

# The Twig of the Branch



Branch 1477 West Coast Florida Letter Carriers



Serving:

**St. Petersburg — Largo — Dunedin — Pinellas Park — Indian Rocks Beach  
Punta Gorda — Englewood — Bradenton Beach — Palmetto — Ellenton**

VOLUME 641

VOICE OF BRANCH 1477

JULY, 2023

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## PRESIDENT'S REPORT

*By President Joe Henschen*

*Twitter @ JaHe1*

Recently we have fielded a number of questions about EAP. There are a number of resources available for employees in need of assistance.

EAP is a bargained benefit that NALC strongly encourages you and your family to use. Accessing EAP services can be done by phone or the internet.

Article 35 of the National Agreement, is titled "Employee Assistance Program" (EAP), provides that:

The Employer and the Union express strong support for programs of self-help. The Employer shall provide and maintain a program which shall encompass the education, identification, referral, guidance, and follow-up of those employees afflicted by the disease of alcoholism and/or drug abuse. When an employee is referred to the EAP by the Employer, the EAP staff will have a reasonable period of time to evaluate the employee's progress

in the program. This program of labor-management cooperation shall support the continuation of the EAP for alcohol, drug abuse, and other family and/or personal problems at the current level.

Some common questions and answers regarding this program are as follows:<sup>1</sup>

<sup>1</sup> Contract Talk 2017-12

**NEXT BRANCH MEETING AT THE HALL AND VIA ZOOM: THURSDAY, JULY 13, 2023**

## Are my family members entitled to EAP assistance?

Section 941 of the Employee and Labor Relations Manual (ELM) explains EAP's general purpose as:

The Employee Assistance Program (EAP) is a formal, voluntary, non-disciplinary program designed to assist employees and their immediate families in their efforts to resolve personal issues that may impact adversely on work performance, personal well-being, or both. Issues may include, but are not limited to:

- receiving support when you don't feel like yourself?
- growing your personal skills?
- being a caring friend or family member?
- receiving care after a traumatic event or diagnosis?
- making healthy lifestyle choices?
- improving your communication skills?

Assistance is provided through:

- Face to face counseling
- Telephonic counseling
- Text therapy (Talkspace)
- Video Counseling
- Web-based resources (myStrength)
- "In the Moment" support
- Coaching

## Who can refer an employee to EAP for evaluation?

In addition to certain situations when supervisors or managers refer employees to EAP, Section 942.222 of the ELM provides:

Fellow employees, union representatives, management association representatives, medical personnel, family members, or judicial and social service agencies may refer employees to the EAP. However, if any of these suggest or recommend that the employee seek EAP assistance, participation is always voluntary.

Additionally, an employee who feels the need can also refer themselves, as per Section 942.223 of the ELM, which states: Employees who want help with any personal problem or concern are encouraged to seek assistance directly by personally contacting EAP.

## Should I be concerned about my privacy if I participate in EAP?

Section 944 of the ELM, titled "EAP Counseling Records," identifies the Public Health Service Act of 1944, the Privacy Act of 1974 and the Health

Insurance Portability and Accountability Act (HIPAA) of 1996 as laws that protect the confidentiality of your restricted information, with extremely limited exceptions, as identified in ELM, Section 944.

## Does an employee have the right to visit EAP on the clock? Section 941.35 of the ELM provides that:

An employee's first visit to EAP is on the clock, whether the visit is initiated by management, the union representative, or the employee (unless the employee prefers to visit the EAP unit on his or her own time).

- Subsequent consultations are on the employees own time.
- If a reasonable period of time has elapsed since management referral or a previously disclosed self – referral, the manager or supervisor may, on a case-by case basis, approve an additional on-the-clock session.
- To receive pay for an on-the-clock session, the employee must authorize the EAP provider to disclose his or her attendance to management.

How can EAP help me with my problem? Section 942.23 of the ELM identifies the evaluation process as: EAP counseling staff provides assessment services and arranges counseling for employees or family members or refers them to appropriate treatment resources.

