

COLORADO



LOCAL 321

## NATIONAL POSTAL MAIL HANDLERS UNION

Division of the Laborer's International Union of North America,  
AFL-CIO

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~~FOR YOUR INFORMATION~~

February 13, 2009

### Closing of the Mail Processing Annex May Shift Work to the Denver BMC

In the November 21, 2008 Union *FYI* publication, I wrote, *[i]t seems that management has decided to keep the MPA operational and fully utilize its available floor space. That **was** the plan at the time,* but oh how things have changed. Due to the Postal Service's worsening financial state and the continued decline in mail volume, the MPA may be closing. It is a leased facility. The USPS believes that vacating the property can save more than 2 million dollars annually. The USPS is soliciting bids to move the MPA's APPS machine into the Denver BMC. This may require some structural modifications to the BMC. As of now, the USPS goal is to accomplish this by early 2010.

Do not over-react. This is the *current* plan. It is tentative; it is not confirmed. It may not be possible; it may be too expensive and it could change again. Management is receiving bids that will require headquarters approval. If the move is possible and approved, closing the MPA would come with 6 months notice to the Union.

Management is proposing to move the MPA's APPS machine to the north-end of the old part of the BMC building; To make room for this APPS, the high speed tray sorter (HSTS) would be moved to the west docks and multiple sack run-outs and primary parcel run-outs on the east side of the current HSTS would be removed; the L-Way NMO sorter would be removed and a new low-cost universal sorter would be installed in this area. Induction lines to the secondary would be enhanced on the inbound docks. They are also toying with the idea of moving 1 SPBS from the MPA to the BMC.

This is preliminary information that will change. Additional details will be disseminated as the information becomes available.

### FSS Deployment

Denver is currently scheduled to receive 5 FSS machines, but very few people actually believe that we will get all of them. If we do not get all 5, there is a lot of available floor space that will get a lot of attention. One can only imagine what will be moved to the GMF expansion area if we do not get 5 FSS machines.

The first FSS machine is tentatively scheduled to be installed this summer and is scheduled to go on line in October. The sectional alignment/definition of the FSS staffing into the GMF LMOU must be negotiated.

As of now, the T-2 FSS mail handlers will start between 0830 and 1100, but these negotiations are very fluid and constantly changing. Additional details will be posted as they become available.

### Excessing & Abolishing T-2 Flats (GMF)

On Monday February 9, 2009 management met with the GMF T-2 flat section employees; the Union was present. Everyone was told that they would be excessed and abolished effective April 11, 2009. On the very next day, the Union was informed that this plan was being put on hold.

I know this is frustrating; it illustrates how tumultuous the current state of affairs is in the Postal Service. One day we are told that the MPA will be filled with DBCS machines, the next week it is being proposed to close the MPA. Today we're told that they're whacking Tour 2 – tomorrow they're not.

As of today, management has decided to delay abolishing the GMF/T-2 flats section. The Union is being told that the Service is taking more time to evaluate flat volume numbers. Management will revisit this decision in the coming month(s).

### AAA Moving to the GMF

Management is still planning to move the AAA operation from the MPA to the new expansion area of the Denver GMF, but the date is unknown. It is expected to occur in the next few months and will be posted very soon.

Affected employees will receive advanced notification letters affording them the option of accepting the change in physical reporting location consistent with 12.3B7b. Additional details will be posted when the move is finalized.

### City Carrier Reassignment Opportunity

Management has posted a "reassignment opportunity" notice throughout the metro area soliciting voluntary transfers to be a PTF letter carrier. Please exercise caution if you are considering a voluntary reassignment to the ranks of letter carrier.

I have no ill-will or malice towards our NALC Union brothers and sisters. However, you should know that if you accept a voluntary transfer to the carrier craft, you will begin a new period of seniority as a part-time flexible employee.

### Colorado Springs Volunteer Recognition

Please join me in congratulating Colorado Springs Mail Handler Richard Lairscey. He was recently awarded the *Norm Pledger Award* by the Colorado Springs Area Labor Council. The award was established to celebrate the life long dedication of Brother Norm Pledger. The recognition went to the member that volunteered the most hours during the Labor 2008 campaign. Brother Lairscey volunteered nearly 100 hours during the Labor 2008 campaign, the most in the Springs Labor Council.

