

LOCAL 305 MAIL HANDLERS MIDATLANTIC



A.F.L./C.I.O.

District of Columbia • Maryland • North Carolina • Virginia • West Virginia

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Charles Manago
Vice President

Derrick Carr
Recording Secretary

Mary Naylor
Washington, DC

Ed Evans
Maryland

Michael Lawrence
North Carolina

Teresa Harmon
Virginia

Kevin Fletcher
West Virginia

OFFICIAL MINUTES

Council Meeting
National Postal Mail Handlers Union – Local 305
4907 Fitzhugh Avenue, Suite #100
Richmond, Virginia 23230-3533
March 5, 2011

Opening of the Council Meeting

1. President Kenneth Hayes called the meeting to order at 10:10 AM and Recording Secretary Derrick Carr did the invocation.
2. Roll call was conducted by Recording Secretary Carr. There were 32 members of the Council present and 1 member absent. (See Attached Roll Call Sheet).

New Business

President Hayes discussed several general topics with the Council:

1. He reminded the Council of what was instituted at last year's Council meeting concerning the purchasing of ink cartridges; that is, that all Branch President's are to purchase ink cartridges from the Local office. Purchasing cartridges in large quantities will cost the Local less than if the purchases are made in the field by the many Branch Presidents. President Hayes stated that this will now be the policy for all supplies in the field. All Branch Presidents are to make their supply request through the Local.
2. All step 3 appeals are to be mailed first class with the exception of the step 3 appeal going to the US Postal Service Representative; doing so will enable the Local to cut cost. This rule should be forwarded to the stewards as well. Also, if more than one step 3 is being appealed at the same time, it may all go into the same mailing; it does not have to be mailed separately.

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3. There have been several unfair labor charges filed against the Local but all of them have been dismissed by the Labor Board. If there are any questions as to the whether or not a grievance exists, file the grievance and let it go through the grievance-arbitration procedure. It is also important to keep the employee informed as to the status of the grievance and the decisions that go with said grievance. To protect yourself and the Union from unfair labor charges, it is important to keep a record of the grievance process and the instances when the grievant was informed. This record should be included with the grievance file.
4. When the Branch President is absent for 10 or more days, the Local President is to be informed of such absence, the possible duration, and what grievances are outstanding in the facility. If a Shop Steward is going to be out for an extended period of time, the Branch President must be informed of the absence and any outstanding grievances the Steward is working on. The Branch President should notify the Local President in this situation as well.
5. Steward training will run approximately two weeks, beginning June 5 through June 17, 2011. The initial training is tentatively scheduled to begin in Baltimore, MD, followed by those facilities that had not received any training in 2010 for the remainder of the two week period. Sam D'Ambrosio, Vice President of the Eastern Region of the NPMHU will conduct the basic Steward training. Also, Brother D'Ambrosio and Paul Hogrogian, Vice President of the North Eastern Region of the NPMHU will conduct FMLA training for the Branch Presidents on the last day of this Council meeting.
 - It is unlikely that there will be any training scheduled for the year 2012;
 - If a scenario arises that causes the Branch President to need a few people trained he or she must notify the Local President and he will attempt to accommodate the training.
 - The FMLA training received during this Council meeting should be taken back to the Stewards.
6. Branch Presidents must be certain to check the emails regularly.

Contract Administration Report

WVSEBM Kevin Fletcher, who serves as the Contract Administration Director for Local 305, gave a presentation on the activities for year 2010 of the Contract Administration Department to include the grievance-arbitration procedure, unfair labor charges, the excessing of Mail Handlers, and various settlements throughout the Local. He also gave some information to be utilized in the field to enhance the grievance-arbitration procedure. WVSEBM Fletcher reported the following:

1. Issued a copy of ELM 24 on computer disc to all Branch Presidents. The disc should be downloaded on the computers in the field.

2. The casual exception periods from the Postal Service were made available to those Branch Presidents who had a problem printing them when they were emailed to the field in recent weeks. The casual exception period given are good to the year 2020.
3. The grievances are tracked by the Local once they enter step 3 of the grievance procedure. The grievances processed in 2010 are as follows:
 - Processed 436 grievances to step 3
 - 100 were class action grievances
 - 99 were individual grievances
 - 237 were contract grievances
 - There were 71 arbitration dates
 - 50 cases were arbitrated
 - 31 arbitrated grievances were sustained
4. WVSEBM Fletcher noted that Local 305 does well with arbitrations having over 60% win ratio in cases arbitrated. In most cases management will settle a case that they feel certain they will not win, therefore, when a case is taken to arbitration, management believes they have a better chance of winning the case, but they have been proven wrong in over 60% of the case in 2010.
5. In a recent arbitration case for a removal, management had a Union representative and a past representative on their witness list to testify against a Mail handler. The advocate objected, argued against them testifying, and prevailed. Therefore the policy of Local 305 will be that if you are asked or forced to testify by management, the Local office must be notified that this is happening. The purpose of said policy is to prevent the Union from having to go into a hearing to fight our own people.
6. The following monetary awards were obtained at step 3, pre-arbitration, or arbitration:
 - Charlotte, NC obtained \$199,000 in casual in-lieu-of settlement
 - Raleigh, NC obtained \$90,000 in casual in-lieu-of settlement
 - Merrifield, VA obtained \$168,000 in casual in-lieu-of settlement
 - Overtime issues, supervisor performing bargaining unit work, and various other issues resulted in approximately \$44,000 settlements
 - Merrifield, VA and Dulles, VA obtained \$70,000 and \$15,000 respectively, on a jurisdictional disputed item concerning the assignments on the SPBS when the SPBS was first deployed. It was also noted the importance of being patient and diligent in filing grievances and to not only thoroughly document the violations, but to maintain the records.
 - Dulles, VA obtained \$2,000 for 21 PTF who were denied the opportunity to be converted as promised by management. The PTFs were also

converted to full-time as promised. The grievance was based on the agreement that management made with the Union to convert the PTFs.

