

Michigan MESSENGER

Affiliated with: American Postal Workers Union, AFL-CIO, APWU Postal Press Association, Michigan State AFL-CIO & Michigan Labor Press



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PRESIDENT



by
Michael
Mize

Transfer & E-Reassign

As a State and Local President, I receive numerous calls every month concerning transfers and putting in for jobs posted on e-reassign. There is a huge misconception on how this process works. I could write an article taking up every page in the paper to cover it all and it would probably still be very confusing. The rules are a little different for the different size offices and for PTF or FTR positions. I want to explain just a couple things and hope that it will help many of our members to be prepared and be in the best spot for themselves personally and professionally.

The e-reassign process is a requirement in the Contract. This becomes an issue all the time as in many cases the person that should be receiving the position does not understand why it is posted on e-reassign. Two big reasons, one their may be someone out there that is about to lose their position and have nowhere to go (being excessed). This person would have priority status and others in the office may as well. If they have priority status, they go to the front of the list. Second reason, as stated above it is a requirement in the agreement. It must be posted for 21 days on e-reassign. We may not like it, but the Service and the Union have agreed to this process at the National level.

We have people that will call the office that they requested to go to. Often, Management will talk like they have a good chance of getting the position and they cannot wait for you to get there. This is simply not true or accurate. Management in these local offices has no idea if there are multiple people waiting on a list or in most cases what the transfer language even says. Now, feel free to call and talk to them, just do not get your hopes up from anything they say. The bottom line here is they really do not have all the information. These positions are filled by District Management going through the list and following the language to identify who gets a position. This means it could be a transfer or it may be a PSE conversion. Once the District does their job, they send it up the chain in the USPS to

get approval and verify they did things correctly.

Another issue that many do not understand is that when the position gets posted on e-reassign it may have several people already on a list requesting a transfer to this office. So, one will go on the first day of the month and think they have their name at the top of the list as the job was just posted. However, that may not be true. Some offices have a list that is pages long with people waiting to go there. Again, I am not saying to not go on and put in for jobs you want but do not just assume you are at the top of the list.

Further, I tell people to go on and

submit a request for any office you want to be at more than where you are. And do that today. Transfers like these are first in and first out. If I put in today and no one else has then when the job gets posted next month my name is on the list already and in front of anyone that puts in next month. If you know you would want to work in some other office more than the office you are in now, then put in for the office now. There may not be an available job for some time but get on the list. Also, go back to the list before your request expires and update it. The request expires in one year. If the time comes and you are offered a position and decide you do not want the transfer now you can

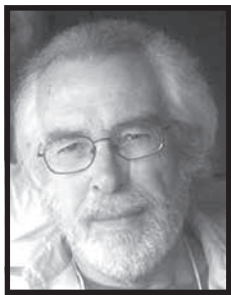
decline it. Be prepared and get those requests in early.

If you believe something may have been done incorrectly, ask for a steward. It is not often that mistakes are made in this process, but it does happen. Let us investigate it and let us make sure but do not be surprised to find out it was done correctly. There are many things in the language that we may not like or agree with, but we must work within the language.

I wish I could explain it all, but there is just too much to it. Get your requests in and good luck.

In Unity.

RETIREE PRESIDENT



by
Paul
Browning

— Bombed —

Forget the source. It could be Howdy Doody.com and someone will believe it and repost it and get “likes”, comments, memes, mini-dissertations ad nauseam. Yes, I yearn for the days of just the Associated Press, the now departed United Press International, Huntley and Brinkley, and Walter Cronkite. A friend remarked to me once that they all could have been lying through their teeth to us and we would have believed them. Of course,

this would have required there to be a vast conspiracy between all of them and virtually every news outlet in the world. Paranoia may strike deep but not that deep.

It's been pretty well established that people read a news source that agrees with their preconceived beliefs or views. Even many of those who claim to look at all sides of an

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MEMORANDUM OF UNDERSTANDING – PSE Health Care

There is a new MOU that related to PSE's and their eligibility to sign up for health benefits, here are the facts;

- Only applies to PSEs who were hired on or after November 7, 2020, and permitted to be retained in accordance with the Memoranda of Understanding, Re: Additional Function 1 Staffing, dated December 24, 2020, and Re: Temporary Exception Period — Clerk Craft Function 1 & Function 4 — COVID-19, dated December 21, 2020;

- Submission of the required paperwork (PS Forms 3117, 3119, and 3120) must be faxed to 202-268-0359, Attn: Health Benefit Requests, or mailed to the Human Resources Shared Service Center (HRSSC) no later than February 26, 2021; and

- The health benefits will become effective the first day of the first pay period that begins after the documents are received by the HRSSC and that follows a pay period during any part of which the employee is in a pay status.

• • •

**by
Roscoe
Woods**



With our national Presidential election behind us and the majority in the Senate returning to the Democrats I wanted to take a moment to address the impact of the changes this last election will have on the hard working men and women of the 480-481 Area Local and across this nation.

While I understand that at times the political divisions with our nation as well as this union can run deep I wanted to take a moment to point out that while I know there are a lot of you out there unhappy regarding the recent congressional and presidential results there is a silver lining for those of us who work at the USPS.

The USPS falls under the Homeland Security and Governmental Affairs Committee in the Senate, with the change in leadership in the Senate, Senator Gary Peters will become the next Chair of the Senate Homeland Security Committee.

We will not find a stronger proponent for our mission or the employees who work for the USPS than Senator Gary

Peters. Gary believes in our mission, he believes in the employees and now as committee chair will have great sway over our future and the future of the USPS for the next two years.

The same can be said for the House Subcommittee on Government Operations, on that committee we have the MI 14th District Representative Brenda Lawrence. Brenda had an entire 30+ year career with the USPS before she became mayor of Southfield then the representative for MI 14th District. Brenda is another hardcore supporter of us and what we do for the American people.

Having these two staunch allies representing our interests in Washington DC means that even if the election did not go the way you wished as a postal employee there is a reason to be thankful.

One other change that may go a long way to ousting current PMG Louis DeJoy will be the makeup of the Board of Governors.

From the USPS web-site it notes that: "The Board of Governors of the U.S. Postal Service is comparable to a board of directors of a publicly held corporation. The Board normally consists of up to nine governors appointed by the President of the United States with

the advice and consent of the Senate.

