



The Hi-Lites



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

(Proud Postal Press Association National Awards Winner)



NOVEMBER 2022

Volume 44 Issue 6

Fixing a Broken Economy

We know how broken the economy is for working people. That's why we fight together to take back the power from big corporations, both in the workplace and in the halls of government. And we've won key victories. Just in the past two years, we've:



Saved Essential Public Services.

We prevented drastic cuts to essential public services by securing \$350 billion in the American Rescue Plan that saved jobs for America's front-line workers.



Protected Pensions.

Union members fought to rescue the pensions of more than 1 million workers who were at risk of losing their hard-earned retirement. We made sure the pension fix made it into the American Rescue Plan.



Invested in Critical Infrastructure.

We led the push for Infrastructure funding to create hundreds of thousands of good-paying union jobs and repair our roads and bridges, improve internet access, and upgrade our water and sewer systems.

We've seen some real improvements. But we can't stop when there's so much more to do:



Make Organizing Easier.

Big corporations have brazenly violated labor laws for decades to try and stop workers from organizing. We need tough new labor laws that will seriously penalize union-busting and make organizing easier.



Grow American Manufacturing.

Corporations have been shipping jobs overseas for too long, and we saw how it put America at risk with supply chain disruptions and rising prices during the pandemic. We need to bring good union manufacturing jobs back home.



Your Top Priority!

We want to hear from you and other union members to learn what our top priority for fixing the broken economy should be.

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	S. Milwaukee
Sussex	Wales	Walworth	Waterford	Watertown	Waukesha	Whitewater



**Glenn Griggs
President**

Hello everyone, hope all is well. I wanted to pose some questions to everyone.

What if management had to come to us for approval if they wanted a day off?

What if management had to provide us with medical documentation when they are out for a long period of time?

What if management had to come to us to fix their check when they are not paid correctly or need a pay adjustment done?

What if management had to come to us to fill out paperwork when they get injured on the job?

What if management had to come to us for their job assignment?

What if management had to come to us when they get into it with another manager/supervisor?

What if management had to come to us to address their issue when they are unjustly disciplined?

What if management had to come to us because they are constantly working by themselves?

What If The Shoe Was On The Other Foot?

"Management sometimes looks at your sick leave balance and if they feel you have abused sick leave..."

What if management had to come to us because the bathrooms they are using are constantly filthy?

What if management had to come to us because they requested time off, but didn't get their leave slip request back?

If management had to come to us... I bet management would abide by the contract that was agreed to by both parties. It's never a problem until you are asked to abide by the same rules you want to enforce.

I ask management all the time, how can you expect bargaining unit employees to abide by the rules if you're not going to abide by their contractual rules and rights? Management is supposed to lead by example!

What is Advanced Sick Leave?

In accordance with section 513.5 of the Employee Labor Manual (ELM), Advanced Sick Leave is sick leave that "may be advanced in cases of serious disability or ailments if there is reason to believe the employee will return to duty.

Sick leave may be advanced whether or not the employees have annual leave to their credit." Advanced

Sick Leave is only available to career employees.

Employees are allowed to request up to 240 hours of Advanced Sick Leave per request. The main advantage to advanced sick leave is that it allows employees to continue receiving pay during an absence that normally would have to have been covered by annual leave and/or leave without pay (LWOP).

Also, you do not need to exhaust your annual leave or any donated leave prior to applying for advanced sick leave.

Another option for advanced sick leave is short term disability insurance which you can get from the APWU Voluntary Benefits Plan. Short term disability can guarantee you a fixed monthly income for up to 12 months.

Who is eligible to apply for this? All active APWU members under the age of 65 working full time (at least 20 hours per week) for at least 90 consecutive days can apply for coverage. Full time work means the active performance for pay or profit of the regular duties of your normal occupation.

If you want to apply for this or learn more about this you can call them at 1-800-422-4492. Otherwise, go to their website...

VoluntaryBenefitsPlan.com

(next page please)

(continued from previous page)

If you decide to request advanced sick leave here is the documentation you will need.

1.) Supporting documentation from your physician.

Your doctor should provide a letter that has the dates of your absence because of a surgery/illness and a date that you are returning to work. It is important to have your physician state that you are returning to work afterwards as management will need to make sure you can re-pay the sick leave if they approve your request.

2.) Ps Form 1221, advanced sick leave authorization.

This form contains basic info regarding you and your request for advance sick leave.

3.) A 3971 requesting leave for absence from work

Submit a letter from you requesting the advanced sick leave, how many hours you desire, what dates you will be needed off work, and when you are returning to work. It is very important if you have a low sick leave balance that is due to FMLA or other serious reasons, make sure to explain this. Try and submit your request as far in advance as possible to avoid going without pay until your request is approved and the leave advanced to their balance.

Finally, you will need your request to be approved. Management sometimes looks at your sick leave balance and if they feel you have abused sick leave or you will not be able to pay the sick leave back they will more than likely deny your request. Keep in mind that a low sick leave balance is NOT an automatic reason for management to deny your request.

If you feel your request was unjustly denied for advanced sick leave then request a steward to investigate the issue. Make sure you accomplish this ASAP. You only have 14 days to file a grievance if necessary so please don't wait till the last minute.

I hope to see a similar turnout at the November 18th, 7am General Membership Meeting (GMM) that showed up at the September meeting. The Hi-Lites won't get to the homes timely since we had to reschedule the GMM. The notice is listed below with the information to be voted on at this meeting for the January nominations date and time.

