

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

Office 1-303-455-6400 Fax 1-303-455-5810 Watts 1-800-521-5094 TDD 1-303-455-6400



~~FOR YOUR INFORMATION~~

January 15, 2009

Englewood Work Reviews Result in Recommendation to Excess and Involuntary Reassign Mail Handlers

On January 16, 2009, Denver's Operations Support Manager notified the Union of their "recommendation" to excess all 3 mail handlers from the Englewood stations. In previous months, management conducted work reviews following each Englewood mail handler for 7 full shifts to document workload and duties performed. The Operations Support Team has concluded that there is not sufficient work in the Englewood facilities to warrant mail handler positions. It is now up to the Englewood Postmaster to formally make the decision, but the writing is on the wall. He IS NOT going to go against the recommendations of the Operation Team's audit.

The Union is not shocked by the results of the surveys. In early November management stated that 35 station/associate office mail handlers would be excessed to the GMF. This figure was given to us months before the surveys were started. The results are predetermined and the surveys are a charade.

The Union will challenge all improper work surveys, and we will continue to fight for Associate Office/ Station positions wherever we can show that our work exists. Mail volume is down, and this makes fighting these involuntary reassignments more difficult, but the real problem for station mail handlers still lies ahead. We will be faced with significant adverse changes in the AOs once the Flat Sequencing System (FSS) machines come on line.

The biggest questions today concern the rights of Englewood's (soon to be) excessed mail handlers, and how will they impact those in the gaining facility? Article 12.6B5 & B7 apply. They read in part:

12.6B5: Full-time and part-time flexible employees involuntarily detailed or reassigned from one installation to another shall be given not less than 60 days advance notice, if possible, and shall receive moving, mileage, per diem and reimbursement for movement of household goods...

12.5B7: Whenever changes in mail handling patterns are undertaken in a geographic area including one or more postal installations with resultant successive reassignments of Mail Handlers from those installations to one or more central installations, the reassignment of Mail Handlers shall be treated as details for the first 120 days in order to prevent inequities in the seniority lists at the gaining installations. The 120 days is computed from the date of the first detail of a Mail Handler to the central, consolidated or new installation in that specific planning program. If a tie develops in establishing the merged seniority roster at the gaining installation, it shall be broken by total continuous service in the regular work force in the same craft.

The Englewood mail handlers will receive 60 days notice of their involuntary reassignment

(presumably) to the Denver GMF. These mail handlers will assume residual vacancy assignments with fixed hours and days off in the GMF for 120 days. After the 120 days have passed, the mail handlers may bid any vacant craft position the same as any other regular mail handler. This inequities provision basically places the Englewood mail handlers' seniority on hold for 120 days. Article 12.2G6 provides that the Englewood mail handlers will retain their seniority and fulltime regular (FTR) status.

12.2G6 Any (fulltime and part-time regular) Mail Handler involuntarily moving from one postal installation to another postal installation shall have seniority established as of the employee's time in the Mail Handler craft.

In the coming weeks and months, management will conduct work reviews in Boulder, Brighton, Colorado Springs (stations), Ft. Collins, Golden, Littleton, and Longmont. Denver's Holly Street Station work surveys were recently completed; no mail handler reductions will occur. We will continue to post updated information at this process plays out.

Phase 2: National Reassessment Process

The Colorado/Wyoming cluster has officially started Phase 2 of the National Reassessment Process (NRP). They are meeting with all limited duty rehab employees in the District starting first with those at maximum medical improvement (MMI) for less than 1 year. They will soon move to those at MMI for more than 1 year. Phase 2 entails a process where the USPS first conducts a District-wide search for work. Second, they will make job offers to those with limitations that fit within the scope of the "necessary work" searches, and finally the third part of the process will be the most unpleasant. The USPS will undoubtedly conclude that work is not available for some employees.

The USPS has a contractual and legal obligation to make every effort to provide limited duty work to injured employees. The Postal Service recently concluded their 546 'necessary' work reviews. The Union has filed class action grievances in every surveyed facility in the state. The Union maintains that management's "search" ignored work that is available, necessary and performed on a daily basis across the state.

