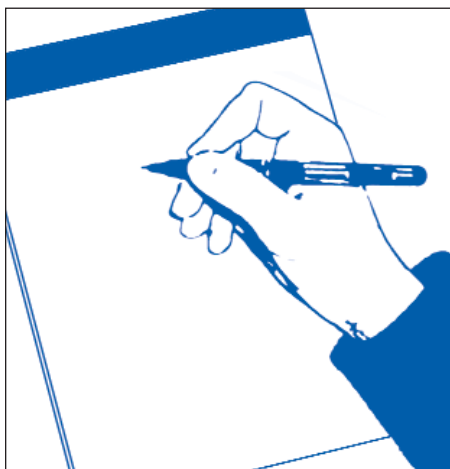




Activist

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

TIPS ON CLEAR WRITING



Union activists are always writing. We write grievances, put together newsletters and more. Learn the keys to writing well to give your message clarity and power.

Clear writing is rare. This is a universal truth. Yes, even in NALC and the Postal Service. If you don't believe it, just try reading Article 12 of the National Agreement. If you find it hard to understand, you are not alone. If you find Article 12 to be clear as a bell, then either: (a) you have worked too long in the Postal Service, or (b) you're brilliant and we have a job for you translating the Dead Sea Scrolls.

Clear writing is also difficult. Most of us have to work hard to make elegant prose—or just plain, clear English—flow from our pens or keyboards. It is much, much easier to write poorly. In fact, almost anybody can write meaningless gibberish. Lawyers, who are “almost anybody” because they have grown more

common than bacteria, have a special talent for bad writing. Have you ever read a legal brief?

Why should you work hard to write as clearly as possible? Because a writer wants to make an impact on readers. We want readers to understand, to absorb and act, to follow instructions, or to agree with our point of view. Good writing increases the odds that readers will respond as we wish. It gives your message legs!

Bad writing sends the wrong message or confuses readers. Readers dislike confusing written material and may simply stop reading. The impact on readers may be nil or something the writer did not intend. Communication fails. In short, bad writing gives your message leaden shoes.

[Continued on page 2](#)

RIGHT TO INFORMATION IS CRUCIAL IN ARBITRATION CASE

The National Agreement gives shop stewards the right in the course of grievance investigation and processing to obtain and review copies of relevant information held by the Postal Service. The Spring 2005 NALC Activist

discussed this right. Too many employees, however, incorrectly believe that medical records and materials from the Postal Inspection Service (or Office of Inspector General), such as notes, memorandums, and videotapes, are off-limits to NALC stewards. This article discusses a recent decision by Arbitrator Helburn (C-26138) that nicely illustrates a steward's right to

such materials and their importance in crafting a defense against discipline.

[Continued on page 5](#)

INSIDE THIS ISSUE

REGIONAL TRAINING SEMINARS	3
USPS BY THE NUMBERS	8
TAMING THE PAPERWORK TIGER	9

An index to the *Activist* for 1986-2005 is available from the NALC Information Center. Send requests to dysart@nalc.org or call 202-662-2879.

TIPS ON CLEAR WRITING

Continued from page 1

GOOD WRITING AND UNION ACTIVISTS

As union activists we write all the time. Stewards write grievances. Officers write letters. We write articles and columns for branch newsletters. We write meeting minutes, announcements, letters, and educational materials.

Each time we write, we want to accomplish something. A branch president writes a column to educate members, to ask for their support, or to spur them to action. A steward writes a grievance to persuade others that management violated the contract and should remedy the mistake.

We must write clearly and well to reach our goals. So no matter what we write, we should strive to write well. Good writing is rewarding in its own right, too.

GENERAL TIPS FOR CLEAR WRITING

You don't have to be Shakespeare to write clearly in your union work—although talent doesn't hurt, of course. Many people can learn to write clearly. First, we need some fundamentals—a basic grounding in English and an understanding of our subject matter. Then we need some guidance, practice and feedback.

