

The Twig of the Branch



Branch 1477 West Coast Florida Letter Carriers



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VOICE OF BRANCH 1477

SEPTEMBER, 2021

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PRESIDENT'S REPORT

By President Joe Henschen

Twitter @ JaHe1

Overtime Desired?

It comes as no surprise to any Carrier on the Workroom floor today that the issues with local staffing, retention of newly on board employees and Covid-19 Memorandums have made it difficult to work Carriers according to their Overtime Desired designation on a daily basis. District mandates made to local management to "pivot" or split several assignments daily, result in Carriers who are Non-Overtime Desired or Work Assignment Only, (WAO) not getting their choice honored.

In all of 2019, the Branch processed **481** Grievance cases.

On 3/17/2020, the day the country shut down due to COVID-19, the Branch Office had processed **162** Grievances for a number of topics. Few of those grievances dealt with assigning overtime to Carriers that had not signed the ODL in lieu of working the Overtime Desired Carriers to the limits agreed upon by the parties in the contract.

Since that date the Branch in all cities have processed **1416** cases. The majority of these grievances filed in the past 18 months have been for improperly assigning Overtime.

Overtime Assignment Rules Apply to Full-Time Employees.

The National Agreement Article 8 governs overtime as it applies to Full-Time Employees.

NEXT BRANCH MEETING HELD VIA ZOOM: THURSDAY, SEPTEMBER 9, 2021

When needed, overtime work for Regular Full-Time employees shall be scheduled among qualified employees doing similar work in the work location where the employees regularly work in accordance with the following:

These provisions as a whole apply only to Full-Time Regular or Full-Time Flexible employees who are needed to work overtime. This provision does not require management to use a Full-Time employee desiring to work overtime in preference to a PTF or a CCA working overtime.

Management normally has the right to assign overtime work to Full-Time employees rather than to a PTF or CCA. An exception to this general principle is management's requirement to provide auxiliary assistance before requiring Letter Carriers not on the ODL or Work Assignment List to work overtime on their own route on a regularly scheduled day.

Signing Overtime Desired Lists

Full-time Letter Carriers, including Full-Time Flexibles, who want to work overtime may place their names on either the Overtime Desired List (ODL) or the Work Assignment List (WAO), but not both. Carriers may sign a list or switch between lists only during the two weeks prior to the beginning of the calendar quarter. There is an exception for employees who were on Military Leave during the sign-up period.

Additionally, in every Branch City's Local Memorandum of Understanding the Installation head has agreed, when employees transfer from another installation or Part-Time Flexible Carriers and City Carrier Assistants are converted to Full-Time Regular after the sign-up period for listing their names on the Overtime Desired or Work Assignment Only List, the local steward and supervisor will describe the requirements and restriction of each list designation to the employee.

At that time, the employee will be given 3 working days to make the selection and place their name on the appropriate list.

It is agreed, Carriers electing to sign the ODL, will have their name added to the ODL Tracking Chart and only the time spent on the list will be considered when determining equitable issues for the remainder to the quarter as outlined in Article 8.

In a nutshell, signing the Overtime Desired Lists (ODL) can be done in a window before each

quarter, upon promotion to Full-Time Regular or upon returning from Military Duty.

What are your choices?

Signing the ODL, indicates your desire to anything asked. (from an overtime standpoint) The ODL Carriers may work up to 12 hours in any service day and the additional lunch period, so 12 ½ hours in any day, on any route, and NS days.

A Memorandum agreed to by the parties state: hat "normally, employees on the ODL who don't want to work more than 10 hours a day or 56 hours a week shall not be required to do so as long as employees who do want to work more than 10 hours a day or 56 hours a week are available to do the needed work without exceeding the 12-hour and 60-hour limitations." To implement this agreement, the parties have agreed that an asterisk may be used on the ODL to distinguish between those who wish to work more than 10 hours in a day and those who do not.

Once a Carrier signs a list, his or her name remains on the list from quarter to quarter until the Carrier asks that it be removed in writing. Carriers may remove their names from a list at any time during the quarter. However, management need not immediately honor the request if the employee is needed for overtime work on the day the request is made.

Management may not unilaterally remove an employee's name from the ODL. However, employees on the ODL are required to work overtime except when requesting to be excused from overtime in exceptional cases based on equity.

We have a 12-hour ODL and if a Carrier would rather only work 10 hours it would be identified with an asterisk on the ODL sign up sheet.

Work Assignment Only (WAO)

The Work Assignment List was established for Full-Time Letter Carriers who only want to work overtime on their own assignment on regularly scheduled days. Signing up for the Work Assignment overtime does not create any entitlement or obligation to work overtime on a nonscheduled day. For purposes of overtime on a non-scheduled day or on other than their own assignment, Carriers on the Work Assignment List are treated exactly the same as any other Full-Time Carriers not on the ODL—They may only be required to work overtime under the

provisions of Article 8.5.D. Full-Time Letter Carriers who sign the Work Assignment List are considered to be available for up to 12 hours per day on regularly scheduled days.

