

THE SAN FRANCISCO REGION

SENTINAL



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WHY IN THE HELL DO WE VOTE AGAINST OURSELVES?

FROM THE DESK OF: SHIRLEY TAYLOR

We are Union!

We do not lay down!

We stand up and organize!

Our government was founded on check and balances and in today's society, it seems as if Labor has to be who supplies the will to perform this task.

We must build a multifarious coalition to save the social conscience of democracy.

What we seem to forget is that we all have passed this way before. For instance, all people considered "white" **today**, were not that long ago included in that category. A review of our history, finds the following nauseous information: "*Irish need not apply*", "*Italians need not apply*", "*Polish need not apply*", "*Jews need not apply*".

What I have never understood, is anyone who has ever been discriminated against because of their race, color, creed, religion, national origin, sex, age or marital status would not jump in and fight to keep others from suffering the indignities they suffered. Why are we so happy and eager to have someone to look down on? Why do we determine our worth based upon someone else's flawed opinion of us? I suppose that everyone wants to be loved, but if

receiving said "love" requires that we forego our humanity, is it really worth anything.

We have to join the fight, because if we don't, we are going down for the count. We have to call these people out when they cage our children, when they separate juveniles from their families, when they move children with no intent to reunite them with their families, and when they do these despicable actions against the least of us.

How do we navigate the daily drama? How do we swim through the emotional bullshit? We cannot be blind and unconcerned to what happens around us.... We are not an island unto ourselves. What we do in our daily lives has an effect on others.

WE HAVE TO VOTE!

We have to vote because policies and laws are put in place by those in power. There are no reserved seats at the tables of power, we have to take what we can, and hold on to what we have gained.

We organize. It is a family matter... It is a moral matter. We build a united coalition. We give a damn. We take it to the street! We march. We fight. We do not surrender!

We reach into our communities and educate and not just when we need something. We will not have a democracy if we continue to diminish the needed education of our people. We fight for the children, and we must resist the dumbing down of our children's education and the wholesale theft of the

public education system. If you are a grandparent, you may think that education concerns have passed you by, but if we do not pay attention now, in the future, you will have to put bars around your houses to be safe as the prisons will not be sufficient to keep you from harm. Desperate people unfortunately do desperate things. Without adequate education, we will fall for anything and believe those who tell us not to believe, hear or see what we have witnessed with our own damn eyes and ears.

We must raise up and take a place in our union and continue the struggle. We have to communicate with and challenge our members. If we stop talking to our members, our members will stop talking to us. (Save the date—October 8, 2018)

In 2017, we lost our unity and quite frankly, lost our minds. We let others define who we are. Labor allowed our opposition to use our differences to separate us. We now have to get off our collective behinds and get to work. When we gain knowledge, we cannot keep it to ourselves, we must convert this knowledge into energy and action.

WE MUST ORGANIZE AND EXECUTE!

Labor has power. This is why anti-labor forces pushed until they got “*Janus*” before the Supreme Court. They know that labor unions are one of the last remaining lines of defense for working families. They seek to weaken our power. They consistently chip away at the right to vote because while they have the money, we have the numbers!

If you know someone who works with you and they are not a member of our great Union, please talk to them and ask them to join you in the fight to gain the dignity and respect which must be afforded the workers who keep this nation moving toward the more perfect union which she must never stop striving to achieve.

Folks always say, who you vote for is your own business and it is, but why in the world would someone vote against their own interests? Do not be swayed by wedge issues, (football?)? The questions asked should be: Can I feed, cloth, provide health care, have a decent retirement benefit, and provide shelter for my family on the wages I receive for my honest labor? Are the policies being enacted benefitting my community? Is the water we drink or

the air we breathe making my family and community ill? It should not only have to be something in it for you alone.

Stop asking what someone else is going to do and start asking what **you** are going to do.

So, yes, it is my same old song (smile) VOTE, VOTE, VOTE as if your life depends on doing so, because it really, really does... AND REMEMBER.... GIVE TO APWU COPA! (Try payroll deduction)

The struggle continues,

Shirley Jean Taylor, NBA

ATTENDANCE FROM A 3971'S POINT OF VIEW

FROM THE DESK OF: JAMES SCOGGINS

USPS management throughout the nation has initiated an attendance blitz against employees and PS Forms 3971 are always an integral part of any attendance related issue. Therefore, I'd like to take this opportunity to offer a few attendance tips, many of which involve the proper utilization of PS Form 3971.

