

ACTIVIST

NALC

A NEWSLETTER FOR BRANCH LEADERS OF THE NATIONAL ASSOCIATION OF LETTER CARRIERS
VOL. 26, NO. 3

Summer 2013

Preparing for arbitration in your branch

Each year approximately 33,000 grievance decisions are issued by the 58 full-time Step B teams working nationwide. Of these, about 5,000 (14.8%) are impasse decisions where the Team could not reach agreement. In these cases, the files are forwarded to the national business agent's office where they may be appealed to arbitration. Fortunately, most don't get there. Article 15.4.A.4 of the national agreement provides in part that *"the designated advocates will discuss the scheduled cases at least thirty (30) days prior to the scheduled hearing date, if possible."* These "pre-arb" discussions result in the settlement of over 80% of the cases that are appealed to arbitration, yet some do go all the way to an arbitration hearing. Over the past three years the NALC has participated in about 750 arbitration hearings each year.

For some NALC branches, especially the larger ones, arbitration is a frequent event and their officers and stewards are familiar with the process. But for many others, having a grievance that goes all the way to an arbitration hearing is something that only rarely happens, if at all. For these branches the process of preparing for a hearing is somewhat of a mystery and they are often unsure what their role should be. The intent of this article is to provide those not-so-frequent flyers a look at the process and what they should expect when a hearing is scheduled for one of their grievances.

Generally, when an impasse case is received at the NBA's office it is reviewed and a determination is made as to whether the case should be appealed to arbitration.

After a case is appealed, the NBA works with the Postal Service's grievance/arbitration processing center to schedule it for hearing. The amount of time before the hearing is scheduled depends upon such factors as the type of case appealed, the availability of arbitrators, and the number of cases previously appealed that are awaiting arbitration.

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When a letter carrier dies . . .

Death is not a topic that most people are comfortable discussing. But having a clear idea of what needs to be done can be helpful when the time comes. On pages 6 and 7 you will find checklists of the steps NALC suggests should be taken when confronted with the death of an NALC family member or friend. Please note that the procedure varies slightly depending on whether the member is active or retired.

NALC delivers the information you need

Union representatives at all levels of the NALC know that having the National Agreement on your side is necessary for success. However, the contract isn't the only place where you can find rules, regulations and advice for representing letter carriers. A number of postal handbooks and manuals are enforceable under Article 19 of the National Agreement and NALC has created many publications to assist stewards and NALC representatives.

In addition to enforcing the contract, union officials have other responsibilities. They conduct branch elections, manage branch funds, answer questions about OWCP, retirement and perform other duties.

In order to help answer questions on this ever expanding range of topics, many branches have a library of NALC publications and USPS handbooks and manuals. If your branch does not, you may consider starting one.

The NALC supply department has many items you could use to start your library. Some of these items are available for free and others for a small fee.

Purchase

Items available for purchase include:

- The National Agreement
- *Joint Contract Administration Manual (JCAM)*


- **Arbitration DVD:** This DVD contains thousands of regional arbitration awards. It's searchable by topic and by the provisions of the contract or handbooks and manuals. The awards can be used to support your position on a particular grievance.
- **NALC Injury Compensation CD:** A source for OWCP rules and regulations.
- *NALC Branch Guide to Finance and Administration*
- *NALC Constitution*
- *NALC Safety & Health Guide*
- **2012 NALC Contract DVD:** This DVD contains many of the postal service's handbooks and manuals. **Note:** When using a handbook and manual from the DVD be certain that it has not been updated since the DVD was published.
- *Carriers in a Common Cause:* A detailed history of the NALC.

Free

Additional items are available for free:

- *Branch Elections Handbook*
- *Letter Carriers Guide*
- *How to Get "YES" for an Answer*


- *Questions & Answers on the Civil Service Retirement System (CSRS)*
- *Questions & Answers on the Federal Employees Retirement System (FERS)*
- *Survivor's Guide to CSRS/FERS/Social Security*
- *When a Retired Letter Carrier Dies.....*
- *Preparing for Retirement*
- Standard Form 1187 (Authorization for Voluntary Dues Deduction)
- Standard Form 1189 (Authorization for Voluntary Dues Deduction from Annuity Checks)



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© 1

Many of the above items can also be found electronically on the NALC website (nalc.org). The NALC website is a tremendous source of information.