Thanks for all you do, and thank you for being a union member

January General Membership Meeting

Nominations / Election Committee Announcement

The *Hi-Lites* staff would like to remind the membership that nominations for elected office (2023-2026 term) will be held at the January General Membership Meeting.

Please refer to the posted minutes from November's GMM for the date and time. The proposed date to be voted on is Monday, January 30th at 6:00pm.

The Chairman of the Election Committee as well as the committee itself, shall be the judges of all elections. No member of the committee shall be a candidate for election while serving on the committee. The election committee shall be responsible for the conduct on union elections and shall decide all controversies arising out of the election.



Chris Czubakowski
Local Business Agent

File your claim at dol.gov

ECOMP - U.S. Department of Labor

If you suffer a traumatic injury at work it is in your best interest to report the accident immediately so an accident report can be done. This is crucial to get the approval process moving. It used to be that when an accident form was filled out by management an automatic CA-1 was printed for the employee. This is not the case anymore.

Thus, employees who experience a traumatic injury on the job need to make sure to not only report the accident but also immediately take the initiative to fill out an electronic CA-1 Form. go online to:

<https://www.ecomp.dol.gov>

You must first register at the aforementioned website if you don't already have an account. This process takes less than five minutes. Once registered, you will be taken to a portal where you will be able to fill out your online CA-1 .

You will be requested to provide the same information that was required by the previous CA-1 hard copy and you will be able to opt for COP on that online CA-1 form .

Traumatic Injury At Work?

"Once registered, you will be taken to a portal where you will be able to fill out your online CA-1."

An employee is entitled to receive continuation of pay (COP) for up to 45 calendar days on account of wage loss due to disability and/or medical treatment after a traumatic injury. This will be paid provided you check the box indicating your preference to receive COP on the CA-1. The intent of this provision is to avoid interruption of pay while the case is being adjudicated. COP is not considered compensation and is therefore subject to all regular deductions

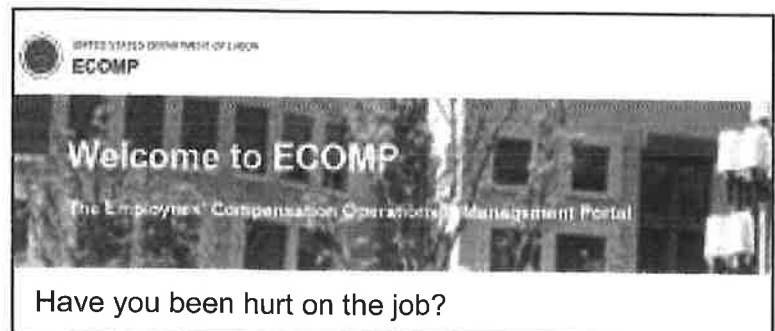
COP is to be paid while claim adjudication is in process- so it should be paid before the claim is approved or denied. The claimant has 10 days from when COP starts to provide documentation in support of time loss being connected to any injury!!! If no prima facia medical is received in 10 days , COP can be suspended until medical is received.

If your claim is denied , COP must be repaid but the USPS must issue a LOD and cannot take money or leave to cover that COP until any grievance runs its course. Once again, the claimant has 10 days from when COP starts to provide

documentation in support of time loss being connected to any injury!!!

The CA-1 online form will also require you to include your supervisors name and email. Upon completion, the online CA-1 will be forwarded to your supervisor who, at that time, are required to complete their sections of the online CA-1. When the supervisor completes their sections of the online CA-1 that form is then forwarded to injury comp. Injury comp, in turn, will forward this CA-1 to DOL where it will be reviewed (sometimes this takes an hour, sometimes this takes a day). DOL will subsequently send a claim number back to Injury comp, at which time they will put the claim number into ERMS which will allow the employee's supervisor to input the COP.

For U.S. Postal Service employees, COP entitlement begins following the three-day waiting period, unless the period of disability exceeds 14 days (remember this is calendar days, not work days.) The three day waiting period cannot be satisfied by using sick or annual leave; you must be in a pay status.





Greg Becker
South Sectional Director

*Hello Members,
By the time you read this, I will have resigned my position as South Sectional Director for the Milwaukee Area Local. This is good news, as I have won my election for National Business Agent (B) Clerk craft, Minneapolis region.*

I have enjoyed representing each and every employee over the years in our Local and will continue to do my best to represent all of you at a higher level. I appreciate all the support I have received throughout our Local and the State of Wisconsin, and I couldn't have won my election without the overwhelming support of all Wisconsin members. However, the work is not done! I now represent Wisconsin, Minnesota, North Dakota, and South Dakota at a higher level of responsibility.

Many members have no idea what a National Business agent does, but I can assure you that the leaders of our local and State of Wisconsin, in addition to other Locals throughout the 4 states are in constant contact with their National Business Agents... Todd Elkerton, Curtis Walker, and myself, regarding important issues and grievances. As a Union, we all work together to resolve issues and grievances.

The Struggle Continues

"I look forward to working with the current and future leaders of our Union..."

Throughout the country, there are approximately 38 Clerk craft National Business agents that work under the direction of Lamont Brooks, our current National Clerk Craft Director out of Washington D.C.

So, I will continue to do what I do...represent the member's rights and enforce our contract throughout the 4 states. I will be able to be contacted at my new office in Bloomington, Minnesota. Just ask an officer or steward for the office number.

