

LOCAL 305 MAIL HANDLERS MIDATLANTIC



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

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

Kenneth A. Hayes, President • Dunleigh Y. Cardin, Treasurer • 4907 Fitzhugh Ave., Suite 100 • Richmond, VA 23230-3533

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

The Executive Board Meeting
National Postal Mail Handlers Union – Local 305
4907 Fitzhugh Avenue, Suite #100
Richmond, Virginia 23230-3533
September 27, 2010



In attendance:

Kenneth Hayes-Local President

Yam Cardin-Treasurer

Derrick Carr-Recording Secretary

Mary Naylor-District of Columbia State Executive Board Member

Ed Evans-Maryland State Executive Board Member

Michael Lawrence-North Carolina State Executive Board Member

Teresa Harmon-Virginia State Executive Board Member

Kevin Fletcher-West Virginia State Executive Board Member

Absent:

Charles Manago-Vice President

Opening of the Executive Board Meeting:

1. President Kenneth Hayes called the meeting to order at 10:15 A.M.
2. Recording Secretary Derrick Carr did the invocation and roll call roll. A quorum was established with eight (8) Board members present and one (1) absent.
3. The Executive Board had a moment of silence for the former Branch President of Southern Md. P&DC Ronald Burgess who died in September of 2010.

Review of the Minutes:

1. The minutes from the June 21, 2010 Board meeting were passed out for review.

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2. The following corrections and/or additions were noted:

- a) Page 2 of 5, under Article 12 Report, fourth line, add the word “with” before “wash-up”;
- b) Page 3 of 5, sixth bulleted item, second sentence, change the word “continues” to “continuous”;
- c) Page 5 of 5, under Financial Report change “LIUNNA” to “LIUNA”.
- d) MDSEBM Ed Evans moved to accept the minutes with the cosmetic corrections and additions. The motion was seconded by VASEBM Teresa Harmon. Motion carried unanimously.

New Business

Branch President Vacancy:

President Hayes reported that the Branch President position for the Norfolk, VA P&DC branch became vacant upon the retirement of former Branch President, Michael Stanford Sr. There were two (2) Mail Handlers from the Norfolk branch who were being considered for the position. The Board reviewed and discussed the Local’s bylaws concerning the procedure for filling vacancies and listened to a presentation given by brother Gregory Rivers of the Norfolk, VA branch who spoke on behalf of several Mail Handlers from that facility. There was a brief question and answer period with Brother Rivers and a lengthy discussion among the Board members. The topic was tabled until all the Board members were present.

The first order of business on the second day of the Board meeting was to discuss in further detail the vacancy at the Norfolk, VA branch. Being no further questions or concerns the Board selected by majority vote to have Brother Donald Jones serve as Branch President for the Norfolk, VA branch for the remainder of the term.

Brother Jones has served as a Steward and/or Chief Steward in the Norfolk, VA facility for approximately sixteen (16) years. He presently represents the Mail Handlers on tour 1 at that facility. Please join the Executive Board and the Local Office in congratulating Brother Jones in his new position.

LIUNA Convention:

President Hayes made mention that the LIUNA Convention is scheduled for the year 2011. He also spoke about the requirement to have the Judges of Election for the convention in place by November 15, 2011. Therefore the next Board meeting will be held prior to that date. He made note of the need to have some experienced judges involved in the election process and requested that each Board member bring the name of the dues paying member that they are recommending to serve as a Judge. It is imperative that any member serving as a Judge of Election cannot run for the position of a delegate nor can he or she participate in the election.

The Board discussed the potential cost and finances of the LIUNA Convention and the hope of sending a significant number of delegates to represent Local 305. There was further discussion on the various ways to send a large delegation to include the type of leave to be used by a Mail Handler serving as a delegate. President Hayes stated that it would not be financially prudent for the Local to send a large number of delegates to the convention at the Local's expense, however if the delegates were to use their own annual leave during the week of the convention this would enable the Local to send a large delegation.

Old Business

VEBA Report

President Hayes gave the following VEBA report:

1. The budget for this year's VEBA Fund was approximately \$82,000, which is 2% of the VEBA Trust. Thanks to budget controls and other factors, the Local may have additional money from this year's budget to be carried over and used for next year's budget.
2. President Hayes estimated that the budget should increase next year due the positive outlook of investments affecting the VEBA Trust Fund.
3. The VEBA Trust Fund booklet and scholarship information is located on the Local's web site.
4. The Board briefly discussed the process of requesting a sick pay claim; the timeline of processing said claim; and the process of notifying a Mail Handler of receipt of the claim.
 - It was noted that the notification would be in a form of a check, signifying that the claim was approved, or the employee will be given a letter of denial.
 - If there are any other concerns or questions about the receipt of a claim, the employee should contact the Local Office.

Article 12 Report:

President Hayes stated that the Postal Service will continue to excess employees, compress tours, and consolidate facilities as long as there is a decrease in mail volume, increased use of automation, and the continued use of mechanization. The Postal Service intends to decrease the size of tour 2 operations because most of the automation and mechanized equipment can be utilized on the other tours. It is no longer necessary to process mail on three tours since the mail volume has decreased.

- It is the intention of President Hayes to visit Mail Handlers in the field to discuss these issues that are affecting them. He will make visits to those facilities that are directly being affected by these realignments; and he will

continue to attend both, annual affairs and branch meetings when a timely notice is given.

