

ACTIVIST

NALC

A NEWSLETTER FOR BRANCH LEADERS OF THE NATIONAL ASSOCIATION OF LETTER CARRIERS
VOL. 25, NO. 3
Summer 2012

Grieving Separation-Disability

There are two major ways that a non-probationary career letter carrier can be involuntarily separated from the postal service. First, the postal service can remove a letter carrier under Article 16 of the National Agreement. But it can only do this if it meets the “just cause” provisions of the contract that the

seek the administrative separation of letter carriers. This includes letter carriers that are injured on duty, injured off the job or have a serious illness. Letter carriers who have been administratively separated may face higher health benefit premiums and reduced future retirement benefits. They may also be

must be for just cause and the burden of proof is on the postal service. On the other hand, administrative separations are contractual cases and the Union must show a violation.

Since the National Reassessment Process (NRP) was implemented, letter carriers injured on duty must often rely on the union to file grievances to enforce the postal service’s obligations under ELM 546 to “make every effort” to provide limited duty work. Disabled letter carriers not injured on duty also rely on

(Continued on page 8)

Local branches should educate members about USPS attempts to implement separation-disability so local stewards can file timely grievances

union fought hard to obtain. Second, a letter carrier can also be involuntarily separated through what the agency calls “separation-disability.” This is an administrative action that the agency can only effect after following the requirements outlined in the ELM and, if the disability is work related, the EL-505.

In recent months, it has come to the union’s attention that the postal service has begun to aggressively

forced into premature disability retirement. Meanwhile, the agency saves money at the expense of the disabled employee and their family.

The grievance

There is a distinction between the just cause requirements of a disciplinary removal and the procedural requirements for a separation. If a letter carrier is removed because of a disciplinary action, it

INSIDE

Reporting hazardous working conditions.....2

Improper withholding and PTF conversions.....4

Fill the Satchel: a how-to manual.....6

Adobe Acrobat.....10

Reporting hazardous working conditions

Mark Twain once said, “The only way to keep your health is to eat what you don't want, drink what you don't like, and do what you'd rather not.” (Very tough for those of us who hate broccoli.)

Sometimes we find ourselves feeling like we would “rather not” get involved in certain issues, but when it comes to our safety, and the safety of our co-workers, we need to make every effort to get involved to make sure safety concerns are identified and corrected.

Safety is everybody's business. How many times have you heard or read that phrase? Yes, I know it has become a worn out cliché for many folks, but the fact of the matter remains; safety is everybody's business. As union activists we need to practice and preach safety to the carriers we represent.

Article 14.1 of the National Agreement says, “It is management's responsibility to provide safe working conditions in all present and future installations and to develop a safe work force.” Does that contractual language guarantee management's diligence in all safety matters? No, of course not. Like other provisions of the contract, the union must police it.

Joint effort

Workplace safety is also a joint effort. Article 14 goes on to say, “The Union will cooperate with and assist management to live up to this responsibility.” Section 2 further addresses the parties' insistence on

cooperating to correct unsafe conditions.

If an employee believes he/she is being required to work under unsafe conditions, such employee should notify the supervisor who will immediately investigate the condition and take corrective action if necessary. The employee should also notify the shop steward who may discuss the unsafe condition with the supervisor. Notice that the employee only has to have a “belief” that an unsafe condition exists before reporting it.

Though not required, reporting safety hazards should be done in writing to start a paper trail. Article 14 requires that management “shall make available at each installation forms to be used by employees in reporting unsafe and unhealthful conditions.” The referenced form is PS Form 1767, *Report of Hazard, Unsafe Condition or Practice*. ELM Section 824.61 says, “PS Form 1767 is designed to encourage employee participation in the Postal Service Safety and Health Program and to provide prompt action when employees report a hazard. This form provides a channel of communication between employees and management that promotes a prompt analysis and response with corrective action to reports of alleged hazards, unsafe conditions, or unsafe practices.”

