



COLORADO MAIL HANDLER NEWS

LOCAL 321

“SERVING THE STATE OF COLO-

NATIONAL POSTAL MAIL HANDLERS UNION—A DIVISION OF THE LABORERS’
INTERNATIONAL UNION OF NORTH AMERICA, AFL-CIO

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VOLUME 8 ISSUE 1

DON GONZALES-EDITOR

SPRING 2001

FROM THE PRESIDENT’S DESK

Election Judges Selected

On February 9, 2001 the Local Executive reviewed all requests from members who submitted a request to serve as a judge of election during the upcoming election process. This election process is to determine who will be attending the Laborers International Union Convention that is to be held later this year in Las Vegas. First I would like to thank each and everyone who submitted to serve as a judge during this election process. After a full review of all requests the following three individuals were selected to serve as judges during this election process.

Larry Cambra
Richard Paylor

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CLOTHING ALLOWANCE UPDATE

or
(HOW TO GET AN ULCER IN LESS THAN ONE YEAR)

As most of you GMF employees know, management in 1999 started to eliminate clothing and uniform allowances for mail handler employees within the GMF structure. The issue was grieved and taken all the way to arbitration, where the union prevailed. In the decision the arbitrator stated that management was to put the employees back into the program and give them what they had lost in the past because of management changes.

The decision was issued in May of 2000. Management was initially approached by the union and told that the union was willing to discuss a monetary award in lieu of the past years lost. Because the uniform program was run by Citibank. Pam McGowan and Linda Hernandez were not willing to even discuss that kind of settlement. Instead Ms. McGowan insisted that her office would take care of the adjustments. She delegated the task to Donna Vallejos who worked in that office at the time. This occurred in June of 2000. Donna assured us she was going to have a list of who was to be adjusted for how much. (Keep in mind that they insisted on looking at the bid history for each and every person they had taken the allowance from.)

Obviously this was going to consume a healthy amount of hours from Human Resources as they chose to make it hard on them-

elves. In August of 2000, knowing that management was taking their sweet time on this issue, a letter was sent to the arbitrator asking that he maintain jurisdiction until we agreed with management on the settlement. He responded that he would maintain jurisdiction until we either settled, or asked him to specify a remedy. **Flash to late September 2000.**

Donna Vallejos—on her last day as a postal employee—submits her spreadsheet. Lo and behold it only shows the people who are to be adjusted and does not show prior adjustments that need to be made. But at least we finally had a list of names to start with. The union

posted this list and asked that any employee who felt they should also be included contact us. Because management was not willing to investigate or accept the word of these other employees who came forward, grievances were filed to make sure these employees were included in any settlement.

(These grievances are

“...In the meantime, the union looks like the bad guy because we prevailed in an arbitration and we can’t get compliance...”

still in the system.)

During October and November 2000, the union asked who was doing the adjustments and how are they being adjusted. In essence all we kept getting was lip service, so we told management that we were writing the arbitrator to tell him nothing was happening and to ask him to specify a monetary remedy. They asked for more time of course.

In late November and early December, management assigned another person the task of fixing the adjustments. The adjustments were supposed to be finished by early January. During this time management kept complain-

(Continued on page 8)

Colorado Delivery Scores: Still Among The Nation's Worst

The media delivered another round of poor delivery scores to our Colorado region customers, and once again – management seems shocked. With Denver at near rock bottom, supporting a delivery score of only 90%, Denver's Postmaster is shying away from improvement predictions. However, had the media asked a mail handler on workroom floor to forecast the upcoming scores – odds are, most would have predicted our scores to plummet again, and now managers sit around wondering why...

The most obvious answer comes from the official postal response as printed in the Denver Post. Postal spokesman Al DeSarro was quoted as blaming *staffing changes* at the (GMF) plant for the low delivery scores.

BINGO... *Can someone say HALLELUJAH - Amen brother...* Actually, Al DeSarro and our Colorado postal customers can thank Sam Ruden for Denver's delivery failures. (This is the last time I will write his name). However, I cannot resist hoping bad things happen to him for the remainder of his sad pathetic life.

Finally, someone has acknowledged that management's irresponsible and reckless changes are to blame for Denver's problems. I do admit the changes have slowed significantly since Tal Middleton's arrived. Postmaster Flores went on to blame the new sorting machines, saying there are "learning curves" associated with new machines. What he is trying to say is management's AFSM100 failures are directly related to management unwillingness to provide necessary mail handler staffing

in the new flat preparation operation. With flats slowly being pulled from the associate offices back to the main (GMF) plant and there is a significant increase in flat processing volume. Yet management has failed to staff the flat preparation operation with a single permanent bid position. Every day, the flat preparation staffing is a mish-mashed hodgepodge of rotating Russian roulette via mandatory overtime calls.

