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THE OFFICIAL NEWSPAPER FOR ALL MEMBERS OF THE SOUTHWEST FLORIDA AREA LOCAL AMERICAN POSTAL WORKERS UNION

Grievance Filed For Management's Failure To Comply With Arbitration Award



Sam Wood
President
SWFAL APWU

FORT MYERS P&DC FLATS PREPARATION AWARD

The Southwest Florida Area Local won a rare arbitration decision last month. For the first time in over 40 years, a local won an arbitration award against the Mail Handler Craft and the United States Postal Service, and winning not only the work back, but also back pay.

It is very rare that a local is able to overcome the 2-1 ratio when it comes to RI-399 cases. Fortunately, we were formidable opponents and had the truth on our side in this case.

The issue arose back in October, 2000 when management took away the job of prepping flats mail from the Clerks and gave that work to Mail Handlers.

The Union properly documented the grievance by getting hundreds of statements and signatures from Clerk Craft employees and supervisors. The Union also properly filed a RI-399 jurisdictional complaint which resulted in the case being properly heard before the arbitrator.

Justice in this case has taken almost 13 years.

In the arbitration award the arbitrator stated, "After an analysis of the evidence presented in this case, and a review of arbitration awards with very similar issues, it is found that Management at the facility improperly assigned the prepping work after the introduction of the new AFSM 100 machine to the Mail Handler craft. Therefore, the grievance filed by the Clerks craft is hereby sustained. Further, the Clerks craft shall be awarded back compensation for the improper assignment of the disputed prepping work to the Mail Handler craft."

As I have stated over and over, justice is not automatic. The issue is still not resolved as the arbitrator stated in his final sentence "Finally, the monetary relief granted in this award is hereby remanded to the Article 15 grievance procedure for implementation."

The arbitrator did not remand the work back to being discussed as per Article 15, so it is clear that prepping flats is Clerk Craft work and should have been returned immediately.

Management is taking their time in trying to figure out their next move.

Most Clerks will hear from the Mail Handler Craft that this award is not binding and work will not be returned to the Clerk Craft and money will not be awarded.

I will just say this, what are the Mail Handlers supposed to say after being dealt such a huge loss? Do you expect them to just lay down and give the jobs back up without a fight? I expected them to say what they are saying. It is just a matter of time as the award says what it says.

Meanwhile, we must begin the process of forcing management to abide by the arbitration award. We have already notified management that we would like to meet and implement the award.

We have also filed a non-compliance grievance for failure to abide by the award. It is now time for everyone who feels entitled to bid on new jobs on the AFSM's along with being compensated with back pay to ask for a Union Steward and file a grievance on their behalf for non-compliance of the award.

If the non-compliance case returns to arbitration, employee statements will be helpful in our attempt to be paid timely, including a punitive award for the delay of back pay.

Once again, thanks to National Business Agent Billy Woods for a terrific job in representing the Southwest Florida Area Local in this case.

Thanks also to those who testified for the Union (Dan Gray, Bob Huston, Don Carpus, & John Conway).

I would also be remiss if I didn't thank the Mail Handlers and

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Secretary-Treasurer's Report Felicia Gluhareff



September 22, 2013

**SECRETARY - TREASURER'S
REPORT**

Felicia Gluhareff

CALL TO ORDER:

Time 9:30 a.m.
There were 21 members in attendance.

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Susan Johnson.

ROLL CALL OF OFFICERS:

Felicia Gluhareff performed the roll call of officers. Present were Sam Wood, Dan Gray, Felicia Gluhareff, Paul McAvoy and Mickey Szymonik. Paul McAvoy made a motion to excuse Kathy Moyer who was ill. The motion passed.

MAP:

Barbara Carr reported that the consumer catalogs are in. Robert Nowall told a joke in honor of Charles Glennon.

NEW MEMBERS:

Nicholas Zengel, Thomas Saulters, Michael Gattuso, Carl Bienz, Helen Hoover

EXECUTIVE BOARD MINUTES:

RI-399 grievance discussed. A noncompliance grievance will be filed. Statements need to be collected from clerks for the noncompliance class action.

The APWU national elections are coming up. Our local could receive a \$2,000 award if we have the highest return vote percentage. If you have not received your ballot go to AAAelection@adr.org as soon as possible.