The nine governors select the Postmaster General, who becomes a member of the Board, and those 10 select the Deputy Postmaster General, who also serves on the Board. **The Postmaster General serves at the pleasure of the governors** for an indefinite term and the Deputy Postmaster General serves at the pleasure of the governors and the Postmaster General.”

I am hopeful that the two congressional committees with oversight for the USPS will pressure the incoming Biden administration to get the majority in place so they can review the damage inflicted by PMG DeJoy and remove him and replace him with a PMG who puts the interests of the American people and the USPS first ignoring the forces that seek to dismantle and destroy us.

I know the at times deep political divisions exist in our union and this nation, I am however hopeful that however disappointed some of you may be at the outcome of the general election you can take solace in knowing that this agency will be represented by members in our Congress and very soon a USPS Board of Governors who truly believe in us and our core mission of universal delivery to every address in this nation.

In Solidarity.

February Is Black History Month

Black History Month is a month set aside to learn, honor, and celebrate the achievements of black men and women throughout history. Since its inception, Black History Month has always been celebrated in February. Find out how Black History Month originated, why February was chosen, and what the annual theme for Black History Month is for this year.

The origins of Black History Month can be traced back to a man

named Carter G. Woodson (1875-1950). Woodson, the son of former slaves, was an amazing man in his own right. Since his family was too poor to send him to school as a child, he taught himself the basics of a school education. At age 20, Woodson was finally able to attend high school, which he completed in just two years.

He then went on to earn a bachelor's and master's degree from the University of Chicago. In 1912, Woodson became only the second

African American to earn a doctorate from Harvard University (W.E.B. Du Bois was the first). Woodson used his hard-earned education to teach. He taught both in public schools and at Howard University.

Three years after earning his doctorate, Woodson made a trip that had a great impact on him. In 1915, he traveled to Chicago to participate in a three-week celebration of the 50th anniversary of the end of slavery. The excitement and enthusiasm generated by the events inspired Woodson to continue the study of black history year-round. Before leaving Chicago, Woodson and four others created the Association for the Study of Negro Life and History (ASNLH) on September 9, 1915. The following year, the ASNLH began publication of the *Journal of Negro History*.

Woodson realized that most textbooks at the time ignored the history and achievements of blacks. Thus, in addition to the journal, he wanted to find a way to encourage

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E•D•I•T•O•R



by
John
Greathouse

Tohubohu (toh-hoo-BOH-hoo)

Tohubohu . . . You are saying to yourself, what the heck is he saying here, so let me continue . . . This is my definition of how the Post Office prepared and staffed for the holidays, but the actual definition is – **Tohubohu – A state of chaos; utter confusion.**

With the PMG’s move in August and no one at the wheel, management went “all in” and chose to just not manage and staff based on the needs but to just “mandate everyone”! 12 hours a day, 7 days a week . . . even if there was not volume on some days to even justify this action. The best representation I can come up with was on the top of a MDO’s desk . . .

As we all know, Article 3 allows for management to manage as they see fit or as we put it, allows them to mis-

manage which is the case here. I know this is not a new song for everyone but this is the first time in 33 years at the PO that I have ever worked Christmas Eve and Christmas day.



Covid-19

Vaccines were rolled out with no plan by the lame duck Trump administration with little to any plan on how to distribute to the state in a manner that allowed them to know just how much they would be getting until a day or two prior to delivery. The Biden administration has rolled out a clear and concise plan as well as securing more vaccine to cover

all Americans, not just 1/3 of them!

Locally here in Mid-Michigan, Sparrow Hospital is setting the benchmark on distribution V. Ingham County Health Department. They, the county has done a good job but are clearly not as efficient in responding to residents needs or question related to getting a vaccine as Sparrow has been.

With 2 different vaccines available and a third with in the next couple of weeks, there is no reason that we cannot receive one in the near future. While it is a personal choice as wither to get one or not is your choice, and there are lots of reason for both, it is still your call to make.

One concern that many have is that this vaccine was just whipped up in a few months and rolled out for a quick trial. While at face value, it looks that way but the reality if it is that researchers have been working on variants of Covid for the past decade and when the Covid-19 came in, they focused on the variants between them. This is why they were

able to come out with this so quickly. Am I concerned just how quick they came out with it, yes but I trust a scientist way more than a politician!!!

PPA Conference

Editors, start reviewing your past editions in preparation to enter your paper in the PPA Awards competition.

I am hoping that the PPA Conference in August will not be canceled this year but I do have my fingers crossed that it will go on without a hitch.

I will again planning on torturing . . . in mean teaching, yes teaching . . . the photo – journalism class. We will be doing a lot of fun stuff with your cell phones and you will be learning many new ways to make your phone do more things than you thought.

I hope everyone stays safe and healthy, I am looking forward to seeing everyone soon.

In Solidarity.

— Bombed —

continued from page 1

issue before making a decision based on merit – you know, the ones with the holier than thou attitude – are already leaning toward one side or the other. To those who are truly neutral, I say get some skin in the game. How’s it going to affect you personally?

So, to segue into reliable news sources and actual bread and butter issues, I’m going to cite the APWU Legislative Department and Director Judy Beard. In the 116th Congress it was the old same stuff, different day. However, Judy and APWU and our elected representative allies were able to prevent any legislation proposed that would have eliminated Collective Bargaining in the Post Office, calls for privatization, and an end to cost of living raises. I know you heard it before, but like a bad penny, it keeps going around. We were also successful in finally at least getting a start on stimulus package relief with ten billion dollars provided by Congress in legislation. And postal workers successfully delivered the much-ballyhooed ballots by mail. All of this happened because of APWU lobbying in Congress and Union activists’ pressure from the field via phone calls, letters, and (here it is again) social media.

