

PHILLY PARCEL

Official Publication of the Philadelphia BMC Local 7048

Volume XXXX Issue II

September 2023



APWU

Tackles Workplace Issues

The PHILLY PARCEL

Is an official publication
of *Philadelphia Bulk
Mail Center Local #7048*
American Postal Work-
ers Union, AFL-CIO

The opinions expressed are those of the authors and do not necessarily reflect the views of the Editor or the Local. All members of the Bulk Mail Center community are invited to submit articles for publication.

If you are aware of the death of the parent, spouse or child of a Local member, please contact the Union Office so that an appropriate acknowledgment can be sent.

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PRESIDENT'S VIEW

by James DeRidder

2023 Nominations and Elections

I would like to start out first and foremost by thanking the entire APWU Philadelphia BMC Local #7048 membership for allowing me to serve my first term as your local president. By this time, I am sure many of you are aware the former local president, Chuck Camp retired from the Postal Service back at the end of March and did not seek reelection at the end of his term. After serving nearly three decades as local president, Vince Tarducci went on to become an NBA for the Clerk Craft, and Chuck was his successor and in which he served as president from 2016 – 2023. I want to thank Chuck for all the time and effort he has spent to make this transition as smooth as possible. As one could expect, there was (and still is) a vast amount of wealth and knowledge that has been shared on an almost daily basis, and I am grateful that I have these two to consult regularly. I would also like to thank current members of the Executive Board as well as retired trustees Ron Dever and Pete Villa for their support. I am personally very honored that the membership has shown confidence in me to head this great local Union for the next 24 months.

The nominations for local executive board positions were held at the April GMM. Each office had only one nomination, with the exceptions of Clerk Craft Director which had two, MVS Craft Director which had none, and only two nominations for the three trustee positions. Officers were sworn in at the June GMM for the 2023-2025 term of office. There were many changes to the local executive board due to the retirements of officers. Some of these changes to the board are Melanie Schultz and Dave Smith as Trustees. At the July Executive Board Meeting, with the approval of the Executive Board, I appointed Raul Ortiz to fill the vacant third Trustee position. I've also reappointed retired NBA and former local Maintenance Craft Director Bill LaSalle as Editor of the *Philly Parcel*.

Your Rights to Union Representation

I know this topic has been covered from time to time in past flyers and newsletters, but I thought it would be necessary to bring up it up in this forum especially being that we are seeing an influx of Management issuing discipline at the Philadelphia NDC.

I now would like to briefly touch on your rights to Union representation as APWU represented craft employees. Your rights to have Union representation during investigatory interviews, or commonly referred to as Pre-Disciplinary Interviews (PDIs), are known as *Weingarten Rights*. These rights only apply to employees during PDIs when supervisors or managers ask questions that to obtain information might be used as a basis for disciplinary actions or defend their conduct. As a general reminder, Management is not obligated to inform you of your *Weingarten Rights*. Even though many APWU craft employees have grown accustomed to Management automatically providing them with Union representation prior to the start of a PDI, Management is not obligated to do so. If you are brought into the office or approached by any supervisor

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PRESIDENT'S VIEW (continued from page 3)

or Management official on what may start off as a normal conversation but seems to take a turn and something doesn't feel right, immediately ask for a shop steward! Once you request Union representation, Management only has three choices which are:

1. Grant the request and wait until the shop steward or Union Representative arrives,
2. Discontinue the interview,
3. Offer the employee the choice of either continuing the interview without a shop steward or Union Representative or discontinue the interview.

Weingarten Rights also include the right to a pre-interview consultation with a steward. This right has also been extended to cover Postal Inspection Service interrogations by Federal Courts but we will get into more of that later.

We've grown accustomed to Management automatically providing employees with Union representation when issuing discipline. While this is to the benefit of the employee, Management is not required to do so in this instance, as it does not apply to the *Weingarten Rights*. That being said, I encourage all APWU represented craft employees to let a shop steward or Union Representative know when they are issued any type of discipline if one is not present at the time of issuance. This will ensure timely grievances will be filed and give shop stewards ample amount of time to conduct a thorough investigation of their own.