PSE lay-off grievance was discussed. It is being worked on and active in the grievance system. The local is filing regarding seniority issues and also challenging managements lack of work claim. Cross craft grievances are being filed due to carriers working waste mail from the plant. Some of this mail is also being delayed as a result.

**SECRETARY - TREASURER'S
REPORT:**

Paul McAvoy made a motion to accept the minutes as reported in last month's Eagle's Eye. The motion passed. Financial reports were provided for review.

**REPORT / SELECTION OF
COMMITTEES:**

Grace Baer thanked Danny Carinci, Eileen DiMase and the executive board. The hospitality

room was a success. Sam Wood thanked the hospitality committee and everyone that helped out at the seminar.

**REPORT OF CONVENTION
COMMITTEE:**

Paul McAvoy spoke about the worker's comp class he attended at the seminar. He says he learned a lot and anyone having questions about workers comp please feel free to contact him.

REPORT OF TRUSTEES:

Grace Baer reported that the trustees would like to do another audit at the end of October or beginning of November.

COMMUNICATIONS:

Sam Wood read through this month's correspondence. All are invited to do so as well. Included were info requests regarding PSE seniority, notice of \$937 COLA increase on September 7th, 2013, CEF request for members to donate \$5 to the postal employee relief fund and the AFL-CIO election results. A letter was sent from our local to management to schedule the RI-399 award, no response was given from management.

UPDATE OF GRIEVANCES:

Starting in October step 2 grievances will be handled differently. One of the changes will be that documents will be numbered so that neither party can add documentation at an inappropriate time during the grievance procedure. One of the GMM attendees asked about the feeder tables at the plant that management were trying to implement. At this point in time no employee is being forced to use this table so there is no safety issue regarding them. If at any point in time you are forced to use these unsafe tables please contact your steward.

OLD BUSINESS:

It is so important to document and write statements when working one person per machine at the plant. Our office secretary, Karen D'Angelo, can send forms upon request to anyone documenting supervisors doing lobby sweeps at the station. It is very important to continue to document this as well. Noncompliance RI-399 statements are also needed due to management delaying our back pay and delaying this work from being returned to the clerk craft. It is of opinion of the executive board (and Danny Carinci who was actually the one who brought up this point) that if a clerk has time to ask their steward when they are getting their award money then they

have time to write a statement. Help us help you please.

**NEW
BUSINESS:**

Sergeant Michael Forbes from the Fort Myers Police Department stopped by to speak to our membership. (This actually took place after the roll call of officers but I took the liberty to move it here for organizational purposes) Sergeant Forbes urged the members to vote NO on charter amendment one which will be up for vote on the November 5th election. This amendment seeks to dissolve the Fort Myers Police department and merge it into the Sheriff's department. This move will slow down response time and actually cost the taxpayers more per year. And potentially cost potentially hundreds of FMPD workers their jobs. Paul McAvoy made a motion to support the FMPD and vote no on charter amendment one. The motion passed.

Sam Wood will be asking Bob Pate who taught a workshop on retirement to our local. Mr. Pate taught a very interesting class at the fall seminar and we would like to share it with the membership.

LABOR/MANAGEMENT

MEETING:

None.

GOOD AND WELFARE:

The winner of the COPA 50/50 drawing was Mickey Szymonik who won \$50. The total netted for the drawing was \$100. The name drawn for the member's incentive award was Kathy Mikovich. She would have won \$100 had she been present. The pot will be \$100 at the next general membership meeting.

LEFTOVERS:

Sam Wood would like the members know that we are unwilling to settle the RI-399 grievance for jobs only. Please write your non-compliance statements.

ROLL CALL OF OFFICERS:

Felicia Gluhareff performed the roll call of officers. The results were recorded.

NEXT MEETING:

Robert Nowall moved to have the next meeting on October 20th, 2013 at 9:30 a.m. at the union hall. The motion passed.

ADJOURNMENT:

Robert Nowall moved to adjourn at 10:35 a.m. The motion passed.

Fort Myers P&DC Management Delaying Response To Recent Arbitration Award

As all of you should know by now the S W F A L recently won an arbitration involving a grievance that was filed on August 11, 2000.



Daniel M. Gray
Vice President
SWFAL APWU

The original grievance was filed because management improperly reassigned the prepping of flats mail from the clerk craft to the mail handlers.

