

President's Report Sam Wood



COLORADO SHOOTING TRAGEDY HITS THE APWU FAMILY

Last month's Colorado shooting rampage at a midnight showing of the Batman movie, *The Dark Knight Rises*, has touched the APWU family. Alex Sullivan, the son of an Aurora (CO) Local steward Tom Sullivan, was celebrating his 27th birthday at the movie was shot and killed July 20, during the rampage and eleven others died and more than 50 others were injured. Tom Sullivan is a Clerk at the Altura (CO) Station where he serves as a Union Steward.

APWU President Cliff Guffey stated, "Our thoughts and prayers go out to the Sullivan family and to the families of the other victims."

The Huffington Post reported the following on July 21, 2012:

For Alex Sullivan, it was to be a weekend of fun: He planned to ring in his 27th birthday with friends at the special midnight showing of "The Dark Knight Rises" and then celebrate his first wedding anniversary Sunday. Late Friday, Sullivan's family confirmed that police told them he was among those killed. "He was a very, very good young man," said Sullivan's uncle, Joe Loewenguth. "He always had a smile, always made you laugh. He had a little bit of comic in him. Witty, smart. He was loving, had a big heart."

LOCAL AND NATIONAL ELECTIONS

Local and National elections have arrived; I never ask anyone to vote for a certain candidate. I do however give opinions when asked, but I never attempt to influence a person to vote for a certain candidate or political party unless asked by them. I truly believe that each individual should choose who they will vote for after they look at all the information provided to them about the candidates and should weigh the pros and cons of voting for that person.

There is a certain local politician that refused to help save jobs in Southwest Florida even after our members pleaded with him to help us. He refused to step up to the plate for our Southwest Florida jobs. I ask that each person take in consideration the position of each candidate in regard to their attitude towards USPS legislation.

Last month, the United States House of Representatives failed to pass legislation that would have helped the Postal Service's financial woes. It will now be up to our

membership to continue educate their families and friends about postal issues and pending legislation.

NALC COMMERCIAL

The National Association of Letter Carriers unveiled their own commercial late last month concerning the financial condition of the Postal Service. I believe that had all Postal Unions and Associations worked together months ago with coordinated efforts, we may have been more successful in our legislative efforts.

I believe that even though we are separate Unions and Associations, we all share a common interest and the same fate, so why not act as ONE?

For the most part, it seems as though we have been fighting this Postal legislation battle separately (except for the Postal Rally), when we should have combined our resources. My only hope is that we get our act together as one in the near future to protect our jobs, wages and benefits, and collective bargaining rights, before they are taken away from us.

APWU NATIONAL CONVENTION

This month, the APWU National Convention convenes in Los Angeles, California. This will probably be one of the most important conventions for the APWU. There are so many issues that need to be addressed to insure that current APWU members have a future to look forward to. I think our members need more, not less information about what is going on.

I will attempt to get information to our members daily about the issues discussed at the National Convention. Information is power and I believe that this is one of those instances where our members need to be updated in real time as the information becomes available.

GRIEVANCE OVERLOAD

Locals all over the country have been fighting record contract violations by management. It is important that if you believe the contract has been violated, ask to see your Union Steward and file a grievance.

Many believe that phone calls, text messages, or e-mails to an

See **PRESIDENT'S REPORT**
Continued on Page 5

SWFAL/APWU
11000Metro Parkway, Unit 8
Fort Myers, FL 33966
ADDRESS SERVICE REQUESTED

Serving Alva, Bokerelia, Bonita Springs, Captiva, Chokoloskee, Estero, Fort Myers, Fort Myers Beach, Immokalee, Labelle, Lehigh Acres, Marco Island, Naples, Placida, Punta Gorda, Rotunda, St. James City and Sanibel



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

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

President's Report	1
Secretary-Treasurer's Report.....	2
APWU Wins Grievance At Arbitration To Protect Employee Medical Records ..	3
What Contract? Did We Sign a Contract?	4
Union Matters	5
Blaming The Unions	6
Management Stuck In Same Old Groove	6
Our American Right To Assemble.....	7
Greetings From Bokerelia	7
SWFAL Membership News.....	8

PROUD



MEMBER

**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

EDITOR

Kathy Moyer
EdSWFAL@aol.com

**MOTOR VEHICLE CRAFT
DIRECTOR**

Vacant

TRUSTEES

Helen Brillhart-Skinner
Wendy Skaff
David Grant

**SAFETY & HEALTH
COMMITTEE**

David Grant
Wendy Skaff

CONSTITUTION COMMITTEE

Dan Gray, Chairman
Felicia Gluhareff
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



7/22/2012

CALL TO ORDER:

Time: 9:30 a.m. There were 18 members in attendance.

