



# The Hi-Lites



The official publication of Milwaukee, WI Area Local APWU, AFL-CIO

JANUARY 2021

Volume 43 Issue 1

## Attack On Democracy

*Violence will never succeed in overruling the will of the people.  
Democracy in the USA must be upheld -- and it will be*



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**Paul McKenna  
President**

*As we all know, the Postal Service has been running most operations short staffed for way to long, and it caught up to them and us during the Holiday Peak Season. It all came together to create the "perfect storm" in Mail Processing.*

The storm started a couple of years ago when management began short staffing the automated machines and only had enough employees to run with 1 person to a machine, instead of the required two people.

Then this past March, the storm intensified when COVID 19 started taking a toll on our workforce. More and more people were staying home because they had the symptoms of COVID. Postal Workers were not the only ones who were affected by COVID 19.

The whole country and world were feeling the effects of this pandemic. As it spread everywhere, people stopped going out to store and malls to do their shopping and began to order their needed items online. By mid-June, the mail volume started to get much heavier than normal.

Then at a time when the Postal Service started to need every piece of mail processing equipment in its inventory, the new PMG started to remove more and more machines. He started to hold semi-trucks destined

## Covid-19 2020 Year In Review

*"Many thought we had the pandemic under control.  
Maybe the storm would not be so bad after all!"*

for far away cities until they were full. This caused mail to be delayed even more. At this point, the storm was really starting to wind up.

American citizens were not getting their online packages and prescriptions. Mail was backing up more and more. They started to notice that something was not right with the USPS.

By late summer, most Postal Workers were working 12 hours a day, seven day a week. They were start-

the storm was still coming after us because the election was just a month away and the storm was getting closer and stronger.

During mid October, we had COVID 19 getting much worse throughout the country and we had more employees out on COVID leave. Because of COVID, more people were shopping online too, which started to back the packages up in the system. And now mail ballots starting to flood into the USPS facilities like we have never seen before. At this point, we all knew that the storm was heading straight for us all.

If it were any normal year, we would be getting busy right after Thanksgiving, but this year was not normal. We had been buried since April.

In mid-December, the storm finally hit us with a wollop when everyone decided, because of COVID to do our Holiday shopping online. This year, a lot of Black Friday sales were done online, which Buried us even more. Then 3 days later, we were hit again with Cyber Monday sales.

Between COVID, online sales at record amounts and mail in ballots, it made for the perfect category 5 storm that none of us will ever forget.



ing to get tired because there was no end in sight. Covid 19 was still around; but it seemed to be easing a bit. Many thought we had the pandemic under control. Maybe the storm would not be so bad after all! Early fall brought optimism. People were getting their lives back to normal. The trees were turning beautiful colors and Football season was starting. But then we realized that

## **A Step Forward On Postal Service's COVID-Relief**

APWU News

On December 27, 2020, after months of political gridlock, the President signed into law another sweeping COVID relief bill, which included vital funding for the Postal Service. This bill will convert the \$10 billion additional borrowing authority loan in the March 2020 CARES Act into direct emergency relief to the USPS without requiring repayment. Additionally, while the CARES Act allowed the Secretary of the Treasury to set the conditions of the \$10 billion loan, the funding allotted in this bill is available at the Postal Service's request.

"The \$10 billion in emergency funding for the Postal Service is a welcome step in the right direction," said APWU President Mark Dimondstein. "All year, we've mobilized and organized to save our national treasure in this most challenging time. From car caravans, to tens of thousands of phone calls to Congress, to millions of petition signatures collected, postal workers and our allies are ready to stand up to defend the public Postal Service. We should be encouraged that this first step is owed to our collective efforts."

"I also want to recognize APWU Legislative and Political Director Judy Beard for her tireless and effective work on the various legislative proposals," Dimondstein continued. "Together with the efforts of our national, state and local leaders and activists, our retirees and the APWU auxiliary, as well as many friends in both sides of the aisle in Congress, there was never a moment that Congress could ignore the APWU's priorities in the relief debate."

"Postal workers publicly displayed their commitment to the American people by continuing to sort and deliver medicine, letters, and packages during this pandemic," said APWU Legislative and Political Director Judy Beard. "Our members preserved democracy in the General election by processing tens-of-millions of mail-in ballots. We've proven the United States Postal Service is truly the people's Post Office, serving everyone regardless of who they are or where they live."

