportunities will be filled by conversion of PSEs to full-time-regular career status based on their relative standing in the same installation as the full-time opportunities. Such conversions will take place no later than the first day of the third full pay period after either the close of the posting cycle or, when an employee is being considered for transfer, the date the employee or employer rejects the offer/request.

7. Conversion of Clerk Craft PSEs to career status who express a preference from an installation within a 50 mile geographic radius. The PSE with the highest installation standing within the 50 miles will be selected. Conversion of PSEs to career will take place no later than the first day of the third full pay period after either the close of the posting cycle or, when an employee is being considered for transfer, the date the employee/employer rejects the offer/request.

Filling PTF Assignments

When there is a demonstrated need to create and/or fill PTF assignments, such assignments will be filled in the following order:

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1. Conversion of Clerk Craft PSEs within the installation by relative standing no later than the first day of the third full pay period after either the close of the posting cycle or, when an employee is being considered for transfer, the date the employee/employer rejects the offer/request;
 2. Transfer through regular eReassign of PTF Clerk Craft employees by seniority within a 50 mile radius of the installation with the vacancy;
 3. Offer to PSEs working in an installation within a 50 mile radius of the installation with the vacancy. The PSE with the highest installation standing within the 50 miles will be selected. Conversion of PSEs to career will take place no later than the first day of the third full pay period after either the close of the posting cycle or, when an employee is being considered for transfer, the date the employee/employer rejects the offer/request.
- C. All residual vacancies will be made available through eReassign for a period of twenty-one (21) days. The results of this posting will be determined by the application of items 3 - 6 above.
- D. When converting PSEs to residual Function 4 duty assignments with window duty requirements, the conversion to career will be deferred, if necessary, until

PTF positions in Level 18 office- Buyer Beware

I've received word that management intends to repost a vacant PTF position at Sussex Post Office. I want all APWU Members reading this article to heed my warning prior before deciding to voluntarily transfer into this position; Sussex is a small level 18 office that is already staffed by a full time regular and a PTF. This means that whoever successfully transfers into this position will have to continually try to find hours at other offices in order to get by. Sometimes its feast, sometimes its famine. These positions have been a nightmare for the PTFs who have previously worked them.

On the flip side, if you are a PSE that gets forced into this position all is not lost. There still remains a silver lining. You will now have become a career employee and enjoy all the benefits that come with that promotion. You will also be eligible to transfer out of that office (on EReassign) after the lock in period, which depending on circumstance, is 12 to 18 months.

Martin Luther King Jr. Day - January 16th, 2017





Greg Becker
South Sectional Director

Something's never change...

As sure as the snow falls in winter, management continues to violate certain Articles of the National Agreement. As your Director, it is my responsibility to enforce the contract I would like to outline some of the violations that repeatedly occur at the South Sectional A. O.'s that have been grieved in recent months.

In the last year, I have investigated and filed grievances at the Brookfield and Oak Creek A. O.'s about management not making every effort to create desirable duty assignments from all available work hours. Back in October, I wrote about how some A. O.'s have been utilizing multiple PSE Clerks and have reduced duty assignments in recent years.

Finally, the grievance filed at Brookfield has been sustained and management will have to post for bid a duty assignment with Saturday/Sunday service days off (SDO's). At Oak Creek, I settled a grievance to post a traditional Duty Assignment there also.

At Franklin/Hales Corners, management is in the process of reposting their two (2)- 6 day a week NTFT duty assignments into two (2)-five

(5) day a week/ 2 SDO duty assignments per the National Agreement. In addition, a grievance was filed to enforce the contract so that Franklin management reposted a duty assignment from a six(6) day a week/1 SDO into a five (5) day a week/2 SDO's that was previously on e-reassign.

I am happy to report that on December 15, 2016, the duty assignment was reposted at the Franklin/Hales Corners A.O. These newly created duty assignments will give career regulars another option that will benefit somebody's personal life, or the duty assignment will not be bid on in the facility and this duty assignment will become residual and potentially result in a PSE Clerk being promoted into a career assignment.

