



# NALC Activist

A NEWSLETTER FOR BRANCH LEADERS OF THE NATIONAL ASSOCIATION OF LETTER CARRIERS



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## Getting ready for local negotiations

With national contract negotiations still underway, branch leaders should be making preparations for bargaining local memorandums of understanding (LMOUs). Whether a negotiated national agreement between NALC and USPS is reached or is awarded by an arbitrator, LMOU negotiations will likely occur approximately two to three months after the date of ratification or award. Regardless of which way a new national agreement is reached, there are things that can be done in the next few months to enable branches to be better prepared when the time for LMOU bargaining arrives.

### Select LMOU committees

Now is a good time to begin setting up branch LMOU committees. How many committees you will need depends

upon the size of your branch and how many installations it represents. Smaller branches representing a single installation might be able to get by with one committee, whereas a large branch may want to establish separate committees for each of its installations.

At this point, the function of the committee is to do the important background work and information gathering that will be used to develop bargaining positions. The members chosen for these committees are not necessarily the same ones who will actually sit at the negotiating table during the bargaining sessions, but they may be.

Committee members should have a solid understanding of the current LMOU and the bargaining history behind it, so it may be necessary to have a few

*Continued on page 2*

## The steward's right to information

The National Agreement gives shop stewards the right, in the course of grievance investigation and processing, to both review and obtain copies of relevant information held by the Postal Service. The right to information is found primarily in Articles 17.3 and 31.3. In addition, the union has a legal right to employer information under the National Labor Relations Act.

So, the right to information may be enforced both within the grievance procedure

and through an unfair labor practice charge filed with the National Labor Relations Board.

The National Agreement and the *JCAM* clearly explain the union's right to information and management's obligation to produce information promptly upon request. Note that the union has the right to review management documents and to obtain copies.

*Continued on page 4*

## A message about the *Activist* from President Brian L. Renfroe



I am excited to introduce the revitalized version of the *NALC Activist*. This educational publication is designed specifically for branch officers and stewards and includes important information to help you succeed in repre-

senting our members.

The *Activist* will be published quarterly and will provide you with the tools and knowledge you need to build stronger, more effective branches. We will cover workplace issues, contract questions and the latest information for local leaders.

The new and improved *Activist* complements the plethora of resources already available for our members, including various materials on [nalc.org](http://nalc.org), *The Postal Record*, the *NALC Bulletin*, NALC's podcast "You Are the Current Resident," NALC's social media accounts and NALC's mobile app. I encourage you to utilize all these resources as you work to educate our members.

This publication is created to help you. If you have feedback or suggestions for future *Activist* content, please contact us at [social@nalc.org](mailto:social@nalc.org).

Thank you for all you do for the members of NALC.

### INSIDE THIS ISSUE

USPS by the Numbers .....	3
Bulletin boards .....	7
The foundation of OWCP related grievances.....	9
Managing the stress of leadership ..	10
Does your branch have an HBR and MBAR? .....	12
MDA fundraising and strategic planning.....	13
What does the successful steward do besides file grievances? .....	15

# Getting ready for local negotiations (continued)

Continued from page 1

preliminary meetings to bring everyone up to speed before the committee starts its work. Once that is done, the committee can begin preparing for negotiations.

## Gather information

One of the keys to any successful negotiation is to have as much information as possible on the matter you are negotiating. For instance, when purchasing an automobile or a major appliance, buyers are in a much stronger bargaining position if, before walking into a dealership, they have done some research on the performance and reliability of the models they are interested in, the pricing of various options, the availability of financing and interest rates, as well as other important factors. When so armed, buyers can make better decisions on what they want and how much they are willing to pay for it. Likewise, a branch will have a greater likelihood of success in local negotiations if they do some research and gather information before sitting down at the bargaining table with management.

Remember, Article 31.3 gives the union the right to “all relevant information necessary for collective bargaining... upon the request of the union, the Employer will furnish such information provided, however, the Employer may require the Union to reimburse the USPS for any costs reasonably incurred in obtaining the information.”

Some items that you might request management to provide include the following.

## Leave records, schedules, time records

Since a large portion of the items negotiated concern the local leave program, obtaining staffing records, weekly schedules, workhour reports, FLASH reports and leave calendars is a good place to start. This documentary evidence can be used to develop support for proposals regarding the number of carriers allowed off on leave and for the duration of the choice vacation period. These can also be used to defend against management claims that the current leave program creates an “unreasonable burden.” While Article 30.F places the burden on management to prove this unreasonable burden, it doesn’t hurt to have evidence in hand to counter such claims.

## Future event documentation

Information projecting future conditions such as volume reports could affect bargaining. Management will likely be using this type of information, so it’s important to know what they are looking at and to check it for validity.

There is also helpful information that can be obtained from the branch records.

## Past bargaining records

Hopefully your branch has kept records and notes from past LMOU bargaining sessions. Reviewing the proposals and counterproposals and the final agreements the parties made in past negotiations will show what each side tried to achieve, how the other side responded, and what they finally were able to attain. This information can be used to formulate the branch’s proposals for the upcoming bargaining session as well as to develop strategies to deal with management’s proposals.

## Polling the membership

Another necessary function of the committee is to find out what the members think about their LMOU, what’s important to them, what changes they would like to see, etc. Some branches accomplish this by discussing it at branch meetings or by having the members fill out a questionnaire. Some engage in a one-on-one canvassing campaign, talking to as many members as possible to get their feedback. However it’s done, getting input from those who are going to be affected by the negotiations is essential for union-building.

## Membership support

Another function of the committee is to establish procedures for ongoing communications with the membership before, during and after the negotiation process. When developing communication practices, the branch should give consideration to methods, responsibility and confidentiality. Branches may choose from a variety of communication options. They may choose to use one or a combination of methods such as flyers, branch meetings, Webex or Zoom meetings, or mailings to facilitate the flow of information to and from the membership. Developing a steward network and engaging branch activists to assist with day-to-day communication responsibilities could prove to be

a helpful use of resources. Most importantly, branches should consider what information is appropriate to share and when to share it. The negotiating team must strike a balance between keeping the membership informed and maintaining a certain level of confidentiality to ensure the bargaining position is not compromised. However it’s done, getting input from and keeping those who are going to be affected by the negotiations up to date is very important.

## Choosing the negotiating team

One of the first things you need to do is determine the makeup of your bargaining team. These are the folks who will actually be at the table during the negotiations as well as those who may provide some technical expertise. The branch should consider very carefully which group of union activists will best represent the member’s interests in local negotiations. Limit the team to five members or less; otherwise it may become unwieldy and/or make consensus among the team difficult.

Successful teams contain the following roles:

**Chief spokesperson**—The chief spokesperson should be the most persuasive talker in the group, someone with successful negotiating experience who has credibility with management. It’s not necessary that they are well liked by the other side, but they need to be someone whose word is their bond.

**Recorder**—The recorder needs to be a good listener with highly developed note-taking skills. This should be someone who can determine the intent of the discussions that are taking place, identify what’s important and articulate that in writing. The recorder doesn’t have a speaking role per se, but focuses on what the spokespersons from each side are saying while recording the proposals that are being made and the words that are being used to describe them. These notes will serve as the union’s record of the negotiations and may be crucial later on if disagreements arise as to the intent of negotiated language.

In addition to the above must-have roles, other traditional roles are found in most negotiations. These include:

**Heavyweight**—Sometimes during negotiations there is a need to push your agenda a little bit so the other side knows

you are serious. At other times, you may need to change the dynamic in a negotiation if the discussion is not heading in the direction you want it to go. In these situations, it's often effective to have one of your team members designated to be the heavyweight—someone who is not afraid to articulate aggression when needed but is ready to allow the chief spokesperson to step in and “save” management. This is a variation of the old “good guy, bad guy” routine, where the bad guy is so over the top that the other side looks to the good guy for a way out. Of course, everyone has heard of this tactic, so to be effective it should be used subtly and sparingly.

