

# ***Postal Worker West***

February 2018

**ISSUED BY  
OMAR M. GONZALEZ  
REGIONAL COORDINATOR**

## ***EXCESSING IMPACTS ARE UNDER REVIEW***

**PACIFIC / WESTERN AREAS-** The massive involuntary reassignments (i.e., excessing) originally scheduled for February 2018 and then slated for a May move date are under review for possible cancellation by Area complement and District managers.

In a frustratingly slow process, each of the impacts are being reviewed and sporadic cancellations of anticipated excessing are being issued to the Regional Union. Those cancellations are posted on the Union's website at the Regional Coordinators' Page (Western Region- Impact Statements link) and mailed to the local unions.

### **Region Takes Action On Updates**

In some parts of the Western Area, clerks seeking to transfer on 21 day eReassign are being informed that they no longer have "priority consideration" which indicates that the withholding and excessing impact in their offices have been cancelled. "But, I don't trust management's verbal information as they are quick to ignore their obligations under the CBA and JCIM," said Regional Coordinator Omar Gonzalez. The Coordinator sent an official inquiry to both Areas on the status of impacted offices.

The Region formally requested the following information pursuant to Article 12 (Principles of Seniority and Reassignment) and Article 31 (Union-Management Cooperation):

*Update on Attrition ( retirements, removals, transfers etc.) which reduces the number of impacted employees; Updated list of Withheld Residual Vacancies ( duty assignments reserved for the reassignments); list of impending impacts that will go forward in May.*

The Pacific Area indicated they would collect the information requested and issue it to the Region. The Western Area has not responded, prompting the Regional Coordinator to place the issue on the agenda for the HQ meeting in Washington DC.

" Management is being forked tonged," said the Regional Coordinator. "Local bosses are telling Local officers impacts are being cancelled yet the Area Managers will not commit to any indication of cancellations." The Regional Coordinators will meet with HQ officials and Area Labor Managements in March and have requested all pending impacts be cancelled.



## **ADMINISTRATION TARGETS POSTAL WORKERS**

**Washington DC-** The proposed budget issued by the White House clearly takes aim at employees of the postal service.

It calls on management to better manage expenses and signals approval for cutting six day delivery, increases employee costs for health care, cuts workers comp, cuts FERS COLAs, reduces CSRS COLAs and much more.

The battle of the budget begins with the Unions raising the call to arms. Will members take heed? Will the Union prevail in stopping the proposed cuts? *We must prevail !!*



## ***Supervisors Are Accountable For Unsafe Conditions***

**Pacific Area-** At the behest of the Area Vice-President, the Regional Coordinator gave the Union's perspective on the Postal Service safety engagement process.

Speaking to more than 500 postal managers, safety specialists and selected safety captains Regional Coordinator Omar Gonzalez emphasized the official philosophy that any postal injury or illness can be prevented. He stressed that while all employees have responsibilities and obligations under the Safety Program, it is the supervisors' responsibility to ensure a safe, and healthful working environment which includes maintaining good employee relations.

Gonzalez pointed to the Handbooks containing the Safety Program and declared the USPS Safety Program is one of the strongest on paper but worthless if not complied with. He also stressed that management should consider appointing maintenance employees as Safety Captains ( not just operations or carriers). He wondered out loud why post offices are cleaned when top officials like the PMG visits and not always kept clean for employees.

The Union's Coordinator also expressed his concern over the GIMBA ( a Japanese term meaning "the real place") process and referenced the contractual and legal responsibilities to provide a clean and healthful workplace. Gonzalez also stated that if true cooperation in the safety engagement process is sought managers need to reach out to the local unions and recommit to strong Joint Labor-Management Safety Committees. He pressed the need to use 1767s and to follow through when safety issues are reported to managers. The Coordinator emphasized that the issuance of automatic discipline when accidents occur is not only a violation of the JCIM but counter productive "because we then fight over 'just cause' instead of focusing on 'what caused' [ the accident or injury ]."



Regional Coordinator Omar Gonzalez addressed the Pacific Area Safety Symposiums in late January and early February.



Regional Coordinator Omar Gonzalez (right) congratulated the newly appointed Pacific Area VP, Larry Munoz.