## FMLA Coordinators Soliciting Release of Medical Information to USPS Law Dept.

The Postal Service is soliciting medical releases for those employees that are required to partake in the 2<sup>nd</sup> and 3<sup>rd</sup> opinion process. In doing so, the FMLA Coordinators are requiring employees to release the “specified information” to the USPS Law Department. Specifically, the USPS is requesting access to:

*Any and all records regarding treatment, including but not limited to, all current and past medical treatment, ailments and/or conditions (sic); Other: Stress, Psychological and/or Medical Disorders, Ailments, Conditions (sic) to include a copy of complete chart, progress notes & interview notes, discharge summaries, operative reports, x-ray & all imagery, laboratory tests, pathology tissue, and all diagnostic studies whether in electronic data or other format.*

The Local Union has filed a complaint with the Department of Labor, and we have asked Senator Udall to intervene. We are also addressing the issue at the National level.

The request seems highly improper. What legal purpose does the Law Department have with sensitive, private and personal medical information? Is the Law Department going to review x-rays and pathology tissue?

The USPS letter goes on to assert that the information sought is the “minimum necessary” to accomplish the intended purpose of the request. There is nothing minimal about the information being sought. It is the Postal Service’s customary and routine practice to request everything.

Hopefully we will have this resolved quickly. Until then, we need to have every mail handler that is pushed to a 2<sup>nd</sup> and/or 3<sup>rd</sup> opinion (and required to sign the referenced medical release) to file a complaint with the DOL. The Union can assist you with this. It is nothing more than a simple letter written to:

*Denver Colorado District Office  
Martin Barrow, District Director  
US Department of Labor  
ESA Wage & Hour Division  
1999 Broadway, Suite 2445  
Denver, CO 80202-5712*

Those that are affected and do file complaints should remind the DOL that the USPS will likely terminate their FMLA (for refusing to sign and return the medical release) asserting non-cooperative with the 2<sup>nd</sup>/3<sup>rd</sup> opinion process. They should ask for appropriate extensions until their complaint is addressed. Additional information will be posted as this situation develops.

## Voice of the Employee (VOE) Surveys

Your Local 321 leadership is encouraging all mail handlers to boycott the VOE surveys. You are under NO OBLIGATION to complete the survey.

Management has previously demonstrated a willingness to use the survey results against us in contract negotiations. The upcoming contract talks will be hard enough as it is. Please do not provide management with additional information that will be spun and used in a harmful way in the forthcoming negotiations.

## Employee Free Choice Act By the Numbers:

Submitted by

*Zack Mischo, Legislative and Political Director*

- Nearly **60 million** American workers would say they would join a union, if they could.
- Every year, approximately **23,000 workers are illegally fired** in the U.S. for union organizing activity.
- 32% of workers who still lack a Collective Bargaining Agreement, one year after voting for union representation.
- Nearly four out of five (78%) adults favor legislation that would make it easier for workers to bargain with their employers. This includes nearly half (46%) of Americans who say they would **strongly** favor such legislation.
- Support for the Employee Free Choice Act stretches across party lines. With 87% of Democrats, 69% of Independents, and nearly half of Republicans support the Employee Free Choice Act. Opposition to the Act is confined to those who identify as “conservative Republican” (even still 36% support), with moderate/liberal Republicans favoring the act (74%).
- Union workers are **52% more likely** than non-union workers to have job-provided health care.
- Non-union workers are **5 times** more likely to lack health insurance coverage.
- Union workers are **285%** more likely than non-union workers to have a defined-benefits pension plan.
- Union workers are **50%** more likely to have paid personal time than non-union workers.
- Union workers’ median weekly earnings are, on average, **28%** more than non-union workers’.
- **79%** of workers surveyed agreed that workers are “very” or “somewhat” likely to be fired for trying to form a union.
- Management forces employees to attend group anti-union presentation in **92%** of all union campaigns.
- The union movement is now **53%** white collar.
- **Every 23 minutes a U.S. worker is fired or retaliated against** for their support of a union.
- **51% of employers illegally coerce** workers into opposing unions with bribes or special favors during union organizing drives.
- **49% of employers illegally threaten** to close a worksite during union organizing drives if workers choose to form a union.
- **1% of companies actually close** their plants after a successful union election.
- Percentage of U.S. workers that belong to unions: **12.1%**.

In Unity,

*Mike*

Michael J Hora  
President,  
NPMHU Local 321