



CARL J. KENNEDY BRANCH 704
THE LETTER CARRIER REPORTER
PROUDLY SERVING

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September 2021

Email Address: nalcbranch704@outlook.com

Printed by Branch 704

Congratulations!!

NEW RETIREE EDWARD IRWIN SUN STATION

As he rides off Into the Sunset.....



Congratulations CCA to Career Carrier Conversions!

Amanda Wildt

Sun Station

Joseph German

Coronado Station

Ty Arias

Rincon Station

Check out our WEBSITE: www.nalcbranch704.org

Branch 704 Meeting Thursday, September 2, 2021, begins promptly at 7:00 p.m.

Please call Office for reservations to attend in person or with your email address information to attend remotely via the Web-Ex. In person may attend without reservation, but we are social distancing & wearing masks at meetings.

Reservations must be made EVERY month

President's Report

Dear Brothers and Sisters

First, I want to thank everyone that got on the WebEx and came in person to the 8/5/21 Branch Meeting. Then, I must apologize for the equipment not functioning the way it was intended and thus creating a situation whereby we couldn't conduct the meeting or vote because the equipment failed us. Everyone that got on the WebEx and came to the branch meeting in person will receive credit for attending the Branch meeting. Unfortunately, we will have to conduct the vote for the proposed By-law, VII Section 5, at the next branch meeting. I have received queries from members as to why we use the WebEx versus the ZOOM program. We use the WebEx because that is what the NALC uses when they conduct virtual meetings, and this allows us to participate with National. I also understand how many may believe that it is the WebEx that is not working. It has more to do with the setup done at the branch for the virtual program. It also has to do with the number of members we have online, the bandwidth, the TV's, the microphones and not so much with the WebEx program. I am having a professional look at the issue with the hope that it will alleviate future problems. I have made sure the OWCP CA-1 information is printed for everyone to see what they need to know to be able to file a claim with OWCP on Covid-19. Due to the Delta Variant, and who knows how many other variants with possible long-term effects just from Covid-19, it is important that anyone that gets Covid-19 makes sure to

see if they qualify for CA1 with OWCP. I hope you investigate it and if you need help, do not hesitate to call the Branch office and talk with me or the OWCP Rep.

Mountain View Station has had a couple of Covid-19 positive cases, and now, with the Delta Variant, please take precautions to protect yourselves and your families. As you have heard, "Federal workers will be required to get vaccinated or face mandatory masking, testing and distancing." The details of how it all will work have remained unclear, with many officials across the federal government still waiting for an official timeline and process for clearing employees to return to work without restrictions.

As we know, each workplace is going to look different because the federal government is very diverse. How it will look for the USPS and what management will implement are, at this point, speculation. We will wait until we get clarification on what postal policy will be. As soon as the union gets information, we will pass this along to our members. Until then, please take care and look after your family and look out for your co-workers. They are your brothers and sisters.

In Solidarity,

Kathy Walter
President

Vice President Article

I am taking a serious discussion in this month's article. Management in the Tucson area is disciplining city carriers for attendance. Too many carriers represented by Branch 704 are not taking disciplinary actions seriously. Discipline is a profoundly serious matter. There are four steps in the progression of discipline at the USPS. They are, in order: Letter of Warning, seven-day suspension, 14-day suspension and removal. All disciplinary official actions should be treated seriously. All adverse actions may be cited as elements of prior discipline in subsequent disciplinary actions and remain in an employee's OPF for two years. The issuing authority does not have to have a concurring official for Letters of Warning. **If any of the actions are issued and not grieved, they will remain active in the Grievant's OPF for a period of two years.** Any disciplinary action must contain written notification of the Grievant's rights and time limits to file a grievance. No disciplinary action can take place before a Pre-

disciplinary Investigation takes place. A letter carrier has the right to a steward in the investigation meeting if they request one to be present. If management does not afford them one upon request, they have the right not to say anything until a steward can be present. If management calls an employee to the office, they should ask if the matter could lead to discipline. If management says "no", then the matter is a discussion.