Management only based this decision on the fact that the mail handlers were paid at a lower wage level and did not receive penalty overtime, nothing more.

This eventually impacted the positions on the ASFM100 which later became the AI/ATHS. Clerks operate the AI/ATHS at both the Jacksonville and Minneapolis Plants and both won this work through similar arbitrations as our local did.

It took thirteen (13) years for this grievance to be heard and settled.

The arbitrator awarded a make whole remedy which included back the work to the clerk craft and a back pay award also to the SWFAL. The SWFAL is presently waiting on management to comply with Arbitrator Hales' award and we have been forced to file a non-compliance grievance for management's delay and lack of response/action to abide by the award.

We are asking for interest on the back pay award as a penalty for non-compliance.

Remember it can be frustrating when you file a grievance and then must wait for a decision, as in this case, for several years. We are one of the few locals to have even won back the work when it was two (2) parties (Mail Handler's Union and USPS) against one (APWU).

Both the Mail Handler Union and the USPS sided against us in this arbitration. To top it off not only did we win back the lost work, we were awarded back pay by Arbitrator Hales, which is basically unheard of.

Our own APWU National Officers at our recent State seminar stated we are only the second local to do this since 1972. The credit goes to all of you; this was due to those of you who wrote statements for the grievance and the members who testified.

Management's witnesses lied

through their teeth and our APWU advocate Billy Woods did a great job disproving their lies and presenting the APWU arguments in a truthful and factual fashion.

It was funny - one Tour two supervisor who sent many of us to prep flats mail on a daily basis denied this ever occurred.

The other supervisor, who also was a clerk and who previously worked the same flats belt right next to many of you, lied, stating that clerks never did flats prep.

In arbitration you are sworn in by the arbitrator and you swear to tell the truth, funny; I guess these supervisors lied about swearing to tell the truth just as they lied about clerks not doing flats prep.

The other management witness signed a statement stating that clerks prepped flats mail, so ironically, management declined to call him to testify, even though they listed him as one of their witnesses.

This was also brought up by the APWU advocate Billy Woods, further showing management's lack of credibility.

Credit does go to Jon Conway (APWU witness), the original supervisor who heard the Step One grievance filed in August 2000 and testified that he was told to deny the grievance by then Tour One MDO Joanne Massey, and that, yes, clerks did prep flats mail, but he was doing as he was told to do by his boss when he originally denied the grievance.

The USPS and the Mail handlers whole arguments were based on lies and deception, but the truth prevailed and the SWFAL/APWU won the arbitration.

Let's hope that management comes to their senses and stops playing games and abides by Arbitrator Hales decision.

To add insult to injury, the Fort Myers Bid Installation separated eleven (11) PSEs due to management's claim of "lack of work".

The real reason for the separation of the PSEs was that the district was over the maximum cap (20%) allowed, and in order to hire more PSEs needed at the Manasota Plant, PSEs had to be separated elsewhere or converted to full-time. Since management did not want to convert any PSEs to full-time, management instead stated it was for "lack of work" the only reason that allows them to separate PSEs.

We do not have "lack of work" at the Fort Myers Bid Installation. In

reality we have "lack of clerks".

Since the improper separation of the eleven (11) PSEs overtime has increased, the PSEs that are still on at the plant are now being worked more days, some of them seven (7) days a week.

Management has utilized both carriers and mail handlers to perform clerk work in violation of the National Agreement. As stated previously, the arbitration award returned work back to the clerk craft, so more clerk jobs should have been created not less jobs.

Management even separated the wrong PSEs. When management separates PSEs for "lack of work" it is done by juniority. When management returns PSE it is by seniority.

Management was not even certain of the correct seniority of the PSEs involved. We are attempting to correct these issues and there are numerous grievances filed on these issues and hopefully this will be resolved sooner, rather than later.

You will notice an increase in your paycheck. Beginning September 7th, 2013 (Pay period 20), career employees received a COLA (PSEs do not receive COLAs).

The total of this COLA will be \$937.00 per year, \$36.04 per pay period, and \$0.45 per hour. We will see another increase on November 16th, 2013 of 1.5% for career employees.

Career employees will continue to see COLAs and wage increases for the remainder of the 2010 to 2015 contract.

Effective November 16th, 2013 for all PSEs, the hourly rate for all grades will increase by 1.0%.