At the time of this writing, I do not have my new cell phone number as the old number is property of the Milwaukee Area Local. Rest assured, I will continue to do my best and uphold the great tradition of Clerk craft NBA's in the Minneapolis region, and continue to advocate for all worker's rights in our Union and beyond for better wages, hours, and working conditions. I encourage all of you to do the same.

To the younger members, please step up and get involved in your Union to carry on our cause for the next generations. Join a committee, attend your Union meetings, sign up to become a steward and run for a Union position in future local elections. The Union reps who represent you will be retiring some day. And believe me...when the cats away, the mice will play.

Who will fill the void in the coming years?

A Union is only as strong as the members that make up the Union, and amongst them, the leaders that rise to the top. We must have a constant flow of leaders that rise to the top to uphold the hard fought wins that our forefathers fought for...and risked their jobs for. Each generation must produce their own leaders to carry on the struggle for worker's rights.

I have stepped up to replace the retiring NBA Marty Mater. Who will step up to replace my 28 years of experience as Steward/Officer in the Milwaukee Area Local? Never assume that others will step up. YOU be the next leader in our local and State of Wisconsin.

I look forward to working with the current and future leaders of our Union...until I retire. Let's continue the tradition of strong Union leaders in our Local and State. Thank you to all members.

Congratulations!
On Your Success Brother



**Larry Brown Jr
Vice President**

Recently, we've added three new stewards to the Milwaukee Area Local. While being interviewed, one of the stewards answered a question with my jailhouse lawyer reference. He said he couldn't remember where he heard it from. I reminded him that he heard it from me, and I told him I'd have it reprinted in an upcoming edition of the Hi-Lites. Want to read it? Here it goes.

When I was first put on as a steward, I ended up getting into an argument with a former Lead MDO by the name of Ralph Forbis. He was the first one to use the jailhouse lawyer reference regarding Union Stewards. For those that don't know, a jailhouse lawyer is an inmate in prison, self-taught in law, that helps other inmates with legal filings. Nice to know exactly what our former management team thought about us. Remember, I'm just an employee (*inmate*), that studies the Collective Bargaining Agreement (*Self-taught at law*), that helps other employee's (*inmates*) with grievances (*legal filings*) at our place of employment (*prison*).

With that being said, I'd like to play on the new-found role of being a jailhouse lawyer. While channel surfing the other day, which literally doesn't

Jailhouse Lawyer

"...this place is not run like any other business out there and a couple of simple rules on how to "handle yourself" should go a long way."

have to be on TV, as we watch TV on every device we have in this day and age.... I ran across a former prisoner that was giving his advice on how to survive if you ever ended up in prison. How much of this "advice" could pertain to our jobs? I thought this would make for an interesting article. I hope you agree.

Most of the people that get hired today have never had a job like the post office before. Like I have always said, this place is not run like any other business out there and a couple of simple rules on how to "handle yourself" should go a long way. So, starting in order from least to most important:

Take care of your feet

Our former prisoner gives us a story of the prison slippers handed to him on day one. He didn't know that those shoes would need to be used everywhere in that prison. We don't understand how much we need to take care of our feet. After a long 12-hour day for our overtime volunteers, what's the first thing we want to do when we get home? Take our shoes off. So why do we not spend money on our shoes? Have you ever been at work and your feet started hurting? That would make for a miserable 8-hour day (*or 12 for that matter*). Spend money on a good pair of comfortable work shoes.

Talking behind people's backs

99% of the time that conversation is going to get back to the person that

you were talking about. Nine, times out of ten, you are not going to want to deal with that person when they confront you. The person that you are talking with, most of the time doesn't even like you, and they can't wait to go and tell another person that you were talking about them. You can't just say anything to people. Even if someone is talking about another person, don't just jump into conversations.

Do not get in another person's business

Don't constantly concern yourself with what another person is doing. Your defense to anything is your own actions. The actions of someone else is not going to save you. Discipline and things of that nature are dealt with on a case by case basis. Once again, drawing attention to someone else can come right back around to you. That's why you constantly hear me say CYA. If you are doing what you are supposed to be doing, then you will be fine. We all come to work to work, so work. Your expectations dictate your own happiness.

Stealing

You would think that I wouldn't even have to include this rule. Unfortunately, I do. How many of you have ever had something stolen at work? (*My hand is raised.*) How many of you have had the chance to catch someone that has attempted to steal another person's belongings? (*My hand is raised again.*) My mother

(next page please)

(continued from previous page)

told me as a child, nothing that you “find” in this house belongs to you. So, from my mom to you guys, nothing that you “find” at work belongs to you. If you find something turn it in to your supervisor so it can be returned to its rightful owner. Don’t lose your job over something as little as a cell phone, over even less in most cases.

Doing Drugs

No in-depth analysis needed. I’ll just say this, if you must be **AT WORK** high or intoxicated, you have a serious problem. You don’t need to do all of that just to get through your day at work. If you do feel you need to do that, then I have a number for you to call. **1-800-EAP-4YOU**. Also visit www.EAP4YOU.com.

Do not confront anyone at work

A common mistake that I see made at work. I hear co-workers say all the time, “I just want to know what the problem is.” This goes back to talking behind people’s back and being in another person’s business. If someone really wanted you to know how they feel, they would tell you. 90% of the time, a decision about you is made when you are not around to influence the decision. A lot of you hear me say that I don’t ask a lot of questions. Questions are normally met with lies. If you ask someone a question that they don’t want you to know the answer to, then they will just lie to you. You think they will just be 100% percent honest because you asked? They were already talking behind your back! It’s not for you to play Sherlock Holmes and get to bottom of the situation. Be a good person, come to work, and work. Let the talkers talk. Hint: They’re going to do it anyway, if not about you, to someone else. Misery loves company. Don’t be miserable. Enjoy life.

