

The Twig of the Branch



Branch 1477 West Coast Florida Letter Carriers



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PRESIDENT'S REPORT By President Joe Henschen Twitter @JaHe1

The NALC has launched a series of podcasts that currently provide updates on the recent memorandums agreed to by the parties relating to COVID-19. The podcast entitled "You Are the Current Resident" can be accessed on any podcast platform that you normally use. It is a good format that also allows questions to be asked of NALC Executive Vice President Brian Renfro. Once the pandemic is no longer the topic, the podcast is formatted to include topics about the Contract and the NALC. Tune into episode #3 to see the planned format. All other episodes currently deal with COVID-19 issues.

Local COVID-19 Updates: The Union Leadership in the Suncoast District receive daily information in a 3 PM teleconference relating to the USPS operations and the COVID-19 pandemic. My take-away from these meetings are posted on the Branch website **Branch1477nalc.org**. I urge you to keep up to date on the information we can provide Locally as well as that disseminated Nationally by the NALC and the USPS. It is a better source for accurate information than many of the opinions posted on many social media platforms.

There has been a lot of discussion relating to reports that the USPS may have to close its doors in June due to the impact of the virus. The NALC has been working around the clock with allies in both parties to secure financial appropriations for the Postal Service similar to that being

NEXT BRANCH MEETING: THURSDAY, MAY 14, 2020 AT THE LETTER CARRIER HALL

proposed by Congress for the airlines and other hard hit industries, to deal with the huge loss of mail volume we're experiencing as our economy is shutdown to fight the COVID-19 pandemic. Unfortunately negotiations between the House, Senate and administration have been unsuccessful in obtaining an appropriation for USPS in stimulus efforts.

The recent stimulus package signed into law is said to be only the first of several that will be necessary during this pandemic, the NALC reports the efforts to include the USPS in an appropriations bill continues.

In the past 2 weeks, NALC and USPS have agreed upon several memorandums of understanding or agreements due to the COVID-19 pandemic.

When an employee tests positive for COVID – 19 Virus they will be placed on Emergency Leave provided by the Families First Coronavirus Response Act (FFRCA).

We have seen a consistent series of steps take place. First, the healthcare provider reports it to the CDC, who then confirms the positive test. The CDC then forwards the information to the appropriate public health officials in that area to investigate and instruct affected people on what action should be taken to protect the public health.

In these situations, Public Health Officials have evaluated those employees' activities and interactions with others and determined which employees and others should enter a quarantine period. Eligible employees identified by public health officials are being paid administrative leave for the quarantine period.

When the quarantine period ends, the Postal Service physician or nurse will review the information and make a final determination on the return-to-work request. Employees are not permitted to return to work without written clearance from a Postal Service physician or nurse if they have received a laboratory-confirmed COVID-19 result.

In the event you are contacted by a local Public Health Official and identified as someone who may have had contact with an individual who has tested positive for the coronavirus, please immediately inform your supervisor and local NALC branch officer as a means to protect your coworkers and

community.

When there is a suspected positive test or exposure to the coronavirus in an office, but has not yet been confirmed by the CDC or addressed by Public Health Officials, the question is what should other employees do? If you reasonably believe you have been exposed at work, or at any other location, you may choose to self-quarantine and use sick leave for the quarantine period. In this case, you should immediately contact your healthcare provider, follow the instructions you receive, and stay home until you are cleared to return to work.

If, after you serve a self-quarantined period and have not suffered any symptoms of the COVID-19 virus, notify your supervisor of your intent to return to duty. In some cases you may be required to provide a medical release to return to duty.

In either case the workplace receives additional attention in wiping down all surfaces that receive a lot of contact with employees or patrons in accordance with CDC guidelines. This is additional because, those guidelines require sanitizing these surfaces as well as door handles, light switches, scanners, timecards, and any surface in the office that we come in contact with regularly. Attention should also be paid to the postal vehicles, they should also receive cleaning. If on any given day that staffing affects sanitizing your vehicle, the supplies should be available for you to do it yourself. Take responsibility of protecting you, your families, friends and coworkers.



