

GATE CITY NEWS



VOLUME 66

SEPTEMBER 2007

ISSUE 09

OFFICIAL PUBLICATION OF BRANCH 5
AFFILIATE OF NATIONAL ASSOCIATION OF LETTER CARRIERS
NEBRASKA ASSOCIATION OF LETTER CARRIERS AFL-CIO



NALC BRANCH 5
10342 ELLISON CIRCLE
OMAHA, NE 68134-1024
PRESIDENT – DONNA WHITMARSH
www.nalcbranch5.com
e-mail: gatecity@nalcb5.omhcoxmail.com

ELECTION NOTICE

This is official notice to all members of Branch 5, Omaha, NE that nominations for President, Vice President, Recording Secretary, Financial Secretary, Treasurer, Sergeant-at Arms, Health Benefits Representative, Compensation Officer, Director of Retired Members, Trustees and Stewards will take place October 5, 2007 at the General Meeting held at the Great Plains Paralyzed Veterans of America Education Center, 7612 Maple St., Omaha, NE at 6:00 p.m.

Nominees for any office must be present or have a letter of intent presented at the time of nominations.

A printed ballot will be mailed to each member no less than twenty (20) days before the date of the election.

The secret ballot election will be held on December 8, 2007 at the Branch 5 office, 10342 Ellison Circle, Omaha, NE.

Term of office will be three years.

Nominations for Delegates and Alternate Delegates to the 2008 State Convention, to the 2008 National Convention, and to the 2008 State AFL-CIO Convention will be accepted at the October 5, 2007 General Meeting at the Great Plains Paralyzed Veterans of America Education Center, 7612 Maple St., Omaha, NE at 6:00 pm.

The Branch President, by virtue of his/her office, shall be a delegate to Nebraska State and National Conventions, and Nebraska State Seminars.

Nominees for any convention must be present or have a letter of intent presented at the time of nominations.

A printed ballot will be mailed to each member no less than twenty (20) days before the date of the election

The secret ballot election will be held on December 8, 2007 at the Branch 5 office, 10342 Ellison Circle, Omaha, NE.

OFFICERS

President – Donna Whitmarsh – 345-0424
Vice President – Billy Ray Stevens – 493-6420
Rec. Secretary – John Mickeliunas – 891-8961
Fin. Secretary – Randy Polson – 496-0908
Treasurer – Laura Jacobberger – 451-2643
Sgt-At-Arms – R.J. Riggs – 551-6670
HBR – Tom Galus – 452-3030
Comp. Officer – Ed VandenBerg – 551-0222;
Home (402) 296-2844; Cell (402) 812-7057
Director of Retirees – Joe Ricceri – 556-6762
Trustees – Hollis Bledsoe, Karen Staack,
Ken Jensen, Dan Graeve, Eli Lisiecki

The views and opinions expressed in the Gate City News are not necessarily those of NALC Branch 5 or its membership. All union members are encouraged to contribute articles to the newsletter. All articles must be in by the 10th of the month to be considered for the following month's newsletter. The editorial staff reserves the right to edit articles for grammar, spelling, technical inaccuracies and potentially libelous statements. Articles defaming the Union or its membership will not be considered for publication.

All unions are authorized to copy and distribute any article contained herein, in whole or part, provided credit is given to Gate City Branch 5. Any other person or persons interested in using contained newsletter articles must receive permission from the Branch 5 Executive Board.

All correspondence and all articles intended for publication in this newsletter should be addressed to:

Editor
NALC Branch 5 Gate City News
10342 Ellison Circle
Omaha, NE 68134-1024

PRESIDENT'S LEAVE RECORD AS OF AUGUST 3, 2007

Hours Available	Hours Used
A/L 320	A/L 304
S/L 232	S/L 36

STEWARDS

Ames – Bobby Foye – 455-2654
Ashland – Donna Whitmarsh – 345-0424
Benson – Bob Martens;
Alt, R.J. Riggs – 551-6670
Boystown – Randy Polson;
Alt, Sam Hayden – 496-0908
Elmwood – Ed VandenBerg, Eli Lisiecki;
Alt, Mike Bell – 551-0222
Florence – Bill Ruyf – 451-2643
Millard – Kim Ognissanti;
Alt, Tony Placzek – 330-4321
Northwest – Billy Ray Stevens;
Alt, James Polson – 493-6420
Papillion – Billy Ray Stevens – 493-6420
Pierce – Garry Thorne – 348-2544
Plattsmouth – Donna Whitmarsh – 345-0424
Ralston – Billy Ray Stevens – 493-6420
Saddle Creek – Billy Ray Stevens – 493-6420
South Omaha – Chuck Walls;
Alt, Josh Lange – 733-8929
Stoneyridge – Steve Hedgecock – 891-8961
West Omaha – Karen Staack;
Alt, Art Luhrs – 390-0992/0996

Web Administrator – Chuck Walls

Delegates to the Omaha Federation of Labor:
Donna Whitmarsh, John Mickeliunas, Chuck Walls,
Ed VandenBerg, Billy Ray Stevens

