

President's Report



TENTATIVE CONTRACT AGREEMENT

As of the writing of this article, the results of the voting on the tentative contract agreement are out. Here is my article I wrote prior to the end of the voting.

As a last ditch effort to cast doubt in the minds of the APWU membership, the president and vice president of the Northeast Massachusetts Area Local sent out an "Open Letter" to APWU President Cliff Guffey dated 4/20/2011 challenging only one provision of the Tentative Contract Agreement (the NTFT Positions). They sent this letter out via e-mail with only two weeks left in the voting process. Why? I think they believe this will be a close vote and want to shout out "The Sky Is Falling" in the hopes of scaring the APWU membership into voting no.

As many are aware, this same local had put out a flyer last month that put a negative spin on some of the provisions of the tentative agreement while not mentioning any positives at all. Some APWU leaders from the state of Rhode Island jumped on the negativity train on the 21CPW website. Even former APWU President William Burrus has come out against the agreement. This announcement pleased many of those who came out against the tentative contract agreement.

The question on everyone's mind is why would former President Burrus speak out against this contract? For those who don't remember, at last year's APWU national convention, a rumor had circulated on the convention floor that then APWU President William Burrus was potentially negotiating to take the APWU out of the Federal Employees Health Benefits Program as part of contract negotiations.

President Burrus spoke that his hands should not be tied and everything should be allowed to be put on the table. The convention delegates voted unanimously that the president could not negotiate away this provision. Burrus was unhappy about the vote and even more upset that most if not all of the current executive board voted in favor of the motion. While I have voted in favor of past contracts negotiated by Brother Burrus, in retrospect, I have to question if we made the right choices.

Since 1997, over 100,000 or 40% of APWU represented bargaining unit jobs have been lost.

Over the last few years, thousands of our co-workers have been excessed, stations and branches have been closed, airport facilities closed, computerized forwarding system (CFS) units have been consolidated, thousands of employees affected by tour compression (forcing employees to tours 1 and 3), plant consolidations, along with thousands of jobs lost by jobs being shifted to other crafts, management or due to outsourcing.

All of this happened while Brother Burrus was APWU president. Local union presidents mostly dealt with these issues on their own with little help from APWU headquarters. While it is easy now to look back and say that the APWU should have negotiated provisions in our contract to protect APWU jobs, it is my belief that our current national officers, led by APWU President Cliff Guffey, did just that. This tentative contract agreement, while not perfect, has made great strides to protect current APWU members while also attempting to protect and grow jobs for all APWU represented crafts.

The current thinking in America is that everyone must sacrifice to get our economy back to where it once was. Those APWU leaders in NE Massachusetts and Rhode Island don't have to look far to see what has been happening to unions. In 2008, the Service Employees National Union (SEIU) Local 580 in Rhode Island negotiated concessions in pay, health benefits, lay-offs, and pensions. The contract negotiated was from 2008-2012. Many members did not like the concessions but still, the contract was ratified.

In 2009, the state forced the SEIU back to the negotiating table after threatening lay-offs (even though they already had a negotiated agreement), the SEIU negotiated further concessions in pay and benefits and during those negotiations, they were able to negotiate a no lay-off clause for their members. Once again, the membership was very upset, however, the concessions were ratified by the membership.

I spoke with SEIU Local 580 Vice President Karen Bachus and she stated: "It was important to protect our current union membership while protecting our future work." While this is unlikely to happen to our union, the change in laws could. Anyone who watched the congressional hearing on the APWU - USPS tentative contract agreement could see, some want to change the laws that affect our collective bargaining.

While I understand and agree with those who are against

a two tier wage scale, I also understand that we had to bargain in order to get the USPS to give us language to protect current members and get back our work, while protecting jobs for our current and future prospective members. Every prospective new member will have the option as did every current member to accept the wages and benefits attached to the job or accept a job elsewhere with better wages and benefits (if it can be found).

I believe that everyone should take a good look at the provisions in the tentative contract agreement and make sure they return their ballot. This is such an important issue that more than 30% of our membership should vote. It was sad to see that the majority of our membership did not choose to vote in the APWU national elections. Will we allow such a low turnout in this ratification process?

In the Letter to President Guffey from the Northeast Massachusetts Area Local, it states: "We do not think that our membership is stupid." This is the one and only thing that I completely 100% agree with the leadership of the Northeast Massachusetts Area Local on. I believe that the APWU membership will be smart enough not to believe in their rhetoric, and will overwhelmingly vote "YES" on this tentative contract agreement.

LMOU NEGOTIATIONS

If the tentative contract agreement has passed, local negotiations will begin in a few months. If you would like to see any changes in your local agreement, please pass those items on to us at the union office for consideration.



CUSTOMER SERVICE

I wanted to share with you a couple of stories that are on my mind. First, when the news broke concerning the Vanderbilt Station in Naples closing its doors, I read the Naples Daily News story on the Vanderbilt Beach Closing. A post by someone responding to this story had some negative things to say about the station.

I do not agree with that statement and believe that someone may have had an axe to grind, but these comments do hurt us and we should look at how our customers view us. If there is something we can do to change in a good way, we should do it.

Finally, I have lived at the same house now for almost 19 years now. About 6 months ago, I noticed that the new letter carrier began leaving my mailbox open. I also noticed that he was doing this to other customers. I never complained about this issue, but

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Secretary-Treasurer's Report

by

Felicia Gluhareff



4/17/2011

GMM MINUTES

CALL TO ORDER:

Time: 9:30 am. There were 17 members in attendance.

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Mark Kylo.

ROLL CALL OF OFFICERS:

Felicia Gluhareff led the roll call of officers. Present were: Dan Gray, Felicia Gluhareff, Paul McAvoy, Mickey Szymonik and Lynne Cram. Felicia Gluhareff made a motion to excuse Sam Wood. Motion passed.

MAP:

Lynne Cram and Paul McAvoy both told jokes in honor of Charles Glennon.

NEW MEMBERS:

Daniel Hutchinson.

EXECUTIVE BOARD MINUTES:

Discussions included: giving Karen D'Angelo, our irreplaceable office secretary a dollar an hour raise. Sue Johnson resigned as a steward in Bonita. Management will be posting the mid Cape residual bid for everyone to bid on in this next posting. Letters of warning are being given out at the plant to some clerks taking breaks over 15 minutes. We also discussed the tentative contract. The executive board as a whole approves of the contract and will be voting yes. We want to urge all members to vote, vote, vote!!! Regardless if it's a yes or a no.