Now there is a task force in place to analyze and improve the Colorado region mail-delivery. The postal service has even invited United Airlines managers into the installations

to critique and scrutinize our methodology. United Airlines' (UA) first bank of flights is not hauling enough mail and UA is losing significant money, not to mention UA gets clogged up with late mail volume and cannot recover in time to satisfy down-stream

delivery goals. UA attributes the problem to the GMF saying outbound mail is not available to them in time for early morning, first bank flights. Everyone has problems and no one will do what it takes to correct things. Please let me take this opportunity to solve the committee's quandary. Denver's managers want delivery score improvements; and they claim to want improved employee morale. Well here is a hint:

Hire enough mail handlers to effectively staff each operation.

Michael Hora
Vice President

... "Finally, someone has acknowledged that management's irresponsible and reckless changes are to blame for Denver's problems"...

Editors note: The following editorial was submitted to the Denver Post in response to an article on the postal service they ran on February 7, 2001 titled, "Slow to deliver, quick to ask for stamp hike."

Dear Sir;

This letter is in response to your article entitled *Slow to deliver, quick to ask for stamp hike*. By the same afternoon that your article appeared I had already had over two dozen requests to respond to your article. While it is indeed true that the mail service in Colorado has been substandard for quite some time, your article fails to discern the real causes associated with this languishing ineffectiveness. Also, the numbers games the Postal Service plays (figures released) belies the true scope of this problem.

The Colorado delivery rate of 90% alluded to depends heavily upon additional factors and practices the Denver processing facility implements to disguise routine failure. First, the numbers used to measure success exclude all uncanceled stamped mail. It is rare for the Denver facility to even concern themselves with the cancellation of *postcards, open-ended/folded letter mail or any letter mail not of a uniform size and shape*. As of late, the cancellation of larger size letters has been by-passed as well. These and other types of mail are not processed through the machines that keep count of the mail, but are handled manually.

In addition, thousands of pieces of mail are processed manually each night *after* the processing machines are idled. Hence, the true scope of Denver's ineffectiveness has been clouded by these improper practices. This is just the beginning and we've only dealt with raw stamped mail to this point. Metered letter mail is manipulated as well. Because metered mail tends to be easily processed it is often *dumped* unnecessarily into the main process-

ing system in order to embellish the numbers.

When one eliminates the mail(s) that may require an extra processing step and count your easy mail two and three times, one is then left with a distorted picture of success. Additional tactics are also used when needed to render the appearance of effectiveness.

First class mail that is flown from destination to destination has bar-coded tags that identify the mail. It is common for large quantities of this mail to arrive at DIA before 9:00am but not arrive at the processing facility before late afternoon. Any mail(s) that arrive at the processing facility after 5:00pm can be properly deferred until the next day. Hence, on a bad day this mail can be set aside until the next day. On a good day it will be processed.

Other processing factors must also be taken into consideration. Until recently, the Colorado Springs processing facility was closed on weekends and this mail had to be trucked to Denver for processing then returned for delivery. The results of this practice have to be obvious.

Mr. McAllister, I have barely scratched the surface. Inadequate staffing, inexperienced supervision and an often hostile working environment also contribute to a sad level of productivity regardless of the *numbers released*. I work in and represent the postal *mail handlers* who deal with these conditions and practices on a daily basis. They, as well as myself, hereby invite you to speak with us in order that you can become fully aware of the mail processing concerns that plague our state. I am enclosing my business card with the hopes that you accept this invitation. We will *all* eagerly await your response to this letter.

Sincerely,

John M. Meding,
State Representative

POSTAL MEDIA REP. POR-TRAYS A MISLEADING ACCOUNT

I feel compelled to write about a subject that has long annoyed me. It seems as if whenever the Postal media representative for the P&DC (Al DeSarro) speaks to the media, the circumstances and facts given are often misleading or false.

The picture portrayed of the Christmas eve 1997 GMF hostage incident is a prime example. The GMF building has 120 possible entrances counting the truck bays. At that time, nothing was locked or secured in any manner. Yet, Al DeSarro (standing along side of the perimeter fence) appeared perplexed that anyone could have breached our security when the fact was that anybody could have driven a dump truck full of TNT up any ramp and straight into the facility. Unfortunately the truth was never revealed.