**Make the Call!**

USPS Employee Assistance Program

**1-800-327-4968**

(1-800-EAP-4-YOU) TTY: 1-877-492-7341

[www.EAP4YOU.com](http://www.EAP4YOU.com)



Residence: Cell: (727) 743-5395 Home: (727) 772-8383 [ganneken@msn.com](mailto:ganneken@msn.com) Palm Harbor, FL  
Business: (513) 621-4787 (800) 543-0379 Fax: (513) 621-0483 Postal Fax: (888) 724-7882

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## Hubble's Troubles

By Executive Vice President,  
Chris Hubble

### **Office time and management's subjective and often unrealistic expectations....**

Throughout the years, management has attempted to create a "tool" that projects a Letter Carrier's daily workload. Believers in these systems and/or "tools" think they can take a mathematical formula and simply plug in some mail volume numbers, arbitrarily select a street time for the day, and apply some non-existent work standards to determine what time a Carrier will leave the office and what time they will return from the street. Their goal is to determine how much "down time" the Carrier has to pivot off another route.

In addition to using such time-projection systems, managers occasionally just pick arbitrary time allotments out of the air and attempt to apply such numbers to a Letter Carrier's office and street time, and then expect them to meet those times.

One most recent application illogically limits Letter Carriers to no more than one hour of office time in the morning (*60-minute variance*). No matter how much mail they have to case or how much other office work they must perform, they are instructed to be on the street no later than one hour after they begin their tour. Another arbitrary time allotment by managers limits Carriers to a predetermined amount of time in the evening of five minutes, to perform their required p.m. office duties.

Whether management is using a time-projection tool or simply applying arbitrary time allotments for Letter Carriers to adhere to, such ways to determine office times often do not allow for fixed office time to perform such necessary daily functions as vehicle inspections, stand-up talks, retrieving mail from the throwback case, withdrawing mail, and retrieving or signing for accountable items, to name a few mornings office duties.

If your office has an office break, that time is most likely not factored into these projections or allotted times either. Arbitrary projections and time allotments certainly do not take into consideration how much actual work needs to be performed and the actual time allowed for each of these office

functions.

### **Management's projections or arbitrary time allotments are not the sole determinant of a Carrier's leaving or return time, or daily workload.**

Furthermore, using a time projection and/or applying a subjective amount of time does not change the Letter Carrier's reporting requirements outlined in Section 131.4 of Handbook M-41, City Delivery Carriers Duties and Responsibilities; the supervisor's scheduling responsibilities outlined in Section 122 of Handbook M-39, Management of Delivery Services; or the Letter Carrier's and supervisor's responsibilities contained in Section 28 of Handbook M-41.

### **Certified Mail...**

In Fiscal year 2022, Certified Mail generated \$653 million dollars from 170 million pieces. With that said, recently the USPS has mandated that Certified Mail be processed on the same automated operations (*DPS*) as First-Class mail. Furthermore, Certified Mail will no longer utilize a special holdout on automation sort programs.

The practice of running Certified Mail through automation (*DPS*), in lieu of the procedures outlined in the applicable handbooks and manuals is a direct violation of the National Agreement. The proper procedures for handling accountable items are outlined in the handbooks and manuals. Postal Operation Manual (*POM*) section 813.3, "Carrier Controls." *POM* section 813.31 controls assignment of certified mail, which explains in relative part:

### **813.3 Carrier Controls**

*Send Certified Mail, including that for firms, to a unit or employee designated to assign it for delivery and follow these procedures for each type of mail:*

- a. *Individual Pieces. Use PS Form 3867, Accountable Mail Matter Received for Delivery, to show the total number of pieces given to each Carrier, or as a chargeout record. Use symbols on PS Form 3867 to show return receipt or restricted delivery. Obtain the signature of the Carrier on PS Form 3867. If the mail is endorsed for restricted delivery, prepare PS Form 3849 and attach it to the certified article.*

The above-cited section outlines the precise steps necessary to assign certified mail to Carriers, and

they are as follows:

1. *Send the certified mail to a unit*
2. *Complete PS form 3867 annotating the number of pieces received*
3. *Obtain the Carrier's signature on the PS form 3867 to transfer accountability*

It is only after the conclusion of these three (3) steps that certified mail may be "assigned" to the Carrier. In reading the language above, it is clear, certified mail is to be sent to the delivery unit or employee to assign it for delivery utilizing PS Form 3867, by way of an accountable clerk.

Management's new policy assigns the certified mail to the Carrier upon discovery of the certified mail in their DPS mail, after the PS form 3867 should have been completed, and subsequent when Carriers should have signed for the certified mail. This is improper and a violation of Article 19.

