

Non-Profit Org.
U.S. Postage
PAID
Fort Myers, FL
Permit No. 139



April 2016
Volume 26 Number 4

ADDRESS SERVICE REQUESTED

Alva, Bokeelia, Bonita Springs, Captiva, Chokoloskee, Estero, Everglades City, Felda, Fort Myers, Fort Myers Beach, Goodland, Immokalee, Labelle, Lehigh Acres, Marco Island, Naples, Palmdale, Pineland, Placida, Port Charlotte, Punta Gorda, Rotunda, St. James City and Sanibel

THE OFFICIAL NEWSPAPER FOR ALL MEMBERS OF THE SOUTHWEST FLORIDA AREA LOCAL AMERICAN POSTAL WORKERS UNION

Fort Myers RI-399 Case Signed For \$5.2 Million



Sam Wood
President
SWFAL APWU

In last month's edition of *The Eagle's Eye*, I reported that we were having some difficulty resolving the issue of management paying our attorney's fees from our agreed upon settlement. Well, those issues were resolved and on March 21, 2016, I signed the \$5.2 million agreement. Employees will be compensated for each month that they were working within the Fort Myers Installation from August 2000 through June 2006.

There was a slight delay in the signing of this agreement due to the fact that it was critical to ensure that our local had leverage in moving forward on the second part (getting our work back and back pay from 2006 thru present) of the flats prep issue that has come up due to the result of Arbitrator Hales Award.

We believe the work on the AFSM-100AI-ATHS is Clerk Craft Work and we will fight until there is no more to fight about on this issue.

Please understand that this arbitration award was not an open and shut case as many have come to believe. It was by no means easy to negotiate and settle.

The National APWU was offered \$4 Million to settle this in the same time frame for Fort Myers.

Management does not negotiate such a large amount of money unless we apply pressure on them. Our local did this by hiring a Law Firm from Miami (MaseLara). Richard Lara and his team convinced a Federal Court Judge that the parties needed to resolve the issue by negotiations and continued to apply pressure on the Postal Service with threats of litigation during the negotiation process.

It was that pressure that gave Dan Gray, Paul McAvooy and I leverage to negotiate a multi-million dollar settlement that was larger than the U.S.P.S. wanted to settle for.

This is the largest monetary settlement ever for the Southwest Florida Area Local and one of the largest settlements for a local Postal Union in the United States.

This has been a very difficult and long process for us personally. The process will remain a difficult one until we get a complete list of those entitled to this award along with the amounts owed. I hope that our members will work with us as we

continue working through this process.

We have created an initial list and are listing a partial list of those employees (in this article on page 6) who we have identified that are entitled to a portion of this money.

We understand the final list will probably be much larger than this. We need your help in finding employees who are still current employees or who have retired that should be added to this list.

For those who are not on this list who want to be a part of this Class Action Settlement, you must contact our Business Office at (239) 275-1007 or notify us via U.S. Mail at:

SWFAL APWU
11000 Metro Pkwy
Suite 8
Ft. Myers, FL 33966

We must receive your notification prior to May 30, 2016. We will need the following information provided:

- 1) Your Name (Please include former last names used)
- 2) Approximate time worked in the Fort Myers Installation (only the dates between August 2000 thru June 2006)
- 3) Whether you are a current or former employee
- 4) Employee ID Number or Social Security Number
- 5) Current Address - Phone Number - E-mail address

Starting on page 6 of this edition of *The Eagle's Eye* we have provided the Current List of Names of Employees that are to be compensated.

See: List Of Employees
Continued on Page 6

IN THIS EDITION OF **THE EAGLE'S EYE**

Fort Myers RI-399 Case Signed For \$5.2 Million	1
Secretary-Treasurer's Report.....	2
Pet Peeves And Ramblings Of An Old Man.....	3
Management Accountability – Where?.....	3
An Overview Of The Family Medical Leave Act (FMLA) Requirements	4
Our Huge Win	4
Musical Plant Managers.....	5
Want To Take Some Mail To The Station? Things You Should Know Before You Take Your Own Vehicle	5
Employee Assistance Program (EAP)	5
Union Matters	6
LMOU – Annual Leave Policy	7
SWFAL Membership News.....	8
How To Keep Your Spouse On Health Insurance (FEHB) After Retirement	8



**Southwest Florida
Area Local, APWU**

11000 Metro Parkway, Unit 8
Fort Myers, FL 33966
239-275-1007
Open 9am-3pm, Monday-Friday

WEBSITE ADDRESS

www.swfloridaapwu.org

PRESIDENT

Sam Wood
SWoodFla@aol.com
239-823-APWU

VICE-PRESIDENT

Dan Gray
VPswfal@aol.com
239-834-2736

SECRETARY-TREASURER

Felicia Gluhareff
SecTreaSWFAL@aol.com

CLERK CRAFT DIRECTOR

Paul McAvoy
ClerkCraftSWFAL@aol.com

**MAINTENANCE CRAFT
DIRECTOR**

Mickey Szymonik
MaintdirSWFAL@aol.com
239-834-2900

**MOTOR VEHICLE CRAFT
DIRECTOR**

Joe Fracek
joefracek@yahoo.com

EDITOR

Kathy Moyer
EdSWFAL@aol.com

TRUSTEES

Daniel Carinci
Grace Baer
David Grant

**SAFETY & HEALTH
COMMITTEE**

David Grant
Wendy Skaff

CONSTITUTION COMMITTEE

Dan Gray, Chairman
Grace Baer
Daniel Carinci
Felicia Gluhareff
David Grant
Paul McAvoy
Kathy Moyer

NATIONAL MAILING ADDRESS

Per Capita Section
APWU, AFL-CIO
1300 L Street NW
Washington, DC 20005

FLORIDA POSTAL WORKER

The Florida Postal Worker
P.O. Box 8363
Fort Lauderdale, FL 33310
www.apwuflorida.org

Secretary-Treasurer's Report Felicia Gluhareff



General Membership Meeting Minutes

March 20, 2016

CALL TO ORDER:

9:30 a.m. There were 12 members in attendance.