Carrier Technicians on the Work Assignment List

Are considered available for overtime on any of the routes on their string. Subject to the penalty overtime exceptions discussed above, this provision should be applied as follows:

A Carrier Technician who has signed for Work Assignment overtime has both a right and an obligation to work any overtime that occurs on any of the five component routes on a regularly scheduled day.

When overtime is required on the regularly scheduled day of the route of a Carrier who is on the ODL and whose Carrier Technician is on the Work Assignment List, the Carrier Technician is entitled to work the overtime.

When overtime is required on the regularly scheduled day of the route of a Carrier who is on the Work Assignment List and whose Carrier Technician is also on the Work Assignment List, the Regular Carrier on the route is entitled to work the overtime.

The purpose of the ODL and WAO are not intended to make sure those signing the list make every ounce of overtime pay but rather the list ensures those Carriers who do not want the overtime to be excused from being required to work that overtime.

Non ODL – Yeah Right!

I wish I could end this article on a positive note. As mentioned above we have plenty of opportunity to sign the Overtime Desired List but with the events of the past year and the reasons I began this article with many Carriers have opted off the list, making it more difficult than anytime in the past to ensure Non-ODL and WAO are excused from working overtime on or off their assignment.

Like a lot of things in the Postal Service, positive change takes a while to be recognized. The more carriers that choose to sign the ODL in any office/zone will result in less mandating of the carriers that have chosen NOT to work overtime.

However, it's more than District mandated Pivots

and retention that keeps Carriers from electing to sign up to work overtime. It begins at the top. Equitably established starting times are as much to blame as anything. Earlier starts and ending Management's condescending treatment toward the carriers that are being mandated to carry pieces could result in more carriers signing the lists. Feeling respected, rather than dictated to, certainly goes a long way.



Hubble's Troubles

*By Executive Vice President,
Chris Hubble*

Maximum Hours—60 Hour Limit

Arbitrator Mittenthal ruled that an employee on the ODL does not have the option of accepting or refusing work over eight hours on a non-scheduled day, work over six days in a service week or overtime on more than four of the five scheduled days in a service week; instead an employee on the ODL must be required to work up to 12 hours in a day and 60 hours in a week before management may require employees not on the ODL to work overtime.

JCAM Pages 8-18 and 8-19 explains:

8.5.G G. Full-time employees not on the "Overtime Desired" list may be required to work overtime only if all available employees on the "Overtime Desired" list have worked up to twelve (12) hours in a day or sixty (60) hours in a service week.

In recent weeks, management has kept ODL listers to 8 hours on a Thursday realizing that the following day they would reach 60 hours for the service work. In turn, they mandated Non-ODL carriers. With that said, the mandating would be improper as the ODL listers had not yet worked 60 hours. The fact that the ODL carriers had not yet reached 60 hours, means they were still available. The lack of planning on management's part does not permit them to violate the provisions of the National Contract.

Furthermore, Arbitrator Mittenthal ruled that the 12-hour and 60-hour limits are absolutes—a Full-Time employee may neither volunteer nor be required to work beyond those limits. This rule applies to all

Full-Time employees on the ODL or Work Assignment List except during the Penalty Overtime Exclusion Period (December).

Limitations regarding full-time employees not on the ODL or Work Assignment List, **PTFs**, and **CCAs** are governed by ELM Section 432.32.

ELM Section 432.32 provides the following rule that applies to all employees:

Except as designated in labor agreements for bargaining unit employees or in emergency situations as determined by the PMG (or designee), employees may not be required to work more than 12 hours in 1 service day. In addition, the total hours of daily service, including scheduled work hours, overtime, and mealtime, may not be extended over a period longer than 12 consecutive hours.

Additionally, the 12/60 limitations are inclusive of all hours, including any type of leave taken, consistent with the 20-hour overtime limit. Accordingly, holiday leave pay is credited toward the 12/60 limitation. If an employee works on a holiday for which holiday leave is paid, those hours worked in excess of the holiday leave hours paid would also count toward the 12/60 limit.

Arbitrator Mittenthal also ruled that an employee sent home in the middle of a scheduled day, because of the bar against employees working more than 60 hours in a service week, is entitled to be paid for the remainder of his or her scheduled day.