Handbook M-41 Section 261 reads in pertinent part:

#### *261.1 Acquiring Accountable Items*

*261.11 Accountable items are keys, postage due, customs duty, and special services mail. [Emphasis added]*

POM section 137.44 states:

#### *137.44 Accountable Mail*

##### *137.441 General*

*Special services are available that provide proof of mailing, proof of delivery, or indemnification for loss or damage. These services include Certified Mail, Registered Mail, Collect on Delivery (COD), Insured Mail, Return Receipt, and Merchandise Return Service. Because records are kept concerning each item of mail receiving these special services, such mail is called accountable mail. [Emphasis added]*

Because certified mail is an accountable item there are specific procedures that should ordinarily be followed in their distribution.

Handbook M-41 section 261.12 imparts in relative part:

*261.12 Generally, Carriers are required to call at the finance cage for accountable items. They may be called in groups by call of route numbers or by passing a paddle (see for paddle system). At some offices, the items are delivered to the carrier at his/her case.*

This section allows for two (2) methods to achieve the transfer of accountable items to Carriers, which are:

1. *Call at the finance cage for accountable items..., or*
2. *The items are delivered to the Carrier at his/her case....*

These are the only two (2) options available to transfer custody of accountable items to Carriers. The language above does not contain a third option to have all certified mail sorted in the DPS.

This unilateral change dramatically alters the duties of Carriers. At present, Carriers are not going to a finance cage or instead of the accountable clerk delivering the accountable items to the Carrier at their case, Carriers are being required to obtain certified mail on the street from the DPS. Again, at this moment, the Carriers have certified mail in their possession and control, unknowingly, which before the change had been in the possession and in control of the accountable clerk until it was physically accepted and signed for by the Carrier.

Here, management's improper actions have increased the impact on Letter Carriers, e.g., certified mail in the DPS will make it almost impossible for Carriers to proffer an accurate estimate of their daily workloads and will cause data integrity issues.

As noted in the Handbook M-41 Reporting Requirements, Carriers must inform management when they are of the opinion that they will be unable to complete their assignment within eight (8) hours, and this must be done not later than immediately following the final receipt of mail. Usually, supervisors go around the delivery unit, case by case, and ask Carriers for the estimates on their daily workloads. When accountable items are handled properly and Carriers obtain receipt of certified mail in the office, they can factor in the time it will take to fill out the appropriate forms and deliver the certified mail. In this case, however, the unilateral action has now placed Carriers in jeopardy of receiving discipline for failure to follow the rules concerning reporting requirements.

For example, a Carrier receives all their mail for the day and has no certified mail, they then inform management in the morning that they will be back by 4 pm. However, during the day they discover ten (10) certified mail pieces in his DPS, and let's say it takes the Carrier 4 minutes on average to complete delivery for each item. Now this Carrier will not be completed with their assignment until 4:40 pm, or 40 minutes over his original estimate. Who's to blame for the discrepancy? How can a Carrier be expected to provide an estimate while being blindfolded by management?

In conclusion, Article 19 imparts that postal handbook and manual provisions that directly relate to wages, hours, or working conditions are enforceable as part of the National Agreement. The handbook provisions at the center of the dispute are contained in POM, Handbook M-39, and Handbook M-41, which is duly named: City Delivery Carriers Duties and Responsibilities. The contents of the above-mentioned handbooks detail in great specificity the duties and responsibilities associated with the City Letter Carrier occupation, and management's actions have changed the Letter Carrier's working conditions.

For further information, scan the QR code below.



*The Certified Mail information was provided by the Region 9 NBA Office.*



## Retiree Update

*By Director of Retiree Affairs,  
O.D. Elliott*

If you are considering Retirement, already retired and have questions concerning your annuity, health and or life insurance benefits, the following Contact Information may be helpful.

The NALC Retirement Department can be reached by calling 800-424-5186 (toll free) Monday, Wednesday or Thursday, 10 a.m. to Noon or 2 p.m. to 4 p.m. (Eastern Time), or by calling the NALC Headquarters switchboard at 202-393-4695 Monday through Friday, 9 a.m. to 4:30 p.m. (Eastern Time) and asking for the Retirement Department.

The USPS HR Shared Service Center (HRSSC) can be reached by "current" employees who are planning or applying for retirement by calling 877-477-3273, option 5.