OIG and USPIS

Hopefully you will never find yourself in a situation where you are subject to an Office of Inspector General (OIG) or United States Postal Inspection Service (USPIS) investigation, but in case you do, this section will contain some advice.

My first and probably most important advice for anyone who finds themselves subject to interrogation is to at the very least utilize your *Weingarten Rights* by asking for Union Representation. While your Union Representative may be able to assist and consult with you, it may be in your best interest to have a lawyer present who is better equipped in handling these situations, especially if you are a suspect in a criminal manner. Most importantly, remain silent until you have consulted with either your shop steward or attorney.

Secondly, try to remain calm. Outbursts may make you appear as if you are hiding something, or show guilt.

DO NOT sign any forms waiving your right, and DO NOT agree to a lie detector (polygraph) test!

DO NOT write or sign any typed statements or make any verbal statements without consulting with a steward, a Union Representative, or an attorney, as appropriate.

DO NOT physically resist arrest or search of your person or property. DO NOT consent to the search, and request to see the search warrant. If a search warrant cannot be provided, inform the OIG agent(s) or postal inspector(s) that you DO NOT consent to the search.

DO NOT deny or admit to any allegations without consulting with a steward, Union representative, or an attorney, as appropriate.

DO NOT answer any questions unless you have representation present. Everything you say will most likely be used against you. The OIG and USPIS will try and trap you with the stereotypical Law and Order style good cop bad cop routine. DO NOT fall for it!

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PRESIDENT'S VIEW (continued from page 4)

As I said earlier, although you do have a right to Union Representation while being interrogated by the OIG and USPIs, an attorney may be your best option. Luckily APWU Local #7048 members can consult with our attorneys Keith Gomer and Scott Zlotnick of the law firm Zarwin, Baum, Devito, Kalan, Schaer, and Toddy. Our attorneys provide our members with an initial free legal consultation and are at most General Membership Meetings to talk to all members and to share their information.

Dental and Vision Benefits for PSEs

As many of you may know by now, PSEs are now eligible to enroll in the Federal Dental and Vision Insurance Program (FEDVIP). FEDVIP premiums are paid by the employee with no agency contributions, and PSEs participating in the program will pay premiums post tax. This FEDVIP enrollment period is now open until Tuesday, October 10, 2023. After October 10, 2023, employees will only be able to enroll during the annual open season period or within 60 days of a qualifying life event. For more information and to enroll go to <https://www.benefeds.com> or call 1-888-337-FEDS.

As a reminder, all APWU Local #7048 members are eligible to enroll in the locally sponsored United Concordia Plus 60 Dental Plan. This benefit is also available to PSEs. Enrollment applications are available in the Union Office for any member who is interested in this dental plan. For more information, please see any local APWU steward or officer. Members can enroll in the Local's dental plan at any time during the year.

COVID-19 TEST KITS AND THE PSA

By the time you are reading this, the Postal Support Annex, or PSA, just a few blocks away from the Philadelphia NDC on Woodhaven Road, has been reopened for the purpose of once again packaging COVID-19 Test Kits. All PSEs at the NDC are being assigned to the Annex perform the kitting duties. Details for a Dock Clerk and a General (Office) Clerk detail were posted for bid and awarded to the senior qualified bidders. A Custodian detail for the Annex was also posted and filled.

It's expected that the packaging of the COVID-19 Test Kits will continue through the beginning of November and then the Annex will be used for the increase in mail volume for the Peak Season. While right now, as of the writing of this, there are currently no national level MOUs that have been signed off on since the conclusion of last year's COVID-19 MOUs, the APWU is excited that more Clerk Craft work is returning to the NDC and Annex. More information will be shared as it becomes available. APWU Local #7048 will continue to enforce its contractual rights under the National Agreement and LMOU. Lastly, be sure to look for updated flyers posted by the time clocks and on APWU bulletin boards for the most up-to-date information regarding the PSA, as this is an ever-evolving situation.