SECRETARY - TREASURER REPORT:

Paul McAvoy made a motion to approve the minutes as printed in last month's Eagle's Eye. Due to IRS requirement, we are not longer to file the 990 EZ report with the IRS as we have years before. We are now required to file the 990. Felicia discussed the need to hire an account to help in completion of this form. The executive board was in agreement. The 990 is due on March 15th. All other IRS and DOL

forms have been filed.

REPORT - SELECTION OF COMMITTEES:

None.

REPORT OF CONVENTION DELEGATES:

None.

REPORT OF TRUSTEES:

Helen Skinner read the report of trustees. An audit was done on the local's books on April 11th and 12th. The report will be printed in this month's Eagle's Eye.

COMMUNICATIONS:

Dan Gray read through this month's correspondence. He invited all to do so as well. The Vanderbilt office will be closing April 29th. There is currently no information on Miracle Mile closing. Anyone interested in being the Bonita steward is asked to please call the union office.

UPDATE OF GRIEVANCES:

North station steward, Mark Kylo, spoke about issues going on in his station. He will be filing the appropriate grievances.

OLD BUSINESS:

Stations have a contractual issue if clerks from outside that station are brought in to do lobby assistant work. Available OTDL clerks should be maximized. Wendy Skaff talked about issues at her station.

NEW BUSINESS:

Paul McAvoy made a motion to give Karen D'Angelo a dollar an hour raise. The motion passed. Mark Kylo asked questions about the

PTRs as effected by the tentative agreement. The new NFTY clerks will be able to sign the OTDL. As the TA now stands, they can not be forced to work overtime if non list. The ballots have to be received by May 10th and the ballot count will be on May 11th.

LABOR - MANAGEMENT:

Management at the plant is talking about limiting access to the back offices further than it already is.

GOOD AND WELFARE:

The winner of the COPA 50/50 drawing was Andrea LoBianco who won \$40.50. The total netted was \$81. The winner of the attendance award of \$20 was Barbara Carr. The name drawn for the member's incentive award was Kathy Moyer. She won \$170. The pot will return to \$50 at the next meeting.

ELECTION OF OFFICERS AND DELEGATES:

None.

LEFTOVERS:

None.

ROLL CALL OF OFFICERS AND DELEGATES:

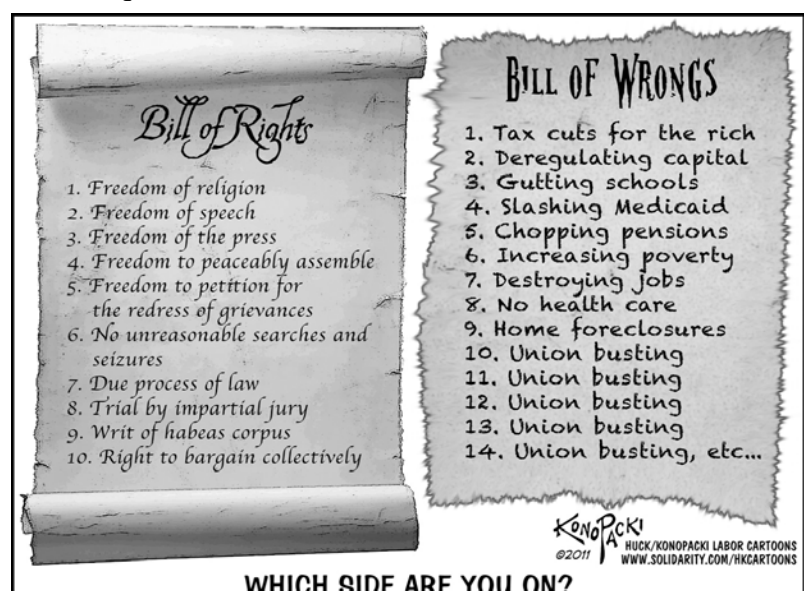
Felicia performed the roll call. Results were recorded.

NEXT MEETING:

Robert Nowall moved to have the next meeting on May 22, 2011 at 9:30 a.m. at the union hall. The motion passed.

ADJOURNMENT:

Joyce Kelly moved to adjourn at 10:28 a.m.



Workplace Harassment and Intimidation



We have had recent issues with workplace harassment and intimidation. This has been both employee to employee and supervisor to employee, and this should never be allowed or tolerated.

There is a fine line between horseplay and harassment. Remember though sometimes the individual who may be harassing you is unaware of how you feel. It is always wise to give them a warning, but if this fails to work then other appropriate actions are warranted. Try to treat your coworker as you would like to be treated. We all should be allowed to come to a work environment free of harassment or intimidation. The following was taken from an on-line resource defining the subject.

How do you define intimidation in the workplace? If you feel that you are being harassed in the workplace but are not sure what categories of behavior you should report, define what is happening and what category harassment or intimidation the behavior fits:

Physical intimidation; you have every right to expect that you not be physically threatened in the workplace. This includes all forms of physical intimidation, but the most serious of these, which is usually cause for immediate action by an employer, is violence. This can be defined as violent contact i.e. striking, shoving, kicking, etc.

Also in the category of violent physical contact are physical threats that result in misdirected contact i.e. items thrown or broken fall into this category. Now physical intimidation also includes; encroachment into your physical space (usually defined as approximately three feet away from you) in a manner that is threatening, even without contact, purposeful acts designed to make your physical environment uncomfortable.

Also in the category of physical intimidation is verbal intimidation. This can include; shouting, especially from a near distance, use of cursing or other abusive language, use of demeaning language. This form of intimidation may also include repeated

telling of insulting or demeaning jokes, references to your person, or physical gestures designed to insult or demean you as a person.

Unwanted touching is a different category of intimidation because it does not include a threat of injury. This includes patting, poking, stroking, hand touches. These actions when accepted by both parties may be harmless, but if you have expressed a choice not to be poked or to have an arm around your shoulders and the behavior continues, it may constitute harassment and can be considered intimidation.