Then about a year ago another article appeared that rated Colorado's mail delivery service as next to last nationally. Al DeSarro told the media that the movement of machinery was to blame. Incredibly, the media bought it! (The fact that the DBCS's were relocated from the T.A. to the GMF was the excuse given for our poor service.) The truth was that this relocation was needed so all such equipment would be in one central location along with the spare parts and equipment mechanics. Clearly this move promoted efficiency, rather than harming it. This is basic logistics! Precipitated experimentation with established procedures, low worker morale and under staffing were never mentioned. Again, the truth was never revealed.

A January 24th article concerning a \$400,000 EEOC settlement contained yet another quote from Mr. DeSarro that, I'm sure,

caught every postal worker's eye. In this article Mr. DeSarro out does himself on misleading quotes when he quips, "*The Denver GMF . . . has a better than average track record for hiring the disabled..*".

However, he fails to mention the track record for the harassment of the disabled.

The latest postal related article appeared in last week in the Denver Post and was titled *Slow to deliver, quick to ask for stamp hike*. In this article Mr. DeSarro simply stated that the Postal Service was aware of the problem and was attempting to solve the problem. Postmaster Mike Flores rendered a slightly more specific explanation partially blaming the *new sorting machines* for the problem. The truth is however that there is nothing wrong with the flat sorter 100's.

The *problem* is there is simply not enough mail handlers available to prep the amount of flats these machines are capable of sorting. Staffing changes at the plant *were* actually

mentioned this time, but stands as a much too simplistic answer to adequately explain all that needs to be reconciled. If staffing *changes* caused this problem, then **change it back!** Now was that so hard?

As in previous articles the issue was appeased with B.S. instead of the plain facts. If Postal Headquarters won't give Denver the staffing necessary to do an adequate job, then say that! The truth is better than letting the public think we're incompetent and lazy. Perhaps Mr. DeSarro fears having to explain why we pay outrageous money to relocate managers who cannot solve simple problems.

John M. Meding
State Representative

... "the issue was appeased with B.S. instead of the plain facts" ...

WORKPLACE VIOLENCE AGAIN ON THE RISE

The incidents of workplace violence that peaked during the 1970's and 80's appears to again be escalating. The massive efforts to understand and deal with such violence along with the prosperous economic decade of the 1990's gave rise to more peaceful times. However the trend is reversing and tragic episodes of such violence are again making headlines and no company or industry is safe.

The correlation between economics and workplace violence cannot be easily discounted and the Postal Service is a prime example. When Managers are forced to *tighten the belt* the entire working environment changes for the worse.

The lack of proper training and short staffing make for poor decision making that usually adversely effects the working person. The bargaining unit agreements are perceived to be far too cumbersome and burdensome to comply fully with.

Established internal policies are changed with the intent of convoluting once simple procedures. (Have you tried to call in sick to the ACO lately?)

Inefficient and often random processing changes combined with inevitable hiring cut-backs strip the sense of pride from the workforce. The workers are acutely aware that many of these changes are implemented solely to protect the bonus's of the ones that created the poor working environment in the first place.

The experienced worker is smart enough to recognize misuse and abuse. It is very hard for the average worker to reconcile this abuse while maintaining their pride of workmanship.

The creation of a twenty person *mini-agency* called the Attendance Control Office serves as a great example. What unit couldn't use twenty more workers? All these twenty people do is violate postal policy and harass the sick and injured by order of Joe Buckley. Now, the floor supervisor has nothing left to do except assist their short-staffed unit and create grievances.

All of these factors along with forced over

time create an intolerable working atmosphere. The workplace becomes a *time bomb* waiting to explode and little to nothing is ever done to circumvent the problem other than the usual threats of disciplinary action to those who would dare to violate the postal code of conduct.

Postal higher management knows all of this but chooses to allow the atmosphere to fester while awaiting the inevitable. The last postal tragedy in Denver gave rise to three million dollars worth of fences and gates. Everyone was mailed a copy of postal policy and that was that. It is sad to think of all that could be done, but isn't. I guess it is up to us to protect ourselves.

John M. Meding
State Representative

... "Established internal policies are changed with the intent of convoluting once simple procedures" ...