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Bill Faulkner.

ROLL CALL OF OFFICERS:

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

MAP:

A moment of silence for Charles and a member's son who was lost in the Colorado tragedy.

NEW MEMBERS:

None.

**EXECUTIVE BOARD
MINUTES:**

The Executive Board discussed clerks volunteering to go to custodial positions - detailed. Be aware that you will be remaining on your current tour. The Bokeelia excessing situation was discussed. The Bonita clerk who was awarded a bid was asked to sign a 1723 for a detail??? If you are awarded a bid, you do not - and should not sign a 1723 for that bid. Bonita lead clerk issues were discussed. Headquarters refusing to fill vehicle maintenance positions (5) in Fort Myers for which district requested be filled in June. Wendy Scaff will be a steward at Cape Central. Management still has not posted lead clerk bids at the plant. A clerk was excessed from Marco to Naples. The Union was not notified of the excessing. The Marco steward filed a grievance. 204B positions at the plant were discussed.

**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.

**REPORT-SELECTION OF
COMMITTEES:**

None

**REPORT OF CONVENTION
COMMITTEES:**

None

REPORT OF TRUSTEES:

The Trustees will be conducting an audit in September. The Trustees, along with the Office Secretary and Treasurer will look into Skype at that time.

COMMUNICATIONS:

A list of AFL-CIO endorsed politicians was sent to the union hall. Lab reports for the water at the plant were received which stated that the water is finally safe to drink. We discussed a list of requested vehicle maintenance positions for district and outcome (approved / disapproved compliance) from headquarters. We discussed arbitration outcome of the APWU grievance of carriers performing clerk work. No Backpay.

UPDATE OF GRIEVANCES:

Excess of discipline grievances due to management handing out frequent attendance discipline. Arbitrators are siding with management more and not awarding as many monetary awards due to the financial state of the Post Office.

**OLD
BUSINESS:**

None

NEW BUSINESS:

Management can not post the custodial bids because we are under excessing. If management would drop the excessing, then these positions would be able to be posted for bid. Arbitrators are picked by both parties - Union and the USPS. The process for selecting arbitrators is very similar to the jury selection process. Paul McAvoy has been trying for two months to get plant management to post lead clerk bids. A grievance has been filed on this issue. The new union

t-shirts should be arriving soon. The new t-shirts look very similar to the old t-shirts, but with an updated and fresh look. Barbara Carr read the rules and information for our upcoming local SWFAL election. Details are being provided by Barbara to be included in this edition of The Eagle's Eye (see Barbara's article on Page 6). Those employees, if possibly detailed to custodian, will be working the same hours and days off as they would normally work.

LABOR / MANAGEMENT:

There will be a meeting with district labor within the next two weeks.

GOOD AND WELFARE:

The winner of the COPA 50/50 drawing was Wayne Nichols who won \$35.00. The total netted was \$70.00. Wayne Nichols donated \$20.00 of his winnings back to COPA. The name drawn for the incentive award was Maridell Hahn who won \$80.00. The pot will be \$50 at next month's meeting.

**ELECTION OF OFFICERS AND
DELEGATES:**

None

LEFTOVERS:

Lorenzo Tindal spoke about retiree memberships in the union. Also discussed was when management selects clerks to go on standby time, management must take the junior clerk by PAA.

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 August 26, 2012 at 9:30 a.m. at the union hall. The motion passed.

ADJOURNMENT:

Robert Nowall moved to adjourn at 11:10 a.m. The motion passed.

APWU Wins Grievance At Arbitration To Protect Employee Medical Records

On April 18, 2012 as awarded by Arbitrator Shyam Das, The Postal Service cannot require employees to use the Department of Labor's WH - 380



Daniel M. Gray
Vice President
SWFAL APWU

forms. Arbitrator Das ruled that the Department of Labor forms are optional forms, not required forms.

The USPS must accept an employee's medical certification in any format, provided it contains all of the information required under the law.

The APWU had argued that the Department of Labor form WH-380 solicited more information from healthcare providers than what is actually required under the Family Medical Leave Act. The WH-380E and WH380F

forms asked healthcare providers to state the diagnosis/prognosis which is private health information and not required by law.

The APWU forms are easier for healthcare providers to use, and protect against inappropriate disclosure of protected health information. The APWU forms, when filled out correctly, meet the requirements of the Family Medical Leave Act.

We are still seeing incidents where the FMLA coordinators are attempting, by miscommunication or outright deceit, to have employees complete the Department of Labor forms and not the APWU forms as the employee originally submitted. If your FMLA certification is questioned by the FMLA coordinator please ask to see your Union Steward to determine if the request for clarification is justified.