The ELM goes on to state that any employee, or the representative of any employee, who believes that an unsafe or unhealthful condition exists in the workplace may do any or all of the following:

- a. File a report of the condition on PS Form 1767 with the immediate supervisor and request an inspection of the alleged condition.
- b. If the employee desires anonymity, file PS Form 1767 directly with the installation's safety personnel, who will immediately give the report to the employee's supervisor for necessary action. (In such cases, safety personnel must not disclose the name of the individual making the report.)
- c. Report alleged unsafe conditions to a steward, if one is available, who may then discuss the condition with the employee's supervisor. [ELM 824.6]


Once an unsafe or unhealthful condition is reported, the immediate

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VOL. 25 NO. 3 **Summer 2012**

Published four times annually by:
National Association of Letter Carriers
100 Indiana Avenue, NW
Washington, D.C. 20001-2144
Fredric Rolando, President



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- supervisor must promptly (within the tour of duty):
- a. Investigate the alleged condition.
 - b. Initiate immediate corrective action or make appropriate recommendations.
 - c. Record actions or recommendations on PS Form 1767.
 - d. Forward the original PS Form 1767 and one copy to the next appropriate level of management (approving official).
 - e. Give the employee a copy signed by the supervisor as a receipt.
 - f. Immediately forward the third copy to the safety office.

approving official, the employee **must be notified in writing**, and the original PS Form 1767, with a statement of actions taken, must be

In addition to completing a PS Form 1767, Article 14.2.c states that the employee may also file a grievance at Formal Step A of the grievance

Though not required, report a safety hazard in writing to start a paper trail

Supervisor's responsibility

It is also the supervisor's responsibility to monitor the status of the report at all times until the hazard is abated. If the hazard remains unabated longer than seven calendar days, the supervisor must verbally inform the employee as to abatement status at the end of each 7-day interval.

The approving official (the responsible manager) must initiate action to eliminate or minimize the hazard. If this results in the submission of a work order, they are to attach the original PS Form 1767 and forward it, through channels, to the Manager of Maintenance. If the approving official determines that there are no reasonable grounds to believe such a hazard exists, the employee **must be notified in writing within 15 calendar days**. (Safety personnel must assist in this determination when requested.) If the hazard was abated through actions of the

forwarded to the safety office.

The ELM also requires that the installation heads/managers are responsible for responding promptly to hazard reports and ensuring that line supervisors are diligent in correcting hazards. If a hazard report indicates that imminent or serious danger exists, the installation head must take immediate corrective action.

ance procedure within 14 days of notifying the employee's supervisor if no corrective action is taken during the employee's tour.

It should also be noted that retaliation against an employee for reporting a safety and health hazard is unlawful, and OSHA has a whistleblower process, which you may utilize to protect yourself.

Unreported safety issues are accidents waiting to happen. When we practice and preach safety, the injuries we help avoid may be our own.

For a more in-depth look at these rights and responsibilities please see the *NALC Guide to Safety and Health* (which can be found on the NALC's Contract DVD) and ELM Chapter 8 (Safety, Health, and Environment).

U.S. POSTAL SERVICE		Form Control Number <i>(Assigned by Safety Office)</i>	
REPORT OF HAZARD, UNSAFE CONDITION OR PRACTICE			
I. Employee's Action			
Also Specify Work Location:			
Describe Hazard, Unsafe Condition or Practice, Recommended Corrective Action:			
Employee	Signature	Date and Time	
II. Supervisor's Action			
List Date(s) of Occurrence Specify Action Taken to Eliminate the Hazard, Unsafe Condition or Practice. If Corrective Action Has Been Taken, Indicate the Date of Abatement:			
Supervisor	Signature	Date	
III. Approving Official's Action <i>(Check One and Complete)</i>			
The Following Corrective Action was Taken to Eliminate the Hazard, Unsafe Condition or Practice Indicate Date of Abatement:			
A Work Order Has Been Submitted to the Manager, Plant Maintenance. (i.e. Effect the Following Change:			
There Are No Reasonable Grounds to Determine Such a Hazard Exists. This Decision is Based Upon:			
Approving Official	Signature	Date	Date Employee Notified
IV. Maintenance Action (Complete if Necessary)			
Maintenance Supervisor	Signature	Date	Days Hazard Abated
PS Form 1767, Enc. 1982 WHITE—Local Safety Office (After Abatement) PINK—Local Safety Office (Initial Notice) YELLOW—Approving Official BLUE—Employee			

PS Form 1767

Improper withholding and PTF conversions

As any NALC representative knows, widespread withholding has been ongoing for the last several years. It can seem overwhelming to try to keep up with the status in your area due to overlapping withholding circles, clerk excessing and other events that commonly take place. This article is devoted to simplifying this issue and providing advice and guidance on filing grievances to get PTF letter carriers converted to full-time status.

