

President's Report



APWU-USPS CONTRACT NEGOTIATIONS

As I write this article, APWU contract negotiators are continuing talks with the U.S. Postal Service negotiators in an attempt to get a new contract. I understand that we have waited a long time to hear something, but I am sure that President Guffey is insuring that we do the right things for our members. If negotiations fail, we will head for arbitration. I will update my e-mail list as information becomes available.

USPS STAFFING UPDATES

As I have reported in past Eagle's Eye issues, management had continued to increase management staffing at USPS headquarters while drastically reducing craft employees over the last few years. It appears that the new Postmaster General has received some heat on the issue and will be making some cuts to management staffing in the coming months.

After years of growing management staffing, it will be interesting if they make the appropriate cuts to reduce them at the same percentages as the crafts. I seriously doubt that this will happen, but will wait and see and be ready to send everyone updates on what I find.

FILING PS 1767s

PS Form 1767s are available in every office per Section 824.62 of the USPS Employee and Labor Relations Manual (ELM). Section 824.61 states that PS Form 1767 is "designed to encourage employee participation in the Postal Service Safety and Health Program and provide prompt action when employees report a hazard." These forms are utilized by employees who notice and want to report "alleged hazards, unsafe conditions, or unsafe practices."

Over the past year, I have filed a couple of these

whenever I noticed a safety issue. If you believe that your 1767 has not been handled in the proper way, it is your right to contact OSHA concerning the issue. It is always the best policy to file a 1767 first to get the unsafe issue corrected as soon as possible.

The ELM states that: "Any employee, or the representative of any employee, who believes that an unsafe or unhealthy condition exists in the workplace may do any of the following:



- a. File a report of the condition on Form 1767 with the immediate supervisor and request an inspection of the alleged condition.
- b. If the employee desires anonymity, file the Form 1767 directly with the installation's safety personnel, who will immediately return the report to the employee's supervisor for immediate action. (In such cases, safety personnel must not disclose the name of the individual making the report.)
- c. Report alleged unsafe conditions to a steward, if one is available, who may then discuss the condition with the employee's supervisor. Discrimination against an employee for reporting a safety and health hazard is unlawful."

The ELM (Section 824.632) states that the Supervisor:

"The immediate supervisor must promptly (within the tour of duty):

- a. Investigate the alleged condition.
- b. Either initiate immediate corrective action or make appropriate recommendations.
- c. Record those actions or recommendations on Form 1767.
- d. Forward the original 1767 and one copy to the next appropriate level of management (approving official).
- e. Give the employee a copy signed by the supervisor as a receipt.
- f. Immediately forward the third copy to the safety office.

It is the supervisor's responsibility to monitor the status of the report at all times until the hazard is abated. If the hazard remains unabated longer than 7 calendar days, the supervisor must verbally inform the employee as to abatement status at the end of each 7-day interval."

	February 2011		
	The Eagle's Eye		
Serving Alva, Bokerella, Bonita Springs, Captiva, Chokoloskee, Estero, Ft. Myers, Ft. Myers Beach, Immokalee, Labelle, Lehigh Acres, Marco Island, Naples, Placida, Punta Gorda, St. James City, and Sanibel	Volume 21, Number 2		Page 1
			
ADDRESS SERVICE REQUESTED SWFAL/APWU 11000 Metro Parkway, Unit 8 Fort Myers, FL 33966		Non-Profit Org. U.S. Postage PAID Ft. Myers, FL Permit No. 139	

CALL IN SICK IN NAPLES? BEWARE!

Lately, employees in Naples have been harassed in a different way. Employees who call in sick have been getting visits at their homes by members of management. It is rumored that Postmaster Richard Barber once went to an employee's home in the past because they failed to call in. He was deemed a "Hero" because he saw the employee lying on the floor and was able to call officials. Now, the postmaster uses this to his advantage by visiting employee's homes as a "concern the employee's safety." Here is the Suncoast District's official opinion on the subject:

1) These visits are rare and limited in scope and are only done when management has reason to believe that it is in the interest of the service, or they are concerned for the employee's safety.

2) District Manager David Patterson is aware of these visits and does not believe it is a contractual violation.

1) It is becoming more and more often that the Suncoast District Staff goes along with

these sorts of radical actions.

Nothing was ever done to the manager who brought us the "Poop Cake" incident, even though USPS officials went on record to apologize to employees for the incident and the story made headlines all over the world. The same station manager has forced employees after failing a Mystery Shop to write five (5) times on a piece of paper "The Perfect Mystery Shop Procedures." The union is pursuing these types of actions towards employees through the grievance/arbitration procedure to get them stopped.

Sam Wood
President

SWFAL-APWU

**Installation of
Officers Dinner
Sunday**

**February 13, 2011
5:00 p.m.**

**At Famous Dave's
12148 S. Cleveland Ave.
(Corner of Crystal Drive
and US 41)
Ft. Myers**

**There will be a brief union
meeting prior to the
installation dinner.**

Southwest Florida Area Local, APWU
 11000 Metro Pkwy, Unit 8
 Fort Myers, FL 33966
 239-275-1007
 Open 9-3, Mon-Fri.

