

Top Flight

Winter Edition

2014

Reflections

As I see the light at the end of the tunnel as far as my Postal career is concerned, I began to reflect on my years as a Union Official, two things have always remained constant.

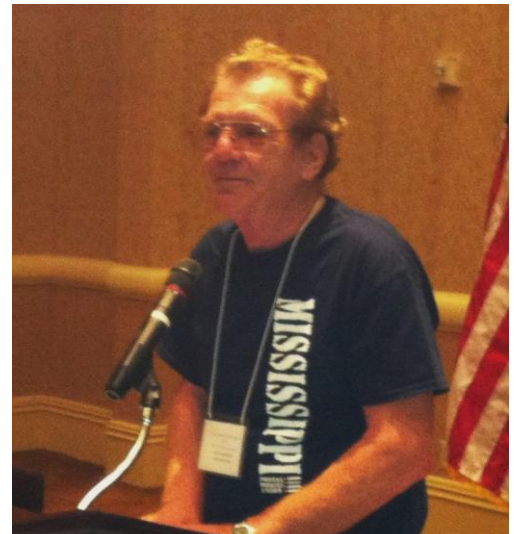
The first being that the Postal Service will never get rid of a bad supervisor unless they do something illegal outside the Postal Service

The second being that the Postal Service at the Local level, will almost always violate the contract.

I have fought many battles with Postal Management. I soon discovered that I was teaching Supervisors about the contract that the Postal Service doesn't take the time to train their new managers on. That's why the Postal Service always tries to recruit Union Officials into Labor Relations, because they know the Union trains their stewards.

Labor Relations is nothing but a Loss Prevention Department. Their job is to try to keep the dollars spent on grievances to a minimum. They have no more power to control bad managers than we as Union Officials have.

The hardest job of any Steward is to gain the support of the employees they represent. Every steward reading this will shake their head in agreement when I say that you have employees who come up to you with a complaint, but when you ask them to put it in writing, they suddenly back away with excuses of, I don't know how to do that, or I don't want the Supervisor to retaliate against me. These are legitimate reasons in the employees mind.



Mark Cunningham, President MPWU

A steward, without any documentation or statements, will not prevail in the grievance/arbitration process. Just because an employee said it happened, doesn't make it true. This is what we refer to as "hearsay" evidence, and no arbitrator will allow hearsay evidence in a hearing. If the steward didn't see it, or can not request information to support their argument, then the grievance will be lost

Over the years, most complaint have concerned breaks. There is no contractual language covering breaks. That is unless your local has negotiated it into their local

memorandum of understanding, and I doubt that. Breaks are normally "past practice" events that have gone on for long periods of time. There would only be a grievance if the new Postmaster decided to change the breaks from 15 minutes to 5 minutes. But, when you take your breaks is totally up to management.

Simply put, if it is not covered under our contract, it's not grievable. It might be an EEO and not a grievance. The two are completely separate.

The future. Now that we have PSE's in our contract, they will be the future of the Postal Service workforce. Management hasn't realized that yet and are treating them poorly in my opinion.

The Postal Service imposed a national hiring freeze in 1998. Since that time there have been very few career employees hired in the Postal Service. The Postal Service lost an entire generation of potential work force by doing this.

Now that we have PSE's the Postal Service went on a hiring frenzy. But, the turnover rate on PSE's is high. The only other craft that has a higher turn over rate is the Rural Carrier Craft.

What I fear for the future is that the Postal Service will get such a bad reputation from PSE's who were treated poorly, that no one will want to work for the Postal Service. It will have a snowball effect as time goes on.

The future for Postal Employees depends on what the New APWU administration can accomplish in 2015 when our contract expires and what the stewards do in the work place on a day to day basis. Please support your steward, even if they tell you that you don't have a grievance.

By the way, I have no intention of retiring



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from the APWU. In a way, it would give me more time to help the stations throughout the State if I didn't have to worry about having to report for work every day and working "mandatory overtime".

Mark Cunningham

2014 Tri-State Training Seminar
And
Alabama, Mississippi, Tennessee
State Conventions
April 14 – 18, 2014
Harrah's Casino and Hotel, Tunica MS

Room rate is \$69.00

Make hotel reservations online at

<http://www.totalrewards.com/hotel-reservations?propCode=GTU&groupCode=S04APWU4>

Registration Sunday Afternoon/evening, \$35.00 per person
 General Session starts at 9:00 Monday, April 15, 2014

Please try and pay in advance, make check out to
 Memphis, TN Area Local, P. O. Box 2174, Memphis, TN 38101

Events Schedule

Sunday	4/13/14	Registration	
Monday	4/14/14	9 – 12 1:30 – 4:30	General Issues Classes General Issues Classes
Tuesday	4/15/14	9 – 12 1:30 – 4:30	General Issues Classes Craft Breakouts
Wednesday	4/16/14	9 – 12 1:30 – 4:30	General Session/Open Forum State Conventions Begin
Thursday	4/17/14	9 – 12 1:30 – 4:30	State Conventions Resume State Conventions Resume
Friday	4/18/14	9 – 12	<i>State Conventions end at noon</i>



President's \$52 COPA Club

This is a club EVERYBODY should belong to because it's so easy to join; it only costs a person \$1 per week!

