

Inside This Issue

Vice President/Treasurer	Page 2
Clerk Craft President	Page 3
MVS Craft President	Page 4
Maintenance Craft President.....	Page 5
Dang Union, I'm Getting Out	Page 6
Matt Bowen Memorial Scholarship ..	Page 6
Annual Scott Miller Rescuer's Award.....	Page 7
Director Industrial Relations Report.....	Page 8



Vol. 37 No. 4

January-February-March, 2014

The President's Report . . .



by Paul Kilduff, Jr.,
General President

The Postmaster General is at it once again. This man must sit in his mansion thinking of ways to destroy the Postal Service. As many of you know by now, the latest idea by this guy is to allow Staples to offer many of the "most popular"(most profitable) services APWU members provide at the post office windows, including stamp sales, first-class domestic and international mail, and priority and express mail. Services not offered include money orders, media mail, and P.O. boxes.

The deal between the office-supply chain and the Postal Service is at this point a pilot program. The deal is to establish postal counters at 82 Staples stores in four geographic areas, but staff them with non-postal, low wage employees. This insane Postmaster General even told the Associated Press that he hopes to expand the program to Staples 1,600 other stores as soon as possible. If this plan succeeds, then the hand writing is on the wall to close future stations along with the abolishment of thousands of window jobs across the country.

Once this deal between Staples and the Postal Service was announced, President Dimondstein has made it very clear to the Postal Service and Staples that "we intend to stop it". He also states "We believe we can and we will!". The APWU has, at this point, ramped up a "Stop Staples Campaign". The APWU is demanding that postal employees must be assigned to perform the postal work at Staples stores. If Staples and the USPS refuse, the APWU will ask customers to take their business elsewhere.

"The APWU supports the expansion of postal services and retail hours,"

The Attacks On Our Future Continue

APWU President Dimondstein notes, "but we cannot accept USPS plans to replace good-paying union jobs with non-union low-wage jobs held by workers who have no accountability for the safety and security of the mail, the program is a direct assault on postal jobs and on public postal services, and with 40 percent of APWU members working in retail operations, the threat to postal jobs and to the public post offices is real."

I hope that all brothers and sisters in Boston Metro Local 100 view this as a serious threat to all of us. I am asking each member of Boston Metro to do

your part in stopping this attack. Please find the time to join the campaign by going on-line at **StopStaples.com** or text Postal to 91990. Also please keep updated on any on-going issues by checking the APWU's website, **www.apwu.org**.

As of today there have been many protests at Staples stores as recent as January 28th in San Francisco and San Jose California. APWU locals and retiree chapters attended these protests. Officers of this local also traveled to many Staples stores in the area to present each manager of Staples a letter expressing opposition

to the program. Many of us were not warmly greeted by Staples management when presenting them with the letter of protest.

I would ask all brothers and sisters to please find the time to continue to look at your respective APWU bulletin boards in your work areas in the up-coming days. A nationwide day of action at Staples stores will take place soon. We must show up in force once a day has been chosen to picket at a site yet to be determined. **WE MUST BE UNITED IN THIS ATTEMPT TO DESTROY UNION JOBS.** The word

continued on page 2

— Solidarity Day —

Several Boston Metro Executive Board members attended a rally titled, "Solidarity Day" for four fired leaders of the Boston bus drivers' union, USW Local 8751, held February 1, 2014. Pictured are Maintenance Craft President Wayne Greenside,

Director of Organization, Legislation & Education Bob Waterhouse, General President Paul Kilduff, and Clerk Craft Trustee John Tobin. Also in attendance were Assistant Treasurer Dennis Avery and Vice President/Treasurer Bob Dempsey.





by Bob Dempsey, Vice President/Treasurer . . . **Bulletin Boards**

In the last issue, I wrote about “Today’s mail — tomorrow”. I’m happy to say that the delivery standards change that was scheduled for February 2014

has been postponed for now and this issue will probably be decided through legislation.

The Postal Service has been refusing to convert any PSEs (Postal Support Employees) to career positions, thinking they could possibly consolidate some more plants (delivery standard changes) to address their lack of staffing; but now I believe they’ll have no choice other than to start thinking about some conversions.

To me, it’s pretty simple. The Postal Service cannot run their operation because of insufficient staffing. We currently have more positions than we do people with the need for even more, and they’re pushing their PSE cap limitations. So, if they convert some PSEs to career, they’ll be under

their limitation — allowing them to hire some more people to fill these positions.

That Carper/Coburn bill S.1486 (Postal Bill) was approved by the Senate Committee on Homeland Security and Governmental Affairs. All four unions oppose the bill and we can only hope this bill never “sees the light of day” in its present format. Watch the bulletin boards for more on this issue.

Postal banking has been in the news recently and I’ve been in contact with Senator Warren’s office a couple of times concerning this subject. The APWU agrees with additional revenue sources and business brought to our Post Offices and lobbies. This is why we support Bernie Sander’s bill S.316.

This bill should be the starting point for Postal Reform, and not this Carper/Coburn bill S.1486!

I also wrote about the pilot program being launched with Staples. PMG Donahoe has already stated he wants to roll it out to all Staples which will have an impact on our retail jobs in the future. Again, watch the bulletin boards on this issue.

It’s an extremely busy time of the year for me as I await the 1099s from our financial institutions to complete the year end reports for the local, so I’m going to take the opportunity and cut this article short. This way, we can save plenty of space for the scholarship information and the Seventh Annual Scott Miller Rescuer’s Award.