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 Wendy Skaff

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 1300 L Street NW
 Washington DC 20005

Florida Postal Worker:

The Florida Postal Worker
 P.O. Box 8363
 Fort Lauderdale FL 33310
 www.apwuflorida.org

Secretary-Treasurer's Report

by
Felicia Gluhareff

GMM MINUTES

submitted to the sec/ treas a \$72 dollar rebate for the closed P.O. box, and all excess postage was turned in to the office secretary.

made a motion to send Sam Wood to the national president's conference at normal expenses. The motion passed.

CALL TO ORDER:

Time: 9:30 a.m.
 There were 17 members in attendance.

REPORT OF CONVENTION DELEGATES:

None.

OLD BUSINESS:

We need to stop saying "that's not my job." We are under excessing (even though temporarily frozen) and need to stop giving our work away to the mail handler's because we refuse to do certain tasks. Unless there is a safety issue or it is illegal, let's do that work. We need to protect our fellow clerks and keep as much work here as possible.

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Robert Nowall.

REPORT OF TRUSTEES:

Helen Skinner would like to set the date for the audit by the next meeting. The audit will possibly be in March.

ROLL CALL OF OFFICERS:

Felicia Gluhareff performed the roll call of officers. Present were Sam Wood, Dan Gray, Felicia Gluhareff, Paul McAvoy, and Mickey Szymonik. Felicia Gluhareff made a motion to excuse Lynne Cram who was on annual leave. The motion passed.

COMMUNICATIONS:

Sam Wood read through this month's correspondence. All are invited to do so as well. Letter from Dorinda attempting to change past practice for union lwop. Letter from OSHA for the plant addressing excessive equipment blocking entrances and fire exits. Labor charges filed against the SWFAL had been dropped by the department of labor. The ruling was that the APWU properly divided the maintenance grievance settlement monies. They also said we went above and beyond dividing the winnings properly. Sam Wood thanks Keith McGee for his work on this grievance. Letter from Steve Raymer thanking the work our maintenance stewards and local did with the Motorola radio issue. Now because of this work in conjunction with other locals across the county, management is not allowed to monitor clerks' conversations without the clerks' knowledge.

NEW BUSINESS:

The officer installation dinner will be held at Famous Dave's on February 13, 2011. We are requesting that anyone wishing to attend to contact Karen D'Angelo at 239-275-1007 and let her know how many in your party will be attending. Printing 82 labels, the yellow change of address labels previously printed in the CFS unit, is clerk work. Always has been and should continue to be. If your supervisor is performing this task at the stations, see your steward. If a PTR is consistently working over their hours then they are entitled to an extra 50% pay. Supervisors cannot schedule themselves to do lobby director work. Once again, the union cannot stress enough how important it is to preserve our work and not give it away to supervision or other crafts. The contract states that clerks cannot waive their 8 hours of work unless it is an emergency situation. The union does not endorse clerks taking "early outs" due to lack of mail to be worked or lack of customers. We don't need to give management any more reasons to downsize the clerk staffing. Sam Wood purchased discount Regal Cinema movie tickets. They will be available to our members for \$6.50 each. Call the union hall for purchasing details.

MAP REPORT:

Barbara Carr wanted to let everyone know to save plenty of annual or money for when you retire. It takes longer than expected to receive your first retirement check.

NEW MEMBERS:

Linda Cerin

EXECUTIVE BOARD MINUTES:

The steward list was discussed and will soon be updated. Ideas for the installation dinner were discussed. The board recommends that the members make Barbara Carr a lifetime honorary member. Possibility of a union picnic was reviewed and will be talked about in a future meeting.

UPDATE OF GRIEVANCES:

Sam Wood said that you do not have to sign off on any completed task (example: completion of Wall Street Journals). You are within your rights to refuse to sign. IF you are given a direct order, follow management's instructions but also write near your signature: signed under duress. Paul McAvoy would like to make a motion for installation dinner expenses; the total expenses are not to exceed \$2,500, the prize and gift portion is not to exceed \$1,000. The motion passed. Mickey Szymonik made a motion to make Barbara Carr a lifetime honorary SWFAL member. The motion passed. Paul McAvoy

SECRETARY-TREASURER'S REPORT:

Keith McGee made a motion to accept the secretary- treasurer's report as printed in the Eagle's Eye. The motion passed. Felicia Gluhareff made a motion to cut a \$5 VOE bounty check for Hope McGurk who's survey was misplaced after it was turned in to the union. The motion passed.

REPORT- SELECTION OF COMMITTEES:

Barbara Carr reported for the election committee that she

LABOR- MANAGEMENT:

None.

GOOD AND WELFARE:

The winner of the COPA 50/50 drawing was Dan Gray who won

(continued on page 3)

Meeting Minutes

(continued from page 2)

\$37. The total netted was \$74. The winner of the attendance award of \$20 was Gary Rickman. The name drawn for the member's incentive award was Dave Grant. He would have won \$110 if he had been present at the GMM. The pot will be \$130 at the next meeting. The Lee Cancer Care drawing winner was Mickey Szymonik. She won a \$10 Office Max gift card.

ELECTION OF OFFICERS AND DELEGATES:

None.

LEFTOVERS:

3 new officers. 2 cell phones turned in. 3 blackberrys purchased at no extra charge other than an extra \$20 a month.

ROLL CALL OF OFFICERS:

Felicia Gluhareff performed the roll call of officers. The results were recorded.