Hubble's Troubles

*By Executive Vice President,
Chris Hubble*

City Letter Carriers 7:01 Rule

In 1983, both parties revisited the 7:01 Rule because the rule was not being effectively managed. The purpose of the ELM provision was to reduce workhours and improve productivity. In addition, to bring carriers in off the street earlier to remove them from bad weather and improve moral. The guidelines for the application of the 7:01 rule would be at the discretion of the unit supervisor

and/or manager on a day to day basis. In addition, the overtime usage must be at an absolute minimum for the day. Carriers are expected to assist other carriers to achieve maximum opportunity and under-time can be used to work on route books, case mail for the next day's delivery and/or pivoting.

As time went on, both parties agreed to disagree on the use of the rule. It created arguments on data used for route adjustments as well as the pivoting of routes. On March, 23, 2020, M-01913 was signed and both parties mutually agreed to reinstate the 7:01 Rule for a sixty (60) day duration which provides:

A city letter carrier who actually works more than 7 hours but less than 8 hours of a regular scheduled day will, upon his/her request, be officially excused from the completion of the 8-hour tour and still credited with 8 hours of work time for pay purposes. Any hours not worked between the seventh and eighth hour of a regular scheduled day pursuant to ELM 432.53 are included in an employee's regular rate of pay pursuant to ELM 443.212.g. All delivery service supervisors are reminded that city letter carriers should not be excused under the 7:01 rule unless they have completed their routes and cannot be assigned to any available work in the same wage level. Local management at all delivery units must reemphasize to all city letter carriers that they must apprise their supervisor of their desire to clock out prior to completion of a full 8-hour workday, minus time covered by the 5-minute leeway rule. (Emphasis added)

The 7:01 rule is one of several recent memorandums of understanding for temporary workplace changes. With the recent COVID-19 pandemic and its effect on the letter mail volume, the rule provides an opportunity for Carriers to spend less time on the street and to help with social distancing. With that said, Carriers are still required to take their negotiated breaks. The Joint Contract Administration Manual (JCAM) on page 41-28 explains this requirement as follows: National Arbitrator Britton ruled that ...contractual breaks must be observed and cannot be waived by employees (H4N-3D-C 9419, Dec. 22, 1988, C-08555).

City Letter Carriers perform an important function in the United States Postal Service. They serve millions of families and business firms daily. City Letter Carriers are also highly respected by the American public. This respect has been earned by many years of dedicated service, especially during national and local emergencies. We provide an essential public

service for the American people, and during this crisis, that service becomes even more important.

"Letter Carriers in every neighborhood are a source of comfort, and a welcome sign of normalcy to the American people"
NALC President Fred Rolando



Vice President

By Zulma Betancourt

What to do if You are Injured at Work.

If you are injured while working, remember that the NALC is committed to making sure you receive all necessary care as soon as possible. Remember to report all accidents or injuries while working – DO NOT WAIT!

Be sure to keep copies of your statements or any documents you sign from your physician and when in doubt, contact your local union hall for guidance on your next steps.

OWCP Claims for COVID-19

A letter carrier who contracts COVID-19 while performing their job duties will have full coverage of the Federal Compensation Act for all related medical treatment and for wage loss and/or disability related to the condition and/or associated complications.

Filing a CA-1 for a Traumatic Injury

A traumatic injury is defined as follows,

"A wound or other condition of the body caused by external force, including stress or strain, which is identifiable as to the time and place of occurrence and member or function of the body affected. The injury must be caused by a specific event or incident or series of events or incidents within a single workday or work shift."

You are responsible for making sure you take the necessary precautions which include:

- a. Driving defensively and professionally, extending courtesy in all situations, and obeying all state, local, and Postal Service regulations when driving a vehicle owned,

- leased, or contracted by the Postal Service.
- b. Immediately reporting to your supervisors any accident or injury in which they are involved, regardless of the extent of injury and/or damage.
- c. Complying with all OSHA and Postal Service safety and health regulations, procedures, and practices, including the use of approved personal protective equipment.