Another violation that I have investigated is management utilizing window PSE Clerks over the percentage "cap" at offices in which they are not domiciled. At each A.O., there is a contractual percentage limit to how many PSE window qualified Clerks (Des-Act 81-4) that each office can utilize based on the level of the office and the number of window qualified career Clerks at the office.

At the Brookfield A.O., management exceeded the "cap". I filed a grievance which was recently settled to pay all Brookfield Clerks a share of \$2300 for exceeding the percentage "cap".

Enforcing The Contract

"As your Director, I have a responsibility to enforce the contract."

Back in July, 2016, the USPS and APWU have reached agreement to prevent management from scheduling Level 6 PSE's that work at Level 4 Remotely managed Post Offices (RMPO's) outside their installation.

I recently received a call from a PSE Clerk in this circumstance scheduled outside the installation (bid Cluster) and grieved this assignment. Immediately notify me if you are a Level 6 PSE domiciled at a level 4 RMPO and scheduled outside the installation or you are a Clerk who witnesses this assignment at your A. O.

Lastly, I have become aware of many instances of Carrier craft employees and/or management performing Clerk Craft distribution work at Brookfield and elsewhere.

This is a clear cross-craft/ Article 1.6 violation and grievances have been filed when I become aware of this violation. Clerks have continued to get pay-outs from these grievances. We must always protect our craft work every month of the year, including December.

As your Director, I have a responsibility to enforce the contract.

We can only sustain (win) these grievances if we work together. We only have 14 days from becoming aware of the infraction to file a grievance. I continue to put a high priority in protecting our work and our duty assignments, as well as enforcing the rest of the contract.

APWU, USPS Sign Agreement For Offices Without a Local Union Structure

APWU Web News Article 12/27/2016

The APWU signed an updated agreement December 22, 2016, for Members-at-Large who work in small post offices that are not represented by a local union. The agreement outlines the rules for these small offices on topics that are typically the subject of negotiations at the local level between USPS managers and local union officers. "The memorandum is important," said President Mark Dimondstein. "It continues to provide the protection of a local contract to thousands of union members in small offices who would not otherwise be covered by a local agreement. It provides additional benefits particularly for the PTFs and PSEs who staff these small offices." The agreement covers approximately 15,000 workers.

The Local Memorandum of Understanding (LMOU) updates a previous agreement signed Oct. 12, 2012, following negotiations for the 2010 - 2015 Collective Bargaining Agreement. The decision of Arbitrator Goldberg setting the terms of the 2015 - 2018 provided the opportunity to negotiate changes and updates to this memorandum. "We made progress concerning the major complaints received by members not represented by local unions" said Industrial Relations Director Vance Zimmerman. Some of the changes: For purposes of administering this LMOU, stand-alone Associate Offices as well as Administrative Post Offices (APOs) and the Remotely Managed Post Offices that report to the APO will be considered one installation. For choice vacation period no less than one person, but at least 15% of all APWU bargaining unit positions in the installation by craft will be allowed off. Excluding the month of December, for incidental leave requested during the leave year no less than one person, but at least 15% of all APWU bargaining unit positions in the installation by craft will be allowed off at one time. These numbers include employees off on choice vacation. Any request for incidental leave will be acted upon and returned to the employee within 72 hours of receipt by management. The leave is to be considered approved if not acted upon and returned to the employee within 72 hours of receipt by management.

"I want to thank Vance Zimmerman, Industrial Relations Director and lead negotiator, and the other negotiating committee members: Lamont Brooks, Clerk Craft Assistant Director; Omar Gonzalez, Western Regional Director, and John Dirzius, Northeastern Regional Director for bringing these negotiations to a quick and successful conclusion," said Dimondstein. "They addressed some key concerns of members. We should also thank Clint Burelson, Clerk Division Director; Lynn Pallas-Barber, Assistant Clerk Craft Director, and Steve Raymer, Maintenance Division Director, for their input and insight."