To navigate the NALC webpage, hover your mouse pointer over the red navigation bar. Each topic on the navigation bar has a drop down menu. The most commonly used information when researching grievances, answering questions, or running your branch can be found in the Departments menu.

CAU

The first item in the Departments menu is the Contract Administration Unit (CAU). If you click on that link you will go to the CAU page. Here you will find most of the information you will need when researching and filing grievances.

On the CAU page in the blue bar running down the left side of the page you will see a list of topics. Many of the links are self explanatory but we will touch on a few of them here.

The first topic is the National Agreement. The 2011-2016 National Agreement is now available online and in print. You can also view the Das interest arbitration award and past National Agreements.

Dispute Resolution links you to a page where you can download a DRP training package as well as a fill-able PS Form 8190. The Arbitration link will take you to a page of recent national arbitration awards and some recent regional arbitration awards of interest. The arbitration page is not the same as the complete DVD mentioned above that may be purchased from the NALC supply department.

The MRS link connects you to the Material Reference System. The system contains many Memorandums of Understanding (MOUs) and national settlements that are binding on both the NALC and USPS. The MRS also includes important regional awards that while they are not binding on the parties, they may be used as persuasive argument. The items are all identified with an M number. These are the numbers you see referenced in the JCAM and other NALC publications.

The USPS Manuals link is exactly that, a page of USPS Handbooks and Manuals. Included on the page are the ELM, M-39, M-41, POM, and many more USPS publications and management instructions on a wide range of topics.

City delivery

Another useful section in the Departments menu is the City Delivery page. Here you can find in-

Postal Record Articles dating back to 2005.

The Secretary-Treasurer's page is devoted to helping branch officers fulfill their duties. Here you will find the *Branch Officer's Guide to Finance and Administration*, information on how to change your branch by-laws, the NALC Constitution, and other information related to the fiduciary responsibilities of NALC officers.

The Legislation and Politics page keeps you up to date on what is happening on Capitol Hill regarding the postal service and our jobs. It provides fact sheets and details exactly what the NALC is doing in the legislative and political arenas.

Other topics

Other topics covered in the Departments menu are the NALC Health Benefits Plan, Safety and Health, Retirement, the Mutual Benefits Association, and Compensation (OWCP). When you have

Your branch may want to consider starting a library of NALC publications and USPS handbooks and manuals

formation on topics related to the city letter carrier job, route adjustments, Article 12 and more. You can also find NALC publications relevant to these topics. Publications include the *2011 Letter Carrier Resource Guide*, the *2012 NALC Guide to Route Inspections*, *A Guide for Using COR*, *A Guide for Understanding Excessing Rules*, and the Director of City Delivery's

questions regarding any of these topics, the website is a good place to start.

The Departments menu is just one of many menus in the navigation bar. Spend some time looking around to familiarize yourself. If you need assistance or have questions, contact your national business agent.

Don't assume, B prepared

You have been a shop steward for years and have filed several grievances. You know the Step B Team and they know your office and the issues you have. Because of this, you may start to think that you don't need to spend a lot of time on the small details in every case file you develop. The B Team already knows this information. Think again. Presently there are 58 full time Step B Teams working across the

the old cliché, about what happens when you assume.

Don't take things for granted; prepare every case as if it were going to arbitration. The B Team that you are accustomed to dealing with may know the people in your office and who is on the ODL list because they have dealt with your Article 8 grievances over and over again, but you can't assume that your regular B Team will be adjudicating your

offices they "case" the mail and in some offices they "rack" the mail. In some offices they have a "stand up" and in others it's a "job huddle." You would be surprised at some of the terms used in different areas of the country. If you stay away from slang you will have a better result overall. You want the B Team to understand what you are trying to say. It doesn't help your case if the team is confused. You must make sure your arguments and contentions

are clear in order to get the best resolution.