It is true that there are situations when withholding is legitimate and PTFs should not be converted to full-time. These situations, however, are becoming fewer and fewer. Two events have cleared the waters a bit on this issue.

First, FSS implementation and corresponding route adjustments are nearly complete nationwide. Many of the withholdings have either been lifted by the Postal Service or are no longer legitimate because FSS is complete.

Second, the APWU National Agreement contains a change that limits excessing in the clerk craft to 50 miles. Accordingly, the Postal Service has reduced the withholding circles for clerk excessing to 50 miles. In the past, these circles have extended as far as hundreds of miles and covered huge geographic areas.

This all adds up to a better opportunity for us to make the case for our PTFs to be converted to full-time status. It is true that when there is no legitimate withholding of a letter carrier job, management

should convert the senior PTF to full-time. In some places, this actually does happen. In many places, it does not. Failure to convert the senior PTF is a contract violation and should be grieved just as any other contract violation would be.

All delegates to 68th Biennial NALC Convention in Minneapolis, MN were given a CD called *2012 NALC Grievance Starters*. It contains grievance starters on this issue. If you did not attend the convention or need a copy of this resource, please contact the NALC Supply Department at NALC Headquarters at (202) 662-2873.

Important Note

The grievance starters on the *2012 NALC Grievance Starters* CD are designed to give NALC representatives a **starting point** for certain types of grievances. Each one will always have to be changed to fit your set of facts and situation.

The incident date of this type of grievance is important. The incident date on an improper withholding/PTF conversion grievance should almost always be “ongoing” or “continuing.” A job could be properly withheld for months or even years, but when the job is no longer properly withheld, a grievance should be filed. If management argues that the grievance is untimely filed, NALC representative should use National Arbitrator Mittenenthal’s award incorporated into the April 2009 *Joint Contract*

Administration Manual (JCAM) on pp. 15-2 and 15-3:

Continuing violations are an exception to the general rule stated above. In H1N-5D-C 297, June 16, 1994 (C-13671), National Arbitrator Mittenenthal explained the theory of continuing violations as follows:

Assume for the moment, consistent with the federal court rulings, that the Postal Service incorrectly calculated FLSA overtime for TCOLA recipients under the ELM. Each such error would have been a separate and distinct violation. We are not dealing here with a single, isolated occurrence. Management was involved in a continuing violation of the ELM. The affected employees (or NALC) could properly have grieved the violation on any day the miscalculation took place and such grievance would be timely provided it was submitted within the fourteen-day time limit set forth in Article 15. This is precisely the kind of case where a “continuing violation” theory seems applicable. To rule otherwise would allow an improper pay practice to be frozen forever into the ELM by the mere failure of some employee initially to challenge that practice within the relevant fourteen-day period.

Grade 2

Let’s start with grade 2 (Carrier Technician, T-6) letter carrier job vacancies. These jobs should almost always be filled by converting

the senior PTF to full-time in today's environment. Such jobs may only be withheld for other grade 2 letter carriers who are being excessed. The JCAM makes this requirement clear on page 12-13 as follows:

Management may not withhold Carrier Technician positions in anticipation of excessing employees from another craft. Article 12.5.B.9, 12.5.C.5.a(4) and 12.5.C.5.b(2) require that when employees are excessed into another craft, they must meet the minimum qualifications for the position. The minimum qualification standards for Carrier Technician positions include one year of experience as a city carrier (See Qualification Standards for Carrier Technician - Level 6: 2310-02). Clerks cannot meet the minimum experience requirements for Carrier Technician positions except when former letter carriers will be excessed back into the letter carrier craft.

Additionally, Carrier Technician jobs may not be withheld for employees to be excessed from lower level positions. Page 12-14 of the JCAM states the following:

Management may not withhold letter carrier positions in anticipation of excessing employees from lower level positions. The provisions of Article 12.5.C.5.a(4) & 12.5.C.5.b(2) specifically require that when excess employees are excessed to other crafts it must be to positions in the same or lower level.

These lower level positions include grade 1 letter carriers and level 6 clerks.

Unless there is a grade 2 letter carrier or a level 7 or above employee from another craft that has previously been a letter carrier for one year being excessed, we should argue that there is no legitimate withholding for a grade 2 vacancy

and request that a PTF be converted to full-time status.