The APWU had fought to include language from the HEROES Act, which was passed in the House in May 2020 and valued at \$3 trillion, in this bill. However, lawmakers compromised and agreed to only spend roughly \$900 billion on this relief package, resulting in reduced or nonexistent funding for the American people and critical programs. Many members of Congress, as well as the incoming administration, recognize that another stimulus bill must pass in 2021 to make sure families and state and local governments can weather the disastrous economic effects of COVID-19.

While postal workers celebrate this initial victory, we must continue our efforts in the months ahead. Our service to the public remains vital to the country, and our political activism will be critical to preserving our national treasure for generations to come.

### **January General Membership Meeting**

#### **Nominations / Election Committee Announcement**

*January 22, 2021 - Friday at 7:00am*





**Chris Czubakowski**  
**Vice President**

Throughout the summer and fall of 2020, APWU members and leadership sounded the alarms of the impending crisis at the United States Postal Service after Trump appointee and Postmaster General Louis DeJoy attempted to make severe cuts and reductions in service — an effort that the president admitted was to ensure the USPS was “not equipped” for the massive expansion of mail-in voting in the pandemic election.

DeJoy’s postal sabotage, although abated, was successful as it not only led to unprecedented delays of USPS letters and parcels but also shook public trust and confidence in the USPS and postal workers. Trump rubbed further salt into the wound left by branding the USPS and postal workers as “a joke”. While many states, including Wisconsin, were legally successful in beating back this initial assault it is important to note that while we may have “won” the battle, we have not yet won the war.

If anyone needed to be fired by President Biden in the aftermath of sabotage and dereliction of duty it is Postmaster General Louis DeJoy. The transgressions he has committed against the American public and the nation’s oldest and most revered institution cannot stand.

#### **THE BAD NEWS:**

President Biden cannot fire Postmaster General DeJoy.

## Can Postal Workers “Jump For DeJoy” After The Election?

*“Biden told postal workers throughout the campaign that filling the board vacancies would be a priority.”*

Louis DeJoy, like every Postmaster before him, serves at the pleasure of the U.S. Postal Service (USPS) Board of Governors, which right now is held by a 4-2 corporate Republican majority of Trump supporters and GOP operatives led by Chairman Robert “Mike” Duncan. Duncan was one of the directors of two super PACS associated with Sen. Mitch McConnell and it was McConnell that was responsible for getting him the job.

#### **THE GOOD NEWS:**

President Biden can now make appointments without any Senate obstruction.

The reason the Postal Service can now be saved from DeJoy and Duncan, who will remain hell bent on its destruction, is that President Biden can appoint as many as three more governors to the board. Biden told postal workers throughout the campaign that filling the board vacancies would be a priority. That promise will now be able to become a reality as the two recent Senate victories in Georgia have secured a Democrat led Senate.

As such, a Democratic appointed majority on the board could fire DeJoy and Democrats are already making filling the board a top priority. Many Senate Democrats and even some Republicans are on record stating they want new board leadership that moves away from the “cost cutting mentality” that has drastically worsened service.

#### **THE BOTTOM LINE:**

DeJoy’s sabotage of the USPS was not intended just to foul the 2020 election.

Given the opportunity, he intends to move forward with a path to privatization by continuing to remove machines, destroy postal collection boxes, refuse overtime, prioritize commercial deliveries over other first-class mail, and making carriers leave mail behind. Thankfully, because of APWU members voting to protect their jobs, it appears he will be stopped.





**John Miceli**  
**Treasurer**

( *The Motley Fool* )

Workplace 401(k)s are a great way to invest for retirement if you have access to one. You can contribute automatically from your paychecks and may even be eligible for employer matching funds that are essentially free money.

Unfortunately, many workers don't make the most of these accounts. To ensure you're getting the best value from your 401(k) in 2021, there are three steps to take as early as possible.

### ***Increase your contributions***

Most Americans are contributing too little to their 401(k)s. This has serious consequences because it's not possible to live on Social Security alone. You're going to need money in a retirement account to have financial security. The start of the year is an excellent time to increase the amount you're contributing. This is easy if you've received an annual raise.