AUXILIARY #78 OFFICERS

President – Melinda Carl – 593-6877
Vice President – Mary Lichtenberg – 572-6571
Secretary – Tricia Danielsen – 1-712-323-6764
Treasurer – Bonnie Looman – 391-2533
Sgt-At-Arms – Lou Ann Kriebs – 333-8831
Chaplin – Elinor Ricceri – 556-6762
Fin. Secretary – Judy Polson – 779-2734
3 Yr Trustee – Barb Grae – 572-7431
2 Yr Trustee – Joyce Theiler – 932-3234
1 Yr Trustee – Virginia Domayer – 553-6179

NALC HEALTH BENEFIT NUMBERS

Recorded Benefit Information	1-888-636-6252
Fraud Hot Line	1-800-636-6252
Caremark SPS	1-800-237-2767
Health Benefit Plan	1-888-636-6252
PPO Locator Service	1-800-622-6252
Pre-certification	1-800-622-6252
Prescription Drug Program	1-800-933-6252
Mental Health /Substance Abuse	1-877-468-1016

PRESIDENT'S STATION VISITS September 2007

- 5 - Ames / Florence
- 6 - Benson / Northwest
- 11 - Saddle Creek / Elmwood
- 13 - West Omaha / Boystown
- 18 - Stoneyridge / Millard
- 20 - Pierce / South Omaha
- 25 - Papillion / Ralston
- 27 - Ashland / Plattsmouth

PRESIDENT'S REPORT

We had no more than put last month's newsletter to print when the tentative agreement for our contract was announced. What a pleasant surprise for all of us!

I believe most of us received our ballots last Friday. Active letter carrier members in good standing as of April 13, 2007 should have received a ballot. It is important to vote; send in that ballot whether you approve or disapprove of the tentative agreement.

Highlights are:

General wage increases:

- November 25, 2006 – 1.40% (retroactive)
- November 24, 2007 – 1.80 %
- November 22, 2008 – 1.90%
- November 21, 2009 – 1.90%
- November 20, 2010 – 1.85%

If ratified, all hours worked since Nov. 25, 2006, including overtime, will be calculated and paid as soon as practicable.

The agreement contains **nine COLAs over its lifetime**. A one-time lump sum amounting to

\$686.00 will be paid as soon as possible after ratification. Hourly rate employees (PTFs and PTRs) would get a payment based on the number of paid hours in the 26 pay periods prior to the payment's effective date. Only carriers in a pay status during the pay period immediately prior to the effective date of the payment will receive the cash payment. .

Health care premiums will increase over the life of the contract. Our share will remain at 15% in 2007 and 2008 and then increase to 17% in 2009, 18% in 2010, 19% in 2011 and finally **to 20% in 2012**.

The projected wage hikes and likely COLAs over the next five years should increase the average carriers' paycheck by **\$276.62 per pay period or \$7,192 annually over the life of the contract**.

There are MOUs on several hot issues: contracting out, third bundle issues, recording S-999 mail during count and inspection, DOIS, COR and FSS. Some of these will be beneficial, but I believe some won't improve the working conditions too much because management will read what they want out of them and continue to harass the hard working carriers.

Casuals will be abolished and TEs will be hired to facilitate the FSS implementation. TEs will be bargaining unit employees.

In reading the contract that we received in the mail, I found a couple of items that hadn't received any publicity. One was bereavement leave – now we can take 3 days of SL or LWOP if we choose to do so when there is a death in our immediate family. Another was the fact that Grade 1 and Grade 2 can do a mutual trade. Prior to this only like Grades could trade.

I believe our National Officers negotiated a good contract for us. I would recommend that you cast your ballot in approval of ratification.

Our family picnic was a great success, although it would have been good to see even more of our members and their children there. The dunk-tank was a huge success! Andrea Malena and Jeannie Tourek deserve a big thank you for all the hard work and planning they did. A big thank you to their husbands for pitching in. Barb and Darrell Schulte and their children helped in set up and throughout the day to make things run smoothly also. Bob Martens, aka "Chef Bob", did a great job on the grill. Our special guests were Dan and Sharon Pittman. (Check the photos on page 14)

(President's Report Cont'd)

As State President, Billy Ray Stevens is saddled with the responsibility of getting a phone tree up and running. This can be very beneficial to all of us if the need arises that we need to immediately contact our representatives. He is asking that you volunteer to help with this project. Call us at the Union office to volunteer – 345-0424.

Ed Vandenberg and I will be attending an OWCP workshop in Kansas City on August 27th. We will be sharing the information with the stewards on the 30th at the regular monthly steward training. Remember stewards, it is required that you attend this monthly training and be present at 5:00 o'clock. Beginning next month, I will start listing the training attendees in the newsletter. Carriers, I'm asking you to help hold your stewards accountable to attend training. After all, they are representing you and you deserve to have well trained stewards.

Recently American Income Life Insurance Company (AIL) increased our insurance from \$2,000 to \$4,000 for Accidental Death and Dismemberment. This is a coverage they give to us free of charge. The Branch holds the blanket policy. The letter that was sent to each of you had a postcard enclosed that you could send in designating a beneficiary. If you do so, they will contact you and give you several pieces of information which include a Family Information Guide, an Identity Theft pamphlet, a Child Safe Kit, American Income Partners pamphlet (a plan that provides discounts at certain health care providers of medical services and a certificate of the blanket policy designating your beneficiary. If you do not send in the card, you will still have the insurance; the only difference being that if something happened and a claim was made, the money would go to your estate instead of a certain individual.

AIL is a Union insurance company. Sue Akers, the agent who contacted us this time, donated \$50.00 to our family picnic. She promised to donate to our golf tournament also.

