

CLARK V. SAVIDGE

Serving The Letter Carriers of Olympia, Lacey,
Tumwater and Shelton, WA since 1892

VOLUME 32, ISSUE 3

MARCH 2008

Presidents Corner

By Al Floyd

Some Union members seem to have forgotten or have elected to ignore what the union stands for. The Union stands for equality. Why would the union stand by and allow one person or one group to be treated like royalty and others treated like low class citizens. Why would one group feel that because management allows them to have their “cake”, the union should stay out of the way and not make sure all carriers have that same opportunity. When they focus on themselves, they see the Union not for what it is actually doing but that the Union is interfering with them “getting over”. That is why the contract states that anyone can file a grievance on their own behalf, but the Union has to be present for the remedy. This is to make sure there are no “sweet deals” being made nor that the employee / grievant is being taken advantage of.

JCAM, Article 15.2.A; If a letter carrier instead files his own grievance, management must give the steward or other union representative the opportunity to be present during any portion of the discussion which involves adjustment or settlement of the grievance.

I submit the Brain Tease to the Newsletter not to take up space, but rather to make you think about your rights, the contract and how they correlate with one another. Each question is from an actual case. Everyone should think about solidarity, not unity. When we file a grievance and request as a remedy that management supply breakfast, it is for all letter carriers not just union members. I will say that those non-members are still benefiting from what we do, but the main thing is they are letter carriers and deserve to be in on the remedy.

What I ask, is that you understand, your stewards do not do “sweet deals”.



May 10, 2008

POC for Main, Westside & Tumwater

Is Ruth Milroy

POC for Lacey is

Debbie Dixon

Minutes of Meeting: February

The meeting was called to order at 7:02 PM, on February 7th, 2008, at the Labor Temple, on 119 ½ Capital Way N. Olympia.

“Eight” members were in attendance. The Pledge of Allegiance was led by President Floyd.

Roll Call of Officers: All members were present with these exceptions; Editor Steve Ambeau, Sergeant of Arms Kevin Hageman, Trustees Karen Colpo, Cliff Darnell and Ryan Troy (excused). The MBA and HBR positions are vacant.

Minutes of the Previous Month: A motion was made to accept the January minutes as printed, seconded and carried.

Applications for Membership: Joel Walker's application hasn't gotten back yet.

Communications: We received a letter from the United States Letter Carriers Mutual Benefit Association with the MBA 2008 Certificate, for confirmation of the MBA Representative for our Branch, as of December 31st, 2007. It shows Anthony Weil and is currently vacant. This certificate needs to be updated, so if there is anyone interested let Al Floyd know. It needs to be sent in by March 15th, 2008.

Committees: Picnic Committee: Reservations have been made for Burfoot Park again. This year it will be on Sunday, August 17th. Al will be cooking again; Debbie will be doing the games and raffles again. Sam will be buying the food and getting the permit again. Dean will be handling the music and beer again. He promises to not start drinking beer at 10AM this year!

Retirees Banquet: Final report still has not been completed.

Food Drive: Ruth Milroy will be the coordinator. Debbie Dixon will be the Lacey POC.

Bags, cards?

MBA: No Report. **HBR:** No Report.

Unfinished Business: Vincent Corsi needs a copy of Windows XP with SP2 to run MS Money on the branch computer. Has he talked to Dave Beck? Not yet! He will use an Excel spreadsheet until then.

Authorized people to sign checks? Taken care of!

Authorized people to use branch charge card? Being taken care of!

If there is anyone aware of something that says we can't use a non-union printer for our newsletters please let Al Floyd know.

New Business: A motion was made that we donate \$75 from Donations and Gifts to Ed Currall, seconded, discussed and carried. A motion was made that we donate \$75 from Donations and Gifts to Lisa Currall, seconded and carried. A motion was made that we donate \$75 from Donations and Gifts to Joseph Currall, seconded and carried. A motion was made that we donate \$75 from Donations and Gifts to Steven Currall, seconded and carried. A motion was made that we donate \$75 from Donations and Gifts to Mary Currall, seconded and carried. A motion was made to donate all of the proceeds from tonight's 50/50 COLCPE and MDA drawings to the Currall family, seconded and carried. A motion was made to donate an additional \$500 to the Currall family, seconded, discussed, and withdrawn.