If you decided that behavior you are experiencing falls into one of the categories above; if the intimidator or harasser is not your immediate supervisor, report the activity to the union or your supervisor. Unless the behavior is at the most egregious level of physical intimidation, your supervisor may not be able to take any decisive action immediately. Contact the postal inspectors or local police.

If the intimidator or harasser is your supervisor, you can go directly to the union and or his/her superior or higher layer of management. Supervisors and managers are supposed to take prompt action to prevent, address, and remedy workplace conduct that constitutes harassment or intimidation.

The Postal Service is guided by handbooks and manuals in these situations and when they may fail to adhere to them when it comes to a correction of a supervisor, they sure will use them against you in discipline for the same behavior. There is language in M-39 and the ELM that also apply in each instance of grieving a supervisor's abusive behavior.

These provisions require that management provides a working atmosphere of respect and dignity, which is clearly violated when employees are abused. The M-39, Section 115.4 states; "it is the front line manager who controls management's attempt to maintain an atmosphere between employer and employee which assures mutual respect for each other's rights and responsibilities."

The ELM, Section 665.16, Behavior and Personal Habits, states: "Employees are expected to conduct themselves during and outside of work hours in a manner which reflects favorably upon the Postal Service." "Although it is not

the policy of the postal service to interfere with the private lives of employees, it does require that postal personnel be honest, reliable, trustworthy, courteous, and of good character and reputation. Employees are expected to maintain harmonious working relationships and not to do anything that would contribute to an unpleasant working conditions."

We are constantly given service talks and shown videos which state the USPS is committed to providing a work environment free of harassment and intimidation. Where the postal service workplace must be one in which all employees are treated with dignity and respect by supervisors, subordinates, and coworkers. It appears this is lip service when the harasser is in management. Remember, abusive behavior should not be tolerated in any form or from any individual.

All employees may also utilize the EEO complaint process if they believe that they are victims of harassment or intimidation based on race, color, religion, sex, national origin, age (40+), mental or physical disability. Remember employment discrimination or retaliation for engaging in an EEO-protected activity is prohibited. You have 45 calendar days from the date of the alleged discriminatory act; or if a personnel action is involved, within 45 calendar days of its effective date. You simply call 888-336-8777 and an EEO package will be mailed to you.

Remember also when you list a representative do not automatically list your Union Steward. The Union Stewards are not attorneys and the Union (due to legal liabilities) does not represent employees in EEO cases. Now if you ask the person who is your steward, they may represent you only as an individual not as a representative party of the union.

By the time you read this article, we either have ratified the our new contract or are in arbitration. Either way it went, I hope everyone voted and had a voice in your own future. We tend to have a dismal turnout for local elections and contract votes. It is sad for me to say how difficult can it be to mail a postage paid envelope at your place of employment. We are our own worst enemy on issues like this. There is no excuse on why you did not help determine the course of your own future. The sadder part is the individuals who fail to vote either way, but will

whine about the outcome anyway.

Remember if any members have questions and concerns please ask to see your steward or contact the Union office if you do not have a steward at your facility.

Daniel M Gray
Vice President

President's Report

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wondered if he was in a hurry or was doing this on purpose. Finally, last month I arrived at my home and noticed the carrier coming and decided to stay in my car and watch him. Sure enough he opened the box, put the mail in and then drove off, leaving the mailbox wide open.

I decided to watch him for about a 1/2 mile down the road and noticed him doing the same thing for about 1/3 to 1/2 of the other mailboxes. I decided to pull up next to this carrier to ask why he was leaving mailboxes open. He refused to answer me and basically told me to "Stop Yelling at Him" which I clearly wasn't.

I finally told him that I also worked for the United States Postal Service and that what he was doing makes us look bad to the customer. He basically gave me a so what gesture, and dared me to call the USPS. After confronting this carrier, he kept doing the same thing to other customers on his route.

Customer service should be important to everyone. When we do things to harm the customer, we drive them away. Maybe these instances are why the USPS is losing more and more customers. I hope some of our employees change their ways.

THANK YOU KAREN!

As many of you know, Karen D'Angelo has been our secretary for many years now. Karen has always worked hard for our membership and executive board members. The next time you call the union office, please tell her how much she is appreciated by us. I appreciate Karen and wanted to publicly thank her for everything she has done and continues to do for our membership.

Sam Wood
President

Maybe It's Me



Maybe it's me, but I am baffled by some of the events at the plant this month. Can someone explain to me how some of these people in management still have their jobs?

Management has been on a long break crusade for the last month. On Tour 1 there has been discipline handed out to well over 10 employees for as they put it, failure to follow instructions. All of these have employees have been in the postal service for over 10 years and none have a history of being disciplined. A supervisor will lurk in the aisle way and watch you leave for break. Then this borderline stalker supervisor watches you come back and then brings you in for an investigative interview. This interview is for failure to follow instructions, the supervisor will tell you. Then he/she will ask you why you were late. Every investigative interview led to a letter of warning, no matter what the circumstances were for you being late. One clerk explained she was late because she spilled something on her shirt that left a nasty stain and went to clean it and dry it some before coming back to the floor. She went as far as to show him the stain. That was not acceptable and she was given a letter of warning for unsatisfactory performance. The investigative interview was not even the same charge she was investigated for. The investigative interview was for failure to Follow instruction. The letter of warning was for unsatisfactory performance. How can you be asked questions about one offense and then be charged with another?

This same person was never given an official discussion on this matter and has never been in trouble or had an II before. Management contends that the employee was given a service talk about breaks and therefore that should be enough. For minor offenses (like returning late from a break) you must be given an official discussion before discipline is issued in order for you to correct any deficiency. You would think this could get no more ridiculous. It did.

Management in the contents of the letter stated that the employee was being cited for not being gainfully employed. This employee on her way to break

was told to report to stand by time upon return, where she would be for the rest of the night. So in effect she got a letter of warning for being late to go sit around and do nothing.

I decided to look up the definition of gainfully employed. This is what I found: gainfully employed means you are in a job for which you are paid. Therefore even when you are on break, you are gainfully employed. When you go to the bathroom, you are gainfully employed. Unless you are not getting paid, you are gainfully employed. For example; a supervisor (there are many supervisors at the plant who do this) works 10, 12 and even upwards of 14 hours in a day and gets paid for 8, he/she is not gainfully employed for those last 2 to 6 hours. Does this mean they should all get a letter of warning?