GENERAL OFFICERS

- General President Paul Kilduff, Jr.
- V.P./Treasurer Bob Dempsey
- Dir. Ind. Relations Bob Keough
- Assist. Treasurer Dennis Avery
- Recording Secretary Bob Farrell
- Vice President, North Raymond Bell
- Vice President, South Barry Holland
- Vice President, Central Robert White
- Vice President, West John Uccello
- 017 Vice President Vacant
- 020 Vice President John Milso
- Dir. Human Relations Dale Denham
- Dir. Org. Leg. & Educ. Bob Waterhouse
- Sgt.-at-Arms Bruce Pearson

CLERK CRAFT OFFICERS

- Pres. Clerk Craft Scott Hoffman
- Dir. Mech. Distr. Matt Dodd
- Trustee Clerk John Tobin
- Trustee Clerk Steve Barrows
- Trustee Clerk Paul Holland
- Trustee Clerk Linda Cheevers

MAINTENANCE CRAFT OFFICERS

- President, Maintenance Wayne Greenside
- Trustee, Maintenance Joseph Joyce

MOTOR VEHICLE CRAFT OFFICERS

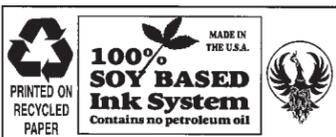
- President, MVS William Weaver
- Trustee, MVS Ned Hogan

BOSTONIAN STAFF PAUL KILDUFF, JR. Editor

Website: bostonmetroapwu.com

AFFILIATIONS:

- Mass State Labor Council, AFL-CIO
- Greater Boston Labor Council
- AFL-CIO
- American Postal Workers Union, AFL-CIO
- American Postal Workers Union of Mass., AFL-CIO
- Postal Press Association
- Norfolk County
- Central Labor Council



The Attacks On Our Future Continue

continued from page 1

we all hear constantly is many want to privatize the Postal Service . . . brothers and sisters, this is a serious step in that direction. Please don’t stand by and let the other person do the work. GET INVOLVED NOW, YOUR JOB AND FUTURE DEPEND ON IT!!!

This is a repeat of a battle that was fought and won by the APWU 25 years ago with Sears. In 1988 Sears announced a similar pilot program at 11 stores. Union members sent the corporation thousands of protest letters. Some cut up their Sears credit cards and sent in the plastic shreds. The company backed off, abandoning the program. What would the Postal Service look like today if 25 years ago Sears had succeeded? So this shows if we band together the way members across the country did 25 years ago that we can STOP STAPLES.

Lastly, I would like to add a quote from our new APWU Organizing Director, Anna Smith. It’s a quote from her recent bulletin titled “It Pays to Belong” (to the union). “In today’s postal



climate, with the Postmaster General contracting out our work and consolidating facilities, there is no excuse not to belong to the APWU, we are not in a position to tolerate non-members taking a free ride. They reap the benefits

and must be held accountable to pay their share. We don’t pay their gas bill and we shouldn’t be expected to pay their union bill. We need everyone’s support if we are going to thrive in the future”.

DISCOUNT MOVIE FORM

NAME: _____ Employee ID # (EIN): _____

ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____

CINEMA REQUESTED

[] SHOWCASE – # of Tickets at \$7.00 = \$ _____

[] A.M.C. CINEMA – # of Tickets at \$7.00 = \$ _____

TOTAL ENCLOSED \$ _____

- Limit of ten (10) tickets per order for each cinema
- Enclose check or money order made out to: **BOSTON METRO APWU**
- Enclose a stamped, self-addressed envelope.

* Mail to: **Bob Dempsey, V.P./Treasurer**
Boston Metro Area Local #100, A.P.W.U.
137 South Street, 4th Floor, Boston, MA 02111



by Scott Hoffman, Clerk Craft President . . . *Management Is Not Rolling Over*

Hi! Hope this article finds you all well. This winter certainly has nerves a little more frayed than normal — between the sustained cold, frequent accumulations of snow, and the associated travel risks and delays. All this — before you get to work for an uncaring, arrogant and inept corporation which, despite all their modern marvels, can't deliver mail with the accuracy of the old Pony Express.

Yes, I said “corporation” — and not Service. Since 2006 we have been mandated by Congress to run this government service like a corporation. Not surprising, our Postal Service leaders in Washington not only were in favor of this, but actually asked for it. This way they would not be saddled with mere salaries of a public servant, capped at those of other government servants and agencies. They could now command salaries of corporations like Enron, Tyco and Lehman Brothers — all companies who failed, while the top brass collected exorbitant salaries paid to executives who made it fail. All the plants we close, stations we shutter, and jobs we cut — the money funnels up to those whose decisions are deliberately detrimental to the service we are supposed to provide, and the employees who are trying to provide it.

All the while, they obfuscate the truth: mail hidden and delayed in the plant, packages scanned “attempted” in the stations, which never left the building. The window clerks, I guess, are supposed to lie for them because the public gets mad when they are home at the time the package was allegedly attempted, and we face the music, while THEY INCREASE THEIR SALARIES.

In the plant, we are supposed to look the other way while the mail gets stale and backs up — while THEY INCREASE THEIR SALARIES. They claim they can't honor the contract; it becomes too expensive. They can't pay sick leave, maintain consecutive N/S days, give annual leave or holidays off, maximize the overtime list as required.

They can't maintain enough competent staff to meet their personnel obligations. Look at your bids. Every month, there are errors which require taking them down and reposting the following month. Every staffing package, the letters are rife with mistakes and inaccuracies according to the contract.

In-sections have to be done multiple times. Dream sheets are incorrect and

have to be replaced; retreat rights not accurately maintained. These things aren't important, I guess. They only affect you, and maybe the public, and the service.

We have to either make them care, or expose them so they have to fix the problems. A good example of this is the fact local management was recently taken to task over the unreasonably delayed mail in the plant. Local management was summoned to Washington, the Postal Regulatory Commission was given evidence, and the O.I.G. (Office of the Inspector General) investigated.

The result: the mail was processed, local management officials either relieved and/or put on notice and, most important, the need for more jobs recognized. They could not deliver without more bodies. The office of the clerk craft filed a grievance charging the Postal Service with failing to maintain the efficiency of the operation entrusted to it, per Article 3.C. The evidence obtained for this grievance was also most of the items given to the Regulatory Commission and the O.I.G. This evidence also bolstered grievances filed by the clerk craft in relation to job establishment and P.S.E. (Postal Support Employee) conversions.

Point is looking the other way gets you nothing. Going along to get along only makes things worse in the long run because you have squandered opportunities to document and prove what's going on or not going on. Without grievances and documentation, it's nothing but a fantastic conspiracy theory with no bite. The clerk craft is also filing a class action to establish clerical administration positions in the Complement Control Office. This is the most devastating office in the Installation. It is the office from which all staffing reductions come. It is the office that oversees all the negative consequences discussed earlier in this article. We need clerks' eyes and competency and, most of all, clerk accountability in this office. When clerks did the administration, we did not have the problems we currently have. Time to take our jobs back.

This last sentence is a good segue into the next topic — Level 7s gaining access into TACS. Since response to individual grievances to get the Level 7s trained and actually performing timekeeping duties was tepid at best, the clerk craft has filed a class action for the entire Installation. **Timekeeping is our work;** end of story! Not instead of a 204-B, or occasionally. We are losing hundreds of hours of bargaining unit work per day as a result of management not training us to perform this work. This work is not, but should be factored into staffing.