THE PLEDGE:

The pledge of allegiance was led by Jamie Robertson.

ROLL CALL OF OFFICERS:

Felicia Gluhareff performed the roll call of officers. Present were Sam Wood, Dan Gray, Paul McAvoy, Mickey Szymonik, Joe Fracek and Felicia Gluhareff. Paul McAvoy made a motion to excuse Kathy Moyer who was out for personal reasons. The motion passed.

MAP:

Barbara Carr told 4 jokes in honor of Charles Glennon.

NEW MEMBERS:

Welcome Melody Clower, Michelle Rayburn and Kevin Ward.

**EXECUTIVE BOARD
MINUTES:**

Some details of the RI-399 settlement were discussed. Our local will be posting a list of those clerks, past and present that are included in the RI-399 settlement. A list will be printed in the Eagle's Eye, on our local's website and posted at the plant and stations. If you know of someone who is NOT on the list and should be please contact the union hall and provide them with contact information for that person. The qualifications to be included are that this person must have been a clerk within the Fort Myers bidding instillation from August 2000 through June 2006. The DEADLINE to be included in the award is May 30, 2016. If we cannot locate you before that date you will not be included in the award.

Also discussed was Angie Rayburn's request to be a steward at Page Field. As a reminder, step 1 stewards, please do not sit on step one grievances. They need to be

filed and sent up or settled in a timely manner.

**SECRETARY/
TREASURER'S REPORT:**

Paul McAvoy made a motion to accept the minutes as printed in last month's Eagle's Eye. The motion passed. The appropriate information has been submitted to our accountant for our yearly 990 and LM3 reports.

**REPORT/SELECTION
OF COMMITTEES:**

None

**REPORT OF CONVENTION
COMMITTEES:**

None

REPORT OF TRUSTEES:

None

COMMUNICATIONS:

There were a few letters sent from National addressing different aspects of the contract negotiations.

UPDATE OF GRIEVANCES:

None

OLD BUSINESS:

None

NEW BUSINESS:

We received a letter from our condo association stating that the upkeep and repair of the outside of our building is our responsibility and any repairs that need to be done must be done by April 15th because they will be painting the exterior of the building. Paul McAvoy made a motion to repair the back door and area surrounding it. The motion passed.

The Bonita custodial and TL5 issues were discussed. The appropriate information was sent to National so that any issues regarding the TL5 will be included in the procedure that National has implemented.

RI-399: Some aspects of the updates were discussed in the Executive Board minutes. We are hoping that the entitled folks will receive their award by the end of the year. The actual date the awards will be paid is at the will of the USPS

so it is impossible at this point for the

the SWFAL to narrow the time period down further. If we get any further information we will pass it along. Sam has been working hard to locate those that have retired or separated from the USPS in any way that are entitled to part of the settlement. Sam will have the list of names currently included completed by June 1. If you know of previous clerks that meet the criteria listed in the Executive Board minutes please contact the union hall. We need their EIN or social security number. A mailing address will be helpful as well and we will submit this information to the USPS before the deadline so they will get paid. We will also be grieving the second part of the RI-399 dispute which will include another cash award and hopefully return the work that was taken from us.

LABOR/ MANAGEMENT:

RI-399 discussions continue.

GOOD AND WELFARE:

The winner of the COPA 50/50 drawing was Mickey Szymonik who won \$25.00. The total netted was \$50. The name drawn for the member's incentive award was Joyce Bell. Had she been present at the general membership meeting she would have won \$60. The pot will be \$70 at the next GMM.

**ELECTION OF OFFICERS
AND DELEGATES:**

None

LEFTOVERS:

None

ROLL CALL OF OFFICERS:

Felicia Gluhareff performed the roll call of officers. The results were recorded.

NEXT MEETING:

Robert Nowall moved to have the next meeting on April 24, 2016 at 9:30 a.m. at the union hall. The motion passed.

ADJOURNMENT:

Robert Nowall moved to adjourn at 10:14 a.m. The motion passed.

Pet Peeves And Ramblings Of An Old Man

I must be getting old.

It seems everything people do at the Plant annoys me. Like the old grandpa guy in your neighborhood who would yell at you for walking on his lawn.



Paul McAvoy
Clerk Craft Director
SWFAL APWU

I am going to write about some of my pet peeves and annoyances at the Plant.

First off is - employees ratting out other employees to supervisors. For instance someone comes back late from break and a supervisor confronts them on it, the first words out of the employees mouth is Joe Blow takes longer breaks and he goes out and takes smoke breaks, too. And Hazel Hosehound takes 4 breaks a day and you don't say anything to them.

Why don't you just say I lost track of the time or I had to go to the bathroom on the way back and accept your fate. It is that childlike tattletale mentality that annoys the crap out of me.

Another one is people complaining to supervisors how other people work. That is not your job!!!! That is the supervisor's job.

Fred Effwad is not pulling his weight and reads the mail instead of throwing it and Barb Wired spends all her time talking and eating.

Everyone works at their own individual pace. Expecting everyone to work as fast or as slow for that matter as you is unrealistic at best.

Once again it is not your job to determine how much work an employee should be doing or not doing - that is what supervisors are on the floor for.

I will get more into supervisors and MDO's later.

Article 34 in the CBA says the principle of a fair days work for a fair days pay is recognized by all parties to this agreement. It is not for you decide what that fair days work is.

The Plant and most of the stations for that matter have an aging work force. Next time at work look around you and count how many employees are under 40 or for that matter under 50. The percentage of under forty something's has dwindled to most of the PSE's or the newly converted regulars.

People as they age cannot perform as well or as fast as they did when younger. It is also management's job to determine who works where and what jobs should be rotated and which should not.