On October 19, 1988 the national parties signed the following Memorandum of Understanding (**M-00859**) which provides in relevant part:

In those limited instances where this provision is or has been violated and a timely grievance filed, full-time employees will be compensated at an additional premium of 50 percent of the base hourly straight time rate for those hours worked beyond the 12-or 60-hour limitation. The employment of this remedy shall not be construed as an agreement by the parties that the Employer may exceed the 12-and 60-hour limitation with impunity.

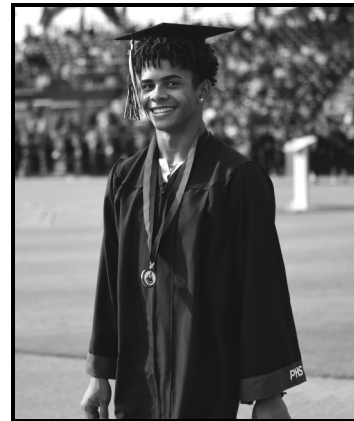
Thet intent of the Letter Carrier Paragraph is to protect the interests of employees *who do not wish to work overtime*, and the interests of *those who seek to work limited overtime*. In cases where management violates the letter carrier paragraph by failing to utilize an available letter carrier on the ODL

to provide auxiliary assistance, the letter carrier on the ODL will be given as a remedy compensation for the lost work opportunity at the overtime rate.

Minutes:

Due to the General Membership Meeting being postponed until August 19th, the Minutes will be available for viewing on the Branch's website at: branch1477nalc.org

George B. and Annie R. Elliott Scholarship winner:



Parker Munro

(Son of Amanda Munro, Crossroads)

My name is Parker Munro, the proud son of USPS Carrier Amanda Munro. My High School career was two-fold. The first part of my High School career took place in Farmington Connecticut, we were fortunate enough to live in the same town where my mom worked. It was at Farmington High School where I was first exposed to the field of Forensic Science. Covid-19 hit in the latter part of my junior year, and everything stopped. It was during this time the opportunity for my mom to relocate to Florida occurred which brings me to the second part of my High School career which took place at Palmetto High School, "Home of the Tigers".

For the next stage of my academic career, I will be attending the University of South Florida beginning in the Fall of 2021, class of 2025. I am majoring in Biology with an emphasis in Forensics.

I am very grateful to be a recipient of the George B. and Annie R. Elliott, Branch 1477 Scholarship.

Bernard Baxley Scholarship winner:



Alexander Hill
(Son of Mike Hill, St. Petersburg)

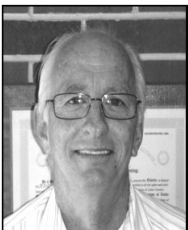
My name is Alexander Hill, and I am entering my senior year at the University of Florida. I am currently a student of the Music Theory program, where I focus on the research and analysis of music from various composers. I also plan to become a professor at the collegiate level. I have been training on the piano for about 14 years, but I also branched out to other instruments including the clarinet. After I graduate from the University of Florida, I plan to enroll in a Graduate program to learn even more about my passion in music. I would like to thank the Bernie Baxley Scholarship fund for this award, as well as the Branch 1477, as it puts me a step closer to realizing my musical dreams.

Federal Employees Retirement System, and for other purposes. Notably, this bill would cover postal employees, such as letter carriers who spent time as casuals, TEs, and CCAs, making planning for their retirement easier. “Many federal employees begin their careers in temporary positions before transitioning to permanent status – so we need to have their backs,” said Rep. Kilmer. “This bill will ensure that all federal workers...have the opportunity to retire on time, regardless of how they started their careers.”

“Letter carriers who began their careers as non-career employees will benefit from the ability to make catch up contributions toward their retirement,” said NALC President Fredric Rolando. “NALC strongly supports the Federal Retirement Fairness Act and appreciates Reps. Kilmer and Cole for continuing to reintroduce this important legislation.”

The Financial Services and General Government Appropriations bill advanced out of the House Committee on Appropriations with a vote of 33-24 after a committee markup. Related to the Postal Service, the draft bill would continue six-day delivery, increase funding for the Postal Regulatory Commission (PRC) and the USPS Office of Inspector General, and budget for a pilot postal banking program in select areas. It also includes a total of \$2.4 billion, \$800 million for 2022, 2024, and 2025, for zero-emission electric vehicles for the USPS fleet. In response to recent concerns regarding rates and service, the bill also calls on the PRC to study the potential impact of increased rates and analyze ways to restore service.

Overall, the bill includes \$29.1 billion in funding for Fiscal Year (FY) 22, an increase of \$4.8 billion from FY 21. It increases funding to the Small Business Administration and Community Development Financial Institutions and provides funds to rebuild the Internal Revenue Service (IRS) to enforce collections on corporations and the wealthiest individuals and provide better customer service for Americans navigating the tax system. It also increases funding to the Consumer Product Safety Commission and the Federal Trade Commission and aims to combat climate change with funding to fully electrify the federal vehicle fleet, including the Postal Service fleet. During the markup, Rep. Steve Womack (R-AR) introduced an amendment that would strike the pilot postal banking program that is included in the bill. Several members spoke in opposition of the amendment, and it did not pass.