We have had employees fill out the APWU form only to have the FMLA coordinator send back

a completely highlighted Department of Labor WH-380 stating they "must" complete the highlighted WH-380, which is not required and in violation of the recently won arbitration.

Here are some basic rules concerning the Family Medical Leave Act taken from the APWU FMLA presentation and can be found on the Department of Labor Website.

The Family Medical Leave Act was signed into law by President Clinton in 1993. It requires employers to grant eligible employees leave for certain family and medical reasons. Under the law, eligible employees are entitled to a number of benefits. I have included some of the major provisions of the FMLA law below.

It is important to note that I have covered only some of the available information pertaining to FMLA. The APWU website and the Department of Labor website go into extensive detail regarding each and every facet of the rules

and regulations concerning FMLA.

Please, if you have a condition(s) that are covered by FMLA, have your doctor fill out the correct forms and submit them in order to protect yourself. We are seeing a dramatic increase in attendance related discipline. Management, as stated in past articles, cares little for the extenuating circumstances surrounding your absences, but is not allowed to discipline you for a FMLA protected absence.

If you have any questions or concerns concerning FMLA, the Union or other work related issues ask to see your Union Steward.

Remember to vote in the upcoming elections. The Union has endorsed numerous candidates for various offices. Please research the candidates and look beyond their promises because actions always speak louder than words. Vote for the candidate who is there to protect you, your family and your job.

Important Provisions of the Family Medical Leave Act (FMLA)

The Family Medical Leave Act was signed into law by President Clinton in 1993. It requires employers to grant eligible employees leave for certain family and medical reasons. Under the law, eligible employees are entitled to the following:

Up to a total of twelve (12) workweeks of leave during any twelve (12) month period for one or more of the following reasons;

- 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)

What Contract? Did We Sign A Contract?

Management continues on a daily basis to blatantly violate the contract.



Paul McAvoy
Clerk Craft Director
SWFAL APWU

Unfortunately management is taking advantage of the slow process in the grievance procedure and intentionally violating the contract, figuring it will be so far in the future that the issue will solve itself. Although this is the case in some instances, this does not always hold true.

In July, 4 arbitrations were heard from 2008. Yes, that is right - not a typo, 2008. On August 3rd there are 2 other arbitrations concerning overtime bypasses from 2010.

Management is intentionally putting off grievances that have a monetary settlement and then using as their defense the financial condition of the USPS. If they knew how to manage, they wouldn't have to violate the contract and a large part of the financial condition would not be there.

Management refuses to work with the APWU and they treat the contract as if it doesn't exist. Below is an email example of what I am talking about. This is a correspondence between Karen Walker, Dan Gray, NBA Mike Sullivan and myself:

Hey guys,

Just had a meeting with (A) MIPS Karen Walker, Paul and myself concerning management wanting to detail clerks to the vacant residual custodial positions. Apparently management is going the same route as when they claimed Article 7.2 and detailed clerks to carrier craft. One issue is that 7.2 .C states "in the same wage level" which in the case of the custodial positions they are level 4 versus clerk level 6/7. We are experiencing a lot of "603 standby time" on Tour 1 and some on Tour 3 right now for clerks.

(A) MIPS Walker stated they wanted to fill 7 custodial residual vacancies;

3 vacancies on Tour 2
2 vacancies on Tour 3
2 vacancies on Tour 1

Management also stated they did not want to pay out of schedule and would keep clerks working their regular schedule and non-

scheduled days off. Which if they are mostly coming from Tour 1 that will be very difficult to accomplish. (A) MIPS Walker also said they wanted to use volunteers and if not possible by juniority. They will also be issuing 1723's for clerks who are sent over. Any input from Mike or you (Sam) on this issue, i.e. if it is even allowed contractually.

Dan

This is response from NBA Mike Sullivan agreeing with our contentions as far as these emails are concerned.

Page 38 of the JCIM covers it and it specifies that it must be the same wage level in another craft. This email should be forwarded to the maintenance NBAs also and I will do so with your concurrence

SULLY

Karen,

We contacted our NBA's and the APWU's stance on this issue is outlined below and we all agree that the moving of clerks to another craft in accordance with 7.2.C may ONLY be done within same wage level.

Article 7.2.C permits the assignment of employees to perform work in the same wage level in another craft or occupational group where there is an exceptionally heavy workload in another craft or occupational group and a light workload in the employees' craft or occupational group.

The remedy for violating this will be a financial burden to the USPS as it will lead to paying the ODL in the Maintenance (custodial) craft for all hours in violation.