I hope everyone voted in the National APWU election. It is sad to see how many members fail to return their ballot.

There should be no excuse for not voting and mailing back your ballot. It comes in a return envelope that is postage paid and we all work in a facility that has outgoing mail service, so the only excuse is if you did not receive one.

We continue to be our own worst enemy since by failing to return the ballot you are taking work away from no one else but yourself.

Remember if you have any questions or concerns ask to see your steward.

Our Next Union Meeting

AMERICAN POSTAL
WORKERS UNION AFL-CIO

Sunday, October 20, 2013

9:30 am

11000 Metro Parkway, Unit 8

Fort Myers, FL 33966

Grievances Everywhere

Congratulations to all the clerks, union officials, former union officials and former management for their testimony on our behalf in the recent RI 399 settlement from 2000.



Paul McAvoy
Clerk Craft Director
SWFAL APWU

I would also like to thank every one who wrote statements and helped in any way to to have this monumental decision sustained in our behalf.

Management is of course dragging their feet in placing clerks in these positions, much like they did with the AFCS 200s.

A grievance has been filed for non compliance and should be heard at step two before you receive this Eagle Eye.

The first goal is to get clerks in this position and then figure the back pay owed to make our craft whole

for the last 13 years. Be patient this could take some time, but we will not stop until the Postal Service pays the clerks what they are entitled to.

Last month the SPBS machine was removed from the Plant and since then the overtime has been non-stop.

Apparently, even with the machine, Tampa can't seem to get the mail out. We are working the mail that used to go on the SPBS manually. Don't try to make sense of it, you will hurt your brain.

The kicker to this sudden increase in overtime is management has released 11 PSE's for lack of work.

Lack of work? The clerks are getting overtime daily and on N/S days, PSEs on Tour 3 are working 7 days and Management wants us to believe they separated 11 PSE clerks for lack of work.

The real reason is our district is now over the 20% cap for PSE's in function 4 (distribution). This happened because Manasota needed to hire PSEs for their facility and

they had to reduce the cap violation some how.

We have filed a grievance on behalf of the PSEs released to have them reinstated and to have them paid for the entire time they have been out. Management is still sending out 8 to 10 GPCs a day to stations to be worked by carriers and still claim lack of work in the Plant. What sense does that make?

With all the overtime comes many pay overtime grievances, which are being settled in most cases. Some of them have been in the thousands.

You would think management has never utilized overtime before. Overtime is Article 8 and is 6 pages long. It is all clearly written there and in the JCIM, where there is a question and answer section on overtime.

It is also clearly written in 6 small paragraphs in Item 14 of the LMOU. I just don't get it, but apparently neither does management.

APWU

ARE YOU IN?

APWU

Join Today!

Did You Know?

Your SWFAL APWU Local 1279 has its own website!

swfloridaapwu.org

Visit our website to find out about News, Information and Events.

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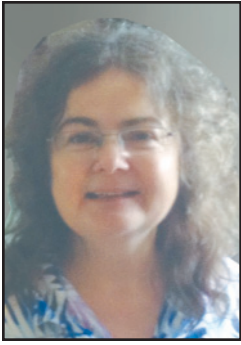
I SEE THEY'RE RUNNING IT LIKE A CORPORATION.

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Union Matters

A new EAS (Management) Reduction in Force, or RIF, was just announced September 13, 2013, in a USPS News Link Extra e-mail.



Mickey Szymonik
Maintenance Craft
Director
SWFAL APWU

I had actually found out the day before the official announcement that, in the front office, some positions, both vacant and currently filled, were being abolished, reverted or combined.

Also on September 13, 2013, my co-worker, MOS Clerk Doreen (Doree) Waggoner, was given an award by MMO Steve Krankowski for exemplary performance above and beyond the call of duty during the six months that our Maintenance Operations Support Office functioned without a manager.

In part, the award certificate

presented to Doree stated:

"It is with great pleasure I award you this Letter of Appreciation for your exemplary efforts in performing your duties as Maintenance Support Clerk here at the Fort Myers Processing and Distribution Facility.

For several months our Department was without our Maintenance Manager and Maintenance Manager Operations Support and during that period, your devotion, dedication, attention to detail, and relentless overall support, ensured our Department remained a success."

