



BRANCH 193

Bulletin

Campbell ♦ Gilroy ♦ Los Gatos ♦ Milpitas ♦ Morgan Hill ♦ San Jose ♦ Saratoga

Messages from the President

No. 2 - 2 April - May 2012

Laurie Duarte

National Contract Negotiations

On January 20, 2012 the USPS declined to further extend the collective-bargaining negotiations with NALC, this decision triggered an impasse, which automatically sends the contract talks to mediation under the supervision of the Federal Mediation and Conciliation Service.

The mediation process was started on February 8, 2012 and has a 60-day period for an agreement between both parties. If no agreement is reached then the issues will be submitted for final and binding resolution before an interest arbitration panel, the panel consist of three arbitrators, one arbitrator is picked by NALC and USPS and both parties work together to choose a neutral arbitrator to serve as chairman.

On March 24, 2012 a training and Rap Session was held in Oakland, CA and NALC National President, Fredric Rolando was present to speak to the attending Executive Board members and Shop Stewards. At the Rap Session President Rolando spoke that he was disappointed that the USPS and NALC couldn't work out an agreement and even though the mediation process had started they still did private meetings with the USPS to try to come to a fair and mutual agreement and that the NALC has been preparing from day one for arbitration.

A few of the important issues the NALC wants to maintain is a negotiated wage increase and COLA's. Keep the band on contracting out deliveries and keep our current healthcare system with the FEHB.

For updated information on the Collective Bargaining visit the National website at nalc.org.



Congratulations Ernie

Last year Ernie Arrañaga was appointed as District 15 (Mike Honda) Legislative Liaison by John Beaumont, President of the California State Association of Letter Carriers on March 25, 2012 Ernie was recognized for all his hard work. Ernie received a plaque for being the best legislative liaison for 2011. John Beaumont said it best he hit the floor running and hasn't stopped yet. Ernie has been e-mailing updates on the Congressional fight the Postal Service is going through. He has been making that extra effort to sign people up for the E-activist, COLCPE, and Branch 193 e-mail list to aid in saving our jobs, pensions, healthcare, raises etc. If you would like to sign up please contact the Branch Office at (408) 288-8138. Congratulations Ernie you have done a superior job and I am happy that you were recognized for all your hard work.

The Branch 193 Bulletin is published by Branch 193, National Association of Letter Carriers, AFL-CIO. Opinions expressed in this publication are not necessarily those of Branch 193. We invite all members to contribute articles for publication. The Editor retains the right to edit, delete, or reject any article for the good of the Branch..

Branch 193 Bulletin

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www.nalcbranch193.com

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SAFETY

In your April 2012 Postal Record Director of Safety and Health, Manuel Peralta wrote an article on page 28 "Are your park points safe?" Please read this article if you haven't done so already. It shows how unexpectedly Letter Carriers can be injured or even lose their life just by where they parked their postal vehicle.

Brother Peralta's article reminds me of some recent observations I have seen as I drive around from station to station or city to city I always seem to see that white USPS vehicle. It could be my day off, coming from a station visit, or to do a Formal A grievance but that white vehicle with stripes and an eagle seems to catch my eye. Most of the carriers seem to be driving their postal vehicles safely and/or are parked securely, legally and safe and I would like to thank those carriers that have chosen to take safety seriously. But, I also have concerns when I see carriers that are driving with their doors open, not wearing their seat belts, not

using their blinkers, parking illegally or unsafe, and the list goes on and on. Why would these carriers not take safety seriously? The thought that I have is that the pressures from this job have become so horrible and unbearable that the pride they once had for their work has withered away. I know that this job has become increasingly harder and harder and physically draining over the time of your career and that management puts a lot of pressure and negative thoughts into your head about the job, nothing is never going to be good enough for management, but please realize that safety is important not just so that you stay out of trouble with management but also for you to be there for your family, your family needs you to come home to them at the end of the day. Your family needs you to support them emotionally as well as monetarily, laugh and play with them, take care of them, watch them in school plays, play sports, take them to that first dance, see them graduate, get married, the list goes on and on. You are the example for your kids, grandkids, nieces

and nephews. Be proud of what you are teaching them to become.

The bottom line is you make the choice to be safe. You get paid to do the job safely don't let management push you into becoming someone who no longer cares about your job or personal safety, it doesn't take but a few seconds to close the door, put your seatbelt on, set the parking brake etc. Take pride in knowing the work you are doing is being done the right way and go home to your family at the end of the day with peace of mind.