Y2K was AOK!
(2000-2001 financial report)

The year 2000 proved to be a successful one for this Local. Even though we were uncertain that we could afford Christmas Gift Certificates, and, considering how many large expenses we had in Y2K (esp. convention and election), we ended the year above water.

For the same amount of deposits for each pay period this union receives dues, there were \$18,500 less in regular dues received in Y2K as compared to 1999. This equates to a loss of about 50 members from 1999. The Postal Service has reduced the amount of Mail Handlers through attrition and this union is paying the price. Now more than ever we need to be concerned about pressuring non-members to join.

We also received \$26,931 less in Associate Dues income in Y2K as compared to 1999. Apparently the Mail Handlers Benefit Plan was not as good a buy in Y2K and many federal workers dropped out of the plan. Our pre-audited financial statements show us with a total \$45,431 less income received in Y2K as compared to 1999.

As of December 31, 2000, we maintained \$10,244 in various accounts. Just as the year before, we were several arbitrations from being broke. Our Income statement for the year showed us nearly even (\$750) between income and expenses.

Factoring in our investments in equipment, our cash flow was negative to the amount of \$7,349 for the year. Luckily we began the year with about \$19,000 in various accounts and were able to absorb the loss. We actually spent \$83,000 less than we had budgeted for so it could have been much worse.

Many members do not realize that our Un-

ion expenses are not only due to representation, but are also to service our Mail Handlers Benefit Plan. Associate dues income from our health plan provides us with almost half our net income. We should also be continually conscious of any expenses that are related directly or indirectly to our health plan dues income and allocate accordingly for tax purposes.

We still maintain an additional budget to help with contingency planning should a substantial decrease in dues revenue occur. This "special" budget excludes all Associate Membership dues should the Mail Handler's Benefit Plan ever be terminated (by any possible changes enacted by Congress to alter the Federal Employees Health Benefits program).

Our regular year 2001 budget shows us receiving \$10,000 less in regular member dues but saving \$10,000 in per-capita taxes to the National due to 2000

Convention constitutional changes. We also project to receive \$4,800 less in Associate Dues (Health Plan) income while saving \$11,437 in per-capita taxes, also due to constitutional changes.

I am (again) also concerned that arbitration costs have the large and uncertain potential to vary for better or worse. Equipment investments also can vary, however, we look to be "well-equipped" for now. Local negotiation costs may not have to be endured until 2002 judging from the probability of a settlement before years end. This alone could save us a budgeted \$9,540. Election costs for the L.I.U.N.A. Convention a certainty, however, and are budgeted to be \$6,000. We will continue to monitor the finances as the year progresses and make necessary adjustments.

Jeffrey "AOK4Y2K" Morgan
 Treasurer

... "We actually spent \$83,000 less than we had budgeted"...

(Continued from page 2)

ing that St. Louis had to re-enter the employees into the system, and then Citibank had to enter them in their system. In the meantime, the union looks like the bad guy because we prevailed in an arbitration and we can't get compliance. **Flash to February 13, 2001.**

Management informed the union that they are ready to issue vouchers for years past, and that the employees can use the vouchers as they would a credit card. Although the issue of Citibank issuing cards for the current year is not fixed yet, a glimmer of hope surfaces. Then, in the same conversation, Pam McGowan states that the uniform allowance vouchers have an expiration date of two months. **And the process comes to a**

screeching halt.

The union is adamant that the clothing vouchers should be good for a period of one year. Ms. McGowan asked how did we come to the arbitrary period of one year? She was told, "That's what the union negotiated in the Agreement at the national level."

I asked her how she came to the arbitrary figure of 60 days, and she said that the vouchers should only be good for 30 days, but she was able to get ours for 60. Gee, how generous of management. To offer me one sixth of the time I originally had, to use the vouchers is certainly an acceptable offer, right? NOT!!

So we told Ms. McGowan (and her superiors) that we were tired of getting the run-around and we would be writing to the arbitrator on Friday, February 16, and that they were free to express their version of events.

Ms. McGowan's boss, Patty McGinty asked us to wait until Tuesday, February 20 so she could see if she could fix the problem. As I type this article, it is now Tuesday afternoon (2-20-01) and we have yet to hear from anyone, so the letter will go to the arbitrator.

On a final note, management at various levels seems to believe that the arbitrator who awarded this grievance to the mail handlers has no right to maintain jurisdiction over the case because he is no longer on the arbitrator's panel. The union and management wrote this arbitrator a letter back in August, and asked him to maintain jurisdiction over this case. He responded that he would, so our position is that he has the authority to issue a precise remedy since management can't get their act together.