Now, new Congress, new President, same stuff different day. Hopefully they will recognize the essentialness of USPS and the creation of good jobs with good pay and

benefits. Getting rid of the years lamented onerous pre-funding requirement of retiree health care heads the list of problems to be addressed. Every time you see how much money USPS lost in a given year, remember it’s because the failure to pay that debt is carried over from year to year. Think of it as being \$10,000 behind in a loan you borrowed. Even though you made enough money to pay your basic bills, if you didn’t put any money towards that 10k loan, it still shows up as you losing ten grand on the year, and it keeps going and adding up year after year. Hence, when USPS falls behind in billions of dollars in payments to the U.S. Treasury for the pre-funding, even when they make money on operations (which they actually do) it’s a big hole in the red every year. Looking at the past, USPS did fine since the 1970 Postal Reorganization Act (PRA). It operated okay on the three-year model-raise prices, make money in year 1, break even in year 2, lose money in year 3. Then in 2007 along came the legislated pre-funding requirement for Health Care retirees benefits to be paid within the next ten (10) seventy-five (75!) years into the future. Bam, there went the three break even cycle. Eliminate that pre-funding “on paper” loss/debt and USPS looks pretty good (Staffing horrors and mismanagement aside).

Also on the agenda is PMG Louis “Delay” Dejoy and the Postal Board of Governors (BOG). There

have been many calls to fire Dejoy but his employment is determined by the BOG. The BOG consists of eleven (11) members-the PMG himself, the Deputy PMG, and nine (9) members appointed by the U.S President. Typically, a President appoints five (5) members of his own party and four (4) members of the loyal (ahem) opposition party. Currently, there are three vacancies on the BOG. The remaining BOG appointed members count four (4) Republicans and two (2) Democrats. By the way, none of the BOG members are of women or people of color. Five of them are bankers, not much representation there of a qualified cross section of American citizens. President Biden needs to immediately appoint three Democrats of diversified backgrounds and get a swing vote for a 5 to 4 appointed majority. This majority can fire the PMG and reverse the current Management policies

designed to ultimately destroy the viability of the Post Office leading to privatization.

On the wish list for the 117th Congress are legislation/resolutions concerning repeal of the Windfall Elimination Provision (would a few hundred \$ to me and a lot of other postal retirees), the Government Pension Offset, Social Security Fairness (scrap the cap on S.S. earnings deductions that stops around 135,000 \$), restore USPS delivery standards to previous years, etc. It’s not real likely these will happen but there is a chance for with a Democratic control Congress. Maybe we can at least get a foot in the door. All of this benefit’s postal workers, retirees, and even the other 99%. So, stay safe, stay tuned, keep the pressure up on your Representatives (but don’t kidnap them or storm their offices with a mob) and check out the apwu.org website for news that directly affects you.

— DEADLINE —

for articles for the next issue
of the *Michigan Messenger*
is April 3, 2021

VETERANS' DIRECTOR

Veteran Report



by
John P.
Smeekens

Heating Bill Help

Consumers Energy has donated \$150,000 to the Michigan Veterans Trust Fund to help eligible military veterans pay their Consumers energy bills and make energy-efficient upgrades to their homes. The donation is the largest in the 75-year history of MVTF and brings the total Consumers has donated to \$300,000 since 2018. Consumers previously made donations of \$100,000 and \$50,000 to the MVTF. The MVTF is a state-run emergency grant program for wartime-era veterans who are experiencing unforeseen financial hardship. The donation is expected to help hundreds of eligible veterans and their families pay energy bills and make energy-efficient upgrades such as roof and furnace repairs and water heater replacements.

Eligible veterans or dependents who are Consumers customers can apply for the utility assistance by calling the Michigan Veterans Affairs Agency's Veteran Resource Service Center at 1-800-MICH-VET (1-800-642-4838). Michigan wartime-era veterans who have utility providers other than Consumers may also be eligible for utility assistance through the MVTF. Call 1-800-MICH-VET to find out how to apply.

Guardsmen Vacate Capitol

Thousands of National Guardsmen were allowed back into the Capitol recently, hours after U.S. Capitol Police officials ordered them to vacate the facilities, sending them outdoors or to nearby parking garages after two weeks pulling security duty after the deadly riot on Jan. 6.

One unit, which had been resting in the Dirksen Senate Office building, was abruptly told to vacate the facility, according to one Guardsman. The group was forced to rest in a nearby parking garage without internet reception, with just one electrical outlet, and one bathroom with two stalls for 5,000 troops, the person said. Temperatures in Washington were in the low 40s by nightfall.

75 Years Of VHA

This year, the U.S. Department of Veterans Affairs (VA) commemorates 75 years of the Veterans Health Administration (VHA).

Originally established in 1946 as the Department of Medicine & Surgery to care for Veterans returning from World War II, VHA has evolved to meet the unique challenges and care needs of Veterans from every era and at every stage of their lives. Celebrating this historic milestone, they are presented with an opportunity to share VHA's rich history while looking toward their next chapter as a learning organization that is committed to continuous improvement. It

is also a fitting occasion to recognize the extraordinary efforts of VHA staff and volunteers during the COVID-19 pandemic, which is just the latest example of VHA's long-standing commitment to providing care to Veterans whenever and however they need it.

Over the past 75 years, VHA has made vast and wide-reaching contributions to improve the health of Veterans and the entire nation by providing services and technologies that have changed the way health care providers across the country practice medicine: To celebrate throughout this year, VA is hosting various events and campaigns to highlight VHA's long-standing commitment to putting Veterans at the center of the care experience, its world-class, mission-driven health care professionals, and its contributions to medical science.

Women Veterans'

For the past seven years, Andrea Norton has filled several key roles at the Saginaw VA Medical Center – helping homeless veterans and those with severe mental health diagnoses, serving as the first LGBTQ Veteran Care Coor-

Veterans, VA is making an extra effort to connect. Since Oct. 1, 2020, VA's White House VA Hotline created more than 12,000 cases for women Veteran concerns.

New Defense Secretary

Former U.S. Central Command leader Lloyd Austin was confirmed Friday as the next defense secretary, a historic vote that makes him the nation's first Black chief of the Pentagon. Austin, a four-star Army general who spent more than 40 years in the ranks, was approved by an overwhelming 93-2 vote in the Senate. A day earlier, the House and Senate also approved waiver language to allow Austin, who retired in 2016, to serve in the post despite a law mandating a seven-year gap between military service and the top civilian defense job.

SEC VA Nominee

Veterans deserve a leader who will "fight relentlessly" for them, said Denis McDonough, President Joe Biden's nominee for VA secretary while speaking before the Senate Veterans Affairs Committee recently. McDonough said caring for Veterans and their families



U.S. Army Combined Arms Support Command (CASCOC)

Photo by Dani Johnson

dinator and, now, as Women Veterans Program Manager. But while Andrea, an Air Force veteran, sees the VA as a place that welcomes and serves all veterans, it hasn't always been this way. When she started using VA services in Lansing in 2008, the local clinic lacked a women's health provider. At that time, a nurse practitioner from Battle Creek would travel to Lansing once a month to provide basic women's wellness exams. Access for women veterans was terrible, she said, and needed to change. Andrea, a social worker, wanted to be part of that change. So when the Saginaw Women Veterans Program Manager position opened up in 2017, she jumped at it.