The majority of 3971s are generated as a result of call-ins so let's walk through this process first. Employees with an unexpected need for sick leave must notify the appropriate supervisor or IVR as soon as possible of the illness or injury and the expected duration of the absence (*Ref JCIM Article 10, page 11*). Please note that if an employee specifies a duration (e.g. four days, two days, etc.) there is no need for the employee to call again unless the stated duration changes; for instance, if during the initial call-in the duration was stated as being two days, but now the doctor wants them to take an additional three days then a second call-in would have to be made changing the duration from two days to five days. Please be advised that if an employee calls-in and does not give a duration, that employee would contractually be required to call-in each subsequent day until a duration is provided or the employee returns to work.

Upon returning to work from an unexpected absence and/or call-in, employees must, while on the clock, sign and complete the required sections of the PS Form 3971 (*Ref: JCIM Article 10, page 12*).

This means that upon an employee's return to work from an absence their supervisor should be requiring the employee to complete and sign the 3971 that was generated for that absence. If the supervisor does not provide the employee with a 3971 when they return (and they do not in a lot of instances) the employee should request a 3971, complete it, sign it, submit it to management and ask to see their steward. We advise that employees request a steward in such instances because the supervisor is responsible for approving or disapproving requests for sick leave by signing PS Form 3971, a copy of which is given to the employee. If upon an employee's return to work a 3971 is not waiting for them and/or the supervisor does not approve or disapprove the absence and give the employee a copy of the 3971 they (management) have violated their contractual responsibility in this regard and a grievance should be filed. If a supervisor does not approve a request for leave as submitted, the Disapproved block on the PS Form 3971 is checked and the reason(s) given, in writing, in the space provided. When a request is disapproved, the granting of any alternate type of leave, if any, must be noted along with the reason for the disapproval. AWOL determinations must be similarly noted (Ref: ELM 513.342). If management is not doing what the CBA requires in this regard we must start making them comply with the CBA for the protection of the employees represented by the APWU and that may mean the filing of a grievance each time an employee returns to duty and management fails to comply with the aforementioned provisions.

Oftentimes when an employee calls-in these absences will be considered unscheduled absences. Unscheduled absences are defined as any absence from work (e.g. complete day, tardiness, late from lunch, etc.) that was not requested and approved in advance (Ref: ELM 511.41). Our CBA, via the ELM places some requirements on the membership regarding unscheduled absence. For instance, ELM 511.43 says that employees are expected to maintain their assigned schedule and must make every effort to avoid unscheduled absences. In addition, employees must provide acceptable evidence for absences when required.

Unfortunately, even if an employee brings in a medical certificate and/or substantiation in these instances, the absence could and most likely would still be considered unscheduled and may be cited in discipline. The exception to this rule would be an

unscheduled absence that was taken under the Family and Medical Leave Act (FMLA). No adverse action may be initiated by management for any absence taken and/or protected under FMLA.

Although it is understood that there are some instances of unscheduled absences that just cannot be avoided; I would however venture to say that there may be others that can be. For instance, many postal employees have chronic illnesses (e.g. diabetes, chronic back pain/injuries, etc.) that in many instances will first give some type of sign that the illness is reaching the point that will force the employee to take off. It is in such instances that every effort should be made to schedule the imminent absence by submitting a 3971 to the supervisor and since the illness has reached its critical stages a doctor's visit may have been necessary so they would have medical documentation to support the advance request for the leave upon their return to duty. Please be advised that when requesting such sick leave (S/L) in advance, the request must be in writing and in duplicate via the submission of PS Form 3971 (Ref: ELM 513.341). Once this is done the supervisor is contractually responsible for approving or disapproving the requests for sick leave by signing PS Form 3971, a copy of which is given to the employee (Ref: ELM 513.342). If the supervisor fails to comply with these provisions, once again a request to speak with a steward should be made to force their compliance, which may include the filing of a grievance. It should also be noted that many chronic illnesses may also qualify for FMLA protection; therefore, whether the absence is scheduled or unscheduled the absence could not be used and/or cited in disciplinary actions.

Additionally, when completing and/or submitting PS Forms 3971 as a matter of practicality the remarks column of the 3971 should be used to the fullest extent. For instance, if the absence was FMLA related the employee should provide the supervisor a copy of the approved FMLA and annotate in the remark's column of the 3971 that the absence was FMLA related and a copy of the approved FMLA paperwork was submitted with the 3971. Another example could be when returning to work, medical certificates and/or other forms of substantiations (e.g. police accident report, a letter from the school verifying a school emergency, etc.) are being submitted with the 3971 and once again make an annotation in the remark's column a substantiation

was submitted by listing what the actual document was.