LOOKING BACK AND MOVING FORWARD

A writer and philosopher by the name George Santayana once wrote, *"Those who cannot remember the past are condemned to repeat it."* Variations of this powerful quote have been adapted in other literary works, as well as movies and television over the last hundred plus years. So why are we so eager to forget the past? This Local Union's rich history must be surely something to cherish. Many local officers who carved their own important notch in the books have gone on to retire and move on to new endeavors – and well deserved, I may add. Some of whom have contributed countless hours of their time on and off the clock not only did so because there was some part of them that may have found enjoyment in it, but did so for the sole purpose of

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PRESIDENT'S VIEW (continued from page 5)

serving the membership. Vice President Emeritus Joe McGugan not only took over the MVS Craft Director duties when the position was vacant, but kept Management in Mail Processing, Maintenance, and Transportation on their toes daily. Joe was also a master at helping injured members, due to Management's neglect for providing a safe working environment, with workers' compensation claims with the Department of Labor to name just a few. Joe Quinlin, who held various local Executive Board positions, negotiated an Attendance Control Policy SOP with Management and aided the fight to ban the restricted sick leave list, which we still have to this day, and their accomplishments and contributions go on and on.

Many great Unionists from this Local such as Mike Gallagher, Doug Mirowski, Bill LaSalle, John Jackson, and Vince Tarducci, have gone on to become national officers to continue to serve the membership on a larger scale. Some of them have since gone on to enjoy their retirement, and some continue to serve the rank and file.

As a steward and officer of this local, the membership's interest has always been my number one priority and expect it to be everyone else's who is involved. It's great to see people expressing an interest in attending future steward training seminars. Whether you want to learn more about your rights or want to join in on the fight, knowledge is key to success, but let's not forget where this knowledge comes from. I believe it's important to look back into the past and learn from it, in order to move forward in a positive direction and continue to grow and build on – not tear down – what many have worked so hard on to establish. Simply put, if we don't look back, we *will* tear it all down, and that I personally will fight hard to **not** let happen. Second only to my wife and two children, there is nothing that I am more proud to be a part of than this fine local Union.

In Solidarity

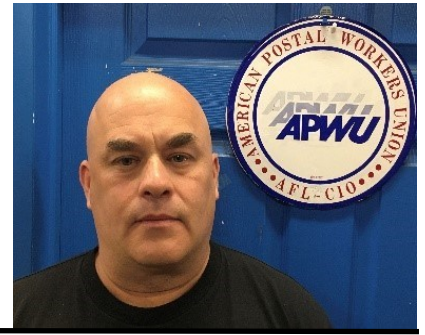
James DeRidder, President

Philadelphia-area Postal unions celebrate Labor Day 2023 with a rally and parade. Pictured below (l to r):



CLERK CRAFT REPORT

by Jimmy Desher



I would like to start off my report by thanking the membership for giving me the opportunity to serve as your Clerk Craft Director for 2 more years, its be an honor not just being your Craft Director but serving you as a Union Steward as well. I would also like to congratulate James DeRidder as our new President of this great Local 7048. James became Local President in June and has already been showing the leadership and the integrity that we need here at the NDC. He knows he has big shoes to fill after taking over for great President Chuck Camp and he stepped in those shoes and is already hasn't missed a step since Chuck left. I know he'll get the job done and I wish him the best on his tenure as President.

Bids

Latest round of Bids opened on 8/1/23 and closed on 8/10/23 with an effective date of 8/26/23. There were 2 positions that were successfully awarded. The previous round of bids opened on 7/5/23 and closed on 7/14/23. There were 14 positions with 13 successfully awarded and 1 residual that went up on the August E-reassign 21-day posting. The next round of Bids will open on 10/2/23 and close on 10/11/23.