In March, Plant Manager Dorinda Kohlun had a meeting with the unencumbered (unassigned) CFS clerks and asked them if they would want a detail to work at the stations as a lobby assistant. Many of them accepted and some were detailed. These clerks were to receive out of schedule pay for their entire tour. That is a pretty good chunk of change. Although it not technically a higher level assignment the clerks detailed were making more than if it were. So, you think management sent these people by seniority? Of course not. They sent them simply by who was unassigned and available at that meeting for that first week. Then had a detail just a few weeks earlier and hung a notice at the time clock to ask who would like to be detailed. They actually sent the senior volunteer that time. A tour 3 manual clerk.

Even after grieving this issue and informing management on how this should be done, they continued to send only CFS unencumbered clerks. Then another tour 1 clerk (Automation) was given a detail to Page Field. This person again is very senior and was the senior volunteer (as far as I know). The first and last person's details were done so by seniority and the three in the middle were not. Grievances were filed showing the inconsistencies. The answer for the Step 1 was CFS clerks who were sent are function 4 (Customer Service) employees. WTF? CFS hasn't been Function 4 in eons). These clerks are not only Function 1 but also assigned as unencumbered employees to a function 1 section (Automation). According to the step one supervisor for the grievance this answer was given to him by a Labor Relations

Representative. Shouldn't they know that CFS has not been function 4 for many years?

We had an incident where a clerk was awarded a bid and had to pass a typing test and then go to Oklahoma for training. She passed the typing test on February 10th and was available anytime there after. There were 7 open spots on the March 7th training session. Plenty of time don't you think to get someone an e-buy and enrolled in training. Under normal circumstances this is true, but we don't work in a normal environment. The e-buy was ordered and then subsequently canceled by Plant Manager Dorinda Kohlun on Feb. 24th. Why? Because our plant manager didn't want to pay for it, She wanted customer service to pay for it.

The union found out through information requests that Dorinda was informed, that it was in fact, the plant that was responsible for the E-Buy. It is now the 1st of March and still 2 seats remaining. The clock is ticking. VP Dan Gray and the grievant went to talk to Dorinda and she told them on March 4th that she had already purchased the E-Buy. Never mentioned a word of her denying the original request. Later the E-Buy was finally requested again. They still had 5 seats left for the March 21st training now. That should be easy, right? Nope. They still didn't get the grievant into training until April 4th. As our plant manager is known to say quite often " Shouldn't someone be held accountable for that"? Yes, Dorinda, YOU!!! A grievance was filed for out of schedule pay from the time the employee should have been placed in training and when she actually started her new job assignment.

Management now is disciplining employees after their third absence after an official discussion. Length of time has no bearing. Circumstances mean nothing (One grievant was in the hospital for one of the three absences and still received discipline). Every discipline should be on a case by case basis. There can be no set amount of call ins before bringing someone in for II. This is currently being monitored and labor charges are soon to follow if they haven't been initiated at the time of your reading this. Please be sure if you receive a letter for discipline you ask to see your steward and grieve it as soon as possible. If you don't initiate a grievance in 14 days, it becomes untimely, you serve the discipline and it will be in your personnel file for 2 years. The union is not notified when you actually receive

you letter so please bring it to our attention as soon as possible.

Management just recently awarded Tour 2 SPBS bid pending qualification. The clerk starts training and lo and behold is flying through training and almost done. Management suddenly realizes she is going to pass and the bid won't drop down to the person they put the bid up for (A scab of course). Management sends a letter and rescinds the bid. In the memo it states since the clerk has not yet been awarded the bid and it is now rescinded It also stated that the bid being rescinded was due to an APBS modification to the SPBS in June. How many times has management told us something was going to happen and it doesn't come to fruition for years or sometimes never. (Aren't we supposed to be the first lights out facility? I am sure some genius made a bundle off of that bright idea.).

She was originally awarded the bid pending qualifications. What management failed to realize is this employee was in fact already qualified at the time they sent the memo and tried to rescind it. Management can't just yank a bid because they don't want the person awarded to get it. I contacted OSS Kirk Charles (with cc's to Plant Manager Dorinda Kohlun and MIPS Harry Lockart) informing them of the problem and the financial liability to the USPS. I wrote these emails over a week ago and as of this time, I have not even been given the courtesy of a response. This issue was grieved and that bid needs to stay contractually awarded and the grievant placed. The employee should also be paid Out of Schedule Pay from the time she should have been placed in bid until the time she is actually scheduled to start. If or when it is determined staffing needs have to be adjusted AFTER the modifications are in effect, then and only then can management reduce section through sectional excessing as per article 12.

Currently their are over 25 unencumbered employees that have been unassigned for over 120 days. In Article 37 it states Management "SHALL" I post newly created Duty Assignments for clerks unencumbered for more than 120 days. There is no other language. There is no argument. Yet management once again refuses to abide by the CBA and create bids for these employees. This is being grieved and possible labor charges may ensue. I will have more on this issue in next article.

The struggle continues. Be strong. We will prevail.

Paul McAvoy
Clerk Craft Director

Check Your 3971s Carefully

UNION MATTERS

I have warned employees in the past about the dangers of signing their 3971s before they have read them. This is more important than ever before. The call-in program has changed. In the past when you called and reported your absence requesting FMLA and did not have your FMLA case number, your absence was recorded as pending FMLA. There was a point where you were asked if this was a new or existing FMLA condition. So even if you had a covered condition but did not have a case number, your absence was recorded pending FMLA. If you were requesting FMLA for the first time, your absence would be recorded as FMLA pending.

Well, no more. Now if you do not have an FMLA case number, your absence is recorded as non-FMLA even if you request FMLA. It is vital that you review your 3971 before signing them. If you requested FMLA but the 3971 does not reflect this, insist that your supervisor correct the 3971, or annotate FMLA requested yourself. Please take the time to check your 3971 before you sign it. Reviewing and signing your 3971 is done on the clock so there is no reason not to take the time to review them before signing them. This is just another ploy to CONTROL sick leave usage. If your absence is not FMLA protected, management will surely cite the absence in disciplinary action.

