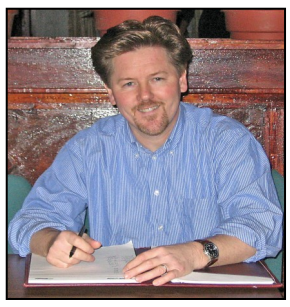

DEFENDING YOUR RIGHTS

The Union has yet again successfully defended the rights of Mail Handlers, recently achieving several significant arbitration decisions. For those of you who have never witnessed or participated in an arbitration hearing, it is quite simply where the "rubber meets the road" in defending our contractual rights. Although intended to be a fairly informal setting, very often there are high stakes involved. Arbitration is the final step in the grievance-arbitration process and the lives of individuals and the rights of many can hang in the balance. Thanks to the efforts of Arbitration Advocate and Vice President Steve Bahrle and Arbitration Advocate and Southeastern Branch President Rick Vennera we were able to prevail in two important contractual cases, one of which is related to a removal and due process violations. In addition, Local President Gibson was able to persuade Arbitrator Cannavo that management violated the Casuals in Lieu of provision of Article 7 at the Philadelphia NDC.

In the matter argued by Brother Bahrle before Arbitrator Owens, management at the South Jersey Processing and Distribution Center violated the terms of Article 12 when they failed to properly post newly created duty assignments installation wide. In a contractually complicated hearing Brother Bahrle faced off against Eastern Area advocate Robert Young and convinced Arbitrator Owens to rule that *"The language of Article 12.3 is explicit. When management failed to post/repost the duty assignments with the changes shown on the spread sheets, it failed to comply with the mandatory language articulated in the cited provisions."*

In his ingenious defense of a mail handler removed and denied their due process rights, Brother Rick Vennera convinced Arbitrator James Conway to rule that an Investigative Memorandum and video produced by the Office of Inspector General was inadmissible. This dealt a potentially fatal blow to the Postal Service's case against the employee and their efforts to meet their burden of proof. During the processing of the grievance defending the accused mail handler, the Union was denied access to critical information in violation of Articles 15 and 17 of the National Agreement. The parties have a full disclosure requirement which was blatantly ignored by local management in this case. Brother Vennera expertly raised the issue before Arbitrator Conway, who bifurcated the hearing to address the Union's threshold procedural issue and ruled to exclude the investigative report and video. The hearing will reconvene to argue the merits of the case in the coming months.

Finally, Arbitrator Cannavo ruled in favor of the Union in a casuals in lieu of violation in the Philadelphia NDC. Brother Gibson argued before Arbitrator Cannavo a case filed by Chief Steward Lou Morrone wherein the Union argued that the reversion of career duty assignments while casual employment rose was a violation of the explicit terms of Article 7 of the National Agreement as well as a National decision rendered by Arbitrator Shyam Das. Arbitrator Cannavo found the employer to be in breach and wrote *"The Arbitrator finds that Management hired and utilized these casuals over a period of time sufficient to justify the creation of duty assignments. It is disingenuous, and thus an abuse of discretion, for the Postal Service to, what appears to be a proper reversion and reducing the number of duty assignments, and at the same time hire and employ a casual workforce in lieu of career employees."* While the grievance involved only two reverted duty assignments, an erosion of career positions in violation of the National Agreement cannot be tolerated. Arbitrator Cannavo remanded the remedy portion to the local parties and retained jurisdiction in the event the parties cannot mutually agree on a *"reasonable remedy"* If you have any questions or concerns on these or any other Union related matters please do not hesitate to contact your facility Union office or Local Union headquarters.

COLA INCREASE

Effective with the second full pay period following the release of the July 2011 index, Mail Handlers may enjoy the second largest Cost Of Living Adjustment (COLA) under the terms of the 2006 National Agreement. Although the National Consumer Price Index for Urban Wage Earners and Clerical Workers experienced a slight decline between May and June of 1.287 index points the anticipated increase in our annual salaries currently exceeds $900, or more than 40 cents per hour. The Bureau of Labor Statistics of the U.S. Department of Labor measures the increase in the cost of living and publishes the activity monthly. Information regarding the change in the index can be found at ***www.bls.gov*** and remember to use the 1967=100 index for Urban Wage Earners and Clerical Workers. As soon as the July index is released we will post this information on the Local's website at ***www.npmhu308.org.***

Local 308 Summer "Shin-Dig"

WHERE: 5301 TACONY ST. PHILADELPHIA, PA 19137
(ON THE GROUNDS OF THE HISTORIC FRANKFORD ARSENAL)

WHEN: SUNDAY AUGUST 28, 2011 12 NOON UNTIL 5:00 PM

WHY: FUN! FUN! FUN!

See Full Flyer for Details

&

Ask any Union Rep for ticket information

Or call 215 537 8220

POLITICAL ACTION COMMITTEE

The importance of political action cannot be overstated. Throughout the history of the Labor movement in North America the greatest strides have occurred as the result of an active and aggressive legislative agenda by working men and women. The right to collectively bargain, the 8 hour work day, overtime provisions of the Fair Labor Standards Act, I could go on and on, were all achieved through political action. As a matter of law no dues money can be spent directly by any labor organization to advance the candidacy of any individual. However, we can donate voluntarily to the PAC, which will be used to contribute to the campaigns of those individuals, of any party, who have demonstrated a support for the agenda of the NPMHU and working people. Contributions can be made in two different ways. First, a direct contribution by personal check, money order or credit card can be made to

Mail Handlers PAC
P.O. Box 65171
Washington, DC 20035

Or

PAC by Phone (877 477 3273)

When Prompted Press 1 for Postal Ease
When Prompted Enter your 8 digit employee ID #
When Prompted Enter your USPS PIN #
When Prompted Choose option #2 (Payroll Allotments)
When Prompted Choose Option #1 to select options
When Prompted Press #2 to continue
When Prompted Press # 3 to add allotment.
When Prompted Enter 054001220 (routing #)
Enter 11260001_ _ _-_ _-_ _ _ (last 9 digits are your SS# which allows us to identify you as the PAC contributor)
Press #1 if correct
When Prompted Press #1 for checking
When Prompted input bi-weekly dollar amount
Press # 1 if correct
When Prompted Press #1 to process
Record confirmation # & Record Start date

PAC through the Internet

Got to www.liteblue.usps.gov
Enter your Employee Identification # and USPS PIN #
Follow the link to PostalEase
Re-enter your Employee Identification # and USPS PIN #
Follow the link to Payroll Allotments/NTB
Continue to the Allotments section
Your routing Transit No. 054001220
Your account #11260001_ _ _-_ _-_ _ _ (last 9 digits are your SS# which allows us to identify you as the PAC contributor)
Account type will be checking
Input the amount of the bi-weekly allotment.
Click the validate button
Click the submit
Print confirmation page.

PLEASE POST

NPMHU, Local 308
President's Report
July 2011