Believe it or not the contract heavily favors the employee. Management has Article 3 that gives them certain rights. Article 3 states in part:

Management has the right to,

- A. To direct employees of the Employer in the performance of official duties;
- B. To hire, promote, transfer, assign, and retain employees in positions within the Postal Service and to suspend, demote, discharge, or take other disciplinary action against such employees;
- C. To maintain the efficiency of the operations entrusted to it;
- D. To determine the methods, means, and personnel by which such operations are to be conducted;
- E. To prescribe a uniform dress to be worn by designated employees.

It is basically management's

authority to totally screw stuff up. If you are coming to the union to grieve something that is a management's Article 3 right we cannot win that grievance.

We will file the grievance, but if management wants you to work somewhere you do not particularly like to, you may just have to suck it up and deal with it.

If a supervisor gives you an instruction to do something, you must do it. You don't have to like it but unless it is illegal or unsafe to the point it may cause you bodily harm, you must follow the instruction.

Failure to follow instruction can lead to disciplinary action. Your stewards and executive board are not the complaint department. Our main function is to police the contract and to file timely grievances on your behalf when management violates the CBA.

I am currently a Tour 1 clerk at the Plant, and in 34 years, I have never seen a more collectively incompetent group of supervisors and MDO's as we have right now on Tour 1.

All of these supervisors and MDOs have been on Tour 1 for less than 2 years. The 2 most recent transfers in, have for the most, part tried to comply with the contract and work with the union; the other 2 supervisors not so much. One is always the victim and the other is a wanna be know it all.

There are 2 MDO's on Tour 1. I like to refer to them as Tweedle Dum and Tweedle Dummer. Every night seems to be an exercise in incompetence and futility.

One MDO came from being an OSS in the Front office where he was the worst we have ever had in preparing the bids. What does management do? They reward him by making him an MDO with zero prior experience in operations.

The other is a transfer from Labor in Virginia. This man was an executive board member of his local and an advocate for the union in arbitrations. So this man took all the training the union paid for and gave him and then went into management to use against the union. That to me is the lowest of low.

Lastly to all you union bashers and scabs out there: You can all bite my behind.

One union member was talking to a scab and was overheard saying how she got no representation and the union does not do anything for her.

I personally have filed numerous grievances that have been sustained in this clerk's favor so she must be delusional.

The scab told her that the union has been weak here for a very long time. Talk to some of the people who have transferred out of here and ask them which union is stronger. I will bet all or almost all of them say SWFAL is stronger.

We have had people coming into the union area threatening to get out of the union because they didn't get their way. It is like that kid who throws a tantrum in a store because his mom wouldn't buy him candy, or the kid who if they don't let him play shortstop picks up his bat and goes home.

Threats mean little to nothing to me. If you feel that strongly then do what you have to do. I do have one request though. Since you are so unhappy with the union when you receive this RI 399 settlement please refuse to accept it and return money to the union that gives you no representation. We will be happy to distribute it to the clerks that pay dues, appreciate the work we do for them and help prevent you from being hypocritical.

Thanks for letting me vent. I feel better already.

Management Accountability – Where?

Holding USPS management accountable is one of the main jobs of our SWFAL APWU.



Kathy Moyer
Editor
The Eagle's Eye
SWFAL APWU

And it is not just our local union but National, too. In fact, every

craft employee at the USPS needs to engage in holding management accountable.

The reason we need to work together in holding management accountable is because managers so often will not do it for themselves. Many do not understand or care about the CBA and its requirements. This is why we hear so many half baked interpretations from management regarding the CBA.

If management would have listened to the Union years ago, the RI-399 settlement would never have been needed. However, management repeatedly refused to work with the union, so our local took steps to hold management accountable. It took time, as these grievances often do, but now the USPS is paying for their managers' incompetence and unwillingness to work with the union.

Recently, there was a National

Global Settlement in which the USPS paid out millions of dollars because managers were doing clerk work in a total violation of the CBA. Once again, it was the Union insisting that USPS management be held accountable.

Where is management accountability? Because it is largely non-existent in the USPS management ranks, it is up to craft employees to be engaged in holding management accountable.

An Overview Of The Family Medical Leave Act (FMLA) Requirements

If you have a medical condition that qualifies to be covered by the Family Medical Leave Act the following information may assist you.



Daniel M. Gray
Vice President
SWFAL APWU

Any career or non-career employees may qualify for protected leave if they meet the eligibility requirements at the time the leave starts; that is,

- They have been employed by the Postal Service for an accumulated total of 12 months over the past 7 years (including any prior career or non-career service), and
- They have worked a minimum of 1250 hours (including any prior career or non-career service) during the 12-month period immediately preceding the date the leave begins.

The 1250 work hours includes overtime, but excludes any paid or unpaid absence. The only exception is Military Leave and periods of Back Pay.

FMLA covers the following;

- The birth or placement of a child for adoption or foster care, and to care for the newborn child within one year of birth/placement;
- To care for the employee's spouse, child, or parent who has a serious health conditions;
- A serious health condition that makes the employee unable to perform the essential functions of his or her job;
- Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military service member on "covered active duty;" or
- Up to a total of 26 workweeks of leave during any twelve (12) month period to care for a covered military service member with a serious injury or illness if the eligible employee is the service member's spouse, son, daughter, parent, or next of kin (military caregiver leave).

Employee Responsibilities:

- Inform supervisor within two (2) business days or sooner if required by employer work

rules or policy. (CFR 825.303)

- Advance notification when possible (CFR 825.305)
- Provide documentation when required (CFR 825.305) Documentation must be submitted within fifteen (15) calendar days
- Participate in 2nd or 3rd doctor evaluation when required (CFR 825.307)

Supervisor Responsibilities:

- Determine Eligibility (CFR 825.110)
- Designate the absence as FMLA (CFR 825.301)
- Documentation requirements (CFR 825.305 & 306)
- Provide notification to employee in five (5) business days (CFR 825.300) if oral followed in writing by next payday
- Protect records (CFR 825.500)
- PS Form 3971 (CFR 825.301)
- Publication WH-381 (in lieu of pub 71) (CFR 825.301)

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

Employers cannot use the taking of FMLA leave as a negative factor in employment actions, such as hiring, promotions, or 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.