Management began giving official discussions for one absence. One absence and yes they are giving official discussions. This is right in line with the discipline they have been issuing after only 2 to 3 absences in a year. There is no requirement to have perfect attendance. The requirement is to be regular in attendance. Management is out of control in their efforts to CONTROL the usage of sick leave. We have a battle ahead of us. Management is even denying scheduled sick leave.

Employees trying to do the right thing and schedule their sick leave are being required to provide specific documentation to support the need for the leave. Employees are having trouble getting their doctors to write more specific documentation in advance of the procedure. Doctors feel their note stating the employee is having a procedure and needs the day off should be

sufficient. Doctor's don't understand why managers think they know more than the doctor. Some employees are getting frustrated and just request LWOP or annual to avoid the hassle. Of course, in most cases, management will approve LWOP or annual with no problem. If you are denied scheduled sick leave, ask to see a steward and file a grievance.

Employees trying to avoid unscheduled leave have reported for work sick. When reporting they have informed management that they are ill and would like to leave as soon as they can be released. After working 6 or more hours into their shift, they are released. If the employee requested sick leave, their leave is recorded as unscheduled. If they took any other type of leave, it is scheduled. It is vital that you check your 3971s. If this happens to you, file a grievance immediately. These employees all thought management was scheduling their leave because management selected when they could leave but later during an investigative interview discovered that their absence was unscheduled. I believe we will be successful in the grievance procedure getting these type of absences recorded as scheduled.

The employee must file a grievance. Don't wait until you are in an investigative interview to challenge the unscheduled absence. I realize that when you are submitting a request for leave management approves and signs it after you submit it. When it is returned to you, make sure you review it for accuracy. If it is incorrect, file a grievance.

In some cases, employees are reporting that their 3971s were not returned to them. It is up to each of us to ensure we get a copy of our 3971s. If management does not return them to you, file a grievance. We have to protect ourselves. Please do your part and help us help you.

Management has also begun tracking breaks. Management began with assigning employees specific break and lunch times. Be sure to go to break and lunch at your assigned times to avoid issues. Perhaps the employee did not leave for break at their scheduled time because they wanted to finish their dispatch etc. It does not matter to management. They will assume the employee is taking an extended break. No more holding your break to get out dispatch. Several employees have

already been issued discipline for extended breaks. To avoid the hassle, take your break as scheduled. As always, if you have any questions or concerns ask to see your steward or you can always call on me.

I want to wish all our mother's a very happy mother's day. Relax, and enjoy the day with your family. Until next month,

Joyce Kelly

**"Must Read" Article In
The American Postal
Worker**

An important and interesting article, *It Takes a Village to Contain a Monster*, appears in the April-June issue of *The American Postal Worker*. The article contains valuable information for dealing with hostile workplaces in the USPS.

The author paints a picture for us as he describes, "PICTURE A SCENE FROM AN OLD HORROR MOVIE. THE VILLAGERS, ARMED WITH PITCHFORKS, working together to defeat a looming monster. As residents of the APWU 'village,' abusive postal managers are the 'monsters' that make our work lives miserable."

Rather than fighting with pitchforks, as in the old horror movie, the author tells us that, "we are armed with our best defense: our union contract!"

If you have not already done so, please take the time to read this article written by Omar Gonzalez, APWU Western Regional Coordinator - it is excellent!

Under the heading of, *Our 'Pitchforks'*, the author has organized and provided very specific references in the Collective Bargaining Agreement (CBA) and the ELM to arm us with information to utilize in grievances, Form 1767s and through OSHA.

The author tells us, "Remember, by working together, we can contain these work floor monsters!"

Here in our Southwest Florida Area Local, we have APWU brothers and sisters willing and ready to help. If you have questions or concerns about working conditions, a hostile work environment or safety issues, contact your steward.

Kathy Moyer
Bokeelia Steward

Here's a challenge: Find me one twenty-year employee at the Fort Myers P&DC who believes that our business model, our execution of mandated duties, has gotten better over the years. Craft worker or EAS, find me one person who believes we are going forward instead of backward. Find me one person who's been here 10 years who believe things have improved at the plant. Even five years...anybody? We have experienced hateful, hurtful behavior unbecoming to our union family during the clerk craft excessing. It happens in families. Just wait, you ain't seen nothin' yet.

EAS workers are now under RIF, their own excessing event. Let's see, in maintenance who's junior? Well, Jim Miller, I hate to say would be the first sacrificial lamb no matter how smart and sensible he is...or maybe because he is. Tour One's Dave King? Tim O'Keefe? They may find themselves with more time to watch movies on their computers. MMO's Denise Chase; well, as my Level 19 manager in charge of seven employees, I of course, find it hard to argue why she should not retain her position. Steve Krankoski and John Wilson? They are only "acting" anyway. Let the jockeying for position begin. If you haven't already noticed, management has already been amping up their "kill game." They are already harassing everyone for everything. Some examples: ...Requiring pre-documentation to be afforded a few hours of scheduled sick leave to attend medical appointments.

...An onslaught of disciplinary action for "failure to be regular in attendance."

...Changing pay status from "sick leave" to "leave without pay" for employees protected by FMLA because they did not provide further medical documentation. Expect it to get worse.

Here's something I found out. In March, I met with Acting Manager of Maintenance, Steve Krankoski for Step 2 discussions. He was on a deadline to wrap up our meeting because he had a conference call to attend that afternoon. At that time, he told me about the district-wide conference call in which he was required to participate, regarding reviewing employees' 3972s. Site by site, each manager had to explain what action was being taken against the employee who's 3972 was under review, or justify why no action was being taken at all. Stopping by his office later that day to sign off on some decisions, I heard this snippet of conversation, "Well, he had pink eye...". How is it that disciplinary actions which are supposed to be initiated by your immediate supervisor have now become fodder for telecoms between people who, for the most part, don't even know you? Hmm...let's go back to our original conversation. Expect it to get worse, before it gets better.

It will get better, though, if the union continues to hold and grow. The new contract (hopefully ratified by this time) is our best hope for righting the balance of craft workers and EAS at the P&DC. Work will be returned to the people who actually know their jobs and will be able to do their jobs with minimal harassment and grief. In the meantime, expect it to get a lot worse. Solidarity, Prosperity, Peace Mickey S.