Generally, when the union establishes that an employee was assigned across craft lines or occupational groups in violation of Article 7.2.B or 7.2.C, a "make whole" remedy requires the payment (at the appropriate rate) to the available and qualified employee(s) who would have been scheduled to work but for the contractual violation.

Thanks,
Paul

This is what I received as a response:

From: Walker, Karen - Ft Myers, FL

<karen.walker@usps.gov>

To : clerkcraftswfal
<clerkcraftswfal@aol.com>
Sent: Fri, Jul 20, 2012 2:25 pm
Subject: Follow up to custodian detail discussion:

Per our discussion on Wednesday, we are considering detailing clerks to the vacant custodian jobs. At this time we are requesting volunteers.

I will keep you informed on any decisions made regarding this issue.

Thank you,

Karen Walker
A/Mgr IPS
Ft. Myers P & DC

Management, a few hours after this email was sent to me hung the following on all the time clocks:

FORT MYERS P&DC NEWS BREAK

We are considering detailing clerks to vacant custodian jobs.

If you are interested in detailing to the maintenance department as a custodian please submit your name to your MDO or Robin Wiltse by Tuesday July 24th by 0800.

Detail Opportunities:
T2: Three employees
T3: Two Employees
T1: Two Employees

Detail opportunities will be determined by tour/employees will remain on current tour

Thank you,

Karen Walker
A/Manager IPS

Why then did management bother to have a meeting with Dan and myself if they had already determined they were going to do this? They did this so they can say the union was not willing to work with them. We must police the contract.

I replied to management with the following email:

Karen,

As per our discussion on Wednesday with VP Dan Gray and myself, we voiced the APWU opposition to the contractual validity of these details. I showed you the CBA where it said an Article 7.2.B or C detail must be to the same wage level.

We also told you that Dan and I would talk to Sam and the NBA's and would get back to you (SEE BELOW). Why do you bother discussing these issues with us (SWFAL/APWU), when you know it is a violation, the local does not concur in any way, and the APWU (NBA's position see below) on the issue is totally ignored? This is once again a reason we desperately need a labor management meeting (with district included) as soon as possible. Maybe then we can get P&DC management to stop blatantly violating and ignoring the CBA.

Paul McAvoy
SWFAL Clerk Craft Director

This is just one of many violations that occur on a daily basis.

The Lead Clerk bids at the Plant as of the writing of this article are still somewhere in a vortex that management refuses to let out.

I spoke to a Southwest Florida local president who told me his lead clerks did not go up either. He did however tell me that local management at the Plant he is in settled the grievance for back pay to the successful bidder.

Our grievance on the matter you ask? It was denied at step one and step 2 and is currently at step three and will probably be sent to arbitration to be heard somewhere in the distant future.

What is the difference between the two grievances? About 90 miles and Dorinda Kohlun.

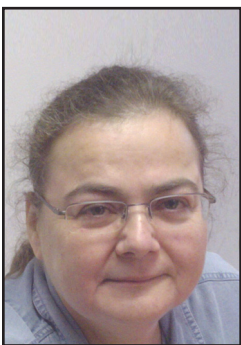
Dorinda micro manages to such an extent, her supervisors will not do anything without her consent first. Plant manager Kohlun continues to brow beat her supervisors into doing things they know are wrong, threaten them with discipline (this info coming from the supervisors themselves) and refusing to deal in good faith with SWFAL or the union in general.

Supervisors can not settle a grievance without, as they say, running by Dorinda first. Supervisors are being ordered to discipline employees for minor issues. I have heard her say on many occasions that someone must be held accountable. When do you get held accountable Dorinda? Never mind I can answer that one myself.

Union Matters

Okay, let's address a couple of contractual issues that have come up recently.

The first issue I would like to discuss is Overtime.



Mickey Szymonik
Maintenance Craft
Director
SWFAL APWU

Our current Local Memorandum of Understanding (LMOU) provides for the opportunity to sign up for Scheduled Work Day overtime, as well as Non-scheduled Day (N/S) overtime. Having these two options to choose from was not available to APWU craft employees prior to this LMOU.

It's really great that employees are able to decide when and for how many hours they would like to be considered available for overtime. (Actually, these days it's great to be afforded any overtime at all!)

The implementation of overtime hours relies on "rotation". If you have signed up to perform pre- or post- tour overtime, the list rotates from seniority to juniority on a quarterly basis. Once the four month quarter is over, the rotation starts at the top of the seniority list, again. If you have signed up on the 8 hour Overtime Desired List (ODL), the process is the same.

Now, to be considered for overtime hours, the employee must be "qualified and available" to perform the work. Logically enough, you are not considered available for 8 hour N/S day overtime if the need for OT falls on your regularly scheduled work day. You are therefore, not available and are bypassed in the rotation and it is awarded to the next available person.