The 2012 NALC Grievance Starter CD contains a grievance starter on this very issue. Remember, you will always need to work on the grievance starter to make it fit your set of facts.

Grade 1

Cases about improperly withheld grade 1 letter carrier jobs are usually a bit more complicated. Begin by looking into what withholding is currently affecting your area. You may find that there is no withholding affecting your area. In this case, we should argue that there is no current withholding and ask for a PTF to be converted to full-time status.

You may also find that there is a mail processing plant closing somewhere in your area. If the plant is more than 50 miles from your office, you should make the argument that your office is outside the 50 mile withholding radius and should not be withheld.

You may find that there is still withholding for FSS in your area. If FSS is completed, we should argue that this withholding is not legitimate because FSS is completed.

If you have a legitimate excessing event that is affecting your office, look to see if management has enough jobs already withheld. For example, management says they need to excess 10 clerks from an installation. If there are already 10 letter carrier vacan-

cies in that same installation, those clerks must first be placed into those jobs inside the same installation. It would be a violation of Article 12 of the National Agreement to excess those employees outside their own installation. Page 12-13 of the JCAM states:

Number of Withheld Positions. Management may not withhold more positions than are reasonably necessary to accommodate any planned excessing. Article 12.5.B.2 only authorizes management to withhold "sufficient ... positions within the area for full-time and part-time flexible employees who may be involuntarily reassigned."

Thus, a grade 1 vacancy in another installation five miles away should not be withheld for the excessing event in this example.

The 2012 NALC Grievance Starter CD also contains a grievance

2012 NALC GRIEVANCE STARTERS



DELEGATES ATTENDING THE
CITY DELIVERY & ARTICLE 12
WORKSHOPS SHOULD BRING
THIS BOOK TO BOTH WORKSHOPS

NATIONAL ASSOCIATION OF LETTER CARRIERS

starter on this issue. Again, you will always need to work on the grievance starter to make it fit your situation.

NALC representatives should treat improper withholding and fail-

(Continued on page 11)

Fill the Satchel: *A How-to Manual*



Ask yourself if you derive satisfaction from being a part of a cause that can promote a brighter future for others. If this describes you, then you have what it takes to be your branch MDA coordinator. Coordinators are key in making it happen for MDA.

Goal Setting

A successful satchel drive starts with 100% participation. So choose your target group or groups carefully (i.e. executive board, station,

The following formula shows how to estimate what your drive could collect. It should help the coordinator figure out how many people are needed and how long they should work to reach your goal.

$$\# \text{ of stations} \times \# \text{ of LC per station} = \text{total} \# \text{ of LC}$$

$$\# \text{ of days} \times \# \text{ of hours per day} = \text{total} \# \text{ of hours per LC}$$

$$\text{Total LC} \times \text{total hours per LC} = \text{total hours}$$

$$\text{Total hours} \times \$100 \text{ per LC} = \text{Drive Potential}$$

So for a branch with 10 stations and five carriers willing to work from each location, the numbers would work out as follows:

$$10 \text{ stations} \times 5 \text{ LC per station} = 50 \text{ LC}$$

$$3 \text{ days} \times 5 \text{ hours per day} = 15 \text{ hours per LC}$$

$$50 \text{ LC} \times 15 \text{ hours per LC} = 750 \text{ hours}$$

$$750 \text{ hours} \times \$100 \text{ per LC} = \$75,000 \text{ Potential}$$

If you conducted a satchel drive in years past, analyze the results by location, shift or even particular members. Determine, by feedback, what was successful or not and why. Set new goals and make sure that everyone is aware of what those goals are. Make sure your group is completely behind the strategy and the goals set. Break goals down to \$ goals per person so everyone knows what is expected of them. The key is

NATIONAL ASSOCIATION OF LETTER CARRIERS



FILL
the **SATCHEL**
FOR MUSCULAR DYSTROPHY

NALC branches have long raised money for MDA through bowl-a-thons and golf tournaments. Last year, we raised almost \$100,000 through the union's first-ever Fill the Satchel campaign. If you are your branch's MDA coordinator (or would like to be), the following article explains exactly what's involved and provides practical tips for a successful event. Your branch now has another option to raise money for this worthy cause.

