



# The Hi-Lites



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

OCTOBER 2019

Volume 41 Issue 7

## Milwaukee Annex Facility Replacement Approved!

## Completion Date 2021

**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



**Paul McKenna**  
**President**

*With all of the bad publicity that we hear and read about concerning our USPS, there is some good news to report.*

Just last month a survey by the PEW Research Center asked over 2000 adults what their favorite Federal Agency was, and the United States Postal Service came out on top, we received a 90% favorable rating.

That's right...90%! That is an achievement to get 90% of people to agree on anything, but there's no dispute that we offer the best delivery service in the world. As USPS employees, our problem is we can't get management to acknowledge how great a job we do.

## We Are Appreciated

*"When was the last time a manager told you that you did a good job or showed any kind of appreciation?"*

When 90% of people say they love the Postal Service, they're saying the love the job we do. Why can't Postal Management tell us that? When was the last time a manager told you that you did a good job or showed any kind of appreciation? For most of you, its been a long time, if ever!

Want to know how much Postal Management appreciates us workers? To get that answer, all you have to do is take a look at what management wants to take away during this recent Contract Negotiations. It's an embarrassment on what the USPS thinks of us, as workers.

During contract talks with the union, the Postal Service wants the elimination of COLAs, creation of a new lower "third tier" of career employee with reduced benefits amounting to a four-tier wage

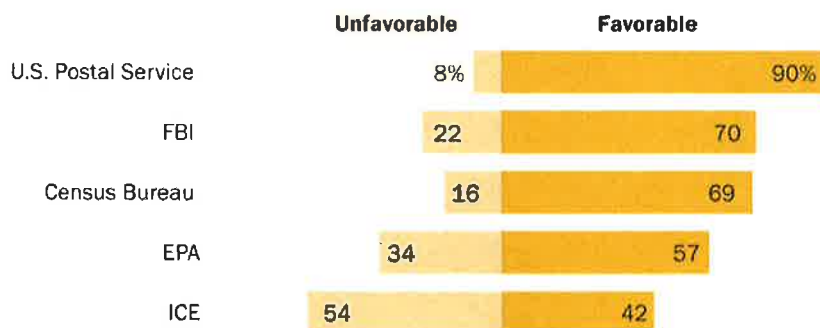
system, higher percentages of non-career employees and less job security.

I don't consider those proposals as worker friendly. They are after our livelihood! They are trying to take food off of our table and money out of our pockets. It's bad enough that some managers treat us like dogs and show us disrespect as workers, but now they want us to take less and work more!

Of course, the APWU is fighting back on all of these reductions in pay and benefits while we are in negotiations and arbitration.

Do yourself a favor and pay attention to what the #1 rated Federal Agency is trying to do to our pay and benefits. Go to our local web site or the National APWU web site to keep up to date on our contract.

% who have a \_\_\_ opinion of each



Survey of U.S. adults conducted Sept. 5-16, 2019.

Pew Research Center





**Mark Ferrari**  
**Local Business Agent**  
**& Health Plan Rep.**

## 2020 Health Plan Open Season

*"...Monday, November 11th until Monday, December 9th..."*

Postal employees have from Monday, November 11th until Monday, December 9th to enroll or make any changes to their current USPS health, vision and dental plans for the 2020 calendar year. Please remember that this is a once a year event so make the desired changes during this timeframe.

- To enroll or make any changes to their current health plan, career employees can visit [liteblue.usps.gov](https://liteblue.usps.gov).
- To make changes to vision or dental insurance offered by the USPS all employees can visit [benefeds.com](https://benefeds.com).
- Meanwhile, PSEs who have at least 1 year in their current USPS assignment must fill out and fax or mail the necessary forms to enroll or make changes. The forms can be attained by contacting HRSSC at 1 877 477-3273.

*You can always contact me at 414 273-7838 with any questions related to this subject.*

## Smooth Transitions Begin With An Ending And End With A Beginning

As summer begins to wind down, we all experience the normal, seasonal transitions — kids return to school, days get shorter and cooler. Like the four seasons, life is a series of changes.

Seasons don't change overnight and neither do we. To help you move smoothly from one phase to another, allow time to adjust. Keep the following in mind to support you as transition occurs:

- *Develop supportive relationships*
- *Take care of yourself*
- *Build self-esteem and self-awareness*
- *Be flexible*
- *Keep your "sunny side" up*

**Make the Call!**

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



**Chris Czubakowski**  
Vice President

## The Tone Is Set



**Glenn Griggs**  
Customer Service Dir

*Milwaukee Area Local  
Workplace Environment Committee*

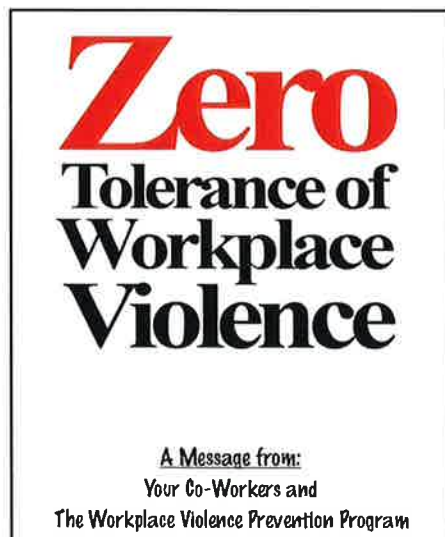
During the past year the Union has met with upper management countless times with the hope that the growing number of employee concerns regarding acts of intimidation, provocation, and harassment on behalf of management ( ***YOU KNOW WHO THEY ARE*** ) would begin to be taken seriously.