Events In U.S. Labor History by Gary Rickman

By the time you read this month's newsletter, the vote on the contract should be in and counted. There has been a lot of discussion on the internet regarding the controversial issues in this contract, more than I have seen in any other in my years at the Postal Service. We seem at this time to take somewhat for granted the labor laws in place that protect us from unregulated employers. Over the course of our history, workers have fought, and some died, for to establish these protections. We are fortunate enough in these times to have these laws in place, and our decision on our agreement with management to be decided through negotiation and a vote, rather than a strike (or worse). Below is a partial list of events in the U.S. that have brought us to where we are now. Printed from <http://www.lutins.org/labor.html> by allen lutins.

1619

In North America's 1st recorded labor uprising, Polish craftsmen, who produced glass, pitch & tar for the Jamestown colony, went on strike to protest their lack of voting rights. The incident ended peacefully when the Poles were granted full voting rights.

1806

The union of Philadelphia Journeymen Cordwainers was convicted of and bankrupted by charges of criminal conspiracy after a strike for higher wages, setting a precedent by which the U.S. government would combat unions for years to come.

27 April 1825

The first strike for the 10-hour work-day occurred by carpenters in Boston.

3 July 1835

Children employed in the silk mills in Paterson, NJ went on strike for the 11 hour day/6 day week.

July 1851

Two railroad strikers were shot dead and others injured by the state militia in Portage, New York.

1860

800 women operatives and 4,000 workmen marched during a shoemaker's strike in Lynn, Massachusetts.

13 January 1874

The original Tompkins Square Riot. As unemployed workers demonstrated in New York's Tompkins Square Park, a detachment of mounted police charged into the crowd, beating men, women and children indiscrimi-

nately with billy clubs and leaving hundreds of casualties in their wake. Commented Abram Duryee, the Commissioner of Police: "It was the most glorious sight I ever saw..."

12 February 1877

U.S. railroad workers began strikes to protest wage cuts.

21 June 1877

Ten coal-mining activists ("Molly Maguires") were hanged in Pennsylvania.

14 July 1877

A general strike halted the movement of U.S. railroads. In the following days, strike riots spread across the United States. The next week, federal troops were called out to force an end to the nationwide strike. At the "Battle of the Viaduct" in Chicago, federal troops (recently returned from an Indian massacre) killed 30 workers and wounded over 100.

5 September 1882

Thirty thousand workers marched in the first Labor Day parade in New York City.

1884

The Federation of Organized Trades and Labor Unions, forerunner of the AFL, passed a resolution stating that "8 hours shall constitute a legal day's work from and after May 1, 1886." Though the Federation did not intend to stimulate a mass insurgency, its resolution had precisely that effect.

Late 1885/Early 1886

Hundreds of thousands of American workers, increasingly determined to resist subjugation to capitalist power, poured into a fledgling labor organization, the Knights of Labor. Beginning on May 1, 1886, they took to the streets to demand the universal adoption of the eight hour day. Chicago was the center of the movement. Workers there had been agitating for an eight hour day for months, and on the eve of May 1, 50,000 workers were already on strike. 30,000 more swelled their ranks the next day, bringing most of Chicago manufacturing to a standstill. Fears of violent class conflict gripped the city. No violence occurred on May 1 -- a Saturday -- or May 2. But on Monday, May 3, a fight involving hundreds broke out at McCormick Reaper between locked-out unionists and the non-unionist workers McCormick hired to replace them. The Chicago police, swollen in number and heavily armed, quickly moved in with clubs and guns to restore

order. They left four unionists dead and many others wounded.

Angered by the deadly force of the police, a group of anarchists, led by August Spies and Albert Parsons, called on workers to arm themselves and participate in a massive protest demonstration in Haymarket Square on Tuesday evening, May 4. The demonstration appeared to be a complete bust, with only 3,000 assembling. But near the end of the evening, an individual, whose identity is still in dispute, threw a bomb that killed seven policemen and injured 67 others. Hysterical city and state government officials rounded up eight anarchists, tried them for murder, and sentenced them to death.

On 11 November 1887, four of them, including Parsons and Spies, were executed. All of the executed advocated armed struggle and violence as revolutionary methods, but their prosecutors found no evidence that any had actually thrown the Haymarket bomb. They died for their words, not their deeds. A quarter of a million people lined Chicago's street during Parson's funeral procession to express their outrage at this gross miscarriage of justice.

For radicals and trade unionists everywhere, Haymarket became a symbol of the stark inequality and injustice of capitalist society. The May 1886 Chicago events figured prominently in the decision of the founding congress of the Second International (Paris, 1889) to make May 1, 1890 a demonstration of the solidarity and power of the international working class movement. May Day has been a celebration of international socialism and (after 1917) international communism ever since.

The Bayview Massacre also took place at this time, where seven people, including one child, were killed by state militia. On 1 May 1886 about 2,000 Polish workers walked off their jobs and gathered at Saint Stanislaus Church in Milwaukee, angrily denouncing the ten hour workday. They then marched through the city, calling on other workers to join them; as a result, all but one factory was closed down as sixteen thousand protesters gathered at Rolling Mills, prompting Wisconsin Governor Jeremiah Rusk to call the state militia. The militia camped out at the mill while workers slept in nearby fields, and on the morning of May 5th, as protesters chanted for the eight hour workday, Gen-

eral Treauer ordered his men to shoot into the crowd, some of whom were carrying sticks, bricks, and scythes, leaving seven dead at the scene. The Milwaukee Journal reported that eight more would die within twenty four hours, and without hesitation added that Governor Rusk was to be commended for his quick action in the matter.

23 November 1887

The Thibodaux Massacre. The Louisiana Militia, aided by bands of "prominent citizens," shot at least 35 unarmed black sugar workers striking to gain a dollar-per-day wage, and lynched two strike leaders.

25 July 1890

New York garment workers won the right to unionize after a seven-month strike. They secured agreements for a closed shop, and firing of all scabs.

6 July 1892

The Homestead Strike. Pinkerton Guards, trying to pave the way for the introduction of scabs, opened fire on striking Carnegie mill steelworkers in Homestead, Pennsylvania. In the ensuing battle, three Pinkertons surrendered; then, unarmed, they were set upon and beaten by a mob of townspeople, most of them women. Seven guards and eleven strikers and spectators were shot to death.