Even though management has a responsibility when it comes to dealing with attendance related issues and they generally don't handle them correctly; the bottom-line is that all employees, whether they work for the USPS or somewhere else they are expected to be at work on time and if they are not doing so on a regular and routine basis it may very well jeopardize their employment. It is understood that there may be occasions when avoiding an unscheduled absence is well, unavoidable; but if we take care of the instances that we may have control over, then these unavoidable situations may be far and in between. Remember each employee's responsibility is not to be unscheduled absence free, but rather to make every effort to avoid unscheduled absences. Therefore, if you follow these tips it could possibly 1) help reduce your unscheduled absences, 2) record the efforts you made to avoid the unscheduled absences and 3) gives the union a greater opportunity to fight for you. Remember, the war against postal mismanagement is OURS; the union officers, the union stewards and most importantly the union membership, and we cannot win this war without the help from everyone.

In Union Solidarity,

James

ELECTION DAY WILL BE HERE SOON

FROM THE DESK OF: CHUCK LOCKE

November 6th is fast approaching and there is a lot at stake for working families. The control of the Senate, House of Representatives, Governorships and state legislatures will all be decided. The question is, "what are you going to do?" If the answer is nothing, we are in big trouble! There is time to get involved and help determine the outcome of the 2018 elections. We must convey to our members, family and our community what is at stake in this election. The current administration is attacking what they call entitlements! We call them Social Security, Medicare, retirements and livable wages. We can't afford to cast votes for candidates who don't support working families. Do not believe what a

candidate might say during election campaign time. Look at their voting record on the issues that affect you and your family. It is not a candidates political affiliation that matters, it their voting record. Their voting record doesn't lie. It will tell you the truth about who they are working for and why you should vote for or against them. Make sure you and all of your family members are registered to vote. Then vote like your future depends upon it on November 6th!

Attendance Control

Management has begun to crackdown on irregular attendance. You may ask, is there a definition of irregular attendance? Is there a clear-cut standard pertaining to attendance? The simple answer to those questions is no. Each employee's attendance record should be looked at on an individual basis. I encourage you to get FMLA protections if you have a qualifying condition. Management can't utilize FMLA protected absences against you in discipline. Being irregular in attendance is one of the easiest ways to get fired from the Postal Service. Every business has the right to expect their employees to show up for work. If you have a qualifying condition under FMLA, take the time to get it properly documented so you are protected from being disciplined. If management pulls you in for an investigative interview pertaining to your attendance, tell them you want a Union Steward and don't say a word until a Union Steward is provided for you. It is your right under the Collective Bargaining Agreement to have a Union Steward if you believe managements interview could lead to discipline.

Trumps Attack on The Postal Service

As I have said before, "elections have consequences!" Mr. Trump has established a task force to look into restructuring the Post Service. The proposal would restructure the United States Postal System to return it to a sustainable business model or prepare it for future conversion from a Government agency into a privately-held corporation. This task force will make recommendations on reforms towards this goal. This will be a major battle for our Union. With the Republicans in charge of the US Senate and House of Representatives, you can count on this Trump appointed task force not having any positive recommendations for postal employees. Trump has made it clear that he is in favor of privatizing the

Postal Service and making postal employees at will workers with no benefits. In Trumps 2018 budget he proposed to increase employees FERS contributions by 1% for the next 6 years, eliminate FERS cost of living adjustment, eliminate the FERS special retirement supplement, reduce retirement benefits by using a high 5 salary average formula rather than the current high 3 average, increase the share postal workers pay for health benefits and numerous other proposals that are not good for postal workers and would have dramatically reduced your take home pay. This is why the November 6th elections are so important to postal employees. The millionaires and corporations in this country have done very well under the Trump administration so far. As the working-class majority in this country, we need to send a strong message to Washington that we are not going to take a back seat anymore! They are supposed to work for us also. If they aren't working for us, it's time to send them home!