PSE Clerks

As of right now we have 43 PSE clerks at the Phila NDC. We recently had 3 conversions to career with 2 that were effective on 7/29/23 and 1 effective on 8/26/23, Congrats! I just recently was told that we will be getting another conversion effective 9/23/23 and the PSE clerk should be receiving their letter in the mail any day. These conversions were based off of residuals at the Phila NDC bidding cycle and were placed on E-reassign 21-day posting with no successful applicants. Also, we had 10 transfers to the NDC in the Clerk Craft that started in May and from my calculation management owes us more conversions. I am currently working on this to make sure Management is following the contract on Filling of Residual Vacancies. We are hoping to see more conversions soon!

PIVR System

The PIVR is a parcel sorting machine intelligent vision robot and is currently being installed at the NDC. It is the Union's position that all established Clerk Craft floor assignment's and keying/facing at PSM 3 and PSM 4 will not be changed in our Local RI-399 inventory. As a reminder to our members who may be concerned, the Clerk Craft holds jurisdiction on these machines .

Clerk Issues

Leave slip (PS form 3971) issues have been a constant problem at the NDC. Whenever you receive a 3971 from your supervisor for any unscheduled absences, make sure you sign and date the 3971 so it shows when you received it, and PLEASE don't write on 3971 REFUSED TO SIGN! The union has settlements on management not giving employee's back their 3971's in a timely fashion and then trying to use the absences for discipline. The union has won cases where the absences couldn't be used in any discipline due the employee's not receiving their 3971's back from their immediate Supervisor, sometimes for a month or longer. We all

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Motor Vehicle Service Craft Report

by **James DeRidder, President**



Postal Support Annex

By now, I am sure you are well aware that the Annex has reopened as of September 5, 2023, and according to current plans, will remain open through November 4, 2023 for COVID-19 test kitting. Management has informed the APWU that once assembled and labeled, the test kits will then be transported to the NDC for processing. Just as it has been done in the past, our position is that our TTOs should be the ones making the runs between the PSA and NDC, NOT contract drivers! This local has been successful in the grievance procedure in the past in settling this type of issue.

After November 4, 2023, the PSA will most likely be transitioned over for peak season, which is typically when management attempts to throw out the APWU's contractual rights under Articles 32 and 39 of the Collective Bargaining Agreement. In addition to TTOs being more than capable of making the runs to and from the Annex, we have several past settlements that require management to post VOA details and NOT assign MVS bargaining unit work to EAS Network Specialists. Our locally negotiated detail policy found in the back of our LMOU clearly outlines how to fill the details.

I encourage everyone in MVS to write statements when you see a contract driver making moves in the yard or if you believe they are making runs to and from the Annex, as well as anyone from a different craft or in management perform VOA duties. Protect your work!

NON-MEMBERS LOCAL 7048

The following represents the list of employees as of September 1, 2023 who are not members of this local union. They freely give up any rights to a voice or vote, which ultimately gives them absolutely no say whatsoever in how the local union is run. Though this may be his or her right, there is much confusion as to why anyone throws away such a RIGHT. We make this list available for the sole purpose of informing the membership.

PHILADELPHIA BMC/NDC

Patel, Niravkumar, MPE T-3

Patel, Pratnik, MPE T-3

Emanuel, Herbert, T-2 Dock Clerk

Suarez, Michael, Labor Custodian T-3

Hertlein, William, ET T-2

Roye, Jermaine, Labor Custodian Tour 1



Any member who signs one of these individuals to join APWU is eligible to receive a \$100.00 incentive.

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Local # 7048

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 - BMC Stewards' office: **(215) 671-7719**
 - E-Mail address: **phillybmc7048@aol.com**
 - Website: **www.phillybmc7048.com**
-



Congratulations to **Abriella Smith** (pictured here with her dad Dave Smith). Abriella is receiving a check toward her tuition at Embry-Riddle University, where Abriella is an Aerospace Engineering major in her junior year. The check is from Local 7048's annual Michael A. Piekieski Memorial Scholarship. The Piekieski Scholarship is awarded to a child or grandchild of a Local 7048 member each year. Applications are due June 1 and the winner picked from among the applicants at the June General Membership Meeting each year.