## **SAFETY AMBASSADOR PROGRAM CHALLENGED**

**WASHINGTON DC-** The National Union has filed a Class Action Step 4 Grievance over the unilateral changes made by management to the Safety Captain Program.

Management is now deploying "Ambassadors" instead of appointing Safety Captains.

The Union is citing a violation of contract Article 5 (Prohibition of Unilateral Action) , Article 14 (Safety & Health) and Article 19 (Handbooks/Manuals). Changes related to wages, hours, working conditions may not be inconsistent with the National Agreement). There are also possible Article 7 (Crossing Craft) issues if the so called "Ambassadors" are appointed from other crafts into the crafts under the jurisdiction of this union.

"As is the usual case in many disputes, its how management imposes their programs that cause the union to challenge them," said Regional Coordinator Omar Gonzalez. "Safety is everyone's concern and serious business. Let's just do it the right way," he added.

## **MAINTENANCE LOOSES ANOTHER ONE**

**Washington DC-** The Craft was handed a "stunning" arbitration loss in February over counting supervisors within the number of positions supported for determining Maintenance Support Clerical staffing.

The National Union claimed the Arbitrator used inconsistent language to justify the opinion. The union relied on the testimony of the Craft Director and three craft MSCs. The union's assertion [among others] , according to the award, is that "total" means all, and that "all maintenance employees, plainly includes maintenance supervisors. The arbitrator disagreed. The other arguments were basically shot down as well by the arbitrator. [see website for more].

This loss follows on the heels of a recent loss where the arbitrator ruled that initial installation of a new mail processing system is not maintenance craft work despite the showing that craft employees were ready, willing and able to install the APPS machines.

## POSTAL WORKER SAFETY CHECKLIST TO LIVE BY

You are entitled by right, by the contract and by law to a safe and healthful workplace. You are also entitled to a HUMAN work environment. But you also have an obligation to work safely AND TO REPORT UNSAFE WORKING CONDITIONS. Every day when you report to duty per the EL 801 your supervisor should already have ensured your work place was CLEAN and FREE OF UNSAFE CONDITIONS. When you report to work look around your work place and office for compliance with the following basic safety rules:

- Emergency Exit routes kept clear [ OSHA 1910.37 ] ( ) Y ( ) N
- Exits/routes to emergency exits clearly marked with readily visible signs [OSHA 1910.37(b); EL801,8-5,MS56] ( ) Y ( ) N
- Doors that can be mistaken as Emergency Exit marked NOT AN EXIT or identified as to function[OSHA1910.37(b);EL801] ( ) Y ( ) N
- Walking/working surfaces free from slip, trip, or fall hazards. No obstructions across aisles[OSHA 1910.22(a); EL801,8-7] ( ) Y ( ) N
- Emergency lights provided where required [OSHA 1910.37(b), EL 801, 8-5; MS-56 228] ( ) Y ( ) N
- Permanent wiring used instead of flexible cords [OSHA 1910.305] (e.g. extension cords) ( ) Y ( ) N
- Cabinets and shelving anchored to wall or floor to prevent tipping/falling [OSHA 1910.176(b) EL 801, 8-9] ( ) Y ( ) N
- Electrical boxes/outlets/receptacles securely mounted [NFPA 70] ( ) Y ( ) N
- Fire Extinguisher locations clearly marked [EL 801, 8-5; MS 1;MS-56 ] ( ) Y ( ) N
- Fire Extinguishers inspected monthly [OSHA 1910.57(e)] ( ) Y ( ) N
- Fire Extinguishers unblocked [OSHA 1910. 157(c); EL801, 8-5 ] ( ) Y ( ) N Manual fire alarm not blocked [OSHA1910.157(e)]( ) Y ( ) N
- All vehicles inspected daily before (and after) being used [EL801,3-4] ( ) Y ( ) N
- Safety Talks given and recorded weekly [EL 801, 1-7] { > Weekly Safety Talks are REQUIRED } ( ) Y ( ) N
- Refrigerators, microwave ovens, drinking fountains kept clean [OSHA 1910.41] ( ) Y ( ) N
- Closed top trash cans used for food waste [OSHA 1901.141(g)] ( ) Y ( ) N
- Restroom(s) in clean and sanitary condition. [OSHA1910.141(a)] ( ) Y ( ) N
- Washing facilities kept clean and sanitary [OSHA 1910.141(d)(i)] ( ) Y ( ) N
- Hot water provided in washing facilities [OSHA 1910.141(d)(2)(iii)] ( ) Y ( ) N
- Paper towels (air dryers etc.) provided in washing facilities [OSHA1910.(d)2(iv)] ( ) Y ( ) N
- Food services provides unspoiled food and provided against contamination [OSHA1910.141] ( ) Y ( ) N
- Job Safety Analysis (JSA updated) provided for each task you perform at work. [EL801 ] {JSAs should have been to you} ( ) Y ( ) N
- Supply of PS 1767s maintained and accessible in the facility [Art 14 CBA, EL 801, EL802] ( ) Y ( ) N
- Lighting/Illumination Adequate [ OSHA 1926.56(a) ] ( ) Y N ( ) Defective Equipment Removed/Not used [EL 801,803,814] ( ) Y ( ) N
- Scheduled breaks [PO 209; PO 420; PO 413; MS47] ( ) Y ( ) N