"One of the biggest reasons I wanted to work in women's health within the VA," Andrea says, "was to make it better for other women veterans."

VA And Women Veterans'

Earning and restoring trust is a VA priority. Due to the difference in trust amongst women Veterans versus male

by providing health care, benefits and cemetery services will be his guiding principle.

"I've been given a clear mission by President Biden: to be a fierce, staunch advocate for Veterans and their families," he said. "If confirmed, I will embrace that assignment with the solemnity it demands."

Pony Tails And Nail Color

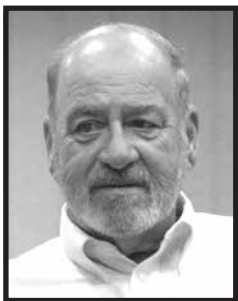
Female soldiers can let their hair down, and flash a little nail color under new rules being approved by the Army. But male soldiers will still have to shave. Army leaders announced that they are loosening restrictions on various grooming and hairstyle rules, as service leaders try to address longstanding complaints, particularly from women. The changes, which also expand allowances for earrings and hair highlights and dyes, are particularly responsive to women of various ethnicities, and will allow greater flexibility for braids, twists, cornrows and other styles more natural for their hair.

COVID-19

Think you are safe staying in a bubble . . .

The bubble you actually have

M · P · W · U · R · E · T · I · R · E · E · A · D · V · I · S · O · R · . . .



by
Al
LaBrecque

“Just because we’re retired, we’re NEVER out of the arena!”

“Democracy Has Prevailed!” With those words uttered by newly inaugurated **46th President of the United States of America; Joseph Robinette Biden, Jr.**, our nation went from the depths of despair to one of renewed hope and great expectations of things to come. In our case; favorable toward USPS postal worker and retiree interests. Not so fast, my friends! If only it was that fundamental. Certainly, with the White House and both Chambers of Congress in our ‘friendly’ Democratic and Independents’ fingernail control, one would expect this should be a cake walk. Here’s where I have to throw a wet blanket on the party with cold, hard reality. Ain’t gonna happen unless we make it happen!

Two most recent Democratic administrations had legislative control for at least one session of Congress. We got zip or less. PMG Donahoe was no sweetheart. Consolidation on steroids. Bill Clinton kept Organized Labor at arm’s length. Obama said in his first campaign; If Labor walks, I’ll walk with you. [paraphrased]. Barack didn’t take one step with Labor. We cannot take “our friends” for granted, and cannot allow our friends to take **us** for granted either! The Struggle Continues!

First Things First! DUMP PMG DeJoy Without Delay! (pun intended). Seriously. It’s my considered view that Congress, specifically the Senate; immediately initiate the process to remove PMG DeJoy before he can inflict further damage to the people’s public U.S. Postal Service. If he doesn’t have the decency to resign, FIRE him! DeJoy’s rigged appointment by a corrupted GOP led USPS Board of Governors is where it has to start. A restructuring of the bipartisan B.O.G. to include at least one member from Organized Labor is essential. The B.O.G. then tasked to evaluate DeJoy’s transgressions, request his resignation, or vote to remove him expeditiously.

Senator Gary Peters-D MI Newly re-elected Michigan U.S. Senator Gary Peters-D, in my view, is best positioned to initiate the process. I’ve already petitioned Sen. Peters to do just that in no uncertain terms. One petition, whether by e-mail, phone, or written mailed letter isn’t worth a hill of beans unless followed up with a deluge of calls for DeJoy’s instant removal. Better yet; in concert with Organized Postal Labor.

Sen. Peters; was the ranking minority member on the GOP-led Senate Com-

mittee in the 2nd Session of the 116th Congress with oversight of USPS operations and Peters is now Chairman of that Committee with a Democratic majority in the Senate. Have I ever mentioned in this column that; **“Legislation is where it’s at”**? Like it, or not; the legislative process governs our lives. The people choose their legislators. Legislators work for us, not the other way around. I challenge Michigan postal workers to respectfully, but firmly petition your/our U.S. Senator Gary Peters. Likewise; senior U.S. Senator Debbie Stabenow-D MI, a proven friend.

Here’s WHY! Removal of DeJoy, in my view, is paramount for the health of the Postal Service. The man is toxic! A predator. DeJoy’s backdoor appointment aside; the motives are plain to see. DeJoy, a mega T**** and GOP donor chaired a PAC that allegedly violated election law. DeJoy’s private business interests include competition (conflict of interest) with the USPS. If that isn’t enough; let his record show that he initiated the “Friday night massacre”, sacking 23 top USPS Executives thereby usurping total authority. Then, DeJoy set about issuing his infamous edicts to delay the transport, processing, and delivery of the U.S. Mails. Let’s not forget that the orders included a freeze on overtime ostensibly as a cost-cutting measure. That lasted a NY minute. His naked attempt to sabotage voting by mail with the removal and disabling of high-speed automated sorting equipment coast-to-coast. Likewise, the blitzkrieg sweep of the blue mail drop boxes in high density urban areas was no coincidence.

The preponderance of evidence **proves** that PMG Louis DeJoy is as guilty as sin, demanding that he be removed post haste, if not indicted and prosecuted as a felon. In my considered view; PMG Louis DeJoy blatantly violated federal law with his orders designed to slow and delay the U.S. Mails for the sole purpose of undermining balloting by U.S. Mails to sway his patron’s re-election, and for his own nefarious financial self-interests in the 2020 presidential election. **Specifically; 18 U.S. Code ~ 595; “Interference by Administrative Employees of Federal, State, and Territorial Governments.”** If the shoe fits; Eh?