During these meetings, we have repeatedly asked that investigations be conducted in a timely manner and demanded that abusive managers be held accountable for their misconduct. Toxic environments, however, have continued to fester as incidents within our facility precipitated by managerial provocation and abuse have become more prevalent and violent. As such, the Union can only conclude that a continual lack of investigation and accountability from these same management officials ( ***YOU KNOW WHO THEY ARE*** ) has only emboldened them to believe they may bully employees without any stringent response.

Our workplace culture, detailed to APWU representatives on an almost daily basis, is described as demeaning and humiliating by far too many hard working APWU members. When abusive behaviors are a part of an everyday management style there needs to be a presumption that a hostile work environment exists. Sadly, this presumption on behalf of management, although being repeatedly warned by the Union, has yet to occur.

In 1997, a postal worker within this facility killed a co-worker, wounded a supervisor and injured another worker. Far too many senior employees not only compare the current work climate to the one that existed at that time but also report that many of their co-workers are growing very concerned that the unabated threats and harassment they face will lead to a repeat incident. These dire concerns have also been brought forth to management officials.

Indeed, an atmosphere where intimidation and threats carried out towards workers is an everyday occurrence is exactly the atmosphere that the Zero Tolerance policy was issued to eliminate. Abusive misconduct on behalf of management toward workers within the Milwaukee P&DC can no longer be ignored or justified. MDOs and Supervisors who are not held accountable for their pervasive misconduct only further contribute to unrest and violence in the workplace.



The American Postal Workers Union has deemed that the status quo of managerial misconduct towards employees within this facility poses an unacceptable health and safety risk to everyone on the workroom floor. It needs to be stressed that bullies cannot exist unless the local employer permits or encourages their bullying behavior.

**STRATEGIES FOR  
CREATING AND IMPLEMENTING  
A ZERO-TOLERANCE WORKPLACE  
VIOLENCE POLICY**

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The Union will be meeting with the new district and plant manager in order to discuss the workplace culture they have unfortunately inherited. It is our hope that we will be able to pursue resolutions that will deescalate tensions on the workroom floor and reduce unaddressed acts of intimidation, provocation and harassment that continue to be carried out against employees within this facility. In the past, we have repeatedly told management that “the tone is set from the top”. Going forward we are hoping that they will have the intestinal fortitude to step up and make some long overdue changes in order to improve working conditions for all.



The Union cannot overstate the following; In order for us to root out chronic abusers we all need to work as a team. For our efforts to be successful it is crucial that you, the member, see a steward and provide a detailed statement immediately after witnessing or being subject to any abusive conduct on behalf of managers/supervisors. Statements are the necessary first step in being able to file a subsequent PS Form 1767, a grievance and/or present your concerns to others. Per Article 17 of our national agreement, management is required to release you on company time in order to come to the union office and write your statement.

*The following should be used as an example of what to list in the comments section of the PS Form 1767.*

“Supervisor ( **name** ) continues to violate Chapter 6 and 8 of the ELM by harassing, bullying, provoking, etc... employees. This misconduct is creating an unsafe and unhealthy work environment when on ( **give date** ) the supervisor ( **give brief details of what happened** ) .

Once you complete the PS Form 1767, sign and date it, have your steward submit it to the abuser’s next level manager. Management may likely claim that the 1767 is not used for this purpose, however, this is nonsense. Article 14 requires that safety issues be reported on a 1767 and that those same issues must be abated by the end of tour. Using a 1767 records the issue without the employee having to confront the abuser. After the submission of the 1767, their manager is required to deal with it. If the matter is not resolved between management, the employee and the Union or the 1767 is outright rejected or ignored, the steward should appeal the issue directly to Step 2 of the grievance procedure.

\* \* \*

## **Milwaukee Annex Facility Replacement Approved**

Service Talk 10/2/19

In response to the increased parcel volumes and increased space and operational challenges the Annex has experienced in recent years, a major facility project to replace the current Milwaukee Annex has been approved.

