

Postal Worker West

ISSUED BY
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President Urged to Nominate Postal Governors

Washington DC– Citing slow delivery rates, price hikes, and other factors members of Congress are calling on the White House to act on USPS Board of Governors (BoG) vacancies.

More than 86 Congressional Representatives sent President Biden a letter urging the President to swiftly nominate two new Board members to ensure no disruption in service to the American people. They further urged that his candidates be “wholly committed to lowering costs for everyday Americans and restoring the Postal Service as a public good to be enjoyed by all and not only those who can afford expensive specialty services.”

There are currently two vacancies on the BoG which became vacant in early December last year. The letter pointed to the importance of having a full, diverse and future-oriented BoG to uphold USPS’s mission of public service.

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And So It Begins

Forced Reassignments Begin February 24

USA– The first major impacts under the PMG’s *Delivering For America* and so called “Modernization” plan affecting hundreds of employees is set for the first day of Pay Period 6 FY 24.

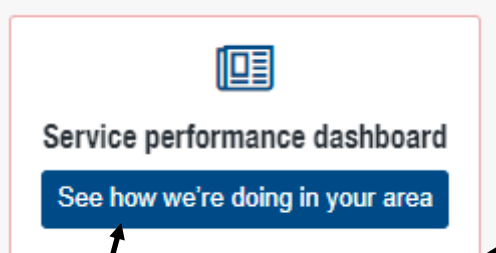
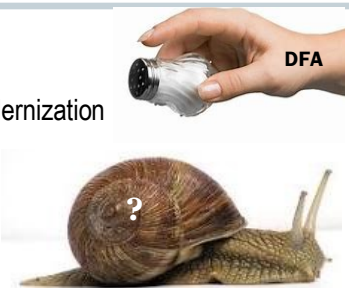
When the reassignment of employees is to outside of the employee’s installation the date on which the reassignment occurs is the same for all impacted employees within the same Area in which excessing is occurring.

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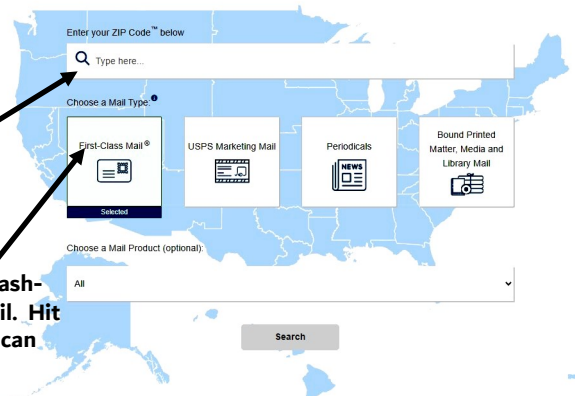
HOW BAD IS SERVICE UNDER DFA?

The PMG’s *Delivering For America* plan and his slick TV ads promise that the so called modernization of the Postal Service will improve service. However, throughout the country reports about about poor services and delayed mail service.

When Local Unions protest the lack of quality service to the community while fighting against consolidations, Postal spokespersons rebut by claiming the Union is wrong. Union members have a valuable tool at their disposal to show degradation of service to counter management claims. The tool, a service performance dashboard, is required under the Postal Reform Act of 2022.



Go to about.usps.com/what/performance. Click on the performance dashboard link. A map will appear. Add the zip code. Choose the type of mail. Hit Search. A specific time period before *DFA* changes and current period can be selected. The data will reflect if performance went up or is down.



Forced Reassignments

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There are currently 59 proposed consolidations and/or studies underway. In the west, Casper WY, Fresno CA, Grand Junction CO, Yakima WA, Santa Barbara, Reno, Missoula are among those identified for likely movement of mail operations out of the installation. Most are expected to have impacts on staffing currently slated for May-Sept.. (The PMG announced more to come.)

Ventura-Main CA and Provo UT are having the excessing this month. Attrition continues to apply and will be monitored to lessen the impact.

The PMG is on a quest to consolidate 400 delivery units often resulting in schedule changes. Billings MT and Salem-Vista, like many other, installations are experiencing out of section excessing covered under Article 12 and LMOUs.