For example, if two hours a day is required for all timekeeping duties, and management is performing it, I guarantee

one 40-hour job will be reduced to 30 because management will backfill the 10 hours with the Level 7, because management will be doing the timekeeping that the Level 7 should be doing, rather than being tethered to the window or a DBCS. This contract gave us this work back. It is up to us to seize it. Management is not rolling over. Since all aspects of the Level 7 positions have been finalized, our access to TACS affirmed, and the training course designated, we have everything we need to build liability, which creates the leverage necessary to win. It starts by us speaking up and grieving. Grievances are our checks and balances.

I would like to close with a couple of points of interest. First, do not let the BEC employees do our work in the lobbies (BEC stands for Business Evaluation Coordinators). These are the same as the Hallmark people with a new name. They are there to make suggestions only. They don't order stock, set up displays or neaten up the lobby. Letting them do this work is equal to giving it away. Management will not factor time in, will cut hours; but be most assured — if the lobby

is not right, you will be disciplined.

Pay attention to who is doing back office scanning. Even though back office scanning is clerical in nature, when an employee from another craft scans and uses their log-on ID, then the hours revert to that craft. In other words, just because the scanner is in clerk mode, if the employee isn't a clerk (carrier, CCA, Mailhandler, M/H assistant), then the work is credited to that craft. Once again, protect our work.

Lastly, be on the right Operation Numbers, station or plant. It is that important. They are opportunistic when we don't make our clock hits in this regard. By opportunistic I mean they cut our hours because the hours are not recorded correctly.

I believe some of our P.S.E. brothers and sisters will be converted soon, they will become career employees. We all remember that great feeling of conversion. You feel like you finally made it. This will not happen by chance or good will. It only happens because of grievance activity, our contract, and investigative work.

Yours in Union Unity.

2014 Scholarship Deadlines And Information

Following are the deadlines for scholarships that are available to sons and daughters of Boston Metro A.P.W.U. members, who are currently High School Seniors. The Local, State & National scholarships are available to sons/daughters of active and deceased members.

National Scholarships - the E.C. Hallbeck or Vocational Scholarship (*separate applications*) must be **received** by National APWU by **March 15**. Applicants may apply for either the Hallbeck or Vocational, **not both**. Applications are now available. You can access them on the National APWU's website at **apwu.org** — under Pay & Benefits, go to Member-Only Benefits, then “Scholarships”, or call the local union office.

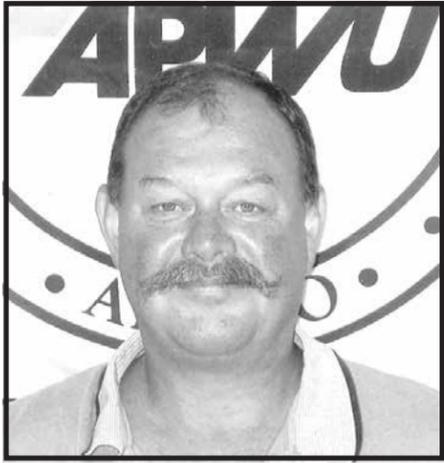
E.C. Hallbeck - \$8,000 (\$2,000 annually) to **ten** recipients towards 4-year college tuition.

Vocational - up to \$3,000 (\$1,000 annually) to **five** recipients — for up to 3 consecutive years of school. All forms and materials must be returned together in ONE ENVELOPE via USPS to: APWU Scholarship Program, 1300 L Street, NW, Washington, DC 20005.

Local Scholarship - the “Matt Bowen Memorial Scholarship” — **deadline April 15, 2014**. Applications must be received in the Boston Local office by April 15th.

State Scholarship (APWU of Mass.) **deadline - April 30, 2014**. Applications must be signed by the President or Secretary of the local to which your parent belongs (Boston Metro) for verification, and then sent to the Worcester address on the application by April 30th.

APW - ABA (Accident Benefit Assoc.) Scholarship - **deadline** to be received at ABA office in NH B **May 15, 2014**. Applications are now available. Check the A.B.A.'s website at **APW-ABA.org** - click on “APW-ABA Memorial Scholarship” at top of page; or you can call the local union office & request them. The Award is a one-time amount of one-thousand (\$1,000) dollars. One scholarship is awarded per year & will be paid directly to school that the winner designated on their application. Drawing to be held at ABA office no later than June of each year. It is a strict “Luck of the Draw”.



by Bill Weaver, MVS Craft President . . . Overtime Work — P.S.E.s

MVOs), prior to utilizing a P.S.E. in excess of eight (8) work hours in a service day, such qualified and available full-time employees on the appropriate overtime desired list (OTDL) will be selected to perform such work in order of their seniority on a rotating basis.

When a P.S.E. is used in excess of eight (8) hours in a service day, that is a violation of the contract. P.S.E.s are NOT permitted to be on the overtime desired list.

When an employee on the OTDL of the **section** (TTO, MVO) and **tour** is bypassed, and management works an employee NOT on the appropriate OTDL, the bypassed employee is to be paid an

equal number of overtime hours worked by the person not on the OTDL. This is not an overtime make-up scenario, it is a “pay” scenario.

P.S.E.s are paid overtime for work performed in excess of forty (40) work hours in any one service week. Yes, management can work a P.S.E. six (6) days a week, up to eight (8) hours a day, before calling a full-time employee in on his non-scheduled day.

Breaks

It has come to my attention that some employees (even those who have worked here for years) are not aware that we have

two (2) breaks — **on the clock** — in addition to a lunch break — off the clock.

If there is any doubt, or if management asks you where does it say in the contract you get breaks, refer to page 313 of the Collective Bargaining Agreement, Item #12, which states: “*Non-traditional full-time (NTFT) assignments of more than nine (9) hours in a service day shall include a third break, excluding lunch*”. To me, that says if you get a third break after nine (9) work hours, then you must get two (2) breaks in eight (8) hours.

Be Safe — Protect Your Job! Follow the Dock S.O.P.
Semper Fi.