Every grievance appealed to Step B should include all relevant documentation to support your asserted facts and arguments as well as a **completed** PS Form 8190. The branch president, branch officer, and/or steward's contact information (address and phone numbers)

should be included in each case file so that if the Step B team needs to contact one of them for information or clarification, the information will be readily available. Another team may not know if "Dexter" is a city or a station name. If you simply write "Main Office" and your branch number your regular team may know the installation but another team may not.

When the 8190 was updated to include EIN instead of the Social Security Number, other items were added to the form. There is now a space for the grieving district. This is important information that is re-

You can help yourself by making sure the case file is complete and in logical order

country. The truth is you can never be sure of who might be deciding your case at Step B.

What does this mean to the local steward? It means that you need to prepare every grievance as if it is going to a Step B Team that doesn't know your office at all. Don't assume that a B Team will be aware of prior grievance decisions or issues in your office. Don't assume a B Team will know your local agreement, put it in the grievance file if it is an issue in the case. Don't assume a team knows you filed 50 grievances on the same issue. You must include that information in the file. You know

grievance. Another team wouldn't know that everyone calls John Jones "Bubba." You have to be clear in your contentions by saying exactly who you are talking about. The team deciding your grievance may not know that you don't have a last dispatch because the office is in the plant. They won't know that you have five walk out routes. They won't know that you have sent up several grievances in the past where management has failed to meet at Formal A. You have to tell them.

Don't use slang. What is called a "swing" or a "pivot" in one office or district may be called a "bump" or a "ditch" in another. In some

quired to be on the Step B decision so that grievances and issues can be tracked correctly at headquarters. If your case goes to another team, they may not know what district your office is in. We all need to make sure that the 8190 is filled out accurately and completely so that the B Team will have all the needed information. And yes, another new 8190 has recently been posted on the NALC website. It now has a box to check to indicate that the grievant is a CCA.

You can also help yourself by making sure that the case file is not only complete but in a logical order. You don't want the team to have to dig in the file to find what they need to resolve the case. A complete grievance file would contain each of the following elements in the listed order:

Table of contents

The grievance file should contain a table of contents listing the documents contained in the file. Each document should be identified. For example, if the table of contents lists the Joint Step A Grievance Form as exhibit "A," the letter "A" could be placed on the form.

Joint Step A grievance form (8190)

The completed 8190 and attachments must be included in the file and they should be easily found near the front. Rather than attempting to write in the limited spaces provided on the form, boxes #16 (undisputed facts) and #17 (union's disputed facts and contentions) are often completed on separate sheets of paper. These additional sheets should be attached to the 8190 rather than scattered throughout the file.

Triggering document(s)

The next item in the file should be the triggering document(s) in the case, if any. This might be a letter of warning, a suspension, or a removal notice in a disciplinary case. It could be an administrative action such as a letter placing an employee on restricted sick leave, a letter of demand or an improper Form 50. The triggering document could also be a policy notice, a denied leave slip or some other method of written communication in which the form or content is in dispute. This is the reason for the grievance or what the grievance is about.

Documentary evidence

This is "*where the rubber meets the road*" because the documentary evidence contained in a file usually determines the outcome of the grievance. It does not matter how articulate or persuasive the arguments of a case if the documentary evidence is not there to support them. Thus the saying: "*It's not what you say happened that counts, but what you can prove happened.*"

Documentary evidence includes forms, documents, records, photographs, written statements or other tangible items that prove or are purported to prove a fact. For example, the document used to establish whether someone is on the overtime desired list would be a copy of the ODL itself.

Investigatory notes

During the course of investigating a grievance, the shop steward or manager normally takes notes of conversations and interviews. These may be interviews held at the request of management, such as an investigatory interview, or interviews that the steward has initiated

while investigating the grievance. Such notes are important as they record answers to pertinent questions relevant to the grievance while the events are still fresh in the witness's minds.

Investigatory notes should be identified as to time, date, location, interviewee, others present and authorship. Remember, if the Step B team, the advocate or an arbitrator cannot read your writing, your notes won't help your case. If this is the case your notes should be rewritten or typed. As with other evidence, original notes should remain unaltered. If re-written, typed, clarified or summarized, the original notes should be attached and included in the file.