You can just devote some of the extra money to your 401(k) before you end up increasing the amount you spend (which tends to happen as income goes up). If you begin contributions right away, you'll never miss the raise. Even if you didn't see a salary bump, think seriously about investing more. Find a few cuts in your budget

## **Three 401(k) Moves Investors Should Make In 2021**

*"As 2021 gets under way, take the time to review your 401(k) investments."*

so you can raise your investments by at least 1% to 2% of your income. If you slowly inch up the amount you put into your 401(k) every year, you'll soon find yourself saving the recommended 15% of your pay without making sweeping lifestyle changes all at once.

### ***Check your asset allocation***

The market volatility last year was an important reminder of the importance of maintaining the right mix of investments based on your risk tolerance. Sure, the stock market recovered quickly from the massive losses it experienced at the start of the pandemic. But while recoveries are inevitable after crashes, sometimes they take much longer.

If you're overinvested in stocks based on your age and retirement timeline, you risk losing more than you can afford and not being able to wait out the recovery. At the same time, if you aren't investing enough in stocks, you miss out on the chance to earn the generous returns the market has historically provided.

As 2021 gets under way, take the time to review your 401(k) investments to ensure you don't have the wrong investment mix. Your risk tolerance should change over time, and your asset allocation needs to be reviewed every year so it can change along with it.

### ***Review your investment fees***

Fees eat away at your returns and have a surprisingly big impact on your portfolio balance, especially when you're investing a lot of money over a long time. Some 401(k)s charge administrative fees and some offer a mix of investment options that come at a higher cost than necessary.

If you're limited to investing only in expensive funds or must pay just to maintain your 401(k), plan to mitigate the damage fees do. Often, this means investing only enough to get the full amount of employer matching funds and then making other retirement account contributions in a different tax-advantaged account such as an IRA.

If you follow the first suggestion and increase your contributions, you'll be taking an important step toward growing retirement wealth. And you don't want to undermine that by investing in the wrong assets. Doing all three of these things ASAP will help make the most of your investment dollars in 2021.



## **APWU Legislative News**

### *A Message from National APWU Legislative & Political Director Judy Beard*

We have entered the new year and, with it, a flurry of Congressional activity. Following the passage of H.R. 113, Coronavirus Response and Relief Supplemental Appropriations Act on December 27th (which included funding for the Postal Service), the House and Senate voted to override the Presidential veto of the National Defense Authorization Act, a bill that provides military funding. On December 28th, the House passed H.R. 9051, a bill which would increase the \$600 direct payments provided in H.R. 113, to \$2000. An identical bill was introduced in the Senate and brought forward by Senate Democrats for passage by unanimous consent. This was shot down by Senate Majority leader Mitch McConnell who then introduced a separate bill for the \$2000, but attached unacceptable provisions (or poison pills) that all but ensure that the increased stimulus payments will not pass.

On January 4th, the 117th Congress will be sworn in. Democrats will control the House, and the fate of the Senate will be decided with the results of the January 5th Senate election in Georgia. If the Democratic challengers win both seats the Senate will be a 50-50 split with Vice President Elect Kamala Harris acting as a tie breaker.

On January 6 at 1:00 the House and Senate will convene for a joint session to hold a constitutionally required meeting to formally count the votes cast by the Electoral College, 306 for Biden, 232 for President Donald Trump, and in the process, formalize President Elect Joe Biden's victory. Some Republicans are planning to go on the record to oppose the count. Joe Biden and Kamala Harris are scheduled to be sworn in as President and Vice President of the United States on January 20.