TAC's and MDAT

It is time to fight to regain our clerk craft work. The parties at the National level have agreed that all Lead Clerks should receive the 8 hours TAC's training course and should be performing the TAC's work in their offices. If you are a lead clerk and have not received the 8 hours TAC's training, file a grievance. If you are not performing the TAC's work in your office as the lead clerk, file a grievance. We need to protect our clerk craft work by filing the appropriate grievances. MDAT has been modified to include the creations of NFFT assignments of less than 40 hours per week. If there are PSE's working in your office, there should be a grievance filed utilizing MDAT to try and get our PSE's converted to full-time.

TACS AND THE LEAD CLERKS

FROM THE DESK OF: SONIA CANCHOLA

What does the September 5, 2018 Step 4 mean? The bold and Italic language is taken directly from Step 4 decision signed off 9/5/18. APWU filed two national grievances in 2016; Q15C-4Q-C18000314 /Q15C-4Q-C18273555. ***The parties recently met at Step 4 of the grievance process to discuss and resolve. The first case was whether employees occupying Lead***

Clerk duty assignments and who perform timekeeping duties must be given access to the Enterprise Resource Management System (eRMS). The second case was whether the February 4, 2016, Step 4 settlement agreement regarding Q10C-4Q-C15194931 / HQTC20150814, 1) requires that Lead Clerks who are not assigned timekeeping duties be provided the same Time and Attendance Collection (TACS) training as those Lead Clerks who perform such duties; and 2) whether all non-supervisory/non-managerial TACS duties have been assigned to the Clerk Craft.

After further review and discussion, it was mutually agreed to resolve the disputes in accordance with the following understanding of the parties:

- 1. ERMS is identified as a Management tool, accessible to management, used to monitor and manage employee attendance. In accordance with the Clerical Work MOU, the Clerk Craft Jobs MOU and the Q10C-4Q-C15194931/HQTC20150814 national settlement dated February 4, 2016, employees assigned the Lead Clerk Clock Office Role in TACS are not prohibited from entering supervisor approved leave into TACS. The Lead Clerk Clock Office Role was created in TACS in accordance with the 2010 Agreement which established the Lead Clerk positions and returned this type of administrative/technical work to the bargaining unit. Basically, what it is being agreed to is that ERMS is a management tool which is accessible to employees who are in a higher level; it is used to monitor and manage employee attendance. Lead clerks are not prohibited from entering supervisor approved leave into TACS. If you are a Lead Clerk entering TACS, you may be asked to enter approved leave into TACS.***
- 2. In accordance with the February 4, 2016, Step 4 settlement agreement, all Lead Clerks must receive required training. The required training for Lead Clerks assigned the Lead Clerk Clock Office Role in TACS is: Course #31267-01 Time and Attendance Collection System-Supervisor Training. Regardless of the size of installation you are working at, (or representing) an official APWU Request for Information must be submitted to management requesting copy of all Lead Clerks training records (don't forget to include different tours also). Once***

you receive the lead clerks training record verify that clerks have been given such training. IF, they have not received training on course #31267-01 Time and Attendance Collection System-Supervisor Training, a grievance must be initiated and use the Step 4 signed off on September 5, 2018 as your supporting documentation.

- a) ***In facilities that qualify for more than one (1) Lead Clerk duty assignment, not all Lead Clerks must be assigned TACS duties, however, management must provide the required Lead Clerk Clock Office Role training to additional Lead Clerks in order to provide appropriate coverage for each tour (F1 Mail Processing), days off and leave. This will ensure that the TACS duties associated with the Lead Clerk Clock Office Role are performed by Clerk Craft bargaining unit employees.***

Unlike what your manager wants you to believe, that when the Lead Clerk is on leave or on their day off, management cannot do TACS! There must be a Lead Clerk "back-up". In order to be the Lead Clerk "back-up" either another Lead Clerk should have already participated in the course #31267-01 Time and Attendance Collection System-Supervisor Training. If there is no other Lead Clerks in your installation, communication must be made between Union and Management as to how a "back-up" will be selected.

- b) ***If, in the future, the Postal Service makes changes to the Lead Clerk Clock Office Role training, to remove modules that are exclusive to supervisors and unnecessary for Lead Clerks, or to make updates to the Lead Clerk Clock Office Role, Labor Relations at the national level will provide notification the Union in accordance with Article 19 of the collective bargaining agreement.*** These are agreements signed off at the national level, so local management must comply and management does not have an option. If there are any

changes made to the duties of the Lead Clerk Clock Office role, these changes must be made through Labor Relations at the national level, and not locally.