11 July 1892

Striking miners in Coeur D'Alene, Idaho dynamited the Frisco Mill, leaving it in ruins.

1893

The first of several bloody mining strikes at Cripple Creek, Colorado.

5 July 1893

During a strike against the Pullman Palace Car Company, which had drastically reduced wages, the 1892 World's Columbian Exposition in Chicago's Jackson Park was set ablaze, and seven buildings were reduced to ashes. The mobs raged on, burning and looting railroad cars and fighting police in the streets, until 10 July, when 14,000 federal and state troops finally succeeded in putting down the strike.

1894

Federal troops killed 34 American Railway Union members in the Chicago area attempting to break a strike, led by Eugene Debs, against the Pullman Company. Debs and several others were imprisoned for violating injunctions, causing disintegration of the union.

(continued next month)

Trustee Report

April 12, 2011

The semi-annual audit by the Trustees of the Southwest Florida Area Local 1279 of the American Postal Workers Union was conducted on April 11 and April 12, 2011. This is in accordance with Article 4, Section 710 of the Local's Constitution and By-Laws.

Present were Trustees Gary Rickman, Wendy Skaff, and Helen Skinner. Also present were our Secretary-Treasurer Felicia Gluhareff who provided the financial records, documents and files necessary for the Audit and our office secretary Karen D'Angelo assisted us as needed.

The purpose of the audit is to verify that:

1. The financial statements are substantially and materially correct and verifiable.
2. The local received and deposited all dues check off (DCO) monies received from the APWU Headquarters.
3. All disbursements have been properly authorized as required by the Labor-Management Reporting and Disclosure Act of 1958, as amended (LMRDA).
4. The Local is in compliance with the reporting and disclosure obligations under the LMRDA and the Internal Revenue Code (IRC).
5. All expenditures are supported by adequate documentation and that said expenditures are for the benefit of the Union Members as a group and do not result in any personal gain or private benefit or recognition that would be detrimental or harmful to our Union.

We verified the copies of the quarterly and annual tax returns, payments for the Dues Check Off (DCO's) from the National APWU, the Local's fiduciary bond status, leases, mortgage records, source documents, bills, receipts, and COPA contribution logs.

We reviewed documents such as the Constitution and By-Laws, minutes of the General Membership meetings, Executive Board minutes, Labor Organization Annual Reports, and LWOP/Authorized Union Leave records, and previous Trustee Reports for notations of any recommendations made.

The quarterly and annual tax reports and Labor Reports are current as well as the annual 990 Report and the LM-3 Reports. Check disbursements and bank statements were verified, and all DCO's were verified.

The SWFAL Constitution and By-Laws are still being reviewed for some revisions. To date, we do not have an updated version for review. Our Certificate of Bond (labor bond certificate) for the SWFAL 1279 is current through June 30, 2013

The Trustees upon verification of the bank statements noted that there is no charge for the mimimized copies of the checks, but they are very difficult to review and requires a magnifying glass to see. Our recommendation is to request that membership agree to pay the service charge to the bank to have the copies of the checks be sized normally which will expedite the reviewing of payments in future audits.

We recommend that all LWOP request slips be submitted to the Union within 60 days at the latest to avoid problems in processing the LWOP and maintaining current records.

We wished to note that we are doing well on our mortgage payments and our balance is less than \$12000.00. Possibly next year we may check to see if there is any penalty for an early payoff. The Trustees also noted that with all the work that Karen, our office secretary has to do, her time is limited to go through our old records that she has scanned and now must be shredded. The paperwork is piling up and is a fire hazard. Gary checked with a local company that shreds paperwork for banks and found they can shred all the old paperwork for less than \$750.00 and we recommend the Executive Board approve LWOP for someone to oversee the paperwork to be shredded so Karen can do her normal duties. This matter needs to be addressed to allow room to store newer paperwork.

We wish to thank Felicia Gluhareff and Karen D'Angelo for their cooperation and assistance in locating records and providing us with the necessary materials to do our audit. We also wish to thank the membership and the Executive Board for their trust in allowing us to serve as your Trustees.

Respectfully,

Gary Rickman, Wendy Skaff, Helen Skinner

Two Postal Service Reform Bills Introduced in Congress

APWU Web News Article 041-2011, April 11, 2011

Two legislators have introduced postal reform bills designed to restore stability to the cash-strapped agency and help it survive tough times.

Rep. Stephen Lynch (D-MA) introduced H.R. 1351, which would correct the overfunding of the Postal Service's pension accounts. Rep. Gerry Connolly (D-VA) introduced H.R. 1262, which would modernize the Postal Service business model.

Lynch's bill, "The USPS Pension Obligation Recalculation and Restoration Act of 2011," instructs the Office of Personnel Management (OPM) to recalculate the Postal Service's payments to the Civil Service Retirement System (CSRS) and the Federal Employees Retirement System (FERS) using updated methodology. Independent actuarial studies have concluded that as a result of improper funding formulas, the USPS has overpaid CSRS by \$50 billion to \$75 billion. FERS overpayments are estimated at \$6.9 billion.

The measure says that if overpayments are found during OPM's recalculation, any surplus would be transferred to the USPS. OPM also would be required to immediately repay the USPS money it overpaid into its FERS account. The Postal Service could use these funds to meet its retiree health benefits funding obligations. APWU President Cliff Guffey applauded the legislation. "This bill would get the Postal Service on track toward fiscal solvency," he said.

Connolly's bill, "The Reform the Postal Service for the 21st Century Act," would modernize the Postal Service's business model and enable it to continue to provide universal service to the American public, improve efficiency, and foster postal economic growth. Among other proposals, H.R. 1262 would require the Postal Service to submit a plan to Congress for the "co-location" of post offices at retail establishments. The bill stipulates that all services provided at "co-located" facilities must be performed by USPS employees. Furthermore, the plan must ensure the same level of service currently in existence, and communities must be given an opportunity for input before establishing such locations. Follow up reports on the facilities must be made to Congress once

every two years.

H.R. 1262 also would require the creation of a "Forever Box" for mailing parcels, similar to the "Forever Stamp," and would establish a simplified rate structure for Vote by Mail programs in states and local communities.