Good of the Association: Anyone interested in being the Mutual Benefit Association or Health Benefits Representative for our Branch contact Al Floyd.

A grievance was filed for maximization and Cliff Phillips will be made regular back-dated to the 17th of January?

A letter has been sent to the Postmaster with the updated Stewards and Alternates. Dean needs to send a copy to Steve so he can update the back of the newsletter.

Thanks to Paul Price, Jamie Lumm, Bob James, Chris Larsen and J. Kingsbury for coming to our organizing event at Apollo's Pizza.

We have to start putting in for Special Route Inspections. If we want more routes, people, vehicles, penalty pay, we have to get 'm done!

Treasurer's Report: A motion was made to accept the Treasurer's report as printed, seconded, discussed and carried.

50/50 COLCPE Drawing: The winning ticket was drawn by "Mean Dean." He won a portable radio Al Floyd donated.

CARRIER SEEKING
MUTUAL TRADE

Bill Carlson

Seniority Date 11/99

Olympia Installation

Seeking trade to Sumner,

Auburn, Federal Way,

Tacoma or surrounding

Areas

Please call

253-927-0527

or E-mail to

Searaiderbc@hotmail.com

MDA Drawing: The winning ticker was drawn by “Double D.” She won two of the Magnificent Seventh’s CDs.

A total of \$61 was raised at the meeting for the Currall Family.

Food for next month’s meeting: It’s potluck again! The theme is Irish (Saint Patrick’s Day)

Adjournment: A motion was made to adjourn, seconded and carried. The meeting adjourned at approximately 8:14 PM (1:11:32).

January 17, 2008

Mr. Ron Kusunose, Postmaster
900 Jefferson St. SE
Olympia, WA 98501-9998

Dear Ron,

The following is a list of Shop Stewards and Alternate Shop Stewards for Branch 351 effective January 1st, 2008:

Chief Steward	Debbie Dixon
Alternate Chief Steward	Al Floyd
Westside Steward	Al Floyd
Alternate Westside Steward	Debbie Dixon
Lacey Steward	Debbie Dixon
Alternate Lacey Steward	Vincent Corsi
Main Office Steward	Al Floyd
Alternate Main Office Steward	Debbie Dixon
Tumwater Steward	Debbie Dixon

Sincerely,

“Mean Dean” Peterson

Recording Secretary, NALC Branch 351

MANY THANKS TO ALL!

The Currall family, NALC Branch 351 and many others, thank those who have contributed so generously to help our fellow worker at the Lacey Post Office, Ed Currall. **It is truly appreciated** how so many people came together to support Ed and his family so quickly when the call went out for help. Thank you for all you have done! We successfully raised enough money for two February surgeries and are currently half way to our goal for the next surgery in March! **There is strength in numbers!!**

Ed and his wife Lisa, their sons Joe and Steven (having the Tethered Spinal Cord Syndrome surgery) and Mary (having a post op checkup from her surgery several months ago) left for New York on Feb. 9th, returning Feb. 23rd. Keep them in your thoughts for successful surgeries and a safe trip back home.

While the Currall family is in New York, they will be given the news of what the cost will be for their last two children to have this much needed surgery. The family has been **blessed** in the past with funding from the hospital in New York. Unfortunately though, that **funding will end** in the middle of March, after the next surgery. The Currall family will then be faced with **all** medical expenses not covered by insurance.