NEXT MEETING:

Robert Nowall moved to have the next meeting on February 27, 2011 at the union hall at 9:30 a.m. The motion was amended to have the next meeting during the installation dinner on February 13 at Famous Dave's. The amended motion passed.

ADJOURNMENT:

Robert Nowall moved to adjourn at 11:45 a.m.

SWFAL Election Final Update

The two post office boxes at Page Field were closed on January 7, 2011, with only one late ballot received. It will remain unopened with the rest of the election materials. On January 21, the \$72.00 rebate was returned to the local, along with the unused postage stamps (total of 32, valued at \$14.08).

Thanks, once again, to Karen D'Angelo, Robert Nowall, and Cathy Cobb. This turned out to be one of the smoothest elections in recent history.

Barbara Carr
Chairman

Dan

Please, if you need to file a grievance, don't wait until the last day. Yes, you have 14 days from the date of incident, but a lot of work and information has to be compiled in order to properly file your grievance. You are doing both the union and yourself a disservice by waiting until the last second to do this.

We also need you to ask your supervisor to see a union steward and to clock over to the proper operation when you are released to see your steward. Please get permission when you are on the clock to see your steward to avoid any unnecessary problems and conflicts with your supervisor.

If you are being unreasonably delayed, please tell your steward. Sometimes (not often) the reason for your delay is due to another employee seeing your steward at that moment. We do not like to see multiple grievants at the same time due to privacy issues. Your issues should not be shared with others unless that is your wish.

We are again seeing standby time being used at the plant since management has placed the clerks from CFS on tour one in the automation section. This will be another issue we will be addressing. Management still can't get it right.

One example is; why did they have 6 clerks sitting in the standby room then they gave overtime to the Tour 3 manual OTDL? So you have 6 clerks doing nothing, yet they worked almost the equivalent number of clerks at the overtime rate when they could have utilized the 6

clerks on straight time to get the mail out. Then they wonder why the post office is having financial difficulties.

Let's refer to management's favorite denial reason "Article 3", the right to mismanage. You have to love them. I know the Tour 3 manual OTDL did this at least on this occasion. Please if you are placed on standby time, let your steward know so we can file proper grievances on this issue.

Recently, OSHA received over 170 complaints regarding the USPS and the Delivery Bar Code Sorter (DBCS) operations at Processing and Distribution Centers (P&DCs) nationwide. The complaints involved injuries due to workers being exposed to ergonomic stressors associated with the DBCS. As stated on the national APWU web site, this was only after the USPS rebuffed union attempts to correct or even discuss the DBCS hazards. In response to the complaints, OSHA picked nine sites to investigate the issue. As per the web site, "The Occupational Safety and Health Administration has hit the Postal Service with another unwelcome finding: Delivery Bar Code Sorter machines pose a direct risk to workers' health, and there is a general lack of understanding about the hazards and injuries associated with the equipment among postal managers."

OSHA also reported that supervisors have ignored injury complaints; encouraged clerks to "work through" the pain, or have discouraged the reporting of injuries. "This fosters a perceived 'lack of caring' about the worker,"

the agency reported. Unfortunately this is not the first time the USPS was notified concerning the issues with the DBCS. The USPS has yet to correct the issues and have basically in the past ignored the findings.

Attendance discipline is at an all time high. Management's unrealistic expectation concerning the use of sick leave is not going away. Management is attempting to bully employees into coming in to work. It is apparent they do not want or will not allow anyone to get sick anymore. Please, if you or a family member has a condition that qualifies for FMLA, use this as protection from their harassment.

Remember if you have questions or concerns, ask to see your steward. There is no such thing as a stupid question unless you fail to ask it. Please; if you are unhappy with the way management is treating you, getting out of the union is an asinine way to show your displeasure to them violating your rights.

Unfortunately, the union can only work within the confines of the collective bargaining agreement. We always need people to step up and help. Become more active in your local. Stewards are needed in many areas. I now have a Union cell phone number for MEMBERS only. It is (239)834-2736 and my email address is VPSWFAL@aol.com. As for non-members, ask your supervisor the question and if you need to file a grievance ask to see a union steward at your office.

Daniel M Gray
Vice President

Mutual Swap Request

I'm interested in a mutual swap to Ft. Myers area. I'm an MPC in Virginia Beach, VA with a seniority of 6/30/90 where I am #18 on a roster of 87. If anyone is might interested in a swap, please contact me at the Virginia Beach Area Local.

Thanks,

Barbara McPherson
Virginia Beach Area Local 1518
Shop Steward



New Year, Same Stuff

Management continues to show no regard for the contract. During the Christmas season, the same grievances that are filed and won every year because management does not assign overtime according to the LMOU were filed again. It quite clearly states in the LMOU Item 14 A. "Overtime shall be by section and tour. Supervisors may go outside the section for overtime volunteers once the ODL (Overtime Desired List) has been maximized for that section, where the overtime is needed and volunteers possess the necessary skills." That should not be very difficult to interpret nor should it be difficult to follow.

If management sees the need to go outside the section, all they have to do is give 4 hours to the ODL in the section where the overtime is being worked. Then they can get others to work the mail. I thought it was over at Christmas, but was I ever wrong.

On Tour 3, Tuesday January 18th, there was of course very heavy mail volume due to it being the day after a holiday, Let's first start with mis-management. The day before on Tour 1, management decides to cut off SCF early, then run and carrier route whatever SCF came in on the late truck. I believe the final figure was well over 150,000 pieces that carriers had to throw before getting out on the street.