Arbitrator Denies Severance Pay Grievance

APWU Web News Article

From 2003 to 2009 the Postal Service offered a series of Voluntary Early Retirements (VER) with the approval of the Office of Personnel Management. Employees involved in these offers were not paid any severance pay. In 2008 the APWU filed a grievance concerning the failure to pay severance to certain employees. The general rule is that severance is not paid to employees who terminate postal employment but are entitled to an immediate annuity payment like an optional retirement or a VER. The one exception is found in the layoff provisions of the contract (Article 6.B.4) which provides that an employee can receive both a severance and a VER. The Postal Service argued that Article 6 layoff provisions were not invoked or applicable to the VER offers USPS had been making; but rather the offers were made to facilitate Article 12 reassignments. Article 12 has no provisions similar to the severance pay provisions in Article 6. Arbitrator Shyam Das agreed with the Postal Service that the triggering events were reassignments under Article 12 and not Article 6; therefore, severance pay was not due.

John Nichols: Resolved for 2017: End gerrymandering of Wisconsin

Wisconsin's delegation to the 115th Congress will be sworn in this week. But it will not represent Wisconsin. The eight-member delegation is made up of five Republicans — House Speaker Paul Ryan and Congressmen James Sensenbrenner, Glenn Grothman, Sean Duffy and Congressman-elect Mike Gallagher— and three Democrats — Congressmen Mark Pocan and Ron Kind and Congresswoman Gwen Moore.. Yet Wisconsin did not vote on Nov. 8 at a 5-to-3 ratio in favor of Republicans. In fact, Democratic contenders earned 1,379,996 votes to just 1,270,279 won by Republican contenders. Wisconsin's 2016 congressional races were not, for the most part, aggressively contested.

The Democrats gave little real support to challengers in various districts, while the Republicans could not get their acts together to mount challenges in some districts. So it is fine to quibble about what might have been. For instance, if national Democrats had gotten serious about rural policy and embraced the candidacy of National Farmers Union member and rural activist Sarah Lloyd in Wisconsin's 6th District, the party's numbers in central Wisconsin and its statewide numbers would undoubtedly have been higher. Similarly, if Republicans had put some energy into challenging Democrat Ron Kind in the traditionally competitive 3rd District, they would have had better numbers in that district's southwestern areas of the state. But the bottom line does not change: Wisconsin's congressional district lines have been so gerrymandered to favor Republicans that even when the Grand Old Party loses the popular vote, it wins a clear majority of seats in the House. Gerrymandering diminishes democracy, not just in Wisconsin but nationally.

And since the "Republican wave" election of 2010 gave GOP governors and legislators disproportional power to warp district lines in states like Wisconsin, that diminishment has grown more severe. In 2012, Democrats won 59,645,531 votes for congressional seats across the country while Republicans won 58,228,253 votes. In a system where votes were distributed proportionally, Democrats would have won 49 percent of the seats to 47.5 percent for the Republicans, with the remainder going to third-party contenders. But in the gerrymandered system that now exists, Republicans gained almost 54 percent of the seats in the 113th Congress, with a 234-201 advantage and complete control of the chamber. In 2016, the Republicans narrowly won the national vote for seats in Congress, gaining 49.1 percent to 48 percent for the Democrats, with the remainder going to independent and third-party contenders. Yet, because of gerrymandering, Republicans won more than 55 percent of the seats in the House, for a 241-194 advantage and complete control of the chamber under Speaker Ryan.

This is not what democracy looks like.

Under a proportional system nationally, the House split in the 115th Congress would be 213 for the Republicans to 209 for the Democrats, with 13 seats going to third-party and independent contenders. Some small countries actually employ national systems of proportional representation. But most large countries adopt different approaches to produce legislative bodies that are representative of the regional diversity and the popular will. One approach is to have proportional representation at the state, provincial or regional levels. Under such a system, in 2016 Democrats would have gotten at least four seats representing Wisconsin, instead of three. But in the absence of a proportional system — or the even more democratic ranked-choice system that Maine recently adopted — Wisconsin could still produce fairer and more representative results.