For your convenience, you can file your claims online! Rest assured that your safety and wellbeing is our number one priority!

USPS, (2019), Responsibilities, https://about.usps.com/manuals/elm/html/elm8_004.htm

NALC, (2020), Workplace Issues; Injured on the job, <https://www.nalc.org/workplace-issues/injured-on-the-job>



Editor's Corner

*By Editor/Webmaster,
Judy Dorris*

So.... You are FINALLY a full-time Regular!

Recently, in branch 1477, 29 CCAs were promoted to full-time regular thanks to Memorandum-01906 which basically said in pertinent part:

1. CCAs in 200 workyear offices with 30 months or more of relative standing on February 15, 2020 will be converted to full-time regular career status in their installation.
2. CCAs in offices below 200 workyears with 30 months or more of relative standing on February 15, 2020, will be converted to part-time flexible career status in their installation.

As a full-time regular, there are overtime provisions of the National Agreement which didn't apply to you as a CCA. The following is a summary of a few of the sections of Article 8.

One decision you will have to make once you are full-time is whether to sign up for *one* of the two overtime lists. By signing the overtime desired list (ODL), you are committing to work any and all overtime assigned to you. Normally, employees on the overtime desired list 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 hours per day and 60 hours per week limitations. Most places make this distinction on the list by placing an asterisk next to the names of the individuals who wish to work the longer hours.

Overtime Assignments

Overtime assignment rules apply to full-time employees and are different from when you were a CCA or PTF. Article 8.5 of the National Agreement addresses situations where employees are needed to work overtime. It reads:

Section 5. Overtime Assignments

When needed, overtime work for 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:

A. Employees desiring to work overtime shall place their names on either the "Overtime Desired" list or the "Work Assignment" list during the two weeks prior to the start of the calendar quarter, and their names shall remain on the list until such time as they remove their names from the list. Employees may switch from one list to the other during the two weeks prior to the start of the calendar quarter, and the change will be effective beginning that new calendar quarter.

B. "Overtime Desired" lists will be established by craft, section or tour in accordance with Article 30, Local Implementation.

Work Assignment List

The second list is referred to as the work assignment (own route) list. Signing this list commits you to only working overtime on your own assignment on your regularly scheduled days.

Signing Overtime Desired Lists

Once you sign an overtime desired list you will remain on the list from quarter to quarter until you ask to be removed. A carrier can remove their name from the list at any time during the quarter. This is outlined in Article 8, Section 5.A of the National Agreement.

The particulars of how the overtime desired list works in your office may be defined in your local memorandum of understanding. Newly converted full-time employees should ask their shop steward or NALC branch officer about administration of the overtime desired list in their office.

Equitable Distribution of Overtime

Another provision of Article 8 that applies to full-time career employees is the equitable distribution of overtime. Article 8 Section 5.C.2 of the National Agreement explains that overtime is not assigned on a rotating basis nor does seniority govern the availability of overtime work for those letter carriers who wish to work overtime.

Mandatory Overtime - Employees Not on the Overtime Desired List

For those full-time employees who do not wish to work overtime, Article 8 of the National Agreement includes protection against mandated overtime. This is not to say that if you do not sign an overtime desired list you will never be required to work overtime, but the NALC has negotiated some very strong language to protect employees that do not wish to work overtime.

The “letter carrier paragraph” of the 1984 overtime memorandum obligates management to seek to use auxiliary assistance, when available, rather than requiring a regular letter carrier not on the overtime desired list to work overtime on his/her own assignment on a regular scheduled day.