Here is a bit of guidance—some tips for good, clear writing. If you've heard them before it's because they haven't changed. If they seem too obvious, just read Article 12 again and then open a window and shout, "If the rules of good writing are so obvious, why do so many writers ignore them?"

1. WORDS

Use Short, Simple Words

This is an easy one, right? Nobody would intentionally diminish the probability of comprehensibility by amplifying the syllabic dimensions of their lexicon, would they? (Yup.)

Newspapers are supposed to be written at an eighth-grade level. Why? So people can read and understand the articles quickly. Long words are lovely if your goal is to appear brilliant. They are seldom needed to communicate effectively in a business setting. For a reader who wants to get information

instead: "We faced a similar issue the last time we bargained."

Use Action Verbs

Too often, writers fall back on the most boring verbs in the language—"to be" and "to have." Avoid "is," "are," "were," and "have." They can suck the life out of your writing. Use action verbs instead, for a livelier, punchier style. Search this paragraph for action verbs, and then compare this sleeper version:

Too much writing is dull because it is full of boring verbs—"to be" and "to have." This kind of writing can be dull and lifeless. Writing should

“Newspapers are supposed to be written at an eighth-grade level. Why? So people can read and understand the articles quickly.”

quickly, big words are often a nuisance.

So when you have a choice, go for the short word or phrase. Write, for example, that "he used a fork" rather than "he utilized a multi-tined implement." "Use" is a perfect, short substitute for "utilize." So use it.

Avoid "lawyer-speak." There is no need to write:

This is not unlike the situation we faced in the previous round of collective bargaining negotiations.

Too many syllables crowd this sentence. And note the dreaded "lawyer's double-negative." Try this

have more action verbs. (Is this clear yet?)

Avoid Jargon and Tame Those Acronyms

It's hard to avoid postal jargon and acronyms. After all, it's our own language and we all speak it, right? Well, yes and no. Certainly jargon and acronyms can help readers move quickly through a sentence.

But there's a down side to using jargon and acronyms. The Postal Service is so large that some readers may not understand some acronyms and others may well have forgotten them. Or the names of things, and their acronyms, may have changed.

Or there may be many names or acronyms referring to the same thing.

You don't believe this actually happens? Ha! Answer these questions:

1. Which is correct—opting, hold-downs or mini-bids?
2. How many terms are there for auxiliary assistance?
3. How many names and acronyms have there been for remote bar code sorting?

Case closed. So avoid acronyms and jargon that may stand in the way of a reader's understanding. If there is a longstanding, "official" term for something—such as "auxiliary assistance"—use it. If you must use an acronym to save space in your writing, define it up front. Spell out the term the first time you use it, followed by the acronym in parentheses. For instance:

The Grievant was given an official discussion for speaking harshly to the Postal Delivery Bar Code Optical Sorting Device On Wheels (PDB-COSDOW).

2. SENTENCES

Write Short, Simple Sentences

Thirty-word sentences are too long, period. The reader's mind wanders off after a couple of lines. So keep those sentences short and crisp. If you write a long sentence, read over your work and use a sharp scalpel to fix it. Cut up a sentence by placing a period where one fits and then starting a new sentence.

Sometimes you can chop a long sentence into a list, such as this list of pies: (1) apple pie, my favorite, (2) cherry pie, which I also adore, and (3) steak and kidney pie, a perennial British favorite that normal Americans wouldn't feed to their cats.

Use Active Voice

Use active voice to give your sentences greater force and motion.

Write, "The carrier dropped the mail on the supervisor's foot."

Don't write, "The mail was dropped by the carrier on the supervisor's foot." The first sentence is stronger and clarifies who is doing what to whom.

Much bad writing suffers from passive voice problems. Rewriting in active voice can often turn bad writing into good.

3. PARAGRAPHS

Write Short, Focused Paragraphs

Newspaper editors prefer short, one-bite paragraphs, because people absorb small chunks of information quickly and easily. Readers have a tougher time with paragraphs that stretch all the way down the page—literally losing their way.