*In this new year we are encouraging our members to  
stay vigilant and hold their members of congress accountable.*

## **MVS Step-4 Grievance on Federal Motor Carrier Safety Admin (FMCSA) Drug and Alcohol**

APWU News

Earlier this summer, MVS announced a National Dispute on the Postal Service's unilateral implementation of Federal Motor Carrier Safety Administration (FMCSA) Clearinghouse Consent Form and Program. During the Step-4 meeting, the parties discussed the form, program and issues involved including the Article 1, 5 and 19 violations of the Collective Bargaining Agreement which prohibit unilateral actions that directly impact wages, hours or working conditions. After much discussion, the parties have come to agreement regarding the dispute, which includes the following form language:

"By my signature below, I hereby provide consent to the United States Postal Service (Postal Service) to conduct the required annual limited queries of the FMCSA Commercial Driver's License Drug and Alcohol Clearinghouse (Clearinghouse) to determine whether drug or alcohol violation information about me exists in the Clearinghouse." "The Consent form negotiated by the parties was substantially different from the original USPS Limited Query Consent form. This form is for a two year period, the same length of time as the DOT physical card," said MVS Director Michael O. Foster. "The employee still has to give permission for the USPS to run a full query if something comes up in the limited query. There's also language against running a limited query if the employee is not in a safety sensitive position that requires a Commercial Driver's License."

## **In The Face Of An Attempted Coup, Congress Certifies Presidential Election Results**

APWU News

On January 6th and 7th, members of Congress carried out their Constitutional responsibility and certified the state-by-state election results of the 2020 presidential election. The path has now been cleared for President-elect Joe Biden and Vice President-elect Kamala Harris to be inaugurated on January 20, 2021.

Congress completed its duty despite the seditious and violent assaults on the U.S. Capitol, which sought to stop the certification, disenfranchise tens of millions of voters and overturn the results of the election.

"The APWU joins the entire labor movement and all fair-minded people across the political spectrum in unequivocally condemning the Trump inspired violent attempted coup to stop Congress from validating the vote of the people," said APWU President Mark Dimondstein. "This siege was the result of the 'big lie' that the election was stolen. The President and those in Congress who have fomented this big lie and pressed these efforts to overthrow the results of this election are driving the country toward authoritarian rule and fascism. They are not fit to hold public office, must be held accountable and should immediately resign or be removed."

Dimondstein continued, "As workers, we know that none of the rights we enjoy have been simply handed to us. They have been won through generations of struggle. As imperfect and incomplete as our democracy may be, our challenge today is to reject these assaults on our rights and re-commit ourselves to the struggle to advance democracy and win social and economic justice for all."

The APWU welcomes the new administration and their pro-postal, pro-union commitments. The APWU also welcomes the two newly elected Senators from GA who prevailed in the GA January 5th "special election" and the improved opportunities for moving pro-worker, pro-postal legislation through the new Congress.

### ***Statement from North America's Building Trades Unions\* (NABTU) President Sean McGarvey:***

"Today's despicable events are unprecedented, and, as we have all seen, are extremely dangerous. North America's Building Trades Unions call on President Trump to immediately step down and transfer power per the Constitution and the Presidential Succession Act of 1947. If he refuses, the Cabinet must immediately invoke the 25th amendment to remove the President. Any less action by the Cabinet, and America should consider them all co-conspirators.

"We also call on Senators Cruz and Hawley to immediately resign along with the twelve other U.S. Senators and the 140 House members objecting to the Electoral College certification. They all must step down immediately. "We call on a bipartisan commission to investigate and identify all planners, funders, and coordinators of this attempted coup and refer them to prosecution by the U.S. Justice Department, and further for them to be prosecuted to the fullest extent of the law.

"If these actions are not taken immediately, in anticipation of what is already one of the worst domestic episodes in our country's history, things could get much worse over the next 14 days very quickly. Thus, we urge all law-abiding Americans to stand up and demand the same to protect our precious democracy from tyrants and thugs."





**Jeff Worden**  
**North Sectional Director**

*In order for us to shape the future and have a positive impact on issues important to us, we must have a **STRONG POLITICAL VOICE!** The one way to do that is by having a **STRONG COPA PROGRAM.***

COPA (COMMITTEE ON POLITICAL ACTION) is the union's best defense against the job destroying, wage cutting, benefit eliminating and middle class eroding tactics of the few who don't really give a dam about working families!

COPA was created to raise voluntary political campaign contributions to "support the election of representatives who support working families and help defeat those who do not!" COPA relies entirely on donations from Active members, Retired members and Auxiliary members to build a strong COPA Fund. All monies received are important, no matter how large or how small the amount.