For example: If Management determines by the Wednesday of the prior week that they will need to issue 8 hours of overtime on Saturday and Sunday of the following week, and you are next in rotation but Saturday is your normal Scheduled Day, you are bypassed and the overtime goes to the next ODL employee. You cannot leap frog over Saturday to claim overtime on Sunday. You have already been bypassed in the rotation.

I'm sorry, but contractually that's just the way it is. If you feel the system is unfair, you have two options; attend the Union meetings and work to change our LMOU, or bid to change your days off to days

more apt to afford you the overtime that you desire.

Moving on, in Maintenance, we have recently completed a bid cycle in which a higher level employee requesting a voluntary downgrade to a previously held position was awarded the bid over an employee on the Promotion Eligibility Register (PER). This bid award caused considerable conversation and consternation among, not only the affected parties, but the maintenance craft workers, in general.

I consulted the CBA, JCIM, JCAM, the ELM, the EL-304, the EL-312 and finally, John Gearhart, one of our National Business Agents. Imagine my surprise when it was determined that the position was filled correctly!

Here is the relevant pecking order from the JCIM:

- Select the ranking employee on the appropriate preferred assignment register (PAR)
- An unassigned regular employee may be assigned to the vacant duty assignment.
- Consider higher level qualified maintenance employees requesting change to a lower level. A "previously submitted" written request for assignment to lower level must have been submitted prior to the close of the Notice of Intent.
- Select the ranking employee on the appropriate Promotion Eligibility Register (PER).

Still, further questions arose, i.e., the employee awarded the position never passed his qualifying school in the position he had previously held. Well, through no fault of his own, the employee was never sent to a qualifying school. As our NBA stated to me, neither had the employee on the Promotion Eligibility List (PER) ever passed a qualifying school. USPS management contractually has the discretion to select an employee who has previously performed the job, rather than promote one who has not. In this instance, the position was correctly filled.

Unfortunately, there are other separate issues that arose from this particular bidding cycle that are still in dispute and being investigated.

The outcome of the investigations of these other disputed bid awards will have to be left for another article.

Solidarity, Prosperity, Peace

PRESIDENT'S REPORT

Continued from Page 1

Executive Board Member can resolve your issue. In today's Postal environment, issues are rarely settled due to the massive micro-management going on.

Our SWFAL-APWU Executive Board has received a record number of phone calls, text messages and e-mails over the past six months. Please bear with us when returning you call or message as there are a multitude of issues going on all over Southwest Florida and your representatives are only part time officers working full time.

I also want to thank our members for stepping up when they believe management is doing something wrong. I believe our local has some of the best members in the country and the most dedicated Representatives.

Please remember, when you believe something is up, you are probably correct, so please ask to see your Union Steward and if necessary, file a grievance within 14 days.

BRIGHTER DAYS AHEAD

While our Postal future seems bleak at times, we must remain optimistic of a bright future. This belief will continue to motivate me and I hope it does for every member of our Union.

Please do not lose the fight in you, as we need to continue the struggle. When we give up, we lose all hope and management wins. I, nor any member of our Executive Board has any intention of giving up, so please continue to rise up and fight the good fight.

Ultimately, we will prevail in our struggle for justice, and yes, brighter days lie ahead of us!



Blaming The Unions

The idea that an organization whose purpose is to help working families realize living wages, real benefits, reasonable working hours and safe working conditions



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

can be characterized as something anti-American and evil, is beyond reason. And yet, there are those who continue to attack unions and blame the ills of our economy on the unions. Incredible, but true.

Some people are so entwined in the anti-union rhetoric that they would deny their own economic well being rather than be associated with a union.

The anti-union campaign is a well coordinated regimen of innuendo and false bravado financed by billionaires' intent on destroying the influence of the unions. These 1%ers are willing to spend hundreds of millions of dollars to eliminate the unions as opposed to investing into a workforce that is motivated and highly productive. (As exemplified in the recent Wisconsin recall election. There were 14 different billionaires that contributed to the anti-union side. Most of whom were not from Wisconsin).

In the aftermath of the "Citizens United" decision APWU members must be on guard. We have seen what has happened in Wisconsin when the anti-union foes mobilize and spent \$8 to \$1 to protect what they feel is sacred anti-union ideology.

Some of these anti-union supporters are in the House of Representatives. Speaker John Boehner and Representative Darryl Issa (The Oversight and Government Reform Committee Chairman that overlooks the USPS) are among those outsiders whom contributed to the anti-union side of the recent Wisconsin recall election and both of these fellows are influential concerning any future postal legislation.

In addition we have a Post Master General who signed an agreement with the APWU and then a few months later tells Issa's Oversight and Government Reform Committee that he would support legislation that would negate the contract that he signed his name to.