This only covers some information with regard to FMLA. The APWU website and the Department of Labor website go into extensive detail as to each and every facet of the rules and regulations concerning FMLA.

Please, if you have a condition(s) that should be covered by FMLA have your doctor fill out the correct forms and submit them in order to protect yourself. Union members may ask their steward for an APWU FMLA form and non-members may ask your supervisor.

When you call in to eRMS, if your absence should be FMLA designate your absence as FMLA on your call in. When you return make sure your PS form 3971 shows that you requested FMLA. If you use PS Form 3971 and it does not reflect the correct information have

your supervisor correct it. If your supervisor refuses to correct your slip, do not sign your PS form 3971 and ask to see a Union Steward.

Too many times during an investigative interview for attendance an employee states an absence cited should have been covered under FMLA, but the PS Form 3971 states otherwise.

We are seeing a dramatic increase in attendance related discipline. Management, as has been stated in the past, cares little for the extenuating circumstances sur-

rounding your absences, but is not allowed by law to discipline you for a FMLA protected absence.

If you are improperly disciplined for the use of FMLA you may contact the Department of Labor Office in Miami. This is the office that handles FMLA complaints.

Also, please remember that the Union is boycotting the "Postal Pulse" survey. Please either throw away your survey or turn it into the Union and we will donate money to COPA in your name.

Our Next Union Meeting



Sunday, April 24, 2016

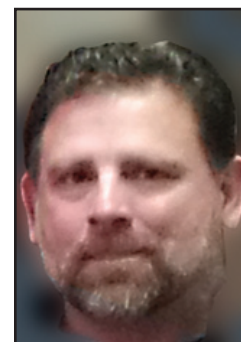
9:30 am

11000 Metro Parkway, Unit 8

Fort Myers, FL 33966

Our Huge Win

I like to say congratulations to Sam, Dan and Paul for their work and persistence in their effort on our behalf.



Joe Fracek
Motor Vehicle
Craft Director
Ft. Myers
Lead Steward
Page Field
SWFAL APWU

To get a settlement of \$5.2 million is huge to say the least, and it would not have happened without their knowledge, skill, hard work and determination.

Now would be a perfect time for those who are not in the Union to join. With this "found money" that fell into their wallets, the monthly dues will be covered for a long time.

Without the APWU and the collective bargaining they do on our behalf, we would not have the job security and benefits that make our jobs worth the 30 plus years

we commit to it.

The security, benefits and pay are all products from collective bargaining. All of these things have been fought for by the Union for its members, just like what happened with our huge win here at our local.

We will all benefit from their continuing work. It's only right to support those that work hard for you. I know several people who owe their very jobs to the Union and have never even said a, "thank you" much less asked for a membership form to fill out.

Imagine if those that came before us were so self centered and said "screw the Union", instead of walking the picket lines . . . where would we be now?

Those that supported what was right, are the reason we have what we have now. It's the least we should do to honor them and preserve what they worked so hard for, and for us to preserve and pass it on to the next generation.

Musical Plant Managers

Why is the USPS unable to assign a non-acting, permanently assigned Ft. Myers P&DC Plant Manager?



Scott J. Wiser
Tour 1 Maintenance Steward
Fort Myers P&DC
SWFAL APWU

Just last month a Mr. Hamm, our latest in a long line of acting plant managers, was intro-

duced to P&DC Tour 1 employees by his predecessor, acting plant manager Krankowski.

Mr. Krankowski was detailed to the acting plant manager detail from his assigned position as the Ft. Myers P&DC maintenance manager because our currently assigned plant manager, Mrs. Koluhn, has been on detail elsewhere and she has not been seen for well over a year.

We at the P&DC have seen this musical plant managers game

played for several years. These temporary managers come and go and leave their mark. Whether it's good or bad, it doesn't matter to them. They are not around long enough to witness the consequences of their actions, therefore there is no accountability.

It seems that the plant manager position here is more of a stepping stone for the highly mobile ladder climber types seeking an accomplishment on their resume as opposed to someone who takes the job seriously.

Temporary managers have no stake in the Ft. Myers P&DC and so any support of the plant and its employees is seriously lacking.

It is time to have a plant manager that is fully engaged into the position. We need someone who is willing to take on the responsibilities seriously enough where some semblance of stability can be exhibited and where employees can expect to have a manager who will stick around for a while and commit.

Want To Take Some Mail To The Station? Things You Should Know Before You Take Your Own Vehicle

We have seen it happen over and over.

Dispatch is running late, too much mail and not enough people.

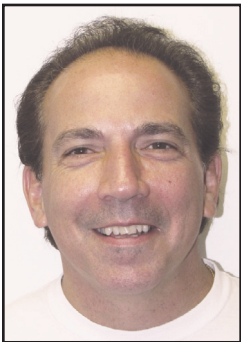
The proper solution

would be to hire more people to process the mail on time but, "Noooo, we can't have that." "That would make sense."

What other options are there? Well, management could delay the dispatch until all the mail is processed. Or they could send what mail has been processed on time and send an extra trip later when completed.

Seeing that management is under the gun to get all dispatches out on time, it only leaves the latter option.

Yeah, but that can be expensive



Danny Carinci
T2 & T3 Steward
Ft. Myers P&DC
SWFAL APWU

and would take having to make arrangements with the contractor.

But wait, there is another option!

Send an employee out in their own vehicle to deliver the mail. All management needs to do is pay for their time and mileage.

A simple solution and problem solved! Well, maybe for management, but what about the employee?

Ever consider that by chance you might be involved in an accident while making that delivery? Here is a little food for thought before you volunteer and jump at the chance to take that trip.

If you are involved in an accident in the course of employment, are you covered by your personal insurance policy (PAP)? Like most insurance questions, the answer depends on the circumstance.

For example, what kind of car are you driving? Does the car belong to you or someone else? What type of business are you in?

Consider the language found in a typical PAP. At a glance most policy holders are shocked to see that the PAP appears to exclude coverage for the use of any vehicle in the course of business other than farming or ranching (for further information see www.trustedchoice.com).