Time will tell and I pray that we do not have to take this issue back in to arbitration to get compliance. Watch you bulletin boards for further information. In the meantime, I'll be getting hooked on Mylanta and Pepto Bismol.

... "To offer me one sixth of the time I originally had, to use the vouchers is certainly an acceptable offer, right? NOT!!" ...

Don Gonzales
Tech. Asst.
Local 321

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Leroy Adams

Priority Mail Changes

In recent weeks the BMC and GMF have been discussing the movement of destinating priority mail from the MPA to the BMC. It now appears the facilities and the Area office have reached a tentative agreement and this mail will in fact be moved into the BMC. Probably the largest reason for the move is the BMC can process this mail in an automated fashion versus the manual method currently in place at the MPA. Management currently anticipates that the movement of this mail out of the MPA will result in 15 to 20 Mail Handlers that can be moved from the MPA to the GMF.

It is also hoped that this added work to the BMC will help stop the deterioration of day shift jobs they have been experiencing for the last couple of years. No dates have been set as the particulars have yet to be finalized. It does appear the GMF is in a big hurry for this to be finalized while the BMC seems to be more focused on having it done by the beginning of the fiscal year.

Terminal Annex Closure

On February 16 management held a meeting to notify the parties of their intent to sell the TA by the end of the fiscal year (September). They have indicated that nothing is in stone yet but their plans do include the closure and sale of the TA. Currently it appears that the Mail Handlers who work at the TA will be excessed to the needs of the section and moved into either the GMF, MPA or AMC (again no dates yet). It appears that the

operations (mostly non-Mail Handler) will be moved into various locations around the city (again unknown). It also sounds like they anticipate having to lease some space for this purpose. Also in reviewing press releases it appear that what they expect from the sale is considerably below what it is probably worth.

Sub-Contracting

Recently we have been dealing with a sub-contract issue that is taking place at the Air Mail Center. Basically ground crews are performing Mail Handlers duties both outside and inside the AMC. Originally this practice was utilized on all three tours. However now the practice is limited to day shift only with the work on other tours being moved back to the Mail Handlers.

There have been rumors that management made some offer to settle this case and that is not true. Management did solicit an offer from the Union on what they wanted to settle the issue. The Union indicated that it would consider

an offer around 2400 hours and the posting of 4 jobs that would allow the work to return fully to the Mail Handlers, even on tour 2. Management has never responded to this offer and the grievance is now being moved to step 3 and possibly arbitration.

One other item that should be noted, recently a similar violation was arbitrated and won in Florida. It appears the Postal Service is attempting to vacate that award [get it thrown out in court, not because of the ruling so much but on how the monetary figure was reached by the arbitrator in that case (3,000,000.00)].

“...It is also hoped that this added work to the BMC will help stop the deterioration of day shift jobs ...”

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Disability Retirement Concern

Management appears to have been attempting to implement a new policy that would have delayed employees seeking to apply for a disability retirement. Management would tell an employee applying for disability retirement that their restrictions required processing through what management calls their Reasonable Accommodations Committee prior to providing the employee with the necessary forms. This action could cause delays of several months or more.

However we have been able to resolve this issue and packets will be provided upon request. If anyone is delayed in receiving the necessary forms when applying for disability retirement please contact your steward so that the issue can get resolved.

Modified Work Weeks (4/10's)

There seem to be a host of rumors floating around about possibly staffing some operations with a 4/10 workweek. First it should be noted that GMF management generated the only discussions on this issue. They are considering the possibility of establishing 4/10 workweeks for certain operations. The main intent as we understand it is to get a 4 hour window of total downtime so that maintenance can service the machines.

This discussion mainly focused on the SPBS operation at the MPA with a little reference to some of the automated units within the GMF. However at this point management has not received permission from their National office to move on this type of change. The Mail Handlers Union has indicated that we are willing to fully discuss and develop the idea if implementing 4/10 workweeks within various operation. Further we have informed management to contact us if approval is given so we can work on this issue. As (if) this issue become developed, additional information will be conveyed to you at that time. I would not

expect that this type of issue will be rolled out in the next few months, as there will be many details to workout.

David E Ross, President
President Local 321

Judge Lorraine Loses Robe !!!

No More FMLA Common Law Affidavit!!!