Says Abriella: *"I am humbled and thankful to have been selected as a recipient of the Michael Piekieski Scholarship. Your generous support will greatly assist me while pursuing my academic studies."*

We all wish Abriella the very best as she prepares her career for take-off. Fly high young lady, and congratulations on being this year's Piekieski Scholarship winner!

MAINTENANCE CRAFT REPORT

by **MAGGIE BOOTH**, Craft Director



Maintenance Issues

As the end of summer approaches, Happy Fall Ya'll!!!! Even with the changing of the seasons, not much changes at the NDC, it's the same everyday, come in do your job go home and enjoy your life outside of here. Please try and remember maintenance is one of the best jobs in this facility.

MOS Clerk/staffing

A huge on-going issue is the understaffing in the maintenance stockroom. We have over a dozen open grievances going out to Step 3 this year alone for management assigning anyone other than a qualified MOS Clerk work in the stockroom. What management doesn't seem to understand is that they facilitated the crossing of occupational groups by understaffing the stockroom and not taking the necessary steps to properly staff the stockroom. And NOW all of a sudden, the maintenance manager has suddenly realized his responsibility to secure the stockroom by sending out an email reminding members that it is a "Secured Room and it has Restricted access for a reason". Well, management has finally heard something this union has been saying all year, it's about time but too little too late, then again this seems to be managements M-O (Modus Operandi).

New Technology

Intelligent Vision Robot (PIVR) this new upgrade process will be from August- Mid November with 4 Robots, two on each of the PSM's, this should bring our maintenance additional staffing hours. Rest assured we will be making sure all hours are accurately recorded.

Subcontracting

Subcontracting seems to always be a problem, recently they subcontracted out the raising of the Air Ducts on the PSM's which was needed in order to put in the new PIVR Intelligent Vision Robot, but what management seems forget is their responsibility when looking to subcontracting: *ARTICLE 32 SUBCONTRACTING Section 1. General Principles A. The Employer will give due consideration to public interest, cost, efficiency, availability of equipment, and qualification of employees when evaluating the need to subcontract.* Management always seems to bypass this part, and seem to think they can do what they want without recourse. Not gonna happen with this Local, we will always fight for our employees. In this situation the PIVR upgrade is part of a National Contract but the Air Ducts were not part of that contract despite what management tried to say, so we are grieving the air duct subcontracting. Our employees are more than capable to do this work.

Staffing

The Local Union continues to address Staffing issues. Management is always trying to reduce staffing. I'm not sure if it comes out of their paycheck but it is a constant grievance. Right now, we have several grievances in the system for this years staffing discrepancies. We have grievances for the custodial staffing packages for the NDC and the PSA. We have grievances on the MS-1 (Building equipment mechanic) again for the NDC and the PSA. We currently have grievances for the NDC EWHEP (MM, MPE, ET's) staffing package. With all of these grievances it is vital to your job to make sure you fill out your Daily Assignment sheets correctly. Everything you do during your seven plus hour day needs to be recorded. Not every assignment is on your

MAINTENANCE CRAFT REPORT (continued from page 10)

route sheet, if you did something extra, please notate it on your assignment sheet. If you have to write it in, do so. This will only benefit you and your job. Record everything. This is the only way we can track the work you do and to protect future jobs. Remember, the times are estimates, do what you can, don't let management require you to sign off on work that is not complete or you didn't do. If the job is not complete, record it that way. Document. Document. Document!!!!!!

Overtime Bypass

Recently management has been bypassing custodians for 4 hour after tour on drop days claiming they have the right under Article 8: *However, the Employer is not required to utilize employees on the Overtime Desired List at the penalty overtime rate if qualified employees on the Overtime Desired List who are not yet entitled to penalty overtime are available for the overtime assignment.* The union contends that once management determined that the need for overtime required the use of the four hour after tour list for custodians that they no longer have the ability to pass over any employees due to the fact that any 4 hour overtime opportunity would be receiving penalty overtime. Once again management is blatantly disregarding the rights of the members as well as the language pertaining to overtime opportunities.