This facility will be a new construction on our land at the corner of College Avenue and Pennsylvania Avenue just south of the airport. At just over 400,000 square feet with 56 dock doors, it will be 2.5 times the size of the current Annex facility. It will be an industrial style facility with 56’x56’ column bays and a support space wing and will likely include some new equipment to address our processing and safety challenges from the current building. While the approved facility project does not include the Downtown Plant operations, the new facility will be designed to allow the possibility of a facility expansion at a future date. We are now entering the exciting phase of making the new facility come to life and become a reality. The Facilities department has begun working on the design and other pre-construction activities. These activities will take most of this fall to complete. Construction activities could begin as early as January 2020, with an anticipated completion date in summer of 2021 and a move-in prior to Christmas of 2021.

## Harassment, Bullying & Intimidation

Reprint: *The Windowcase*, Eugene Area Local #679  
by: Cole Butterfield

We've all heard the term "going postal." When I was a window clerk, customers used to joke with me about it all the time. It always made me a little tense because when I was first hired as a PSE, my manager told me if I ever used the term "going postal," joking or otherwise, I would be fired for violating the zero tolerance policy.

Younger members might not be aware of the spate of postal shootings that spawned the phrase, but from 1983 to 2006, there were 27 tragic incidents at postal facilities nationwide – the majority of which were attributable to social, political, economic, or organizational causes. In 2006, this trend touched Baker City, Oregon, when a letter carrier fatally shot his supervisor after running him over several times in the parking lot. (One study found that from 2005-2006, workplace homicides were the 4th leading cause of death in the workplace in the USA.)

Statistically, the risk for an active shooter incident is low. I bring it up because workplace stress – particularly bullying or harassing behavior, from co-workers or Management – is dangerous and unhealthy.

Victims of harassment report twice the rate of stress-related health conditions: depression, anger management issues, insomnia, headaches, and ulcers. Those who are bullied are 20 times more likely to have reduced productivity and are 10 times as likely to quit. Of these bullied employees, 77% did not qualify under the law as "illegal discrimination." Studies show that between 3 and 6% of employees suffer non-fatal physical violence in the workplace – this is as many as 7 million Americans. How many of them are your coworkers?

In 1991, there was a tragic incident at the Royal Oak Post Office in Royal Oak, MI. A former letter carrier killed three postal workers and wounded six before taking his own life. This was the third postal shooting in just five years, and came just one month after another former employee killed two coworkers in New Jersey. This was the genesis of the Joint Statement on Violence and Behavior in the Workplace. You may have seen it posted on random bulletin boards in postal facilities. (Google "USPS joint statement on violence")

Some highlights include:

- "But grief and sympathy are not enough."
- "It is a time for reaffirming the basic right of all employees to a safe and humane working environment. It is also the time to take action to show that we mean what we say."
- "We openly acknowledge...there is an unacceptable level of stress in the workplace..."
- "...there is no excuse for and will be no tolerance of harassment, intimidation, threats, or bullying by anyone."
- "We also affirm that every employee... should be treated at all times with dignity, respect, and fairness."
- "Making the numbers' is not an excuse for the abuse of anyone. Those who do not treat others with dignity and respect will not be rewarded or promoted. Those whose unacceptable behavior continues will be removed from their positions."

It's a beautiful and moving document. Now take a look at the signatories and tell me what you notice. The APWU did not sign the document. Why? Our Union took the position that the Joint Statement would not apply to bad managers, and

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only be used against employees. The NALC and NPMHU found out that indeed only craft employees were being held to the standard - NALC was filing grievances on violations of the Joint Statement, but Management was refusing to hold managers accountable, instead arguing that the Joint Statement was not a contractually-enforceable document.

In 1996, Arbitrator Snow ruled against the USPS, stating, “[T]he Joint Statement on Violence and Behavior in the Workplace constitutes a contractually enforceable agreement between the parties. Accordingly, the Union shall have access to the negotiated grievance procedure set forth in the parties’ collective bargaining agreement to resolve disputes arising under the Joint Statement.”

Further, despite the APWU not signing the Joint Statement and the NPMHU trying to renounce itself as a signatory, Snow and other arbitrators concluded that all parties were bound by its decree and the obligation to treat others humanely is applicable across the board, from craft to management. We, however, know that management likes to think themselves are above the law. They are not above the law, and they are not above this document.

Management is required to treat all of us with dignity, fairness, and respect. They are required to provide a safe, healthful, and harmonious working environment. Shouting at us to work faster is a violation of our basic rights. Leering at us while we throw parcels is a violation of our basic rights. Putting us down, constantly criticizing us and talking bad about us to other employees are violations of our basic rights.