- Baltimore, MD the Union prevented management from collecting on letters of demands that totaled approximately \$165,000.
7. There were 18 unfair labor charges filed against the Local, one charge was argued by the Union Attorney and the other 17 were argued by WVSEBM Fletcher. All of the charges were dismissed. There was an approximate savings of \$36,000 by not having the Attorney handle all the case as in the past.
 - If you receive a unfair labor charge in the field it is important to immediately notify WVSEBM Fletcher and send him the charge.
 - To avoid the unfair labor charges we must file the grievances, be timely, and keep the grievant informed.
 8. Concerning grievance filing from the field it is important that all information is included in the grievant package. Anything exchanged up to step 2 of the grievance procedure must be in the file appealed to step 3 whether it benefits our case or not; if management provide it, then it must be included to prevent the Step 3 Representative or the Advocate in arbitration from being surprised. Full disclosure is the key at step 2.
 - It is important that the Branch Presidents work with their Stewards and to be informed about everything that is coming out of your building.
 9. President Hayes and WVSEBM Fletcher will visit those facilities that are undergoing an excess to attempt to explain to the members the provisions of article 12, relocation information, and to answer any questions pertaining to the excess. It is important to remember that it is management that is taking the action and it is the Union's responsibility to make sure that they are doing it the right way.
 10. Concerning the filing of a grievance because of an excess a grievance cannot be filed until after the action has taken place, not when the 60 day letter for reassignment has been given.
 11. At those facilities where an excess has taken place it is important for the Union to apply article 12.5 of the National Agreement and obtain a comparative work hour report which tracks the work hours of the Mail Handler craft 60 days prior to the excessing and 60 days immediately following when the excess occurred. The purpose is to compare the hours to see if it equates to the number of Mail Handlers excessed. The report can only be requested through our Regional office in Philadelphia, PA.

The expectation is that management will ensure that the hours will increase 60 days before the excess to validate the need to move the employees. It is important

that we keep track of all cross craft violations, supervisors performing bargaining unit work, casual work, and clock rings to defend our position. It is management's responsibility to ensure that employees are clocking in on the proper operation according to MOD 32 Handbook.

After a question and answer period covering residual assignments, part time flexible conversions, and the use of MAILS for research, WVSEBM Fletcher closed his presentation.

Laborers' International Union of North America (LIUNA)

1. The LIUNA Convention will be in September of this year and will be held in Las Vegas, NV. The formula to determine the number of delegates that can be sent is 1 delegate for every 325 members; this would place the number of delegates for our Local to approximately 10-11.
2. The judges are in place and the election process will begin sometime in April of 2011.
3. LIUNA will provide per diem and pay for everything but lost time.

New Business (Continued)

There was a brief question and answer period along with the distribution of aprons for the members; lost time and expense forms; and a copy of the MOD 32 handbook excerpt dealing with proper clock rings.

Being no further business before the Council on the day, a motion was made by NCSEBM Michael Lawrence and seconded by Branch President Gerald Billings. The motion carried unanimously.

The meeting adjourned at 12:15 P.M.

Fraternally yours,



Derrick Carr
Recording Secretary

LOCAL 305 UNION COUNCIL MEMBERS-2011

Roll Call March 05, 2011

Kenneth Hayes	President	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Charles Manago	Vice President	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Yam D. Cardin	Treasurer	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Derrick Carr	Recording Secretary	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Mary Naylor	DC SEBM	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Ed Evans	MD SEBM	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Michael Lawrence	NC SEBM	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Teresa Harmon	VA SEBM	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Kevin Fletcher	WV SEBM	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Gregory Hooker	Baltimore, MD	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Orson M. Smith	Baltimore, MDAMF	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Christina Hicks	Easton, MD	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Charles Baer	Frederick, MD	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Jannell Walker	Southern, MD	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
John Macklen	Cumberland, MD	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Vacant	Waldorf, DDC	Present	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Nora Linton	Fayetteville, NC	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Theresia Moberg	Greensboro, NC P & DC	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Vince Perry	Greensboro, NC BMC	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Gerald Billings	Hickory, NC	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Felandria Jackson	Raleigh, NC	Present	<input type="checkbox"/>	Absent	<input checked="" type="checkbox"/>
Phillip Johnson	Rocky Mount, NC	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Pete Hirschbine	Asheville, NC	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Danny Mangan	Charlotte, NC	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Robert Ricketts	Lynchburg, VA	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Don Jones	Norfolk, VA	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Millard Cooper	Bristol, VA	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Leslie Hamlett	Richmond, VA	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Charles P. Perdue	Roanoke, VA	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Vacant	Charlottesville, VA	Present	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Fred Blaebaum	Kinston, N.C.	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Jose Pena	Dulles, VA	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
James Beane II	Charleston, WV	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Gary Antrobius	Clarksburg, WV	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Nathan Fields	Huntington, WV	Present	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>

TOTAL

Present 32 Absent 1