Postal Support Annex

As of the end of August, the PSA will be open to process Covid-19 kits again, management has put up a detail for 1 custodian from 9-5 with Sat/Sun drops.

Maintenance Stewards

I would like to thank all of the maintenance stewards for the hard work you do everyday to represent the members of the maintenance craft, whether a full-time steward or an alternate, you are invaluable and appreciated. We still need maintenance members to get involved and learn so that this union can continue representing members into the future at the same level that it has in the past. As always, if any maintenance member has an interest in getting involved, contact any steward for information. There are also allied positions other than shop steward that we could always use help with.

Maggie Booth

Maintenance Craft Director



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LABOR HISTORY

by Ron Leavesley

Mt. Olive boycott ends September 16, 2004

The Farm Labor Organizing Committee signs a collective bargaining agreement with Mt. Olive Pickle Company and its growers, ending a successful five-year long nationwide boycott. The contract – which covered workers on more than 1,000 North Carolina farms who had previously been paid piece rate and worked and lived under deplorable conditions – marked the first time a U.S. labor union represented guest workers.



October 3, 1932

State troopers march into Kincaid, Illinois, to guard against a sympathy strike by more than 160 of the town's 180 high school students, protesting the use by their school of scab-produced coal from the Peabody Coal Company while their fathers are on strike over wages.



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LABOR HISTORY (continued from page12)

Air Traffic Controllers' Strike (1981)

Military air traffic controllers are photographed August 10, 1981 at La Guardia airport in New York City after they replaced patco striking workers. President Reagan fired the 11,345 striking air traffic controllers who ignored the order to return to work and banned them from federal service for life.



Mary Fields, also known as Stagecoach Mary (1832?-1914)

In 1895 Fields acquired the postal service contract for mail between Cascade, Montana and St. Peter's Mission, Montana. Her dedication and reliability on this difficult and often dangerous route earned her the sobriquet Stagecoach Mary. She worked for the postal service for eight years and retired in the early 20th century. Thereafter, she operated a laundry service and also reportedly babysat children.



CLERK CRAFT REPORT (continued from page 7)

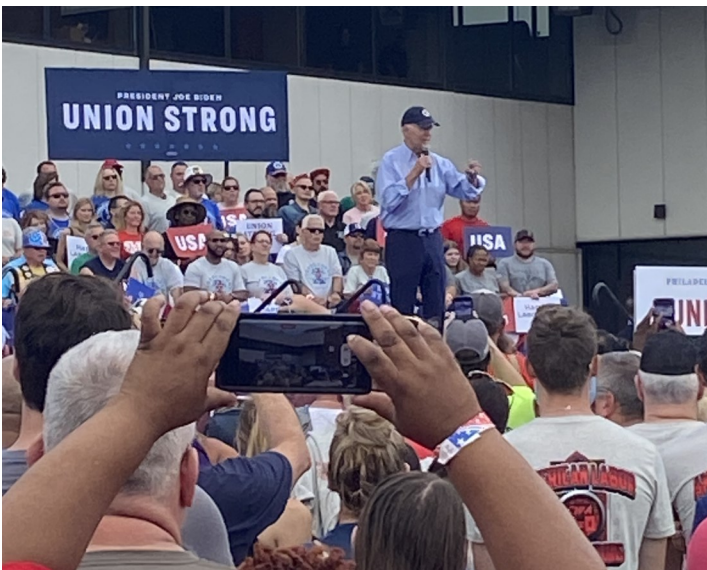
know what our job is here at the NDC and what's expected of us, so let's not give Management the satisfaction to mess with our members. Remember, if you feel aggrieved make sure you ask your Supervisor for a Shop steward. I have addressed in the past don't just come up to the union office looking for stewards. The first step of the grievance procedure is to request a steward from your supervisor if you feel aggrieved, so we can get started and do our job. Also, when you are brought in the office for discipline make sure you ask for a steward to be present if one is not there and if you have discipline mailed to you make sure you notify the union as soon as you receive it so we can start the grievance procedure. Remember, we have 14 days to file a grievance from the date the incident or violation occurred.