***But we have to stand up to them. Assert your rights. If you feel harassed, bullied, or intimidated, please do not hesitate to see your shop steward. We can put the harasser on notice, with or without you present, and begin the grievance procedure to fight for you!***

\* \* \*

## Warning Signs That A Child Is Being Bullied

Here are some signs and steps to take that may help your child. Signs of children being bullied:

- Coming home with torn, damaged, or missing pieces of clothing, books, or other belongings
- Unexplained cuts, bruises, and scratches
- Afraid of going to school and/or withdrawal from friends
- Complaints of headaches or stomach pains
- Trouble sleeping and/or loss of appetite

**Make the Call!**

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

What to do if you suspect your child is being bullied:

- Ask your child directly if he/she feels bullied by someone and take their comments seriously
- Talk with the teacher and other school staff such as the music teacher, PE teacher, or bus driver to see if they’ve observed your child being bullied
- Take action — notify authorities

If your child is being bullied, it may be a sign that they are struggling with depression or other mental health issues. Make the call to your EAP if you need some guidance on how to help your child or how to approach the authorities.





**Nikki Anthonasin**  
**Manual/Mechanization**  
**Director**

*This is all Management wants to do lately! These are my least desirable grievances as a union steward. In a perfect world it would be all contractual grievances. But we are at the post office.....so as we know, it is FAR from perfect!*

Most discipline grievances can be avoided...I stress Most. It is actually within our control, in most (not all) cases...again I stress Most.

The following are some that we have dealt with more commonly than others recently. Here is some info that will hopefully keep you from getting issued this type of discipline.

#### ***Just Cause Principle***

Per the JCIM:  
(Joint Committee  
Interpretive Manual)

The principle that any discipline must be for "just cause" establishes a standard that must apply to any discipline or discharge of an employee. Simply put, the "just cause" provision requires a fair and provable justification for discipline. "Just cause" is defined in the National Agreement in Article 16.1, as follows: "No employee may be disciplined or discharged except for just cause such as, but not limited to insubordination,

## **Discipline...Discipline And More Discipline**

*"The principle that any discipline must be for "just cause" establishes a standard that must apply to any discipline..."*

pilferage, intoxication (drugs or alcohol), incompetence, failure to perform work as requested, violation of the terms of this Agreement, or failure to observe safety rules and regulations." "Just cause" is a "term of art" created by labor arbitrators. It has no precise definition. It contains no rigid rules that apply in the same way in each case of discipline or discharge.

However, arbitrators frequently divide the question of just cause into six sub-questions and often apply the following criteria to determine whether the action was for just cause. These criteria are the basic considerations that the supervisor must use before initiating disciplinary action.

#### ***Failure to Follow Instructions***

As a general rule, you should follow the instructions when they are given, and then tell the supervisor that you need to see a union steward (to file a grievance). This would apply, for example, if they assign you out of your bid assignment to a different area and assign a junior employee to your bid assignment.

There are some rare examples of instructions you do not have to follow, such as:

- The supervisor gives you an order to help him steal from the mail,

- The supervisor gives you an order that is unsafe - such as lifting a 100-pound sack of mail
- The supervisor orders you to go out on a date with him/her
- The supervisor orders you not to file a grievance
- The supervisor orders you to sign a postal form with false information on it.

If you follow the "Obey Now, Grieve Later" rule of thumb, the negative consequences are most likely going to fall upon the supervisor instead of on you. In nearly every circumstance, you are much better off following the "obey now, grieve later" rule than risking potential discipline for refusing to follow an instruction.

#### ***Attendance:***

Postal workers, by regulation, are "expected" to maintain their assigned schedule and must make every effort to avoid unscheduled absences and when required provide acceptable evidence for absences.

However, management by regulation is obligated to administer the leave policy on an equitable basis considering not just the needs of the Postal Service but also the welfare of the individual employees.

The Postal Service is prohibited from interfering with, restraining, or denying the exercise of any rights provided

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ed by FMLA (Family Medical Leave Act). Employers cannot use the taking of FMLA leave as a NEGATIVE factor in employment actions such as ...disciplinary actions. Likewise, FMLA covered absences may not be used towards ANY disciplinary actions. Employees cannot waive, nor may employers induce employees to waive, their rights under FMLA.

Local attendance or leave INSTRUCTIONS, guidelines, or procedures directly related to wages, hours or working conditions of employees covered by the National Agreement MAY NOT be inconsistent or in conflict with Article 10 or the ELM (Employee Labor Manual) Subchapter 510. Local management cannot just come up with their own rules on attendance. They can establish policy, but that policy MUST NOT conflict with the CBA (Collective Bargaining Agreement) or the ELM. Any rule that does must be grieved. Likewise, a supervisor cannot give an order or instruction about attendance or leave that conflicts with the CBA, or official postal leave regulations. Any such instructions must be grieved.)

Upon returning to work, the employee must, *WHILE ON THE CLOCK*, sign and complete the required sections of PS Form 3971. Members are cautioned to make sure the RFD (Request For Discipline) generated 3971s are ACCURATE. If not, the employee must get a NEW 3971 and revise it and ensure it is dated. If management refuses to change it file a grievance! & DO NOT SIGN IT IF IT IS NOT ACCURATE! - It can & probably will be used against you in disciplinary actions.