Contractual cites and prior cases

Copies of contractual language or any handbook, manual, external law or other provisions cited as a basis for the action or the grievance should be included in the file. Prior arbitration or grievance decisions that are being cited for precedential or persuasive value should be included as well. There is no need to reprint the JCAM. If you need to highlight a particular provision that's fine, but a reprint of article 8, for example, is not necessary.

Miscellaneous Items

This is kind of a catch-all category for those items generated by the processing of the grievance itself. It includes items such as information and steward time request forms, extension letters, and mailing receipts. These should not be marked upon or altered. In certain cases, such as a grievance regarding denial of steward time, such items

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RETIRED NALC MEMBER

The NALC suggests taking the following steps in the event of the death of a retired NALC letter carrier:

1. Notify the US Office of Personnel Management (OPM) toll-free at 1-888-767-6738 or 202-606-1800. If you wish for NALC assistance, call 202-393-4695 during 9:00 am to 4:30 pm* (toll-free 800-424-5186 Monday, Wednesday or Thursday, 10-noon or 2-4 pm*). The union will send you the application for death benefits under the appropriate retirement system, and the claim for death benefits under the Federal Employees' Group Life Insurance program in addition to alerting OPM so that survivor benefits will start as quickly as possible.
2. Contact the financial institution with the date of death if payments are deposited through Electronic Funds Transfer so they can stop any future payments from the Treasury Department. If the retired carrier still receives payment by mail, return any uncashed annuity checks to the address on the accompanying Treasury Department envelope.
3. Obtain enough death certificates for your needs from the mortuary.
4. Notify banks and other financial institutions.
5. If the retiree was a veteran, notify the Veteran's Administration local office and/or the commanding officer of the local military installation.
6. Visit or call your local office of the Social Security Administration. If you would rather call toll-free, it can be reached at 1-800-772-1213 (for the deaf or hard of hearing, TTY 1-800-325-0778).
7. Notify insurance companies (life, health, auto, home, etc.). If the retiree had a policy with NALC's Mutual Benefit Association, write to: 100 Indiana Ave NW, Room 510, Washington, DC 20001 or call 202-638-4318 (toll-free 1-800-424-5184 8:00 am – 3:30 pm* on Tuesdays and Thursdays).
8. If the retiree belonged to the NALC Health Benefit Plan, call 888-636-6252 or write to the NALC HBP Membership Eligibility at: 20547 Waverly Ct., Ashburn, VA 20149. (Note: Health benefit coverage for a surviving spouse and dependent children continues automatically if retiree had family coverage at time of death and if a monthly survivor annuity is payable.)
9. If the retiree participated in the Thrift Savings Plan, contact the Thrift line at 1-877-968-3778 (1-TSP-YOU-FRST) and press 3 during the hours of 7:00 am–9:00 pm* Monday through Friday to speak to a representative. Automated services are available 24/7. Forms are available online at www.TSP.gov. Complete Form TSP 17. Attach the participant's certified death certificate and mail the completed form and the required documentation to:

TSP Death Benefits Processing Unit
 P.O. Box 4450
 Fairfax, VA 22038-4450

For overnight delivery, mail the form to:
 ATTN: TSP Death Benefits Processing Unit
 12210 Fairfax Town Center Unit 906
 Fairfax, VA 22033

10. Notify the retired carrier's NALC branch.

* All hours are eastern time.

ACTIVE NALC MEMBER

The NALC suggests taking the following steps in the event of the death of an active NALC letter carrier:

1. Notify the employee's immediate supervisor, postmaster and personnel section (if any). Give the supervisor the letter carrier's locker keys and badge. Make sure you provide information on the time and place of memorial services.
2. Notify USPS Human Resources Shared Service Center (HRSSC) at 1-877-477-3273, and check for benefits for spouse and any dependent children.
3. Fill out the necessary forms (obtain from USPS personnel section or postmaster): application for death benefits under retirement system; claim for unpaid compensation; claim for FEGLI death benefits.
4. If the member participated in the Thrift Savings Plan, contact, the Thrift line at 1-877-968-3778 (1-TSP-YOU-FRST) and press 3 during the hours of 7:00 am–9:00 pm* Monday through Friday to speak to a representative. Automated services are available 24/7. Forms are available online at www.TSP.gov. Complete form TSP 17. Attach the participant's certified death certificate and mail the completed form and the required documentation to:

TSP Death Benefits Processing Unit
P.O. Box 4450
Fairfax, VA 22038-4450

For overnight delivery, mail the form to:

ATTN: TSP Death Benefits Processing Unit
12210 Fairfax Town Center
Unit 906
Fairfax, VA 22033
5. If a veteran, notify the Veteran's Administration local office or call toll-free 800-827-1000.
6. Visit or call your local office of the Social Security Administration. If you would rather call toll-free the Social Security Administration can be reached at 1-800-772-1213 (for the deaf or hard of hearing, TTY 1-800-325-0778).
7. Notify banks and other financial institutions.
8. Notify insurance companies (life, health, auto, home, etc.). If the carrier had a policy with NALC's Mutual Benefit Association, write to: 100 Indiana Ave. NW, Room 510, Washington, DC 20001 or call 202-638-4318 or toll-free at 800-424-5184 on Tuesdays and Thursdays 8:00 am–3:30 pm*.
9. If the carrier was enrolled in the NALC Health Benefit Plan, write to NALC HBP Membership Eligibility at: 20547 Waverly Ct., Ashburn, VA 20149 or call toll-free at 888-636-6252. (Note: Health benefit coverage for a surviving spouse and dependent children continue automatically if carrier had family coverage at time of death and if a monthly annuity is payable.
10. Have mortuary officials obtain enough death certificates for your needs.
11. Notify the active carrier's NALC branch.

* All hours are eastern time.

Key decision on separation-disability

In the Summer 2012 edition of the *Activist*, the NALC released an article about “Grieving Separation Disability.” We now have received our first significant arbitration decision since the article was published last year.

The case involved a letter carrier that has worked for the postal service since 1983. He suffered a compensable injury in 2000 and worked in a limited duty capacity until 9/23/2008. The grievant endured two surgeries in 2008 and 2009 and was given severe restrictions by his treating physician. The Postal Service conducted a search for work from October through November 2011. When its search came up empty and the employee was in a LWOP status for more than one year, the postal service moved to separate the grievant.

The postal service argued at the arbitration hearing that because the injured employee was unable to perform all the duties of the position and was in an LWOP status for over a year, it had the right to separate the grievant.

Arbitrator Zane Lumbley dismissed the Service’s argument and

stated (Case #F06N-4F-C 12083602, C-30811):

...whereas NALC contended that Section 365.34 applied only to totally disabled employees, the Service and its witnesses asserted that it has application to any injured employee who is not believed capable of returning to the full scope of his or her duties within six months. What Section 365.341 of the ELM states is, "Separation-disability is a term used to indicate the separation of an employee other than a temporary, casual, or a probationary employee whose medical condition renders the employee unable to perform the duties of the position and who is ineligible for disability retirement." What it does not say is that it applies to an employee who cannot perform some of the duties of his or her position. Thus the Employer's interpretation of Section 365.34 cannot be correct. Indeed, even the Notice of Separation states, "If you do fully or partially recover from your compensable injury, you should immediately request restoration with the Postal Service." That makes it clear that, at the time the Notice of Separation

was written, management knew it applied only to employees who could not perform any letter carrier duties whatever.

The arbitrator then makes a correlation between ELM 365.34 and 4.22 of the EL-505:

Such an interpretation is also consistent with Section 4.22 of EL-505 entered into the record as Joint Exhibit No. 3 that requires either a "written limited duty job offer" or a "written job offer for a permanent modified position," depending on whether the employee has a temporary partial disability or a permanent partial disability, respectively.

Thus, when a carrier’s disability is partial (able to perform some work) and work related, the Postal Service does not have the authority to separate the employee. Instead, it must provide a limited duty job or rehabilitation assignment. This is an outstanding award that should be cited in similar cases going forward.