Lastly, I would like to say to all of our members it's a privilege to represent you, and I would like to thank all the stewards on all tours for their hard work and dedication to this great Local 7048, and everyone enjoy the upcoming Holidays and I hope everyone enjoyed their Summer. REMEMBER UNION STRONG ALL DAY LONG!!!!!!

Jimmy Desher

Clerk Craft Director

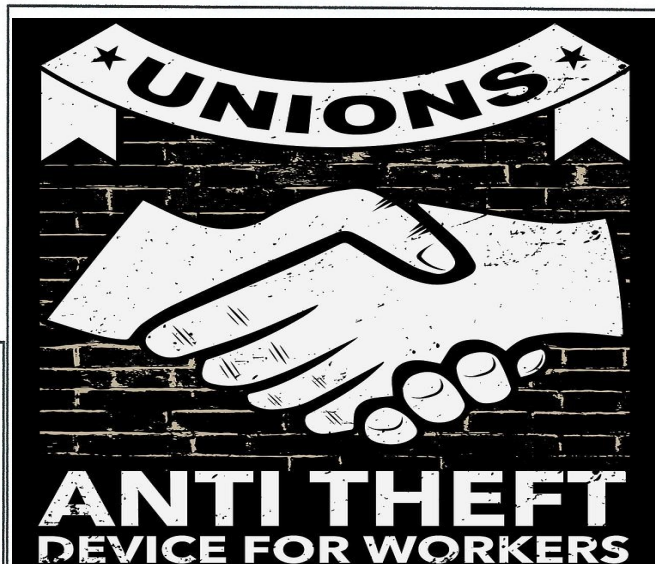
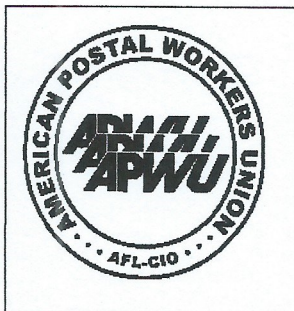
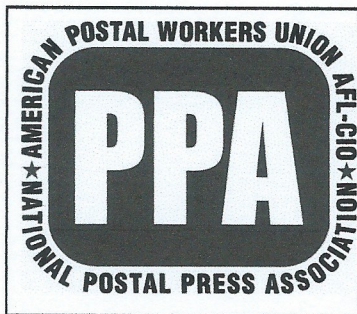
PRESIDENT JOE BIDEN VISITS PHILADELPHIA FOR LABOR DAY 2023



President Joe Biden addresses Philadelphia-area union members before the parade and rally on Labor Day. The President joined other civic leaders including Congressman Brendan Boyle and Philadelphia mayor-elect Cherelle Parker in stressing the importance of organized labor. In response to Joe Biden, the union members chanted "four more years, four more years".



APWU is well represented at the parade and rally. Here we see Local President DeRidder, NBA Tarducci, and Gwen Ivey of the Philly Area Local. APWU joined many other unions celebrating the day, including the Mailhandlers and the Letter Carriers from throughout the Delaware Valley.



NEXT GENERAL MEMBERSHIP MEETING:

Sept. 20, 2023—3PM

the NDC.

CANCEL YOUR LEAVE IN ADVANCE

If you have pre-approved annual leave in the book and know you no longer need it, please cancel it so that your fellow sister or brother union member who was disapproved can take their annual leave. On some occasions, employees who have had 8 hours approved for a given day, show up to work their tour and the person who was disapproved for 8 hours is told if they want it they can leave. By this time the employee already traveled to work and it is too late for them to make arrangements. Suggestion is to ask for a steward when your annual leave is disapproved so a steward can check the leave book. Sometimes it is learned that an employee may have canceled their leave at the last minute.

Updates From Your Local Union

To receive updates from your President, please return this page to the union office with your e-mail address. Please make it legible!!! Please include your full name, and address so we can verify to whom we are e-mailing!! Or, just give us this page with your mailing label included!! Thank you.

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