## C.O.P.A.

*"...things will be looking better for  
Organized Labor/working class Americans."*

Let's face it, our hard earned rights and benefits are constantly under attack. The threat of privatization is no joke! There are some in our Congress (many more in the U.S. Senate) who seem ready to attack our collective bargaining rights and are gun-ho to weaken unions and their movement throughout the COUNTRY. There are "other" mail services/companies around the country that would just love to "gut" the USPS. **WE CANNOT LET THIS HAPPEN!**

The Postal Service is already dealing with the (DESTRUCTIVE) pre-funding of retiree health care benefits (brought on by a previous congressional action) which no other business/organization (public or private) is or has ever been forced to do! Not to mention the decision by the USPS to cut service standards. The days of "let's just sit back and hope for the best" are GONE! With the recent Presidential Election of Joe Biden / Kamala Harris as our next President/ Vice President things will be looking better for Organized Labor/working class

Americans. We will now have a "voice" that **WILL** be heard!

The outcome of the US Senate Election in the state of Georgia is HUGE! With the Democrats winning both seats...the US Senate will be split 50 Republicans and 50 Democrats- a tie! The tie-breaking vote would be cast by Democrat Kamala Harris, the next Vice President who **WILL** preside over the Senate! So, now you see just how important the Senate race in Georgia really was!

For more information about COPA just stop in the steward's office or at the union hall. If you have any questions you can call me at (414) 530-7186. We must all join the fight...the fight to keep our jobs, benefits and the HIGH service standards that the American public not only expects, but definitely deserves!  
Take Care.

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### ***Statement from AFL-CIO President Richard Trumka:***

We are witnessing one of the greatest assaults on our democracy since the Civil War. Today's attempted coup has been years in the making as Donald Trump consistently spews venom, conspiracies, hate and lies to his supporters. They are carrying out his wishes, and far too many Republican lawmakers have enabled and even encouraged this violent threat to our republic. Emboldened by an Electoral College system that creates an avenue for insurrection instead of simply certifying the candidate with the most votes, this is an effort to violate the constitutional rights of every law-abiding American and the labor movement will not stand for it. Not today. Not ever.



## **Arbitrator Sustains APWU's Position On Clerk Craft Jurisdiction Over Parcel Sorting Work**

APWU News

On December 1, 2020, Arbitrator Joseph M. Sharnoff issued a decision confirming Clerk Craft jurisdiction over operation of the Small Parcel Sorting System (SPSS) machine. The Award soundly rejects arguments made by the Mail Handlers Union which claimed that Mail Handlers should be assigned all the work on the machines.

The Postal Service had issued a decision in 2015 designating the Clerk Craft as the primary craft for performing the work of "singulating/separating packages & facing/feeding packages" at the induction stations on SPSS machines. Clerks also rotate to sweeping duties after performing induction station work. Mail Handlers are assigned jurisdiction over retrieving and dumping packages and transporting full containers to a staging area. When sweeping assignments are not needed to provide rotational relief for Clerks operating the machines, sweeping is assigned to Mail Handlers.

***Both the APWU and the Mail Handlers filed disputes claiming jurisdiction over all work on the SPSS machines.***

"This decision secures important job protections for our members, and provides a strong basis for protecting our jobs against future challenges," said President Mark Dimondstein. "We appreciate the good work of all the people involved in securing this important award."

Arbitrator Sharnoff held that the Postal Service reasonably determined that singulating and facing duties on the SPSS "constituted significant aspects of the distribution function which historically and traditionally have been assigned to Clerks, as the Primary Craft"; and that the Postal Service also properly awarded sweeping duties to Clerks for rotational purposes. The Arbitrator agreed with APWU and the Postal Service that Operation 105 in the RI-399 Guidelines, the Mechanized Parcel Sorter, provides a basis for the assignment of singulating and facing work on the SPSS machines to clerks. He observed that SPSS machines process "approximately equal amounts of first-class packages and priority packages which, as argued by the APWU, meets the definition, in RI -399...of 'parcels...'"

The Arbitrator also agreed with the APWU that Operation 050/055 Priority Mail Distribution supports the assignment of singulating and facing the mail on SPSS machines to the Clerk Craft. He noted that "Distribution of priority mail" is Clerk work and that each of the other duties listed in Operation 050/055 are subject to the "asterisk note" which provides that "In offices where the tasks of obtaining empty equipment, obtaining unprocessed mail, loading ledges, sweeping and containerizing is an integral part of the distribution function, the entire operation is a function of the primary craft performing the distribution."