Each paragraph should have its own purpose, separate from the others. So go through your long paragraphs for a natural "break" where a new idea begins, and start a new paragraph there.

REGIONAL TRAINING SEMINARS

Contact your National Business Agent for more information about these scheduled regional training seminars.

Region 2

(Alaska, Idaho, Montana, Oregon, Utah, Washington)

NBA Paul Price, 360-892-6545.

February 13-15, OWCP Basic Training, McKenzie River Conference Center, OR.

March 5-9, Washington State Shop Steward College, Huston Center, Goldbar, WA.

March 15-18, 1st Session Oregon State Shop Steward College, McKenzie River Conference Center, OR.

March 19-23, 2nd Session Oregon State Shop Steward College, *same location.*

April 10-13, Utah State Shop Steward College, Daniels Summit, UT.

May 8-11, Montana/Idaho States Shop Steward College, Double Arrow Resort, Seeley Lake, MT.

October 4-8, Region 2 Regional Assembly, Grouse Mountain Lodge, Whitefish, MT.

Region 3

(Illinois)

NBA Neal Tisdale, 309-762-0273

January 25, OWCP Training, Carpenter's Union Hall, 2002 Fox Creek Road, Bloomington IL.

Region 5

(Missouri, Iowa, Nebraska, Kansas)

NBA Art Buck, 314-872-0227

February 25-26, Region 5 Rap Session and Training, Radisson Hotel and Suites, St. Louis, MO.

April 21-23, Nebraska Training Convention, New World Inn, Columbus, NE.

April 27-29, Kansas Training Convention, Travel Lodge Hotel, Emporia, KS.

May 1-2, Iowa Convention and Training, Starlight Best Western Hotel, Ft. Dodge, IA.

June 9-11, Missouri Convention and Training, Clarion Hotel, Kansas City, MO.

Region 9

(Florida, Georgia, North Carolina, South Carolina)

NBA Judy Willoughby, 954-964-2116

March 24-25, North Carolina Spring Training, Hilton Hotel, Charlotte, NC.

February 25-26, Georgia Training Session, Clarion Resort, Jeckel Island, GA.

April 28-30, South Carolina Convention and Training Session, Clarion Hotel, Charleston, SC.

Region 10

(New Mexico, Texas)

NBA Gene Goodwin, 281-540-5627

February 19-20, Region 10 Seminar and Rap Session, Radisson Hotel Central Dallas, Dallas, TX.

TIPS ON CLEAR WRITING

Write a Lead Sentence for Each Paragraph

Each paragraph should begin with a lead sentence that summarizes or introduces the rest of the paragraph. This gives writing clarity and good structure. Introductions are universal: A news story starts with a lead, an essay starts with an introduction and an opera starts with an overture.

Your paragraphs need introductions, too. Lawyers are the worst violators of the “lead sentence” rule. They love to cite a host of facts, laws, regulations and minutiae in a paragraph stretching across five pages. Then the kicker appears in the last sentence:

For all of the foregoing reasons, the Court should award \$2.5 billion in attorney fees to the undersigned.

Avoid this hallmark of bad writing—stating the most important thing last. When writing grievances, your conclusion should always appear at the start of a paragraph—usually the first paragraph:

The suspension was not for just cause. It was untimely because it was issued more than seven years after the Grievant’s retirement from the Postal Service. It was also not progressive, because...

If you need to explain a contractual rule in a separate paragraph, state the rule up front and then discuss how it applies to the particular case. Whatever your paragraph is “about” goes first.

4. OVERALL STRUCTURE

There’s one structural rule left: Organize your paragraphs into a clear and logical structure. Usually this means—you guessed it—placing the most important paragraph first. (Yes, this *is* a lot like building with Legos.) Then arrange the rest by order of importance or by logical flow. A good, tight overall organization is the key to clear, powerful writing.