The proceeds go towards COPA, a political action committee that supports electing politicians who fight for the causes we support.

The corporations have their PAC's lobbying Congress everyday on their behalf. We all know what that means. It means they are lobbying Congress to cut you out of your job, your pension, your health benefits and your right to work and form a union.

Who do you have lobbying for you on your behalf?

Join COPA today!



Welcome new member to the \$52 Club ***Tamara Wilkerson, MS Coast Area***

Sandra Spencer
Mark Cunningham
Anthony Puckett
Sunny Thigpen
Dianna Blackwell
Kenneth Owens
George Collins
Patricia Lampley

***"All labor that uplifts humanity
has dignity and importance and
should be undertaken with
painstaking excellence."***

Martin Luther King Jr.

Jerry McIlvain
Reco Colebrooke
James Dawson
Lewis Johnson, Sr
Jerry Moore
Joe Miller
Timothy Eaton
Tamara Wilkerson

The **TOP FLIGHT** is the official publication of the Mississippi Postal Workers Union. The opinions and views expressed in this publication are those of the writer, and do not necessarily represent the opinions of the Editor or the Executive Board of the MPWU.

All submissions are welcome, but may be edited, when necessary, for space or clarity.

Send submissions and change of address information to:

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From the MS FEDS Director

Brothers and Sisters:

How would you like to belong to a great organization? This organization was created to show empathy for families of our fellow co-workers who have died because of illness, accidents or just old age.

When a loved one dies emergency situations arises and the insurance plans have not had the time to pay for the necessary expenses. A group of employees thought highly enough of their co-workers that they wanted to do something to help the families in emergencies. This, the death of a co-worker, counts as an emergency.

Believe me, some things the family is never prepared for and these funds come to be very useful in the event of death of a family member.

I, a member of the MS-FEDS, am asking that we as a Union come together and support the Fund that would help our fellow co-workers should the need arise. Please join this wonderful organization and show some support for the families.

PLEASE SIGN UP AND JOIN THE MS FEDS BENEVOLENT ASSOCIATION!

Limiting Excessing: A Top Priority

One of the chief goals of the union during last year's contract negotiations was to alleviate the problems imposed upon our members by excessing. Given the business climate we find ourselves in today, with the Postal Service attempting to close hundreds of post offices, stations, branches and mail processing operations, this was a paramount issue.

We successfully negotiated several changes to Article 12, which governs excessing, and to related Memorandums of Understanding (MOUs) that improve the rights of union members.

One of the cornerstones of our new contract is an MOU on Minimizing Excessing, which remains in force for the duration of the 2010-2015 Collective Bargaining Agreement.

The most important new right gained in the MOU is the prohibition on excessing beyond 50 miles from an employee's home installation. The 50-mile driving-distance radius is measured from the plant, where one exists, and from the main office where there is no plant. The same rules apply to the gaining installation.

The APWU also successfully negotiated several alternatives to excessing. Before employees are excessed outside the craft or installation, the Postal Service must review its operations to create more efficient duty assignments within the installation. The USPS must also look for scheduling opportunities to offer duty assignments that are consistent with local operational needs in order to reduce or eliminate the need to excess employees. For instance, management could create Non-Traditional Full-Time (NTFT) duty assignments, consider work that had previously been contracted out, or return work improperly being performed by EAS personnel, etc.

In the Clerk Craft, we negotiated changes to the Transfer Opportunities to Minimize Excessing MOU. Clerks in impacted installations are now permitted to voluntarily transfer (based on seniority) into residual Clerk Craft vacancies within their USPS district or within a 100-mile radius of their installation in order to reduce or eliminate excessing. This Clerk Craft-to-Clerk Craft transfer right, which utilizes the eReassign system, works much like a bid, with the senior applicant awarded the transfer opportunity.

Management's obligation to separate PSEs or minimize the use of PSEs prior to excessing career employees from the craft or installation continues, as was previously required for casuals. In addition, Article 12 was amended to require the Postal Service to identify duty assignments currently held by PSEs in nearby installations within the appropriate radius.

Perhaps the most important protection for our membership is the extension of the no-layoff clause in Article 6 of the contract. Members who have six years of continuous service with at least 20 pay periods in each of the six years are protected. Additionally, we negotiated a Memorandum of Understanding that provides no-layoff protection for the life of the contract to anyone hired before Nov. 21, 2010.

As is true for all of our contractual rights, the vigilance of our members is what prevented Congress from taking them away, and is what will ultimately preserve these rights.

Read more about excessing at APWU.org.