[ the above are OSHA General Standards Rules and excerpts from postal safety handbooks and manuals as reference ]

**WHAT ACTION DID YOU TAKE?** ( Please don't ignore your responsibilities, thousands are injured, and some workers even die!)

[ ] 1767 filed for each safety deficiency Date:\_\_\_\_\_ Time:\_\_\_\_\_ Supervisor it was reported to:\_\_\_\_\_

{Make sure you make a copy of the 1767 before you submit it. The supervisor is required to also give you a copy as a receipt and then follow up and issue you a copy of a completed 1767 stating what action was taken within your Tour of Duty! }

[ ] I also reported the issue to my Shop Steward:\_\_\_\_\_ on Date\_\_\_\_\_ Time:\_\_\_\_\_ and asked the Steward to investigate and pursue the issue. (Give steward a copy of this form and a copy of the 1767. Ask for a follow up)

**Note:** You also have a right to contact OSHA (Occupational Safety & Health Administration) [dol.osha.gov](http://dol.osha.gov) if issue is not abated.



## STATE ORGANIZATIONS GEARING UP FOR POLITICAL ACTION

The Union's State Organizations in the Western Region will be hosting a variety of legislative training sessions.

The multi-state Northwest Region Convention (Washington, Oregon, Alaska, Idaho and Montana) will be offering a session in April. WA State President Charles Smith informs the session will be conducted Saturday April 28th in Spokane WA.

California State President Mike Evans is planning two exten-

sive legislative training sessions for Northern (Oakland, March 24) and Southern California (Anaheim, March 31) Arizona, New Mexico, Colorado, Wyoming and Utah will also host a session in June in Park City, Utah.

"I truly hope all the Local Unions will assign and send several officers and activists to these sessions. Elections are important on so many fronts," said Omar Gonzalez Regional Coordinator.

"Our Constitution & By-Laws obligates us to work for the repeal of laws which are unjust to labor and postal workers and to educate all members on issues involving economic, political and social justice," stated Gonzalez. One such issue is "DO NOT MAIL" Legislation which can threaten the viability of our employer and our job security.

## "Where Is My Grievance?"

### Western Region

The year end report issued by the Union's HQ reveals there are 1,117 pending open cases in the Western Region with the oldest being a 2005 Clerk case in Bakersfield California followed by 2010 Upland CA Maintenance case; 2012 San Francisco Case; 2013 Santa Ana CA Maintenance case ;2014 Maintenance cases in Reno and Phoenix. (These are cases pending beyond the Local level to Step 3 and/or arbitration).

JASS (Joint Arbitration Scheduling System) remains the main process by which arbitrations are scheduled by postal managers and NBAs. Date Selection Forms are used in conjunction with the MOU which intended to reduce the backlog through case reviews and the arbitration of appeals not settled during those reviews.