Doesn't say much about making an agreement with our boss now does it.

The forces are lined up against the Postal Unions. A lot of money will be spent for anti-union candidates. Consider this when voting this fall.

Thanks for listening.

Management Stuck In Same Old Groove

Remember back in the olden days when you would listen to your favorite record and at that one spot you would have to get up and move the needle or hear your song skip. Well, this is how I feel sometimes when I write my articles for *The Eagle's Eye*.

Management has done it once again (shown how stupid they can really become). A couple different things happened over the past month that I feel needs to be brought to all of our attentions so that we can work together to resolve the incompetence of our supervision.

There was a big count not so long ago. Management decided that they needed eight routes consolidated. They left a Custodian in charge (cool by me) to ensure the job was accomplished.

One of our fellow craft employees decided that they no longer wanted to do PEG work. They informed their supervisor who decided to inform the other Custodian that they were going to lose their job. You can't just fire a full time regular employee, but this supervisor thought that they could.

One of the facilities had a city

water main break. Instead of allowing the craft employees to work on the problem to resolve the issue, management decided to hover. The craft employees informed their supervisors that the parts that they were using were past their prime, but management told them to try it anyway. The water main wasn't repaired until the craft employees received the proper equipment.

The funny part was that management decided that the craft employees weren't working fast enough, called a contractor and spent money to test the water. A big waste of money.

My last funny, a nice little old lady slipped and broke her hip. When she informed supervision that she was suing them for her injury, Management had the gall to inform them that our facilities utilize the Custodial Scheduling Worksheets.

It is too bad that supervision doesn't know how to perform a building inventory let alone use a simple tool like these worksheets.

Don't forget to vote.

Keith McGee

swfloridaapwu.org

Southwest Florida Area Local APWU Election Update

The Southwest Florida Area Local's biennial election of officers is underway!

The time-frame is as follows:

The election committee is supposed to be formed at the August

general membership meeting, per the constitution. Anyone interested in serving on this committee should plan on attending the August meeting on August 26th, or inform one of the officers that you would like to serve on the committee.

At the October general membership meeting, nominations are made and unopposed candidates are elected by acclamation. Anyone interested in running for office must be a member in good standing as of the date of the October 2012 meeting.

The ballots are prepared for mailing around the first week of November to comply with the constitution's criteria for the mailing date.

The election always takes place on December 10th, which falls on a Monday this year.

At the very least, election committee members should plan for a full work-day on the early-November date (to be determined) when ballots are prepped for mailing, and anything from a half-day to a full day opening, verifying, and tallying ballots on Monday December 10th.

If you are planning to run for office, you may not serve on the election committee. Anyone else is warmly welcomed.

Barbara Carr



Count me in and enroll me as an APWU Retiree for only \$3 a month!

Complete details for the following are listed in APWU National Constitution and Bylaws.

OPTION 1

Retiree Membership of only \$36 per year, ANNUITY DEDUCTION of retiree \$3 dues monthly.

Privileges: The right to vote and run for office as a Retiree National Convention Delegate or National Director of the APWU Retirees Department.

OPTION 2

Retiree Membership of \$36 per year plus APWU National Per Capita Tax, ANNUITY DEDUCTION of approximately \$23 per month. *

Privileges: Same as OPTION 1 plus eligible to participate in national elections (limited to areas outlined in the election rules).

OPTION 3

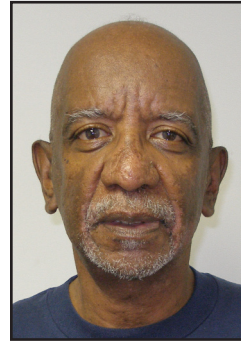
Retiree Membership of \$36 per year plus APWU full dues (National Per Capita Tax and local dues), ANNUITY DEDUCTION of retiree \$3 dues monthly. You will be billed for the National Per Capita Tax and the required local dues amount. This amount will vary from approximately \$200 to \$600 annually.* (Note: Constitution or reinstatement of full dues-paying membership requires compliance with Article 3, Section 4 of the APWU National Constitution and Bylaws. This language can be reviewed on the APWU web-page, www.apwu.org, in the Secretary-Treasurer section under "Constitution and Bylaws").

Privileges: Same as OPTION 2 plus eligible for full local and national membership rights.

* For Options 2 and 3 only, contact 202-842-4288 to find out the current amount.

Our American Right To Assemble

I have always been certain that as an American citizen, we have the right to assemble and meet with one another.



Lorenzo Tindal
President
Retiree's Chapter
SWFAL APWU

As a union member for the past 30 years I have noticed that people seem to take that right for granted. Example; I attend local Lee County Commission Meetings and Fort Myers City Council Meetings and APWU Meetings.