For those of you who are in need of FMLA for the sake of your spouse, and are asked to bring in your spouse to sign and notarize this form, **STOP!!! Don't do it!!!** Notify your Union Representative Immediately!! A Step 3 Decision has been made. It states, **“Local Management shall submit the form in question to the Area Office for approval under ASM 325 if it desires to continue the use of this form.”**

This is a long and lengthy process and will not take just a couple of clicks on the computer. This could take months to get approved. When and if Management ever does do this, there will be a number on the bottom of this form to show that it is an acceptable document that is approved through the Area Office. I assure you that the Union will follow up on this issue if it is ever asked to be signed by another employee for the purpose of showing the relationship of you and your spouse. But, we need you to notify us if you are asked to use it. **Do Not Ever hesitate to ask your Union Representative of the validity of any form used by management.** In the state of Colorado, a common law relationship does not have to be written and notarized. This is only this installations opinion and again, the **Union has proved them wrong!!!**

In Unity
Cindy Hoehl-Rinker

Yes ! That's My Job!

OPERATING COSTS - DELIVERY SCORES AND MORALE; what is the problem?

We work for a company that cannot seem to turn a profit and we work in a city that cannot get mail-delivery scores out of the crapper. Now management is wondering why Colorado's employee-opinion survey results are among the worst in the nation.

Here are 19 reasons:

1. MDO BUCKLEY
2. MDO (a) DUNLAP
3. SDO EBERLY
4. SDO LLOYD
5. SDO RUDOLPH
6. SDO MAC PHAIL
7. SDO LOVE
8. SDO TRIP
9. SDO PENN
10. SDO POOL
11. SDO CIUFO
12. SDO BRONDER
13. SDO CASTRO
14. SDO STEVENS
15. SDO SMITH
16. SDO WOODS
17. SDO ZOPPA
18. SDO WILSON
19. SDO LOFFRADO

If you totaled the annual salaries of Buckley's attendance control (AC) and FMLA coordinators' staff, and then add in salaries of the general clerks working or detailed to the AC and FMLA offices; don't forget to include the cost associated with flying Buckley all over the country to teach *Buckleyism 101*, you would have an annual cost approaching \$1,000,000.00.

All this money is being spent to ensure you receive as much grief as humanly possible when attempting to utilize your negotiated benefit of leave as provided for in our collective bargaining agreement. Management is wondering why morale is bad...

In Unity,

Michael Hora
Vice President

COLORADO MAIL HANDLER NEWS IS PUBLISHED FOR THE DUES PAYING MEMBERSHIP OF LOCAL 321 OF THE NATIONAL POSTAL MAIL HANDLERS UNION.

ANY MEMBER MAY SUBMIT ARTICLES FOR PUBLICATION, WITH THE UNDERSTANDING THAT THE EXECUTIVE BOARD OF LOCAL 321 RETAINS THE RIGHT TO FINAL APPROVAL OF ALL SUBMISSIONS. SOME ARTICLES CONTAIN EDITORIAL COMMENT WHICH IS THE OPINION OF THE AUTHOR AND NOT NECESSARILY LOCAL 321.

MARK YOUR CALENDAR!!

We have set a date of July 21 for the annual picnic. Keep in mind that we can always use volunteers to cook, clean or help set up and take down. If you can help, please call the hall at 303-455-6400.

FMLA UPDATE

Last month— a local arbitrator ruled that employee's must provide a date when submitting a (WH-380) request for FMLA. The message is: *(unless it is a scheduled procedure or a pregnancy) DO NOT REQUEST FMLA IN ADVANCE.* It will be denied with the following response: *Upon a review of your attendance history, there does not appear to be an FMLA claimed absence, therefore your request for FMLA is denied.*

In the future— **CALL IN FIRST ! Do not bother giving advanced notification of an impending FMLA absence.** Request FMLA when speaking to attendance control during the actual notification of the absence and when you return, submit the medical certification supporting the FMLA leave.

Encourage your doctor avoid terms like *sporadic, periodic* or *occasional*. The most damning words seems to be *unpredictable* or *unknown*. When answering questions relating to dates, times and periods; convince your doctor to be as specific as possible. If you insist on using a WH-380 form, be specific and use numbers and dates. Some (WH-380) questions require a two-part answer with specific time information. *E.g. Regarding John Doe's chronic condition: The duration of Mr. Doe's incapacitation's will be 3-5 days per incident with a frequency of 2-3 episodes per month.*

I must reiterate past advice from David Ross; the WH-380 forms are voluntary and bring more trouble then they are worth. Stop using them. A well-written narrative from the doctor, with all the necessary and required information must suffice. This will give the FMLA-Denial office much less to knit-pick.