The Currall family continues to be in **6 different studies** within the U.S. to try and help others who have the Rare Disorders (a total of **seven** disorders found in the **National Organization of Rare Disorders** List) that they have. Their goal is to provide information that will help others be diagnosed in the early stages of the disorders which would prevent them from developing severe debilitating issues that are caused when not diagnosed early or not diagnosed at all. **This family is truly amazing!**

For those of you who did not see the first flyer put out on the Currall family, the list below is a **brief** description of what the children have been diagnosed with:

- *2 are **Diabetics** on insulin pumps and continuous internal glucose monitoring.
- *2 have **Congenital Heart Disease** due to Ehlers-Danlos Syndrome. One has had heart surgery and will soon need an aorta and valve transplant and is scheduled for a spinal cord surgery due to a Tethered Spinal Cord Syndrome; **Scheduled for February, 2008.** Two other children have already had this surgery.
- *4 have **Dysautonomia** due to the rare disorders/diseases of **Arnold Chiari Malformation (ACM), Ehlers-Danlos Syndrome (EDS) and Tethered Spinal Cord (TSC).**
- *1 has stage 1 **Kidney Disease.**
- *1 has a very rare (**1 of 60 Worldwide**) metabolic disorder called **3-Beta-Ketothiolase Deficiency**. He also has ACM, EDS and TSC. He has an additional spinal cord issue called **Syringomyelia**. He is scheduled for TSC **surgery in March, 2008.**
- *1 has **Asperger's Syndrome.**
- ***All 8** have **EDS**, a connective tissue disease.
- *5 have **ACM**, a brain malformation.
- ***7 of 8** children have **TSC** and the 8th is suspected of having the symptoms.
- *7 have **Tourette's Syndrome**. One of which is also scheduled for TSC **surgery in February, 2008.**
- ****Mom**-Lisa Currall has **ACM, EDS** and **TSC** also.

A Benevolent Fund for this family has been set up. A paycheck allotment can be made to the fund if you wish. If you have **any** questions please contact Debbie at 360-455-1120 or 360-923-9197. **Thank you!**

Checks can be made out to: **The Currall Family Fund**

And sent to: **The Currall Family Fund**

P.O. Box 5453 Lacey, WA 98509-5453

Steward Report: Mar.

By Al Floyd

Main Office

- Two grievances filed for Out of Schedule. 1 Withdrawn, 1 Resolved.
- Grievance filed on Maximization; withdrawn.
- Cease and desist grievance filed and resolved for Reserve position not being properly posted for Opt.

Westside Station

- Grievance filed over City Wide Bids not being properly posted; Resolved.
- Grievance filed for carrier receiving a Letter of Suspension; Resolved.

Brain Tease: Mar.

By Al Floyd

1. Hours that apply to the 60 hour limit are:

- A. Work hours B. Overtime hours C. Leave hours D. All of the above

2. An employee may change their schedule using a:

- A. 3971 B. Written note C. 3189 D. All of the above

3. Equitable distribution of OT includes:

- A. Equal hours off assignment B. Equal opportunities off assignment
 C. Total overtime hours worked D. None of the above

Answers to last months questions:

1. B. False JCAM, Article 10 - Medical Certification; ELM Section 513.361A. For absences of more than three days, an employee must submit "medical documentation or other acceptable evidence" in support of an application for sick leave.
2. B. False JCAM, Article 8 - Excluding December, no full-time regular employee will be required to work over time on more than four of the employee's five scheduled days in a service week or work over ten hours on a regularly scheduled day, over eight hours in a non-scheduled day, or over six days in a service week.
- 3.A. Yes JCAM, Article 9 - Re: Step Increases; The parties agree that periodic step increases will not be withheld for reason of unsatisfactory performance.

Rights of Individuals Submitted by Vincent Corsi

An employee has *Weingarten* representation rights only where he or she *reasonably believes* that discipline could result from the investigatory interview. Whether or not an employee's belief is "reasonable" depends on the circumstances of each case. Some cases are obvious, such as when a supervisor asks an employee whether he discarded deliverable mail. The steward cannot exercise *Weingarten* rights on the employee's behalf. And unlike "*Miranda* rights," which involve criminal investigations, the employer is not required to inform the employee of the *Weingarten* right to representation. Employees also have the right under *Weingarten* to a pre-interview consultation with a steward. Federal Courts have extended this right to premeeting consultations to cover Inspection Service interrogations. (*U.S. Postal Service v. NLRB*, D.C. Cir. 1992, M-01092). In a *Weingarten* interview the employee has the right to a steward's *assistance*—not just a silent presence. The employer would violate the employee's *Weingarten* rights if it refused to allow the representative to speak or tried to restrict the steward to the role of a passive observer. Although ELM Section 666.6 requires all postal employees to cooperate with postal investigations, the carrier still has the right under *Weingarten* to have a steward present before answering questions in this situation. The carrier may respond that he or she will answer questions once a steward is provided.