Management must first attempt to use all of the following to provide auxiliary assistance before requiring a non-ODL carrier to work overtime on his/her own route on a regular scheduled day:

- part-time flexibles at the straight-time or regular overtime rate
- city carrier assistant employees at the straight-time or regular overtime rate
- available full-time regular employees such as unassigned or reserve regulars at the straight-time rate
- full-time carriers from the Overtime Desired List at the regular overtime rate

Management is **not** required to work PTFs, CCAs, or full-time carriers from the overtime desired list at the **penalty** overtime rate if the situations involve letter carriers on their own assignment on a regularly scheduled day. However, this penalty overtime

exclusion does not apply if management seeks to mandate a letter carrier to work overtime off their assignment or into work on their non-scheduled day. Full-time employees on the overtime desired list must be used at the penalty overtime rate prior to mandating non-ODL letter carriers in these situations.

*All of the above provisions can be found in the **Letter Carrier Resource Guide**. It can be viewed on the branch's website: branch1477nalc.org and then by clicking on “**Links**.”*

Letter Carriers' Stamp Out Hunger® Food Drive Postponed



The 28th annual Letter Carriers' Stamp Out Hunger® Food Drive, scheduled for May 9, 2020, has been postponed. The NALC, as well as our national partners, are fully committed to rescheduling the food drive later in 2020. A new date has not yet been scheduled.

The annual success of the food drive is largely due to the efforts of letter carriers, other postal employees, postal customers, community volunteers and many more. Their safety is of paramount importance. Much of the United States is currently under shelter in place or similar advisories due to the COVID-19 pandemic, and public health authorities such as the Centers for Disease Control and Prevention (CDC) have issued guidelines that include social distancing. While it is unknown how long these guidelines will

remain in place, it is highly unlikely that those involved in the food drive will be able to safely participate just six weeks from now.

NALC and our national partners recognize that food assistance is a critical need for many during this difficult time, and we remain committed to helping those in need in the communities we serve across America. We look forward to once again holding the largest one-day food drive in America when it is safe to do so.

Millions of Americans donate food on the second Saturday in May every year to help fight hunger in their communities. While we may not be able to safely conduct the food drive on its traditional date, we encourage those that would participate to consider donations that may be safely made to food banks in the form of food or financial assistance. Letter carriers, our national partners, community supporters and volunteers will be prepared to Stamp Out Hunger® once again when it is safe to do so.

wheelchair for now, and is getting therapy. Joyce and I got a jump start on Christmas by crocheting and knitting gifts. A lot of us have been binge-watching Spectrum's free Showtime and Epix movies. We're beginning to really miss each other! Thank goodness for phones and television.

Which brings me to our dedicated Letter Carriers who have braved all the threats of illness. Yet, our Letter Carriers are still delivering the mail throughout our country. We are so proud of them and wish them the best of health. Thank goodness for our heroes!

Last month I reported on a few planned events that failed to happen. I hope it didn't inconvenience or embarrass anyone.

Congratulations on Sue and Denny Elliott's 50th wedding anniversary in April. They must have been a child bride and groom! Happy May birthdays to Mary Richards (4), Bill Moran (5), Melissa Williams (7), and Roger Chavez (12).

Blessings to all, practice safe guidelines, take care.

Auxiliary 181 News

By Dottie Tutt-Hutchinson

They say no news is good news, so we hope you and your families are not afflicted with the Covid-19 virus. Hopefully, there will soon be a vaccine to prevent us from getting it entirely. Recently, I read that Canada is experimenting using the blood of previous recovered patients into virus-free people to lower their reactions or severity when getting it.

Needless to say, Auxiliary 181 has cancelled or postponed all of our activities and meetings until further notice. Joyce Keller keeps in touch with our members, checking on those home alone and encouraging everyone to 'grin and bear' it. We give each other advice, most importantly, to stay home if at all possible, and to wash hands if we do go out. Not surprisingly, everyone has remained remarkably chipper. Pat O'Donnell's Mease Manor has restricted its residence from the dining room for now, while delivering meals to every apartment. She told me that they try to ease the pain by giving out wine, cookies, and crossword puzzles and games. How fun! Lorie Davenport misses her gym workouts, so has been biking and swimming every day. Sally Madden has been confined to a

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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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