- c) ***If the Postal Service migrates non-managerial/non-supervisory timekeeping duties into applications other than TACS, the associated work will either continue to be available in TACS for performance by the Clerk Craft or access to the application(s) will be given to Clerk Craft employees for the performance of such work.*** If management makes changes by adding non-managerial/non-supervisory timekeeping duties into applications other than TACS, the work will continue to be available in TACS to be done by the Clerk Craft or access to the applications will again be given to the Clerk Craft. Basically, anything having to deal with non-managerial/non-supervisory timekeeping duties will belong to the Clerk Craft.

- d) ***Effective with the signing of this agreement, TACS duties may be included by local management in the Lead Clerk duty assignment postings for those duty assignments properly designated to perform the Lead Clerk Clock Office Role in TACS.*** Effective September 05, 2018 the TACS duties may be assigned/listed in the postings for those duty assignments properly designated to perform Lead Clerk Clock Office Role in TACS.

- e) ***In facilities with Lead Clerks in duty assignments previously posted and awarded, who are currently performing TACS duties or that TACS duties were annotated on the bid posting, they will be grandfathered into this Agreement. If not previously provided, they will receive the required training, course #31267-01.*** If in facilities that already had Lead Clerks in duty assignments that were previously posted and awarded who are currently performing TACS duties they will be grandfathered into this agreement. However, if you have Lead

Clerks who are not currently performing timekeeping duties they will receive the required training course above.

- f) In facilities with Lead Clerks in duty assignments previously posted and awarded and there are no Lead Clerks currently performing the TACS duties, the senior Lead Clerk in the facility will receive the required training and be assigned to perform the TACS duties. The parties at the local level may mutually agree to an alternative Lead Clerk in the facility to be trained/assigned in lieu of the senior Lead Clerk.** In facilities with Lead Clerks in duty assignments previously posted and awarded and no one is performing the TACS duties, the senior Lead Clerk in the facility will receive the required training and be assigned to perform TACS duties. The parties at the local level may mutually agree to another Lead Clerk in the facility be trained/assigned in stead of the senior Lead Clerk. Local management and local union must mutually agree.
- g) In facilities where there are multiple Lead Clerks, those Lead Clerks who have not been assigned timekeeping duties are not required to receive the above referenced training. However, it is recommended they receive LMS Course #10025624, Lead Clerk Overview Training.** In facilities where there are multiple Lead Clerks, those Lead Clerks who have not been assigned timekeeping duties are not required to receive the course #31267-01 referenced above, but it is recommended they receive LMS Course #10025624 Lead Clerk Overview Training.

Bottom line, Assistant Clerk Craft Director Lamont Brooks did a great job in narrowing down the timekeeping duties and returning them back to the Clerk Craft. It is APWUs position that the Lead Clerk is to perform timekeeping duties for all crafts (Carriers, Mail Handlers, Maintenance, Motor Vehicle and Clerk). For those of you who already filed a Lead Clerk TACS grievance as advised, you will

soon receive the Step 3 agreement (if not received already) asking that both parties apply the Step 4 settlement Q15C-4Q-C18000314/Q15C-4Q-C18273555. Most of those cases did not have the TACS user log reports (because management failed to provide). In those settlements it is noted that each district has a manager of Financial Programs Compliance who would be the resource to retrieve such logs. After you receive the TACS user log report, the Union is required to calculate the workhours reflected in the reports and that sum is the number of workhours that is owed to the Lead Clerk. So, for example: I filed a step 1 grievance in January 19, 2018. Management has been doing all TACS duties from January 19 until today. My Lead Clerk was sent to training in April 2018 but management still doesn't allow him to do any of the TACS duties. I would submit a request for information for TACS user log reports from January 5 to current (14 days from step 1). Once I receive the TACS user log reports and add the workhours reflected off the report let's say 700 hours from January 5, to current. The remedy portion of this settlement would be 700hrs X (Level 7 @ the overtime rate). It is that simple! HOWEVER, management will still fight you. Managements initial claim was that there wasn't any monetary compensation coming to the Lead Clerks. Brother Brooks took care of that as well. The NBAs shared copies of an email thread between Ricky Dean, Manager Contract Administration and Brother Brooks where they agree that monetary compensation can result if a grievance was filed. This email thread was sent to all in our email list on September 12, 2018 with a reference: [09-05-2018 Clerk Craft Step Four Settlements with Guidance to the NBAs/Local Officers and Stewards](#). Please have your calculations, TACS user log reports and a copy of this email thread with you when you meet with management for compensation.