**Technician**—Technicians are those who are called upon to provide expertise on specific issues. Usually they do not sit at the table for the entire negotiations; rather, they may only be brought into the meetings to talk about one or two issues. For example, someone who has expertise in deciphering workhour/workload reports or other pertinent data might be used when the union is trying to convince management that they can allow more carriers off during December. Basically, technicians explain data and present facts. Thus they have the appearance of being impartial, almost like a third party.

**Alternates**—Every negotiating team should have at least one alternate, someone who attends every planning and

negotiating session, but does not actually participate in the negotiations at the table. Their role is to step in should one of the other team members miss a negotiation session or become unavailable, which is not uncommon. Additionally, because they are not actually sitting at the table and involved in the negotiations, they are less likely to get caught up in any emotions that might surface. They can observe the negotiating process and provide valuable insight to your team during caucuses.

### Developing strategy

Assuming that you have already collected the information you will need for negotiations, and you have polled your membership for their thoughts and ideas, the next action you will need to take is to list and prioritize what your branch would like to achieve through bargaining.

One way to do this is to develop a wish list of everything that your bargaining committee would like to see changed in your local memorandum. You might write down things like: “increase the percentage of carriers allowed off on annual leave during prime time,” “allow annual leave during December” or “establish annual leave quotas during non-choice period.” Put every idea on your list, even those that may seem unimportant. Then the negotiating committee should discuss

each one and prioritize them in order of importance.

Or you might group them according to those items you “must do,” those that would be “good to achieve” and those that would be “nice to have, but not necessary.” In general, you want to think in terms of what you want to gain, what you want to retain, what you are willing to give up (to get something else you want) and what you think is a realistic outcome. From these you will begin to develop your bargaining strategy—how you will go about convincing management’s negotiators to agree with your proposals.

It goes without saying that your list of bargaining goals and priorities should not be discussed outside of your bargaining committee. There is a chance that someone could pass this information on to management, which would certainly weaken your position in the negotiations. It would be like showing your poker hand before the bets are placed.

Don’t wait until right before the bargaining period to begin preparing. Once the national agreement is reached, there will not be a lot of time to prepare for LMOU negotiations, so get as much done as you can now. The more you do now, the less you’ll need to do later. If branches perform the actions outlined above, once a new national agreement is reached the focus can turn to drafting written proposals and preparing for the actual meetings with management.



## BY THE NUMBERS

### USPS Operations FY 2023

	Number	Chg. from SPLY*
Total mail volume year-to-date (Millions of pieces)	116,146	-8.9%
Mail volume by class (YTD in millions)		
First Class	45,979	-6.1%
Marketing mail	59,410	-11.4%
Shipping and packages	7,057	-2.4%
Periodicals	2,993	-12.0%
International	322	-9.3%

### USPS Operations FY 2023 (millions)

	Number	Chg. from SPLY*
Operating revenue	\$78,186	-0.4%
Operating expenses	\$85,387	7.3%
Controllable operating income	(\$2,259)	377.6%
Workers’ comp adjustments	\$538	-125.4%
Net operating income	(\$6,478)	-111.6%

### Employment FY 2023 PP24

	Number	Chg. from SPLY*
City carrier employment	175,715	3.2%
Full time	166,019	1.9%
PT regular	369	-2.9%
PTF	9,327	31.3%
City carrier assistant 1	32,606	-2.1%
City carrier assistant 2	14	0%
City carriers per delivery supervisor	7.7	-10.0%
Career USPS employment	503,636	2.3%
Non-career USPS employment	108,022	19.5%

\*SPLY=Same Period Last Year  
This information compiled by the NALC Research Department from USPS reports.

# The steward's right to information (continued)

Continued from page 1

Article 17.3 provides:

*The steward... may request and shall obtain access through the appropriate supervisor to review the documents, files and other records necessary for processing a grievance or determining if a grievance exists...*

The JCAM explains:

- A steward may conduct a broad range of activities related to the investigation and adjustment of grievances and of problems that may become grievances. These activities include the right to review relevant documents, files and records . . . (p. 17-4)
- The NALC's rights to information relevant to collective bargaining and to contract administration are set forth in Article 31. This section states stewards' specific rights to review and obtain documents, files and other records . . . (p. 17-6)
- Management should respond to questions and to requests for documents in a cooperative and timely manner . . . (p. 17-6)
- When a relevant request is made, management should provide for the review and/or produce the requested documentation as soon as is reasonably possible. (p. 17-6)
- If requests for copies are part of the information request, then USPS must provide the copies. (p. 31-3)
- Article 31.3 provides that the Postal Service will make available to the union all relevant information necessary for collective bargaining or the enforcement, administration or interpretation of the Agreement, including information necessary to determine whether to file or to continue the processing of a grievance. It also recognizes the union's legal right to employer information under the National Labor Relations Act. (p. 31-2)

## The presumption of relevance

As the JCAM also makes clear, the steward has a right to review or obtain only "relevant" information. Although the JCAM does not define relevancy, it does provide some guidance at page 31-2:

- To obtain employer information, the union need only give a reasonable description of what it needs and make a reasonable claim that the information is needed to enforce or administer the contract. The union must have a reason for seeking the information—it cannot conduct a fishing expedition into Postal Service records.

The JCAM gives specific examples of the types of information that should be provided when requested (page 31-2):

- Attendance records
- Payroll records
- Documents in an employee's official personnel file
- Internal USPS instructions and memorandums
- Disciplinary records
- Route inspection records
- Customer complaints
- Handbooks and manuals
- Photographs
- Reports and studies
- Seniority lists
- Overtime desired and work assignment lists
- Bidding records
- Wage and salary records
- Training manuals
- Postal Inspection Service investigative memoranda (IM)
- Office of Inspector General Reports of Investigation (ROI)

The JCAM also gives broad-spectrum examples of types of information that must be provided (pages 31-2, 3):

- . . . the union has a right to any and all information which the employer has relied upon to support its position in a grievance . . .
- . . . the union is also entitled to medical records necessary to investigate or process a grievance, even without an employee's authorization, as provided for in

*Handbook AS-353, Guide to Privacy, the Freedom of Information Act, and Records Management and by Articles 17 and 31 of the National Agreement.*

While the JCAM does not further explore the concept of relevance, Arbitrators Carlton Snow and Richard Mittenthal have done so in national-level decisions. Arbitrator Snow has held that the standard of relevancy is broad and there is normally a presumption of relevance when the requested information relates to wages, hours or working conditions. In case number H7N-5C-C 12397 (C-10986 in NALC's Arbitration System), Snow wrote:

*A duty to disclose relevant information in the bargaining context has its roots in Section 8(d) of the National Labor Relations Act . . . [A] key test of disclosure is that the information meet the requirement of relevance . . . [T]here is a presumption of relevancy if the requested information pertains directly to a subject about which there is a mandatory obligation to bargain . . . [A]lthough the requirement of discovery has been narrowed by the rule of relevancy, the NLRB and courts have defined "relevancy" broadly . . . [T]he requested information should be disclosed "unless it plainly appears irrelevant" . . . [T]he parties have added to statutory requirements to share information by including a contractual provision covering the duty to do so . . . [quoting articles 31.3 and 17.3] . . . [T]he parties have implicitly adopted a broad definition of "relevancy" as it has emerged in modern discovery rules.*

In an earlier national-level decision, Arbitrator Mittenthal explained that the standard of relevance goes to the union's decision to file or forego pursuing a grievance, not to the merits of a particular grievance. In other words, even if information is not relevant to the union's ability to win a case, as long as it is relevant to the union's decision-making process to pursue or not pursue a grievance, it should be provided on request. In case number H4T-2A-C 36687 (C-10363), Mittenthal explained:

*It is for the [union] alone to "determine if a grievance exists...to determine whether to file . . . a grievance . . ." If the information it seeks has any "relevancy" to that determination, however slight, its request for this information should be granted . . . (W)hether a piece of information is "relevant" to the merits of a given claim is one thing; whether such information is "relevant" to [the Union's] determination to pursue (or not pursue) that claim through*

*the filing of a grievance is quite another. The latter question allows “relevancy” a far broader reach and should have permitted the [Union], for the reasons already expressed, to receive [the requested information].*

## The privacy act connection

Sometimes management refuses to provide requested information to the union, claiming that the Privacy Act bars USPS from disclosing medical records or other confidential information. Often, managers tell NALC representatives they will not release personal information without the written consent of the affected person.