### **Safety**

Per the JCIM, an employee may be required to report the accident on the day it occurs, but completion of the appropriate forms will be in accordance with applicable rules and regulations and need not be on the day of the accident. There should be no automatic discipline for employees involved in accidents (motor vehicles or industrial). Disciplinary action must be appropriate considering the safety rule violation, not dependent on whether an accident occurred. Management may document unsafe practices. However, as there is currently no national requirement for employees to acknowledge that the unsafe practice was documented, employees should not be required to sign a local form for that purpose, and it is improper for management to issue letters to employees advising them that their work habits will be closely watched in order to prevent future accidents. Supervisors and managers also should understand that postal policy prohibits disciplinary action that may discourage accident reports or the filing of a claim for a compensable injury with the Office of Workers' Compensation Programs (OWCP).

When safety rule violations occur, managers and supervisors have several alternative corrective measures at their disposal. Although discipline is one such measure, they should use it only when other corrective measures do not appropriately fit the circumstances.

- Instead of Discipline grievances, let's get some money!
- Report the contractual violations and we will file those grievances!

If you witness a violation or believe you might have witnessed a violation you must request a steward from your supervisor as soon as possible. Do not wait until your 14-day deadline has arrived and do not assume someone else has reported the violation to the union. While *ON THE CLOCK* Request a union steward. Write your statement in the union office while *ON THE CLOCK*. Do NOT do it on your time, or on your lunch/break.



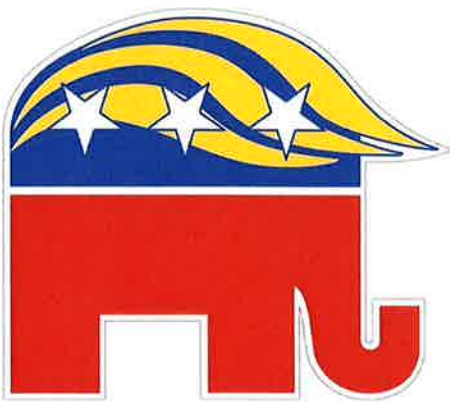
*Maybe then with all the contractual grievances filed  
Management will be the ones issued disciplined instead of all of the employees getting it.... LOL*

## The Threat Is Real

It really is stunning, not to mention how brazen, the Republican Party is in trying to suppress the democratic process throughout the nation. The GOP leadership has proven itself unwilling to step up to the democratic plate because a broken democracy works in their favor. But the long term viability of this strategy is very questionable.

The Electoral College controversy is probably the single most powerful example of how fiercely the GOP will fight to preserve a terribly undemocratic voting mechanism in this country. The Electoral College is the only instance where “We the People” do not directly elect the President of the United States. The reason it exists is because the framers thought ordinary people—largely farmers and uneducated city dwellers, a numerical majority in the 18th century—couldn’t cast an informed vote ; that a super body of electors needed to keep things on an even keel. Though it has happened five times in American history, in the seven most recent presidential elections (since 1992), a president who lost the popular vote was installed in the White House—twice—both Republicans—or to put it another way, 28% of the presidential elections since 1992 got it wrong—if votes by the people count.

We used to have state legislatures “elect” Senators (as per the Constitution) but we changed that with the passage of the 17th Amendment, which mandates senators to be directly elected. Yet, the the Electoral College system persists (for just one elected office), even in the face of wrongly decided contests. And already twice in this century this has happened. More importantly, it is the consistent and unified attempts of a numerical political minority in this country to preserve power and its apparent willingness to set aside notions of “one person, one vote” in deciding who our political leaders should be. In an important post here at the Daily Koz, writer Stephen Wolf illustrates the rising resistance to Republican attempts to pas any laws to open up the voting process to any and all Americans, whether it has to do with the creation of paper trails of how a vote proceeded; by enacting reforms to laws which suppress voting by poor people, people of color; enacting the institutional equivalent of poll taxes; or the now well established statewide political gerrymandering (and supported by the Supreme Court recently) the votes of non-whites, leaving them powerless—not to mention Citizens United which declares money is free speech (providing you have it!).



It is an established fact that foreign intrusion into the American electoral system occurred in 2016 on behalf of Donald Trump, and that the upcoming election in 2020 will see not only renewed, but expanded intrusion into the process. The entire American intelligence community has been warning us for months. Yet, neither the Senate majority nor the President has lifted a finger to correct the problem. Do you think they know something we don’t know?

The Federal Election Commission, charged with seeing that elections are conducted “fair and square,” has been absolutely rendered powerless by unfilled resignations of its members over time, to the point that with only 3 remaining members of 6 member commission, it can no longer muster a quorum to do its business. Not that it ever could, with a mandated make-up of 3 Democrats and 3 Republicans. Even Obama passed on naming a pick during his administration, which may have pointed out the flaws in a commission with no tie breaking mechanism.

At the end of the day, Republicans understand that their brand of conservatism, where heads I win, tails you lose and couched in “flag and country” paeans are not winning strategies. They are not winning strategies because the political makeup of the United States is changing, first of all; and second, the much promised prosperity that Republicans have preached to working people has simply not happened. It is wistful and wishful thinking. The former Obama voter who turned out for Trump in 2016 is having serious misgivings about the wisdom in voting against his own interests.