In this case, a discussion should be one sided; Management talking and the craft employee listening. This is especially important for the carrier to remember so that they will not give management any ammunition for later down the road. Discussions cannot be grieved but are required for most minor offenses before management moves on to taking disciplinary action. Management is putting the craft employee on notice that some type of behavior or action is unacceptable and must stop or change. If an investigative meeting does

take place and you asked for a steward to be present, both you and the steward are entitled to what the charges are. The union steward and the employee should move to Union time (operation 613) for the investigative meeting. The union steward and the employee should have a chance to discuss the matter privately before the meeting with management. This pre-investigative meeting is extremely important, so the steward is not taken by surprise during the investigative meeting. The employee should write a statement explaining what happened in their own words. In the case of attendance, the statement should cover an explanation of all dates in question and of the PS Form 3972. Tell the steward if any of the dates in question might be FMLA related. The investigative meeting questions are supposed to be open ended and not leading. The steward should object to any leading questions that suggest an answer or contain testimony on what happened in the incident. **You and the steward need to remember it is your day in court.** Although the union steward has no contractual right to ask questions in an investigative meeting, here in Tucson, management gives the steward the right to ask questions. The steward should make sure they take advantage of this right. Also, management gives the employee a chance to speak, but be careful of what you say. The steward has the right to object to a leading question and the right to have the employee explain and clarify the answer in greater detail.

If management tries to issue a disciplinary letter, they do not need to provide you a union steward. Do not try to avoid accepting the letter or asking for a steward. Management is under no contractual obligation to provide a union steward to an employee that is receiving disciplinary action. The employee should request to move meeting time to receive the disciplinary action. No matter what, accept the disciplinary action, whether you are on or off the clock. The first copy that management hands you, is your copy to keep. **Do not let is leave your possession.** Immediately time and date it as received. **Signing for the disciplinary action is not an admission of guilt, it just means that you have received the notification.**



It is up to the employee if they choose to grieve Notices of Adverse Action. **Any letter carrier that wants to stay at the Postal Service for an exceedingly long career, needs to grieve any disciplinary action issued.** Remember, the union has an extreme limit on time to grieve matters. You should immediately ask for a steward, provide them a copy of the disciplinary action, a statement of why you think the charges are improper or deserve mitigation, and any documentation that may help the steward win your case. **Remember, it is YOUR case that the steward is trying to win, so please provide him/her with any necessary or relevant documentation.**

If you are off for an extended period, management may send disciplinary action to you at your address of record. Make sure if you have an action pending and you are off work to check your mailbox each day to ensure you are aware if any disciplinary action is sent. Do not ignore requests for an investigative meeting or extended absence letter. Plan to attend the investigative meeting or reschedule it to a time you can attend. **REMEMBER, that it is YOUR day in court.** Do not pass up the opportunity to present evidence and testimony on your behalf.

Be reasonable in your expectations. The union often gets employees out of disciplinary action because management fails to follow rules and requirements set forth in the handbook and manuals. Do not count on these procedural arguments to keep you discipline free. Do the right thing: show up to work, fill out PS Forms (3996, 3971, 1767, 1571, etc.) that document and protect you and when requested, bring in properly worded medical documentation that has the right verbiage of “unable to perform duties”. Be a good employee, even if management does not deserve or reciprocate the same. There is no reason to lower yourself to management’s level; so, stay above board. Let’s work together to strengthen the city letter carrier and the union’s position while securing our future employment. United we stand!
In Solidarity,
Mark Follet
Vice-President