I'm sure that before you hit the road to make that trip your supervisor asked you, "Hey, are you sure you're covered?" I didn't think so!

When I voiced my concern with management on this subject, I was told, "Well, if they aren't covered they can file a Tort Claim and be compensated."

For those of you who are not familiar with the term. "The area of law that covers the majority of all civil law suits." I would imagine eventually you would prevail but while you wait, have fun!



Before placing yourself in a position that could result in a significant financial detriment for you and your family, consult with your insurance agent and verify your coverage.

At the Fort Myers P&DC there are Postal vehicles available and when one is not available an extra trip would be the most viable option to avoid liability.

Oh, and by the way, if you happen to notice supervisors taking it upon themselves to deliver mail - please SEE YOUR STEWARD! That's your work they are doing and if they need you to do it they should at the least ensure that you are covered!

In Solidarity

Employee Assistance Program (EAP)

JCIM Article 35 educates employees about the benefits of the Employee Assistance Program (EAP) and states as follows:



Grace Baer
T2 & T3 Steward
Ft. Myers P&DC
SWFAL APWU

"The Employee Assistance Program (EAP) is a formal, non-disciplinary program

designed to assist employees and their immediate families in recovering from alcoholism and drug abuse and in dealing with other problems - mental, emotional, familial, marital, financial, legal, and other - that may adversely affect both an employee's job performance and personal life. Assistance is provided through consultation, evaluation, counseling, and/or referral to community resources and treatment facilities. The regulations which govern the EAP are ins Section 870 of the Employee and Labor Relations

Manual."

EAP can be a valuable resource for coping with life's challenges when they have taken an emotional and physical toll on an employee's well-being.

Oftentimes, a struggling worker will go unnoticed by coworkers and bosses until a workplace issue surfaces and a crisis situation materializes. EAP can be a lifesaver for those employees whose close family members and friends cannot fulfill the need for crisis

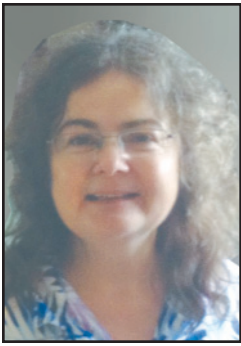
intervention.

While no employee may be disciplined for using EAP, involvement in EAP does not exempt employees from disciplinary action for violating workplace rules.

However, voluntary participation in EAP counseling should be given favorable consideration in any disciplinary action taken by management. Contact a steward for more information on the Postal Service EAP.

Union Matters

In case you haven't heard, we are supposed to be getting an Automated Parcel Bundle Sorter (APBS), sometime in June.



Mickey Szymonik
Maintenance Craft
Director
SWFAL APWU

That would be less than three years after we shipped our former APBS, and all the associated parts, up to Tampa.

It's great news! Anytime we get more equipment it means more jobs and more job security. I just wish the Postal Service had thought of it before we spent the time and expense to get rid of the old one.

It seemed like a pretty bone-headed move at the time to decommission our APBS right when the Service was experiencing skyrocketing growth in parcel delivery. In hindsight, I guess it was.

In Maintenance, craft workers are being told that they cannot partial or bypass any Preventative Maintenance routes. That's all well and good as long as Management supplies the staffing to accomplish that mandate, but they don't.

Not only do we not have the proper staffing needed to perform all the work that is supposed to be getting done, but the USPS is intent on slashing even more jobs in pretty much every maintenance occupational group except for Level 7 MMs.

If you are being told that you must

complete all your PM routes or face possible disciplinary action, ask to see your Union steward. All that is required is a "fair days work for a fair days pay".

The Custodians have finally decided that getting out of the building and delivering mail isn't worth the risk. An excellent article by APWU OWCP Specialist Kathleen Kaplan, as well as the experience of one of our own custodians, drove (no pun intended) the point home.

If you are injured in a car accident or bitten by a dog while delivering mail, you could be denied an OWCP claim. An injury sustained during the performance of duty means the employee was on the premises doing his official duty.

Delivering mail is not in the custo-

dian's job description, leaving the employee vulnerable in the event of an accident or injury occurring on the clock.

On the flip side, it seems that supervisors have resorted to delivering the mail themselves since the custodians are refusing and they don't want to release any clerks from their machines.

Guess what? Delivering mail is not in the supervisor's job description, either. It is craft work.

If you see that a supervisor is delivering first class mail, document who, what, when, where and how and ask to see a steward to file a grievance.

Solidarity, Prosperity, Peace

LIST OF EMPLOYEES

Continued from Page 1

The following is the Current List of Names of Employees that are to be compensated:

Allman, Jean
Almas Lewis, Debra
Anderson, Larry
Anderson, Nancy
Arrebola, Luis
Baer, Grace
Bailey, Silvia
Baisden Smith, Tammy
Baldwin, Keith
Balinski, George
Bard, Peggy
Battle, Seniorita
Beckler Cornell, Sandra
Beeler White, Staci
Bell, Joyce
Belloga, Rene
Bergman, Jolene
Billups, Randall
Blackburn, Madeline
Bohall, Sharinda
Bonham, Lori
Bowen, Lyle
Bowman, Julie
Boyle, John
Brazzel, Robert
Brocius, Robin
Brooks - Stewart, Marina
Brown, Corey
Brown, Sophia
Brown, Thomas
Bryan, Kenneth
Burgher, Terri
Burke, Mary Ann
Burney, Donna
Burrell, John
Cannon, Angelia
Carinci Karmeris, Janna
Carinci, Daniel
Carpus, Donald
Carr, Jamie
Carr, Barbara
Carroll, Diana
Carson, Judy
Carwile, Lisa
Cash, Gail
Cates Parbs, Karen
Cerin, Linda
Cesarino, Vincent
Cespedes, David
Cespedes, Kathleen
Clark, Barney
Cleaver, Kathryn
Clinton, Samuel