Watch for the sign up sheets at the stations for the Labor Day Parade. It is another great opportunity to participate with your family and let them see what labor and brotherhood/sisterhood mean. For years I have had one or more of my grandchildren walk with us in the parade. It was always so much fun. They all live out of state now and I will miss the participation with them. But I know that a lot of you have children or grandchildren

that would love to walk in the parade with you. Are you going to meet us on the 3rd or are you going to let your children miss out on this fun experience?

Don't forget – the golf tournament entry deadline is nearing. If you haven't submitted your entry yet, do so now. We would love to have 36 teams. Grab your co-workers, your neighbors, your friends, your family and get them signed up to golf with you. I promise you will have a good time!

Seasoned carriers, please help the newer carriers with combating the heat. Remind them how important it is to stay hydrated.

Have a safe summer.

**Donna Whitmarsh
President, Branch 5**

VICE PRESIDENT'S REPORT

I attended the Branch picnic at Cooper Farm yesterday and in my opinion it was a resounding success.

Thank you to all who put in time to put this together, your effort was apparent with the smiles of all the kids in attendance. I hope this was the first annual Branch 5 picnic, as I would like to see it continue.

You should all have your ballots by now, to vote on the contract. Regardless of your position on the vote, take the time to do it, it's your vote and it does count.

We seem to still be battling the DOIS issues on the floor. Again, I will ask that Carriers take the time to educate themselves on this. It is a tool for Management to use as a guide. This daily number is not chiseled in Granite, as some Supervisors will have you believe.

If they push you for undertime, stand up for yourselves. If you can do it, fine. If you can't, then follow their direction. When it is apparent you cannot make it back in the stated time call in and tell them so.

Remember, you are not to curtail mail on your route to less than eight hours to carry undertime. You must tell the Supervisor this. If you take it upon yourself to run your route in order to carry undertime, you will have no recourse to any Grievance action.

(Vice President's Report Cont'd)

We are still filing massive amounts of Grievances regarding overtime violations. You would think, that with recent rulings and decisions Management would re-think their position on suspending the Contract language regarding overtime, but they have not. It is their contention, that they have received bad decisions and blamed the Supervisors for not properly arguing their positions.

Please let a Steward know, if you are observing overtime violations in your units. For you Carriers on the overtime list, if Management schedules you to carry 12 hours and you go out and carry it in 10.5 hours, you most likely will not have recourse to appeal any overtime violation. Step B has taken a position that Management does not violate when a Carrier is scheduled for 12 hours and takes it upon his or herself to carry it in less time.

With the heat and miserable humidity and the added misery of less than stellar floor management, sometimes it can really take a toll on you. Now in most stations starting times have been adjusted because local Management can't figure out how to fix the Plant issues and truck schedules. Again, you must pay the price for inadequate management and lack of accountability.

Stay hydrated and be careful.

Semper Fi,

Billy Ray Stevens
Vice President, Branch 5

COMPENSATION OFFICER REPORT

A CA-2 form is used for an "occupational disease". A CA-1 form is used for a "traumatic injury". I want to expand on the difference between the two O.W.C.P. forms. This month I will write about the CA-2.

The CA-2 is probably the more used of the two forms. There are instances where carriers have more than one CA-2 on file at the same time. A carrier may have a shoulder condition and a knee condition or "disease" at the same time. Each "disease" has a separate CA-2 and therefore a separate file number. If there are two or more

occupational diseases at the same time, it is important to keep copies of everything.

A CA-17 is used for OWCP restrictions. If there are two or more CA-2's on file, each one should have it's own CA-17 to go with it. The CA-17's may have similar restrictions but each one should have the file number that corresponds with the CA-2 file number. All of this is very important if we need to file an appeal.

There are several things to remember about an occupational disease. Some doctors believe that a disease has to be directly caused by work related duties. The casual relationship can be for other reasons as well. The claimant may have a condition that is aggravated by working duties. This aggravation would also qualify as work-related. The key to the claim is to show "causal relationship".

We want to submit claims as accurately and timely as possible. If we have the proper medical documentation to support our claims, there should be less need for appeals. Most claims that have been controverted were because of lack of information. Be honest and answer everything. Keep copies of everything. If we get it right the first time, it will help expedite our claim.

I am attending an regional workshop on OWCP in Kansas City on August 27. This will be an informational meeting for OWCP reps in our 4 state region. I will share this information in future newsletters.

Work safe and stay injury free. As always if I can help please call.

Ed VandenBerg
OWCP Officer, Branch 5

SICK CALL

Past President, Hollis Bledsoe (retiree), fell about six feet, landing on his feet, while he was trimming trees. He suffered injuries to his vertebrae. He is wearing a back brace and is hopeful that it will help him recover so that he made avoid further treatment.

HEALTH BENEFITS REPRESENTATIVE REPORT

Are generic drugs safe and effective?

Yes, The FDA makes sure of it. The FDA puts each generic medicine through a rigorous quality control review process to ensure that each is safe and effective as the original brand-name medicine. The FDA inspects more than 3,500 pharmaceutical manufacturing facilities each year to monitor how the medicines are made, processed, tested, packaged and labeled.

In order to gain FDA approval, generic medicines must prove they are exactly like their brand-name equivalents in safety, active ingredients, performance, strength and dosage form.

How can I save money?