The online version of the Summer 2013 *Activist* will contain a link to the award.

B prepared

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may not be miscellaneous items but be the triggering document.

The DRP has made great strides in getting grievances resolved in a timely manner. Sometimes that

means that cases are moved to different teams. When preparing a case, always keep in mind that it could be decided by a team on the other side of the country. Prepare every case as if the case will go to arbitration. You will give your grievance the best chance for a

favorable resolution and your members will be well served.

Local arbitration

(Continued from page 1)

Scheduling

Normally, cases are scheduled in the order received unless the parties agree otherwise. An exception is made for cases involving removals or suspension of more than 14 days. These are scheduled for the earliest available date. Whenever possible, backup cases are scheduled for the same date in the event that the lead case is settled or withdrawn prior to the hearing. This is done to avoid losing a hearing date or having to schedule a new case on short notice.

Once the lead and backup cases are scheduled for a particular date, they are assigned to an advocate. In most instances this is done by the NBA but in certain cases the assignment is made by NALC headquarters. The advocate will review the lead and backup files in depth and contact the local parties to discuss the cases. The advocate will want to interview the stewards who handled the grievances at the local level and the witnesses involved in them. As noted above, at some point the advocate will contact the Postal Service's advocate to discuss and possibly reach a settlement agreement. If they do, then they move on to discuss the next backup case and so on.

Preparation

If the advocates are unable to reach agreement on a case, the advocate prepares it for the arbitration hearing. Sometimes cases get settled at the last minute. However, NALC advocates don't assume anything; they have to act as if each case they are assigned is going to hearing and prepare for it accordingly. Arbitration hearings are usually held at the installation where the grievance arose, provided there is space to do

so. If not, they will be held at another location, possibly a district office or another nearby post office.

There are many things that a local branch can and should do to assist the advocate in preparing for the hearing. After all, this is the local's grievance and they have a vested interest in seeing that it is successful. Some things they can help with directly concern the cases; others are practical and logistical things that help the advocate focus on winning the case.

The NBA will notify the local branch when a case is appealed and later scheduled for arbitration. When this happens, the branch should review the file to identify the grievant or grievants, the stewards that handled the case at informal and formal Step A, and any witnesses that were involved. These should each be notified by the branch that the case has been appealed to arbitration, that they may be called as witnesses and that it is highly likely that the union advocate will want to speak to them some time prior to the hearing. For this reason it's important that the branch makes sure they have the current contact information (mailing address, work location and phone numbers) for each of these individuals so that the assigned advocate can contact them if necessary. The witnesses should also be advised to notify the branch if that information changes. People can and do move and change phone numbers.

The branch should also have its copies of the impasse grievance files readily available. Put them in a special drawer or a space set aside for such cases as the advocate will likely want to look through them prior to the hearing. The stewards and officers involved in the case should review the file to refresh

their memories so that they can recall the specifics of the case when the advocate contacts them.

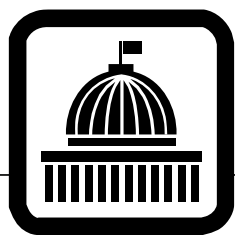
In most cases, the advocate will contact the branch at some point to arrange for in-person interviews with the grievant, stewards and other potential witnesses. Depending upon the advocate's schedule, case load, geography and other factors, this may occur around the time the case is put on the schedule or may happen closer to the actual date of the hearing. In most cases, the advocate will need a quiet space with a table or desk where the interviews can be held in private. The advocate may also need to have access to a photocopier and a computer with internet access.

Some branches have office space and equipment that the advocate can use for this purpose. If not, the branch should scout out some other suitable locations for the interviews such as a room at the local library, a nearby restaurant or at someone's home. The union should also find out where the advocate could make photocopies of documents or utilize a Wi-Fi hotspot if necessary. Finding out this information ahead of time can be extremely helpful to the advocate; their time is extremely limited and every minute saved counts.