The PMG's so called 'East-West Initiative' so far is impacting Salt Lake City, Denver and Seattle. Almost all installations will fall under DeJoy's so called *Transportation Optimization* delaying the pick up, processing and delivery of mail matter deposited by the public at post offices and neighborhood boxes.

Regional Processing & Distribution Centers in Portland will affect Eugene, Medford, Salem, Pendleton and Beaverton OR. Santa Clarita will be activated this month followed by Boise in April.

Withholding & Forced Reassignments

When actual excessing occurs USPS Denver Area offices issue notice to the Regional Coordinator. As much as six (6) months advance notice is required by the union contact.

The Coordinator notifies the Locals and the provisions of the contract pursuant to Article 12 apply including reserving vacancies, the right of employees to get transfer priorities, application of attrition, reducing the supplemental workforce and restricting reassignment to within 50 miles.



HELP APWU NATIONAL UNION FIGHT FOR IMPROVED SERVICES AND YOUR JOB

The National Union needs your help to protect staffing and improve services. Members are urged to go to apwu.org/staffing and be proactive in the fight to protect jobs by fighting for

better postal services.

Members must get involved in community outreach, engaging co-workers, involving the public in the fight by establishing and documenting service failures. The Locals are encouraged to share strategies.

"Every member MUST get involved", pleaded Regional Coordinator Omar Gonzalez "Help us hold management accountable, collecting evidence and demanding better staffing for better postal services," he implored. Now is the time to get involved! At the very least visit apwu.org/staffing then decide to help fight to keep the USPS viable and protect government jobs.

"CHANGE IS NEVER EASY"

PMG Tells D.C. What To Expect Under His DFA



In a letter to Congress and the President, PMG DeJoy tried to explain why changes made under his restructuring plan did not produce the savings promised, blaming \$2.6 billion of the \$6.5 billion loss on inflation.

The letter sent in January also revealed the PMG's near term plan will include:

- ◆ \$2.5 billion cuts in regional network transportation and local transportation.
- ◆ \$1.5 billion cuts in Processing & Distribution
- ◆ \$1 billion cuts in Retail & Delivery

The PMG claims these initiatives will be implemented with transparency and in consultation with "internal stakeholders." (These stakeholders include employee Unions.) The National Union has complained that there is no real transparency on these plans.

Often the Union is given minutes advance notice of changes.

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When The Boss Is Leading You On



While the vast majority of postal employees never face discipline in their entire career, hundreds of their fellow co-workers will face unjust discipline up to and including termination from employment.

Per Articles 3 and 16 of the contract management can take disciplinary action against employees for misconduct. Management must prove misconduct occurred. The Union contract imposes six (6) tests the bosses must pass in order for the discipline to be for justified.

The Contract Tests and The Supreme Court

A Supreme Court ruling, called Weingarten, requires that whenever an employee is being questioned and the employee reasonably believes the interview can lead to discipline a Shop Steward, if so requested, must be provided.

Management must conduct a thorough (complete in every detail) and objective investigation to include the employee's day in court privilege **before discipline is issued**. The employee should be informed with reasonable detail what the charges are and be given a reasonable opportunity to **defend** him/herself.

Scripts and Trips

In far too many instances, the boss has already decided discipline is going to be issued before the 'Investigative Interview' (I.I.) is conducted.

The supervisor, going through the motions, uses a 'script' of questions someone else wrote to 'trip' the employee into answering how management wants so they can justify the discipline.

The scripted questions are usually '*leading or misleading questions.*' Employees facing an I.I. must demand a Shop Steward be present and be extra careful to understand the questions BEFORE answering by being alert for misleading questions from the supervisor.

Stewards also must advise employees of the right of the steward to be proactive. Although the steward cannot answer for an employee he/she

can and must be more than an observer and properly interject to misleading questions to clarify them.

Here are some examples of the scripted questions:

Implicating– posed so as to link a current issue to a previous one or assuming something occurred “*You were told about your poor attendance record previously were you not?*” “*You have been instructed on proper lifting procedures correct.*”? The Steward or employee should ask– When? By Whom? What instructions? Can we see the rules? etc.

Coercive– posed to force a particular answer “*What have employees been told about following instructions?*” “*Would you say your attendance is regular or good?*” The Steward or employee should ask- “When were employees told? By whom? “What defines regular attendance?” “Can we see the rule that defines regular?” “What defines a good record? etc.