- Ask your doctor to prescribe generics and allow generic substitution at your local pharmacy.
- Say “yes” if your pharmacist asks whether you would like the generic equivalent of the brand name medicine your doctor prescribed.
- Go to our provider at www.caremark.com/counton-generics to see if a generic is available for a medicine you are taking or considering.
- If there is no generic for a brand name you are prescribed, ask your doctor if there is a generic alternative available to treat your condition and if it is right for you.

(Courtesy HBR Director Timothy O’Malley)

Tom Galus
Health Benefits Representative, Branch 5

DIRECTOR OF RETIREES REPORT

A LOOK AT THE PAST
The April 18, 1950 Incident

When President Truman appointed Jesse Donaldson postmaster general in 1947, rank-and-file letter carriers were pleased. Donaldson had once carried mail. He, if anyone, would understand their problems and treat them fairly. But despite their

hopes, Donaldson would deeply disappoint the nation’s letters carriers.

The April 18 incident was set in motion earlier when Congress and the Bureau of Budget slashed Post Office Dept. funds to the point where Donaldson did not have enough money to operate the service. Instead of fighting the cuts and enlisting the lobbying support of the NALC and other postal unions, he meekly accepted the reductions. Then, on April 18, 1950, without consulting the postal unions or Congress, Donaldson issued an order that still affects letter carriers and the public today. He reduced residential mail deliveries to once a day and most business mail deliveries to twice a day, while also severely curtailing many other postal services such as street collections, window service and parcel post deliveries. Donaldson’s objective was to save the Dept. over \$80 million.

(Article courtesy “Carriers in a Common Cause”)

Joe Ricceri
Director of Retirees, Branch 5

NSALC DIRECTOR OF RETIREES REPORT

The “partial privatization” of our Social Security hasn’t been in the headlines, but I assure you hard lobbying for it is taking place in and around the halls of Congress. Wall Street is anxious; waiting for those dollars tucked away in the President’s 2008 Budget bill where he allowed the Social Security Trust Funds for those “private” accounts. All that is needed is passage of the Budget!

If passed today, a third of the total payroll tax money taken from paychecks would take \$200 billion and put those \$\$\$’s in “private” accounts. They would gather wealth - or poverty, depending on the ups and downs of the stock market. “Private” accounts never deliver guaranteed benefits. For you and I, “privatization” means hundreds of billions of dollars of the money that now pays your benefits won’t be there for you!!!

FERS & CSRS employees – Did **you** know???

- About a so-called “legislative priority” with 155 co-sponsors known as a “Balanced Budget Constitutional Amendment” being considered that could prevent future Social Security payments, and;

(NSALC Dir. Of Retirees Report Cont'd)

- That a similar Bill in 1995 needed only one more vote to send it to the states for ratification which also imposes constitutionally-required cuts on Social Security and Medicare spending as well as threaten future benefits, and;
- That revising the U. S. Constitution to lower Social Security and Medicare benefits would help to reduce the President's out-of-control deficit and would mean any Trust Fund surpluses of those two guaranteed programs would always be in annual budget calculations and gradually diminish our promised senior benefits we paid for while working or are still on the job, and;
- That for 2007 alone, the surplus generated by Social Security payroll taxes are nearly \$153 billion, and;
- That with the 2007 fiscal year deficit, conservatively speaking projected to be \$214 billion, our two programs would be subject to across-the-board cuts this year if it had already been enacted, ratified by the states and put in place, and;
- That as long as the federal budget is in deficit our Social Security and Medicare would face mandatory and dramatic cuts, and;
- The deficits accrued by this Administration's tax policies of less revenue from these cuts, and subsidies unnecessarily given away, will threaten all of our retirees/seniors' later years whether living in the "Great State of Nebraska" or what has been known as "The best country in the world", the U.S.A.

(Excerpts from the NE Alliance for Retired Americans)

Contact your Congressman and Senators about your concerns. Call them all even if you are not in their district.

Jeff Fortenberry - 1st District . . . 202-225-4806
 Lee Terry – 2nd District202-225-4155
 Adrian Smith – 3rd District202-225-6435
 Senator Ben Nelson202-224-6551
 Senator Chuck Hagel202-224-4224

Dave Looman
NSALC Director of Retirees

LEGISLATIVE REPORT

Brothers and Sisters of the NALC Branch 5,

Regarding the Employee Free Choice Act, S. 1041 / HR. 800 - on June 26, 2007 the Senate voted on a motion on this bill. That motion which required 60 votes to pass garnered only 51. As a result, the Senate will likely not consider the Employee Free Choice Act again during the current session of Congress. We will continue to monitor the situation and keep you all informed as the information becomes available.

On May 23, 2007 Senator Tom Harkin (D Iowa) introduced S. 1457, Mail Delivery Protection Act of 2007. This binding piece of legislation would limit the Postal Service to contracting out delivery only where there is less than one delivery point per mile. As of July 17, 2007, S. 1457 had 36 co-sponsors.

There was an overwhelming response from Congress that brought the Postal Service back to the bargaining table. President Young has asked Congress, through his testimony in both the House and Senate, to pause any floor action until the close of the 6-month moratorium on out-sourcing related to the Article 32 committee. After the 6 month window, President Young believes that the NALC will be in a much better position to offer guidance on whether a legislative fix is needed or not.

This gives you an overview of what is currently happening. Once again, I will keep you all abreast of any new developments.