“Good Union Jobs” Refreshing! As I write this; I’ve heard more references in one day by President Biden, Cabinet and administration spokespersons, repeatedly emphasizing the phrase; **“Good Union Jobs”**, and; **“Good jobs at the prevailing wage”**, than I’ve heard from previous recent administrations of either major Party. It bodes well for the working class, federal and postal workers, and Organized Labor, giving us greater voice. Call it a welcome 180 flip from what Labor has endured since Ronald

Reagan when **“Union”** began to be regarded a dirty word. Before we go all ga-ga over this obvious courting of Labor by the Biden administration; let them and the Democratic majority in Congress put their money where their mouths are. Talk is cheap. That’s where we come in. Exercise our right, if not obligation, to petition our elected government representatives.

Blessing In Disguise? Under the most trying circumstances imaginable; in the midst of a deadly viral pandemic, a hugely contentious presidential election where the incumbent referred to the USPS as “a joke”, amid civil unrest, short staffed partly due to increased COVID-19 related absences, a tsunami of package processing and delivery exacerbated by an increase of online e-commerce buying due to massive sheltering in place during the pandemic, and onset of the holiday shopping season. Add the deliberate obstacles thrown into the USPS gears of operation by the PMG. In spite of all that, the usually benign U.S. Postal Service was thrust front and center into the spotlight of the presidential election and uproar over voting by mail created by a delirious, frightened incumbent candidate consumed with the threat to his re-election. T**** was spot on with that one! 1 Fact vs. 30,000 estimated “Pinocchio’s” has to be a Guinness Book record!

Despite all the roadblocks and efforts to subvert balloting by mail; **U.S. Postal Workers overcame, got the job done, and did it with flying colors!**

NOW, we can’t Allow the powers that be forget it! Not the administration, not Congress, not the American mailing public. We’ve got to exploit and trumpet this accomplishment at every opportunity, our enormous success in implementing the largest, most secure balloting by mail in presidential election history, thereby saving the soul of our nation, and preserving our bruised and battered Democracy.

We couldn’t have created a better example of advertising the necessity for a viable, robust USPS than what the Rank & File so magnificently demonstrated on the job! We need to accentuate this positive unprecedented accomplishment as the centerpiece in the struggle to restore the USPS to pre-2006 standards. We will never have a better chance than right now. Imagine that! Efforts by the previous administration to deep-six the USPS just may prove to result in the complete opposite IF we seize the moment. It’s said the Lord works in mysterious ways. We couldn’t have scripted our argument any better. A gift. I view it a blessing in disguise. When given lemons, make lemonade.

Lest Anyone Has Forgotten . . . Al hasn’t! Although we’ve been in virtual

animated suspension since COVID-19 pandemic brought regular Union/Chapter business and constitutional conventions to a screeching halt, barely maintaining as best we can in this new, hopefully temporary virtual norm. APWU Retirees’ Dept. internal structuring issues and Resolutions remain on hold. Paramount Retirees’ Dept. Constitutional amendment Resolution; **Representation** (of Retiree Chapter delegates, 1-100 ratio, to APWU National Conventions with a voice and a vote) just for starters. Numerous questions, debates, on a variety of internal issues raised at the last Convention and Retirees’ Dept. Conference at the Vegas All-Craft left dangling. In the meantime; **Legislation is where it’s at!**

We’re better positioned than in a long while to remedy the USPS manufactured woes via legislation to repeal the 2006 PAEA pre-funding mandate, for a fair share of the COVID stimulus with no strings attached to fully offset USPS financial losses for the duration of the pandemic, the same as afforded large for-profit corporations. Then of course; thoroughly vet candidates recommended to the **USPS Board of Governors for a Postmaster General of the U.S.** who will pledge on their Mother’s Honor to do everything within their power and authority to **Save Our Public U.S. Postal Service!** Equally critical for seniors are Social Security and Medicare issues; Repeal CSRS WEP/GPO, The Social Security Fairness Act. The ‘Elijah Cummings’ Lower Prescription Drug Prices Now Act. We; Organized Postal Labor, AFL-CIO, private sector Labor, the ARA, NARFE, AARP, leadership at all levels, the rank and file working **and retired members** must lobby and engage Congress aggressively so as to not let this once-in-a-blue-moon opportunity slip away. It’s possible to seize the moment because; **“Democracy Has Prevailed!”**, and the U.S. Postal Workers were the catalyst for having made it happen! No one else could have done what **you**, the USPS did. We need not be bashful about expecting, nay; **demanding** our just rewards in the form of a solvent, reliable U.S. Postal Service given the chance to thrive again.

Please Stay Safe! Wear A Mask (over nose too), Maintain Distance, Wash/ Sanitize those mitts often, and if you haven’t already; **get your regular flu shot.** As for the COVID vaccine; that’s an individual decision based on one’s particular medical, scientific, or faith belief circumstance. NO ONE should be required. Hopefully, most of us who prefer to get the vaccine in the order we are placed as soon as possible. Registering has been an adventure so far.

Making America Kind Again! Yes We Can! Eh? **SOLIDarity Forever! AI**

NATIONAL BUSINESS AGENT

• • •



by
James
Stevenson

What You Talkin About Willis?

(Using The ELM To Require Compliance With COVID Investigations)

Covid-19 has been and is having a devastating impact on both our lives and our employment. In the unfortunate event that you are exposed to Covid-19 at work and you test positive you may be eligible for FECA (OWCP) benefits if you follow the procedures for filing a CA-I, CA-7, or CA-16 (as applicable). Contracting Covid-19 at work can be considered a compensable traumatic injury.

The USPS will not make this process easy for you but here are a few

observations I have witnessed in actual Covid-19 claim processing and what the USPS has done in some cases in order to controvert or dispute the claim. The USPS is not adhering to ELM Section 544 Reporting Procedures. 544.111 General-When a notice of traumatic injury or occupational disease is filed, the immediate supervisor is responsible for doing the following:

- a. Immediately ensuring that appropriate medical care is provided.
- b. Providing the employee a Form CA-I or a Form CA-2
- c. Completing the receipt attached to Form CA-I or a Form CA-2 and giving

ing the receipt to the employee or the employee's representative.

- d. Investigating all reported job-related injuries and/or illnesses.
- e. Immediately notifying the control office or control point of an injury, disease, or illness.
- f. Prompt completion and forwarding of Form CA-I or CA-2 to the control office or control point on the same day it is received from the employee.

All the steps require compliance by the USPS, but I will focus on Steps (b) and (d) and explain how the failure of those two Steps allow the USPS to

say, "What you talkin about Willis?" in response to an OWCP claim.