Meeting Dates

**Branch Meeting-Thursday,
September 2, 2021 @ 7:00 pm**

**Stewards’ Meeting-Thursday,
September 16, 2021 @ 5:30 pm**

**E-Board Meeting-Thursday,
September 30, 2021 @ 5:00pm (AUDITS)**

WE APOLOGIZE

Due to technical difficulties on our Web-Ex, we were unable to connect with the entire quorum of attendees at the August 5, 2021 Branch Meeting. We tabled the vote to take place at the September 2, 2021 Branch Meeting instead. Hope to see you there!
**NALC BRANCH 704 PROPOSED BY-LAW CHANGE
VOTE WILL BE AT THE SEPTEMBER 2, 2021 MEETING.**

ARTICLE VII SECTION 5

Current Language

Article VII SHOP STEWARDS Section 5

(1) Stewards shall be paid as follows: (2) Chief Stewards: \$85 per month, payable quarterly (3) Stewards: \$70 per month, payable quarterly (4) Full-time Step A designee \$400 per month, payable monthly (5) Part-time Formal Step A designee \$125 per month, payable monthly

Proposed New Language

Article VII SHOP STEWARDS Section 5

Stewards shall be paid as follows: (1) Chief Stewards: \$115 per month (2) Stewards: \$100 per month (3) Full-time Formal Step A designee: \$430 per month (4) Part-time Formal Step A designee: \$155 per month

HAPPY LABOR DAY!!

We pay tribute to the contributions and achievements of American Workers on Monday, September 6, 2021. BE SAFE!



Chaplain's Corner

Remember the acrostic H.A.L.T. It means you should avoid becoming too hungry, angry, lonely, or tired. Why? Simply because that is when you will get discouraged and are in danger of making some very costly decisions.

Taken from *Walking With God* by Dr. Charles F. Stanley "Come to me, all who are weary and heavy-laden, and I will give you rest. Take My yoke upon you and learn from me, for I am gentle and humble in heart in heart, and YOU WILL FIND REST FOR YOUR SOULS. For my yoke is easy and My burden is light." Matthew 11:28-30.

Blessings to You,

Rick Evans-Chaplain

Rick7evans@gmail.com

520-248-9643



**~Our Hearts are Saddened~
We Send Our Deepest Condolences to
the Families of Our Brothers:
Retired Member Roger Aubrey
Active Cherrybell Carrier Ronnie Estrella**

Health Benefits Report

Hot Topic

Summer brings welcome outdoor activities. The season also brings risk, in the form of heat-related sickness and fatalities. According to the Centers for Disease Control and Prevention, from 2004 to 2018 an average of 712 heat-related deaths occurred in the U.S. annually, and extreme heat sends more than 65,000 Americans to the emergency room each year. However, heat stress is preventable.

Sweating is the body's natural mechanism to regulate its temperature. The hypothalamus, a section in the brain, helps the body maintain its baseline temperature (around 98.6 F). When the body's temperature becomes too high or low, the brain sends signals to organs, muscles, and the nervous system to help the body return to normal temperature.

Temperatures of more than 104 F combined with a relative humidity of 60% weaken the body's cooling mechanism and can affect the body's ability to function, causing damage to the brain and major

organs. Heat stress causes symptoms ranging from relatively minor, such as heat cramps, to life threatening conditions, such as heat exhaustion and heatstroke.

Heat cramps typically occur after intense exertion in high heat and cause thirst, sweating, fatigue and painful cramps in the arms or legs and abdomen.

Heat exhaustion is brought on by excessive loss of salt and water. It can result in weakness, headache, thirst, vomiting, muscle cramps and dizziness. If treated promptly, the symptoms typically last 30 to 60 minutes or less, with complete recovery within 24 to 48 hours. Heatstroke occurs when the body loses the ability to sweat and fails to cool down. It is a life-threatening condition and needs urgent medical attention. Symptoms include hot and dry skin, high fever, rapid nausea, seizures, and unconsciousness. Without promptly addressing symptoms, heatstroke can cause damage to the brain and internal organs, and death.