Open Questions– posed in a way to have employees implicate themselves. “*You have five unscheduled absences, explain why you did not come to work on those dates*” The Steward/employee should ask- “Can we see the PS 3971s and the PS 3972”, as well as, medical or other substantiations covering the dates. “Why were absences after the first day of a multi day absence marked unscheduled?” etc.

Assumptive/Agreement - posed to get the employee to incriminate themselves. “*Scanning is important to your assigned duties isn't it.*” “*You could have done something to have avoided the injury correct?*” The Steward/employee should ask-“what duties?” “Done something like what?” “Can we see the JSA?” etc.

Rights Under Postal Rules & Weingarten

Employees are required to cooperate and be truthful in their answers. However, if asked leading questions clarification must be sought. Employees have a right to speak privately with their Shop Steward. Employee and Steward can take notes and can ask to see the evidence to get details about what charges management has. **DON'T BE MISLEAD- STAND UP !**



Careful! What You Post

Far too many postal employees are on social media with little or no concerns about what they post regarding the US Postal Service, their jobs and the possible consequences involved.

USPS itself is on various platforms using various media resources such as, X (former Twitter), Instagram, Pinterest, LinkedIn, YouTube, Facebook and it's own platforms USPS Newsroom, usps.com and their intranet.

Postal management established guidelines for using social media in the ASM (Administrative Support Manual). Postal officials monitor and track social media posts that use the words USPS, Postal Service, Post Office and other "brand" names and logos.

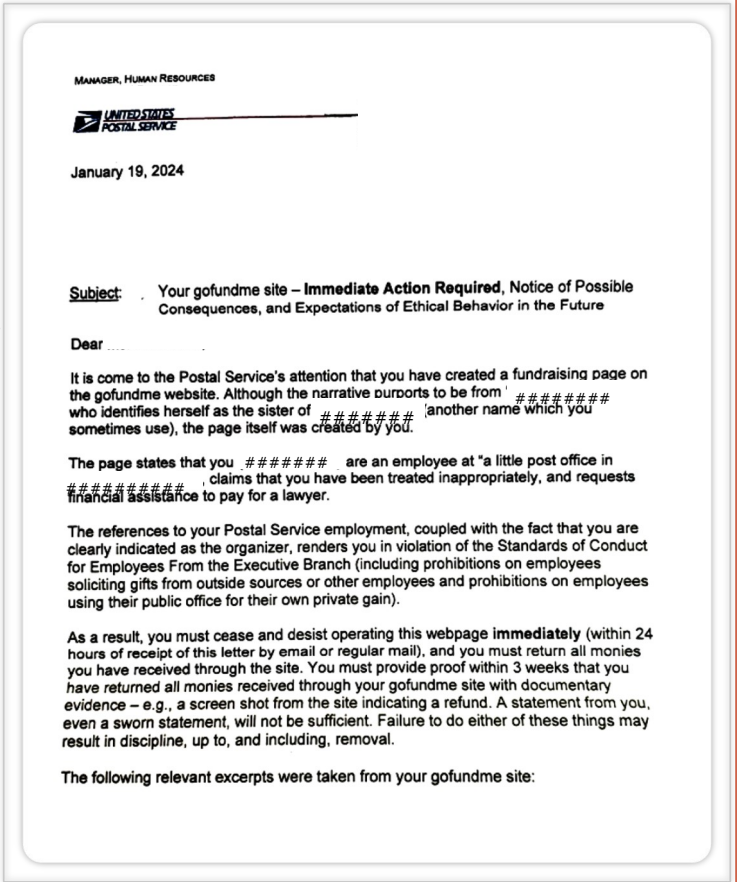
The Inspection Service *Communications Governance and Strategy Group* also deals with social media issues.

Recently management accused an employee, fighting removal, with violating ethics regulations found in the Standards of Conduct for Employees From the Executive Branch for posting on GoFundMe. { see letter to the right }.

"Policies prohibit employee's from speaking on behalf of the USPS on websites, blogs and social media without permission", said Regional Coordinator Omar Gonzalez. The Coordinator cautioned employees not to post in uniform and to wary of derogatory comments that management may twist to take disciplinary action.