Coordinators must first commit to the event. You will need to have leadership skills and work well with others. It is the job of the coordinator to recruit other strong leaders to help with the drive. Enthusiasm will help you and your recruits stay motivated. Coordinators must have an interest in MDA and its mission and a desire to make an impact in your local community.

zone, etc...). Once your group is formed, inform your volunteers of the goals. Make sure they are challenging yet realistic and attainable.

Key members in the group should be called upon to be a part of the goal setting process. It is important to establish what the volunteers are willing and able to do. Break down the commitment in terms that are understandable and attainable.

to start early and inform everyone so your satchel drive is a success.

On the day of the event, you should DO these steps:

- Make a plan to safeguard the bags and bags of money.
- Meet with branch's bank representative to arrange the counting and depositing of funds.
- Provide specific instructions in writing.
- Obtain money bags, seals, wrappers and ID tags.
- Establish a safe, secure area to handle funds.
- Arrange money pickups from specific locations.
- Determine system to track individuals, shifts and station collections.

Just as importantly, here are some things you should NOT DO when conducting your drive:

- Take securing of funds for granted.

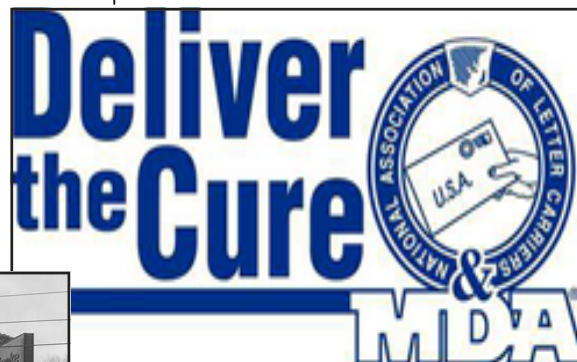
- Store money overnight in home, station, office or car.
- Bring money to MDA office.
- Count money alone — **always** have a buddy system to verify results.

Money-handling

In partnership with MDA, please be aware of these money-handling tips:



counted for by a bank or lending institution, procedures should be in place to have the funds counted in a secured area. This accounting should be handled by a designated group (minimum of three individuals) of



volunteers.

After the money is counted and verified, an MDA-supplied Income Verification Form should be filled out and signed by all who are present. The yellow and pink copies should accompany the income, and you should retain the white copy. The money should then be secured in a safe or vault until it can be taken to the bank for processing.

Planning is key. Make sure you have the supplies for the event. Contact your MDA staff representative for help in identifying items you can use and how to obtain them. It is also important to double check with your group to make sure they have everything before they go out to collect. Anything left over can be used on next year's drive.

Help is out there

Your role as coordinator is a year round project, but you have help.

Your MDA office can provide information, support and guidance to help you with every aspect of your role as a coordinator. A few simple ideas to build rapport with your



Whenever possible, have the proceeds taken to a local bank to be counted and verified. A check or money order (the cost may be donated because it is for MDA) should be made payable to MDA for the amount of funds from your drive.

If it is not possible for your branch to have the funds deposited and ac-

All photographs on pages 6-7 are from Branch 245's Fill the Satchel Drive

(Continued on page 11)

COMPENSATION

Grieving separation-disability

(Continued from page 1)

the union to file grievances to enforce the postal service's obligation under Article 13 to show "the greatest consideration" in indentifying and providing light duty work. Once a letter carrier is separated, the union can no longer file grievances on his or her behalf after the date of the separation.

The postal service usually sends a Notice of Separation stating the effective date of the separation to the employee it is seeking to separate. Sometimes, however, the employee first learns of the impending separation through a solicitation offering retirement counseling or by some other means.

Regardless of how the employee first learns of the separation, a grievance should be investigated and filed immediately. Local branches should educate their members to be on the watch for postal service attempts to implement separation-disability so that local stewards can file timely grievances.

The local union should also prepare limited or light duty grievances if the employee is partially recovered and able to do such work. It is crucial that all grievances be filed prior to the effective date of the separation. The 10/16/1981 MOU found at pages 15-20 and 15-21 of the JCAM makes clear that separation is no bar to the processing of a grievance:

It is agreed by the United States Postal Service, the National Association of Letters, AFL-CIO; and the American Postal Workers Union, AFL-CIO, that the processing and/or arbitration of a grievance is not barred by the separation of the grievant, whether such separation is by resignation, retirement, or death.

The grievance, however, must be filed prior to the effective date of the separation.