Health Notes

by Bob Krauth, retiree and Vera Krauth, retiree and Health Benefits Rep

Pertussis, commonly known as whooping cough, is a highly infectious disease spread through coughing spasms and gasping for air that characterize the illness. It can be fatal, particularly for newborn infants.

In California in 2010, over 9000 cases were reported, the most in the state in 63 years. Public health officials attributed the statistic to a decrease in the number of children being vaccinated and the loss of immunity in adults. Adults should get the booster vaccine every 10 years.

In a personal note, Vera and I were surprised late last year when our then

pregnant daughter informed us that her pediatrician didn't want any adults (including the child's grandparents, that's us) to have contact with the baby unless they (that's us) have had the shot. The news didn't go over very well until we checked out the facts. Most adults have not had booster shots. Santa Clara County is currently experiencing an outbreak in cases of whooping cough. Needless to say, we have had the shots, and we're happy to report we have a healthy granddaughter.

Check out more about pertussis on the web at <http://www.cdph.ca.gov/healthinfo/discond/pages/pertussis.aspx> talk to your physician about the vaccine and if you should get one. Vaccines are available at local pharmacies. The NALC Health Plan covers the cost. Check with your health provider for restrictions, if any, that may apply.

Members only BBQ

After all the great weather we have been having wouldn't you know it would rain, but that didn't dampen the spirits of over 200 Brothers and Sisters who attended the annual member's only branch BBQ on March 14, 2012. The food was great and it was a happy occasion. It was great to see everyone having a good time and catching up with past and present co-workers. Special thanks to our cooks; Kelvin Kamachi, Tom Tan, Alan Cheung, Heng Sok, and Victor Barrientos. Behind the Bar; Bill Cunningham, Mike Herrera, Laurie Halfacre, Ray Gauthier, and Sharon Epp. The Raffle guys; Gene Lorenzo, and Tom Stewart. Servers; Patrick Mulligan, Moe Bedolla, Ernie Arrañaga, Laurie Halfacre, Bill Cunningham, Rosie La'auli, and Sharon Epp. Set-up; Steve Munyon, Bob and Vera Krauth. Supplies: Laurie Halfacre and Kelvin Kamachi. And Clean-Up; Rosie La'auli, and Victor Barrientos.



Opinion Corner

Article's may or may not reflect the opinion of the Union or Editor.

The Union and Editor may not be held liable for any reason.

Know your rights: The EEO approach

A fellow Letter Carrier was harassed by his manager. He filed a complaint with the EEO, but afraid of retaliation, he withdrew complaint and bid out to another station. Instead of working in a hostile environment and facing the daily pressure that was affecting his health and private life he chose to move to a free discrimination workplace in another station.

Another Letter Carrier, in a similar situation and in the same station, filed an EEO complaint against the same manager. Afterward, he endured retaliation from the manager, but he fought for his rights, and filed a formal complaint before the EEO. The case went to the Administrative Judge, and the case was settled with monetary compensation to the Letter Carrier.

Unfortunate, the two cases above are true stories and it could have happened anywhere.

The EEO is a federal agency that enforces laws that prohibit discrimination because of race, color, religion sex, age, national origin, physical or mental disability, or in retaliation for a prior protected activity. Therefore, if you believe you have been discriminated, you have 45 days to file and start a pre-complaint process. After receiving the appropriate form – PS Form 2564-A you have 10 calendar days to complete and return it to the EEO. You have the right to designate a representative, anyone, your shop steward, your friend, your peer, or your attorney.

Make sure you have all the details and witnesses regarding your complaint to build up a case.

The next step is to discuss the matter with the help of a trained professional mediator who is not a Postal Service employee. REDRESS is a conflict resolution process and the parties involved – the complainant / representative, the manager official and the mediator – discuss the matter in a confidential meeting in order to settle the conflict.

The whole process is simple and normally you get your REDRESS mediation session in about 30 days, despite the pre-complaint process can take a maximum 90 days, from the initial date you contacted the EEO.

The preparation time, the response of any request from the agency, the meetings with the REDRESS mediator are on the clock. If your request is denied, just add to the complaint.

However, sometimes the conflict is not settled during the REDRESS meeting, and then you have the right to file a formal complaint. At this point, you may need a lawyer to represent you due the complicate legal issues that only an experienced attorney can handle.

Know your rights. If you don't know your rights, you have no rights.