The Office of Personnel Management (OPM) acts as the personnel office for retired letter carriers, and is the agency responsible for administering retirement, health and life insurance benefits. Before calling or writing to OPM, be sure to have your Civil Service Annuity (CSA) number ready. OPM can be reached by retirees who have a CSA number by calling 888-767-6738 or 724-794-2005, 7:40 a.m. to 5 p.m. Monday through Friday (Eastern Time), or 202-606-0500 in the Washington D.C. area. Mail your written inquiries to Office of Personnel Management, Retirement Operations Center, Boyers, Pa. 16017 (unless OPM has specified a different address for a specific action such as health benefits open season).

You may also contact Branch 1477 at 727-531-1477 or contact me at 727-608-6027(cell) or 727-526-2673. (Note: When you contact HR Shared Services to apply for retirement, you will receive a packet with many forms and explanatory material. This packet and these forms may look intimidating. These forms must be completed letter perfect. If you have any questions or would like assistance in completing the forms, don't hesitate to contact me.



## Legislative Update

*By Gene Carroll, CDL District 15*

Reps. David Joyce (R-OH) and Sanford Bishop (D-GA) reintroduced a door delivery resolution (H. Res. 376), which calls on Congress to take all appropriate measures to ensure the continuation of door delivery for all business and residential customers.

The resolution has had consistent bipartisan support in the past and currently has 18 bipartisan cosponsors. More than 35 million U.S. businesses and households receive mail at their doors six—and sometimes seven—days a week. Receiving mail, including bills, paychecks, medications, ballots and packages at the door is preferred by the public.

## Minutes of June 8, 2023 Membership Meeting

Continuing this essential service is critical to the economic success of the Postal Service, and NALC encourages all letter carriers to contact their representative to cosponsor H. Res. 376.

Reps. Don Bacon (R-NE) and Marcy Kaptur (D-OH) reintroduced another service-related resolution on April 6. H. Res. 277 expresses the sense of Congress that the Postal Service should take all appropriate measures to restore the service standards that were in effect as of July 1, 2012. The resolution has 28 bipartisan cosponsors.

Reps. Dan Newhouse (R-WA), Jennifer Wexton (D-VA) and seven other cosponsors reintroduced the USPS Shipping Equity Act (H.R. 3721). The bill, which is identical to legislation introduced last Congress, would allow the Postal Service to ship beer, wine and other alcoholic beverages directly from licensed producers and retailers to legal customers. Current law prohibits the Postal Service from shipping alcoholic goods, making private shippers such as FedEx and UPS the only option for wineries, breweries and other producers to have goods delivered directly to customers. This bill would allow USPS to ship these beverages and would generate an estimated \$190 million annually in new revenue for the Postal Service.

If passed into law, USPS would have two years to develop regulations ensuring that the Postal Service is prepared to safely deliver alcoholic beverages to adult consumers with appropriate identification checks. The bill also would expand access for direct-to-consumer alcoholic shipments. Unlike private shippers, USPS delivers to every address in the nation. The current ban on the Postal Service from shipping alcohol limits access to these products for many Americans, especially in rural areas.

“NALC applauds Reps. Newhouse and Wexton for reintroducing the USPS Shipping Equity Act,” NALC Executive Vice President Paul Barner said. “The bill is an important step toward meeting the growing needs of our customers while generating revenue for the Postal Service, expanding the agency’s service opportunities, and supporting small businesses nationwide.”

NALC



**Recording/Financial  
Secretary**  
Ken Grasso

**Meeting called to order** at 7:00 p.m. by President Joe Henschen.

**Invocation** by Vice President Greg Welsh.

**Pledge of Allegiance:** led by President Joe Henschen.

**Minutes of previous meeting:** Motion to accept the Minutes as printed in the Twig by Terry Johnson, seconded by O.D. Elliott. Motion passes.

**Application of New Members:** by Ken Grasso

- Kadeshir Blake—St. Petersburg
- Julian Werkmeister—St. Petersburg
- Chase Gill—St. Petersburg
- Paola Alequin Sanchez—Largo
- Jonathan Alsup—Indian Rocks Beach
- Laurence DeLeon—Largo

**Branch by the Numbers:** As of the latest PP the Dues Roster has 819 Active Members with 788 paying dues. 9 paying Direct Dues We have 18 members on OWCP, 3 are on Military Duty, 19 Members on LWOP for Medical or Discipline Reasons. Retirees 564 (90 Gold Cards). 1383 Total Members.