Proper preparation and preventive care can help avoid heat-related illness. Lightweight, light colored, loose-fitting clothing allows air circulation and transfer heat away from the body. Light colors and fabrics such as cotton, loose linen and rayon keep the body cool. Sun protective clothing and a well-vented, wide brimmed hat or a loose cotton bandana help regulate body heat. Along with drinking plenty of water, consuming foods with a high water content can be helpful. Watermelon, strawberries, blueberries, raspberries, tomatoes, cucumbers, cantaloupe, cabbage, celery, spinach, and zucchini are all great foods to eat throughout the day.

Stay informed. Be aware of the latest temperature and heat index forecast, and plan accordingly. The heat index is the body's "feels-like" temperature when relative humidity is combined with the air temperature.

source: Chelsa Gloeckner, registered dietitian Costco Connection July 2021.

The best of health to you and yours!
Bruce D Jenkins
Health Benefits Representative (520) 273-4798

Retiree Representative Report

We have almost made it through the hot and humid summer months. Hope for the most part, that all is going well with you. Just when Covid-19 was starting to feel like a bad dream in passing, the delta variant arrives. Scientific experts say that if you chose to be vaccinated, you're likely not to be affected. With the rise in cases, we are all being asked to sacrifice our personal freedoms.

We had planned to resume our December Retiree Luncheon this year at the usual venue, Desert Diamond Casino. The tribal council that controls events and gatherings decided that due to the uncertainty with the variants, no holiday banquets would be allowed this winter. Other venue options were considered but would be too cost prohibitive and not within our Branch budget. Hoping for better news in 2022.

Now for some good news for future retirees. OPM has a new director, Kiran Ahuja. She has been given

the task of improving workforce morale, as well as bringing agency policies and procedures into the 21st century, especially those dealing with retirement and the backlog of cases. An online retirement application system is being considered to improve slow processing times. Since 2012, not much has been done to update the filing of cases. Hope these improvements are in no way intending to do away with the all-important individual retirement counseling.

Again, I want to thank all the retiree volunteers that help at the office. You help to accomplish a lot for your branch. Without your much appreciated assistance, the branch newsletter mailing process would not go smoothly. Be well.

In Solidarity,

Art Higven
520-304-4196

Contract Talk

How many times have you started work at 8:00am and no sooner after you clock in and get to your route after vehicle check, a manager is in front of you asking how you're going to be today?

Do you know what to tell the manager? Have you taken time to see what you will have for the day: including residual mail casing, SPRs, Parcels, Full coverage bundles, accountable mail, DPS, 10-minute break and possibly 5 minutes personal time?

Do you go back and forth with management on what you will have for the day? Do you leave to the street knowing

you will not be 8 hours, but the manager has made it known that is what he is expecting?

Do you know what criteria management is using to determine how long you will be for the day? The rules for letter carriers have not changed in over 20 years. You, the letter carrier, are the expert on the route and the estimate you provide management is just that...an estimate. Please keep reading to know the requirements for letter carriers.

Projections are not the sole determinant of a carrier's leaving or return time, or daily workload. The use of any management created system or tool (DOIS) (PET)

(DUVRS) that calculates a workload projection does not change the letter carrier's reporting requirements outlined in section 131.4 of Handbook M-41, the supervisor's scheduling responsibilities outlined in section 122 of Handbook M-39, or the letter carrier's and supervisor's responsibilities contained in Section 28 of Handbook M-41. **(Emphasis added.)**

The letter carrier's reporting requirements referenced in M-01769 and outlined in section 131.4 of Handbook M-41 read in relevant part as follows:

131.4 Reporting Requirements

131.41 It is your responsibility to verbally inform management when you are of the opinion that you will be unable to case all mail distributed to the route, perform other required duties, and leave on schedule or when you will be unable to complete delivery of all mail.

131.42 Inform management of this well in advance of the scheduled leaving time and not later than immediately following the final receipt of mail. Management will instruct you what to do.

131.43 Complete applicable items on Form 3996, Carrier-Auxiliary Control, if overtime or auxiliary assistance is authorized in the office or on the street.