There are more than 50,000 residents in Fort Myers, yet the meetings are generally attended by a handful of residents. The same with the Lee County Commission Meetings. As for APWU meetings, I need not continue beating a dead horse in reminding members that they do not, and should attend the monthly union meeting.

As a retiree, I attend the meeting to ensure that I remain active to protect my Postal Retirement Pension. The others who attend each have their own reason for

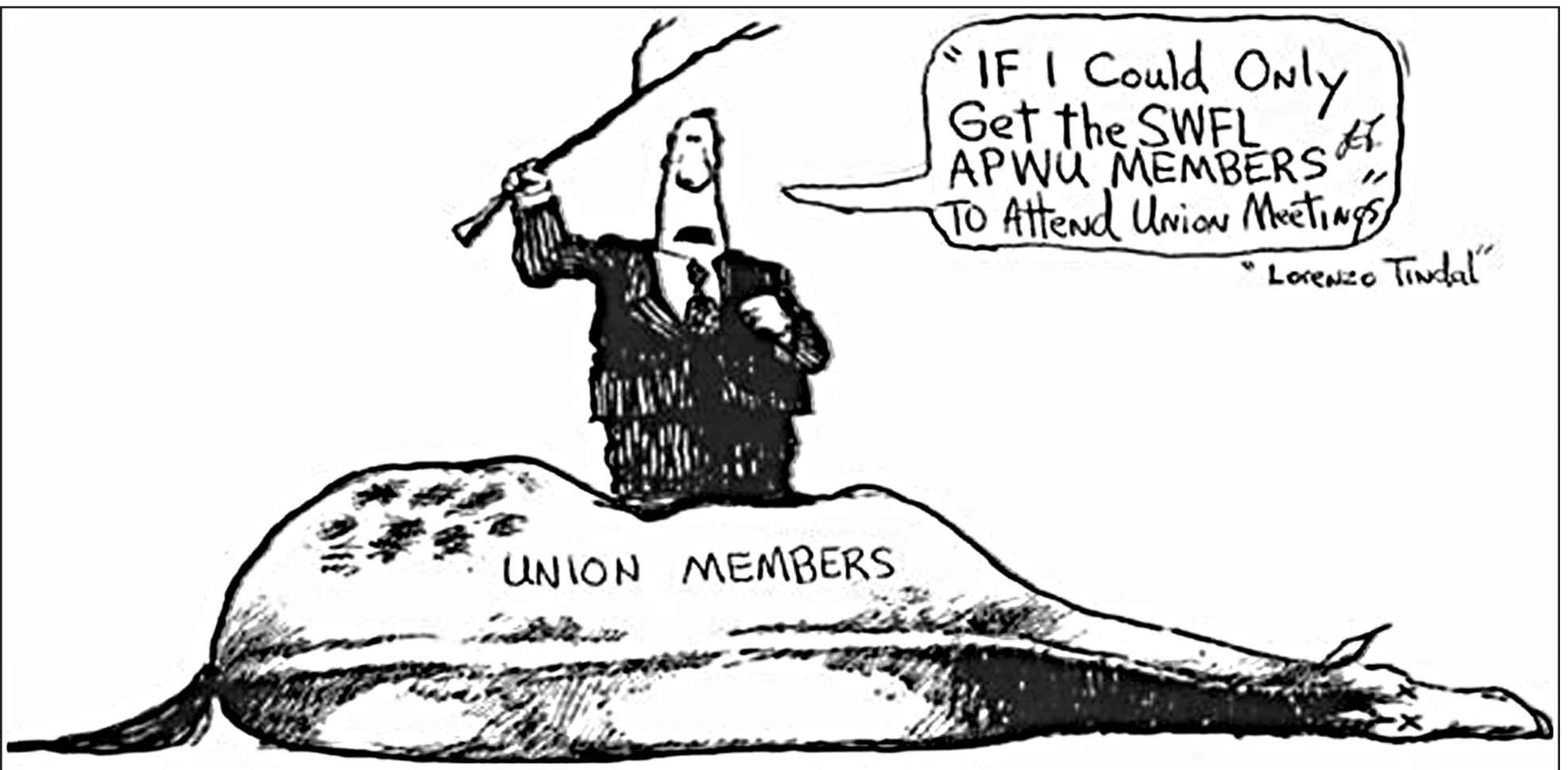
attending and I applaud them for their loyalty to collective bargaining. In these troubled times in America, nothing can be taken for granted.

Just try quitting your job and go to work for a non-union company. There's not a single private sector supervisor who will tell you to hit on standby and go to your break room and watch videos or Jerry Springer. You'll be working non-stop, doing everyone else's job.