Kudos to Doree for her exemplary conduct and to all the MOS staff, as well. During the time when our occupational group was without a manager, our staffing had also been reduced from seven MOS clerks to four. Furthermore, one of the remaining employees was out on extended sick leave, which left only three MOS clerks.

Now I wonder, with a department so well run without supervision,

what is the justification of retaining an \$82,000 position for a manager that oversees four employees, with only direct engagement with two of them?

The manager in question often stays holed up in a separate office, e-mailing or phoning directives with very little understanding of what is actually occurring in the Maintenance Support stockroom.

That salary would be better spent hiring another MOS clerk, or two. That salary would be better spent on employees working in the trenches and doing the jobs that need to be done to keep our machines running, and to provide other maintenance employees with the tools and equipment needed to perform these jobs safely and efficiently.

That's what Doree does every day. That is what each of us MOS Clerks do every day. With or without a manager.

This article is dedicated to Tony, Jeff, Angela, Mark and MaryAnne. And the remaining survivors. We

know who we are.

Speaking of kudos, congratulations to Sam Wood, our hospitality committee members, Grace Baer, Danny Carinci, Eileen DiMase and Dave Grant, and our local, in general, for hosting a successful and informative Fall Seminar.

The event was well attended with many State and National Officers, on hand, speaking at the General Assembly and leading classes. Once again, I learned much and was inspired anew to "fight the good fight".

Hopefully everyone took the opportunity to cast their votes for our National Officers. Ballots needed to be received in Washington D.C. no later than 2:00 p.m. on October 7th, and if you didn't vote, you missed the opportunity to make your voice heard at this critical juncture of our past and our future.

Solidarity,
Prosperity,
Peace

Family Medical Leave Act (FMLA) Frequently Asked Questions

There are a number of questions which are often asked about the Family Medical Leave Act (FMLA). The following is a list of frequently asked questions regarding the Family Medical Leave Act (FMLA).



Grace Baer
T2 & T3 Steward
Ft. Myers P&DC
SWFAL APWU

If you have further questions than those which are highlighted here, ask your union steward.

- 1) Am I required to give management advance notice for FMLA leave?

For planned FMLA leave such as an impending birth or non-emergency surgery, you are required to notify postal management at least 30 days prior to your absence.

- 2) What if the need for FMLA leave arises unexpectedly?

You must notify the Postal Service as soon as possible. Your FMLA leave request may be oral or written, but should occur

no later than two (2) business days after your return to work.

- 3) How much information must I provide to management about my qualifying health condition?

You must provide sufficient information for management to identify your condition as a serious health condition. Stating you are sick or you were sick is not enough.

- 4) Which form should I use to fulfill management's request or documentation?

You may use an APWU form or any other form that provides the requested information. APWU forms are available from your steward or online at APWU.org.

- 5) Do I have to complete Postal Service Form 3971 if my absence qualifies for FMLA protection?

You must complete PS Form 3971 to have your leave properly processed and credited by payroll administration.

- 6) What happens if

management requests further documentation of my condition or that of a family member?

Management must request further documentation in writing and you must supply certification from your health care provider for the conditions you claim. While your health care provider must answer all relevant questions, you do not have to provide sensitive diagnosis or prognosis information. If a diagnosis or prognosis is supplied, you may insist that only appropriate postal personnel have access to it, as provided for in the USPS Administrative Support Manual.

- 7) What if I can't meet the deadline date on management's request for additional information?

You must request an extension from HR Shared Services before the deadline date. Failure to do so will result in denial of FMLA certification. Remember, a request for extension may not be denied.

- 8) What if my condition

changes or the circumstances surrounding my condition change?

You must promptly inform management of any changes involving the condition or the circumstances for which you are using FMLA leave.

- 9) If my FMLA absence is due to my own illness, can management request certification to return to work?

Yes, a simple statement from your health care provider stating that you are able to return to work is all that is necessary.

- (10) Must I exhaust my annual and /or sick leave balance before requesting leave without pay for my qualifying FMLA condition?

No, per ELM 514.4, an employee need not exhaust annual leave and/or sick leave before requesting leave without pay.