After consultation with the DOL, the USPS (headquarters) drafted a new FMLA return to work protocol. It says employees missing time for a communicable or contagious disease,

mental or nervous condition, cardiovascular disease, epilepsy, a condition involving hospitalization, or absences of 21 days or more (due to their own serious health condition) must submit evidence of their ability to return to work.

The good news seems to be that Dr. Buckley and crew will no longer be making this assessment. The postal medical officer will make the decision at the time of your return from your first absence for the condition, and whether it remains necessary for you to submit a certification for subsequent absences prior to returning.

The return to work packet should be submitted to the medical unit no later then one day prior to your anticipated return to work date. This means you should request that the packet be mailed to your home as soon as you miss a day for one of the above captioned conditions. If all the necessary return to work information is provided, the postal service will be liable for any administrative return-to-work delays and you should be placed in an administrative leave status.

Lets say you have a condition causing an irregular heartbeat and you use FMLA leave. Immediately request a return to work packet. The day before you are to return, submit the RTW packet to the medical unit. The postal doctor should make a (first-time) assessment of your condition. This assessment will determine future RTW certification requirements. If all the necessary information was timely provided, you are to be returned to work the following day or placed on administrative leave pending administrative delays.

It remains to be seen how this new protocol will effect future applications for FMLA leave. However, for now— this seems to be good news. At least a doctor will be making the (RTW) assessment and decisions.

On final word on FMLA, the postal meth-

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odology used to apply the 1250 test was cleared up by DOL opinion letter #112. There is a one-year limitation on a given condition. e.g. If you satisfy the 1250 hour test, (that is worked 1250 hours in the preceding year), you shall remain eligible for that condition throughout that leave year even if subsequent absences bring you below the 1250-test requirement. The postal service can no longer take away your FMLA eligibility for a qualified condition because absences dropped you below the 1250 test in the same leave year. The clarification of the 1250 test makes the FMLA palatable for those who have a need for extended FMLA time.

Michael J Hora
Vice President

We are all well aware of the problems that we have within this facility over the staffing issues. While your Union fights hard to keep the positions that we have established over the years, hang in there with us and try to keep the faith. We are all aware that these battles are large ones and sometimes it seems like we can't keep going on day after day, doing without extra hands and the equipment that we need to accomplish our tasks. But, we need to keep plugging along and keep doing the jobs that we would like to keep within these walls. If we don't do a job, management will find someone who will do it for us. Generally it is the other crafts who will benefit from this action. So don't say No! That isn't my job! Start saying Yes! That is my job! And I intend to fight hard to keep it!

Sister Cindy Hoehl-Rinker

BEFORE YOU CALL OSHA

1. Notify your supervisor of the unsafe act or condition.
2. Contact your Memorandum of Understanding Safety (MOU) representative.
3. Fill out a 1767, one for your records and one for your MOU representative.
4. Make two copies of the 1767, one for your records and one for the MOU representative.
5. File the 1767 with your immediate supervisor.
6. Follow up on your 1767 with your immediate supervisor.
7. Ask your supervisors manager what the status of the 1767 is.
8. Call your Article 14 safety representative (GMF 6487, pager 303-767-3319) please leave a detailed message.
9. Call your safety office at 6328, 6374

Andy Jimenez—GMF Safety Rep.

Editor's note—The above are union recommended guidelines. Employees obviously have the right to call OSHA as they see fit. If you are in a situation that is serious enough to possibly endanger you or others, or if your repeated use of the system has failed to address a serious issue, then obviously, it is time to call OSHA.

CONVENTION FREEZE-OUT

“Baby, We Were Born to Run!”

Bruce Springsteen

Now that the National elections are over, I can finally relay my thoughts on the Convention proceedings without a conflict of interest (since writing about this during my run for office would have been inappropriate for a newsletter).

FIRST, I’ve got to state that, if I had to do it all over again, I wouldn’t think twice. Even though “losing” the election was a disappointment, the experience of discussing issues and meeting new members was exhilarating. It showed me that this union has a promising future with so many activists involved. It also made me proud.

Why, may you ask, did I run? Well, quite frankly, part of it was personal. It had to do with my own confidence in my abilities and vision for the future. It had to do with having an opportunity to affect

change in the direction that, I believe, change would best be served. It also basically came down to a gut decision during the convention (I still had not made up my mind up until then). I saw a National Office with a little too much arrogance. I felt a shift away from the concept that the National should serve the Locals to vice-versa.