ELM 365.34 contains the general procedural requirements covering separation-disability. ELM 365.34, ELM 545.9, EL-505.4.22 and EL-505.4.23 also contain specific procedural and substantive requirements that apply to employees who have been injured on duty. The union steward should review these provisions before beginning their grievance investigation.

How to begin

Grievances challenging separation-disability should begin by investigating whether or not the agency has met its procedural requirements. The union should enforce through the grievance process management's meticulous compliance with these procedural requirements.

ELM 365.342(a) establishes the basic threshold requirement for separation-disability: the employee must be continuously absent without pay for one year. This should be verified by the union. There have been recent cases in which the postal service has tried to reach this 1-year mark by ignoring or delaying the implementation of grievance settlements or arbitration awards, where the employees were made whole for lost wages and benefits.

When a letter carrier receives a make whole remedy, the postal service must retroactively change his/her hours from LWOP to a pay status as if they had worked. Because of this, the employee was not continuously absent without pay for one year and cannot be separated.

ELM 365.342(a) also makes clear that even if the employee reaches the 1-year LWOP threshold,

separation is not mandatory. The ELM also gives management the discretion to grant various extensions if there is reason to believe the employee will recover.

This discretion, however, does not operate in a vacuum and is constrained by the postal service's contractual obligations to provide limited and light duty assignments. When management fails to exercise its discretion to grant extensions, the union should investigate whether this failure is due to management not "making every effort" to provide limited duty work or not showing "the greatest consideration" to provide light duty work and if so file the appropriate grievances.

Another procedural requirement is found at ELM 365.342(e). An employee who is eligible for disability retirement but chooses not to apply is not separated for disability until a complete medical report has been received and the employee has received retirement counseling.

Finally, ELM 365.343 provides that no non-probationary employee can be separated for disability until given notice in writing of the proposed action and an opportunity to reply in accordance with appropriate adverse action procedures. In addition, employees eligible for disability retirement must be advised and notified that they will lose their right to disability retirement unless they file within one year of separation.

The procedural requirements outlined in ELM 365.343 apply to both employees injured on duty and employees injured off the job or who have a serious illness or disability. Grievances challenging disability separations should document management's failures to

follow these procedural requirements.

On duty injury

Management has additional procedural requirements beyond those outlined above when it seeks to separate an employee who has been injured on duty. While these are outlined at ELM 365.342(b) and (c), they are found in greater detail in EL-505 4.22 and 4.23.

EL-505 4.22 requires the Agency to initiate the following actions prior to separating an employee who is injured on duty and has been in a continuous LWOP status for one year:

- Request current claim status and copies of latest medical reports from OWCP.

- If the medical documentation indicates temporary total disability and the injured employee is expected to return to work within 6 months, extend the LWOP status.
- If the medical documentation indicates permanent total disability, request separation according to the procedures outlined in ELM 365.34.

Thus, when a carrier's disability is partial (able to perform some work) and work related, the postal service does not have the authority to separate. Instead, it must provide a limited duty job or rehabilitation assignment.

Union representatives can find evidence of the status of the injured employee's disability (partial ver-

2. Evidence of vocational rehabilitation. OWCP does not provide vocational rehabilitation when employees are totally disabled.

C. OWCP's AQS or CQS printouts showing Pay Status Codes. The compensation page on the NALC website explains how to access CQS. FECA Procedure Manual 2-401.7 explains the paycodes (<http://www.dol.gov/owcp/dfec/regis/compliance/DFECfolio/FECA-T2/#204017>.)

Only code PN indicates total permanent disability. A copy of the current AQS/CQS printout and FPM 2-0401.7 should be included in every grievance file.

All instances of code PN showing on AQS/CQS printout should be communicated to NALC HQ Compensation Department. It is a very rare code.

When the evidence shows that disability is permanent and total after 1 year of LWOP, the EL-505 4.23 requires local management to prepare a request letter to Postal Service Headquarters that includes:

- A. A brief history of injury.
- B. The date the employee entered LWOP.
- C. **Conclusive** medical reports no more than six months old and a summary of medical documentation substantiating the request to separate.
- D. A request to the Area HR analyst, agreed to by the district HRM and appropriate functional manager and signed by the district manager.