Postal Support Employees (P.S.E.s)

When an opportunity exists for overtime for qualified and available full-time employees doing similar work in the work location where the employees regularly work (tractor trailer operators/ TTOS and motor vehicle operators/

Stations & Branches Function 4s

by Bob White,
Area Vice President (Central)

There are many stations going through Function 4 audits around the local. My station (Kenmore) had another audit done recently. We believed what was being said to us: “*We’re OK. They can’t possibly cut any more jobs here; we will have no one to do the work*”. The clerks felt confident that nothing would happen. Management went through the motions of the Function 4 audit, believing they were

going to do the right thing (ha-ha). All of the clerks stayed busy throughout the entire audit. The clerks saw that the audit team didn’t look into the person doing the BRM or registry cage, or how the mail was unloaded and loaded onto the trucks, who was picking up mail, callers, etc, but were given time based on the fuzzy numbers they use. Everyone took the breaks every two hours (even though the supervisor cried) and didn’t take the short cuts. Everything was going well . . . The staffing

package came down a few weeks later and Kenmore was ripped to shreds. Management wanted to change every position in the station . . . cut 40 hour positions, make more 30 hour positions, abolish jobs, revert positions, and add P.S.E.s (Postal Support Employees) — without care of the employees performing the work that keeps the business running. Who is going to explain to 30-year employees that they were about to be abolished and say “thanks for your service” (with a straight face of course)? We know this has happened.

Management was doing the finger pointing game and the “it’s not me” and “it’s them; it’s the 4th floor”, “it’s Operations Support”, “it’s this one and that one”. “Nobody has a say, this is a directive from the higher ups”. Why are stations staffed with a manager and two supervisors that can’t make decisions? The only decision made is “NO” — “NO overtime, absolutely NO overtime”. How many supervisors question why a job is not completed when there isn’t anyone to do the job? My station does! It’s an ongoing joke, yet management giggles all day long. We were getting the usual excuse, like any other member in the stations and branches. It’s all B.S.

Every job was going to be affected, even though Kenmore has grievances on clerks not assigned to clear carriers, management acting as if they’re window clerks, distribution clerks etc. It took labor charges against management to stop them from performing our work.

I did work on the staffing package and presented arguments at the meeting. I counter proposed to eliminate 40 hours of supervisor hours and give 40 hours to the Function 4 end. We know the answer . . . NO. I wanted to know why it can’t be done, and I still want to know why this can’t be achieved. We have competent level 7s doing the job.

I expressed that management would pay more \$\$ in overtime than to have another clerk there. No matter how wrong they are,

it didn’t matter, they were determined. All possible scenarios were given to management. The union got the spin that mail volumes are down, WOS shows slow window, blah blah, spin, spin, spin is all we heard, but they area actually admitting that Kenmore is run inefficiently. What is wrong with this picture?

Moving forward a couple of months, Kenmore’s overtime is through the roof, clerks and carriers are getting lots of overtime, management is making us rich with free \$\$ through grievances, mail can’t get up on time — forcing management to **falsify records**. Yes that’s correct, they have to **falsify** scans so they don’t get yelled at for running an inefficient office. I am sure Kenmore is not the only station and quite a few stations are **falsifying** now. I know about delayed mail in the GMF, now we have the stations **falsifying** so it looks good for them.

Did I read somewhere bonuses are based on proper and timely scans?

This isn’t the business we came into over 20 years ago, and it shouldn’t be changing the high standards we always had and are expected to be held to. It’s funny watching supervisors squirm when **falsification** is mentioned. If the **falsified** records were fixed, how many jobs would be abolished? I know supervisors should be fired like any other bargaining unit employee but, Oh No, it wasn’t them — it was the clerks; they never do clerk work.

We shall see how this plays out. FYI, it’s not just Kenmore.

More Function 4s are coming up in the near future that I will be participating in with the clerks to assist them. Brookline and Brookline Village were just done, stewards Wanda Jackson and Bruce Pearson were good at saving positions there. JFK and Fort Point are on the map and I will be there.

CONVERT THE P.S.E.s TO CAREER EMPLOYEES AND STOP THE NON-SENSE!



Welcome New Members

Brian E. Case	Virginia A. Abbott	Jannielle Ramkissoon
Mark D. Dymek	Lhoussaine Ahbar	Keith Y. Tam
J’Vonna D. Harris	Ricky A. Cameron	Gwendolyn Cordero
Venecia McLaren	W. Michael Luggelle	Elisabeth Hulin-Wheeler
Carl A. Williams	Sharon V. Mendonca	

✂️ ✂️ MAIL COUPON ✂️ ✂️

Boston Metro Area Local 100 COPA Fundraiser

Tickets for the Spring COPA Fundraiser are now available. Please see your steward or call the local union office at 617-423-2798 for tickets. Raffle will take place at the Spring Steward Seminar.

Drawing to be held at the Spring Steward Seminar

1st Prize – Block of \$10 scratch tickets (or \$1000 cash)

2nd Prize – \$250 • 3rd Prize – \$100

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

PAY LOC. _____ TEL. # _____

Donation \$10 per ticket and checks should be made payable to: APWU COPA
Mail coupon and check to: APWU Boston Metro
137 South St., 4th Floor, Boston, MA 02111



by Wayne Greenside, Maintenance Craft President . . .

Frozen In Winter

Here we are, once again, shoveling ourselves out from under the snow and ice — looking for that ray of sunshine and a respite from it all with some warmer temperatures. But, alas, it is not the case. As I write this article, we are still stuck in the snow and in a postal “holding pattern” with the current status quo around the district and with the Northwest Boston facility in particular. Management is continually pushing back the date of any further status changes for that facility. Many dates of NWB closure have been thrown out there by the rumor mill, but in truth no date has been set.

There are many factors involved in such a plant closure and they must all fit in order for management to go any further. However, we must remain vigilant to ensure, if or when management makes any new decisions and the NWB timetable comes to an end, that the contract will be followed in the repositioning of the employees that would end up being excessed from the facility.

This “holding pattern” is, in no small part, caused by much of the activity by our union at various levels. Our new President, Mark Dimondstein, continues to pressure Postal management in Washington to halt any further plant consolidations and post office closures. On the Legislative and Political front, John Marcotte is continuing the good effort put forth by his predecessors Myke Reid and Gary Kloepfer in lobbying Congress to prohibit any changes to the current mail delivery timetables and for them to put forth proper and acceptable postal reform legislation that doesn’t harm postal employees and still maintains postal services to the American people.