I would like to welcome Kelly Bins of Absolute Quality Interpreting Services.

**Treasurer:** Chuck Cavicchio—read the balances. Motion to accept the Report of the Treasurer by Jim Bumbul, seconded by Terry Johnson. Motion passes.

**Director of Retiree Affairs:** O.D. Elliott—5 New Retirees, and 3 getting ready to retire.

**Director of Insurance:** Tom Phillips—Eye Glass Applications for May: 9 Members for \$550 and 5 Dependents for 250 for total of \$800.

**Political District 13 Liaison:** Tom Phillips—NALC Postal Record has the NALC Agenda and recommend that you read it.

**Trustee Report:** Brian Andrews—Went over April and May. Books are in order.

**Vice President Report:** Greg Welsh—How you deal with things is most important. When Management and outside forces put pressure on us we can rely on each other. Reach out to other people.

### **Welfare Reports:**

#### **Sad:**

- Alan Hutchinson, Carrier St. Pete Beach—Had surgery.
- Cheryl Day, Retiree St. Pete—Was ill.
- Chuck Cavicchio, Treasurer—Had surgery.
- Ray Smith, Retiree St. Pete—Passed away.
- Dennis Jones, St. Pete—Passed away.
- Ed Schenk, Retiree St. Pete—Wife had hip replacement surgery.
- Linda Held/Scott, Carriers Dunedin—Linda's Mother passed away.
- Eric Short, Sergeant at Arms—Uncle passed away.

#### **Glad:**

#### **Promotions to FTR from PTF:**

Ed Walker—Pinellas Park  
Kelly McNamee—Pinellas Park  
Adrian Arnold—Palmetto  
Jason Brache—Punta Gorda  
Jason Giardina—Punta Gorda  
Michael Hayes—St. Pete  
David Kerr—St. Pete  
Juliana Angel—St. Pete  
Chad Cicanese—Largo  
Rory Flaherty—Seminole  
Janel Redman—Seminole

#### **New Retirees:**

- Lori McClelland—Punta Gorda
- Amy Mead—Seminole
- Rod Rosengrant—Seminole
- Di Rodenhuis—Seminole
- Amy Fuhr—Bradenton Beach

#### **Presidents Report:**

Food Drive totals this year 717,063 lbs, just shy of 100,000 more than last year.

June 23-24: 2 - Day OWCP Training hosted by the Branch and is limited to 30 participants.

NALC Region 9 Rap Session, October 5-7 has been relocated to Orlando, Florida. The Executive Board recommends sending 4 Officers. Cost is \$1788 for lodging, approximately \$660 for expenses. Motion by Eric Short, seconded by Javier Urrutia. Motion passes.

Last month the Ladies Auxiliary 181 announced after 99 years as an organization that it has been dissolved. They made a donation to the Branch of \$1,000 with the stipulation that it be used for aid to letter carriers in need. This month it was brought to our attention that such a need exists with a Carrier and his family. The Executive Board recommended the Branch approve \$500 from the Auxiliary Money to be donated to the member in need. Motion was made by Terry Johnso, seconded by Buddy Schroeder. Motion passes.

Another motion by Javier Urrutia, seconded by Eric Short for the Branch to match the \$500 donation going to the carrier in need. Discussion followed with O.D. Elliott speaking against this as it would put the Branch in a dangerous position if we did this for someone and next week a need for another Carrier comes to our attention. After discussion, vote was taken and Motion passes.

#### **Scholarship Drawing**

Baxley Scholarship: Alexa Smolka, Daughter of Bob Smolka, Carrier—Gateway

Alternate: Kyle Fillhart, Son of Carrier Karl Filhart—St. Pete—Gateway

Elliott Scholarship: Female Winner: Gianna LeCert, Daughter of Don LeCert, Carrier—Seminole.

Alternate: Sophia Bumbul, Daughter of Jim Bumbul, Carrier—St. Pete Beach.

Elliott Scholarship: Male Winner: Cyler Gabel, Son of Mark Patrick, Carrier—Ellenton.

Alternate: Kyle Fillhart

At this time Eric Short asked to open discussion about donating to another Carrier who has two children and is a single mother. One of the children

has to have a liver transplant. He made motion to donate the remaining \$500 from the Auxiliary 181 donation to this Carrier. Seconded by O.D. Elliott. Motion passes.