"The Arbitrator agreed with the APWU that the work of "facing" the parcels on the SPSS, is work which is assigned exclusively to Clerks in Bulk Mail Centers, and that "[t]here is no evidence ...that Mail Handlers have been assigned to face packages on parcel sorting machines." The Arbitrator squarely rejected the Mail Handlers' reliance on the fact that RI-399 assigns the work of "facing" mail to Mail Handlers in Operations 010 Originating Mail Preparation (which operation does not include distribution or sortation); Operation 050/055; Operation 110-129; and Operation 180-189; "The Arbitrator notes that the facing function assigned to the Mail Handlers in these operations has an asterisk which indicates that where the allied duties are 'an integral function of the distribution function, the entire operation is a function of the primary craft performing the distribution.' The Arbitrator notes that Clerk employees are assigned to the distribution function in each of those three operations."

The Arbitrator's decision also reconfirms the importance of an Award by Arbitrator Nicolas Zumas concerning the effect of adding OCR technology to mail processing equipment. As Arbitrator Sharnoff observed, "The dispute before Arbitrator Zumas involved the claim by the NPMHU that the newly created position of Mail Processor using OCR/BCS technology should be assigned to the Mail Handler Craft...The APWU argues that the intro-

*(next page please)*

*(continued from previous page)*

duction of the OCR/BCS technology did not change the fact that machine distribution of mail is a Clerk function. The Arbitrator finds that the holding in the Zumas Award supports the Arbitrator's finding herein that the USPS's determination to assign the work of "singulating"/"facing" and placing the parcel on the induction belt of the SPSS was reasonable and appropriately based on relevant considerations."

Finally, the Arbitrator denied the APWU's grievance asserting that all the sweeping work on SPSS machines must be assigned to Clerks for rotational reasons and because sweeping is an integral part of the distribution function performed by the machines. In doing so, Arbitrator Sharnoff pointed out that the APWU's arguments may be presented in other cases:

The Arbitrator notes that the issue of the proper amount of the assignment of sweeping work to Clerks for rotational purposes is subject to considerations, including the proper level of staffing on the SPSS and ergonomics involved in the Clerk work on the platforms, which matters properly are not raised or resolved in this proceeding which is limited to the resolution of jurisdictional disputes. Nothing stated herein is intended to address or to resolve such other non-jurisdictional issues.

"This is an outstanding award from Arbitrator Sharnoff. The decision reinforces that the distribution function historically belongs to the Clerk Craft – protecting hundreds of Clerk Craft jobs," said Clerk Craft Director Lamont Brooks. "I want to thank APWU National Dispute Resolution Committee head and Queens Area Local President Ron Suslak and Assistant Clerk Craft Directors Lynn Pallas-Barber and Sam Lisenbe for their hard work on this case. "We also owe thanks to the Flushing Local and to Flushing Local Clerk Craft Director Pat Vasquez for her testimony about the operation and staffing of mail processing operations," Director Brooks concluded.

\* \* \*

## **Major Agreement Reached on Function 1 "Mail Processing" Staffing**

APWU News

Postal Management and the American Postal Workers Union signed a major Memorandum of Understanding to help address the chronic understaffing at mail processing facilities throughout much of the country.

Under the terms of the new agreement, over 5,500 new career positions will be created at 192 installations. The number of career positions will vary by installation based on management's determination. 5,524 PSEs will be converted to career status as soon as possible, but no later than March 13, 2021.

As a transition to the creation of the new career positions and PSE conversions, combined with the severe backlog of mail and packages, the APWU has agreed to extend the period where management can retain "peak season" PSEs above the PSE cap. "This is a major breakthrough and a great way to bring in the New Year," said APWU President Mark Dimondstein. "The Union has consistently been raising staffing shortage problems.

Postal management has finally gotten the message and we appreciate that this agreement will take pressure off the current 'Function 1' workforce, better the lives of over 5,500 PSEs and enable postal workers to better serve postal customers."

Friday, 7:00 am  
January 22, 2021



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