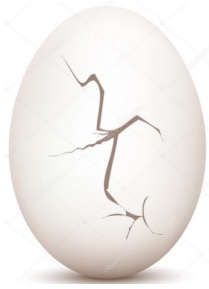
### National Level

At the HQ level the following issues have been settled: **"End of the Day"** button issue involving craft work postmasters are permitted to perform (i.e., 15 hrs. per week) from the start to the end of the day. The button (that was being abused by supervisors ) and related software is to be disabled. **Clerk Craft PSE Hiring and 1 Day Break MOU** requires all Clerk PSEs to be hired effective the first day of a pay period and restores order to hiring and PSE rolls with carry over rights. The **Sales Retention Case Remedy** established that USPS will pay \$36 million for continued violations. SRTs in the Western Region covered by the settlement are in Everett, WA; Portland, OR; and San Francisco, CA. **MVS New Hire Pay** evolved from managers offering a higher rate of pay to potential MVS drivers then rescinding the offer giving them a lower rate once hired. USPS is to correct the job offers, pay employees at the rate offered along with a make whole remedy. **Retail Approved Shipper Program Memorandum of Understanding** was extended which does not permit USPS to enter into any new ASPs, Contract Postal Unions or Village Post Office contracts.

An interesting **"educational hearing"** will be held soon on Article 19 (Handbooks and Manuals) to brief (for lack of a better word) a new National Level Arbitrator on the history, process and grievance procedures involved in disputes over changes to postal handbooks and manuals related to wages, hours, or working conditions.







## WE'RE FORCED INTO AN EGG

*A Message From Omar Gonzalez  
Western Regional Coordinator*

No, this is not about Easter but it is about an effort to redeem yourself from the second class citizen status imposed on you because you work for the Postal Service.

This 2nd Class Status stems from alleged depression era political misconduct resulting in the enactment of a 1939 law called— **The Hatch Act**. It was intended to, believe it or not, protect federal employees from political misconduct. Now a day it is used to restrict our full involvement in the political life of our country.

### WHO CARES?

Your right to first class citizenship is important. Restrictions to that right should always be a concern to you and your family.

Our country is a republic, meaning we elect our representatives who are supposed to REPRESENT OUR INTERESTS! The voters are supposed to have the power not the other way around.

Although we usually we are not considered "federal" employees [ unless they want to take something away ] we are subject to the Hatch Act's restrictions. The Hatch Act was amended in 1993 and 2012.

### WHAT IS PERMITTED?

- You can ( and should ) register to vote.
- You can ( and truly must) VOTE!
- You may contribute money to partisan groups and candidates in partisan elections.[ usually a partisan election is one in which a candidate is running for office representing a political party. ]
- You may attend political fundraisers.
- You may attend and be active at political rallies and meetings.
- You may campaign for or against candidates in partisan elections but you may not engage in political activity while on duty, in the workplace, wearing a uniform or official insignia, or in a government vehicle.
- You may campaign for or against referendum questions and municipal ordinances.

- You may (and should) express opinions about political issues.
- You may express opinions about partisan groups and candidates in partisan elections while not at work or using official authority.

These are general outlines of the things you can do during this important election year. In today's social media world there are certain restrictions on the use of Facebook , Twitter etc. The main thing to remember is NOT to do any prohibited acts and not be on the clock or in official capacity or in the workplace engaged in political activity.

Questions arises if the Hatch Act restrictions apply when on a leave of absence. Issues may arise if the solicitation of COPA (Committee On Political Action) voluntary contributions is permitted. For the most part yes it is permitted as long as the contribution is for the PAC, the person being solicited is not a subordinate and the activity does not take place at a federal workplace.

[ For more information visit <https://osc.gov/Hatch-Act-FAQs> ]

### SO WHY THE CRACKED EGG?

We should not hide behind the Hatch Act. We need to crack our way out of the law's shell to full citizenship and be proactive in the political life of our beloved country.

As postal workers we can not stand by and let our living standard be eroded and our benefits and protections be undermined.

We can not let anyone undermine our democracy and our rights as Americans. If we stand by and let this happen we are complicit in the sabotage of our American way of life.

We can't be afraid of the wayward enforcement of the Hatch Act especially under the political climate we are in. Penalties are administrative and there are appeal rights under the Merit Systems process. That does not mean we openly or purposely violate the prohibitions. Learn about your rights under the Hatch Act and exercise those rights. Otherwise we can lose them all!