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(The 2016 political campaign icon of American industrialism, the G.M. Lordstown, OH plant, which Trump claims to have saved, is now shuttered once again, likely permanently. 4,500 jobs are gone.)

### **Fear as a tool**

Rather, there is a nagging worry among ordinary conservative Americans that the days when a man or woman could work and make a good enough wage to be middle class, are simply gone. In the face of a globalism which pits American industrial workers against foreigners who make a 10th of what the American made, and in the face of computerized robots who do work formerly done by a human, millions of well paying jobs have simply vaporized in the face of those two events. This fear is being exploited by the GOP and Trump by their blaming hordes of non-white immigrants for their problems. We've seen it all before. With Chinese, Jews, Afro-Americans, Irish, Italians....ad nauseum.

Those same Americans are now angry. It appears "Make America Great Again" simply doesn't work anymore. The Trump voter of 2016 in Michigan is having serious 2nd thoughts. The reality of what a \$15/hr job buys a family of four is setting in. The consequences of allowing a philandering, misogynistic, sociopath and liar the presidency is setting in. What do the Republican bigwigs do to shore up the flagging membership? Crush the vote, that's what. Do what you need to do to keep power. Even to the point of stealing seats on the Supreme Court or not allowing even senatorial discussion of legislation to clean up the problems.

### **The New Wave**

2016 should prove either a turning point or a further drift away from the democratic ideals this nation purports to hold dear. Trump and his supporters in the (almost entirely mute) Senate majority will now be presented with the bill for almost 40 years of uninterrupted bobbing and weaving to be politically relevant. We will find out if the small majority of people of great wealth and power can continue to persuade enough voters that no government is better than a government working for fairness and equality for all. There are signs aplenty that the American electorate for positive change may be building to a tsunami ever greater than in 2018. The signs are there. This vote will be as important as the Election of 1932, which ushered in the New Deal. (Yes, there isn't 25% of us out of work but the richest 1 percent in the United States now own more additional income than the bottom 90 percent.

Just prior to President Obama's 2014 State of the Union Address, media reported that the top wealthiest 1% possess 40% of the nation's wealth; the bottom 80% own 7%; similarly, but later, the media reported, the "richest 1 percent in the United States now own more additional income than the bottom 90 percent". The gap between the top 10% and the middle class is over 1,000%; that increases another 1,000% for the top 1%. The average employee "needs to work more than a month to earn what the CEO earns in one hour." Although different from income inequality, the two are related.

In *Inequality for All*—a 2013 documentary with Robert Reich in which he argued that income inequality is the defining issue for the United States—Reich states that 95% of economic gains went to the top 1% net worth (HNWI) since 2009 when the recovery allegedly started. More recently, in 2017, an Oxfam study found that eight rich people, six of them Americans, own as much combined wealth as half the human race.



Finally, what we need most is a conservative party which is concerned with fiscal prudence and social justice. We need two political parties in this system of government. In an age of incredible changes in the life of the human species we will either lead or be led as one among nations. Folding our tent is not the answer. It's never been the answer.





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

*When I first took over the position as West Sectional Director (Many years ago) I had found out that some of the most common issues were Article 1.6 (Supervisors performing bargaining unit work) and Article 7 (Employee Classifications, Carriers performing Clerk Craft work).*

Well, as the North Sectional Director nothing has changed, in fact the issue of supervisors performing bargaining unit work is alive and well. Throughout the United States Postal Service (especially at the Area Offices) the biggest problem is getting our members to file a grievance.

One of the most recent complaints I heard was that management was 'SCANNING' mail/parcels to make a route for the letter carriers to deliver. This is WRONG! The duties of "Scanning" have historically been that of the clerk craft and therefore are that of the clerk craft!

Also, I have been questioned about management having carriers performing clerk craft duties due to the carrier being unable to drive. Again, this is WRONG!

I've heard members say, "I can't possibly keep track of all the work the supervisors (as well as Letter Carri-

ers) at my office perform on a daily basis and it would only amount to a few minutes here and there.

Those few minutes here and there WILL ADD UP to \$\$\$ in your pocket but, if left unchallenged it will add up to hours, days and ultimately a LOST BID JOB!

I've learned that the best way for keeping track of all the bargaining unit work done by supervisors is to keep a log. The Union needs several things from you the member in order to be successful in winning an Article 1.6 grievance.

First off, you must supply the union with a statement containing the date, the type of work being performed and the amount of time the supervisor is doing the bargaining unit work.

- ***from 0500-0525 hrs. a supervisor was throwing mail at the hot case etc....***

Don't forget to include the Name of the supervisor doing your work. This includes all 204-B's doing bargaining unit work as well! Place your name on the statement and give/mail to your union steward.