These management excuses are flatly wrong, because the Privacy Act’s regulations authorize disclosure to the union of most records containing personal information.

The Privacy Act requires federal agencies, including the Postal Service, to restrict access to certain records that contain information about individuals, but Handbook AS-353, *Guide to Privacy, the Freedom of Information Act, and Records Management*, makes it clear that providing information to the union falls within the “routine” use category, and is, therefore, an authorized disclosure under the Privacy Act.

The AS-353 lists in its appendix, beginning on page 113, all Postal Service records systems that contain information about individuals. Section D of the appendix explains authorized disclosures and routine uses. Section D.1 states in part:

*The Privacy Act authorizes disclosures in the following twelve circumstances:*

*3. For routine uses for which the agency has provided proper notice.*

Section D.2 of the AS-353 lists the standard routine uses that apply to USPS systems of records. Item No. 6 in that list is quoted as follows:

*6. Disclosure to Labor Organizations. As required by applicable law, records may be furnished to a labor organization when needed by that organization to perform its duties as the collective bargaining representative of Postal Service employees in an appropriate bargaining unit.*

The above language makes it quite clear that the AS-353 and the Privacy Act provide NALC representatives with the

right to request and receive a broad range of information necessary to investigate and file grievances.

## Enforcing the right to information

Stewards should vigorously enforce the right to review and obtain copies of information relevant to grievance investigations. Stewards who cannot enforce their own rights as shop steward cannot reasonably expect to succeed in helping other letter carriers enforce their rights. Nor can they expect to prevail in grievances. Grievances are won when the union’s arguments are proven with documentation.

Stewards facing management resistance in providing review of, or copies of, requested information should keep the following guidelines in mind.

## Time limits

Remember that the time limits for an underlying grievance are not waived by a management delay or refusal to provide requested information. For instance, a grievance protesting lack of just cause for discipline (based, say, on a disparate treatment argument) must be filed within 14 days of management’s issuance of the disciplinary notice, even if management has refused the steward’s request for information relating to disparate treatment.

## Documentation

The steward must be able to prove that requests for information were made and properly submitted. While the National Agreement does not require that such requests be made in writing, it is recommended that stewards present requests in writing, keep a copy, and document details regarding the submission. The request should include a brief note explaining the relevancy of the information sought, in accordance with page 17-6 of the *JCAM*: “Steward requests to review and obtain documents should state how the request is relevant to the handling of a grievance or potential grievance.”

The recently revised *NALC Shop Steward’s Guide* provides forms for stewards to use when requesting information. These forms and others can be found beginning on page 90 of the guide. To access the guide, from the NALC website, log on to the Members Only portal and click the “Members documents” button, where you

will find the *NALC Shop Steward’s Guide* and some available Grievance Starters in a drop-down menu.

Stewards should document that the supervisor received the request for information by asking them to sign and date the form. This obviously only works if the supervisor agrees to sign. If the supervisor refuses to sign, the steward should clearly record on the copy who received it and the time and date it was submitted. In addition, the steward should make a record of the receiving supervisor’s response.

If the receiving supervisor does not tell the steward when or if the requested information will be made available, the steward should consider presenting a second written request the next day, following the same format as the first request, but clearly indicating in writing that it is a second request, and that no response was received to the first. Likewise, if there is no response to the second request, a similar third request might follow the next day. If there is still no response, a grievance should be initiated.

If management responds orally to the request by telling the steward when the information will be provided, the steward should document that response by authoring a letter or memo to the supervisor stating the steward’s understanding.

In addition, if the steward believes a delay is unreasonable, they should initiate a second grievance investigation regarding the reasonableness of the delay.

Clearly, in these circumstances, one grievance may multiply quickly into many, many grievances. Much work, organization and energy are required to document management’s refusal to provide information. The steward must write and maintain all of the necessary letters, memos and requests.

This recommended documentation process is not contractually required, and it is difficult, but it ensures that the resulting grievance file is sufficient to meet the union’s burden of proof.

## Arguing underlying grievances

The steward should argue in the underlying grievance that they have requested information, that management has refused to provide it, and that therefore an adverse inference should be made against management’s position.

*Continued on page 6*

# The steward's right to information (continued)

*Continued from page 5*

Elkouri & Elkouri in *How Arbitration Works* states the principle, in the context of a management failure to provide a witness:

*Also, an Arbitrator may note the “well-established” rule that the failure to call a witness who is available to a party gives rise to a presumption that the witness’s testimony would be adverse to the position of the party having the ability to call that witness.*

The same principle can be applied to failure to provide information. For example, the failure to provide requested information gives rise to a presumption that the information would be adverse to the position of the party refusing to provide it.

Regional arbitrators routinely apply this principle. See, for example, Arbitrator Scarce, in C-05751:

*Where, as here, the local management chooses to ignore the contractual obligation to make such data available in the face of repeated valid requests, a conclusion must be derived that the complained-of activity was in error on its face and the Service chose to avoid addressing the matter by not making official records available.*

See also Arbitrator Marks-Barnett, C-23599 and Arbitrator Herring, C-23730.

Stewards should ensure this argument is made in appropriate cases. For instance, consider a case in which an employee failed to set the vehicle handbrake and USPS removed them following a rollaway.

The steward might have knowledge that other employees had failed to set their handbrakes and had received lesser discipline or none at all. The steward should request Form 4584, Observation of Driving Practices, and perhaps Forms 1769/301, Accident Report from prior rollaway accidents. If management refuses to provide access to this information, the steward should argue in the removal grievance that the grievant was treated disparately, that management controls the documents that would prove it, that the steward requested review of the documents, that management refused the request, and that an adverse inference should be made against management for that refusal. Of course, if possible, the steward should develop and present other evidence supporting the argu-

ment, such as statements from involved employees.

## Arguing ‘failure to provide requested information’ grievances

Stewards should also file separate grievances protesting management’s violations of Articles 17 and 31. The contentions should include violations of Articles 5, 17 and 31, as well as the National Labor Relations Act (NLRA). If management claims the requested information is not relevant, the Snow and Mittenthal awards should be cited. If the requested information is found in the Handbook AS-353 appendix, that information should be noted in the grievance.

## Remedies

Stewards should give careful attention to the requested remedy in grievances protesting refusals to provide information. The remedy should be designed to fix the underlying problem. If an agreement by management at Informal A, to cease and desist similar violations, fixes the problem, fine. If, however, such an agreement is simply used by management as a ruse, or is made with a wink and a nod, then the union is under no obligation to settle on that basis.

To fix the underlying problem, a remedy should be targeted at the culpable supervisor. If the problem is that a particular supervisor is unaware of management’s obligations to provide information, then the remedy might require the supervisor to review relevant *JCAM* chapters, perhaps with the steward.

If the underlying problem is that a particular supervisor knows the requirements, but simply chooses to violate them, then the remedy might include a written acknowledgment by the supervisor that they violated Articles 17 and 31 and the NLRA, and a promise to stop. Or it might require a higher-level manager to send a letter advising the supervisor that they violated the National Agreement and the law and ordering them to cease and desist; a copy should go to the union.

In any event, the remedy should escalate in succeeding grievances when a prior remedy has failed to solve the underlying problem. The rationale for escalating remedies is similar to management’s rationale when it issues progressively more severe discipline. The idea is that the minimum penalty necessary

to resolve the problem should be used, but that if the problem continues, a more significant penalty is necessary.