Management must then submit the request to HQ, and maintain the letter carrier on the rolls until a for-

(Continued on page 11)

When a carrier's disability is partial and work related, USPS does not have the authority to separate

- Schedule the employee for a fitness-for-duty exam.
- If the medical documentation indicates that the employee is capable of performing full duty, **return the employee to work.**
- If the medical documentation indicates that the employee is temporarily partially disabled **issue the employee a written limited duty job offer.**
- If the medical documentation indicates that the employee is permanently partially disabled **issue the employee a written permanent rehabilitation job offer.**

sus total and temporary versus permanent) in various places.

A. Medical documentation. This can come from the attending physician and/or second opinion or referee doctor in the form of CA-17s, OWCP 5cs, medical narratives explaining restrictions etc. It should be noted that when there are differing medical opinions, only OWCP can determine which opinion is controlling.

B. OWCP case file:

1. A letter from the Claims Examiner that states the employee can return to work.

Using Adobe Acrobat

All NALC electronic publications and documents are distributed in Portable Document Format (PDF). Adobe Acrobat is a set of application software developed by Adobe Systems to view, create, manipulate, print and manage PDF files. The Adobe Reader (formerly Acrobat Reader), is available as freeware and can be downloaded from Adobe's website (www.adobe.com). All remaining parts of the software are proprietary commercial programs and must be purchased.

Making the PDF reader available for free, coupled with the Internet boom, caused the PDF format to become the global standard for sharing and archiving documents and for distributing them on the Net for viewing or downloading. As an example, federal courts now require that the PDF format be used in all electronic filings and submissions.

Through a combination of good judgment and good luck NALC adopted Adobe Acrobat as its standard very early --- back when the



Adobe

Postal Service was using very expensive and now defunct programs such as Folio. Consequently we have tens of thousands of documents, arbitration awards, settlements and similar documents available in the easy to distribute PDF format.

We have also established the PDF format as the standard for our own electronic publications such as *Defenses to Discipline* and the *Materials Reference System (MRS)*, which are available both on DVDs and on the NALC website. Of course, these publications can be easily and inexpensively printed out locally. However, distributing them as printed documents would greatly diminish their value. They have literally thousands of links to arbitration awards, national level settlements, postal and other federal agency documents and court decisions. Similarly, the single DVD that holds the entire *NALC Arbitration Program* holds almost thirty thousand arbitration awards. Paper copies of these awards would take up approximately fifty feet of shelf space.

The Adobe Reader is easy to use. However, we have found that the following tips have been very helpful to users not completely familiar with the program.

Navigation. Adobe Reader has many useful tools. In the default installation, however, not all of them are available on the toolbar.

For NALC users, two of the most important tools not automatically installed are the "Previous

View" and "Next View" commands for the Page Navigation menu. They are extremely useful if, to give an example, you jump from *Defenses to Discipline* to an external settlement cited in the body of the text. When done reading the settlement, the "Previous View" command will take you right back to where you were in the body of the text.

Installing these buttons on your tool bar is simple. To install the command buttons, right click on the toolbar (the bar with icons, immediately below the menu bar with "File-Edit-View-Window-Help"). Next, click on "Page Navigation" in the drop-down menu and then simply check off the desired tools. The buttons for "Previous View" and "Next View" will then appear on the toolbar. We recommend that you select all the Page Navigation tools.

MRS. The *NALC Materials Reference System (MRS)* has both a clickable table of contents and an extensive clickable index. If even these are not enough to find exactly what you want, the Adobe Search tool will search the entire document for any word or phrase you are seeking. The search functions are located under the "Edit" tab on the menu bar.

Personal Annotations. Finally, the newest versions of the Adobe Reader (currently 10.1.4) allow the user to annotate a publication such as *Defenses to Discipline* by highlighting text or inserting "sticky

(Continued on page 11)

Training Seminars & State Conventions

Listed below are the training sessions scheduled through the end of 2012. Regions not listed have not reported any training scheduled for this time period. For more information on any of the meetings listed below, contact your local business agent.