At the regional and local levels, union officers and rank and file members continue to participate in rallies and other activities to stem the tide of privatization of postal operations such as the placement of postal retail services in Staples stores by garnering public support for our cause. This will be a long protracted battle, as most of what we do is, and we must be tenacious and we must not falter if we don’t see instant results for our effort.

In comparison to many other unions, The APWU is a young union and has only been in existence since 1971. For the past 43 years, we have been on the opposite side of things from Postal man-

agement. It is a rare day when our goals and theirs parallel each other or meet in any way so as to create an agreement on an issue. In most cases, both sides must compromise and meet somewhere in the middle in order to reach an accord and have a contract. Many times both sides cannot agree. That is where Arbitration comes into play and we are required to accept a decision (and interpretation) from an arbitrator. Good or bad.

Maintenance Bidding System

On another note, I have been receiving a large number of calls concerning some confusion over our bidding system in the maintenance craft. Therefore, I feel the need to remind everyone of how our maintenance bidding system works. Our bidding system is for the **career** employees only and operates on the “round-robin” concept. When a job that becomes vacant due to attrition (e.g. retirement, resignation, promotion, transfer to another installation/district/craft or a death), management has 30 days to post the duty assignment or notify the union why it is being withheld or if it is to be reverted (eliminated). If the duty assignment is retained, then it is supposed to be posted as a Notice of Intent (NOI) for 7 days in all the facilities within the installation.

All employees within the same occupational group of the posted NOI have until the closing date on the NOI to submit a new Preferred Assignment selection form (dream sheet). After the closing of the NOI, a successful bidder will be awarded the duty assignment from the Preferred Assignment Register (the database of all the dream sheets) in the A-Bid computer system. The computer will continue to fill each vacancy that is created by the movement of the first successful bidder for the initial NOI from the “dream sheet database” for that occupational group.

When the computer system ends up with the final residual bid, then the system stops and queries if someone has requested to downgrade from a higher level position to the occupational group of that residual vacancy. If there is none, then the system will select the ranking employee on the Promotion Eligibility Register for the occupational group. When the system selects and promotes an employee from one occupational group into another, a vacancy in that employee’s previous occupational group occurs and doesn’t get posted and the A-Bid systems continues on.

The system goes back through the “dream sheet” process for that new vacancy that resulted in someone being promoted. For example, this process could proceed from a vacated ET-10 duty assignment (that was posted) and

proceed through the “round-robin” method all the way through that occupational group and then through promoting people through the different occupational groups and could result in a final residual vacancy in the Laborer-Custodian occupational group. All from one single posted bid (Notice of Intent)!

It’s quite possible that as many as 25-30 people or more could move through this process from one single posted bid. What this all means, for each and every one of us, is to make sure that our Preferred Assignment Selection forms (dream sheets) are up to date and reflect all our desired bids — numbered in a priority order with number 1 being the highest and so on. Your “dream sheet” selections remain on file until you submit a new one to change them. In my own personal case, I had some 14 selections on my “dream sheet” for over 15 years and I am currently in my 3rd highest choice. All my other lower choices are now ignored by the system and someday I hope I’ll achieve choice number 2 or number 1.

Also, and I can’t stress this enough “it’s important that all your Promotion Rejection forms are up to date and on file if you’re not currently interested in being promoted to an occupational group from a promotion register that you are listed on, from which a vacancy could get filled through this process. Don’t assume that because a specific job isn’t posted or that you are so far down the promotion list that you don’t have to worry. The people listed above you could have a rejection form on file leaving the promotion to you. **It’s the employee’s responsibility to know which registers they listed on** and to not only **maintain their “dream sheets”** but to also **maintain promotion rejection forms for each register.**

Remember, our “round-robin” process will fill vacancies that you won’t see posted. Only the initial vacancy caused by the attrition is posted. So you should have both “dream sheets” and all Promo-

tion Rejection forms on file by the closing date listed on **any** bid that is posted.

Once a duty assignment ends up as a residual after the above process is complete, then the employees of that occupational group no longer have the right to bid for the residual position. Management, under the contract, is then free to consider transfer requests from employees in the maintenance craft from other installations/districts. If there are none, then management is free to consider transfer requests from postal employees from other crafts. (That’s how some people came into maintenance in the first place.) If at that point there are no more transfer requests, then management may hire PSE custodians to cover the vacancy until they reach the PSE cap as outlined in the contract.

After that point, the residual vacancy remains as a residual position and management maintains control of it and the position does not get re-posted again. Management is then free to later place a newly excessed employee (if any) into it or accept any later transfer requests (if any), or ultimately convert the senior PSE custodian to a career status and place that person in that residual. It’s basic and complicated at the same time. If you have questions about this or anything else, ask to meet with your steward or, if necessary, call me at the GMF steward’s office at 617-728-4975 or e-mail me at bostonmaint@hotmail.com.

Lastly, it’s my sad duty again to report to the membership the loss of one of our own. This February, Tour-2 GMF Laborer-Custodian Paul Carloni passed away from cancer. Paul came into the Maintenance Craft as a custodian back in 1986. Paul was a different kind of guy with a very independent spirit. He enjoyed two things that are sometimes considered as vices. His daily coffee and some trips each year to the Foxwoods Casino. Paul was Navy veteran and really was a very kind hearted person. I hope that in his passing that he didn’t suffer. Rest in peace, Paul, and Godspeed.

— Mailing Address Update —

by Paul Kilduff, Jr., General President

To All Boston Metro A.P.W.U. Members:

We are currently updating our mailing lists, which are used for mailing out local & national election ballots, grievance information, the local publication, the “*BOSTONIAN*”, and the national publication, “*THE AMERICAN POSTAL WORKER*”.

If you are not receiving the “*Bostonian*” or “*The American Postal Worker*” at your present mailing address, please call (617-423-2798), or write to us at the local office and notify us of your correct address.

Even though you may have notified the Postal Service of a change of address, we would not be notified by them of any change. Thank you for your cooperation in this matter.

Thanks.

Dang Union, I'm Getting Out

“Dang union, I’m getting out!” This phrase, unfortunately uttered far too often, reflects how little success union officers have in earning the understanding of members. The large number of members who “elected” not to participate in our recent union elections is a symptom of this failure.

Another measure of disconnect is how few members bother to picket to save their own jobs. Far too many members actually dislike their union. Why?

Officers are elected representatives of union members. Officers are not the union! The members are the real union.

And we are an industrial union, which means we come from diverse crafts and divisions and believe “in unity there is strength”. Members have certain basic rights within our union and to be secure in those rights.