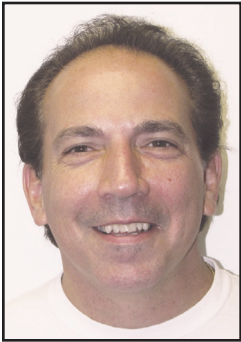
If management violates your rights under FMLA, please ask to see a steward for assistance.

Always in your service,
Grace

Our Recent "Shot Of Reality"

Hello to Everyone,

Here at the P&DC we had a recent occurrence, a situation which brought back the realization, of how important and vital our local is to each one of us and our families.



Danny Carinci
T2 & T3 Steward
Ft. Myers P&DC
SWFAL APWU

A few weeks ago management released some of our PSEs.

These were employees who I had watched work furiously for months in fear that they may be let go because of management's displeasure with their work output.

They had to work daily with the MDO walking cross armed up and down the machines, like some prison guard constantly reminding them they would be fired if they did

not meet his expectations.

But they dealt with it just so they might have a chance at what we have. A chance at having a secure job with good benefits, so that they also could provide a decent life for themselves and their families.

When the day came and they were notified of their termination the look of disbelief was obvious. They had worked so hard and for so long only to be given the boldest of lies as a reason, "LACK OF WORK".

They were not even given the decency of time to prepare. They were let go with only a two day notice.

It was a surreal moment for me. One part of me was furious that they would be treated in such a manner after all they had given in service to the USPS. Another part of me was thankful; thankful for our Union and contract, for without it, we would without a doubt be

"Don't complain about things you're not willing to fight hard to change"

treated likewise.

I am also thankful for having a strong local who's selfless Board members and Stewards I consider an honor and privilege to fight alongside. Thankful in knowing that we will fight for those PSEs (also Union members) who were wrongfully let go and continue to fight and get them converted to full time.

It is moments like these that should make us realize that we stand together in protecting our contractual rights.

It is the duty and responsibility of all to take action. If you see a violation document it, don't wait for someone else to do it.

Who, What, Where, When. Ask to

see your Steward and give a statement. We have fought hard for the contract that we have. Don't take it for granted. If there is something you feel needs to be addressed, let your voice be heard. Go to union meetings! Write your Congressman!

With all that we have been through, Closings, Consolidations, Privatization, Excessing, etc., we must hold true to an old saying, "Don't complain about things you're not willing to fight hard to change".

So when you can, do me a favor. Look in the mirror and realize the one thing that makes our local shine. YOU!

Thanks,
Together in Solidarity

PRESIDENT'S REPORT

Continued from Page 1

Managers who testified against us, as the arbitrator obviously didn't buy their testimony.

We will continue to update the membership with the status of any jobs brought back into the APWU Craft along with any information concerning back pay from this award.

Any USPS employees who were in the Clerk Craft in the Fort Myers Installation in October 2000 and have retired since that time, please contact the Union Office at 239-275-1007 and give Karen your retirement date and also ensure that we have your current contact information. This will help us in the event that you are entitled to a monetary settlement from this award.

FREE MONEY FOR THE TAKING

It always amazes me to hear that our employees are not documenting the fact that managers or other craft employees are performing our work. This happens daily in offices all over the country.

The contract has language that pays money to our APWU represented craft employees when this happens. Sometimes this money is paid out immediately and in other cases like the RI-399 case listed above, we have to go to arbitration to prove our case.

Documenting these cases are not up to the Union Steward, it is up to the employees who see this work

being performed and take the time to document it for the grievances.

In cases like the RI-399 above, it took almost 13 years to get an award. Documentation is always the key.

Articles are constantly written on how to document crossing craft grievances. The Union even has prepared forms to help document crossing craft issues. If you would

like copies of these forms, please contact the Union Office at 239-275-1007 and our fantastic Office Manager, Karen D'Angelo, will be happy to send them to you.

Remember, If management is offering you free money by taking your work, why not take them up on the offer by documenting how much time you should be paid for them or another craft employee performing your work.

FORT MYERS PSE SENIORITY LIST

We are currently working to find the proper seniority for all Postal Support Employees (PSE's) in the Fort Myers Installation.

Management has improperly listed employees on this roster and many have complained about their standing on the rolls. The only way to resolve this issue is to request every document available to the Union to ensure that employees where properly placed.

Please understand that once our investigation has been completed, the proper seniority will be posted.

Not everyone will be happy with the results I am sure, but it will be done correctly as management, not the Union, determined who is senior based on the date they hired employees along with the employee's own USPS test scores.