Don’t go looking into other people’s cells

Our former prisoner gives a story about how he looked into another inmate’s cell at the wrong time. For me, the equivalent is trying to find out what type of discipline everyone else got and what everyone else is going through. Once again case by case basis. Perfect example...Overtime is called, you really want to leave. You have no kids, no other job to get to, but you find out that the supervisor let another employee leave instead of forcing them to stay. This person has another job, or a husband or wife that must get to work, or kids that need to get to school, but you’ll try to find out the reason the supervisor didn’t force them to stay.

That employee’s needs do not concern you. And truthfully, its none of your business. People get disciplined and want to know what the next person got as a settlement. Their mitigating circumstances are not your mitigating circumstances. I’ve seen management say, “Well I didn’t do it for this person, so even though I really want to help this person out I can’t because I didn’t help the previous person.” They didn’t even look at the circumstances. That example was PSEs being forced out to the annex.

Don’t share your information with everyone

This piggybacks off the last rule. Don’t share your settlements with anyone. Stop telling everyone your business. Your supervisor is obligated not to discuss your personal business with any other employees on the workroom floor. So why would you discuss grievance settlements or personal business with anyone else? Your business will be the first thing people attempt to use when they try to argue something for themselves. Why is management trying to make me do whatever, they didn’t make so and so do whatever! It is the first thing everyone goes to. (*Message to those people that do this. Read the next sentence carefully.*) If your **ONLY** argument starts off with, “Well this person,” get a new argument. (*Period.*) And for that reason alone, stop talking so much about yourself. People will try to “come up” off you.

Mind your own business

Wow, the most important rule. Even as a Union steward. I have to mind my own business. I only want to know what I need to know. Anyone that talks to me has heard my favorite term ever, “Ignorance is bliss.” I don’t want to know everything. I need to know what I need to know for my case and that’s it.

The things that I just listed will help keep you out of a lot of trouble. If it can make an inmate’s life that much easier in prison, it has to make your workplace life that much more bearable. Be yourself, and as I said earlier, come to work to work. We have friends at work indeed, but don’t confuse work with social hour. Most of your “work friends”, you will never spend one (1) minute of your time with outside of work. Remember that.



John Miceli
Treasurer

(Common Dreams.Org)

More than a year and a half into President Joe Biden's first term, Louis DeJoy—a megadonor to former President Donald Trump and a villain in the eyes of progressives and many Democratic lawmakers—is still running the U.S. Postal Service. DeJoy's staying power in the face of widespread outrage over his sabotage of postal operations and his ethics scandals, one of which spurred an FBI probe, can largely be attributed to the loyalty of the USPS Board of Governors, a majority of which has remained supportive of the postmaster general amid repeated calls for his ouster over the past two years.

While Biden lacks the authority to fire DeJoy directly, he does have the ability to alter the composition of the postal board, which can replace the postmaster general with a simple-majority vote.

As The American Prospect's David Dayen explained Wednesday, the president may soon have an opportunity to pave the way for DeJoy's removal by nominating two DeJoy opponents to postal governor spots that will be open in December, when the terms of Republican William Zollars

Biden Urged To Take Steps To Finally Get Rid Of DeJoy As He Plows Ahead With Job Cuts

"Numerous post office locations are set to be shuttered under his 10-year restructuring plan..."

and Democrat Donald Lee Moak— allies of the postmaster general— expire.

"Moak's presence has been one reason why DeJoy has continued in his position, despite Biden having appointed a majority of the board and all of its other Democrats," Dayen noted. "Roman Martinez, a Republican, serves as board chair, despite the fact that Republicans only hold four of the board's nine slots."

"The Postal Service Board of Governors has a requirement that only a bare majority of its members, in this case five out of nine, be affiliated with the president's own party," Dayen continued. "However, board member Amber McReynolds, whom Biden appointed in 2021, is a registered independent.

Therefore, it's technically possible for Biden to replace Moak and Zollars with Democrats who align with the vast majority of the Democratic base in opposing DeJoy. That would ensure enough votes to fire DeJoy."

Earlier this month, a coalition of more than 80 advocacy organizations led by Take on Wall Street sent a letter pushing Biden to nominate replacements for Moak and Zollars who are "wholly committed to the task of protecting and expanding our Postal Service."

Numerous post office locations are set to be shuttered under his 10-year restructuring plan, potentially impacting thousands of employees during a time of economic crisis," the groups wrote. "After DeJoy's numerous failings at the helm, it is imperative that we have a strong, full, and reform-oriented Postal Board of Governors in place to hold him accountable to the true mission and public service goals of the USPS."

"This is one of the last opportunities your administration has to appoint governors to the postal board," they added. The letter, dated August 1, was sent days after DeJoy announced his goal of slashing 50,000 positions from the Postal Service in the coming years, an effort that the 200,000-member American Postal Workers Union (APWU) condemned and vowed to fight.

"If it's management's intent to weaken our union, attack our pay and conditions, or eliminate family-sustaining union postal jobs, the postmaster general will get a strong fight from the APWU," Mark Dimondstein, the union's president, told Government Executive last week.

"We will oppose future job reductions that affect the lives of the postal workers we represent," Dimondstein added. "Rest assured that any such management actions will be met with unbridled opposition of the APWU."