Region 4—NBA Roger Bledsoe, (501) 760-0227
Arizona, Arkansas, Colorado, Oklahoma, Wyoming
October 27-28 Arizona State Training, Tucson, AZ

Region 5—NBA Dan Pittman, (314) 872-0227
Missouri, Iowa, Nebraska, Kansas
October 27-28 Nebraska Fall Training, Grand Island, NE

Region 7—NBA Chris Wittenburg, (612) 378-3035
Minnesota, North Dakota, South Dakota, Wisconsin
October 27-28 North Dakota State Association of
Letter Carriers Fall Training Seminar, Bismarck,
ND

November 3-4 Wisconsin State Association of Letter
Carriers Fall Training Seminar, Wisconsin Rap-
ids, WI

Region 9—NBA Judy Willoughby, (954) 964-2116
Florida, Georgia, North Carolina, South Carolina
October 25—27 Florida State Association of Letter
Carriers Training Seminar, Punta Gorda, FL

Grieving separation-disability

(Continued from page 9)

mal decision is received from HQ. If applicable, the letter carrier must be advised of retirement rights in the final notification letter.

Every grievance investigation of separation after one year of LWOP, in the case of an injured carrier, should include the Article 17/31 requests for the complete packet that was sent to USPS HQ. If the packet does not include A through D above, the union should be prepared to argue that the agency did not comply with the procedural requirements.

Similarly, if management does not comply with the final two steps outlined in the previous paragraph, the union again should be prepared to argue that the agency did not comply with the procedural requirements.

In conclusion, it's always worth remembering that an ounce of prevention is worth a pound of cure. If we represent partially recovered disabled employees who are able to do light or limited duty work, we

should file ongoing grievances to enforce the postal service's obligations to provide such work. Letter carriers who are working will not meet the threshold of 1-year of continuous LWOP that may lead to separation-disability. ■

Fill the Satchel

(Continued from page 7)

branch and the MDA District office include:

Ask the branch president to write an article about the benefits received from working with MDA to be included in the newsletter.

- Make MDA a part of your branch's awards banquet.
- Visit MDA summer camp.
- Invite an MDA family to have lunch or dinner at the union hall.
- Visit the MDA website at www.mda.org or the NALC site at www.nalc.org

The best part is getting involved is as an activist you will further develop your skills and ■

Improper withholding

(Continued from page 5)

ure to convert PTFs as they would any other contract violation – respond by filing a grievance to correct the violation. ■

Using Adobe Acrobat

(Continued from page 10)

notes." You can save the personally marked and annotated version as long as you use do it under another name. Experienced users will find this new feature very useful. ■

LOCAL NEGOTIATIONS

The spring issue of the *Activist* promised that the next issue would cover how to prepare for impasse if the branch should be unable to reach agreement on some of the items being negotiated. Given the fact that the results of the interest arbitration now underway may impact local negotiations in unknown ways, we decided to wait to continue this series. ■

ACTIVIST

NALC
A NEWSLETTER FOR BRANCH LEADERS
NATIONAL ASSOCIATION OF LETTER CARRIERS
 100 Indiana Ave. NW
 Washington DC 20001



Non-Profit
 U.S. Postage
PAID
 Washington, D.C.
 PERMIT NO. 2255

USPS

BY THE NUMBERS

Operations

	Number	Change from SPLY*
FY 2012 through 3rd Quarter		
Total mail volume YTD (Millions of pieces)	121,743	-4.6%
Mail volume by class (YTD in millions)		
First-Class	53,485	-4.5%
Periodicals	5,139	-4.4%
Standard (bulk mail)	59,889	-5.3%
Packages**	997	-32.6%
Shipping Services**	1,851	55.8%
Workhours (YTD in thousands)		
City Delivery	293,552	-2.3%
Mail Processing	159,958	-2.2%
Rural Delivery	133,323	0.4%
Customer Service/Retail	109,652	-3.9%
Other	150,668	-3.3%
Total Workhours	847,153	-2.3%

** Reflects change in components of USPS categories

*SPLY=Same Period Last Year

Finances

FY 2012 through 3rd Quarter (millions)		
Operating Revenue	\$49,517	-0.7%
Operating Expenses	\$61,042	10.1%
Controllable Operating Income	- \$2113	
PSRHBFB Expenses	\$9,150	
Workers' Comp adjustments	\$386	
Net operating loss	-\$11,649	

Employment

	Number	Change from SPLY*
FY 2012 —PP18		
City carrier employment	177,527	-3.7%
Full Time	162,187	-2.5%
PT Regular	704	-8.7%
PTF	14,636	-15.3%
Transitional	6,272	-1.1%
MOU Transitional	7,907	2.4%
City carriers per delivery supervisor	17.2	
Career USPS employment	533,261	-6.9%
Non-career USPS employment	98,149	28.7%