



VERA ANNOUNCED AMPs PROCEED



The announcement of a voluntary early retirement offer to mail handlers was underwhelming to say the least. The offer includes two payments of \$7,500 each, to be paid in December of 2012 and December of 2013 for employees deciding by July 2, 2012 and agreeing to retire no later than August 31, 2012. While this offer may solidify a retirement decision already made, I doubt it will see many mail handlers running for the retirement exits. In either case, the decision to retire is obviously life-changing and should be considered carefully. Additional details on the VERA are available on our National's web site at www.npmhu.org.

During the Local's teleconference with National President John Hegarty regarding the VERA announcement, the state of our national negotiations, as well as current legislative activities, and the latest on the Area Mail Processing studies were also discussed. Brother Hegarty informed the Local Unions that mediation efforts were unsuccessful and we will move forward into binding arbitration. The parties will shortly select an arbitrator and the process of scheduling will begin. As we have previously reported, the arbitration process is binding on the parties and the rank and file will not have an opportunity to ratify or reject the arbitrator's determination. President Hegarty anticipates

hearings would begin between July and September with an obvious recess for our National Convention activities.

On the legislative front Brother Hegarty thanked the Locals for their efforts on S.1789, although not a perfect bill, it provides some respite from the looming fiscal crisis currently facing the Postal Service. John did urge the locals and their members to contact their House Representative and demand action on their side of Congress. Without a bill from the House there can be no legislation enacted to help save the Service. Remember we support HR 1351 and not HR 2309. Get involved got to www.npmhu.org and link to the legislative page to contact your representative. It is easy to do and critical to our livelihoods.

On the very same day of the VERA announcement Local 308 along with other impacted Locals, discussed the latest regarding the consolidation and movement of employees scheduled for August with Regional level Union representatives as well as Area and District level managers. As you recall, within the jurisdiction of Local 308 five facilities are facing impact, Southeastern, Lancaster, Scranton, Reading, and Williamsport. Of the changes occurring in August, the first event includes the movement of originating mail operations from the Southeastern

facility to the Philadelphia P & DC. This may result in the reassignment of as many as thirty mail handlers. The details of this event have not been finalized and we have since met with local management who are still working out the impact to mail handlers. The second August event affecting Local 308 involves the movement of impacted mail handlers from the Monmouth P & DC, which falls under the jurisdiction of Local 300, into the Trenton P & DC. Again, the specifics in terms of the number of impacts and the status of those impacted mail handlers has not been finalized as we await a meeting with the South Jersey district and local management which has been scheduled for June 6. As soon as additional information becomes available we will provide it to you. The remaining impacted facilities within Local 308 are scheduled for movement sometime early in 2013. The details of the 2013 events will also be provided as soon as they are available. Please check your facility Union bulletin board for updates and the Local's web site for updates.

As always, please do not hesitate to contact me with any questions or concerns regarding these or any other Union matter.

In Union Solidarity,
John Gibson

308 CONVENTION DELEGATES MEET

In preparation of the 2012 NPMHU National Convention, delegates elected by the membership of Local 308 met to discuss the upcoming event scheduled for August 6 through August 11, 2012. The delegates engaged in a lengthy discussion regarding proposed changes to the National and Uniform Local Union Consti-

tutions as well as any proposed resolutions to be considered by the 2012 National Convention. Topics also included some logistical and procedural elements of the convention. As a reminder, any last minute submissions must be received by National President John Hegarty no later than June 7, 2012 at our National Headquarters 1101 Connecticut Ave. NW. Suite 500, Washington, D.C. 20036.