All Craft Conference 2013

I attended the All Craft Conference in Las Vegas the week of November 4th.

All of the newly elected National Officers and many of the departing Officers were in attendance.

There were many excellent classes conducted during the week

I attended classes on Small Office issues which dealt with Management performing craft duties mostly.

Arbitration Analysis which covered interpreting Arbitration Awards. This was a good class for Advocates as well as Stewards in that it gave Stewards an insight into what transpires at an arbitration hearing.

Excessing – which of course is

pertinent to the State of Mississippi with all the processing facilities that are closing down. If you know Article 12, then you know all the rules about excessing.

FERS Retirement – which of course pertained to anyone thinking about retiring under FERS. This was a very confusing class because it covered a lot of different scenarios which do not apply to everyone. The most helpful aspect of this class was all the online links they provided to assist anyone considering retirement.

On Wednesday there was an all day General Session where all the Officers gave their reports from their respective crafts. They brought the delegates up to date as to what has been transpiring in Washington.

The newly elected officers also addressed the delegates. It's too early to form an opinion. It rather reminded me of a political candidate who has just been elected. They were non-committal on their plans in the near future.

I was rather disappointed when I learned the election results. Only 25% of the eligible voters bothered to send in their ballots. To me it was a very effective political move when I received a "Membership Team" campaign add the same day as I received my ballot.

The members that voted have spoken. I will do as I have always done in the past. I will support the new Executive Board. I will probably still question some of the things they do the same as I did with the departing board.

It's the same as with our contract. I may not agree with the language, but I will defend it anyway to the best of my ability.

On a personal note. I will sorely miss Mike Morris as he announced his retirement from the APWU after the election results were reported. Mike was our Business Agent when I first entered the Clerk Craft from the Mailhandler Craft. I quickly learned to trust and respect him as I was learning the ropes as a new Local President. He did a tremendous job representing Mississippi, Alabama and Tennessee as Business Agent.

He worked hard as the Assistant Clerk Craft Director then as the Industrial Relations Director.

The Union will really miss his personality and knowledge.

I hope he has a happy and prosperous retirement.

Mark Cunningham

Senate Panel Approves 'Disastrous' Postal Bill *Unions Promise Fierce Opposition*

APWU Web News Article #023-14, Feb. 6, 2014

The Senate Committee on Homeland Security and Governmental Affairs approved an amended version of a postal bill (S. 1486) that faces vehement opposition from the four postal unions. The committee with oversight responsibility for the Postal Service passed the measure by a vote of 9-1 on Feb. 6.

"This was a bad bill that was made worse by the 'substitute' version that was introduced last week," said APWU Legislative and Political Director John Marcotte. "Today the committee amended the bill around the edges but gave no relief to workers and no long-term assurances to the American people about their mail service."

The bill, which was introduced by Sen. Tom Carper (D-DE) and Sen. Tom Coburn (R-OK), would:

- Threaten 100,000 full- and part-time postal jobs;
- Lead to pension cuts;
- Weaken workers' position in upcoming contract negotiations;
- Require the USPS to pre-fund workers' compensation by \$17 billion, further strangling USPS finances;
- Permit the USPS to close and consolidate mail processing facilities after two years;
- Allow the Postal Service to further reduce service and delivery standards;
- Eliminate Saturday delivery after 2017;
- Eliminate door-to-door mail delivery for new businesses and households, and
- Expose injured workers to impoverishment once they reach retirement age.

Voting in favor of the bill were: Sen. Carper, Sen. Carl Levin (D-MI), Sen. Mark Pryor (D-AR), Sen. Claire McCaskill (D-MO), Sen. Mark Begich (D-AK), Sen. Tammy Baldwin (D-WI), Sen. Heidi Heitkamp (D-ND), Sen. Coburn, Sen. Michael Enzi (R-WY) and Sen. Kelly Ayotte (R-NH). Sen. John McCain (R-AZ) and Sen. Ron Johnson (R-WI) voted in favor of the bill by proxy, but proxy votes were not recorded.

Sen. Jon Tester (D-MT) was the lone recorded no vote. Others who voted no by proxy were: Sen. Mary Landrieu (D-LA), Sen. Tammy Baldwin (D-WI), Sen. Rob Portman (R-OH) and Sen. Rand Paul (R-KY). Proxy votes were not recorded.

Amendments adopted on Feb. 6 would:

- Allow firearms in postal parking lots, provided there is no conflict with state and local regulations;
- Permit the Postal Regulatory Commission to overturn plant closures, and
- Postpone plant closures and changes to service standards until one year after the Comptroller General issues a report on USPS compliance with service standards.

"This disastrous bill would severely damage service to the people; weaken the USPS and make it ripe for privatization, and destroy good jobs throughout the country," said APWU President Mark Dimondstein. "The APWU urges senators to vote against the bill if and when it is brought to the Senate floor for consideration."

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