Cobb, Cathy
Coello, Cecilia
Coleman Corcoran, Karen
Condon, Janet
Connor, Lori
Connor, Sharyn
Cook, Kathleen
Cooper, Scott
Corrado, Diane
Crabill, Joyce
Cram, Lynne
Crews, Della
Crowley Sharpe, Jennifer
Cruz, Rufina
Currier Brock, Margaret
Curtis, Tameka
Davis, Clarice
Davis, Daisy
Davis, Tawana
Dees, Melissa
Deguzman, Jr. Benjamin
Delaquis, Gerry
Delpi, Colin
Devarona, Stephen
Diamond, Jane
Diaz Williams, Kathie
Dinkins, Jaudon
Dinschel, Michael
Dula, Marva
Dunna, R.
Eagan, Mary
Eben, Joan
Edwards, Elsadie
Edwards, James
Edwards, James
Eid, Marianne
Elek, Diane
Eliopoulos, Jeanette
Ellis-Ortiz, Chris
English, Penni
Erickson, Richard
Fair Wilkinson, Lorraine
Farris, Linda
Faulkner, William
Favata George, Heather
Feldmaier, Richard
Fenicle, James
Fermin, Josefina
Finley, Vivianne
Fitzpatrick, Crystal
Flores, Joan
Ford, Jeffrey
Fracek, Joseph
Francis, Rebecca
Franks, Dora
Fraser, Patricia
Fraser Sr., Paul
Gahafer, Laura
Garcia-Irene, Heriberto
Garvis, Vincent
Gaunt, Margaret
George, Donna

Getman-Gradwell, Leslie
Gibbs, Dwayne
Gilkeson, Tamara
Girard, Christine
Gleason, Rodney
Gluhareff, Felicia
Gobeil Steward, Denise
Gobeil, Martin
Gonzalez, Luis
Graf, Donna
Granderson, Linda
Grange, Michael
Grant, David
Gray, Daniel
Grebey III, Alvin
Grebey, Kay
Green, Barbara
Greenberg, Richard
Griggs, Anthony
Griswold, Lisa
Grout, William
Guerra, Richard
Hamilton, Mark
Handly, Robert
Hanisch, Steven
Hanners, Michael
Hansen, Mary
Hardiman, Patrick
Harmon, Annette
Harper, Kip
Harris, Robert
Hartley, Sr., James
Hartman, Kathy
Hartwig, Glenn
Harwig Lentz Haiber, Rhonda
Heese, Richard
Heinrich, Lynn
Hentkowski, Bonnie
Hernandez, Jose
Hervey Nunn, Virginia
Hines, Catherine
Hoerner, John
Hofer Furtado, Dawn
Hofer, Jr., Robert
Hogrefe, Cassie
Honchar, Rosalie
Hoover Smilovitz, Helen
Hoppe, Penny
Horton, Jerry
Howard Hartwig, Darla
Howard, Robin
Hunt, Dennis
Huston, Robert
Huston, Steven
Husz, Devant
Hutton, Douglas
Ireland, Ralph
Jackson, Vicky
Jacobs Rotolo, Michelle
Jacobsen, Norman
James, Barbara
Johnson Leos, Susan

Johnson, Ann
Johnson, Deidre
Johnson, Janet
Johnson, June
Jones, Gwendolyn
Kantaris, Dorothy
Kantaris, John
Kapla, Linda
Karch, Susan L.
Karmeris Bodensky, Linda
Keister, Merri
Kelberer, Alex
Keller, Karen
Kelly, Joyce
Kelmar, Douglas
Kendera Yeugelowitz, Ann
Kennington Dinschel, Deborah
Kersey, Alice
Ketchmark, David
King, David
Kirkwood, David
Koerner Nelson, Nancy
Kolar, Lawrence
Krampen, Joyce
Kuhn, Peggy
Kusicko, John
Kyllo, Mark
Lacy Jr., James
Lampitt, Kathleen
Landis, Michael
Lane, Patricia
Lang, Eugene
Larson, Debra
Larue, Mark
Lawhon, Stella
Lee II, James
Lee, Beom Hyun
Lee, Kum O.
Leobrera, Joselyn
Leobrera, Leo
Ley, Glenn
Linger, Virginia
LoBianco, Andrea
Lobianco, Angela
Loewel, Charles
London, Sharlene
Long, Kenneth
Loyola, Carlos
Ma, Betty
Maier, Fred
Malavenda, David
Manning, Laura
Marlet, Carol
Maros, Debra
Massolio, James
Mathew, Valsala
Mattice, Kathy
Maxilom, Elaine

See: List Of Employees
Continued on Page 7

LMOU – Annual Leave Policy

Recently, we have had a lot of employees coming to the Union Area upset that the Annual Leave they have requested has been denied.



Jamie Robertson
Tour 1 Steward
Ft. Myers P&DC
SWFAL APWU

There were a available openings for the time off being requested since the percentages had not been met, yet the employee's slips were coming back stating "denied – service needs."

Unfortunately, management was able to deny the employees request for Annual Leave because they submitted their request less than 10 days in advance from the date of the leave they were requesting.

While it may seem unfair, "contractually", management has the right to deny any leave request submitted less than 10 days in advance "for service needs".

The 10-day rule also applies to canceling your leave. In most instances, if you cancel your leave at the last minute, management is happy to have another employee in the building since we are so short-handed.

However, I have seen cases

where the employee was canceling their leave less than 10-days prior to the day they put in for, and management has denied their request and made them take the leave.

Most of the time you will see a lot more of these denials when we are in our busier time of year during season. Management tends to be more lenient during our slower months.

Of course sometimes depending on the supervisor, they will just deny the leave because they can. With that being said, if possible, I would always try and submit or cancel your leave at least 10-days prior to avoid being denied for service's needs. I know it is not always possible, but it's always better to be safe than sorry.

I realize that all employees may not be aware of this policy, so I am going to quote the language directly from our LMOU. I hope that this will bring heightened awareness to the policies regarding Annual Leave, so you can be better prepared when submitting for time off.