### WHAT DO YOU HAVE TO LOSE IN 2018?

Besides erosion of our civil liberties, and degradation of our American institutions as postal workers we need a Congress that will work for us to ensure the US Postal Service, the main source of our livelihood, remains a viable public service.

We also have to protect collective bargaining and the right to negotiate our wages, hours and working conditions. **So please get out of your shell, lift up your voices, spread those eagle wings, get active and VOTE ! !**

## POSTAL QUIPS



**PACIFIC AREA GETS A NEW BOSS** with the proclamation of the PMG, Acting VP Larry Munoz has been appointed officially. "We congratulate the VP and look forward to working on mutual issues of concern", said Omar Gonzalez.

**6 DAY DELIVERY** is under attack again in the Trump proposed budget. The elimination of one delivery date does not just affect the carrier craft but has an impact on mail processing, custodial and transportation which affects all the crafts. There must be a fight to preserve all delivery!

**FACEBOOK TO USE OLD FASHION U.S. MAIL** to verify identities of buyers of political ads. According to Reuters, post cards with a specific code will be mailed to candidates wanting to buy ads. The codes will be used to verify if the candidate is from the USA. "What? so now so called "snail mail" is to be used as "trail mail", quipped Coordinator Omar Gonzalez.

**NO MORE AMAZON SUNDAY WORK?** A report by WSJ indicates that Amazon will be rolling out its own parcel delivery service soon. Some folks claim that such a service would under cut the special relationship Amazon has with the Postal Service which goes back to 2013. But the WSJ report reveals that Amazon will likely continue

to have parcels delivered by USPS. "Hmmm one can remember the President tweeting that [management] was charging Amazon so little to deliver their packages making them richer while the Post Office was poorer and dumber," pondered Coordinator Gonzalez



**COMMEMORATION OF 50TH ANNIVERSARY OF THE MEMPHIS SANITATION WORKERS STRIKE** was held in various parts of the nation, including San Diego and Albuquerque on the last weekend of February with The Working Peoples Day of Action.

**WESTERN REGION STATES LEAD IN VOTE BY MAIL** with all voting done by the U.S. Mail. Colorado, Washington and Oregon are the three states that lead the nation in "computer hack proof" Vote by Mail. Although USPS assists agencies in ballot mail prep, reports do surface of delayed mail. "Service degradation is one major factor in our push to restore Delivery Standards," said Omar.

**THE CONSOLIDATION OF MT HOOD INTO PORTLAND PDC** does not exclude clerks from access to 21 day eReassign as the Western Area previously declared. The National Union was copied with the Area's response and the position was reversed.

**A SPEEDY RECOVERY FOR NBA** Shirley Taylor is hoped and prayed for. Retired NBA Merow is assigned by HQ to fill in for her.



## Is MVS Getting New Trucks?

According to a recent report issued by the OIG, the Postal Service is planning on replacing 2,141 cargo vans and 376 spotters.

The report states the IG found 433 PVS vehicles that were beyond their "service life". Yet, management has "no specific plan" for its PVS fleet and decided not to buy Alternative Fuel Vehicles. Fuel consumption appears to be the main focus of the OIG report.

Postal management's mission to cut petroleum fuel use by 20% in 2015 resulted in an increase of more than 17%. The OIG stated that without a specific plan for PVS vehicles the Postal Service is missing an opportunity to replace PVS vehicles with Alternative Fuel Vehicles. Four of the seven sites with PVS vehicles beyond their service life are in the Western Region (Denver, San Diego, Seattle and Oakland). Management acknowledged they spend \$1.7 billion annually operating vehicles but disagreed with the OIG findings because the OIG focused on PVS vehicles which is 2% ( or 2,517 vehicles) of the fleet and used a novice level of knowledge to make recommendations, among other rationale. The OIG let management know they could not close out the recommendations issued without consent,

Commenting on the issue Regional Coordinator Omar Gonzalez said, " Too bad Management ignores not just the fuel issues, but the comfort and more importantly the safety of our MVS Drivers. The Union will continue to push for new and improved vehicles for MVS."



*In Memorial  
Let Us Pray*

For The Victims of The  
Senseless Mass Shootings  
and Their Families. We Pray  
Also For Our Elected Leaders  
That Their Hearts May Be  
Touched To Act And Help  
Protect Us All !