They also had two days of DPS mail along with manual flats, letters, parcels and any accountables they may have for the day. Naturally, many of the carriers came in late. Therefore, trucks came into the P&DC late. The P&DC also took on mail from Manasota that day and now clearing had two chances. Slim and none. Slim left the building early.

Luckily, we had MIPS Harry Lockart on the floor to add his guidance and expertise. There was an abundance of SCF flats and what does management decide to do? They put clerks on standby time.

Somewhere around 3:00 in the morning with letters still going strong in automation and manual letters, management decides hmmm, maybe we should get the clerks out of the standby room. No overtime was given to tour 3 clerks and the 1:30 dispatch time was a merely a memory at that point. Now the panic really starts to sink in. Somewhere around 3:30, someone in management decides maybe we should give some

overtime. The problem was that the Tour 3 Overtime Desired List (ODL) had gone home hours ago. Management then decides to give the clerks not on the overtime desired list 2 hours of overtime.

Lets see. They didn't give the ODL overtime (let alone maximize them) and didn't give an hour notice to the non-ODL. These violations were brought to the attention of management but were obviously ignored. MDO Andrew Harris has absolutely no regard for the contract. OGP letters was finally finished at 5:30. The problem is SCF letters had almost 2 GPCs of mail and dispatch of value is 5:00. Management then decides (about 5:45) to give overtime to the non list in manual letters. Once again, the LMOU states that the ODL must be maximized. This was still not done. I informed the 204B who was supervising manual, and Andrew Harris, of this and was told they could not give penalty overtime. The violations are not giving 4 hours to list and not giving an hour notice to the non list.

Ok. So now, silly me, I figure they are done with violations. Nope, MDO Harris gets on his radio and calls SDO Alex Lewis to find as many ODL automation clerks as he could for overtime in SCF flats. Approximately 12 automation clerks arrived to work in 4 flat cases. Management had these clerks digging through mail separating first class from other mail and then when I checked, 11 clerks were in 4 flat cases. I informed a safety captain who went to talk to the 204 b in charge and the 204b told her it was no big deal. The violation were safety, again not maximizing manual ODL and bypassing many clerks in automation. All of the above violations are presently in the process of being grieved.

If any "members" wish to contact me concerning problems or grievances, you can reach me at 834- 2735. Remember I work nights and because of sleep I may have to call back at unusual times. Please, when you leave a message, let me know the best time to call you back.

One last note: Please if you see or are involved in a violation of the contract (no matter how big or small) ask to see your steward and give a statement. It is probably the most important thing needed to win grievances. A good grievance starts with you.

Paul McAvoy
Steward and Clerk Craft Director

Mystery Shopper Changes

On December 27, 2010 the United States Postal Service announced that the Mystery Shopper Program will be altered beginning in January 2011. Retail Associates will no longer be required to read a scripted message to their customers. This change will help postal service employees in their efforts to better serve the individual needs of each customer.

Postal service employees and the APWU have complained for years that this scripted set of questions was counterproductive to customer service. If we had a management team in the postal service that truly listened to employees' concerns, this change could have been made much sooner and benefited everyone involved – management, the clerk craft and our customers.

The USPS does not appear to its customers to be a professional and progressive organization when its employees are forced to act more like robots than people. Allowing postal employees to customize their interactions with their customers makes good business sense.

Another concern about the Mystery Shopper Program is the manner in which it has been manipulated by abusive management personnel. As recently as last fall, a local manager presented unsuspecting Retail Associate employees with a "poop cake" for failure to pass a mystery shop. This outrageous abuse by management of postal employees has no place in the modern postal service where

professionalism and team work are important to the success of the USPS.

Hopefully, these changes to the Mystery Shopper Program, (now officially renamed the Retail Customer Experience Program) will improve our clerk craft employees' opportunity to better serve their customers.