What It Means To Be ‘Rank-And-File’

While every member pays dues, it is the rank-and-file (i.e. the members apart from the leaders, officers and stewards) who must make the union’s objectives reality. Having a healthy work environment, better working conditions and a better standard of liv-

ing is up to the members, not just the officers.

You elect the officers! You have the power to direct the officers within your local, state and national union. But if you don’t use that power, you lose it!

These are your rights:

- To be respected as a human being and brother or sister of this union.
- To have freedom of speech and to be heard and listen.
- To have freedom of press and to participate in this union.
- To seek office and vote in union elections, regardless of race, color, sex, sexual orientation, nationality,

handicap, political affiliation, age or religion.

- To be secure in your basic rights without fear of political, economic, physical or psychological intimidation.

These rights are for all members, career and PSEs! We have been fighting for these rights since 1885 and must make sure they are relevant today!

What It Means To Be Union

While the post office has been around since 1775, postal unions didn’t exist until the late 1800s, and we weren’t allowed to engage in “collec-

continued on page 7

Boston Metro Local APWU Matt Bowen Memorial Scholarship Program

Rules & Regulations

American Postal Workers Union, AFL-CIO.

1. Applicant must be son or daughter of an active or deceased member of Boston Metro Area Local 100,
2. Applicant’s parent must have been a member of A.P.W.U., in good standing, for a total of at least one year

immediately preceding application, or must have been a member for one year immediately preceding death.

3. Applications for a scholarship must be made on an official application form. Completed application forms must be sent to Bob Dempsey, V.P.-Treasurer of the Boston Metro Area Local, at the address below. The Scholarship Committee, including university professors, will make the decisions as to the awards. The decision of the Committee will be final.

4. Applications received after April 15th will not be accepted.

5. Applicant must be a senior attending high school or other corresponding secondary school.

6. Applicants must take the Scholastic Aptitude Test. The S.A.T. scores, secondary school reports, and personal qualifications must be submitted with the application form by the requested deadline. Also, an essay of no greater than 300 words on a labor related subject must be submitted with the application.

7. Applicants will be judged by the S.A.T. scores, secondary school records, personal qualifications, major field of interest, references and an essay of no greater than 300 words on a labor related subject.

8. Scholarship recipient must attend an accredited college of his or her choice. The scholarship must be used towards pursuing an undergraduate degree.

9. The Boston Metro Area Local will award one four (4) year scholarship at \$1,000 a year. Scholarship award winners may not accept more than \$7,500 from any other program, and if they do, they must decline the Matt Bowen Memorial Scholarship.

10. If the scholarship winner fails to attend college in the award year, the scholarship will cease.

11. Any parent in a supervisory or acting supervisory capacity will nullify the application of the student, regardless of local membership. A scholarship winner whose parent is in a supervisory or acting supervisory capacity during the term of the award will nullify the scholarship regardless of local membership.

12. In cases where both parents are employed in the Postal Service and one is a supervisor or acting supervisor and the other parent is working in the bargaining unit, this situation would deem the application valid.

13. Applications must be received by APRIL 15th and sent to the Vice President-Treasurer, Boston Metro Area Local, American Postal Workers Union, 137 South Street, Boston, MA 02111.

MATT BOWEN MEMORIAL SCHOLARSHIP APPLICATION

This application must be received by April 15th of the year of Graduation.

NAME (Print or Type) _____

HOME ADDRESS _____
(No. & Street)

(City) (State) (Zip Code)

Tele. # _____
(Area Code)

I will graduate from _____

High School, located _____

in _____ in _____ of _____
(City & State) (Month) (Year)

Major Field of Interest: _____

My parent is _____, who has been a member in good
(Name)

standing of the Boston Metro Area Local for the past 12 months and isn’t in a supervisory or acting supervisory capacity.

Parent _____ Applicant _____
(Signature) (Signature)

OFFICIAL APPROVAL:

This is to certify that _____ is a member in good
(Parent)

standing and has been for the past 12 months in the Boston Metro Area Local.

President’s or Vice President’s Signature _____

Mail at once to: Bob Dempsey, Vice President/Treasurer

Boston Metro Area Local 100, APWU, 137 South St., Fourth Floor. Boston, MA 02111

Note: The Following Statement Must Be Signed By the Applicant

I hereby indicate my understanding that the decision of the Scholarship Committee of the Matt Bowen Memorial Scholarship Fund in the selection of scholarship winners is final and binding on all applicants. I understand that the union reserves the right at any time and without any given reason to terminate, cancel, or end the program provided that scholarships or awards already granted and/or announced shall run to the end promised and publicly stated.

In the event I successfully compete for the Matt Bowen Memorial Scholarship, I understand that if my parent becomes a supervisor or acting supervisor during the term of the scholarship, that the scholarship will cease.

I agree that should I become a successful candidate for the Matt Bowen Memorial Scholarship, I shall comply with all rules and regulations set down by the Committee for each scholarship. I understand that continuation of said scholarship shall be conditioned on evidence of satisfactory academic performance.

In the event I successfully compete for the Matt Bowen Memorial Scholarship, I hereby give my permission to the union to publish the attached essay, with my name, as was required for scholarship application.

Date _____ Signature of Applicant _____

Annual Scott Miller Rescuer's Award

Attention all APWU Members:

Boston Metro Local A.P.W.U. is proud to announce the Annual Scott Miller Rescuer's Award in memory of Scott Miller and in recognition of his accomplishments.

Scott Miller was a member of the Boston Metro APWU since 1985, a member of the Executive Board, a Trustee, and a shop steward at the General Mail Facility in Boston. Tragically, he passed away suddenly in August of 2006. Scott had many noteworthy accomplishments during his career but is especially remembered for several acts of lifesaving where his special training, emergency skills, and grace under pressure allowed him to resuscitate victims of heart attacks and choking.

This annual award is bestowed by the Boston Metro Area Local, to be given annually in recognition for lifesaving acts and heroic actions of a similar nature. It will be bestowed upon that individual whose lifesaving or first aid response in an emergency situation best exemplifies the selflessness and competence demonstrated by Scott in similar incidents. The award consists of a certificate and a cash award of one thousand dollars. Please call Boston Metro APWU at (617)-423-2798 for the full details of the award criteria and procedure.