Step (b) requires the employer to provide the employee a CA-I form or utilize the Employees Compensation & Management Portal (ECOMP). In order to be compensated under the 45-day continuation of pay provision an employee must submit a claim within 30-days. I have seen several employees report that they have tested positive (traumatic injury) from an at-work exposure and the employer failed to provide or advise the employee of the CA-I or ECOMP procedures. By the time the employee finds out that he or she could have filed a CA-I they now have missed the 30-day window for filing a CA-I even though they may still be eligible to file a CA-7. The USPS who failed to inform the employee (per ELM 544) about the CA-I or ECOMP at the time the employee reported the "positive" test result now turns around and takes the position that the employee has failed to file a claim within thirty (30) days. The employer now improperly becomes the beneficiary of their wrongful action of not advising the employee of the rights to file a CAI. Failure to comply with Step (b) potentially creates a statutory filing hurdle for applicants down the road.

Step (d) requires the supervisor to investigate all job-related injuries and/or illnesses. This detailed investigation is noticeably missing from the Covid-19 reported injuries. A thorough investigation by the employer should contain a report of whether or not there were positive cases in the office where the complainant worked and a detailed account of the "contact tracing" for those positive cases. Why is Step (d) important, because the heart of any and all OWCP claims is the "Causal" relationship between Covid-19 and your employment. The employer is required to conduct an investigation which would include "contact tracing" and that investigation reveals that the complainant came into close contact with a positive employee that now presents a problem for the employer when they are required to respond to the OWCP claim. The USPS has to now disclose that the complainant did in fact have "close contact" with a positive employee. Such a report and self-admission by the employer would now undercut attempts by the employer to later controvert the claim under the basis that the employee cannot establish a causal relationship.

ELM Section 820 Reports and Investigations is also very important as the Postal Service is required under 29 CFR 1904, Recording and Reporting

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American Postal Workers Union, AFL-CIO

Step 3

DIRECT APPEAL

Grievance Form

Central Illinois District	ELM 544/820 Investigating/Recording Illness	clerk	08/30/2020
Name of District or Area	Policy, Instruction or Guideline at Issue	Craft	Date of Appeal
Contract			
Nature of Issue (Contract or Discipline)	Region's Grievance No.	USPS Grievance No.	

Postal Service Representative

SAMPLE DRAFT INFORMATIONAL PURPOSES

The above grievance is appealed by the APWU to Step 3

Any grievance involving any new or changed district or area wide policy, instructions, or guidelines, shall be directed at step 3 to management's representative at this level and shall specify the reasons for the grievance.

14 Day Filing Period

This appeal is in accordance with Article 15 Sec. 2 Step 3 (f) for the following reasons:

The Central Illinois District in an ongoing and continuing violation have established a "changed or new policy." Article 15.2 provides for the Regional Coordinator or National Business Agent to file one grievance directly at Step 3 when the issue involves a new or changed "district..." policy, instruction, or guideline. "The intent of this grievance is to discourage the filing of multiple local grievances."

The Union would like to premise this grievance on the fact that the employer has violated Article 17 and 31 by refusing to provide the requested information necessary for the investigation of the grievance [Please see attached RFI email dated 06/17/20]. Such refusal to provide presumtively relevant information is a fatal flaw and provides sufficient basis for sustaining the grievance absent a hearing on the merits similar to a Motion for Conclusion without a hearing or Summary Judgement.

Authority: ELM 544 [Reporting Procedures], ELM 820 [Reports and Investigations, Programs Evaluations, and Inspections], Revised Enforcement Guidance for Recording Cases of Coronavirus Disease 2019 (COVID-19) May 19, 2020 Memorandum OSHA DOL, Office of Inspector General Audit Report HR-AR-18-10|September 17, 2018 Postal Service Accident Safety Policies and Procedures-Great Lakes Area.

Regional Coordinator or National Business Agent

James Stevenson, NBA
APWU
55 E. Jackson Blvd., Ste. 400
Chicago, IL 60604

Sincerely yours,

James Stevenson

APWU Representative

February Is Black History Month

continued from page 2

interest and study of black history. In 1926, Woodson promoted the idea of a “Negro History Week,” which was to be held during the second week of February. The idea caught on quickly and Negro History Week was soon celebrated around the United States. With a high demand for study materials, the ASNLH began to produce pictures, posters, and lesson plans to help teachers bring Negro History Week into schools. In 1937, the

ASNLH also began producing the Negro History Bulletin, which focused on an annual theme for Negro History Week.

In 1976, the 50th anniversary of the beginning of Negro History Week and the bicentennial of the United States’ independence, Black History Week was expanded to Black History Month. Ever since then, Black History Month has been celebrated in February around the country.



What You Talkin About Willis? (Using The ELM To Require Compliance With COVID Investigations)

continued from page 6

Occupational Injuries and Illnesses to follow certain procedures including but not limited to OSHA Forms 300-Log of Work-Related injuries and Illnesses, Form 300A-Summary of Work-Related Injuries and Illnesses, and Form 301, Injury and Illness Incident Report.

ELM Section 821.13 Reporting Using EHS/Completing the Accident Report in EHS:

“The manager or supervisor of the employee or operation reports all accidents and occupational injuries and illnesses in EHS within 24 hours. Managers and supervisors of the employee or operation are re-

sponsible for quickly and accurately investigating all accidents and occupational injuries and illnesses to determine root causes, and they are responsible for completing the accident report in EHS.”

We cannot rely on the employee to voluntarily comply with these important ELM provisions. As it relates to Administrative leave for employees who were quarantined due to “contract tracing” I filed a Step-4 National Interpretive Dispute 09/08/20 on the refusal of the USPS to grant administrative leave which resulted in the USPS issuing a 09/15/20 statement from USPS Headquarters acknowledging the requirement to grand administrative

leave per the USPS Contract Tracing Guidelines. So many employees were being placed in the streets without pay or being required to exhaust their own leave. A big difference between obtaining benefits for FECA/OWCP coverage and the Administrative leave required under the Contract Tracing Guide is that for FECA coverage an employee must have been diagnosed with a Positive COVID-19 result, the Administrative leave provisions under the USPS Contract Tracing guide are available to a quarantined employee regardless of whether they ultimately rest negative or positive.

relationship for their injury claims with supporting medical documentation but as I have clearly demonstrated by the above, the employer also has a burden to comply with the ELM provisions which fall under Article 19. When the employer claims that the employee has not met the threshold to establish causal relationship while at the same time failing to fulfill their contractual mandates under Article 19 it violates the "Doctrine of Unclean Hands" as they too share in the failure.