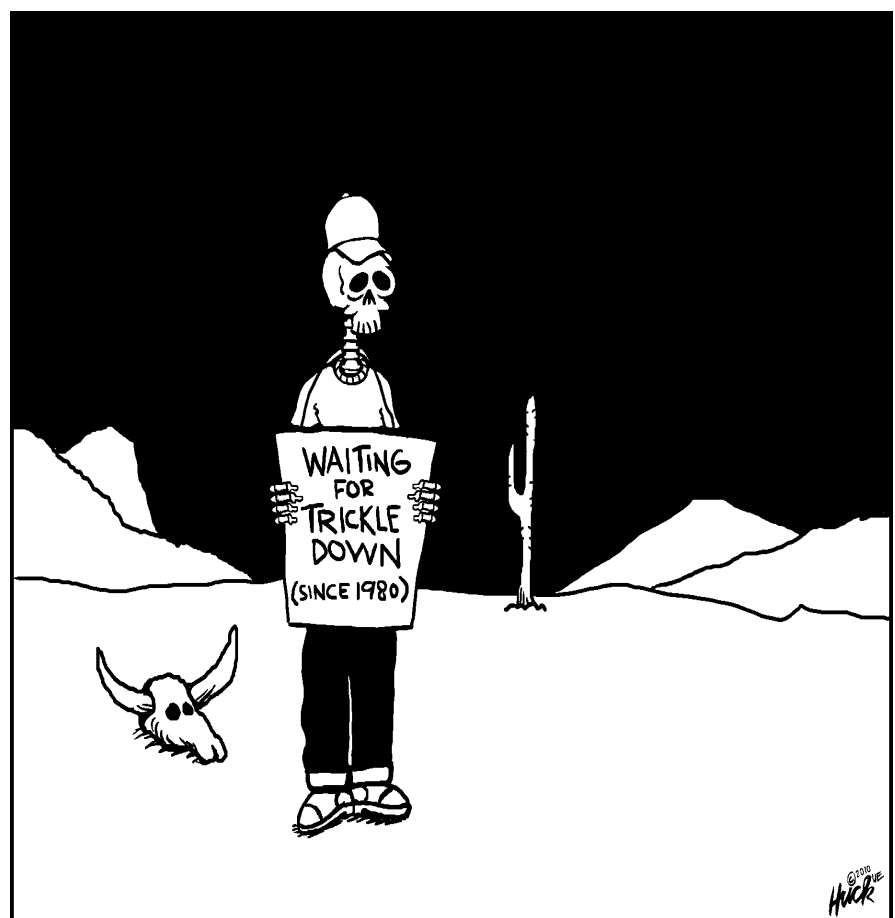
Our Fort Myers CFS section is no more. Our CFS clerk craft employees have been moved into other positions and different tours. Excessing continues to be a concern for "extra" clerk craft employees.

Bokeelia (A) Postmaster Michael Gomez announced that he now has a label printer on his desk and that he prints Bokeelia's CFS labels (and then takes them to the appropriate Bokeelia employees). This is clerk work! I can't believe that Bokeelia is the only office where management has taken over CFS clerk work.

Be aware of what is happening in your office with CFS duties – keep your eyes and ears open! Who prints and distributes the CFS labels in your office? If you are aware of management performing CFS duties, please request to see your steward and provide the union with your written statement. Grievances need to be filed. We all need to work together on this issue!

In Solidarity,

Kathy Moyer
Bokeelia Steward



Workplace Harassment

Stupid is as stupid does. When will management learn? Recently an employee found a co-worker on the floor who was passed out. Management in their infinite wisdom had the employee taken to the MDO office where they proceeded to leave the employee alone.

One would wonder why you would leave an employee alone who had just been found passed out. One would think management would have sought medical treatment for the employee. If nothing more, sat with them to ensure that they were ok. First aid 101: You never leave a person alone who had just been found passed out. Even if the employee states they are ok. This is very serious and should be taken seriously. Management did not take this seriously and left the employee sitting alone in the MDO office. Shortly thereafter, the employee was again found on the floor passed out in the MDO office. At that point 911 was called. What is the fear of calling 911 to the plant?

It seems to me if someone is found passed out on the workroom floor, this would demand that 911 be called if nothing more than to simply check the employee's vitals. The employee's safety should be first and foremost.

Last year, an employee injured their foot and could not walk and asked that 911 be called. The supervisor had to get permission from the plant manager before 911 could be called.

Meanwhile, the employee sat in pain waiting for a decision to be made of whether or not 911 would be called. The SOP has got to be changed to protect the employee. We will make sure this issue is addressed at the safety and health meeting.

Life at the plant is crazy again. We are filing more and more grievances regarding overtime, holiday scheduling, mail handlers performing clerk work, and discipline. As I stated in my last article, management is determined to stop sick leave usage. No one is safe from this. Employees who have 20 plus years of service with no prior record of discipline of any kind are being targeted.

Management is not taking anyone's individual circumstances into consideration prior to taking

action. Employees have been targeted with as few as 2 absences for the entire year.

Off the record, supervisors have told us that they are instructed to take the action or be disciplined themselves. Supervisors do not have the power to reduce disciplinary action. This has really gotten out of hand. Employees with 20 plus years of service with just 2 or 3 absences for the year are receiving discipline for the first time in their career. It is essential that we file the appropriate grievances.

Employees are being placed on the deems desirable list without justification. What that means is if you call out, even if you have FMLA, management is requiring the employee to provide documentation to support the absence. Management has placed employees on deems desirable for absences of one day.

In most cases, management is not entitled to additional documentation. However, you must follow their instruction, provide the documentation, and then file a grievance. When filing your grievance, ask to be compensated for all the time taken to go to the doctor (at the appropriate rate of pay which could be overtime), any out of pocket expense (co-pay, additional fees for completing the forms), and mileage to and from the doctor.

Your steward can print up a map from mapquest showing mileage from your house to the doctor. Provide a copy of your doctor bill. When writing your statement, include the details such as your appointment time, the time it took to drive to and from the doctor, and the time you spent at the doctor's office.

We have been very successful winning grievances when we prove there was not justification for the request for documentation. Ask to see your steward and file the necessary grievance. That is the only way we will get management to stop this harassment.

On a good note... I successfully negotiated 15 minute breaks for the clerks at the Lehigh Post Office. PM Kathy Hague agreed to allow clerks 15 minute breaks. PM Hague agreed to 15 minute breaks because she agreed that the clerks do an outstanding job.

It was refreshing to hear a postmaster recognize and give

credit to the clerks for a job well done. Too often we only hear about the negative. PM Hague states she had a wonderful crew of clerks and they do an awesome job. They have excellent attendance and perform above and beyond, and work well as a team.

