

COLORADO



LOCAL 321

## NATIONAL POSTAL MAIL HANDLERS UNION

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

1833 WEST ELK PLACE - DENVER, COLORADO 80211

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### ~ ~ FOR YOUR INFORMATION ~ ~

January, 2008

#### Colorado Springs P&DC Local Memorandum of Understanding Impasse Items Settled

As previously reported, the Postal Service opened LMOU negotiations in the Colorado Springs P&DC in September of 2007. The parties were unable to reach settlement on items C, D, H, I and P as identified in Article 30. Management was uncooperative in every aspect of negotiations.

For the most part, these impasse items represent procedures for running the bid annual program. Specifically, these items establish the duration of the choice vacation period, the percentage of employees off during each week of the choice vacation period, the section make-up for choice vacation considerations, procedures for running the leave program and notification requirements therein.

The parties did reach agreement on items B, E, F, G, K, S & T at the Local level. On the other hand, items C, D, H, I and P were resolved by way of an Area/Regional settlement resulting from the Union's impasse appeal. I would like to take this opportunity to thank the Colorado Springs Representatives, Branch President Ricardo Olivares, and Union Stewards Roberto Salazar and Larry Kydd, for their assistance in negotiating the LMOU.

I am pleased to report that the Union has secured language that requires management to grant bid annual leave during the month of November. In fact, the choice vacation period was expanded from 26 weeks to 36 weeks. In addition, we secured clear percentage minimums that must be granted annual leave during this choice vacation period. The biggest change is linked to the procedures for requesting bid annual. This process will be reduced to writing. Each mail handler will submit a written bid annual leave request to management's designee with first and second choices to include alternate selections. Management will process these submissions in accordance with the provisions of the LMOU. The Union will monitor this process and file on each violation as appropriate. Management will be distributing these bid submission forms in the Colorado Springs plant very soon. Choice vacation bid annual forms must be submitted by the last day of February.

We are in the process of printing the new Colorado Springs LMOU. Please see your Branch President or steward for a copy of your new agreement next week. They will also be available at [www.local321.org](http://www.local321.org).

#### The Tragedy of a Slip and Fall

Every now and then, we are cautioned about slips, trips and falls. The Postal Service has a standard safety talk that is typically delivered at the start of our winter season; you may or may not have heard it. Some of us have heard it so many times that we may take it for granted. In hopes that this will prevent a future injury, please permit me to share a tragic story about a recent slip and fall. All names have been removed to protect the family's privacy. Unfortunately, this is a true story.

On a December evening, a Denver Postal employee headed out to conduct a pad-check. It is presumed that he was conducting an inventory of Postal trailers at the Denver MPA. He encountered a patch of ice and fell to the ground striking his head. He sustained extremely serious head trauma.

Paramedics were called and he was transported to the hospital. While hospitalized, he endured several procedures to reduce brain swelling to no avail. He was in a comatose state. Despite medical efforts, he remained unresponsive. He was on a ventilator for several weeks. On January 9, 2008, the employee passed away. Our deepest condolences go out to the family.

Please be mindful of this story, not only at work, but in life. Please work safe, pay attention to your surroundings and take a proactive step to reduce unsafe conditions. If you experience unsafe or hazardous condition at work, bring it to someone's attention. Complete a PS Form 1767, provide a copy to the Union and present the original to your supervisor for immediate attention. If you do not get satisfaction, request to see a Union steward or safety representative immediately.

#### Denver P&DC Part-time Regulars (PTR) Converted to Part-time Flexibles (PTF)

I am pleased to report that the Union was successful in securing additional conversions to PTF in the Denver P&DC. The Union has filed a multitude of grievances challenging the improper use of PTRs; this pressure is paying off. As settlement for grievances filed by Cindy Hoehl-Rinker, John Meding and Ed Flagg, the Union was able to secure conversions on December 22, 2007 and January 5, 2008. As of today, the Denver P&DC has 1 remaining PTR, but he will not be alone for long. The Postal Service will once again hire new career PTRs, and the Union will again monitor their assignments and challenge any

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improper usage. They are scheduled to be hired on February 9, 2008.