- ***Statements that state... "A friend of mine or a letter carrier saw the boss doing our work..."***

## Let's Keep Our Jobs For Our APWU Craft Members

*"...supply the union with a statement containing the date, the type of work being performed and the amount of time the supervisor is doing the bargaining unit work."*

These statements are pretty much...useless, unless THAT PERSON ACTUALLY WRITES A STATEMENT stating what they observed the supervisor(s) doing! "He said" & "She said" statements really don't go very far especially if the grievance is to be appealed to Step 3.

It really doesn't have to be anything elaborate, just the basics. Most members keep track of the supervisors/carriers doing our work for 7-10 days and then notify a steward. Remember, the Union only has 14 days from the 1<sup>st</sup> date of the infraction to file a grievance!

The Union has a sheet for keeping track of supervisors doing our work. This sheet can also be used for keeping track of Article 7 violations when Letter Carriers perform clerk craft work as well.

Remember, this our work let's not give it away! We can get you copies of this form, just give me a call (414) 530-7186 and I'll be more than happy to have some copies mailed to your home. Take Care.







**Marvin Rivera**  
**West Sectional Director**

*APWU Duty Assignments are being abolished/reverted at an alarming rate. Most of this is due to the fact that Clerks are not punching into the right Operation.*

Management only looks at numbers. Every time you are performing a different task other than the operation that you are punched into... you must make a move. This will insure that you, and your office are getting credit for the work that is being performed. Help us help you protect our work.

#### **PS FORM 3971**

Many new members do not know what this is. This is a Request for or Notification of Absence. This is the document you submit to your supervisor to request Leave.

This is also the document that you should fill out upon your return to work if you call in sick.

DO NOT have a conversation with your supervisor about requesting Annual Leave for time off in the future. They will tell you its OK to take the time off you need.

When that time rolls around for you taking the time off...you most likely will be calling your Union Steward saying "My supervisor told me I

## Things That You Don't Know Can And Will Effect You

*"You should always fill out the 3971 in triplicate."*

could have the time off when I asked them last month but now they are saying I can't use my leave." Especially if your issue is for example... "I already bought my plane tickets."

Your Union Steward will ask you if you have an approved PS Form 3971?

When you say NO, my supervisor never told me to fill out a slip but they told me I could have the time off.

Your only documentation would be your 3971 request.

To quote a fellow Union Officer, "Documentation beats conversation." You should always fill out the 3971 in triplicate. Have your supervisor notify one of them. That way they can't say you never submitted the Annual leave request.



#### **INJURED?**

If you are injured at work, report the injury to your supervisor immediately is possible. Then contact your Union Steward.

All to often, members and management officials do not know what forms to fill out.

Follow this simple rule when filling out an OWCP form for an injury.

1. Did the injury happen in one specific date and time?

This is a Traumatic injury and a CA1 should be filled out with your Supervisor.

2. Did your injury or illness occur over a few weeks or months?

This is an Occupational Disease. A form CA2 needs to be filled out. In either case address this with your Union Steward immediately.



**Greg Becker**  
**South Sectional Director**

*Hello Union Brothers and Sisters,*

*I would like to discuss what I have observed at some of my South Sectional A.P.O's. Furthermore, Clerks have informed me about this issue, which pertains to the reduction of Duty Assignments at their A.P.O. in past years.*

While Duty assignments posted for bid to career clerks have been reduced through reversions, it seems that management has utilized more and more non-career PSE personnel. It can only be concluded that management has made a concerted effort to reduce duty assignments and replace with PSE hours in some locations. I believe that the contract has been violated at these locations.

As a Steward and Officer, It is my responsibility to investigate these violations in my areas. I have been investigating and filing grievances at the Brookfield and Oak Creek A.P.O's. Franklin/Hales Corners is being investigated at this time. Brookfield will be appealed to Step 3 of the grievance procedure by the time you read this, and hopefully Oak Creek will be resolved (don't hold your breath).

Management forgets that they have negotiated language which must be

## Desirable Duty Assignments

*"EVERY EFFORT WILL be made to create desirable duty assignments from all available work hours for career employees to bid."*

complied with, unfortunately, it frequently takes three steps of the grievance procedure for them to adhere to the contract.

The basis for these grievances is in several areas of the National Agreement. Article 37.3.A.1 reads, "EVERY EFFORT WILL be made to create desirable duty assignments from all available work hours for career employees to bid." This language was so contentious that the APWU and USPS disputed the interpretation of the above language in National Dispute RE: Q10C-4Q-C 15066902/HQTC20150219. The parties resolved this dispute on November 24, 2015.

The language in Article 37.3.A.1 includes the language, "...from all available work hours...". This means that overtime hours, grievance settlement hours, NTFT, etc. can be used to create desirable duty assignments. In addition, PSE hours must be included. All PSE's can benefit from this contractual language as PSE's could be promoted to career into duty assignments through the Residual Vacancy Memorandum.