Hague boasted about the clerks' performance and stated that as a result, Lehigh is one of the top offices in the district. PM Hague credited the clerks for this. It was really welcome to hear. Congratulations to the clerks at the Lehigh Post Office!!! Keep up the good work!

Congratulations to Gary Rickman. He signed up two long time non-members. Gary has been working diligently to get non-members to join. Thank you Gary, your efforts have not gone unnoticed. Each of us can take the lead from Gary and work on signing up those non-members. As Joe Paul says: without the union we would all be casuals.

I recently was appointed to go around with OSHA in the walk through. Gary Rickman had made the OSHA complaint and was off on the night of the follow up inspection. The OSHA representative questioned many SPBS employees about SPBS issues and UTS. At the conclusion, OSHA did not fine the P&DC but gave recommendations.

OSHA informed us that they are not permitted to get involved with ergonomic issues. We will have to address those issues in another format. We have ERRP, the local safety and health committee, and the grievance procedure if all else fails.

OSHA informed management that there were still employees who did not understand the SOP in regards to trays found in the netting of the UTS. Management insisted that all employees were informed of the SOP and they had the employees sign off that they received the talk.

OSHA informed management that it was their responsibility to ensure that employees understood the policy. It is not enough just to read the policy and call it a day. Management must also ensure that employees understand and follow the SOP. If you see a tray in the netting, you are to hit an e-stop and then notify management of the location of the tray so a maintenance employee can be notified so they can remove the tray from the netting. OSHA

also stated that it is the third time that they have been called out to the P&DC regarding the UTS.

OSHA gave the impression that if they were called out again for UTS, action may be taken. Although they did not state it directly, indirectly they gave the impression that the issue needed to be resolved once and for all.

OSHA also stated that they have very limited resources and they would appreciate it if when making complaints, we put them on one complaint form. OSHA stated there is no need to make a separate claim for each issue. We can put multiple issues on one complaint form and each would be addressed.

Jim Hassett was awarded the Safety Specialist job at the plant. He will take over the job Annette left. Jim was detailed to this job a few years back and did an excellent job. Jim has a passion for safety and I am looking forward to working with him.

Jim has pledged to be involved with safety and to include employees. Jim stated he would listen to employees and try to address all their safety concerns. During the OSHA walk-through, he was making several notes and said he had some suggestions for improving safety on the SPBS. Jim officially starts on Monday, January 31. Time will tell. We wish Jim good luck in his new position. Hopefully, safety will be first where it belongs.

If you have any questions or concerns ask to see your steward or you can always call on me. Until next month,

Joyce Kelly
Tour 3 Steward

Next Union Meeting

Sunday, February 13, 2011

5:00 p.m.

*Just before the
installation dinner.*

*At Famous Dave's
12148 S. Cleveland Ave.
(Corner of Crystal Drive
and US 41)
Ft. Myers*

APWU, Postal Unions Urge Obama To Fix USPS Pension Overfunding

APWU Web News Article 006-2011, Jan. 13, 2011

The APWU and other postal unions and management associations have asked President Barack Obama to take “immediate action to save almost 100,000 good, middle-class jobs and stabilize the financial condition” of the Postal Service.

“A healthy postal system is critical for a healthy U.S. economy,” the organizations wrote on Jan. 12.

“The financial problems facing the Postal Service were made significantly worse by a Bush-era mandate that the agency pre-fund nearly 80 percent of its future retiree health care obligations by 2016 at a crushing cost of \$5.5 billion per year... No other agency or company in America is required to pre-fund such obligations at all, much less on such an accelerated schedule,” the organizations wrote.

Had it not been for these payments, the Postal Service would have experienced a \$611 million profit over the past four years — despite the recent recession and competition from the Internet, the letter notes. The USPS experienced a deficit of \$8.505 billion in Fiscal Year 2010, and anticipates a deficit of \$6.4 billion in Fiscal Year 2011.

A Sound Solution

“Fortunately, there is a sound policy solution to this pre-funding burden,” the letter says. “The Postal Service should be permitted to use the surplus in its two pension funds — the Civil Service Retirement System and the Federal Employees Retirement System — to cover the cost of its future retiree health obligations.” Three independent actuarial studies have confirmed the USPS has a surplus of between \$50 billion and \$75 billion in its CSRS pension account, and \$6 billion to \$7 billion in its FERS account.

As the letter notes, however, the Office of Personnel Management (OPM) maintains the position it first adopted during the Bush administration: That Congress must authorize the actuarial methods proposed by the studies. OPM claims that laws passed in 1974 and 2003 require the unfair methods that are currently used, even though those laws were repealed by the Postal Accountability and Enhancement Act of 2006.

The chief authors of the 2006 law, Sen. Susan Collins (R-ME) and Sen. Tom Carper (D-DE), have argued that OPM has the authority to adopt fair and accurate actuarial methods for allocating postal pension costs.

“Since OPM refuses to exercise this authority,” the letter says, “we urge you to use your authority as President to direct it to do so.”

“The financial crisis facing the Postal Service in 2011 is a daunting one, but unlike so many challenges facing the nation today, there is a feasible and responsible answer to this short-term crisis,” the letter says. “The Postal Service can avoid short-sighted and self-defeating cuts in service to the American people without a penny in taxpayer support if you take the actions we request.”