One more general point: Keep the whole piece as short as possible.

So swallow your pride and ask somebody to edit your writing thoroughly.

You must find an editor who possesses both skills and an interest in improving your writing. Somebody who reads your piece and simply says, “Good,” or “It’s fine,” is useless. You need somebody who works harder at the editing job—somebody who cares about good writing and not a whit about your thin skin.

A good editor takes out a pencil and savagely marks up your written product. He or she knows something about grammar, good sentences ... about all the items covered in this article, and more. A skilled editor also understands structure, organization and flow. He or she might comment:

I like the introduction, but some of the details get overwhelming in the middle. Can you cut that down and bring the piece into sharper focus?

A good editor also sees the “big picture,” and asks the right questions to help you see the big picture yourself. He or she asks questions like,

“Who’s the audience here?” And, “What do you want to accomplish with this piece?”

So search heaven and earth for a competent editor. This rare creature will guide you on your journey toward good writing. In the meantime, these tips should help you take the first few steps on your own.

“All writing improves with good editing. Even great novelists often say that their editors made them successful. So swallow your pride and ask somebody to edit your writing thoroughly.”

Short, tight writing is more difficult than long, rambling writing. That is why it works better.

5. GET AN EDITOR

All writing improves with good editing. Even great novelists often say that their editors made them suc-

RIGHT TO INFORMATION IS CRUCIAL IN ARBITRATION CASE

Continued from page 1

The matter before Arbitrator Helburn involved the removal of a grievant for allegedly engaging in activities outside of his medical restrictions. The notice of removal stated, in relevant part, *“You have been observed working beyond your restrictions, not using your crutches and walking around the workroom floor without crutches. On November 30 and December 1, videotapes prior to your reporting for duty... show you walking, bending, twisting, lifting a door and kicking a trash pile with both feet, all without the use of either a splint/cast or crutches. On December 2 you were seen by your physician and given additional restrictions to lift no more than five pounds and wear the splint/cast while at work and use the crutches at all times.*

The steward assigned to handle the grievance requested copies of the employee’s medical records and relevant Postal Inspection Service evidence. The videotapes referenced in the notice of removal were relevant Postal Inspection Service evidence since they, in large part, formed the evidentiary basis for the removal. While management provided copies of the medical records to the steward, it failed to provide a copy of the videotapes. The union ultimately employed the medical records to good effect in disproving management’s charges. The union also successfully used management’s failure to provide a copy of the videotapes in the grievant’s defense.

Management had allowed the grievant and the union to view the videotapes at the investigative interview. However, management had ignored the union’s repeated requests for a copy of the videotapes. At the arbitration hearing, management at-



tempted to enter the videotapes into evidence. The union objected and steadfastly argued that the videotape should not be allowed into the record because the Service had ignored repeated requests to provide a copy to the union.

The arbitrator made short work of the issue. He ruled, *“The videotape needs little discussion. While it was shown at the investigative interview, the Union was not given a copy then and later requests for a copy went unfulfilled. The National Agreement clearly requires both parties to make existing available evidence and argument during the grievance procedure and to jointly assemble the grievance file. When legitimate Union requests for information were not met and when the requested information was not in the joint file, the Postal Service should have no realistic hope of having the evidence admitted at arbitration. It does not matter whether the evidence was not forthcoming because of bad faith or simply administrative oversight. Either way, the National Agreement tells the arbitrator not to admit the*

disputed evidence if an objection is raised.”