It all started with National’s bogus media campaign that they were making history by giving money back to the Locals in the form of dues tax decreases. If they had just come out

and stated that they were obliging the many proposals that were already made by the locals, it would have been much more acceptable. But, upon seeing how many locals had convention proposal for this, the National came up with a tacky proposal that mirrored the handwriting on the wall – much like the scholarship program that they rushed out before the convention (which had been voted down at the previous President’s meeting.) I argued for even more funds to be distributed to the Locals but that was voted down (in conflict with the National’s proposal).

What really surprised me was the National’s campaigning for the election committee. I would never even

...”the experience of discussing issues and meeting new members was exhilarating”...

consider being involved in endorsing specific judges who were to run the election. It appears as a conflict of interest. The convention body didn’t care, however, as they voted overwhelmingly for whom the National had endorsed (not that I had anything against the choices, it was just the set-up that reeked).

Then there was the election itself... I had never expected to be

lied about. That caught me off guard, quite frankly, but I had to fight back. I guess when you’re making around \$100,000/year, there is a tendency to throw mud if somebody even dares to threaten you. I’ve had others run against me in past elections, but I’ve never resorted to lies and innuendos to beat my opponent. I like to do it fair and square, and if the other person beats me, congratulations are in order for the winner and respect to the membership for their choice! It’s hard for me to

understand why the National would worry so much about themselves rather than the union as a whole. I mean to say that without any resentment also.

Whatever, it's over now. I respect our union's choice and vow to fight on. I still believe the National should refund some excess funds to the Local. After all, there are millions of dollars without a budget to show for it (just the statement, "we need to scare the Postal Service"). But that's just my opinion. Maybe others will agree down the road, but for now it's back to work. Thanks to all of your support and being part of the struggle!

One major issue from the convention that I cannot go without addressing was the first institution of weighted delegate voting (passed at the 1996 convention). Our and another Local's constitutional change went very well. It was disconcerting at first to know that Local 321 delegates had 7.67 votes, but it was outweighed by the fact that we represented our Local with the maximum amount of delegates allowed under the constitution. It was the biggest change from the last convention and, I believe, allowed many Locals to save money and avoid politics by sending only the amount of delegates they could afford (Philadelphia's President Frank Phillips voted all 108 of his Local's votes).

National Candidates no longer have to beg for supporting Locals to send as many delegates as possible and all votes that a Local is entitled to at a convention will be counted no matter how many delegates are sent.

Jeffrey K. Morgan
Treasurer

**DO US ALL A FAVOR
SIGN UP A NON-MEMBER
TODAY**

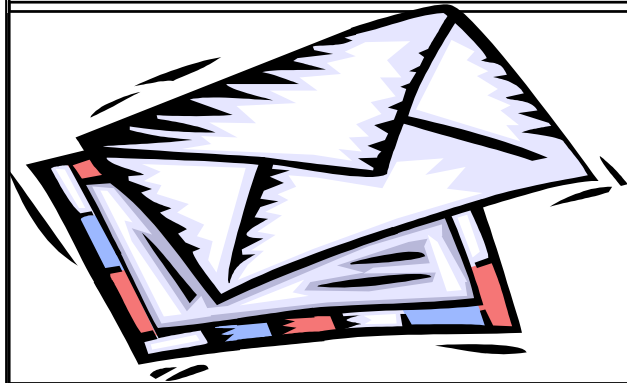
LIUNA ELECTION PROCESS

The LIUNA Convention will be held in September of 2001. Any member in good standing for the last two years may run for a delegate position.

The judges are currently in the process of filling out the necessary forms and setting dates for the nominations, mailing and counting of the ballots.

Please watch your bulletin boards for further information on the LIUNA Convention.

All information will be posted and signed by the Judges of Elections.



QUESTIONS OR COMMENTS?

We want to hear from you. Address your questions or comments to

Local 321
1833 W Elk Pl
Denver CO 80211

Or e-mail us at 1321ross@hypermall.net
1321gonz@hypermall.net

HAVE YOU MOVED LATELY OR IS A MOVE IN YOUR FUTURE?
IF SO, PLEASE PROVIDE YOUR UNION WITH YOUR ADDRESS
SO WE CAN KEEP IN TOUCH.

Name: _____

Address: _____

City, State, Zip Code: _____

Facility where you work: _____

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