Best regards,

R.J. Riggs
2nd Dist. Legislative Representative

NBA REPORT

August 2007

I am writing this article only five days after NALC and USPS reached a tentative agreement on a new five-year contract. It has been a long and difficult process, but one which has finally been brought to a successful conclusion. The fact that we were able to achieve this agreement is a testament to the skill and tenacity of President Bill Young and all of our national officers. Going into these

(NBA Report Cont'd)

negotiations, NALC was focused on three main goals. First, we wanted to procure wage increases which would be reflective of the hard work and significant contributions of letter carriers to maintain service standards for our customers and to protect the financial stability of the Postal Service. Secondly, given management's aggressive approach to contracting out delivery services, we also needed to shore up job security protections for our members as well as preserve the quality, safety and security of the service we provide to the American public. And finally, we wanted to reach agreement on several workplace issues in order to provide a better working environment for letter carriers. I am happy to report that this contract incorporates all of these elements in a win-win scenario for letter carriers, our employer and our customers.

The fact that we achieved our goals is just as much a testament to letter carriers throughout this nation as it is to the efforts of your national officers. You stood together with President Young and his negotiating team in a strong display of support, and stepped up to the plate to strengthen our campaign against the Postal Service's misguided policy on contracting out. Your letters, faxes, e-mails and calls to your senators and representatives convinced them of the righteousness of our cause and ensured widespread support in Congress for putting the brakes on CDS, and stopping the Board of Governors (aka, James Miller) from their zealous pursuit of the "back door" privatization of the Postal Service. Congressional pressure in the form of H. Res. 282 and S. 1457 prodded management to return to the table and renew negotiations. The importance of our eActivist network and COLCPE contributions were reinforced, once again, with the attainment of this tentative agreement.

With important provisions already in place to protect city carrier routes under the new National Agreement, we will be looking for additional protections through the work of the National Joint Committee during the six-month moratorium on contracting out. We expect these discussions to proceed in a cooperative spirit toward achieving reasonable solutions to the remaining issues. Working together to resolve our differences is, of course, the best-case scenario. With that in mind, President Young is asking Congress to hold off on legislation to address our concerns in this area. If,

however, the Committee's discussions do not result in agreements consistent with the best interests of letter carriers and our customers, we will return to Congress with renewed vigor to press our case. We still believe that contracting out delivery services is a matter of public policy and that, if necessary, it would be appropriate for Congress to address the issue through strong, effective legislation.

If your representatives and/or senators signed on against contracting out, please take the time to thank them for their support. It is just as important that we let them know how much we value their speaking up for our concerns and promoting our issues as it is that we urge them to extend that support in the first place. Now, that we have a more worker-friendly Congress, we must work hard to foster our relationships with our representatives and deepen the nature of their commitment to our issues.

Additional provisions in the contract include agreements on such diverse issues as DOIS, COR, Third Bundles, S-999 Mail and FSS Implementation. These agreements resolve some long standing disputes on issues which were adversely impacting (or about to adversely impact) letter carriers' daily working environment. The establishment of a joint committee to develop a new process for evaluating and adjusting routes bodes well for reducing the stress associated with route inspections and for minimizing the daily confrontations between management and the letter carriers over workload and performance.

The tentative agreement will be sent out to the membership for a ratification vote. Rest assured that a complete copy of the contract, including the MOUs, will be sent to every active member for your consideration. I urge you to vote for ratification. With significant pay raises, increased job security and MOUs to address workplace issues and working conditions, this is a National Agreement that we all can be proud of; and one that we can build upon to ensure a brighter future for letter carriers and the Postal Service.

Mike Weir
NBA, Region 5

Branch 5 web site
www.nalcbranch5.com

STEWARD'S CORNER

EAP is a benefit that is available to Postal Service employees. A common misperception about EAP is that it is only for assistance with drug or alcohol problems. But that is only one small part of what EAP does. There is counseling for employees and their immediate families for a wide variety of issues, including: family/relationship problems, problems in the workplace, health and behavioral issues, personal/emotional difficulties, and financial or legal issues.

EAP not only provides initial assessments for people with these types of issues, but also provides short-term counseling, as well. If a particular issue indicates long-term, treatment, EAP will offer a referral for continued sessions using the employee's health plan.

There is a toll-free number, 1-800-EAP-4-YOU (1-800-327-4968) where you can access a licensed professional counselor. Through that phone call, an individual may be referred to an EAP counselor for face-to-face sessions, a financial consultant, a legal consultant, or other community resources.

The fact that EAP provides free access to counselors for financial or legal problems is largely unknown to most people. Financial counselors can assist with normal everyday questions. For example, an individual can receive assistance with questions such as whether it is better to lease or buy a car, deciding which credit card to pay off first, family budgeting, or determining how much is needed to save for a comfortable retirement.

Another benefit is that the first visit to EAP is on the clock. All the employee has to do to be paid is to authorize the EAP provider to confirm with management that in fact the session took place. No other information will be given to management. EAP counselors are bound by strict rules of confidentiality.

Counselors are not Postal Employees. They work for Magellan, an independent health service provider. Not only that, but privacy is always protected by strict federal and state confidentiality laws and regulations, as well as the professional ethics standards followed by the counselors. Information shared with EAP may not be released to anyone without the individual's prior written consent, except as required by law (e.g., when a

person's emotional condition is a threat to him or herself or others, or there is a suspected abuse of a minor child, and in some states, spousal or elder abuse).