The letter was signed by APWU President Cliff Guffey; Frederic V. Rolando, president of the National Association of Letter Carriers; Don Cantriel, president of the National Rural Letter Carriers Association; John F. Hegarty, president of the National Postal Mail Handlers Union; Louis M. Atkins, president of the National Association of Postal Supervisors; and Mark W. Strong, president of the National League of Postmasters of the United States.

APWU Denounces Post Office Closure Plans

APWU Web News Article 009-2011, Jan. 24, 2011

The union is “deeply disappointed” by the Postal Service’s announcement — via the Wall Street Journal — that it plans to close as many as 2,000 post offices beginning in March, APWU President Cliff Guffey said Monday.

The Postal Service did not specify the locations under consideration for closure, but said it is currently looking at offices “operating at a deficit.” The announcement comes after a brief lull in post office closings. The USPS originally announced in July 2009 that it planned to review more than 3,000 stations and branches for possible closure, but by early 2010, that number had dropped to 162 locations.

“Cutting service to the American people is not the solution to the Postal Service’s problems,” Guffey said. “The USPS can only remain relevant and resolve its financial difficulties if it improves and expands service.”

The cause of the Postal Service’s multi-billion dollar losses over the last few years is a little-known provision of the 2006 Postal Accountability and Enhancement Act, which requires the USPS to pre-fund future retiree healthcare liabilities, Guffey said. No other government agency or private business is required to pre-fund these obligations, which cost the USPS more than \$5 billion annually.

Had it not been for these payments, the Postal Service would have experienced a \$611 million profit over the past four years — despite the recent recession and on-line competition, he noted.

“Congress and the president must address this issue so that the U.S. Postal Service can remain viable and continue to serve the American people,” he said.

“This would not be a bailout,” Guffey added. “It would allow the USPS to use its revenue from postage to meet the congressional mandate, and it would not require any taxpayer contributions.”

With Slow Progress, Contract Talks Continue Union Asks for Members' Continued Support

APWU Web News Article 011-2011, Jan. 28, 2011

"Although progress in contract negotiations is slow, bargaining is ongoing," APWU President Cliff Guffey reported on Jan. 28. Representatives of the Postal Service and the union are meeting almost daily, he added.

"I know that many of our members are eager to hear details about our exchanges," Guffey said. "Unfortunately, while talks are ongoing, it is not feasible to elaborate on specifics. Unless and until we reach agreement on all of the outstanding issues, the concepts the parties have been considering are just that — concepts. They will only have meaning if we reach agreement on a complete contract.

"The APWU negotiating team is determined to work for a contract that benefits union members and that will enhance the long-term viability of the Postal Service," he said. "I ask members for their continued support as the process goes on," he noted.

The union has outlined its goals many times, he said. "We are seeking to preserve jobs and reduce the pain of excessing for our members," he said. In December, the APWU and the Postal Service agreed to a moratorium on excessing, which applies to excessing outside of a craft or installation. The moratorium will remain in effect as long as bargaining continues.

One of the union's top priorities is to regain duties that have been contracted out or given to supervisory personnel.

"The proposals we have submitted to achieve these objectives also would benefit the Postal Service," Guffey said. "They would reduce USPS costs, because our members can perform the work more efficiently and at a lower cost."

In addition to job security and excessing, the parties are discussing wages, benefits, and issues related to workforce structure.

The Process

The contract was originally scheduled to expire Nov. 20, but the union and management agreed to extend bargaining. The 2006-2010 Collective Bargaining Agreement will remain in effect until a new agreement is reached through negotiation, mediation, or arbitration.

Under the terms of the Postal Reorganization Act of 1970, when the union and management fail to reach agreement on a successor contract and do not agree on an alternate procedure, the Federal Mediation and Conciliation Service (FMCS) appoints a mediator. If a settlement is not reached within 60 days of the expiration of the contract, both parties submit all outstanding issues to binding arbitration.

The extension of bargaining qualifies as an "alternate procedure," so the FMCS has not appointed a mediator and the 60-day period for submitting issues to arbitration has not begun, Guffey explained.

If arbitration becomes necessary, the APWU will appoint an arbitrator, as will the USPS. The two party-appointed arbitrators will work with a neutral arbitrator to ensure that each side's interests are clearly understood.

For the latest developments on contract negotiations, please visit www.apwu.org. Members are also encouraged to follow the union on Twitter and Facebook to receive up-to-the-minute alerts by e-mail or text message.

APWU Protests Bidding 'Outage'

APWU Web News Article 012-2011, Jan. 28, 2011

The APWU has expressed outrage over the Postal Service's unilateral decision to shut down online bidding from Jan. 28 until Jan. 31, and for giving the union only 24-hour notice of its plans. The bidding "outage," as the USPS called it, was prompted by an upgrade to the computer system.

"Please be advised that 24-hour notification to this Union of a scheduled upgrade and anticipated shut-down of the HCES system is absolutely intolerable," Director of Industrial Relations Mike Morris wrote on Jan. 28. "You should be aware that regardless of your notification, the provisions of the Collective Bargaining Agreement as well as many Local Memorandums of Understanding remain in effect as agreed to. You may not unilaterally abridge these requirements simply by notifying the Union of your intent."