2013 FLORIDA APWU FALL SEMINAR

The APWU of Florida Fall Seminar held here in Fort Myers was a huge success. I want to thank all of our members who attended classes or helped make this event successful.

Thanks to Grace Baer, Danny Carinci, Eileen Dimase, and Dave Grant for their great work on the Hospitality Committee.

Thanks also to the Executive Board for making themselves available to all of the state and national APWU officials.

RI-399 REGULAR JURISDICTIONAL REGIONAL ARBITRATION PANEL

In the Matter of the Arbitration
Among
United States Postal Service
And
American Postal Workers Union
And
National Postal Mail Handlers Union

Post Office: Ft. Myers, FL
Grievant: Class Action
Case No. G98C-1G-J00211029
APWU No. 00-732

BEFORE: Edward E. Hales
Arbitrator

APPEARANCES:

For the U.S. Postal Services: Joseph E. Pegues, Jr., Labor Relations

For the American Postal Workers Union: Billy Woods, Union Advocate

For the National Postal Mail Handlers Union: Thomas Ruther, NPMHU Advocate

Place of Hearing: Fort Myers Jetport Loop Facility

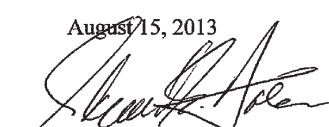
Date of Hearing: June 12, 2013

AWARD:

After an analysis of the evidence presented in this case, and a review of arbitration awards with very similar issues, it is found that Management at the Facility improperly assigned the prepping work after the introduction of the new AFSM 100 machine to the Mail Handlers craft. Therefore, the grievance filed by the Clerks craft is hereby sustained. Further, the Clerks craft shall be awarded back compensation for the improper assignment of the disputed prepping work to the Mail Handler craft. Finally, the monetary relief granted in this award is hereby remanded to the Article 15 of the grievance procedure for implementation.

Date of Award:

August 15, 2013


Edward E. Hales
Arbitrator

2013 Florida APWU Fall Seminar - Fort Myers

The 2013 Florida APWU Fall Seminar was held in Fort Myers on August 22-24.

Our SWFAL APWU President Sam Wood welcomed all speakers and attendees with opening remarks and introductions.



2013 Florida APWU Fall Seminar in Fort Myers - Day 2



SWFAL APWU President Sam Wood, APWU National President Cliff Guffy and Florida APWU President Doris Orr-Richardson



Scott Wiser, Mike "Sully" Sullivan and Paul McAvoy



Dan Gray, Mike "Sully" Sullivan and Sam Wood



SWFAL APWU Secretary Karen D'Angelo with grandson Angelo

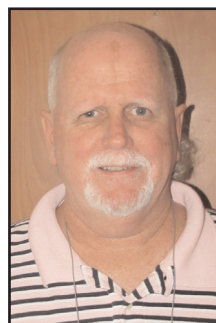
It was a unique opportunity to listen to, ask questions of, and meet APWU National Officers such as President Cliff Guffy, National Clerk Craft Director Rob Strunk, National Business Agents Robert "Bob" Bloomer and Mike "Sully" Sullivan, Florida President Doris Orr-Richardson along with many National and Florida State Officers.



Mickey Szymonik



Felicia Gluhareff



Paul McAvoy



Keith McGee



NBA Mike "Sully" Sullivan



NBA Bob Bloomer



National APWU President Cliff Guffy with Florida APWU Local Presidents



Grace Baer, Danny Carinci and Eileen DiMase



Sam Wood and Dan Gray with APWU Logo cake

The SWFAL APWU was proud to host this year's Florida APWU Fall Seminar.

Kathy Moyer
Editor



National Clerk Division Director Rob Strunk



Florida Clerk Craft Director Joe Paul



SWFAL APWU President Sam Wood and SWFAL APWU Vice President Dan Gray

They Tried This Before

Here we go again. The latest in innovative thinking from HQ USPS:



Scott J. Wiser
Tour 1 Maintenance Steward
Fort Myers P&DC
SWFAL APWU

Tour 2 is for the most part a maintenance tour. All maintenance tasks are performed on the mail processing machines during the downtime for those machines.