A. Any request for leave which is submitted after December 10th is considered "other leave". All requests for other leave will be considered on a first-come, first-served basis. Request for other leave can only be submitted for the current leave year or by

December 10 will be considered submitted simultaneously by the time notated by tour as follows.

- Tour 1: 04:00
- Tour 2: 12:00
- Tour 3: 21:00

B. 3971's shall be submitted in duplicate. One 3971 shall be returned to the employee "within 5 days."

C.1. Other leave requested at least 10 days in advance shall be granted by section and tour as follows.

- a. All sections except VMF, 15% from December 26 through the first Friday in January, 8% from the next day thru the last Friday in March, 15% from the next day through Thanksgiving week.
- b. VMF, 15% from January 1 through December 31.
- 2. Leave requested "less than 10 days in advance" shall be considered solely on service needs.

D. The local Union President shall break ties when multiple requests for Union activity are submitted for the same days.

E. If employees who request the same absence submit 3971's

simultaneously, seniority shall be the determining factor for consideration.

F. Percentages shall be applied on the day the employee request the leave.

G. The rounding rule shall apply as follows: any percentage below .50 shall be discarded. In small sections, at least one employee shall be granted leave in that section where the percentage of the section would be less than .50.

H. A vacancy exists when approved leave becomes available. Management shall post all vacancies within 3 days of receipt. Within 3 days thereafter, employees who have denied 3971's for any portion of the vacancy may submit a new request with the old 3971 attached. Then, within 5 days, management shall approve the oldest 3971's up to the allowed percentage.

If you get a 3971 back disapproved, and you are not sure if it was correctly denied you can always ask to see your steward and we will be happy to help you.

In Solidarity

LIST OF EMPLOYEES

Continued from Page 6

Mayer, Sharlene
McAvoy, Paul
McCarthy, Robert
McClaskey, Lori
McGillicuddy, Helen
McGowan, Brian
McGurk, Hope
McLain, Kevin
McLoughlin, Kimberly
Medina, Glenn
Melcer, Carol
Melvin, Gary
Mey, Michelle
Meyering, Kurt
Meyers, Timothy
Mikovich, Kathleen
Mikusek, Ronelle
Miller, Debbie
Miller, Lenna
Mitchell, Jennifer
Montgomery, Don
Morang, Joanne
Moreno, Kathy
Morin, Claude
Morin, Linda
Mosely, Vicky
Moser, Donald
Moyer II, Chris
Nash, Amethyst
Neraal, Nils
Newman, Linda
Newton, William
Nichols, Wayne
North Perkins, Debra
Nowall, Robert
Nowlan, Jan
Nurse, Devorah

Oler, Danette
Oliver, Peggy
O'Neill, Deborah
Osman, Margaret
O'Toole, Suzi
Overhultz, James
Parker, Carolina
Parker, Michael
Paschal Murray, Carla
Patel, Megha
Pendarvis, Patricia
Petrillo Jr., George
Philipovich, Connie
Pigott, Pamela J.
Pitasi, Felicia
Pointer, Gregory
Popkey Spice, Donna
Prawl, Angela
Pritchard, Charles
Quigley, Andrew
Quigley, Steven
Quintana, Manuel
Rakocinski, Charles
Ramsey III, James
Ratliff, Candace
Ravellette, Chrystell
Raybourn, Angela
Reaville, Carol
Redavid, Mathew
Reilly, Sandra
Rice, Wayne
Rickman, Gary
Rickman, Lori
Rico, Jamie
Ringsmuth, Jean
Rivers, James
Robertson O'Neill, Jamie
Robertson, Judy
Robinson, Deborah
Rock, David
Rock, Karen
Roe-Elliott, Tina

Rolland, Peggy
Ruska, Edwin
Sacco, Lucille
Salters, Dewitt
Sandt Stevens, Rosemary
Sandt, Timothy
Sasso, Doreen
Sasso, Dominick
Wiser Scott, Melanie
Scurry Wilson, Debora
Sears, Al
Shelor, Diane
Sheppard, Michael
Shorter, M.
Shultes, Candace
Siemers, Jessica
Sinkiewicz Nicole
Skaff, Wendy
Skeen, David
Skeen, Laura
Skinner Brillhart, Helen
Slattery, David
Smith, David
Smith, Warren
Snell, Warren
Snyder, Mary
Sparks, Tracy
Spicer, Clyde
St Cyr, Arthur
Staeb, Richard
Stafford, John
Stella, Nicholas
Strunk, Jeremiah
Strunk-Fuller, Diana
Stuckert, Pamela
Summa, Duane
Swindler, Barbara
Terrell, Brenda
Thomas, Brenda
Thomas, Marilynn
Thompson, Deborah
Thompson, Gary

Thompson, Michael
Traylor, Laura
Tripp, Kathleen
Ujlaky - Kriz, Elizabeth
Urbina, Joeseeph
Valentine, Robert
VanHall, Timothy
Vatcky, Sue
Vivona, Annette
Vozzella, Karen
Walcott, Samantha
Wallace, David
Walthall, William
Washburn, Anne
Weaver, James
Weaver, Kimberly
Welch, Michael
Wells, Terry
White, Lisa
Wilder, Marty
Williams, Daniel
Williams, Joseph
Williamson, Daniel
Wilt, Walter
Winn, Mark
Wiser, Scott
Withstandley-Loyola, Dawn
Wojtecki, Marion
Wolfe, Kimberly
Wolff, Sherri
Wood, Julian
Wood, Joseph
Wood, Sam
Wooten, Darrell
Wright, Teri
Yacca, Kenneth
Yost Jr, Isaac
Younger II, Robert
Zbieranowski, Mark
Zengel, Nick
Zeske, Judith
Zorrilla, Digna

Your Elected Officials

President Barack Obama

Web Site:

www.whitehouse.gov

E-mail:

president@whitehouse.gov

Phone: 202-456-1414

Fax: 202-456-2461

Capital Address:

1600 Pennsylvania Ave. NW
Washington, DC 20500

Senator Bill Nelson

Web Site:

www.billnelson.senate.gov

E-mail:

senator@billnelson.senate.gov

Phone: 202-224-5274

Fax: 202-228-2183

Capital Address:

716 Hart Senate Office
Building
Washington, DC 20510-0905
District Office:
Tallahassee, FL
District Phone: 850-942-8415

Senator Marco Rubio

Phone: 202-224-3041

Fax: 202-228-5171

Capital Address:

524 Hart Senate Office
Building
Washington, DC 20510-0903
District Office:
Tallahassee, FL
District Phone: 813-207-0509

Our members live in several different districts. For your representative's information, go to www.congress.org. Enter your zip code and the web site does the rest. You can e-mail most of your representatives at once with a click of your mouse at this web site. Their voting records are also available here. Check it out! Let them know how you feel, it's your DUTY!