The union president encouraged locals to contact their members of Congress and urge them to co-sponsor these important bills. "These bills are critical to strengthening the Postal Service for the future," Guffey said. "Urge your legislators to support these measures in order to protect the USPS."

Hurricane Season Time

Once again, hurricane session is fast approaching. So let me take a little time to point out something's we all need to remember, be sure and have a plan in case we get a storm. Check one of the local news web sites for a very good list of thing you need to have and to know. I do want to point out if you have a pet and end up needing to go to a shelter, only some of them take pets so find out the one near you that does. You need to provide food and the necessary items for your pet. Also, remember to get the number from management for the storm information. Let's hope now that we are under southwest area the suncoast district will update their information as often as areas like Miami. We should all have some kind of survival kit for after a storm comes through. Just remember back when Charlie and the others knocked out power for long periods of time. Most of all, think about you and your family's safety if a storm comes to our area.

Thomas Branch
Tour 3 Maintenance Steward

Next Union Meeting

*Sunday,
May 22, 2011
9:30 a.m.*

At the Union Hall

Your Elected Officials

President Barack Obama

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Fax: (202) 456-2461
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Senator Bill Nelson

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Washington, D.C. 20510-0903
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Our members live in several different districts. For your representative's info, 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!

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 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.

Dear Miss Management



On 3/29/2011, SDO W.

Allman gave me an investigative interview for failure to follow instructions. He had given a copy of his prepared questions to my steward Paul McAvoy at around 2:50 a.m. while I was at lunch. SDO Allman was at the time clock waiting for me when I clocked back in from lunch at around 3 a.m. He told me I could meet with my steward first, then meet him with my steward in the Marco room.

We went to the Marco room at around 3:10 a.m. After a couple of minutes, SDO Allman asked steward P. McAvoy to leave the room. While he was gone, SDO Allman gave me an official discussion. Then he went out to get Paul, who was not waiting outside the Marco room. Paul told me he thought an official discussion was going to be the end of it, so he had gone back to work.

Then I said to SDO Allman, "So you typed the investigative interview questions regarding my alleged failure to follow instructions BEFORE you gave me the instructions?" He just shrugged his shoulders. He proceeded to ask the questions.

I explained the reasons the trucks were late. The person who holds the bid for registry on tour 1 refuses to seal the nil bills. That's the only reason he gets it done without help. The tour 3 registry clerk told me the tour 1 clerk had been written up multiple times by the postal inspectors for not sealing them. I will not take illegal short cuts while working in the registry cage where the high value mail is worked.

On 3/28/2011, as soon as SDO Allman told me I had to work in the registry cage, I told him I would need help. I never got it. He said he would tell acting the MDO. There were only 2 other people who know the cage that night. One was working as dock expeditor. The other was working in automation. The acting MDO refused to let him help me, even for a short time.

I still thought I might be able to get it done, but at around 5:25 a.m. the computer printer would only print an error message

that its memory was full. The same thing had happened 2 weeks earlier and the ETs fixed it by booting the system. So I turned off the computer. That ancient thing took a full 15 minutes to load enough for me to log on. The printer still would not work. So I had to find someone with a radio to call for an ET. He came soon after that and got it working. Meanwhile, I was running back and forth having other truck drivers sign for their mail.

By the time I had sealed the 3 bags for the Bokeelia driver and gave him the scanner and keys, and had him sign for each, it was 6:09. Nine minutes late. About the time it takes to sit through 2 traffic lights.

You want to discipline me for delaying the mail 9 minutes. Yet the week before, you refused to staff the registry cage at all, intentionally delaying ALL the valuables for the 339-341 area for a full 24 HOURS. What's wrong with this picture? Plus, you want to discipline my supervisor for the 9 minutes, when he had nothing to do with it. I asked for help. The acting MDO said no. There was nothing more my boss could do. Instead of disciplining the MDO who caused this whole mess, you're punishing the two people who did everything they could to get the mail out with the cards they were dealt. Letters of warning will not correct a situation if issued to the wrong people.

On April 5th, 2011, I was on vacation. I received a call from my husband asking if he should sign for a certified letter from the post office. I told him to sign the paper and leave it in the mailbox for the carrier.

When I got home on April 9th, my day off, I opened the letter. It was a letter of warning. The investigative interview regarding this was conducted on 3-29-11. I was at work as scheduled on the 29th, 30, 31, April 1, and April 4. Then I was on scheduled annual leave from April 5-8, and April 9 and 10 were my regular NS days. Management had plenty of time to give me this letter in person, yet they sent it to my home.

I was a shop steward for many years. I know that management cites the date the certified form is signed as the date of incident for the discipline. One employee even was terminated because management insisted he received his letter the day his roommate signed for it, even

though he didn't actually receive it that day. His grievance was denied as being untimely because of this. Management sends a certified and a regular letter to ensure they have proof that it was received. Even if I didn't sign it, the regular letter was not returned, making it seem like it was received.

Therefore, since I know management will use my NS day as the official date of incident on my unjustified discipline, I am demanding that they pay me at the overtime rate for making me work on my day off. The CBA says full time regulars are guaranteed 8 hours of work or pay on a day they are scheduled to work. They could have waited to give it to me when I returned on 4-11-11, yet they chose to make me work on my day off.

Also, I saw 2 certified letters addressed to another employee at the post office's address. Management could have addressed the certified letter to me at the plant, yet chose to send it to my home.

A couple of days later, MDO A. Harris approached me at my work area and asked me about how I scanned the mail. I mentioned that other people had asked me about it, that there was an email going around. He was annoyed that management had bothered him about it while he was on leave at the Keys. This just proves the old phrase, "What goes around, comes around." Usually it doesn't happen that quickly, though. I chose my words carefully. I told him that he had done the same thing to me! That what he had done was rude and unnecessary. He just said "File a grievance."

Since this whole incident is regarding management allegedly giving me an order, I can't take a chance on this being considered an order that must be obeyed. Therefore, I HAVE to file a grievance on this. The remedy is that I be paid for the time I had to work at home (reading the certified mail) at the appropriate overtime rate.

If they pull the same crap on you, demand to see a steward and file to get paid for your time. Don't forget to file on the contents of the letter if necessary. Check your computer for the date the carrier said it was delivered. Management will use that as the date of incident, whether you got it that day or not.

Lynne Cram
Editor