PTR Mail Handlers are to be hired and given work assignments based on operational needs, such as meeting fluctuations in mail volume and mail flow, service delivery standards, and other operational deadlines. PTRs are not to be hired in lieu of, or used to the detriment of FTRs or PTFs. Management has indicated that they will create 10 mail prep bids for the next group of PTRs. We will monitor their usage and file grievances as appropriate.

### Colorado Springs Hiring

By COS Branch President  
Ricardo Olivares

First I would like to welcome new PTF mail handlers, Nancy Thao and Michael Hunter; they joined us on December 22, 2007. In addition, Wayne Wyerman transferred in from the carrier craft on January 5, 2008. We were expecting 1 additional PTF who was tentatively scheduled to begin on January 19, 2008.

According to documentation that I have been provided, (on November 1, 2007), Sylvester Black, Western Area Vice President signed an approval to hire nine (9) PTFs and one (1) PTR. We hope to have these new mail handlers on board soon.

In addition to the above, 2 of our PTRs were converted to PTF. If the pattern holds true, management will hire additional PTRs in order to maintain the 6% authorization as provided for in the National Agreement.

On January 8, 2008 we had a hearing on a casual in lieu of case. We have received the arbitrator's decision; the Union did not prevail. This may or may not affect future hiring, but we will continue to apply the pressures afforded in the National Agreement. There is another casual in lieu of case pending at Step 3 that deals specifically with the Low Cost Tray Sorter Operation. This too will be decided by way of an arbitrator's pen. We will continue to fight for career employees; additional information will be posted as it becomes available.

### Scales

The future of our scales and associated bid jobs is in question. As previously reported, Patrick Donohue (a senior Postal Official) questioned the necessity and future of weighing mail. The USPS has recently notified the Local Union of their decision to discontinue weighing letter mail. On January 26, 2008 management transitioned to a newly modified end-run system whereby an actual automation piece-count purports to replace the old (calculations) method of converting pounds to pieces.

This move could significantly affect our scale operators. The National Agreement requires

that any 50% change in duties will require the reposting of the bid (Article 12.3B7a). The Local Memorandum of Understanding Article XII, A5 protects the Unions rights to negotiate what constitutes a 50% change in actual duties performed. Each scale operator bid-position is being reviewed and challenged with the question, "does this modification constitute a 50% change in duties performed?"

If the change in duties is greater than 50%, the bid(s) will likely be abolished and reposted.

#### 12.2D7 Abolishment:

*A management decision to reduce the number of occupied duty assignment(s) in an established section and/or installation.*

This will cause situations of involuntary reassignment within an installation of employees excess to the needs of a section; this is governed by article 12.6C4. We are meeting with management as we speak. If it is determined that bid duties change by 50% or more, the following procedures from Article 12.6C4 will apply:

#### Article 12.6

*C4D1 The appropriate duty assignment(s) shall be identified and abolished.*

*C4d2 The junior full-time employee(s) excess to the needs of the section shall be identified and reassigned.*

*C4d3 The duty assignment(s) encumbered by the employee(s) junior to the senior employee whose duty assignment is abolished will be offered, in seniority order, and in an expedited selection process, to the employee(s) remaining in the section beginning with the senior employee whose duty assignment was abolished. An employee(s) declining to make a selection when canvassed shall be assigned to the duty assignment(s) remaining in the section after the expedited selection process has been completed.*

The good news is that mail handlers do not face abolishment and excessing very often. If it does come to abolishing and excessing, the Union will ensure that it is done correctly. We will attempt to minimize the negative impact wherever possible. Additional details will be posted and shared as soon as they become available.

### Delegate Election

As you may know, our Delegate Election process is underway. The Judges have conducted the nomination meeting, and nominees are in the declination period. Our Elections Judges are now preparing to print ballots. The Judges of Election have determined that ballots will go in the mail on February 8, 2008 and they will be counted on March 5, 2008. Please take the time to vote.

In Unity,

*Mike*

Michael J Hora  
President,  
NPMHU Local 321