131.44 Report on Form 1571 all mail undelivered—including all mail distributed to the route but not cased and taken out for delivery. Estimate the number of pieces of mail.

131.45 Do not curtail or eliminate any scheduled delivery or collection trip unless authorized by a manager, in which case you must record all facts on Form 1571.

131.46 Before you leave the office, enter on Form 1571 the mail curtailed; when you return, add any mail which was not delivered and which was returned to the office. Follow any special local procedures set up to identify errors and corrective actions for mail returned because it was out of sequence.

Section 28 of Handbook M-41 outlines the procedures for letter carriers to fill out PS Form 3996, Carrier—Auxiliary Control, and to submit it to the supervisor when the letter carrier estimates that the daily workload cannot be completed in the allotted time. It also details the requirements of the supervisor in Item L of the form. A complete explanation of Section 28, PS Form 3996, and related USPS supervisor responsibilities, can be found in the Letter Carrier Resource Guide available at nalc.org/resourceguide.

To order a printed version of the guide, log on to the Members Only section of the NALC website, click

the checkbox below the image of the guide and a copy will be mailed to your NALC address of record. Section 28 of Handbook M-41 outlines the procedures for letter carriers to fill out PS Form 3996, Carrier – Auxiliary Control and submit it to the supervisor when the letter carrier estimates the daily workload cannot be completed in the allotted time. This section also details the requirements of the supervisor once the form has been submitted. Section 122.33 of Handbook M-39 requires a supervisor to provide a letter carrier with PS Form 3996, upon request, once the supervisor has been verbally informed why the request is being made. That sections states:

122.33 The employee, upon request, will be provided a Form 3996, Carrier - Auxiliary Control, after the supervisor has been verbally informed as to the reason for the request.

The employee shall not be denied the form, and, upon request, a duplicate of the completed form will be provided the employee.

As you can see, any time-projection tool being used by management doesn't change the fact that it cannot be used as the sole determinant of a letter carrier's daily workload projections. Letter carriers are still responsible for estimating the amount of time it will take to complete their assigned duties, and management still has a responsibility to manage that workload within the confines of the handbook language as well as the above-referenced settlements.

Do not become the manager when you take action by reading the manager's mind and doing what you believe is what he/she wants from you when they have not said a word to you. Let management inform you what they want you to do. Will they tell you to call at 2:00pm even though you filled out a 3996? Follow their instructions and call if you have a phone or let them know they should expect a text from the scanner at 2:00pm. When you call or text on the scanner, have the manager tell you if they want you to take the mail and deliver it or will they send you help or will they instruct you to bring the mail back to the station. They are management and they must be the ones to inform you what to do. Do not do their work for them. That is what they get paid to do and they also get to stay indoors. Take note of the conversation or text and follow what they want you to do. If you believe there is something wrong in what you were instructed, contact your steward, and have a conversation about what happened. There are a few carriers that have called about feeling pushed by the managers. If you don't feel it was right, call the steward or branch office.

Submitted by:
Kathy Walter
President

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SEPTEMBER 2021 Newsletter

**NON-PROFIT ORGANIZATION
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MIKE DONNELLY	KIMBERLY DAVIS
TIFFANY EGGERT	JC MENA

CHAPLAIN

RICK EVANS

STEP A REPRESENTATIVE

ALEXIS PADILLA	323-2117
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SHOP STEWARDS

ELVIA MOLINA	BISBEE	520-432-2626
RAY DEVELLIN	CASA GRANDE	520-836-7221
KIMBERLY DAVIS	CASAS ADOBES	531-0693
VINCE TRUJILLO	CHERRYBELL	388-5182
MATT GUY	COOLIDGE	520-723-3011
MARK FOLLET	CORONADO	571-7245
DIMAS GONZALEZ	CORONADO	571-7279
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VACANT	GREEN VALLEY	648-0095
VACANT	MIAMI	928-473-2561
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