"Of course employees 1st amendment rights, may extend to the workplace to be applied on a case-by-case basis and ELM 667.12 regulations can not be construed to infringe on the rights to participate in labor organizations, it is best that employees use common sense when posting about their job or their Employer", said Gonzalez.

"Any discipline issued is subject to the tests for 'Just Cause' provided for in Article 16 of the CBA," added Omar. **Keep in mind Management monitors the wide world of web all the time!**



Board of Governor Vacancies (continued from page 1)

The February 1st letter from Congress revealed that many of them hear daily from constituents who rely on the Postal Service and that America deserves a postal service that serves all communities and prioritizes the needs of those who are too often forgotten, including rural Americans, tribal communities, seniors and small businesses.

"Contrary to what some may believe the PMG does not determine all Postal Service activities," said Regional Coordinator Omar Gonzalez. "He is one of the USPS Governors as is his Deputy PMG. While the daily operations of USPS are handled by the PMG his boss is the BoG," added Gonzalez. There are 11 members on the BoG, nine of which are appointed by the President with consent of the US Senate. These nine select the PMG and then the 10 select a Deputy PMG. The Postmaster General serves at the pleasure of the BoG.

The BoG is critical to the proper functioning of the U.S. Postal Service. It controls expenditures, reviews policies and practices and long range planning. Pursuant to law, no more than five Governors may be from the same political party. The current PMG is a Republican while the Deputy PMG is reported as an Independent. There was no known immediate response to the Congressional Rep.'s letter at press time.

“Where Is My Grievance?”

There are 4,333 + grievance appeals backlogged in the Region at press time as reported by National HQ:

Overview

Direct Appeals* 248

Arbitration+ 3,252

Step 3 Appeals 880

* These are grievances appealed to arbitration but are set aside to be reviewed by NBAs and LR Managers intended to “expedite” cases.

+ includes appeals from Step 2 to arbitration which includes cases of AWOL, discipline, Higher level, OT, Leave issues, letters of demand, safety & health, seniority disputes, LMOU disputes

Pending Arbitration Reviews/Hearings

Step 3 Pending Cases

District	Clerk	Maint	MVS	Clerk	Maint	MVS
AK	7	4				
AZ-NM	533	137	89	19	4	
CA-1	315	15	37	150	27	4
CA-2	275	79	35	113	21	
CA-3	42	16	4	22	9	1
CA-4	24	6	3	26	1	
CA-5	103	89	6	24	6	
CA-6	82	205	4	59	49	3
CO-WY	90	20	29	18	5	
HI	2	3		2		
ID-MT-OR	261	88	243	65	9	9
NV-UT	102	42	4	70	1	4
WA	196	80	52	79	7	12

There are hundreds of more appeals with no USPS tracking numbers on an “Exceptions Report”

So what about my grievance?

Local members file grievances over a variety of disputes which are grieved at Step 1 (work floor) then appealed to Step 2 (local level). If not resolved those cases are appealed to Step 3 or directly to arbitration depending on the dispute. (National level)

Once appealed to Step 3 or arbitration the Local Union no longer handles the grievances. The National Union becomes responsible for representing the grievant. National Business Agents (NBAs) discuss the grievances with postal Labor Relations designees. The CBA imposes a 15 day time limit to meet after the grievance has been appealed. Management must render a written decision within 15 days after that. Adverse decisions are required to be appealed to arbitration within 21 days after receipt of the written decision. CBA Article 15 Sec. 5 outlines how grievances are placed on pending arbitrations lists and how to avoid loss of available hearing times. [The CBA provides for mutual extensions of time limits. However there are cases eight (8) years old pending]

It Is A People Problem

The grievance-arbitration procedure outlined in Article 15 provides for the expeditious handling of grievance disputes. Amazingly, but not surprising, both NBAs and Area Labor Relations Designees point fingers at each other as to why the backlog exists. The CBA requires both parties to act “in good faith” which calls for an honest effort to fulfil the contract requirements.

Regional Coordinators no longer handle arbitration scheduling. Under JASS (Joint Arbitration Scheduling System,) the NBAs and their management counterparts pick and chose hearing dates and blame each other for not selecting dates. The National Union Constitution established “Arbitration Advocates” appointed by the President to assist in handling the backlog. However, if dates are not selected hearings do not occur and the backlog mounts.