Weingarten Rights

Federal labor law, in what is known as the *Weingarten* rule, gives each employee the right to representation during any *investigatory interview which he or she reasonably believes may lead to discipline*. (*NLRB v. J. Weingarten, U.S. Supreme Court, 1975*) The *Weingarten* rule does not apply to other types of meetings, such as:

- **Discussions.** Article 16.2 provides that "for minor offenses by an employee ... discussions ... shall be held in private between the employee and the supervisor. Such discussions are not discipline and are not grievable." So an employee does not have *Weingarten* representation rights during an official discussion. See National Arbitrator

Aaron, H1T-1E-C 6521, January 6, 1983, C-03769.

- Employees do not have the right to union representation during **fitness-for-duty physical examinations**.

The *Weingarten* rule applies only when the meeting is an *investigatory interview*—when management is searching for facts and trying to determine the employee's guilt or decide whether or not to impose discipline. The rule does not apply when management calls in a carrier for the purpose of issuing disciplinary action—for example, handing the carrier a letter of warning.

Branch 351 is trying to create a database of e-mail address's of its members. This might become a useful tool in getting addition information you along with the monthly newsletter. Please submit the following info:

Name: _____

E-Mail Address: _____

You can either give this to your Shop Steward, mail it to the Branch Office, or e-mail to branch351@hotmail.com.

Union meetings are held on the third floor at the Labor Temple :

119 1/2 Capitol Way
Olympia, WA
(360) 754-8600
branch351@hotmail.com

Branch 351 holds its union meetings on the first Thursday of each month at 7:00 pm, unless otherwise noted.

The Branch Union office will be opened every Tuesday & Thursday from 2:30 pm till 5:30pm. If I can't help you, I know where to get an answer for you.

Your VP,
Sam Samuels

All items published in the Clark V. Savidge Sentinel are the property of Branch 351. Reprint permission is granted to trade union and labor publications, providing appropriate credit is given. Material submitted for publication must be received by the Editor no later than the 15th of the month. This is a monthly newsletter. Opinions expressed by contributors are their own and not necessarily those of NALC Branch 351 or it's editor

Union Stewards / Alternates and Phone Numbers

	Station Numbers
Chief Shop Steward - Debbie Dixon 923-9197	
Alt. Chief Steward - Al Floyd	
Main Office Shop Steward - Al Floyd	357-0222
Main Office Alt. Steward - Debbie Dixon 923-9197	
Westside Station Shop Steward - Al Floyd	352-0222 or
Westside Station Alt. Steward - Debbie Dixon 923-9197	455-1120
Lacey Station Shop Steward - Debbie Dixon 923-9197	459-8988 or
Lacey Station Alt. Steward - Vincent Corsi 493-1622	455-1120
Shelton Office Shop Steward - George Vocke 426-5928	426-4291
Tumwater Shop Steward - Debbie Dixon 923-9197	455-1120

BRANCH OFFICERS AND PHONE NUMBERS

President - Al Floyd
Vice President - Sam Samuels 352-2912
Secretary/Treasurer - Vincent Corsi 493-1622
Recording Secretary - Dean Peterson 491-2468
Editor - Stephen Ambeau 870-7807 Email: stamper9@comcast.net
Assistant Editor - Christopher Glidden 870-7807
Director of Retirees - Sam Samuels 352-2912
MBA Representative - Vacant
HBR Representative - Vacant
Sergeant of Arms - Kevin Hageman
Trustees - Ryan Troy (08-09)
Karen Colpo (07-08)
Cliff Darnell 431-6599 (07-08)

NALC Branch 351
P.O. BOX 7715
OLYMPIA, WA 98507-7715

NON-PROFIT ORGANIZATION
U.S. POSTAGE PAID
Olympia, WA
PERMIT NO. 298