The law and the National Agreement form the basis of those rights. Section 870 of the ELM covers EAP and is incorporated into the National Agreement through Article 19.

At one time, the supervisor could issue a mandatory EAP referral to an employee. In such cases, the employee had no choice but to go grudgingly to an EAP session against his or her own will – solely at the supervisor's discretion. The rules changed in 1999 and this is no longer permissible. This change in the ELM allowed EAP to be what it was meant to be – an employee benefit, not a punishment issued by an angry supervisor. The only exception to this is if attendance is required as part of a Last Chance Agreement.

Stewards, this information was taken from an article in the July 2007 NALC Activist. There is more information concerning your role in dealing with employee's personal or emotional problems and I would recommend that you take the time to read the article in its entirety.

Donna Whitmarsh
President, Branch 5

GRIEVANCES SETTLED IN JULY

LOW = Letter of Warning, **OT** = Overtime,
WA = Work Assignment, **OTDL** = Overtime Desired List,

STATION: Violation or Discipline = Resolution
(Steward / Formal A / Step B / Arbitration)

BRANCH 5 CLASS ACTION – ART 1.6.A and 19 – Mgm Transporting Priority Packages to and From the District Office – The parties will abide by a prior Step B decision that stated in part “Management will discontinue the delivery of mail between deliver units and assign that work to the appropriate craft employees.” (Lisiecki / Stevens / Step B)

BENSON: ART 8.5. – Over 60 Hours in a Work Week = Pay grievant an additional 50% BHR for 5 hrs (Riggs);

ART 8.5 – Over 60 Hours in a Work Week = Pay grievant an additional 50% BHR for 2 hrs. (Riggs);

(Settled Grievances Cont'd)

ART 10 – Week of AL Was Cancelled and Not Posted – Carrier Was Denied Incidental Leave During That Period (Station Was Not Maxed) = Parties agree grievant will be able to choose a day of his choice for AL to be used by 12-31-07. (Martens); ART 1.6.A, 3 and 5 – Mgm Performed Bargaining Unit Work = Mgm did violate ART 1.6.A. Mgm will cease and desist performing bargaining unit work except as outlined in ART 1.6.A (Martens / Martens / Step B);

ART 19, Specifically the Joint Statement on Violence in the Workplace as Well as ART 3 & 5 When They Threatened the Grievant with Discipline if he Didn't Make DOIS Projected Leave Time = Employees shall be treated with dignity and respect. Local parties will abide by prior grievance settlements pertaining to the use of DOIS as a tool along with carrier consultation to arrive at a time that is fair and acceptable to both parties. (Martens / Martens / Step B);

ART 19, Specifically the M-41, 131.4 as Well as ART 3, 5, and 15 When They Classified a Carrier's OT as Unauthorized = No violation of the M-41 was shown. The Union has failed to show that mgm classified any OT as unauthorized when the carrier called in and had "reasonable events" that caused the need for OT (Martens / Martens / Step B);

ART 8.5.G – Over 60 Hours in a Work Week = Grievant paid an additional 50% BHR for 6.79 hrs (Martens / Martens / Step B)

BOYSTOWN: ART 8.5.G – Simultaneously Scheduled Non-OTDL Carriers to Work Off Their Scheduled Assignments Without First Maximizing the OTDL Carriers to 12 Hours = Pay three carriers each 5 hrs at the penalty rate of pay (Hayden);

ART 8.5.G. – Simultaneously Scheduled Non-OTDL Carriers to Work Off Their Scheduled Assignments Without First Maximizing the OTDL Carriers to 12 Hours = Pay the following carriers at the penalty rate of pay: (1) 5 hrs; (2) 5 hrs; (3) 2 hrs. Maximize the OTDL to 12 hrs before forcing non-signers. (Hayden)

ELMWOOD: ART 41 – Mgm Pulled a FTR Not on the OTDL Off His Assignment and Put Him on Collections = Grievant will be paid for a total of 4.40 hrs at 50% BHR for the time he was pulled off his assignment on the 2 days cited (Lisiecki / Stevens); ART 41 – Mgm Sent Grievant, an RLC, Out of the Unit When a PTF Was Left on a Hold Down and

Casuals Were Scheduled = Grievant will be paid an additional 50% of BHR for all hours worked on that day (Lisiecki / Stevens);

ART 8.8.B & 8.5.D – Carrier Worked Less Than 8 Hours on SDO = Grievant will be paid an additional 1.52 hrs at applicable rate of pay (Lisiecki / Stevens); 7 Day Suspension – Unacceptable Attendance = Reduced to 9 mos. (VandenBerg)

FLORENCE: ART 8 – Carriers Worked in Excess of Contractual Limitations = Pay carriers (1) .5 hrs and (2) .11 hrs at an additional 50% BHR (Ruyf);

ART 8 – Working Over 12 Hours in a Work Day = Pay the following carriers 50% BHR for the hours listed: (1) .22 hrs; (2) .2 hrs; (3) .16 hrs (Ruyf);

ART 8 – Working Over 12 Hours in a Work Day = Pay grievant .63 hrs at 50% BHR (Ruyf);