Witnesses

The advocate will tell the branch which witnesses will need to be interviewed and it is the branch's responsibility to make sure they are available when the advocate comes to town. Any problems locating a witness or in getting their cooperation should be reported to the advocate immediately. Some interviews may only take a few minutes; others could last hours. It all depends upon

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Rep. Issa and Sen. Carper move USPS “reform” proposals

Committee Chairmen Rep. Darrell Issa (R-CA) and Sen. Tom Carper (D-DE) both pushed along their respective proposals to reform the Postal Service last month. Despite the news that the Postal Service profited \$660 million delivering the mail during the third quarter of fiscal year 2013, Issa and Carper both moved legislation aiming to gut the service letter carriers provide to 150 million American homes and businesses six days a week.

Issa’s H.R. 2748 was approved by the House Oversight and Government Reform Committee on July 24th with all Republican committee members voting in favor and all Democrats voting against. H.R. 2748 would, if passed into law, eliminate at least 100,000 USPS jobs, immediately end Saturday delivery, end door-to-door delivery, strike a major blow to postal employees’ collective bargaining rights, create new levels of bureaucracy at the Postal Service and damage the Postal Service’s universal delivery network. In addition, Issa’s bill does not adequately address the single largest financial burden on the Postal Service: the pre-funding of retiree health benefits.

Sen. Carper introduced his bill on August 1 in conjunction with Sen. Tom Coburn (R-OK). Carper’s S. 1486 aims to cut at least 80,000

USPS jobs, reduce mail delivery to five days or fewer within one year, immediately end door-to-door delivery, and subject federal pension and healthcare benefits to negotiation and arbitration. Like Issa, Carper chooses slashing jobs and services in order to preserve aggressively pre-funding future retiree health benefits.

Issa and Carper’s bills both seek to shrink the Postal Service, despite the recent third quarter financial statements. The results revealed that, without the pre-funding payments, the USPS is a profitable business. In the face of numerous attempts over the last five years to go to five day delivery, the Postal Service is showing signs of strength and profitability as the US economy continues to grow. The Postal Service financial picture is improving, in part, because of the importance of Saturday delivery in a booming e-commerce world.

To keep up with developments on Capitol Hill, be sure to check the NALC web site.



**DELIVERING
FOR AMERICA**

Local arbitration

the case and each person’s part in it. Work with the advocate to schedule the interviews so that they go as smoothly as possible and waiting time is minimized.

Just because witnesses are interviewed does not mean that they all will be called to testify at the hearing. After completing the interviews and thoroughly reviewing the case, the advocate will determine which witnesses to use, in what order they will testify, and what questions they will be asked based upon the advocate’s theory of the case.

Directions

Many advocates live within driving distance of their assigned cases so they will have their own transportation. Nevertheless, the branch should be prepared to assist the advocate with such things as locating where the interviews will take place, the local post office, the hearing, a copy store and other relevant places. If special parking passes or other arrangements will be needed on the day of the hearing, the branch should take care of this ahead of time. The advocate may want to visit the workroom floor or scene on the route where the incident leading to a grievance occurred, so the branch should be ready to supply directions and assistance.

Sometimes, the advocate will have to fly or take a train to the city where the grievance arose. The local should be prepared to assist the advocate with transportation to and from the airport or train station and to other locations as necessary.

Communication between the advocate and the branch is essen-

(Continued on page 11)

Training Seminars & State Conventions

Listed below are all training sessions, educational seminars, or state conventions currently scheduled. For more information on any event, please contact the appropriate business agent. Any region not listed below has not reported any training scheduled as of the publication date of this issue of the *Activist*.

Region 2- NBA Paul Price 360-892-6545
Alaska, Utah, Idaho, Montana, Oregon, Washington
September 29-October 4, Region 2 Assembly, Grouse
Mountain Lodge, Whitefish MT

Region 3- NBA Neal Tisdale 217-787-7850
Illinois
November 1-3, Fall Statewide Training Program,
Marriot-Bloomington/Normal Hotel & Conference
Center, Normal IL

Region 5- NBA Dan Pittman, 314-872-0227
Missouri, Iowa, Nebraska, Kansas
October 20-22, Iowa Fall Training, Prairie Meadow
Hotel, Altoona IA
October 26-27, Nebraska Fall Training, Midtown
Holiday Inn, Grand Island NE