Moreover, each succeeding similar grievance should specifically cite each of the prior grievances. Where patterns exist, the union should point them out and argue accordingly. The union should argue that the prior, agreed-upon remedies did not resolve the underlying problem and therefore a more significant remedy is required. The union should cite the *JCAM* at page 41-16, in which the parties implicitly endorse the concept of contract compliance incentives:

*In circumstances where the violation is egregious or deliberate or after local management has received previous instructional resolutions on the same issue and it appears that a cease and desist remedy is not sufficient to insure future contract compliance, the parties may wish to consider a further, appropriate compensatory remedy to the injured party to emphasize the commitment of the parties to contract compliance. In these circumstances, care should be exercised to insure that the remedy is corrective and not punitive, providing a full explanation of the basis of the remedy.*

Finally, the remedy should flow from the strength of the case. If the provable facts of the case are weak, the steward is not in a strong position to demand an enhanced remedy. On the other hand, if the facts of the case are strong, or if management’s violations are serious, repeated or deliberate, the steward should be less willing to resolve the grievance for a toothless remedy.

## Seek assistance

A management refusal to provide requested information is much more than a run-of-the-mill contract violation. Such violations challenge and undermine the fundamental ability of the union to fulfill its right and obligation to represent letter carriers. Stewards who encounter difficulties exercising their right to information should bring the matter to the attention of branch officers. Branch officers should contact the national business agent if they are unable to resolve the problem.

In serious cases, it may be necessary to consider filing unfair labor practice charges with the National Labor Relations Board (NLRB). A branch should contact the national business agent for advice prior to filing charges with the NLRB.

# Your contract: Bulletin boards

Union bulletin boards can be a good way for local branches to communicate with city letter carriers on the workroom floor. In addition to branch newsletters, websites and social media posts, bulletin boards are an effective way for branch leaders to keep their membership informed. For example, bulletin boards allow branches to let their members know about branch meetings, fundraising events, and legislative and political updates.

Under Article 22 of the National Agreement, management is required to provide a bulletin board in each facility where city letter carriers are employed. Even in small offices, where there is not enough room for each union to have their own board, the Postal Service must still provide a single board for all of the unions to share. The language in Article 22 also prohibits management from interfering with the union's right to post information, even if they believe that it may be disruptive or divisive. In addition, Article 22 gives branches the right to place a rack displaying NALC literature in the break room if there is space available. Finally, the contract prohibits other entities, including the Postal Service, from placing information in NALC literature racks.

The right to post information on union bulletin boards has been established through several court decisions, arbitral awards, and dispute resolutions over the past 50 years. These cases have defined the union's ability to post material that management may consider controversial or disruptive.

In the early 1970s, three letter carriers in Richmond, VA, sued NALC Branch 496 over the contents of the branch newsletter, *The Carrier's Corner*, because they objected to being included in the List of Scabs section of the paper. While the List of Scabs in this suit was initially published in the newsletter and sent to each member, a copy of the list was placed on the bulletin board, making it visible to every employee. The state Supreme Court upheld the lawsuit based on the libel laws in Virginia and even granted each of the non-members a monetary award. The branch appealed this decision in federal court based on the union's rights under the First Amendment and federal labor laws. On June 25, 1974, the United States Supreme Court reversed the state court's decision in its landmark award affirming

the branch's right to refer to non-members as scabs. A copy of the Supreme Court's decision (M-00684) is available in the NALC Materials Reference System (MRS) on the NALC website.

In late 1979, management at the Tacoma, WA, Post Office attempted to interfere with NALC's right to post a list of scabs on the union bulletin board. In this instance, the local branch had printed the names of non-members and placed them on the bulletin boards in several stations around the city. Local management determined that these notices created the potential for disruptions, so they prohibited unions from displaying the names of non-members. In response to management's removal of the material, NALC initiated a grievance, which was eventually referred to the national level as an interpretive dispute of the language in Article 22. Although NALC had already been successful before the Supreme Court in asserting its right to publicly display the names of scabs, management had decided to circumvent the clear language in M-00684. On July 14, 1981, more than seven years after Justice Thurgood Marshall delivered the majority opinion in the appeal from Branch 496, National Arbitrator Howard Gamser, in case number N8-W-0214 (M-03224), definitively answered the question about which party controls the contents of the union bulletin board. In his award, Arbitrator Gamser opined the following:

*The grievance filed by the NALC in Case No. NS-1W-0214 is sustained. Management is directed not to interfere with the posting of notices containing the names of non-members unless or until the Postal Service can prove that this material is unsuitable for posting because it has caused or will cause an adverse impact upon the ability of postal authorities to direct the work force and to manage its operations efficiently and productively.*

Since Arbitrator Gamser's award, issues regarding Article 22 and NALC's right to post information on union bulletin boards have been addressed by the national parties. During the early 1990s, management in Everett, WA, objected to the local branch placing a copy of the *NALC Bulletin* on the board because it included endorsements of political candidates. The Postal Service took the position that political endorsements were inappropriate in buildings owned or leased by USPS. In response to management's actions, NALC Branch 791 initiated a

grievance at the local level, which was then appealed to the national parties. The parties at the national level, in cases E90N-1E-C 93023117 and E90N-1E C 93023118 (M-01159), agreed to sustain the grievance, once again affirming NALC's right to post information on the union bulletin board.

On Jan. 12, 2000, the national parties resolved another dispute regarding the use of union bulletin boards to post information of a political nature. In Seattle, WA, management in the Bitterlake Station attempted to bar the local branch from posting a petition in support of an initiative to raise the minimum wage. In this dispute, case number E94N-4E-C 98082428 (M-01399), management relied on the Hatch Act to support their position; however, the NALC and USPS at the national level agreed that this act did not apply to these circumstances.

Activists at the local level should keep these cases in mind if management fails to provide a bulletin board or attempts to control what is posted on union bulletin boards. The language in Article 22 is reprinted below:

*The Employer shall furnish separate bulletin boards for the exclusive use of the Union, subject to the conditions stated herein, if space is available. If sufficient space is not available, at least one will be provided for all Unions. The Union may place its literature racks in swing rooms, if space is available. Only suitable notices and literature may be posted or placed in literature racks. There shall be no posting or placement of literature in literature racks except upon the authority of officially designated representatives of the Union.*

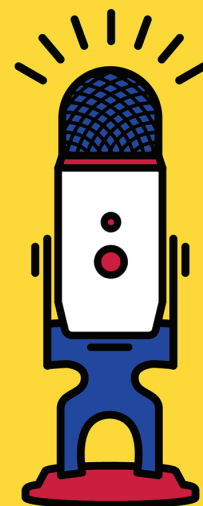
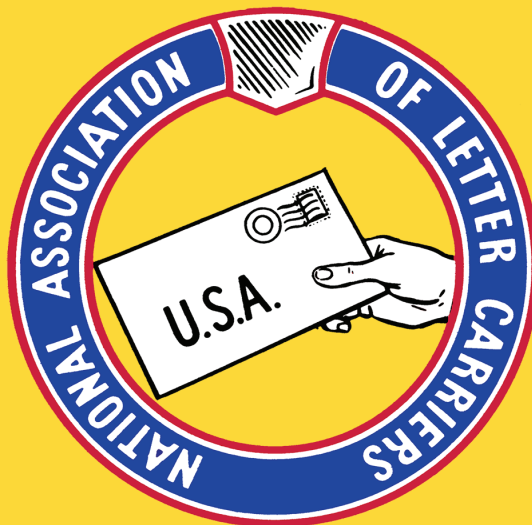
*(The preceding Article, Article 22, shall apply to City Carrier Assistant Employees.)*

The Postal Service is required to provide each union in the facility with their own bulletin board unless sufficient space is not available. If there is not enough room available for each union to have its own board, a single board may be provided for all of the unions to share. The contractual language also makes it clear that only the union has the right to determine what is placed on the bulletin board. If management fails to provide a bulletin board or attempts to interfere with your right to post information, a grievance should be initiated.

# Looking for the latest NALC news? Give it a listen wherever you stream your favorite podcasts!

**NALC's podcast "You Are the Current Resident" is available on Apple Podcasts, Spotify, Google Podcasts, and wherever you listen to podcasts.**

During each episode, NALC President Brian Renfroe and guests discuss vital topics affecting the letter carrier craft and the union. The show's format also includes interviews with other NALC leaders to talk in depth about issues affecting letter carriers and the union.