Please see the attached “sample” grievance regarding the ELM and Covid-19 reporting and investigations.

It may be true that it is the employee’s burden to establish a “causal”

In Solidarity.

District/Area: [Name of District/Area]
Policy, Instruction or Guideline: [Policy, Instruction, Guideline]
APWU Grievance: [Region's Grievance]

Reasons for Appeal, continued

ISSUE: The employer has implemented a policy of refusing/failing to adhere to the investigating, reporting, and record keeping provisions mandated under Sections 544 and 820 of the Employee Labor Manual in the Central Illinois District as it relates to COVID-19 exposures and positive employees.

Section 544.111 Reporting Procedures/Immediate Supervisor Responsibility:

"When a notice of traumatic injury or occupational disease is filed, the immediate supervisor is responsible for doing the following: (a). Immediately ensuring that appropriate medical care is provided. (b). Providing the employee a Form CA-1 or a Form CA-2. (c). Completing the receipt attached to Form CA-1 or a Form CA-2 and giving the receipt to the employee or the employee representative. (d). Investigating all reported job-related injuries and/or illnesses. (e). Immediately notifying the control office or control point of an injury, disease or illness. (f). Prompt completion and forwarding of Form CA-1 or CA-2 to the control office or control point on the same day it is received from the employee."

Record evidence demonstrates that management in the Central Illinois District are not requiring the "immediate supervisor" to provide CA-1/CA-2 forms to employees when they report an "at-work" Covid-19 illness nor are the supervisors being required to conduct an investigation. DOL guidelines specifically state: "In determining whether an employer has complied with this obligation and made a reasonable determination of work-relatedness, CSHOs should apply the following considerations:

** The reasonableness of the employer's investigation into work-relatedness. Employers, especially small employers, should not be expected to undertake extensive medical inquiries, given employee privacy concerns and most employer's lack expertise in this area. It is sufficient in most circumstances for the employer, when it learns of an employee's COVID-19 illness, (1) to ask the employee how he believes he contracted the illness; (2) while respecting employee privacy, discuss with the employee his work and out-of-work activities that may have led to the COVID-19 illness; and (3) review the employee's work environment for potential SARS-CoV-2 exposure. The review in (3) should be informed by any other instances of workers in that environment contracting COVID-19 illness.

**The evidence available to the employer. The evidence that a COVID-19 illness was work-related should be considered based on information reasonably available to the employer at the time it made the work-relatedness determination. If the employer later learns more information related to an employee's COVID-19 illness, then that information should be taken into account as well in determining whether an employer made a reasonable work-relatedness determination.

**The evidence that a COVID-19 illness was contracted at work. CSHOs should take into account all reasonably available evidence, in the manner described above, to determine whether an employer has complied with its recording obligation. This cannot be reduced to a ready formula, but certain types of evidence may weigh in favor of or against work-relatedness. For instance:

(*COVID-19 illnesses are likely work-related when several cases develop among workers who work closely together and there is no alternative explanation.)

(*An employee's COVID-19 illness is likely work-related if it is contracted shortly after lengthy, close exposure to a particular customer or coworker who has a confirmed case of COVID-19 and there is no alternative explanation..."

Section 821.13 Reporting Using EHS/821.131 Completing the Accident Report in EHS:

"The manager or supervisor of the employee or operation reports all accidents and occupational injuries and illnesses in EHS within 24 hours. Managers and Supervisors of the employee or operation are responsible for quickly and accurately investigating all accidents and occupational injuries and illnesses to determine root causes, and they are responsible for completing the accident report in EHS.

Section 821.22 Method: To have first hand knowledge of every accident that occurs in their operation, supervisors must make thorough investigations that include at least the following: (a). Interview employees to determine: (1). What caused the accident, (2). Why it happened, and (3) What the employees and supervisors could have done to prevent it. (b). Promptly inspect the accident site to determine what conditions (such as equipment and work practices) contributed to the accident. (c). Interview witnesses and coworkers..."

District/Area: [Name of District/Area]
Policy, Instruction or Guideline: [Policy, Instruction, Guideline]
APWU Grievance: [Region's Grievance]

Reasons for Appeal, continued

The APWU has irrefutable proof from actual employees who have tested positive after an "at-work" exposure and a subsequent CA-1 filing that the employer in the Central Illinois District has implemented a policy of not conducting an investigation as required by ELM 544 and 820 nor is the employer adhering to the other requirements outlined under the guidelines. The actions of the employer have an extremely adverse and negative impact on the employees as the failure of the employer to follow the guidelines creates a situation in which employees are time-barred from meeting the 30-day filing provisions for Continuation of Pay. The employers current policy of not following 544 and 820 have created a situation in which the employer is "controverting" employee claims absent actually conducting an investigation.

The Union received concrete information on August 24, 2020 from an actual claimant that the employer has implemented a new policy. This particular employee has also executed a Privacy Act Authorization Waiver for the APWU to utilize in the instant grievance. There are several more additional claimants throughout the Central Illinois District who have also agreed to execute the Privacy Act Authorization to utilize their specific OWCP claims.

The contention that the employer in the Central Illinois District is not conducting thorough investigations is supported by the June 14, 2020 official response of [REDACTED] who responded when [REDACTED] questioned:

Q. "Does the USPS in the Central Illinois inform employees of their right to file a CA-1 or CA-2 if they become positive (COV-19) from an "at-work" exposure?

A. " We would have no way of knowing if an employee became positive from an "at-work" exposure , as they spend a great part of their 24 hour day away from Postal Service facilities. Employees have the right to file a CA-1 or CA-2 if they believe they have an entitlement to do so."

Evidence obtained on August 24, 2020 demonstrates that the employer has "no way of knowing" due to the fact that they are not following ELM 544 and 820 mandates of conducting an investigation. Additionally, the employer is required under section 544 to provide an employee who reports that they sustained an on-the-job COV-19 illness with a CA-1/CA-2; it is not simply the employee's burden to request completion of the form. At the point in time in which the employee informs management that they tested positive due to exposure at work the USPS now has "constructive knowledge" of the accident/illness and is required to provide the employee with a form CA-1/CA-2.