- It is imperative that the Union consistently monitor these actions to ensure that management adheres to the National Agreement

The Local Office received notification from the Postal Service that they propose to excess a large number of Mail Handlers from our Local. The facilities affected were JCTM, Southern Maryland, and the Bethesda, MD Carrier Station. Although management has already excessed twenty-five (25) Mail Handlers from Charlottesville, VA P&DC, they are now attempting to excess the remaining six (6); the Union will contest this issue. It was noted that the changes are affecting the other crafts as well.

The Board continued to have a lengthy discussion concerning article 12 to include but not limited to the following:

- The Postal Service's utilization of the various studies to determine the amount of manpower needed to man a facility (Function 1, Function 4 and AMP Study);
- Grievances and arguments indicating the need for Mail Handler positions;
- The impact of the Flat Sorter Sequencing (FSS) machines on the smaller offices;
- The Union should use a Comparative Work Hour Report to analyze the difference between the work hours prior to the excessing or realignment, and after the excessing or realignment; it was noted that in some facilities the amount of overtime hours increased. This report can be obtained from management;
- The Branch President should ensure that we conduct our own study of what constitutes Mail Handler work when management conducts a Function 4 or any other study that determines Mail Handler complement;
- Standby time in the facilities should be reported to the Local office;
- The need for stewards to ensure, through management, that all employees are clocked into the proper operation.

Finally, President Hayes reminded the Board about his previous request that all Branch Presidents give him a timely notice about branch meetings so that he may visit the facility and attend the branch meeting. There are some Branch Presidents who are not giving this information to the Local President. President Hayes would like to attend the meetings in view of the widespread changes affecting the various facilities within the Local. It is the Branch Presidents responsibility to notify the Local President.

President Hayes also reminded the Board about the previous requirement given to the Branch Presidents of the two NDC facilities in our Local: Washington, DC and Greensboro, NC. The requirement was for them to provide a report about the changes in the NDC and the affect of those changes to the National Office and to forward a copy to President Hayes. Those reports have not been provided as of yet. This request was made known at a previous meeting for the purpose of studying the NDC network. The report is due as soon as possible.

National Reassessment Process (NRP) Report:

The Branch Presidents must keep President Hayes posted about the various affects, changes, and concerns involving the NRP. President Hayes stated that some of the things the Union should be concerned with is:

- A Mail Handler having reached maximum medical improvement (MMI) being sent to the standby room but not allowed to sit down;
- Sending Mail Handlers home when no work is available but not giving them the appropriate U.S. Department of Labor forms;
- Limited duty work that was available is no longer available or afforded to the Mail Handler;
- Managements definition of what constitutes necessary work;
- Having Union representation during the interview, which should be granted by management; (Branch Presidents should post something on all bulletin boards requesting information from any Mail Handler that went through the NRP interview without Union representation.)

There was a lengthy discussion about the forms utilized by management when conducting interviews with employees and there doing so without the presence of a steward. The Board will attempt to get copies of the forms and the procedure being utilized by management. The Local Office will investigate management's procedure once the forms have been forwarded to the office.

There was additional discussion on the following concerns:

- The need to file a grievance if the employee signed the job offer under duress;
- If employees are being told that they will be sent home if they don't sign;
- Since the interview can lead to an employee being put out of the building, a steward should be present;
- And that a limited duty employee is not protected from being excessed.

Branch Presidents are required to keep President Hayes posted as to any changes that have occurred as a result of NRP.

Contract Administration Department (CAD):

The report from Kevin Fletcher, the CAD Director was brief because most of the contract issues were addressed during the portions of the meeting covering Article 12 and the NRP. However, he did report that overall the Local is experiencing some success in arbitration due to the exceptional work being done by our advocates in the field. He spoke specifically about two (2) grievances that are being arbitrated:

- (1) MDSEBM Evans arbitrated a grievance filed in Baltimore, MD, concerning the Postal Service issuing letters of demands to several employees who the Postal Service argued received money in error. The Union prevailed in one case while

the others were held in abeyance. The Local will attempt to apply the favorable decision to similar cases in Baltimore, MD.

- (2) VASEBM Teresa Harmon is in the middle of a casual-in-lieu-of case in Charlotte, NC that is going into its third day of hearings.

CAD Fletcher concluded his presentation after further discussion concerning the arbitration decision involving the letter of demand and the concern of management attempting to present new arguments during an arbitration case.

Financial Report:

1. The Board reviewed and discussed both the balance sheet as of September 27, 2010 and the expenses for the third quarter. After Treasurer Yam Cardin presented the financial report and the Board discussed at length the finances of the Local; the projected losses from the Mail Handler health plan; the decrease in membership; the increase in dues; and the leasing of the second floor offices, Recording Secretary Carr moved to accept the financial report. NCSEBM Michael Lawrence seconded the motion. Motion passed unanimously.

New Business

- (1) President Hayes will look into the type of Union badges needed for Union officials and stewards;
- (2) A discussion on employees calling police to deal with abusive supervisors compared to police being called on craft employees by management and the need to file grievances against supervisors who abuse their authority.
- (3) Article X Charges: The Executive Board reviewed and discussed an Article X charge.

Being no further business President Hayes made a motion to adjourn the meeting, which was properly seconded by MDSEBM Evans. Motion passed unanimously. Meeting adjourned at 5:00 P.M.

Fraternally yours,



Derrick Carr
Recording Secretary