One day, at the rate we're going, we may lose our right to assemble. Things we used to take for granted were: Gasoline, 19 cents a gallon. Water for free! Free TV!! The movies, 15 cents. \$12.00 telephone bills. Eggs @ 19 cents per dozen. I am sure many of you can think of countless examples such as these I have mentioned above.

Stop taking for granted that you will always have a union to meet with once a month. At the rate things are going, you may lose your right to assemble. I hope each of you will be as fortunate as many of us retirees, and actually get to see retirement.

Yours in Solidarity,
Lorenzo



Greetings From Bokeelia

I was encouraged recently when I read of an arbitrator's decision involving the Redondo Beach Post Office in California. Although the case was filed by NALC, it is a victory for all postal workers. The case involved an abusive supervisor and the zero tolerance policy of the USPS.

The award summary stated that Redondo Beach Post Office management and Los Angeles District management violated the Joint Statement on Violence and Behavior in the Work Place when local management engaged in and ignored, and Los Angeles District Management failed to act on a

supervisor's egregious conduct in sexually harassing, bullying, intimidating, threatening, humiliating and demeaned letter carriers in the Redondo Beach Post Office. The award will include an official written apology from the District Manager. The abusive manager has been removed, although it is

unclear if that is a settled issue. However, one of the provisions of the award provides that this manager will never directly, or indirectly, supervise letter carriers again.

If the USPS wants to move forward, it will have to leave abusive managers behind.

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

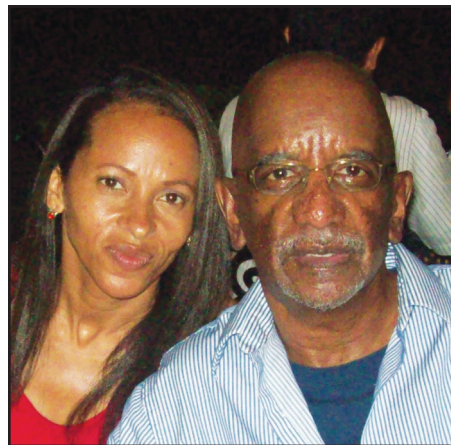
Senator Marco Rubio
 Phone: 202-224-3041
 Fax: 202-228-5171
 Capital Address:
 524 Hart Senate Office
 Building
 Washington, DC 20510-0903
 District Office:
 Tallahassee, FL
 District Phone: 813-207-0509

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.

Southwest Florida Area Local Membership News



Lorenzo Tindal and Gabina Herrera Lopez were engaged on June 22, 2012. Gabina lives in Santo Domingo, Dominican Republic. Gabina is a Registered Nurse of 23 years in the Maternity Delivery Department of a major hospital in Santo Domingo. Gabina is bi-lingual and a former high fashion model.

Congratulations, Lorenzo and Gabina!



If you have news that you feel would be of interest to our Southwest Florida Area Local members, and would like to have the information listed in the next issue of The Eagle's Eye, please email submissions to The Eagle's Eye editor at EdSWFAL@aol.com.

Re-Defining Women's Health Care

For years there has been a gap in healthcare coverage between men and women. Beginning in 2013 the APWU Health Plan will address this disparity. Women are more vulnerable to higher health care costs than men partially due to the fact that women's reproductive health requires more regular contact with health care providers, including yearly pap smears, mammograms, and obstetric care. Women are also more likely to report fair or poor health than men (9.5% versus 9.0%). While rates of chronic conditions such as diabetes and high blood pressure are similar to men; women are twice as likely to suffer from headaches and are more likely to experience joint, back or neck pain. These chronic conditions often require regular and frequent treatment and follow-up care. As a part of the Affordable Care Act, female members in the APWU Health Plan will have access to a full range of recommended preventive services with zero-dollar member responsibility. Well-woman visits include:

- Screening for gestational diabetes;
- Human papillomavirus (HPV) DNA testing for women 30 years and older;
- Sexually-transmitted infection counseling;
- Human immunodeficiency virus (HIV) screening and counseling;
- FDA-approved contraception methods and contraceptive counseling;
- Breastfeeding support, supplies, and counseling; and
- Domestic violence screening and counseling.

Previously, preventive services for women had been recommended one-by-one or as part of guidelines targeted at men as well. As such, the HHS directed the independent Institute of Medicine to, for the first time ever, conduct a scientific review and provide recommendations on specific preventive measures that meet women's unique health needs and help keep women healthy. The APWU Health Plan is proud to be on the forefront of this initiative.



For more information please visit:
www.apwuhp.com
 or call
 (800) 222-2798