Many of these tasks are done by

the lower level mechanics as well as the higher level Mail Processing Equipment (mechanic) level 9 (MPE)s and Electronic Tech level 10 (ET)s.

The innovators have decided that most, if not all of these maintenance tasks can be performed by the lower level mechanics, therefore some ET bids will be abolished and reposted as lower level Maintenance Mechanic level 7 (MM).

The ETs who lose their bids will fill the lower level jobs but will save grade which of course makes one wonder where the cost

savings are.

What will happen is that the occupation group responsible for trouble-shooting and problem solving will be thinned.

After having had spent thousands on training and traveling the USPS is considering changing the duties of the higher levels to do the duties of the lower levels.

Once this change goes into effect there will be no asking an MM/ET to perform a higher level task. What a waste of time and talent.

What makes this even more unbe-

lievable is that this change was tried once before and it didn't work then. Why would they think that it would work out now? Good luck, innovators.

On a side note, I would like to say goodbye to one of the best MPES that has ever worked for the USPS. He will be retiring next month and he will be missed.

I do not have permission to mention his name but anyone who works in maintenance knows who I mean. Take it easy, Man. Enjoy your retirement.

Your Elected Officials

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Our members live in several different districts. For your representative's information, go to www.congress.org. Enter your zip code and the web site does the rest. You can e-mail most of your representatives at once with a click of your mouse at this web site. Their voting records are also available here. Check it out! Let them know how you feel, it's your DUTY!

THE EAGLE'S EYE EDITORIAL POLICY

The Eagle's Eye is the official publication of the Southwest Florida Area Local, APWU, AFL-CIO. The editor has the right to determine whether the material submitted shall be printed, and has the right to edit as needed. It is the policy of this newsletter to disallow any attacks on individuals. Opinions expressed are those of the writers, and not necessarily those of the Executive Board. The deadline for submission of all articles is the day of the monthly membership meeting. You must be an APWU member to submit an article. Name may be withheld upon request. All articles may be reprinted with proper credit given. Captions/cartoons may only be reprinted upon written permission of the editor.

Southwest Florida Area Local Membership News

We wish to extend our welcome to all new employees coming on board by inviting you to our next SWFAL APWU meeting on October 20, 2013, at the Union Hall located at 11000 Metro Parkway, Unit 8, in Fort Myers. Meetings are held once a month on Sunday at 9:30am. Be united, protect your job and discover the many benefits of becoming a member of the SWFAL APWU. Join us at our next local meeting -

united we can make a positive difference in our workplaces. We look forward to seeing you there!

For those of you that have recently retired who wish to continue receiving *The Eagle's Eye* newspaper, please email the Editor at Edswfal@aol.com or call Karen at our local APWU office at 239-275-1007.

We want to encourage our mem-



bers to email information to the editor regarding marriages, graduations, special events or achievements of our employees, or their families, at Edswfal@aol.com. We will be pleased to include as many member announcements as possible.

Halloween Help: Creating a Monster



Costume 101

- Always test make-up costume accessories and fabric in a small area first to identify allergies.
- Remove costumes and makeup before bedtime to prevent possible skin and eye irritation.
- Beware of decorative contact lenses, which can cause serious eye injury.
- Check the U.S. Consumer Product Safety Commission or the US Food and Drug Administration for safe products, recalls and alerts.
- Costume accessories like swords, knives, and similar items should be short, blunt, soft, and flexible.

Be a Safe Creature of the Night

- Never allow kids to go trick-or-treating alone. Walk in groups with trusted adults.
- WALK! Don't run from house to house to avoid trips and falls.
- Add reflective tape to costumes and treat bags to help drivers see you.
- Look both ways before crossing and use established crosswalks wherever possible.
- Examine All! treats for choking hazards or tampering and limit the amount eaten at a given time.
- Only walk on sidewalks whenever possible and use a flashlight to help light the way.
- Wear well-fitting masks, costumes, and shoes to avoid blocked vision or constriction.
- Avoid homemade treats made by strangers. Eat only sealed factory-wrapped treats.
- Only enter homes if you're with a trusted adult.
- Only visit well-lit houses.
- Don't stop at dark houses. Be aware of your surroundings.
- Never accept rides from strangers.
- Never walk near lit candles or luminaries. Be sure to wear flame-resistant costumes.
- And above all remember use good judgment. Safety comes first.



www.apwuhp.com
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