Efforts to Deal With the Issues Thwarted

Despite various MOUs on handling arbitration reviews the issues with the grievance-arbitration process persist. The National Union’s Leadership met various times over the last 10 months to discuss how to better address the problems with the system. The Leadership agreed to revamp and update the signatures on a 2002 field policy issued under former APWU President Bill Burrus that had worked to reduce the backlog. The effort to revamp the policy was to no avail.

The National Clerk Director insisted that he ***“the Director shall be responsible for the Division; for processing ALL grievances in the Division and that the NBAs are under his supervision.”***

No further action was taken to update the field policy. **If you are a clerk and have filed a grievance that was appealed to Step 3 and/or arbitration and you have concerns on the status call the National Clerk Craft Director at (202) 842-4220.**



RANK & FILE COMMITTEE APPOINTED

Members of the National Executive Board have named the Constitutionally required critical bargaining advisory committee that has veto power over any tentative contract.

The Rank & File Bargaining Advisory Committee will meet in Washington DC prior to the start of negotiations on a new contract. The Committee will establish its structure, review contractual resolutions voted on by delegates to the Convention and will then meet with the Union's top negotiators.

Regional Coordinator Omar Gonzalez appointed San Diego Area Local President *Bob Waterhouse* to represent the Western Region. "This important Committee serves as the independent voice of the membership in contract negotiations. I am confident Brother Waterhouse will fulfill the responsibility that comes with serving," expressed Regional Coordinator Omar Gonzalez.



Postal Quips

COVID TESTS will continue to be fulfilled at kitting and labeling centers. A memorandum was signed by the National Union and USPS Management to continue the Fulfillment Centers located at the City Of Industry and Sacramento. Such centers will also continue in Cleveland, Indianapolis, New Jersey and St. Louis.

PMG's BREAK EVEN PROMISE has failed and likely will fail in FY2024. The PMG promised to break even in 2023 under his Delivery for America plan. USPS reported a \$6.5 billion loss in FY23. Blame for the failure was placed on inflation.

CONSOLIDATION STUDIES announced in Stand Ups are scripted by Postal Management's Corporate Communications. These are all the same nationwide. The "talks" usually mention the number of employees to be impacted. These numbers are not official until the Postal Area Office issues Withholding Notice to the Regional Union and an official Work Hour Impact Report. Employees should not panic but need to be prepared!

PMG continues fighting oversight efforts from the Postal Regulatory Commission (PRC) on his restructuring plan he calls *Delivering For America*. The quarrel stems from the PMG's claim the PRC is over stepping its authority. He refuses to turn over information requested by the PRC accusing the oversight agency with interference. Time will tell who prevails in this internal fight. Interestingly, the BoG funds PRC.

RECENT POSTAGE HIKE sparked rare congressional bi-partisan reaction in which representatives protested the increase in postage prices. These elected officials called on the Board of Governors to intervene. So far, the PMG appears to be ignoring the increased scrutiny of his restructure plan.

PMG To D.C. "Change is never easy" (continued from page 2)

In the midst of all these cuts and changes the PMG claims the "aim" is to minimize service disruptions.

DeJoy boasted that 96% of the public receive their mail within 3 days and that during the period which included peak season over 55% of the mail was delivered "a day in advance" of service standard, with 96% of that delivered within 24 hours of their service standard. "What he does not explain is that the PMG changed the delivery standards," said Regional Coordinator Omar Gonzalez.

While claiming improved 'stakeholder engagement' and service performance the PMG also pointed to 15 years of inadequate responses to changing times and seemingly blamed stakeholders who resisted change for "parochial reasons." The 2 1/2 page letter was full of postal speak such as the boast that DFA "initiatives deploys logically sequenced processes and maximizes cost efficiency."

"The PMG blames employee Unions in his postal speak. We, the employees, represented by the Union are "stakeholders". This PMG claims our concerns are parochial, meaning we only care about our concerns," declared Coordinator Gonzalez. "If fighting for better services we provide to the community, fighting for proper staffing and job security is parochial in his eyes so be it. But fight we will!" exclaimed Gonzalez.