Successful bids since May 21, 2023, will be counted toward the bid maximums established in the next agreement.

NALC is accepting applications for the 2024 Leadership Academy which is open to all active NALC members. The Academy consists of three week-long sessions held over a five-month period at the Maritime Institute near Baltimore, MD. If anyone needs more information, contact President Joe Henschen.

As most of you are aware, management has taken unilateral action to run all Certified Mail in the DPS. This action conflicts with the National Agreement, inclusive numerous handbooks, and manuals. The office has created a Grievance Starter to address this action and we need to ensure grievances are filed in every office where management is running all Certified Mail in DPS.

Maintaining your Training Records is important in many ways. Just recently a Carrier informed us that they were out for 3 months, and the Carrier noticed the HERO referenced completed training that occurred when they were off. If you notice something is incorrect bring it to your Steward's attention.

### **Old Business/New Business**

The AC unit had some issues and it appears to have been caused by the AC drain line stopping up and filters that were obsolete.

We also discovered a leak in the roof that occurred under the AC unit in the back. We are in the process of determining the best route to remedy the issue. We must have the unit lifted off with a crane and then the roof area underneath be sealed by the roofer.

Door Prize Drawing

**Lotto-Ticket Winner**  
Syncyr Wisdom

## **Military Leave—Paid and Unpaid and Investigating Training Records**

Information provided by  
Executive Vice President  
Chris Hubble

### ***Eligibility for Military Leave — Paid and Unpaid***

Military leave is authorized absence from postal duties, without loss of time or performance rating, granted to employees who are members of the National Guard, including the D.C. National Guard, or **Reservists of the armed forces**. The following components of the armed forces are qualifying for eligibility for military leave:

Army National Guard of the United States  
Army Reserve  
Naval Reserve  
Marine Corps Reserve  
Air National Guard of the United States  
Coast Guard Reserve  
Air Force Reserve

**Career employees** thus qualified are eligible for paid military leave up to a designated limit and for military leave without pay (LWOP) thereafter, when performing qualifying activities. They must use another type of paid leave or leave without pay when performing activities qualifying for absence but not for pay.

**Non-career employees** thus qualified are permitted to be absent but are not eligible for paid military leave or military LWOP and must use another type of paid leave or leave without pay.

### ***Paid Leave Credited***

Eligible employees receive credit for paid military leave as follows:

**Full-time employees other than D.C. National Guard** — 15 calendar days (120 hours) each fiscal year.

**Part-time employees other than D.C. National Guard** — 1 hour of military leave for each 26 hours in pay status (including military LWOP) in the preceding fiscal year provided:  
Employee was in pay status a minimum of 1,040 hours in the preceding fiscal year.

**Note:** A part-time employee's time on military LWOP in one fiscal year counts toward meeting the 1,040 hours' requirement for the next fiscal year. Employees' pay for military leave does not exceed 80 hours.



### **Activities Qualifying for Absence**

Eligible **employees** are permitted to be absent for:

- Drills or meetings scheduled by the National Guard or Reserve Units of the armed forces.
- Usual summer training periods.
- Any other active duty ordered by the National Guard and Reserve Units of the armed forces.

### **Activities Qualifying for Pay**

Eligible employees other than D.C. National Guard are entitled to paid military leave only for such duty as and to the extent provided below:

- Active duty, field, and coast defense training.
- Scheduled drills.
- Service providing military aid for law enforcement purposes (as provided in ELM 517.43; see Law Enforcement Allowance below).

### **Return From Duty**

For paid military leave approval, upon return from military duty to the Postal Service, the employee furnishes a copy of military orders or other documentation properly endorsed by appropriate military authority to show the duty was actually performed.

### **Approval**

Leave must be requested on a PS Form 3971, Request for or Notification of Absence, before the period of absence. Sufficient notice is required for making necessary arrangements for replacements. If the employee does not learn of the need for the absence until later, notice is to be given as soon possible.

Access up to 120 hours of paid military leave begins the pay period employees are converted into or hired to a full-time career position.

**Example:** If an employee is converted to career on July 1, 2023, and has military orders for reserve drills or training, the employee is eligible to immediately use up to 120 hours, if supported by military orders.