ART 8.8 & 19 (F-22) – Carrier Ordered to Return to Work "After" Clocking Out After Completing His Scheduled Tour = Pay grievant the remainder of call back guarantee (3.38 hrs @ the penalty rate) (Ruyf); LOW – Unacceptable Conduct / Failure to Work in a Safe Manner – Reduced to job discussion plus grievant will participate in a Defensive Driving Course. (Ruyf);

ART 8.5.G – Simultaneously Scheduled Non-OTDL Carriers to Work Off Their Scheduled Assignments Without First Maximizing the OTDL Carriers to 12 Hours – Grievance denied. No indication that the non-ODL carriers in question ever informed supervision of their opinion that they could not complete all of their assigned duties within 8-hours (Ruyf / Stevens / Step B)

NORTHWEST: ART 8 – Q2, 2007 Equitability = Pay the following carriers for the hours listed at the OT rate of pay: (1) 23.99 hrs and (2) 5.67 hrs. Start the following carriers in the negative for Q3, 2007 for the hours listed: (1) 3.33 hrs; (2) 6.6 hrs; (3) 3.79 hrs; (4) 12.2 hrs; (5) 4.2 hrs; (6) 4.96 hrs; (7) 4.81 hrs; (8) 16.16 hrs; (8) 7.85 hrs. (Stevens)

PAPILLION: ART 8, - Q2, 2007 Equitability = Pay (1) carrier 4.0 hrs at OT rate of pay; start carrier (2) 5.0 hrs in the negative in Q3, 2007 (Stevens)

PIERCE: 7 Day Suspension – Unacceptable Performance, Failure to Follow Instructions – Slip, Trip and Fall = Reduced to an official job discussion (Walls);

ART 16 – Notice of Removal – Unacceptable Conduct = Withdrawn from Arbitration (Stevens / Stevens / Pre-Arb. - Weir)

(Settled Grievances Cont'd)

LOW – Unacceptable Performance / Failure to Perform Duties in a Safe Manner = Reduced to a job discussion (Thorne)

SADDLE CREEK: ART 8.5.G – Simultaneously Scheduled Non-OTDL Carriers to Work Off Their Scheduled Assignments Without First Maximizing the OTDL Carriers to 12 Hours = Grievance sustained. Divide the lump sum of \$814.99 among the appropriate ODL carriers (Stevens / Stevens / Step B)

Art 8.5.G – Simultaneously Scheduled Non-OTDL Carriers to Work Off Their Scheduled Assignments Without First Maximizing the OTDL Carriers to 12 Hours – Grievance sustained. Divide \$3,500.00 between ODL carriers (Stevens / Stevens / Step B)

SOUTH OMAHA: ART 8.5.D & 8.5.G When Mgm Scheduled WA Carrier to Work SDO Versus an OTDL Carrier on His SDO = Alt. Steward had signed a document implying that the hold-down was ok with the Union. Grievance denied. (Walls / Stevens/ Step B)

STONEYRIDGE: LOW – Unacceptable Performance/Failure to Perform Your Duties in an Acceptable Manner – Failure to Properly Handle Collection Mail = Reduced to 6 mos (Hedgecock)

WEST OMAHA: ART 8 – PTF Worked Over 11 ½ Hours in a Day = Pay grievant an additional 50% BHR for .61 hrs (Staack);

ART 41.2.B.3.4 – Mgm Pulled Grievant off Hold-down = Pay grievant for time pulled off of hold-down: 4.5 hrs on 6-14 and 4.5 hrs on 6-15 at 50% BHR; provide steward with copy of pay adjustment within 2 weeks (Staack);

ART 41.2.B.3.4 – Mgm Pulled Grievant off Hold-down = Pay grievant for time pulled off of hold-down at 50% BHR: 4.49 hrs on 6-19; 4.5 hrs on 6-20; 4.5 hrs on 6-21; 4.5 hrs on 6-22. Mgm will provide steward with signed pay documentation within 2 weeks (Staack);

ART 8 – PTF Worked Over 11 ½ Hours in a Work Day = Pay grievant .49 hrs at 50% BHR; furnish Union with copy of pay adjustment within 2 weeks (Staack)

ART 8.5.C.2 – Q2, 2007 OTDL Equitability = Pay grievant 5.3 hrs at OT rate of pay (Staack);

ART 8.5.C.2 – Q2, 2007 OTDL Equitability = Start following carriers in the negative in Q3, 2007: (1) 4.13 hrs; (2) 1.21 hrs (Staack);

LOW – Unacceptable Performance / Failure to Work in a safe Manner – Vehicle Accident – Reduced to one year and grievant will receive continuing training in the proper use of motor vehicles (Staack)

IN MEMORIAM

Our sincere sympathies go out to **Eric Staley**, Northwest Station, and **Joel Staley**, West Omaha, whose father, Joel Sr., passed away; to **Patty Dougherty**, West Omaha, in the loss of her mother, Linda Gilmore; to **Curtis Rau**, Ralston Station, in the loss of his mother, Jimette Rau; and to **Gary Deterding**, Retiree, whose father, John, passed away.

NEW RETIREE

We would like to congratulate **Joe Bass**, Papillion, on his retirement.

AUXILIARY #78 NEWS

Summer goes so fast. Who can keep up? My children are grown and gone so I'm not governed by school schedules and the time still flies by too quickly.

I hope everyone is save and keeping cool. I just spent some time in the emergency room with my husband. I hope no else has done that with their summer. He's fine so, all's well.