Mark Krueger
Motor Vehicle Director

Our Destiny Is Not Something We Can Predict

"Let's all continue to work together to maintain a safe and healthy work place."

As we approach the winter Peak Season, it is important that everyone takes the time and make sure that we report any issues letting management know what equipment items are not working properly, are unsafe and in need of repairs.

Take the time to note these issues. Fill out a "Report of Hazard, Unsafe Condition or Practice" Form #1767.

Notate the problem(s) you feel are unsafe for you to do your job and the locations where this issue is at and what you feel needs to be repaired. If anything needs to be replaced or completely eliminated due to the nature of the incident.

If you don't know how to get the form, complete it or who to give it to...please ask a co-worker, a union steward, your supervisor or get a hold of me. We all need to make sure we get these issues addressed so that no one gets injured or worse.

Once you have completed the #1767 give it to your supervisor. They have 72 hours to get back to you and discuss what action(s) they have taken to address the issue and return the document.

If you don't get an answer please retain your copy and submit a copy of the #1767 to your steward or union officials so that we can get this addressed.

The same thing should be done for our Postal Fleet of straight trucks, tractors, MVS trailers, fleet vans and any other equipment that you may use. Make sure to ALWAYS to do a "Safety Inspection" before you start to use any equipment. ALWAYS "Write Up" issues that you discover instead of leaving it for the next person.

This just creates more problems for all of us, which in turn causes the person using this equipment unnecessary delays. Thus, the repairs are delayed for those employees who are assigned the equipment that they normally operate. Taking the time and effort to make sure the equipment is satisfactory for the next person is something we can all accomplish.

We have a great staff in the VMF. They make sure the repairs are completed quickly and correct. If you don't know how to fill out the "Repair Tags" to get our equipment fixed, ask a coworker, the dispatcher, your supervisor or me for assistance.

Finally, I would like to thank everyone who submitted their vote in the election. Everyone should be proud of the large showing we had from Milwaukee Area Local. This shows that we all want to work together showing unity for our craft. Let's all continue to work together to maintain a safe and healthy work place.

This will be my last article. Due to circumstances beyond my control, and that I definitely didn't see coming, I was awarded the Central Region National Business Agent for our MVS Craft. Thank you to everyone that believed in me enough to cast a ballot, and I will continue to represent you guys at the next level. Thank you once again!





Nikki Anthonasin
Manual/Mechanization
Director

Happy Holidays to All!

This year our penalty exclusion period will begin pay period 26-22-week 1 (December 3, 2022) and it will end pay period 01-23 week 2 (December 30, 2022). With the recent hiring surge, we have a lot of new members recently that are not as familiar with all of the "postal terms". So, for those of you that are wondering, what is the penalty exclusion period? The penalty exclusion period is the December period (during which penalty overtime regulations are not applicable) consisting of 4 consecutive service weeks.

What is PENALTY OVERTIME?

Article 8.4.C / 8.4.E
PENALTY OVERTIME

The penalty overtime rate is two (2) times the basic straight-time hourly rate. Article 8.4.E establishes that, excluding December, part-time flexible employees and postal support employees are paid at the penalty overtime rate for all work in excess of ten (10) hours in a service day or fifty-six hours in a service week.

Article 8.4.D provides that full-time regular employees are paid at the penalty overtime rate for any overtime work in contravention of the

restrictions in Article 8.5.F. A full-time employee is entitled to receive penalty overtime pay for work beyond the limits stated in Article 8.5.F, excluding December, which are:

- overtime worked on more than four (4) of the employee's five (5) scheduled days in a service week;
- work over ten (10) hours on a regularly scheduled day;
- work over eight (8) hours on a nonscheduled day; or
- work over six (6) days in a service week.

Employees in non-traditional full-time (NTFT) duty assignments are paid at the penalty overtime rate in accordance with the overtime rules for non-traditional full-time (NTFT) duty assignments. Article 8.4.E also applies to part-time regulars.

Article 8.5.F / 8.5.G
OVERTIME PROVISIONS

Article 8.5.F provides that excluding the month of December, no full-time regular employee will be required to work overtime on more than four (4) of the employee's five (5) scheduled days in a service week or work over ten (10) hours on a regularly scheduled day, over eight (8) hours on a nonscheduled day, or over six (6) days in a service week.

Tis The Season... December Is Approaching

"In December during the "Penalty Exclusion Period" all of the provisions of the contract that state "Excluding December" are referring to this period."

Employees on "sectional" Overtime Desired Lists as identified through Article 30 may not be used in other "sections" to avoid the payment of penalty pay. Article 8.5.F applies to full-time regulars and full-time flexible employees. Work hours and paid leave are both considered "work" for the purposes of administering Article 8.5.F and 8.5.G.

Article 8 Page 9 of the JCIM also states that "Excluding December", once a full-time employee reaches twenty hours of overtime within a service week, the employee is no longer available for any additional overtime work".

In December during the "Penalty Exclusion Period" all of the provisions of the contract that state "Excluding December" are referring to this period.

Those who are wondering if you do not get paid at the penalty overtime rate for hours that are normally applicable for penalty overtime pay during this period, what rate are you getting paid? Even though it is not penalty overtime you do, however still get paid at the regular postal overtime rate for those hours.

So instead of 2 times your base pay you are getting one and one-half (1-1/2) times your base pay for those applicable hours.

(next page please)

(continued from previous page)

When normally you are limited 20 hours of overtime in a service week, during this exclusion period, you are not limited to only 20 hours of overtime in a service week. So if you would like to work your assets off, you are not limited in December!