We encourage all APWU members **across the country** to submit nominations for this year's award to the address below. The award may be given to present and retired members of the APWU and to members of their immediate family. Nominations must be endorsed by your local APWU president or secretary/treasurer and must include a description of the act, the individual's relation to the APWU, and the full name and contact information of the nominee. Any documentation in the form of incident reports, newspapers, et cetera will greatly aid the Boston Metro Local in the deciding the winner of the award.

The deadline to submit applications for this award is **Labor Day 2014**.

Send nominations and supporting documentation to:

The Scott Miller Rescuer's Award
Boston Metro Area Local 100, A.P.W.U.
137 South Street #4
Boston MA 02111

Scott Miller Rescuer's Award

Description: A Certificate of Award and a monetary prize of one thousand dollars (\$1,000), to be presented annually by the Boston Metro Local of the American Postal Workers Union, commemorating the lifesaving activities of our departed brother, Scott Alan Miller, and honoring those individuals whose acts of heroism and rescue best exemplify Scott's skill and sacrifice.

Criteria: To be awarded on an annual basis to that individual whose act or acts, in the opinion of the Standing Committee, best manifests the qualities honored by the Award. These qualities include heroism, rescue, life-saving, emergency medical response, bravery in the field of rescue, and other such attributes associated with the saving or attempted saving of human life.

Definitions: The Standing Committee will consist of the Executive Board of the Boston Metro Local *in toto*, and meeting in quorum. A majority vote is necessary for all decisions of the Standing Committee.

Eligibility: The Award may be awarded to all present and former APWU members and to members of their immediate family, including members of any actual extended family, provided the nature of the relationship is properly explained in the application. The Standing Committee is allowed to consider the degree of the family relationship and/or any relevant factors involving the nominee's participation in the APWU as a factor in the Award decision.

Nominations: Nominations may be made by any

member-in-good-standing of the APWU. They must be endorsed by the individual's Local President or Secretary/Treasurer (or by the appropriate APWU official in the case of a Member-at-Large), and must include: 1.) a description of the act or acts that gave rise to the nomination; 2.) the APWU or family affiliation of the nominee; and 3.) the full name and contact information of the nominee.

By their endorsement the Local President or Secretary-Treasurer must certify the APWU membership of the person making the nomination, and is also certifying that the events described in the nomination are true to the best of their knowledge. Newspaper clippings and other relevant documentation (including Awards from other organizations or the United States Postal Service) will be considered favorably by the Standing Committee while making their decision.

Award Procedure: The issue of the *Bostonian* that is issued first in each calendar year shall contain an announcement of the Award and its criteria, to be drafted by the Local General President or his designee. That announcement will contain the criteria for the Award, all appropriate deadlines, all **appropriate restrictions**, and proper notice of the application process. The General President is authorized to send out such additional Award announcements as he deems necessary or desirable. The general principle is to circulate notice of the Award to the widest possible extent.

The deadline for nominations shall be included in the announcement, and shall not be earlier than Memorial Day or later than Labor Day of the year in question. In the event of a large number of applications, or for any other reason, the General President is authorized to form a Review Committee to review the applications, perform any necessary investigation, and, if desirable, synopsise each application.

Immediately after the first Executive Board meeting after the closing of the nomination period, the Standing Committee shall meet in executive session and review the applications for the Award, along with any

comments provided by the Review Committee, if said Committee was convened. The Standing Committee may make a final decision on the Award at this meeting or may postpone (for any reason) the decision until immediately after the next Executive Board meeting.

The final decision on the Award must be approved by the General Membership at the regular monthly meeting. Interested parties will be afforded an opportunity to speak on the matter prior to the vote of the General Membership, subject to the normal rules of the Membership Meeting. Should the decision of the Standing Committee fail to pass the General Membership in a majority vote, the Standing Committee will repeat the above process at the next monthly meeting and once again bring a recommendation before the General Membership.

The Standing Committee is not barred from recommending for the Award a nominee who has previously been nominated but who has failed to obtain the majority approval of the General Membership. In the event that the General Membership has not approved a nomination by the end of the December membership meeting, the Standing Committee is authorized to discontinue the nomination process and recommend donating the monetary value of the Award to a worthwhile organization, as described below.

Additional Provisions: The General President of the Boston Metro Local, APWU, is responsible for producing the actual Award Certificate. Any disputes or situations not covered in the above can be resolved by the General President, subject to the approval of the Standing Committee. In the event that no suitable applications are received for an annual Award, the Standing Committee may recommend to the General Membership a donation of one thousand dollars (\$1,000) in the name of Scott Alan Miller, to be made to an organization such as the American Red Cross, a firefighter, police, or emergency medical technician organization, or some such group concerned with rescue work.

Dang Union, I'm Getting Out

continued from page 6

tive bargaining" (the right to negotiate over wages, hours and working conditions) until 1971.

The rest of the country was legally allowed to "unionize" in 1935. Postal workers were denied that right for another 35 years. To be union is to have "workers representing the interest of workers!" The union works for you! But you must make it work; otherwise it can become stale, or even worse — corrupt.

Without your active participation, your union can fall and become devoid of ideals, lack integrity, be unfaithful, become a double dealer or unprincipled. Getting out of the union does not ensure a stronger union — it's the opposite. You must stay in it, be involved, stand up and fight so that the union represents your general interests and your welfare.

Demanding Fair Representation

For the most part, members don't represent themselves. Members select representatives for the purposes of collective bargaining over wages, hours of work or other conditions of employment. Powerful entities within and outside the Postal Service are trying to kill our rights and destroy the service. While officers are heavily involved in fighting this attack, they are simultaneously obligated to:

- Enforce the Contract

- Properly investigate potential grievances and fully present grievances

- Attempt to fully adjust the grievance or appeal the grievance in a non-perfunctory manner.

Unfortunately, officers and stewards cannot change water into wine. To win a grievance, there must be a violation of the contract. We live in corporate America! The union does not direct employees in the performance of their duties, nor do we hire, transfer, or assign workers. We don't determine the method, means or personnel by which postal operations are conducted.

But you have the right to expect the union to follow and enforce clear, unquestionable contract language and to have your case decided on its merits with reasonable care and diligence. However, not all complaints rise to the level of contract violations.

Instead of saying you are getting out, GET IN! Become a steward or officer. There are only 81 national officers to serve 250,000 members. There are shortages of stewards in almost every local. We need you to step up, not out! Management spends \$400 million annually, if not more, fighting its own employees. The union depends on your dues and involvement to fight back! You can't spell UNION without "U" and "I"!