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# Compensation: The foundation of OWCP-related grievances

**A**lthough shop stewards cannot file a grievance to dispute an action or decision by the Office of Workers' Compensation Program (OWCP), a grievance can be filed if the Postal Service fails to comply with its obligations under the Federal Employees' Compensation Act (FECA).

The OWCP is a division of the Department of Labor (DOL) and the grievance procedure of Article 15 of the National Agreement naturally does not extend to actions by OWCP. However, Article 15 does allow grievances to be filed for actions (or inaction) by the Postal Service when processing OWCP forms, providing information to an injured employee, providing inaccurate information to OWCP, and violating work restrictions, to name a few.

Decisions by OWCP, such as denying a claim or wage-loss compensation are not grievable. OWCP has its own system for appealing and adjudicating decisions that the injured carrier should pursue. Understanding the difference between OWCP decisions and decisions or actions by the Postal Service is important for carriers and advocates.

Like any good grievance, an OWCP-related grievance starts with the National Agreement and the *Joint Contract Administration Manual (JCAM)*. The following will create a foundation to successfully prove a violation and, if necessary, to show the issue is appropriately handled within the grievance procedure. Article 21.4 states:

## **Section 4. Injury Compensation**

*Employees covered by this Agreement shall be covered by Subchapter I of Chapter 81 of Title 5, and any amendments thereto, relating to compensation for work injuries. The Employer will promulgate appropriate regulations which comply with applicable regulations of the Office of Workers' Compensation Programs and any amendments thereto.*

Subchapter I of Chapter 81 of Title 5 (also known as 5 USC 81) is the FECA law itself. OWCP takes the framework of the FECA law and creates implementing regulations, which are found at 20 CFR 10 (Code of Federal Regulations); 20 CFR 10 contains easy-to-understand regulations that cover a wide array of topics, includ-

ing obligations for the employing agencies (such as the Postal Service).

Article 3 of the National Agreement, Management Rights, requires management's actions to be consistent with its obligations under the law. Article 5, Prohibition of Unilateral Action, incorporates the law and the Service's "obligations under law" into the agreement. *JCAM* page 5-1 explains and cites National Arbitrator Bernstein's March 11, 1987, decision, which states the same (C-06858).

As stated in Article 21.4, the Service will promulgate appropriate regulations that comply with applicable regulations of OWCP. The Postal Service regulations are predominantly found in the *Employee and Labor Relations Manual (ELM)*, Section 540, Injury Compensation Program, and *Handbook EL-505*, Injury Compensation. These regulations and provisions mirror those of the law and the implementing regulations. This is expected as the Service must comply with its obligations under law.

*JCAM* page 15-1 helps explain what can be grieved:

*Disputes concerning the rights of ill or injured employees, such as claims concerning fitness-for-duty exams, first aid treatment, compliance with the provisions of the ELM Section 540, and other regulations concerning OWCP claims (Step 4, G90N-4G-C 95026885, January 28, 1997, M-01264). However, decisions of the Office of Workers' Compensation Programs (OWCP) are not grievable matters. OWCP has the exclusive authority to adjudicate compensation claims, and to determine the medical suitability of proposed limited duty assignments;*

As in any grievance investigation, Article 17, Representation, and Article 31, Union-Management Cooperation, are vital and necessary tools for a shop steward. These articles provide shop stewards with the right to request and investigate documents to process a grievance. But in OWCP grievances, there is sometimes a speed bump due to the nature of OWCP forms and documents that can contain sensitive and private medical information.

Although Articles 17 and 31 are clear, the Postal Service will sometimes refuse to provide requested documentation

under the guise that the Service is legally forbidden from doing so, alleging that they would be violating the medical privacy of the grievant. But both OWCP and USPS regulations include clauses allowing certain routine uses under which an agency can disclose private information about an individual without that individual's consent. Postal Handbook AS-353, *Guide to Privacy, the Freedom of Information Act, and Records Management* section D.2.6 *Standard Routine Uses*, states:

*Disclosure to Labor Organizations. As required by applicable law, records may be furnished to a labor organization when needed by that organization to perform its duties as the collective bargaining representative of Postal Service employees in an appropriate bargaining unit.*

Published by the DOL is *Privacy Act Systems – DOL/GOVT-1* which governs disclosure of OWCP and FECA files. It provides routine uses for records and the purposes of such uses, stating in part:

*G. To labor unions and other voluntary employee associations from whom the claimant has requested assistance for the purpose of providing such assistance to the claimant.*

A Memorandum of Understanding between OWCP, USPS and the National Labor Relations Board (NLRB) provides further clarification that it is permissible for USPS to disclose relevant FECA records where the employee has explicitly challenged Postal Service actions in connection with filing or administration of a FECA claim involving the employee and/or records relating to the timing of the submission of paperwork to OWCP if the employee is contending that the Postal Service impermissibly delayed or refused to submit paperwork. This MOU additionally provides a mechanism for the Postal Service to seek permission from OWCP if the Service believes an information request does not fall under such a routine use.

If management fails to provide documents as required by this memorandum, shop stewards should put in a request for information for any and all communications the Postal Service had with OWCP when requesting permission to provide such documents that it believed

*Continued on page 11*

# Leadership skills: Managing the stress of leadership

For most union leaders, stress is something you face on a regular basis. The stress placed on a leader can come from many different sources and if left unmanaged, it can result in burn-out. Finding ways to lower your stress levels can have a positive impact on your effectiveness as a union leader. Stress should be addressed in the same way you tackle your other union duties: timely, with set boundaries, and with help from other union members. Here are 10 tips for dealing with stress as a union leader.

**1. Delegate**—In the words of English poet John Donne, “No man is an island” emphasizes the fact that no one person can do everything on their own. This is good advice for union leaders who believe they must handle every task without assistance. Delegating some of your duties can help relieve your stress over time and make your branch stronger in the process. Taking the time to invest in newer union leaders can also help level the workload. While teaching the next generation of union leaders may increase your workload in the short term, it could pay dividends down the road. Remember, not every person has the same set of skills. Just because someone does not fit a certain role, such as being a shop steward, does not mean they can’t serve in another capacity. Take the example of retired Region 7 National Business Agent Chris Wittenberg, who said, “My first role with my branch was serving hot dogs during meetings. I was just happy to be asked to do something.”

You must also remember that training is not a one-day affair. “Like we used to say in the Army, ‘Trust but verify,’” said Bux-Mont, PA Branch 920 President Sean Geackel. “Training someone to take on a role is one thing, but following up with them to make sure they got it and are doing the job is another thing altogether.” While it may be faster to do the job yourself this time, thinking long term can lower your stress level exponentially and prepare future leaders.

**2. Strategic planning**—Taking some time out of your schedule to plan

should make you more effective. Whether that is at the beginning of each year, quarter, month or week, looking at the upcoming events or activities on the branch calendar can help reduce your stress. Planning ahead removes the possibility of being blindsided or having to wing it at the last minute. If we know that the food drive is every May, taking the time in January to write up a timeline of tasks that need to be completed beforehand can help ease your anxiety. Breaking the task down into smaller pieces can also help reduce your stress level.

Another example is a steward looking ahead and planning for a labor/management meeting at the end of the month. Thinking ahead should be less stressful, and more effective, than waiting until the last minute to come up with an agenda. Organizing your grievances every Monday will give you a better understanding of your workload and when they must be acted on to keep them timely. Planning can help put you in charge of your duties rather than your duties being in charge of you.

**3. Don’t procrastinate**—Procrastination and stress go hand in hand. Procrastination is not the same thing as laziness. It can be a coping mechanism for being overwhelmed or not knowing where to start. It’s your body’s way of kicking in its fight-or-flight instinct. Procrastination, and the stress it brings into your life, are not good for you or the union. Just because you can pull an all-nighter and get your grievances done at the last minute does not mean that’s good for your well-being or those who you represent. Breaking bad habits of procrastination is tough but can be done. A good start for a grievance handler is to write down what you want to get accomplished by a certain time. As in strategic planning, create a specific timeline of actions and stick to that timeline. Working with other union leaders in your branch or station to help keep you accountable for your timeline is a best practice. Dealing with that overwhelming feeling will help you in your fight against procrastination.