THE EAGLE'S EYE EDITORIAL POLICY

The Eagle's Eye is the official publication of the Southwest Florida Area Local, APWU, AFL-CIO. The editor has the right to determine whether the material submitted shall be printed, and has the right to edit as needed. It is the policy of this newsletter to disallow any attacks on individuals. Opinions expressed are those of the writers, and not necessarily those of the Executive Board. The deadline for submission of all articles is the day of the monthly membership meeting. You must be an APWU member to submit an article. Name may be withheld upon request. All articles may be reprinted with proper credit given. Captions/cartoons may only be reprinted upon written permission of the editor.

Southwest Florida Area Local Membership News

We wish to extend our welcome to all new employees coming on board at the United States Postal Service by inviting you to our next SWFAL APWU meeting at the Union Hall located at 11000 Metro Parkway, Unit 8, in Fort Myers.

Meetings are held once a month on Sunday at 9:30am. Stand strong and be united, protect your job and discover the many benefits of becoming a member of the SWFAL APWU.

Join us at our next local meeting - united we can make a positive difference in our workplaces. We look forward to seeing you there!

For those of you that have recently retired who wish to continue receiving *The Eagle's Eye* newspaper, please email the Editor at Edswfal@aol.com or call Karen at our SWFAL APWU office at 239-275-1007.

We encourage members to email



information to the editor regarding marriages, graduations, special events or achievements of our employees, or their families. Please email information to *The Eagle's Eye* at Edswfal@aol.com. We will be pleased to include as many member announcements as possible.

How To Keep Your Spouse On Health Insurance (FEHB) After Retirement

In my seminars, one of the most asked questions is about health insurance, to be more accurate, how do I keep health insurance on my spouse after retirement and after I pass away?



Brad Pate
Federal Retirement
And Benefit
Seminars

Here is what OPM.gov says on this issue:

Retirees and Survivor Annuitants

Federal retirees and their surviving spouses retain their eligibility for FEHB health coverage at the same cost as current employees. In order to carry your FEHB coverage into retirement, you must be entitled to retire on an immediate annuity under a retirement system for civilian employees (including the Federal Employees Retirement System (FERS) Minimum Retirement Age (MRA) + 10 retirement) and must have been continuously enrolled (or covered as a family member) in any FEHB plan(s) for the 5 years of service immediately before the date your annuity starts, or for the full period(s) of service since your first opportunity to enroll (if less than 5 years). The 5 year requirement period can include the following: the time you are covered as a family member under another person's FEHB enrollment; or the time you are covered under the Uniformed Services Health Benefits Program (also known as TRICARE) as long as you were covered under an FEHB enrollment at the time of your retirement.

To explain this more:

To keep your spouse on health insurance after retirement, and yes after you pass away, regardless if you are FERS/CSRS, you have to choose a surviving spouse benefit (SSB) for your pension. Meaning after retirement, when something happens to you, yes you have to pass away (not my rules), part of your pension is paid to your spouse on a monthly benefit. Options you have on your SSB if you are FERS are 50%, 25% or 0% of your pension. Meaning if you choose 50% SSB, the spouse would receive 50% of the Postal employee's monthly benefits after the Postal employee passes away. ex: the employee receives \$1,700 a month pension, the employee passes away; their spouse would receive \$850 a month. If you are CSRS, the options are from 55%-0%. The same benefit would be paid to the spouse depending on the percentage you choose at retirement.

Why do you have to choose a SSB benefit for your spouse to stay on health insurance after you retire and after you pass away? Because the only way to pay for health insurance after retirement is the premiums can only be paid for out of your pension. If the employee and spouse do not choose a SSB, there are no monies paid to the surviving spouse after the Postal employee passes away, if there are no monies being paid to the spouse there are no monies to pay the premiums for the health insurance.

Per OPM, the only way to pay for health insurance in retirement is the premiums have to be paid out of your pension and/or the SSB the employee chooses. Think about this, if there are no monies being paid to the surviving spouse, there are no monies available to be had for health insurance.

On the five year rule for health insurance, here is OPM's rule:

FEHB law requires a retiring employee to be covered under FEHB for the 5 years of service immediately before retirement or, if less than 5 years, for all service since the employee's first opportunity to enroll in FEHB. For example: The employee was enrolled in FEHB from 2003-2005 and then separated from Federal employment. He returned to Federal service in 2010 and was enrolled in FEHB from 2010-2013. The 2 years he was enrolled in FEHB from 2003-2005 along with the 3 years he was enrolled in FEHB from 2010-2013 enable him to meet the 5-year coverage requirement.

However, if the employee had been continuously employed and eligible for FEHB, but had a break in his FEHB coverage from 2003-2009 because he cancelled his FEHB, he would have to begin the 5-year period over again.

And the most asked question:

Will my premiums increase once I retire?

No, you will pay the same premium as you paid while you were an employee. However, annuitants are paid on a monthly basis so you will pay them at the monthly rate. You may see an increase if you are employed by an agency, such as the Post Office, that contributes additional money towards the total premium. Retirees receive the same government contribution as most Federal employees.

Hope this helps clear up questions on health insurance in retirement.