Delegates: Brian Carson, Mike Mohan, Shelby Root (obscured), Rick Venera, John Gibson, Steve Bahrl, Quentin Seth, Mike Rembelinsky, Bill Finley, and Joe Zelenenki

THE MAIL HANDLER ADVOCATE

The first issue of The Mail Handler Advocate was recently delivered to all shop stewards and representatives of Local 308. This informational bulletin is created locally and distributed to all those who represent mail handlers. Designed to educate and inspire those on the front lines defending the rights of mail handlers, the "Advocate" provides reps with valuable information and insight in the defense of our members. Subjects in our first issue included the legal rights of stewards, informational assets, tips on developing a grievance, corrective remedy, settlement ne-

gotiating strategies, as well as a review of relevant arbitration decisions. Educating our stewards is an essential component to providing the best representation possible.

THE MAIL HANDLER ADVOCATE
AN INFORMATIONAL BULLETIN DEDICATED TO THOSE WHO REPRESENT MAIL HANDLERS

Brothers & Sisters,
As Union Representatives you know from experience that protecting mail handlers from the ignorant and wayward in management and sometimes even from themselves is no walk in the park. Quite often we become the targets of, not only those in management who feel threatened by the mere suggestion that they have done something wrong and are not above reproach, but also of those we do our very best to represent. Here times than not it is a thankless, kick in the pants job, but I want you to know that the work you do is important and I sincerely thank you for your commitment to protecting the rights of mail handlers. My job and the point of this publication is to share as much information as I can with you about protecting the rights we have fought so very hard for. As we move forward with this project I invite you all to voice your concerns and suggestions on how we can better serve you, as Union reps and in turn the members of Local 308. Let's begin.

"THE LEGAL RIGHTS OF STEWARDS"
Defending your rights as a steward is absolutely critical to representing mail handlers on the workroom floor and the most obvious place to begin. It is a common practice within any bureaucracy to frustrate justice by delaying or denying due process, and the Postal Service is no exception. The purpose of denying a steward time to investigate or process grievances is as obvious as it is common and has the collateral effect of frustrating, not only the steward but the rank and file as well. The Legal Rights of Union Stewards by Robert H. Schwartz contains important information covering a host of topics including Weingarten Rights, the National Labor Relations Board, the right to information, and the Duty of Fair Representation. Shortly your local Union office will receive copies of this important handbook, please take the time to review it. In the interim, we'll focus our attention on Articles 17 and 31 of the National Agreement. The National Agreement under section 17.3 provides that:

Section 17.3 Rights of Stewards
A When it is necessary for a steward to leave his/her work area to investigate and adjust grievances or to investigate a specific problem to determine whether to file a grievance, the steward shall request permission from the immediate supervisor and such request shall not be unreasonably denied. In the event the duties require the steward to leave the work area and enter another area within the installation or post office, the steward must also receive permission from the supervisor from the other area he/she wishes to enter and such request shall not be unreasonably denied.
B The steward, chief steward or other Union representative properly certified in accordance with Section 17.2 above may request and shall obtain access through the appropriate supervisor to review the documents, files and other records necessary for processing a grievance or determining if a grievance exists and shall have the right to interview the aggrieved employee(s), supervisors and witnesses during working hours. Such requests shall not be unreasonably denied.
Of course we've all had the basic training and understand this, one element that is often overlooked however, includes the right to investigate in order to determine whether a grievance actually exists. This provides the steward with great latitude to investigate virtually any event occurring in the facility on the tour assigned to determine whether a grievance actually exists. The tricky language obviously is the phrase "unreasonably denied". When denied this is the steward's burden of proof. Was the denial unreasonable? There is no formula that separates reasonable from unreasonable in this context. The Contract Interpretation Manual requires:
"If management must delay a steward from investigating or continuing to investigate a grievance, management should inform the steward involved of the reasons for the delay and should also inform the steward of when time should be available. Likewise, the steward has an obligation to request additional time and to state reasons why this additional time is needed. Requests for additional time to process grievances should be dealt with on an individual basis and not be unreasonably denied." Source: Step 4 Grievance NC-C-16045, dated November 22, 1978.
Management rarely, if ever, complies with this requirement when denying duty time. As you all know the fact of the matter is that most opera-

Branch Meetings & Facility Visits



*NPMHU, Local 308
President's Report
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