The language in Article 37.3.A.1 is not the only language that helps create jobs. Article 7.1.B.4 states, "When the hours worked by a PSE on the window demonstrates the need for a full-time preferred duty assignment, such assignment will be posted for bid within the section." This language is reiterated in the PSE MOU. The NTFT MOU

also contains language to allow for the creation of Duty Assignments.

Grievances of this type require a lot of data. All work hours must be requested going back months. These work hours get inputted into a computer program created by the APWU called MDAT (Maximization Desirable Duty Assignment Tool). This program helps to graph the hours requested by the Union, and provided by management. Only management has access to the hours worked in tacs and we hope that a grievance isn't needed to receive this relevant information.

There is one more important person required to help prove our grievance. That person is You!

Only you can provide us with the names of outside PSE's (or PTF's at level 20 and below) who have worked at your Associate Post Office. Normally, management will not provide that information if it is not requested. Management will frequently schedule outside PSE's at your office and these hours are very important to add to the graphing. Better yet, a PSE can keep a record of all hours they work at their office and others and notify their steward of when they worked at a specific office. During one of my investigations, a non-member PSE gave me information on when he/she worked at a select office. This information will be inputted to fill hours on the graph and help prove our grievance.

*(next page please)*

*(continued from previous page)*

The language in Article 37.3.A.1 and Article 7.1.B.4 are very important to maximizing our desirable Duty assignments at all offices for career employees to bid, and ultimately helping to promote our PSE's to career positions in the U.S.P.S. through the Residual Vacancy MOU.

If you have a question about this or any other issue, contact me at 414-530-3449. Thank you.

\* \* \*

## **Trump Administration Tells Agencies To Restrict Unions In The Workplace**

The Washington Post 10/8/19

Federal agencies have been told to carry out Trump administration directives aimed at restricting the role of unions in the federal workplace and giving agencies the maximum discretion in taking disciplinary actions against employees, now that a court ban against many of those policies has been lifted.

The policies “are in full force and effect” and agencies should “ensure that they are fully compliant with all requirements or are taking steps to become compliant with requirements at the soonest feasible opportunity,” the central personnel agency said in a memo issued Friday. The Office of Personnel Management’s memo came just days after a court lifted a year-long injunction in a union-sponsored lawsuit against three executive orders issued in May 2018.

Several months later, a federal district court agreed with the unions that major parts of the orders overstepped the president’s authority under civil service law. However, in July of this year a federal appeals court held, without ruling on that issue, that the dispute belongs instead before the Federal Labor Relations Authority, which decides on disputes between agencies and unions.

Most of the provisions at issue involve topics of importance in workplaces with union bargaining units, including to limit the topics on which bargaining will be held, set time limits on negotiations and significantly reduce “official time,” which is paid time that employees may use for certain union-related purposes, and other accommodations to unions such as free use of office space. The unions still have the option of a further appeal to the Supreme Court, but for the meantime the focus will shift to the bargaining table and then to the FLRA.

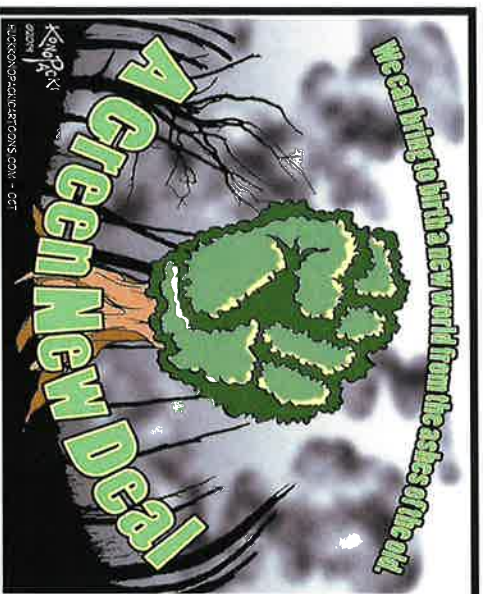
“Any attempts by agencies to enforce these provisions outside of the collective bargaining process will be met with immediate legal challenge by the union,” said American Federation of Government Employees president J. David Cox Sr., who said the intent of the orders is to “remove unions from the worksite and make it harder for our members to report mismanagement or other abuses.”

National Treasury Employees Union president Tony Reardon took a similar position, saying the directives “are designed to marginalize the voices of federal workers, weaken their due process rights, and severely limit their elected union representatives’ ability to represent them and ensure that our civil service system is based on merit, not favoritism or patronage.”

The orders also would give management a freer hand in disciplining employees for alleged misconduct, give employees only the minimum required opportunity to improve before disciplining them for poor performance and generally require that agencies move as fast as the law allows. The court injunction did not address most of those provisions, except to the extent that grievance rights and other procedures have been negotiated into contracts.

The OPM recently proposed rules to carry out the portions that never were enjoined and last week further told agencies to review their internal processes and remove any that “create unnecessary barriers” to taking disciplinary actions.

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