**4. Work-life balance**—Just as no person is an island, union leaders should not act as though they are alone on an island. Being a union hermit is a tough way to live and puts a tremendous amount of pressure on you. Having a work-life balance is important to you, your family and friends, and the union. During the movement working toward an eight-hour workday, the slogan “Eight hours for work, eight hours for rest and eight hours for what you will” was coined. This phrase was meant to drive home the fact that workers needed a balance in their lives. As a union leader, you are not exempt from needing a balance between your work and home life. Enjoying a hobby, spending time with your loved ones, or having some veg-out time on the couch is important to be the best union leader you can be. Recharging your batteries is necessary for having the energy to fight the union’s battles. Being run-down doesn’t help anyone.

**5. Set boundaries**—We, as union leaders, are always willing to help our members at a moment’s notice. Some people will take advantage of that—if you let them. There are some who will reach out at all times of the day without thinking of your schedule. We’ve all taken a call in the middle of dinner or during the kids’ ballgame. Set boundaries with your members and yourself. For example, don’t answer calls while you are eating dinner with your friends or family. Let everyone know that you don’t answer calls after 9. There is nothing wrong with telling a member, “I’ll talk to you tomorrow.” Being recharged and ready to tackle the next day is better and less stressful than constantly being drained deep into the night. Do emergencies come up? Of course, but setting boundaries will reduce your stress and make you a better union representative in the long run.

**6. Be organized**—Nothing can be more deflating or stressful than having a messy work desk. Taking the time to straighten out your desk and coming up with a system that works for you

will make your work environment less stressful and more efficient.

Paperclip documents that go together. Use Post-it notes or colorful paper to write on files rather than having to dig through them to see what they are. Make a list of tasks from most to least urgent. Like most of these tips, it will take a little extra time initially but should pay big dividends in lowering your stress levels over the long term.

- 7. Get your Zzzzzs**—A good night's sleep makes you able to tackle the day's stress more easily. When you're tired, you're less patient and more easily agitated, which can increase stress for you and those around you. Most adults need seven to nine hours of sleep each night. Practicing sleep hygiene along with stress-lowering tactics can help improve your quality of sleep.

Strong sleep hygiene means having both a bedroom environment and daily routines that promote consistent, uninterrupted sleep. Keeping a stable sleep schedule, making your bedroom comfortable and free of disruptions, following a relaxing pre-bed routine, and building healthy habits during the day can all contribute to ideal sleep hygiene.

The basic concept of sleep hygiene—that your environment and habits can be optimized for better sleep—applies to just about everyone, but what ideal sleep hygiene looks like can vary

based on the person.

For that reason, it's worth testing out different combinations to find out what helps you sleep the most. You don't have to change everything at once; small steps can move you toward better sleep.

- 8. Ask for help**—Being a union leader may feel like wearing a superhero cape to some, but remember you are human and being overwhelmed happens to the best of us. There shouldn't be a stigma in your mind when you can't get all your union duties accomplished. There is a time in every union leader's life when they need help. A smart union leader realizes it and asks for help before they get in too deep. The union is based on a "we, not me" mentality. The union works better when more people are involved. A helping hand is always available to those who ask, no matter if you are asking down the chain or up it. Your union is there for you and is better when you ask for help. Heck, even Superman needed Batman's help every once in a while. Don't let your pride deprive the members of the representation they deserve.
- 9. Take care of yourself**—Don't let your union responsibilities be an excuse for not taking care of yourself. Don't put off that trip to the doctor. Make your appointment and get that checkup! Nobody in this union wants you to

work themselves into an early grave. Get regular checkups, take the medicine you are prescribed, and make healthy eating choices.

Self-care and stress are like a seesaw. The more you take care of yourself, the less stress you will feel. The less you take care of yourself, the more stress will weigh on you. Your union needs you physically fit to fight today's battles, to pass your knowledge on to the next generation, and eventually retire with the dignity and respect you have helped defend.

- 10. Celebrate small wins and larger victories**—Don't let yourself turn into an ogre. Enjoying the good times is just as important as any other point on this list. Whether it's the first time a new steward files a grievance correctly, when all the new carriers sign up for the union at orientation, or the branch is on the right side of an arbitration decision, enjoy it! Don't lose your joy or happiness in the minutia of being a union leader. Think back to your first accomplishment for our union. There was probably a mentor who was just as happy (or maybe more so) as you were. Let your pride shine every time the union moves forward.

Hopefully, by following these tips you can manage your stress and you can continue helping our brothers and sisters in the union fight for years to come. Thank you for your dedication and service.

## OWCP related grievances (continued)

*Continued from page 9*

did not fall under such routine uses. This information request, when included in the case file, will be vital to beat any arguments that the Postal Service was not allowed to release the information.

Even though the above provisions will typically cover any information request, there is an additional step shop stewards can and should take to ensure any necessary documents are provided. It's the old belt-and-suspenders approach. This is done by having the grievant sign

a Privacy Act Authorization and Wavier form. This form specifically authorizes the NALC to review information from the DOL and OWCP to investigate and/or process a grievance. This form is included in each OWCP Grievance Starter found in the Members Only portal at [nalc.org](http://nalc.org).

Violations by the Service in any matter related to an OWCP claim can have a direct, and sometimes unobvious effect on the OWCP claim itself. Untimely submission of forms, contact with physicians, challenges or controversion of claims without notification to the employee can

and do cause long-term problems for an OWCP claim and can have substantial impacts on carriers who already suffer from a physical injury. Shop stewards who understand the impact and build a foundation by enforcing the applicable handbooks and manuals will be helping their fellow carriers in more ways than is readily apparent.

Follow future *Activist* articles to build upon this foundation. The articles will address specific violations as well as the documentation and arguments needed to be successful.

# Does your branch have an HBR and MBAR?

Later this year, many branches will be holding nominations and elections of branch officers. In preparation for those events, now is a good time to discuss the constitutional requirement for branches to have a health benefits representative (HBR) and a Mutual Benefit Association representative (MBAR) as officers of the branch and members of the executive board. This requirement can be found in Article 4 of the *NALC Constitution for the Government of Subordinate and Federal Branches*.

The *NALC Constitution for the Government of Subordinate and Federal Branches* (CGSFB), Article 4, Section 1 states:

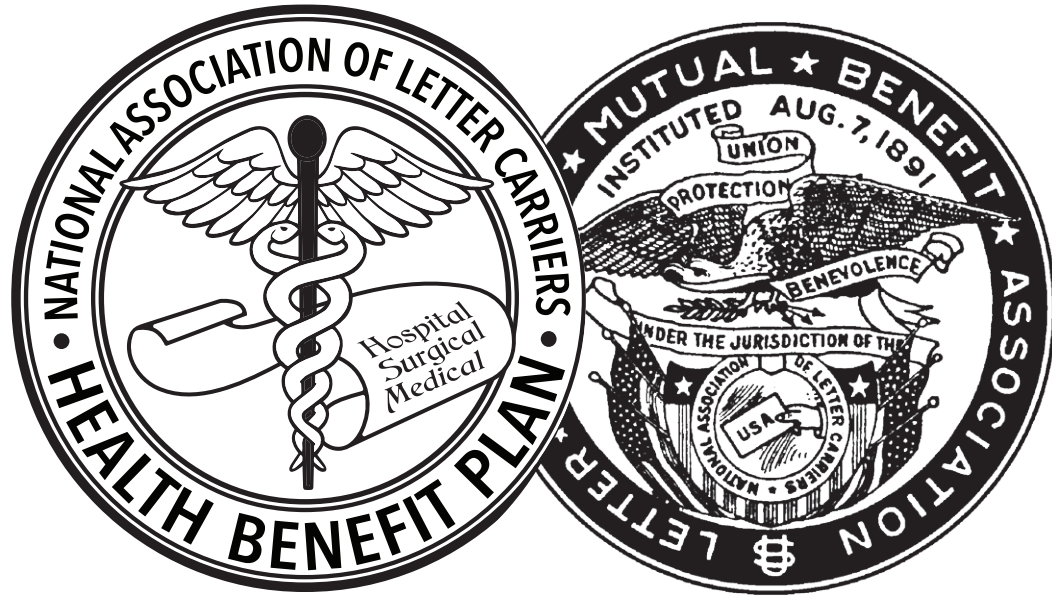
*Section 1. The officers of the Branch shall be a President, Vice President, Recording Secretary, Financial Secretary, Treasurer, Sergeant-at-Arms, MBA Representative, a Health Benefits Representative, and a Board of Trustees composed of either three or five members. The Branch may provide for additional elective offices in its by-laws. Branches may provide in their by-laws for the inclusion of Stewards on the executive board.*