I'll be out of town for the family picnic; sure wish I could be there. I remember the picnics of my childhood that the post office put on. If you missed one of those, you missed the best time in the world. I'm sure this one and the ones to come will be every bit as fun. I know Andrea and Jeannie have worked hard on this one. The auxiliary will have the cookies there so don't miss it.

I look forward to the meetings starting again next month. Hope to see old and new faces. Please join us if you can. A good time is had by all, and a great meal also. See you there!

Melinda Carl
President, Auxiliary #78

**Application for Membership
To Auxiliary #78**

Name _____
 Phone # _____
 D.O.B. _____
 Signature _____
 Date _____

Return application and a check or M/O for \$25 annual dues to: Melinda Carl, President – 8214 Molokai – Papillion, NE 68046. Please notify us of any changes by calling 593-6877 and leave your correct information.

NON-MEMBER LISTING

The following are non-members of the NALC. We wish to extend them an invitation to join Branch 5 in the efforts to preserve and secure the future rights of all letter carriers. It is so very important that we all join together in that fight. We all enjoy the benefits; lets all support each other. What better time to approach these men and women to join. Our National officers have been able to fight hard to get us a decent increase in wages along with other benefits because of our membership. All we ask is that they partake in that ownership also.

AMES: Tammy Swanson*, Carrie Hammers*, Ernie Banks; **BOYSTOWN:** Shelly Flowers, Jolene Manion*; **ELMWOOD:** Ian Sandall, Don Vokal, David Brester; **FLORENCE:** DeWayne Hogan; **NORTHWEST:** Rich Hansen; **PIERCE:** Ron Beber*, Angela Perez; **PLATTSMOUTH:** George Johnson; **SADDLE CREEK:** Matt Bruce, Mike Wertz*, Dan Greenfield*; **SOUTH OMAHA:** Ron Aubrey*, Jannette Bogler; **WEST OMAHA:** Andy Quick, Tim Zabawa*

*Indicates a previously cancelled member

**Check Out More Photos
Of The Picnic At:
www.nalcbranch5.com**

**60 YEAR
GOLD CARD MEMBERS**

Kielian, John	Morrison, Dean
Kotlarz, Stanley	Redfield, Gene
Krecklow, Earl	

**50 YEAR
GOLD CARD MEMBERS**

Adam, Ed	Kaster, Stanley
Bang Jr., George	Kelley, Franklin
Baratta, Anthony	Kobus, Ed
Becerra, Herbert	Kunkle, Eugene
Beherns, Robert	Leo, Thomas
Booher, Warren	Luksa, Robert
Bouc, Donald	Magistretti, Albert
Branson, LeRoy	Meloccaro, Albert
Brice, John	Morris, Bernard
Christensen, Richard	Norton, Robert
Daemon Jr., Alex	Novak, William
Domayer, Robert	Petersen, Charles
Eymann, George	Reyneck, Richard
Halbrook, Paul	Ritzdorf, Robert
Henderson, Robert	Roberts, Richard
Hilpipre, Donald	Sizemore, Harold
Hosek, George	Staley, Walter
Hula, Carl	Stanislaus, Melvin
Humphrey, Richard	Stillmock, Robert
Hupka, Gerald	Thorson, Ronald
Incontro, Frank	Weise, George
Jacobsen, Dean	Yost, Robert
Karnik, Milo	Zambuto, Frank
	Zemula, Leo

**Have you moved?
Send in your COA**

Name _____
 Phone # _____
 Old Address: _____

 New Address: _____

Send to: Branch 5
 10342 Ellison Cir
 Omaha, NE 68134-1024

**4TH Annual
Branch 5 Golf Tournament
Supporting MDA
Sunday
September 9, 2007**

8:00 am (shotgun start)

Fox Run Golf Course

3001 MacInerry Dr, Co. Bluffs, IA

Team members:

1. _____
2. _____
3. _____
4. _____

Contact Person: _____

Phone # _____

Station (if applicable) _____

Pin Prizes, raffle prizes, comp bags, food!!!

\$180.00 per team / \$45.00 per person

Make checks payable to Branch 5

Limited to first 144 golfers

Monies must be received by **Aug 31, 2007**

If you don't have a full team, sign up

And we will place you on a team.

Let's have fun & raise money for MDA!!!

Non-Union Craft Employees Not Eligible

SEND IN TODAY!

DATES TO REMEMBER

August 30, 2007 **Steward Training – 5:00 pm – 10342 Ellison Circle**

September 3, 2007 **Labor Day Parade –10:00 am - Meet at 14th and Webster, 9 - 9:30 am**

September 7, 2007 **Executive Board Meeting – 5:00 pm**
General Meeting & Auxiliary Meeting – 6:00 pm
Great Plains Paralyzed Veterans Assoc. – 7612 Maple St.

September 9, 2007 **Branch 5 Golf Tournament – Fox Run Golf Course – 8:00 am**

October 7, 2007 **Branch 5 Annual Steak Fry – Vennelyst Park – Noon to 6:00 pm**

October 27-28, 2007 **NE State Fall Training, Grand Island, NE, Mid-Town Holiday Inn**
Reservations – 1-308-384-1330 or 1-800-HOLIDAY - rate \$69.95

NALC BRANCH 5
10342 ELLISON CIRCLE
OMAHA, NEBRASKA 68134-1024

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OMAHA, NE.
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