What is POSTAL OVERTIME you ask?

**Article 8.4.A
POSTAL OVERTIME**

All career bargaining unit employees are paid postal overtime for time spent in a pay status in excess of eight (8) hours in a service day and/or in excess of forty (40) hours in a service week. Time in a pay status includes actual work hours and paid leave. Full-time regular employees who are scheduled and report to work on their nonscheduled day, receive overtime pay for the hours worked that day regardless of their pay status the remainder of the week. Leave cannot be granted to a part-time flexible who has already been in a paid status for eight (8) hours in a service day or forty (40) hours in a service week. The contractual overtime rate of pay is one and one-half (1½) times the basic straight-time rate.

The overtime rate for part-time flexible employees is the same as the overtime rate for full-time regulars in the same step and grade. This rate is slightly less than one and one-half (1½) times the part-time flexible basic straight-time hourly rate. This is a consequence of part-time flexible employees receiving a slightly higher regular straight-time hourly rate than full-time regulars in order to compensate them for not receiving paid holidays. Postal overtime for employees in non-traditional full-time (NTFT) duty assignments will be in accordance with the overtime rules for non-traditional full-time (NTFT) duty assignments. Employees in NTFT duty assignments will be guaranteed eight (8) hours on any non-scheduled day.

FLSA OVERTIME Totally independent of the National Agreement are the provisions of the Fair Labor Standards Act (FLSA) which govern overtime for all non-exempt employees who work more than forty hours during their FLSA work week. The FLSA overtime rate is one and one-half (1½) times the employee's "regular rate" of pay for all hours of actual work in excess of forty hours in the FLSA work week. "Regular Rate" of pay is defined in the ELM, Section 444.21. Because certain pay premiums are included in the calculation of the FLSA overtime rate, an employee may receive a higher rate of pay for FLSA overtime than for postal overtime. Overtime built into a non-traditional full-time assignment (exceeding 40 hours in a week) will be FLSA overtime and not subject to Article 8.5, OTDL, or LMOU scheduling rules.

**Article 8.4.G
Overtime work- PSE Employees**

PSEs shall be paid overtime for work performed only after eight (8) hours on duty in any one (1) service day or forty (40) work hours in any one (1) service week. Overtime pay for PSEs is to be paid at the rate of one and one-half (1-1/2) times the basic hourly straight-time rate. Article 8.4.C, 8.4.E, and 8.4.F related to penalty overtime, will apply to PSEs. Excluding December, PSEs will receive penalty overtime pay for all work in excess of ten (10) hours in a service day or fifty-six (56) hours in a service week. Wherever two (2) or more overtime or premium rates may appear applicable to the same hour or hours worked by a PSE, there shall be no pyramiding or adding together of such overtime or premium rates and only the higher of the PSE's applicable rates shall apply.

Consider cutting out this wallet-sized card and keeping it on you just in case you need it.



Make the Call!

USPS Employee Assistance Program
1-800-327-4968
(1-800-EAP-4-YOU) TTY: 1-877-492-7341
www.EAP4YOU.com





Jim Arneson
Maintenance Director

An important function we perform as stewards is to prevent management from coercing employees into confessions of misconduct. This is especially important when a worker is questioned by a supervisor experienced in interrogation techniques.

The NLRA's protection of concerted activity includes the right to request assistance from union representatives during investigatory interviews. This was declared by the Supreme Court in 1975 in *NLRB v. J. Weingarten, Inc.*¹⁹⁵. The rights announced by the Court have become known as Weingarten rights.

Members need to know about the advantages of having a steward present at an investigatory interview. These include the ability of the steward to:

- serve as a witness to prevent a supervisor from giving a false account of the conversation;
- object to intimidation tactics or confusing questions;
- help an employee to avoid making fatal admissions;
- advise an employee, when appropriate, against denying everything, thereby giving the appearance of dishonesty and guilt;

Do You Know Your Rights ?

"Members need to know about the advantages of having a steward present at an investigatory interview."

- warn an employee against losing his or her temper;
- discourage an employee from informing on others; and raise extenuating factors.

Weingarten rights apply only during investigatory interviews also known as "Day in courts". An investigatory interview occurs when:

- 1) management questions an employee to obtain information; and
- 2) the employee has a reasonable belief that discipline or other adverse consequences may result. For example, an employee questioned about an accident would be justified in fearing that she might be blamed for it. An employee questioned about poor work would have a reasonable fear of disciplinary action if he should admit to making errors.

A Shop-floor conversation. Not every discussion with management is an investigatory interview. For instance, a supervisor may speak with an employee about the proper way to do a job. The supervisor may even ask questions. But because the likelihood of discipline is remote, the conversation is not an investigatory interview.

A shop-floor conversation can change its character, however. If the supervisor's attitude becomes hostile and the meeting turns into an

investigatory interview the employee is entitled to representation.

So with this in mind, what rights do we have as employees? Under the Supreme Court's Weingarten decision, the following rules apply to investigatory interviews:

- The employee can request union representation before or at any time during the interview.
- When an employee asks for representation, the employer must choose from among three options:
 - 1) Grant the request and delay questioning until the union representative arrives;
 - 2) Deny the request and end the interview immediately; or
 - 3) Give the employee a choice of: (a) having the interview without representation or (b) ending the interview.
- If the employer denies the request for union representation and continues the meeting, the employee can refuse to answer questions.

So, I would always advise that if you think you are being questioned by a Supervisor, Postal Inspectors or OIG, you request to have a steward present. Never answer questions until a steward is present and you have talked to them prior to the interview.