As the "custodian of the records" the employer's failure to follow ELM 544 and 820 places an unnecessary and illegal hurdle for the acceptance of a claim due to the fact that sections 544 and 820 have a significant impact on a "causation" determination which is the single most important element necessary for acceptance of a "work-related claim." The employer is aware of the employees who have reported testing positive whereas the claimants in large part are unaware and rely on the employer to conduct their due-diligence and "contact-tracing" to determine exposure. The employer in the Central Illinois District falsely believes they have no responsibility in ascertaining "causation" of a reported "at-work" COVID-19 illness in contradiction to the Employee Labor Manual. The employer is fully exploiting their failure to conduct investigations by controverting claims based upon "causation" when they in fact have impeded a causation determination by implementing a new policy of not following ELM 544 and 820.

The Office of Inspector General issued report HR-AR-010|September 17, 2018 in which the Great Lakes Area was the leader in not following the proper procedures finding in part, " By not creating OSHA Form 301 in EHS within 24 hours, or maintaining Forms 300a and 300, management is not in compliance with the policy;therefore, not meeting the intent of timely and accurate recordkeeping practices. These recordkeeping deficiencies could misrepresent the actual number of accidents, which could impact reporting and management decision-making regarding safety programs. In addition, noncompliance with accident reporting requirements could result in recordkeeping violations, citations, and penalties from OSHA.

REMEDY: Cease and desist. Adherence with ELM 544 and 820. Withdraw any and all controversions for claims in which ELM 544 and 820 were not followed [REDACTED] Compensate grievants and made whole.

HUMAN RELATIONS DIRECTOR . . .

OWCP Claims For COVID-19



by
**Keith
Combs**

APWU employees who contract COVID-19 at work are entitled to Workers Compensation under the Federal Employees' Compensation Act (FECA).

To qualify for coverage under the FECA, USPS employees filing claims for COVID-19 will need to prove that their postal work caused them to contract COVID-19. Demonstrating a high-risk of exposure supports such a claim.

Daily encounters in Post Office operations and at the retail windows often involve frequent, sustained, close contact with co-workers and customers. To demonstrate periods of a high-risk, postal workers filing COVID-19 claims should document the frequency and duration of proximity with co-workers or the public throughout the day.

Within postal facilities, postal workers often work within six feet of other employees throughout the day. There

is other type of proximity contact with fellow postal workers; consider the beginning of every shift when we line up to clock in. Also, with customers, work may include retrieving their mail, providing retail functions at the counter, face-to-face conversations if delivering express mail, and contact with outside workers in places like the loading docks and the Bulk Mail Entry Units. This work can also involve working in close spaces where social distancing is not possible. Detailing these specific interactions is critical, especially given the Postal policy on social distancing.

USPS essential employees who have tested positive or who are symptomatic for the Coronavirus and have been working and have no history of family exposure should file a CA-1 claim. They should also contact their installation and request a CA-16 Authorization for Examination and Treatment. If you know you were exposed to a co-worker that has a confirmed positive test.

The Postal Service will provide OWCP with information concerning the alleged exposure and may indicate whether they are supporting or controverting the claim. If the CA-1 was filed within 30 days of the



FORT RILEY, KS, UNITED STATES, 12.23.2020
Photo by Sgt. Joshua Oh, 19th Public Affairs Detachment

alleged exposure, the claimant is eligible to receive Continuation of Pay (COP) for up to 45 days. However, if the claim is for some reason denied, the claimant must utilize their choice of leave to cover the length of the COP or reimburse the USPS for the COP. The USPS cannot disapprove your claim. Adjudication of a claim is the determination of the Department of Labor (OWCP) only.

subsequently tested positive as well. It is helpful if a timeline of activities for the days leading up to your exposure or the onset of your symptoms. The Postal Service is required to provide similar documentation, including verification from a supervisor about the accuracy of your statement, whether the Postal Service concurs with the claim and allegations, and confirmation of positive COVID-19 test results for any co-workers or customers similarly exposed.

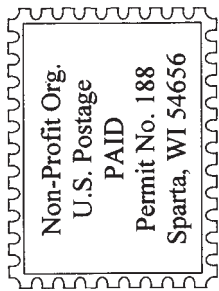
When USPS employees have been exposed and want to file a CA-1. The employee must have been in the performance of their duties (on the clock) when they believe they were exposed to a diagnosis co-worker. If exposure to COVID-19 arose out of, or in the course of your employment, it is generally said to have occurred in the performance of duty. The facts in your case must show that a work factor was the reason that resulted in your COVID-19 diagnosis. The burden to establish the basic requirements of coverage are the same as all other injured workers. By submitting medical evidence in support of an identifiable injury in the performance of your postal duties, and any related period of disability. A medical report from a qualified physician verifying a positive test result for COVID-19 and connecting the test result to a work-related exposure.


The Department of Labor will require employees to provide a written detailed statement that explains: How you were exposed to the virus; when the exposure occurred; how long and how frequently were you exposed; and where and why the exposure occurred. If you work in an office where there has been a positive diagnosis for COVID-19, you should request written acknowledgement from management. It is not necessary for the letter to name the infected worker, but it is helpful to have confirmation of other positive diagnoses in the workplace. You should also explain if other individuals were exposed who

In describing your work duties, remember that OWCP claims examiners like in any other injury/accident has little to no knowledge of the routine movements and/or daily duties of a USPS employee. We must educate the claim examiner by thoroughly explaining the day-to-day work duties. You will need to paint a large but realistic picture for the claim examiner. While painting you will need to know the specific points of contact with co-worker and customers that occur each day. Fortunately, the postal service has equipment like GPS tracking (for those who drive) and scanning logs provide needed data that can help document the path and points of proximity contact that postal workers experience every day. Office flow charts, standard operating procedures (SOPS), copies of work instructions, and copies of employee schedules can help document the evidence of the various daily interactions you may have had.

The claimant will need a medical report from a qualified physician stating that the positive COVID-19 diagnosis resulted from a work-related exposure while in the performance of your duties. It requires you explain the nature of your work exposure to your physician and make sure it is referenced in a medical report. The report should leave no doubt that the exposure occurred at work.

It is my hope that this information finds you well, but that it will be extremely helpful if it is ever needed.




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Change of Service Requested