The addition of MBA representative to Article 4, Section 1 of the CGSFB was just proposed and adopted in 2022, by the delegates at the 72nd NALC Biennial Convention in Chicago. So it's understandable that some branches may currently not have this officer position filled.

Article 4, Section 2 provides that all officers shall be elected for a term of one, two or three years depending on the elected terms which are contained in your branch bylaws. Article 4, Section 3 allows branches to combine officer's duties under certain circumstances and reads as follows:

*Section 3. With the exception of the office of President, Branches may consolidate the offices of the Branch. However, if there are less than ten (10) active members, the office of the President may be combined with other offices.*

As indicated above, every branch is required to have a health benefits representative. Since the creation of this officer position at the 43rd NALC Biennial Convention, the role of the HBR has become an integral part of our NALC Health Benefit Plan family. The local HBR is crucial in helping the Plan provide personalized service to our members. The branch HBR is responsible for promoting and organizing



members into the NALC Health Benefit Plan. With this in mind, the person elected or appointed to office as the HBR must be a member of the NALC Health Benefit Plan. Per the *Constitution of the National Association of Letter Carriers Health Benefit Plan*, Article 4, Section 3:

*No one shall hold any office in the National Health Benefit Plan of the National Association of Letter Carriers at any level, National, State Association, Regional, District, or Branch level, who is not a participating member of the National Association of Letter Carriers Health Benefit Plan.*

After installation of a newly elected HBR, the branch should contact the Health Benefit Plan to register their new HBR. The national business agent (NBA) for your region can also provide assistance with adding or updating HBR information.

Every branch is also required to have an MBA representative. The MBAR is the main line of communication between the MBA Headquarters office and NALC members. Law 3 of the *United States Letter Carriers Mutual Benefit Association's Constitution and General Laws* outlines the duties and responsibilities of the MBARs as follows:

## **Duties of MBA Representative**

*Section 1. The MBA Representative shall be a member of the NALC and duly elected in the manner prescribed for election of NALC Branch Officers. The MBA Representative is neither an agent of the MBA nor an agent of the NALC and therefore has no authority to act as such.*

*Sec. 2. The MBA Representative shall be the liaison between the members of their Branch and the MBA home office and perform such duties as required by the MBA home office.*

*Sec. 3. Before entering on the discharge of their duties, they shall enter into and acknowledge a bond of such sureties as the branch may deem sufficient for the faithful discharge of their duties as MBA Representative.*

*Sec. 4. At the expiration of their term of office, they shall turn over to their successor or to the branch, all documents, books, papers or money that may be in their possession and belonging to the MBA.*

MBARs are vital to the operations of the MBA. Educating members and answering any questions on the products offered, assisting members with their MBA insurance needs, and facilitating member claims processing are all parts of their roles. MBARs need to be familiar with the comprehensive MBA insurance package that offers life insurance, disability and hospital confinement benefits, and retirement income products to all NALC members and their families. Some ways that an MBAR can educate are to introduce new city carriers to the plans, to share information about the plans at branch meetings, to request time to share the MBA plans with members at training events, and to distribute brochures and applications.

As NALC branches prepare for upcoming nominations and elections, make sure these two very important officer positions are included and filled.

# MDA fundraising and strategic planning

**H**ow can local branches be successful in raising money for, and being involved with, our national charity, the Muscular Dystrophy Association (MDA)? When creating a charitable budget and planning fundraising events, branches should use the same type of planning they use when creating their branch budget and apply it to their community service activities. This article will provide a roadmap when creating a strategic plan for MDA fundraising.

So, what are the steps in a strategic plan? What factors do branch leaders need to evaluate in looking at the coming year(s)? A good planning process answers the following questions:

1. How do we know where we are going?
2. How do we evaluate our progress?
3. How do we know if we succeed?

At the beginning, branch officers should get together with the branch MDA coordinator and committee members who are responsible for MDA fundraising in your branch.

The planning process starts with reviewing the purpose of NALC involvement with community service in the first place. The next step is to determine branch goals for the next year. Has your branch set goals for MDA fundraising? Goals for strategic planning should be specific and attainable. Be mindful not to overreach; you do not want to discourage your MDA coordinator, committee or branch members. Be sure to create a realistic timetable to use when implementing the steps of your plan.

The strategies you develop will be based on the needs, information and goals identified by the group. Choose the strategies that will:

- Accomplish the objective.
- Be handled by your committee in a reasonable amount of time.
- Involve most of the people on your committee, plus other members and activists.
- Contribute to achieving your overall goal and purpose.

The next step is to figure out what the branch wants to do to raise money. Here is a list of some examples of ways your branch might raise money for MDA:

- Raffles
- Car washes

- Bowling tournaments
- Satchel drive
- Bake sales
- Yard sales
- Pool and dart tournaments
- Corn hole and bean bag tournament
- Comedy/karaoke nights
- Bingo nights
- Pancake breakfasts/spaghetti dinners
- Branch member donation drives
- Muscle Walks
- Local credit union partnerships
- Trivia tournaments
- Charity golf tournaments
- Texas Hold'em Poker tournaments (follow state laws)
- 5K Tough Mudder

Other fundraising ideas may come directly from the MDA. Oftentimes, MDA will hold events and create its own campaigns in your local area that your branch can get involved with. MDA outreach may include contacting your branch by phone, email or text message alerting you of upcoming engagement opportunities. Be sure your branch has completed the NALC-MDA Campaign branch registration form and returned to NALC Headquarters. It's important to make sure MDA has an updated email address and mobile number for the president and/or MDA coordinator at your branch. These forms are found under the MDA tab on the NALC website. Branches that are registered will receive a packet of materials designed to help branches redouble their efforts.

Members who are anxious to become more active in the union should consider MDA fundraising for their branch. Fundraising isn't one size fits all. Maybe instead of having one big event, your branch could host a series of smaller social events or a monthly poker tournament. Branches can be successful by planning events of all sizes—big and small—and by keeping the events varied. Other keys to success are taking advantage of local opportunities and incentives and leaving details to MDA professionals, if necessary.

Once you have figured out how you want to fundraise, you want to develop an action plan. An action plan is a written outline that pulls all the pieces of your planning together. It includes specific tasks, times and assignments for each person about what needs to happen and when. The committee should make periodic checks on the progress of the tasks.

The committee should ask themselves the following questions:

- Are we on schedule?
- Are our plans still feasible?
- Did we leave anything out?
- Have things come up that we did not anticipate?
- How did we handle them?
- Does new information suggest changes in strategy?

Review your plan, objectives and strategy to make adjustments and improvements, if necessary. Depending on what the evaluation shows, celebrate your and the branch's accomplishments, make corrections and keep moving forward toward the goal. Then, next year at about this time, do the whole process over again. If we can keep moving our strategic plan along, NALC can help MDA get ever closer to finding a cure and provide the help and hope MDA families need.