### **Investigation of training records....**

The fact is that in many cases management has made claims that employees were trained in specific subjects when they weren't.

Some subjects are covered repeatedly, and our workforce gets the message. Other subjects are less appealing to your managers, and in their opinion, any **stand-up talk** on the subject is a waste of time. Regardless of the magnitude of the subject being covered, the training should all be done correctly.

Article 14, Section 1 of the National Agreement provides that:

*...It is the responsibility of management to provide safe working conditions in all present and future installations and to develop a safe working force... (Emphasis added.)*

This language begs the question, how can management develop a safe working force when they are being untruthful about the training they were required to conduct?

Article 19 of the National Agreement provides a mechanism to enforce rules that affect wages, hours or working conditions of employees. The following is a brief listing of relevant provisions from Chapter 8 of the *Employee and Labor Relations Manual (ELM)*:

**811.24 (d); All employees must be trained in proper work procedures and must be educated to work safely** and to understand that they are responsible for doing so. Management is responsible for the adequate safety training and education of employees. However, all employees are responsible for working safely, and in doing so, they benefit not only themselves but also their organization. (Emphasis added.)

### **817.5 Training Required by OSHA**

- HBK AS-556, Asbestos Management Guide
- MI EL-810-2009-4, Personal Protective Equipment and Respiratory Protection Programs

- MI EL-810-2000-2, Bloodborne Disease Exposure Control Plans
- MI EL-810-2000-1, Hearing Conservation Programs
- MI EL-890-2007-4, Lead Hazard Management Program
- MI EL-890-2007-2, Asbestos-Containing Building Materials Control Program
- MI EL-810-2006-3, Response to Hazardous Materials Releases
- MI EL-810-2008-4, Hazard Communication (HazCom) Program
- MI EL-810-2010-1, Confined Space Safety Program

### 817.9 (Training Records)

For each employee, records of safety and health training must be maintained to demonstrate compliance with Postal Service policies and OSHA requirements. The records must be retained and available to allow inspection by Postal Service and OSHA officials. All safety training must be recorded in the Learning Management System (LMS).

**Note:** Documentation of safety talks and safety-related on-the-job training must be maintained either at the facility level or, in the case of safety talks, in the Safety Talks module of the Safety Toolkit. These records must be available to allow inspection in a timely manner.

If you discover, regardless of how, that there is a specific subject on which management is required to train you, but you don't recall that the subject was covered in a stand-up or specialized training session, then you should approach your supervisor and ask about it. If you happen to review your **HERO training** on the **LiteBlue** page and discover that there is a subject listed as completed in your training profile, but you know that such a claim is not true, then you should request to see your steward and ask that they investigate your findings.

Separately, the outcome of the above investigation may be very useful when defending a letter carrier who has received discipline for a safety violation, when they truly were not trained on the subject.

This process may also be applicable when there is a

question relating to whether or not the employee was aware of any specific rule, even if not related to safety.

*Manuel L. Peralta Jr. November 2022 Postal Record*

## Steward Meeting Attendees

**Meeting was held at the Hall and on Zoom and led by Executive Vice President Chris Hubble.**

### June 15th:

Patrick Jacques, Eric Short, Javier Urrutia, Olvin Flores-Elvir, Heather Manley, Brian Andrews, Mike Oster, Donny DeMilta, Joshua Wheeler, Scott Archbold, Heather Vincent-Gates, James Grazioso, Patrice Cannonier, Wyatt Stribling, Mark Patrick, Dennis Leach, Eric Baker

## South Meeting

### June 21st:

Joe Henshen, Chris Hubble, Erica Baker, Chris Kotonski, Josh LaGrew, Rui Almeida, Caleb McMahan, Noah Johnson, Jason Giardina, Kevin Kelly

We are no longer  
accepting  
ANY uniforms  
at this time

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# July, 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						<b>1</b>
<b>2</b>	<b>3</b> Pinellas Park Retiree Breakfast	<b>4</b> <i>Independence Day</i>	<b>5</b> Largo Retiree Breakfast	<b>6</b> Executive Board	<b>7</b>	<b>8</b>
<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b> General Membership	<b>14</b>	<b>15</b>
<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b> South Branch Meeting	<b>20</b> Steward's Meeting	<b>21</b>	<b>22</b>
<b>23</b> <b>30</b>	<b>24</b> <b>31</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>