The USPS has elected to authorize certain duties while ignoring the vast majority of our craft's functions. Management does not dispute that the work is being performed; rather they are taking the position that the tasks are not "necessary." This predetermination of (un)available work flies in the face of their legal obligation to make every effort to provide limited duty work assignments.

National Reassessment Process Interviews

If you are scheduled for a NRP interview, you will receive 14 days advanced notice. Please notify the Union when you get the letter so we can arrange representation. We also get the interview notices but each employee must authorize the Union to be present. We have a team of 9 people specializing in the NRP.

These interviews are supposed to be interactive so it is imperative that you meet with the Union before your interview. There are certain questions that deserve an appropriate answer. Management is placing a lot of their responsibilities on you to find work within your individual medical restrictions. We need to make sure all available work is considered.

This NRP process is far too detailed to thoroughly explain in this short FYI. Many employees will simply sign a job offer accepting their current bid assignment without grief. Others will be told that the USPS no longer has work available within their limitations. They will be given a CA2a and CA7 to file a notice of reoccurrence and claim for compensation with the Office of Workers Compensation, and they will be told to leave the building. We will work with every mail handler throughout the process attempting to minimize any adverse actions.

Attrition through Discipline

It is not easy to quickly reduce the size of a Federal work force. The Postal Service has a relatively small group of craft employees that could be laid off thanks to collective bargaining protections. Like it or not, management wants less career employees. They would like to make immediate craft reductions in certain crafts and pockets of the country. The USPS goal for 2009 is to eliminate 100,000,000 work hours. You have all heard the message, *volume is down, costs are up and we need to do more with less...*

Be forewarned, management is using discipline as a tool to speed up attrition and reach their goal of cutting out 100 million work hours. In the past, the Union could more easily settle and reduce removals to something less severe. These negotiations are proving to be more difficult. Management is getting less cooperative as discipline is issued with more aggression.

Attendance related discipline is being issued at a record pace. Additionally, several mail handlers are facing removals for leaving their work area without permission, unacceptable conduct, unsafe acts or providing falsified medical documentation. The easiest way to counter this methodology is to come to work and do your job safely. Management's aggressive measures are directed at anything less.

Please remember that management records your badge when you pass through badge readers, doors, turnstiles and gates. In addition, they are taking your picture at facility and parking lot entrances and exits with digital video cameras. They are also matching your clock rings to turnstile and gate activity. If you are leaving the property on the clock, management is eventually going to catch you. Do not put your career at risk.

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.

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.

Management Abandons Proposed Changes in Existing LWOP for Bid Annual Policy

The Colorado Mail Handlers' well established and negotiated practice of using LWOP for bid annual will continue unchanged. As it stands, you have the right to use LWOP **for bid annual if your annual leave is exhausted.** Incidental LWOP is at management's discretion considered on a case-by-case basis.

Management initially indicated a desire to discuss and change this practice. We have been notified that management has withdrawn their request to discuss or modify the practice for the 2009 calendar year. The existing policy will stand without change. The Colorado Mail Handlers will continue to oppose all changes to this past practice.

Employee Free Choice Act

In the coming weeks, you may be contacted by a Union official asking you to hand write a letter to your Senators and Congressman in support of the Employee Free Choice Act. We are calling on all members, and their family to help get the Employee Free Choice Act passed.


The current system for forming Unions and bargaining is broken beyond repair. Corporations routinely harass, intimidate, coerce and fire workers just because they want the freedom to bargain for a better life—and even if companies get caught, they get little more than a slap on the wrist. Working families are struggling in today's economy. With our broken labor laws, working people are powerless to bargain for better health care, retirement and fair pay. This must be changed by enacting the Employee Free Choice Act. When asked, please help.

Local 321 Scholarship Program

The Local 321 Executive Board has unanimously approved a motion to continue funding our scholarship program for the current school year.

The Board has approved (5) five-hundred dollar scholarships for the 2009-2010 school year. The scholarships are randomly awarded to Local 321 members and dependents consistent with scholarship program rules. Applications must be received by April 17, 2009.

Applications will be distributed to every facility. Please see your Union representative for a scholarship packet. This information can also be accessed at www.local321.org; you can also request a scholarship packet by calling 303-455-6400.

In Unity, 
Michael J Hora
President,
NPMHU Local 321