Remember, once you have collected funds for MDA, complete the MDA NALC Allocation Form, also found under the MDA tab on the NALC website. Send the form and the funds directly to the MDA:

Muscular Dystrophy Association  
Attn: NALC  
P.O. Box 7410354  
Chicago, IL 60674-0354

Also, please be sure to send copies of the forms to NALC Headquarters so your branch can get the credit for each event in your yearly fundraising totals.

Branches can always contact MDA with questions, help with fundraising, or to confirm MDA has the correct contact information for your branch. Contact MDA at 312-392-1100 or [nalc@mdausa.org](mailto:nalc@mdausa.org).

By becoming more involved in MDA, members will be raising money for research into treatments and cures for neuromuscular diseases. In addition to that worthy achievement, holding MDA events also builds unity and pride in the union and helps it to grow as an organization.

NALC has been successful in raising money for MDA for decades due to the hard work of branch leadership and coordinators. The Muscular Dystrophy Association expresses its gratitude and applauds NALC at every available opportunity. It is grateful for your efforts in the ongoing fight to "Deliver the Cure."

# Help your NALC family affected by natural disasters

The **NALC Disaster Relief Foundation** provides hands-on relief for carriers affected by natural disasters, such as wildfires, hurricanes, floods and tornados. It receives donations to be used to assist regular NALC members affected by natural disasters.

NALC response teams throughout the country are activated to go to disaster locations and offer assistance to NALC members and their families who live in the same household. Basic supplies, including uniforms and food, are available for those who need assistance.

Financial support may be available depending on the availability of funding and qualifying criterias. Any regular member of NALC who has faced hardship as a result of a natural disaster will be able to apply for assistance.

Make a donation by sending a check or money order to:

**NALC Disaster Relief Foundation**  
100 Indiana Ave. NW  
Washington, DC 20001-2144

*The foundation is a 501(c)(3). Your contribution to the NALC Disaster Relief Foundation may be eligible for a tax deduction. It is recommended you seek further advice from your tax advisor.*



**NALC  
Disaster  
Relief  
Foundation**

## What does the successful steward do besides file grievances?

The easy answer is, the most “successful” steward never has to file a grievance because they have monitored every situation and taken care of every potential issue or confrontation, have educated every employee—both carriers and managers—on what the National Agreement means and requires, and now everyone will play by the rules. It’s easy, right?

All that said, in this world, nothing is ever easy, so the easy answer is usually just a pipe dream. So, back to the question of what does a successful steward do besides file grievances? Let’s first look at what the word “steward” actually means and see how it relates to the job itself.

Some dictionary definitions of a steward are:

- A person who looks after the passengers on a ship, aircraft, or train.
- Someone who takes care of something and protects it.
- A worker who represents other workers in a particular union in meetings with managers.

For the most part, letter carrier shop stewards don’t bring milk and cookies or turn down the pillow on a ship or train. Typically, we don’t take tickets and show carriers to their seat by the aisle or window, but we do go to great pains to care and protect the members through representation.

A steward is an...

- advocate
- ambassador
- broker
- delegate
- doer
- envoy
- factor
- functionary
- go-between
- intermediary
- mover
- negotiator
- officer
- operative
- proctor
- proxy
- representative
- salesperson
- substitute
- surrogate

Caring and representation appears to be right on the money when it comes to defining what a letter carrier steward is. But being a successful steward is much more than that.

Curiously, some of the synonyms for steward found in the box to the left are more on point.

What’s the point of all this foolishness of definitions and synonyms? A suc-

cessful steward looks ahead for possible problems and addresses those problems before the possibilities become realities. A successful steward keeps an eye on what’s going on in the office and keeps an objective ear open to what’s being said in the office. Objectively listening and keeping an eye out for problems doesn’t mean being a busybody (instead, remember the synonyms to the right: ambassador, go-between, operative, etc).

For instance:

You hear a couple of fellow carriers grumbling about having to carry mail off another route or having to work a nonscheduled day. OK, they have to carry extra...why? Maybe it’s because the mail volume is especially high and it’s the middle of choice vacation time. Maybe it’s because someone called in sick. Regardless of the reason, there are some carriers grumbling—which isn’t necessarily a sign of a contract violation. However, if you don’t know the reason behind the overtime assignment, the grumbling may take on another life that may fester and turn into something much worse. What do you do?

A successful steward is a broker, envoy, go-between, salesperson or surrogate and sometimes all these things at once. The grumbling may be because one of the grumblers had plans and now those plans are in the trash. It may be that a carrier got a call from school and their child was rushed to the emergency room. It may be because the manager just didn’t manage, and you know who pays the price when that happens. The point is to know the answer. Knowing the answer isn’t just guessing or believing what was said in the rumor mill. How do you find out the reason?

### Relationships

It all comes down to relationships. A successful steward develops relationships in order to combat problems on the workroom floor. It sounds so easy: It’s all about relationships—and it is, but in truth, creating and building relationships

is *hard*. The successful steward goes about the hard business by creating and developing relationships with everyone on the workroom floor. But what is a relationship? What does it mean to build a relationship and what in the world does it have to do with being a successful shop steward?

A relationship doesn’t mean becoming everyone’s best buddy or confidant. It does mean getting to know the people

you work with and letting them get to know you. It means making the extra effort to ask how your co-workers are doing today and if everything is going OK and then actually listening to the answer. It means talking to

some people you might not like. It means developing an honest and ethical dialogue with the supervisors and station managers you work with. It means putting your own self interests on the back burner and putting everyone else’s on the front. It means knowing who’s got a problem at home and who just won the lottery. It means objectively looking at the workplace and understanding what everyone else’s needs are—not wants, but needs.

Knowing what everyone’s needs are will help head off problems that often mean contract violations and grievances. Carriers have needs. For some carriers it’s to grab as much overtime as possible. For others it’s to get home as quickly as they can after work. Some carriers have children they need to care for, and others have activities they are involved in. For some carriers, getting home to just spend quiet time by themselves is a priority. What are needs and what are wants? You can only know by developing relationships.

Managers have needs and wants too—you can’t forget that. A manager typically has many of the same issues a carrier does. They have kids to care for and soccer matches to watch. They have expectations and goals. They have good bosses and bad ones. They have it easy and they have huge pressures. Getting to know what their needs and wants are

**“A successful steward looks ahead for possible problems and addresses those problems before the possibilities become realities.”**

*Continued on back cover*



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## What does the successful steward do besides file grievances? (continued)

*Continued from page 15*

all part of building relationships. Yes, they asked for the job, we all know that, but the fact remains that someone is going to be the boss. Again, not to become buddies, but getting to know who you work with gives you the opportunity to head off problems before they become grievances.

Building relationships isn't all about getting to know everyone else. Building relationships is also opening yourself up to others. Making sure everyone knows you are just like them is important. When a member asks you to look into something, look into it and get back with them. When a member tells you something in confidence, make sure they know that they can trust your confidence. When the manager asks you a question, make sure you give them the correct answer—which sometimes means "I don't know, but I will find out." Building an open and honest working relationship with all the players will draw people to you. It will allow you to speak as an honest broker to resolve a conflict between a carrier and manager when you know some background. It will build respect and credibility with managers when you speak with integrity and they know it.

Being a relationship builder doesn't substitute for knowing the contract or knowing how to effectively use the *JCAM* to press a point. Being a relationship builder doesn't mean you won't ever file a grievance again. However, when you know the members you are representing and their managers, you will be able to more effectively reach resolution on issues that often would otherwise turn into grievances by preventing violations before they occur.

Take the example mentioned at the start of this article. If you know the reason a carrier is off work that may have caused the mandatory overtime to be assigned, you may be able to explain it to the grumblers. You may be able to present an alternative to the manager about who could be available instead of who was assigned. It may be the relationships you have built that will allow you to bring a win-win solution to the issue and avoid the need for a grievance. And the converse could be true—your efforts may be fruitless in avoiding a grievance. However, the chances of coming to a mutually beneficial resolution to any issue are slimmer if you haven't developed working relationships with all the players.

Remember, broker, envoy, intermediary, mover and most of all, advocate, are all words for steward.



### Branch presidents:

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