Legislative Update

By Gene Carroll, CDL District 15

Reps. Derek Kilmer (D-WA) and Tom Cole (R-OK) reintroduced the Federal Retirement Fairness Act (H.R. 4268). The bill, identical to previous legislation introduced in the 116th Congress, would provide certain federal employees the opportunity to make catch-up retirement contributions for time spent as temporary employees after Dec. 31, 1988, thus making such time creditable service under the

The first payments of the newly expanded Child Tax Credit will be distributed to millions of American families beginning on July 15. Letter carriers who have children and filed taxes in 2019 or 2020 and have a combined income of up to \$150,000 or a single parent income up to \$112,500 will automatically receive the credit. Any letter carriers who have not filed their taxes in 2019 or 2020, can visit irs.gov/childtaxcredit to check their eligibility and submit information. "NALC recognizes the important impact that the Child Tax Credit will have on American families across the country," said NALC President Fredric Rolando. "Many letter carrier families will benefit from these monthly payments that will help with the costs of raising a family."

NALC

The United States Postal Service is pressing ahead with Postmaster General Louis DeJoy's 10-year plan to slow mail deliveries. Two of the three Democratic appointees of President Joe Biden voiced their strong concerns about but they failed to win over any of the six governors. The plan will be implemented immediately.

The new standards will allow up to five days for delivery of first-class domestic letters instead of three days. Stroman said the changes will disproportionately impact California, Florida, Maine, Texas and central areas of the country.



Director of Insurance

By Tom Phillips

CCAs cannot contribute to the Thrift Savings Plan, and any members who would like an addition IRA to supplement their Thrift Savings there is a saving plan available to start saving now. Here's how.

NALC CCA and Member Retirement Savings Plans

NALC CCA Retirement Savings Plan is a retirement income plan designed for City Carrier Assistants (CCAs) to supplement your pension. You make small payments to the plan while you're young, so you can receive a lifetime of monthly payments after you retire—even if you live to be 200!

Under the NALC CCA Retirement Savings Plan, you can also request a guaranteed number of monthly payments.

City Carrier Assistants who participate in the plan may transfer their Traditional IRA funds to the Thrift Savings Plan once they become career letter carriers. The Surrender Charge will be waived in this instance only. **Note:** The Thrift Savings Plan is not set up to receive Roth IRA transfers at this time.

You choose the amount you want to contribute to your NALC CCA Retirement Savings Plan. It can be as little as \$15 per pay period (the minimum amount allowed). You may also select your method of payment: MBA can deduct payments automatically from your paycheck or bill you monthly or annually.

With as little as a one-time \$15.00 payment, you can start your NALC CCA Retirement Savings Plan and never have to make any additional deposits in order to maintain your policy in force. You may also make a lump sum deposit into the NALC CCA Retirement Savings Plan at any time to help build your plan's value. As your NALC CCA Retirement Savings Plan grows, you can expect to earn competitive interest rates. The plan is tax-deferred, which means you do not pay taxes on any of your interest until you draw on it, further improving your yield.

When you're ready to retire, MBA offers a choice of four ways to collect monthly benefits:

Life Annuity With Period Certain. Receive a lifetime of monthly payments. You're guaranteed this income for as long as you live. If you die during a specified period (5, 10, 15 or 20 years), payments go to your beneficiary until the end of the period.

Life Annuity. Receive monthly payments through your lifetime. No further benefits will be paid after your death.

Joint Life Annuity. You or your beneficiary receive monthly payments as long as either of you live.

Full Cash Refund. Receive monthly payments as long as you are alive. When you die, the MBA will pay any money in your account to your beneficiary.

You can go to the NALC.org website under MBA and download or print an application for any products offered. You may also request a brochure on any product from Branch 1477, I will be glad to mail them to you.

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The Twig of the Branch is published monthly by Branch 1477 West Coast Florida Letter Carriers. Articles and opinions printed herein are those of the writer and do not necessarily reflect those of Branch 1477 or the NALC. We invite all members to contribute material for possible publications. The editor reserves the right to edit or reject such material for reasons of good taste, legality, space, or the good of the Branch. Articles should be of general interest, be 350 words or less and be submitted by email to the branch by the 10th of the month.



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September, 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2 Executive Board	3	4
5	6 Labor Day	7	8	9 General Membership (at the Hall)	10	11
12	13	14	15	16 Steward's Meeting (at the Hall)	17	18
19	20	21	22	23	24	25
26	27	28	29	30		