(next page please)

(continued from previous page)

Always say that you will cooperate with the investigation but you will not answer questions until a steward is present. This is especially important with Postal Inspectors and OIG. These entities are well versed in the interview process and will be well prepared for it. Always remember that “They write the Report”!! This is another reason to have a steward present. They can witness what is happening and if things were omitted that are in your favor.

Lastly, I will give you a statement you should say whenever you are called into an interview. “If this discussion could in any way lead to me being disciplined or terminated, or affect my personal working conditions, I respectfully request that my union representative, officer, or steward be present at this meeting. Until my representative arrives, I choose not to participate in this discussion.”

Again... **DO NOT WRITE A STATEMENT !!!**

Extended MOU Now Includes Job Audits to Increase Clerk Craft Work

APWUNews

On November 4, 2022, the parties agreed to extend the Memorandum of Understanding (MOU), Re: Bulk Mail Tech and Mailing Requirements Clerk Position Qualification. This MOU originated during the COVID-19 pandemic and has been extended on several occasions, leading to the latest agreement to continue it for one year from the signing of the agreement.

The MOU establishes the required training for employees bidding to Bulk Mail Tech and Mailing Requirements Clerk duty assignments, including the number of hours for classroom training and on-the-job training.

For the first time, this MOU adds an agreement to jointly review the following positions for the purpose of identifying the work performed by each position and if work currently being performed by Executive and Administrative Schedule (EAS) employees should instead be performed by clerk bargaining unit employees:

- Bulk Mail Technician
- Mailing Requirements Clerk
- Supervisor, Mail & Shipping Solutions Center
 - Mailing Standards Specialist
 - Supervisor, Mail Entry

The joint review will be conducted by six (6) Bulk Mail Techs and six (6) Mailing Requirements Clerks, as chosen by the APWU, and EAS employees as determined by the Postal Service. The Bulk Mail Techs and Mailing Requirements Clerks who are selected will be released from their regular duties as necessary to “fully participate in the activities associated with the joint position review process”. In addition, any training and/or travel expenses will be paid if needed for the joint review.

“The addition of the position review to this MOU is yet another reflection of the Clerk Craft’s commitment to capture as much work for our craft as possible,” explained APWU Clerk Craft Director Lamont Brooks. “We believe that many of the duties currently performed by EAS employees belong to the bargaining unit” Brooks added, “and the review will also hopefully help to more clearly identify the dividing line between Bulk Mail Tech duties and Mailing Requirements Clerk duties.”

The position review will begin no later than January 27, 2023 and conclude no later than May 5, 2023.



Kenni Liggan
Customer Service
Director

Per the contract the APWU must be allowed to address all new hires in orientation. Most of all new hires are Postal Support Employees. The APWU negotiated to have PSEs in the clerk craft. Here are a few things that were negotiated.

A starting wage of \$19.62 per hour
In the past the Postal Service Employees that were called Casuals were paid \$10.00 per hour and they were not protected by the union and were not offered any benefits.

Now PSEs are awarded several benefits such as overtime at 150% of base pay whenever a PSE works over 8 hours a day and 200% of base pay when they work over 10 hours in a day.

Raises

A PSE does not have to beg their supervisor for a raise. The Union has negotiated these for them. They are also guaranteed Night Premium. PSEs that work from 6pm until 6am will receive an extra \$1.12 per hour.

6 paid holidays

PSEs receive 6 paid holidays each year: New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving and Christmas.

PSE Pay & Benefits Negotiated By The APWU

"With the new contract, PSE's will be converted to regular within two years."

Paid vacation time

(Annual Leave) PSEs receive 4 hours of annual leave for every 80 hours worked.

Other benefits include...

Health, Dental & Vision insurance.

Now remember, PSE's are on probation for 90 working days or 120 days, whichever comes first. PSE's become Career Employees (regular) quicker than in the past. With the new contract, PSE's will be converted to regular within two years.

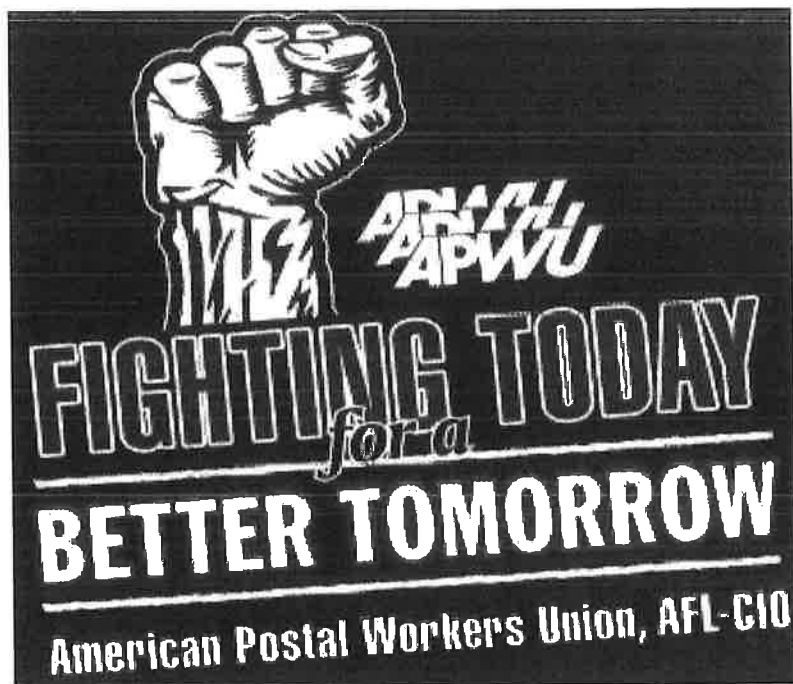
For all that the APWU has done to improve the well being of all PSE's...asking them to join the Un-

ion is one of the many ways that this Union will continue to remain strong and prosper. We have come a long way from having casual employees in the early 2000's.