Qin Fung

Letter Carrier – Station D/Foothill Station

Did you Know

Article 10: Bereavement Leave:

City letter carriers may use a total of up to three workdays of annual leave, sick leave or leave without pay, to make arrangements necessitated by the death of a family member or attend the funeral of a family member. Authorization of leave beyond three workdays is subject to the conditions and requirements of Article 10 of the National Agreement, Subsection 510 of the ELM and the applicable local MOU.

Definition of Family Member: Parent-parent-in-law, Grandparent-grandparent-in-law, Spouse, Son or Daughter-biological or adopted, stepchild, daughter-in-law or

son-in-law, Sibling-brother, sister, brother-in-law or sister-in-law.

The Use of Sick Leave: For employees opting to use available sick leave, (up to 3 workdays) the leave will be charged to sick leave for dependent care, if eligible. (You are allowed up to 80 hours of dependent care sick leave in a calendar year)

Fill out a PS Form 3971 to notify management the type of leave you are requesting when attended a funeral that falls under the family member criteria above.

Senator Feinstein Rally – April 12, 2012

There will be a Rally held outside Senator Dianne Feinstein's Office on Thursday, April 12, 2012. This rally is to get the message out that S.1789 The 21st Century Postal Reform Act as it is written will do harm to the Postal Service and may even dismantle it by eliminating a day of service in 24 months and phase out door to door delivery service.

The Senate will soon be voting on this bill and so we want it to be heard loud and clear that Senator Feinstein should vote NO on S.1789. Ernie Arrañaga will be a co-site lead on the Rally and I encourage anyone that can attend to be there wearing one of the previous handed out t-shirts (6-Day, Carrier Corps, Save the USPS) or any other shirt but no

uniform shirts allowed. The Union needs your help to get this message out, if it is your day off or you are retired please consider being present for the Rally. It will be held at: One Post St. San Francisco CA starting at 4:00 pm and end at 5:00– 5:30 pm. If you need more information call the Union Office at (408) 288-8138.

OFFICERS

Laurie Duarte *President*
 Bill Cunningham *Vice President*
 Ernie Arrañaga *Second Vice President*
 Pat Mulligan *Recording Secretary*
 Sharon Epp *Financial Secretary*
 Laurel Halfacre *Treasurer*
 Guillermo Martinez *Sgt at Arms*
 Vera Krauth *HBP/MBA Rep*
 Danny Laffan *Trustee*
 Stanley Halfacre *Trustee*
 Mike Cisneros *Trustee*
 Jackie Lanto *Trustee*
 Kelvin Kamachi *Trustee*
 Guillermo Martinez/Ernie Arrañaga *Legislative Liaison*

Branch 193 Shop Stewards

Almaden Valley Pam West
Bayside Alfred Navarette & Michael Sablad
Berryessa Henry Semillano
Blossom Hill Steve Miller & Steve Munyon
Cambrian Park David Martinez
Campbell Rosie La'auli
Cortese Tommy Rivera & JoAnn Francisco
Foothill Art Parrilla & Al Lopez
Gilroy Debra Masten
Hillview Victor Barrientos & Henry Pasao
Los Gatos Kevin Janton
Los Gatos Dell Ian Davies
Milpitas Fred Barreto
Morgan Hill Angel Montelongo
Robertsville Theresa Hernandez & Hasan Dulic
St. James Park Chris North & Maria Marquez
Saratoga Candice Wurthmann
Seven Trees Jason Davalos & Sundeep Sidhu
Willow Glen Gabriel Cruz, Art Gallegos,
 & Christine Mata

Important Dates

Apr. 11 Regular Branch Meeting
Apr. 21 **San Jose Sabercats Night Out**
 Apr. 25 Executive Board Meeting
May 5 **Retirement Dinner**
May 12 **20th Annual Food Drive**
 May 9 Regular Branch Meeting
May 28 **Memorial Day Holiday**
 May 30 Executive Board Meeting
June 3 **Black Oak Casino Trip**
 June 13 Regular Branch Meeting
 June 27 Executive Board Meeting
July 4 **Independence Day**
 July Regular Branch Meeting
 July 18 Executive Board Meeting
 Aug 8 Regular Branch Meeting
 Aug 29 Executive Board Meeting

Branch Meetings begin promptly at 7:00 PM:

Italian American Heritage Foundation
 425 North 4th Street San Jose, CA 95112

Board Meetings begin promptly at 7:00 PM:

Union Office

1060 Minnesota Avenue, Suite 9, San Jose, CA 95125

Deadline

The Deadline for the June/July 2012 issue of the Branch 193 Bulletin is **Friday, May 25, 2012**. News stories, articles, letters to the editor, drawings, cartoons, business cards, and/or photographs should be submitted to:

Editor • Branch 193 Bulletin
P.O. Box 5721 • San Jose, CA 95150

CONGRATULATIONS TO OUR NEW RETIREES

Linda Babauta St. James Park
 Cesar Buen Cambrian Park
 Raymond Chin Campbell
 Herman Echevarria Cambrian Park
 Josefino Rivera Cortese

Black Oak Casino Bus Trip

Members, family, and friends who are 21 years of age or older are invited to a MDA fundraising trip to Black Oak Casino on Sunday, June 3, 2012. The cost will be \$50.00 per person and the bus will be leaving from the Parkmoor Station parking lot at 1545 Parkmoor Ave. San Jose CA 95128 at 7:50 am. You will receive round- trip transportation (2 1/2-3 hr. drive each way) with drinks and light snacks, \$10.00 in machine free play and \$5.00 in table free play and \$5.00 food credit voucher. We will be at the Casino for approximately 4 hours of Las Vegas style gaming and then return home. Come have some fun and help out MDA. There is a 44 person minimum so it will be on a first pay first reserved space policy. The last day to get your money in is May 12, 2012 so get your money in early to reserve your seat today. See your Shop Steward for more information or call the Branch Office (408) 288-8138.

San Jose Sabercats Night Out

Branch 193 is having a night at the San Jose Sabercats at the HP Pavilion on Saturday, April 21, 2012 @ 7:30 pm. Come see Conference Rivals San Jose Sabercats vs. Kansas City Command prices are \$10.00 per ticket family and friends are invited to attend seating is in the lower level bowl section. This is fast moving arena football at its best and is geared for family entertainment at a reasonable price. If you've never seen the Sabercats play come check it out. Deadline for seats is April 18, 2012. See your Shop Steward or call the Union Office (408) 288-8138 for more information or tickets.

WELCOME NEW MEMBERS

David English

Annual Branch Picnic

A vote was taken at the February Branch meeting and this year the picnic will be held at Lake Cunningham Park on August 26, 2012. Mark your calendars for a fun filled day of activities and good BBQ. More information coming in the next bulletin.

California's Great America Theme Park Tickets

The Union office has discounted Great America tickets for sale. Single day tickets ages 3 years and up are \$31.99 and are good any public operating day for the 2012 season (except specially ticket events Pride Day/Halloween Haunt). Ages 2 years and younger are free. The regular single day price for adults (ages 3-61 over 48" tall) is \$55.99 and child/senior (age 3 and up who are under 48" tall or age 62 and over) is \$35.99. Gold Season Passes which includes parking at Great America, entrance to Gilroy Gardens (parking not included), Halloween Haunt, and 20% of some stores and restaurants at Great America are \$71.99 for adults regular price is \$80.99. For more park information and hours go to cagreatamerica.com. To purchase tickets see your shop steward or call the Union Office at (408) 288-8138. The last day to purchase tickets is July 20, 2012.

Food Drive

The 20th Annual National Food Drive will be held Saturday, May 12, 2011. This is the largest single day food drive in the country. Food banks across the country are in higher demand for donations more than ever, it has been a rough year for many people young or old and again this year we will be happy to help fill Second Harvest Food Banks shelves. Once again the Union will be selling T-shirts and baseball caps for \$10.00 to promote this year's campaign and can be worn the week prior to the food drive. This year the postcards will only be delivered to your residential customers and the Food Bank has also acquired a sponsor (NET-APP) to

donate money for the plastic bags that will be delivered by carriers that have mounted, dismount, and centralized cluster box type delivery. The bags seem to greatly increase donations so if you have this type of route, please deliver a bag to your customer and hopefully they will fill it up. I understand there will be an increase workload on this day but I would like to thank you for your assistance in this worthy cause. Please remember to be safe and lift properly some of the bags or boxes are heavier than they look. As usual the Union will provide some \$ to help aid in your thank you BBQ.

JACKPOT

Rhonda Garcia from Cambrian Park was not at the February Branch Meeting, **James Trang** from Berryessa Station was not at the March Branch Meeting, when their names were called for the jackpot. Come down to the monthly membership meeting every 2nd Wednesday of the month and maybe you could walk away with a little extra cash in your pocket. April's jackpot is worth \$ 723.00.