Region 6- NBA Patrick Carroll 586-997-9917
Kentucky, Indiana, Michigan
October 12-14, KIM Regional Training Seminar,
Cincinnati Marriot at River Center/Northern
Kentucky Convention Center, Covington KY

Region 7- NBA Chris Wittenburg 612-378-3035
Minnesota, North Dakota, South Dakota, Wisconsin
September 21-22, South Dakota State Training, Cedar
Shore Resort, Chamberlain SD
October 6-9, Minnesota State Convention, Rutgers Bay
Lodge, Deerwood MN

Region 7 (continued)
October 26-27, North Dakota State Training, Sleep Inn,
Minot ND
November 2-3 Wisconsin State Training, Best Western,
Oshkosh WI

Region 10- NBA Kathy Baldwin 281-540-5627
Texas, New Mexico
October 13-14 New Mexico Steward Training, Branch
504 Union Hall, Albuquerque NM

Region 12- NBA William Lucini 215-824-4826
Pennsylvania, South and Central New Jersey
September 26-28, Pennsylvania State Convention,
Sheraton Station Square Hotel, Pittsburgh PA

Region 13- NBA Timothy Dowdy 757-934-1013
Delaware, Maryland, Virginia, West Virginia,
Washington, DC
September 8, OWCP Training, Branch 142 Union Hall,
Washington, DC
October 13, Delaware State Convention, Clarion Hotel,
New Castle, DE
October 14-15, Maryland/DC State Convention,
Princess Royal Hotel, Ocean City, MD

Region 15- Larry Cirelli 212-868-0284
Northern New Jersey, New York, SW Connecticut,
Puerto Rico, Virgin Islands
March 2-4, 2014, Region 15 Rap/Training Session,
Trump Plaza, Atlantic City, NJ

Local arbitration

(Continued from page 10)
tial. Find out what the advocate's
needs are so he/she can focus on the
case itself and not be distracted by
these peripheral matters. Remember,
most NALC advocates are letter
carriers that carry mail, so their time

is limited and their schedules are
tight. Advocating a case before an
arbitrator is stressful enough with-
out having to worry about things
like transportation and making sure
that the witnesses show up on time.
Anything the branch can do to assist
the advocate in these areas will be

greatly appreciated by the advocate
and put him or her in position to
give your grievance the best
chance of success at arbitration. ■

ACTIVIST

NALC

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USPS BY THE NUMBERS

Operations

	Number	Change from SPLY*
FY 2013 through 3rd Quarter		
Total mail volume YTD (Millions of pieces)	120,166	-0.9%
Mail volume by class (YTD in millions)		
First-Class	50,492	-4.0%
Periodicals	4,857	-5.5%
Standard (bulk mail)	60,876	1.9%
Shipping & Packages**	2,804	5.7%
Workhours (YTD in thousands)		
City Delivery	295,726	0.7%
Mail Processing	155,101	-3.0%
Rural Delivery	131,935	-1.0%
Customer Service/Retail	104,941	-4.3%
Postmasters	42,479	-2.5%
Other	105,756	-1.2%
Total Workhours	835,938	-1.3%

** Reflects change in reported USPS categories

*SPLY=Same Period Last Year

Finances

FY 2013 through 3rd Quarter (millions)

Operating Revenue	\$50,185	1.4%
Operating Expenses	\$53,929	-11.6%
Controllable Operating Income	-\$196	
PSRHBF Expenses	\$4,200	
Workers' Comp adjustments	\$284	
Net operating loss	-\$3,870	

Employment

FY 2013 —PP16

	Number	Change from SPLY*
City carrier employment	169,071	-4.8%
Full Time	160,851	-0.8%
PT Regular	656	-7.2%
PTF	7,564	-49.0%
Transitional	9	-99.9%
MOU Transitional	1	NA
City Carrier Assistant	29,087	NA
City carriers per delivery supervisor	15.7	
Career USPS employment	493,024	-8.5%
Non-career USPS employment	124,456	28.2%