In the past, when computerized bidding was unavailable, the USPS has made manual bidding or some other alternative available, Morris said.

A letter announcing the outage of the Human Resources Enterprise System was faxed to APWU President Cliff Guffey on Jan. 27, advising the union that bidding would be unavailable for Clerks, Letter Carriers, Rural Letter Carriers and Mail Handlers beginning at 12:01 p.m. the next day and throughout the weekend. The upgrade is expected to be completed by 6 a.m. on Jan. 31.

"It is expected that employees whose contractual rights were abrogated by the employer's failure to properly post and/or award bids on vacant assignments consistent with the Collective Bargaining Agreement, Local Memorandums of Understanding, and past practice will be made whole," Morris said.

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Our members live in several different districts. For your representative's info, go to www.congress.org. Enter your zip code and the web site does the rest. You can e-mail most of your representatives at once with a click of your mouse at this web site. Their voting records are also available here. Check it out! Let them know how you feel, it's your DUTY!

**UNION MATTERS
(Safety First)**

On January 5, 2011 I was called into service as a union representative to bear witness to an OSHA investigation at the Fort Myers P&DC. This was the second time I had been requested to represent the union in regards to complaints to OSHA. Now bear in mind that the original reports of unsafe conditions (1767s) and the subsequent OSHA investigations originated from complaints lodged by personnel on Tours 3 and Tours 1 tours. Keep in mind, as well, that I am a Tour 2 MOS clerk who rarely has the need to be on the workroom floor.

So there I am, once again tailing along on an investigative mission about which I know little, or nothing. I am called into the "situation room" after management has had the opportunity to put their spin on the situation: SPBS e-stop access, complaints concerning management's continuing disregard of their SOP regarding trays of mail falling from the UTS system, safety issues in the battery room and access to fire prevention equipment, as well as clutter on the workroom floor.

I am witness to the frustration of both management and the OSHA representative as to determining the validity of these complaints. I ask questions and wonder, myself, if my co-workers are documenting very real safety issues, or are merely being vindictive and malicious in their complaints.

As an MOS clerk, I also see, first-hand, the damage control Fort Myers management scurries to enact before any OSHA investigator arrives on scene. I generate work orders for maintenance to

clean up the battery room, to clear emergency egress, to install more netting and sensors for the UTS system, etc.

Then, within days of my walk-through with management and OSHA, I read about the packages that ignited at Maryland and Washington mail facilities, and the ineptitude and indecision that again put postal workers lives in jeopardy. As management at the DC facility dithered about whether or not to evacuate the building where these packages were "popping and smoking", a worker ended up flagging down a police car and the police finally ended up evacuating the building.

That's when it struck me, full-force, what craft workers always suspected to be true: the USPS pays lip service to safety, on the one hand, while they cut corners and cover up on the other, all in the name of protecting the interests of the service. It's time that the USPS realizes that the service's interests are tied, intrinsically to the health and safety of their employees, as well as to the safety of the general populous.

I have come to the conclusion that, as my mother always told me, "better safe than sorry." Don't hesitate to report an unsafe situation. Don't let management or a young OSHA representative dissuade you from voicing your concerns. The lives you protect may include your own, and that is, ultimately protecting the interests of us all.

Solidarity, Prosperity, Peace,

Mickey S.
Maintenance Craft Director

Dear Miss Management

So you think your supervisor cares about you? They sure pull some crazy stunts. Like harassing you at home after you call in sick. If you LET them. Management may claim they do this to protect the interests of the postal service or that they are concerned for the employee's safety. Don't let them fool you. All they care about is reducing their sick leave percentages.

You are under NO obligation to answer the phone or the door after you call in sick. Recently, an employee made that mistake. They were told that if they stayed out sick for the next two days as indicated in their original call, that the annual leave for another coworker would have to be cancelled.

What a cheap trick. Trying to guilt someone into going to work even though they're sick. Management cannot contractually cancel a coworker's annual just because you call in sick. Staffing is not your problem, it's management's. They can't threaten you if you don't answer the door or the phone. If they try to pull anything like that on you, make sure you file a grievance.

Articles

Here's a reminder for the regular writers and a heads up for the new ones. When you submit an article for the Eagle's Eye, make sure you send it as a regular email. You can write it in any program, just make sure you copy and paste the text into your email. I can't open some email attachments. Also, put "Eagle's Eye" in the subject line. I will delete it if I don't know who it's from. If you need instructions on how to copy and paste, just ask.

All articles are due the day of the meeting. If it's late, it is a violation of our local's constitution and could result in you not getting paid for that month. Excluding December, executive board members must write articles monthly. Stewards need to write articles every other month in order to get paid.

Since there's no paper in December, stewards need to submit one for the November issue so you can get paid for November and December. If anyone needs a copy of our constitution, let me know and I'll get one to you.

Lynne Cram
Editor

EDITORIAL POLICY

The Eagle's Eye is the official publication of the Southwest Florida Area Local, APWU, AFL-CIO. The editor has the right to determine whether the material submitted shall be printed, and has the right to edit as needed. It is the policy of this newsletter to disallow any attacks on individuals. Opinions expressed are those of the writers, and not necessarily those of the Executive Board. The deadline for all articles is the day of the monthly membership meeting. You must be an APWU member to submit an article. Name may be withheld upon request. All articles may be reprinted with proper credit given.