— reprint by Omar M. Gonzalez, A.P.W.U.
 Western Region Coordinator



by Robert Keough, Director Industrial Relations . . .

Know Your Rights

Before submitting to questions, employees should confer with a union representative, and ask inspectors the nature of the investigation. If the investigation potentially relates to a criminal offense, the steward should advise the employee to immediately inform the postal inspectors or Inspector General agents that he or she wishes to consult with an attorney before proceeding.

Even when employees are told that what they say won't be used against them, if the matter under investigation is criminal in nature, the steward or the employee should advise the inspectors or OIG agents that the employee wishes to contact an attorney.

Under no circumstances should an employee sign any form or make any statement until he or she has consulted with an attorney. Even if an employee's statement isn't used, the employee may be charged in a criminal proceeding.

Keep in mind that inspectors and OIG agents are seeking information that is likely to lead to discipline and/or criminal charges. It is important to have a steward present to provide advice and to actively assist employees during an interrogation. The steward should attempt to clarify the facts, and assist the employee in articulating an explanation. If the steward discovers that the employee is under arrest or is a suspect in a crime, or if the steward believes that the employee may be a subject of a criminal investigation, he or she may appropriately advise the employee to remain silent and refuse to sign any statements or forms until he or she has consulted with legal counsel.

The CBA, The Courts

Employees should become familiar with their rights under applicable provisions of the National Agreement, and with landmark court decisions that come into play during workplace interrogations, such as

the Weingarten ruling and the Garrity and Kalkines warnings.

Article 17.3 of the Collective Bargaining Agreement (CBA) states in part, "If an employee requests a steward or Union representative to be present during the course of an interrogation by the Inspection Service, such request will be granted." The Postal Service has acknowledged that this requirement applies equally to the OIG.

The right to assistance from union representatives during investigatory interviews was upheld by the U.S. Supreme Court in 1975 in *NLRB v. J. Weingarten Inc.*, 420 US 251. The Weingarten rule affords an employee a right to representation during any investigatory interview that he or she reasonably believes may lead to discipline. It is important to stress to employees that they must request union representation since management (or postal inspectors or OIG agents) are not required to notify them of their right to representation.

The Weingarten decision specifically provides that an employer must choose among three options once an employee requests union representation: (1) Grant the request and delay questioning until the union representative arrives; (2) Deny the request and end the interview immediately; or (3) Give the employee a choice of (a) having the interview without representation; or (b) ending the interview.

The Warnings

During investigative interviews with employees, OIG agents may provide warnings that are based on several court rulings, including *Garrity v. New Jersey*, 385 U.S. 493 (1967) and *Kalkines v. United States*, 473 F.2d 1391 (Ct. Cl. 1973). These cases relate to the principle that public employees cannot be disciplined or discharged because they invoke the Fifth Amendment privilege against self-incrimination.

In the Garrity ruling, the Supreme Court concluded that because employees were coerced by the employer's threat of removal if they invoked their right against self-incrimination, subsequent prosecution of the employees could not rely on statements of the employees or the "fruits" of such statements. The case now stands for the principle that using the threat of discharge or any other substantial economic penalty against public-sector employees during an investigation of potentially criminal matters is coercive, and any consequent disclosure is inadmissible in a criminal trial.

The Kalkines case dealt with a federal employee who refused to answer questions based on his Fifth Amendment rights. The Court held that although the employee could not be discharged for invoking this right, "a government employer is not wholly barred from insisting that relevant information be given; the public servant can be removed for not replying if he is adequately informed both that he is subject to discharge for not answering and that his replies (and their fruits) cannot be employed against him in a criminal case."

In other words, employees who are given immunity from prosecution should not expect to rely on their Fifth Amendment rights as justification for refusing to answer questions; if they decline to answer questions, the government may discipline them for failing to cooperate with the investigation. Of course, such discipline is subject to appeal through the grievance procedure.

When an OIG agent presents an employee with a Kalkines warning — which allegedly conveys a grant of "use immunity" — it is appropriate to ask for the name of the U.S. attorney who authorized the grant of "use immunity." In the absence of corroboration that such immunity was actually granted, a steward may advise the employee to not sign the Kalkines Warning until he or she has consulted with legal counsel.

The most important thing to remember when you are questioned by postal inspectors or the OIG is that you have the right to request a union representative. No one should face an Inspection Service or OIG interrogation without the assistance of a union representative or a private attorney. APWU representatives are trained to assist employees in these circumstances.

Over the course of a year our local files thousands of grievances. A steward's primary responsibility is contract enforcement. When management violates the contract, a grievance should be initiated. There is a price they must pay when they violate the contract. The contract was negotiated to protect you and your rights. Many men and women put their jobs on the line during the "Strike of 1970" to fight the poor working conditions and low wages. The contractual rights and protections we enjoy today were not just handed to us; they were fought for. Thanks to the courage of those who came before us, we enjoy a decent contract. It is our responsibility to enforce the contract.

All too often a member sits down with the OIG or the inspectors without a steward present. Most, if not all, result in removal. I am reprinting the following; it appeared in the September 2009 issue of the American Postal Workers Magazine. Please take the time to read it and know your rights.

Visits by postal inspectors or OIG agents — which are usually unannounced — often catch employees by surprise, and sometimes cause them to panic. Our stewards, officers and arbitration advocates are doing an excellent job of defending union members, but this article should remind employees of their rights. After all, when you exercise your rights to the fullest, you help protect yourself the most. And unfortunately, postal inspectors and OIG agents have persisted in conducting overly zealous investigations that have resulted in employees being wrongly accused and issued notices of removals.

Investigations by postal inspectors or OIG agents usually concern alleged employee misconduct in the workplace, but they also may relate to alleged violations of the law that could result in criminal charges. Whenever inspectors or OIG agents seek to interrogate an employee, the matter should be treated very seriously. Employees should always assert their right to assistance from a union representative. It is also important that employees be alerted not to give oral or written statements to OIG agents or inspectors unless they first have obtained advice from their steward and/or their attorney.



BOSTON LOCAL - APWU
137 South St., 4th Floor
Boston, MA 02111

Address Service Requested

DEADLINE
for the next issue of *The Bostonian* is
May 1, 2014

Any member or officer wishing to submit an article is advised to send it, typewritten and double spaced, to the Union Office by the deadline date. (Articles subject to editing and available space.)