All that is required to eliminate gerrymandering is an honest approach to drawing congressional district lines. The first step involves removing the power to draw district lines from the politicians. Under the current system, legislators get to choose their voters. They draw districts that virtually ensure the re-election of incumbents, even in cases where voter sentiments may be shifting against those political careerists. Ryan is a prime beneficiary of gerrymandering. The old 1st Congressional District was built around four counties: Racine, Kenosha, Walworth and Rock. While bits and pieces of

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other counties might be included following the decennial census, the core counties were definitional. Now the district has been drawn by Ryan's Republican allies in the Legislature to remove Democratic-leaning parts of Rock County while adding heavily Republican sections of southern Waukesha and Milwaukee counties.

But Ryan is certainly not the only beneficiary of this political chicanery. While Republicans have been the worst players in recent years, Democrats have gamed the process in the past.

If Wisconsin were to create a nonpartisan redistricting commission, and charge that commission with creating as much competition as possible, the likelihood is that (for geographic reasons) a couple of Democratic incumbents would retain advantages (probably Pocan and Moore) while a couple of Republican incumbents would be similarly well-positioned (probably Sensenbrenner and Grothman). But there would be real competition in at least half of the state's districts. And in years with big political swings in one direction or another, that competition could put even traditionally safe seats in play. The only barrier to competition is the unwillingness of the political careerists in the Legislature to embrace fair and open elections. Of course, that's a big barrier. But it can and should be countered by building a movement of voters — Democrats and Republicans, Greens and Libertarians and independents; progressives, liberals, moderates and conservatives — who are committed to democracy.

As it happens, that movement is being built by a number of groups, including the League of Women Voters, Common Cause in Wisconsin, and the terrific Wisconsin Democracy Campaign. They have legislative allies like state Sen. Dave Hansen, D-Green Bay. What these energetic and engaged groups need now is a groundswell of grass-roots support for genuine political competition. So here's a 2017 resolution: Vote for the candidates and parties that are most supportive of reform, and if it is your inclination contribute time and money to the contenders who most appeal to you. But give a little something extra to the groups that are building the movement to end gerrymandering and restore democracy to Wisconsin and America.

Hundreds of SPSS Clerk Craft Jobs Preserved

The APWU prevailed in an arbitration that for now keeps hundreds of postal jobs in the hands of the Clerk Craft. The decision clarifies what ability the Postal Service has to change craft work assignments for new machinery. When the new Small Parcel Sorting System (SPSS) machines were installed, the Postal Service first assigned all of the work to the Mail Handler Craft. After a closer and better review, the USPS reassigned some of the functions, including facing and separating packages as well as sweeping in rotation, to the Clerk Craft. The National Postal Mail Handlers Union (NPMHU) filed a complaint over the USPS decision to change the work assignments.

On Dec. 3, Arbitrator Joseph Sharnoff ruled in favor of the APWU and the Postal Service on the procedural issue the NPMHU raised over the SPSS assignments. While not ruling on the merits of the craft assignments themselves, (which both the APWU and NPMHU protested) Arbitrator Sharnoff did find that it was proper for USPS to revise its initial jurisdiction assignment in this situation. With this procedural issue resolved, clerks will continue to be assigned work on the SPSS machines for now, as well as on new SSPS machines that are in the process of being deployed.

The final issue of craft assignment jurisdiction will be resolved either through the agreement of the APWU, NPMHU and the USPS, or by placing the issue back before Arbitrator Sharnoff for a final ruling on the merits of the case. "This initial decision secures important job protections for our members," said President Mark Dimondstein. "I want to thank APWU National Dispute Resolution Committee head and Queens Area Local President Ron Suslak and Assistant Clerk Craft Director Lynn Pallas-Barber for their hard work on this case. Also, thank you to the entire Flushing Local leadership, especially Flushing Local Clerk Craft Director Pat Vasquez for her assistance in providing information with the operation and staffing of her local SPSS machine."