Today PSE's have a lot of the same benefits that a career (regular) employee has.

So, if you know a PSE that has not joined the Union I'm hoping after you read this article you will consider recommending them joining.

The Union benefits everyone. Please see an APWU Steward or Officer. You can also call the Union Hall at 414-273-7838. Thank You.



The Postal Service Is Legally Bound To Protect Ballots However They Are Mailed

USA TODAY

Postal Service can destroy mail-in ballots with impunity

Voters unable to make it to the polls on Election Day are allowed in most states to mail in their ballots. But an Oct. 27 Instagram video shows a man in his car claiming that the U.S. Postal Service is a “de facto federal corporation” that may destroy mail-in ballots at will.

“If you use the United States Postal Service certified mail or just regular mail... they can do anything they want with those ballots,” says the man in the video. “They can take a box of those ballots, they can take a crate of those ballots... and leave them there, they could set them on fire, they can throw them in the Dumpster.” The man claims the safest way to mail in a ballot is through registered mail at the post office, which he says is a “de jure postal service” separate from the Postal Service.

“Registered mail is a bond, okay? It becomes a court of record,” he says. “No one can scam that. If they do, they’re looking at serious jail time.” But this narrative is nonsense on multiple levels. Election experts told USA TODAY that no matter how a person elects to mail their ballot, federal law prohibits Postal Service employees from tampering with it. Tampering with ballots can lead to fines or jail time. The security of the ballot doesn’t change if a person chooses to mail it through one service as opposed to another. And the attempt to differentiate between a “postal service” and “post office” is baseless. The terms refer to the same entity.

Postal Service can't destroy ballots with impunity

There is no truth to the claims made in the Instagram video, Martha Johnson, a Postal Service spokesperson, told USA TODAY in an email. She explained that no matter how a person chooses to mail a ballot, Postal Service employees are “absolutely not allowed” to tamper with it. Allegations of tampering are investigated by the Postal Inspection Service and the USPS Office of Inspector General. “Employees of the USPS are all duty bound by federal law to treat election mail as they do any mail – the destruction of which is a federal crime,” Langelier said. “In addition, diversion of election mail is a separate crime, like hiding it in the back room until after the election – usually at the state level as well.”

In Oregon, for example, suspects who divert election mail are subject to a \$25,000 fine and five years in jail, Langelier said. On the federal level, delay or destruction of mail can lead to a fine and imprisonment of up to five years.

While cases of Postal Service employees tampering with mail-in-ballots are rare, they have occurred, and suspects have been charged. For instance, a former Postal Service employee was fined \$200 in 2021 for failing to deliver over 700 pieces of mail, including three absentee ballots, according to the Justice Department. There is no evidence the Postal Service has ever destroyed or tampered with vast numbers of ballots. A 2021 Postal Service analysis shows that over 99% of ballots handled by the Postal Service were delivered to election officials within seven days during the 2020 presidential election cycle.

Ballots are mailed safely to election offices even through regular service

The security of the ballot doesn’t change whether a person mails it through a certified, registered or regular service, contrary to the post’s claim. All ballots are sent as first class mail going back to the elections office, according to Tammy Patrick, senior advisor to the elections program at Democracy Fund.

“When you look at your mail and you see the little barcode underneath the address, that’s called an intelligent barcode,” Patrick said. “The intelligent barcode tells the Postal Service where the mail piece is coming from, where it’s going to, what the mail piece is and how to treat it. So they actually have a special service type ID for ballots.”

MEETING NOTICE

The Hi-Lites

Friday, 7:00 am
November 18, 2022

MILWAUKEE AREA LOCAL

UNION HALL

417 N. Third St.

414-273-7838

414-273-7845 (TTY)

414-273-7843 (FAX)

P.O. BOX 1995, Milwaukee, WI 53201-1995

CHANGE SERVICE REQUESTED



2022 GMM Meetings

January 31 - 6pm
March 30 - 7pm
May 27 - 7am
July 18 - 6pm
September 28 - 7pm
November 18 - 7am



Deliver To:

FIGHTING TODAY
for a BETTER
TOMORROW

Milwaukee Area Local 3

Providing representing postal workers for over 100 years

APWU

APWUMILWAUKEE.ORG

Time Dated Material

HI-LITES STAFF

John Miceli _____ Editor
Sandy Miceli _____ Associate Editor

GENERAL OFFICERS

Glenn Griggs _____ President
Chris Czubakowski _____ Local Business Agent
Larry Brown jr _____ Vice President
John Miceli _____ Treasurer
Pam Walker _____ Recording Secretary
Leonard Grant _____ Dir., North Sectional
Greg Becker _____ Dir., South Sectional
Marvin Rivera _____ Dir., West Sectional

CRAFT OFFICERS

Kenni Liggan _____ Dir., Customer Service
Nikki Anthonasin _____ Dir., Mechanization/Manual
Chris Paige jr _____ Dir., Automation
Jim Arneson _____ Dir., Maintenance
Mark Krueger _____ Dir., Motor Vehicle