The arbitrator further held in his discussion of the substantive issues, *“With regard to the charge that [the grievant] violated medical restrictions, three factors prevent the Postal Service from meeting its burden of proof. Most critical may be the need to honor the language of Article 15.2 of the National Agreement and exclude the videotape, which may have been the best evidence. The second factor is related. In a previous case I have watched with amazement videotape of a Postal Service employee who allegedly had exceeded her medical limitation because the tape supported the grievant’s contention that she had not been in violation, when the investigating Postal Inspector had testified that the tape showed she had. This prior experience is recounted not to suggest that [the] Inspector has testified inaccurately in this case. Rather, the lesson drawn from that experience is that it is the arbitrator who signs the award and for that reason has the responsibility to be confident that the evidence supports the award...”*

The arbitrator recognized that the videotapes could have provided persuasive evidence concerning disputed issues, but correctly determined they would not be accepted into evidence because management had failed to provide them to the union earlier in the grievance procedure. This arbitration award powerfully demonstrates that the union has a right to inspection service materials. It also demonstrates the importance and effectiveness of the union correctly arguing management failures to provide such materials. Stewards and other grievance processors should note that the local union had made multiple requests for a copy of the videotapes that went unanswered. The contract may not have required the union to make multiple requests, but the fact

RIGHT TO INFORMATION IS CRUCIAL IN ARBITRATION CASE

that it had done so certainly did not hurt its argument at the hearing.

The union also used the medical records in the grievant's defense. When the union first requested the medical documents, management delayed providing them. However, ultimately management did provide them.

The steward knew she needed access to the grievant's medical records, including history of the injury, chronology of medical treatments and resultant restrictions, as well as recommendations of treatment, including physical therapy and any self-rehabilitative programs the grievant may have been assigned. The steward also knew that she needed documents not relied

use of crutches. This premise was based on the grievant's own statement during the investigative interview with the station manager. The grievant made it clear that during a visit to his treating physician in mid-November, his doctor told him that he wanted him to work himself away from using the brace and crutches. With this in mind, the steward began to match up the medical documentation she had against what the Postal Service had relied on.

In this case the steward learned that the Postal Service was relying on nine exhibits that were mentioned in the Notice of Removal. She also learned that these same exhibits were contained in the Postal Inspection Service Investigative Memorandum. Based on her involvement in the case she also knew that there was much more documentation available than what the Postal Service was relying on. After numerous requests she was able to secure all

approved the grievant's claim for compensation.

The second document was a copy of the modified assignment offer made to the employee on September 29, which was the assignment addressed in the Notice of Removal. Specifically, *"On September 29... you accepted a modified (limited duty) assignment which addressed the no kneeling/squatting; no bending/stooping; no twisting; no driving; must wear splint/cast at work; and must use crutches at all times limitation set by your physician... (Exhibits 2 & 3)... You have however been observed working beyond your restrictions, not using your crutches and walking around the workroom floor without crutches..."*

This assignment was apparently created based on the third document on the list of Postal Service exhibits, a Texas Workers' Compensation Work Duty Status Report dated September 22. The use of this status report was an immediate and noticeable violation of the National Agreement because this is not the proper form to be used with regard to claims made in accordance with the Federal Employees Compensation Act. The steward additionally found that the grievant had provided the Postal Service with the proper Department of Labor Office of Workers' Compensation Programs forms, specifically CA-17s, but the Postal Service did not include these forms in their discipline package.

To substantiate the claim that the grievant was walking around the workroom floor without crutches, the Postal Service relied on statements from the supervisor and station manager. The supervisor told the Postal Inspector that, *"While at work the [grievant] always wears his leg brace and for the most part he uses his crutches. On one occasion, I saw him not using his crutches last week."* The steward noted that this statement was dated December 14,

“The message to activists is ‘keep digging!’ And that is exactly what the steward did.”

on, or otherwise ignored, by the Service. It is important to keep in mind that many times an Investigative Memorandum and the Notice of Removal itself will leave out important facts and documents, and as will be demonstrated, this case is no different. The message to activists is “keep digging!” And that is exactly what the steward did.

The steward was working from the premise that the grievant was given the OK by his doctor to wean himself from wearing the brace and the

of the grievant's medical documentation with regard to his injury, which included over 30 pages of information.

The first document on the list of Postal Service exhibits was the CA-1, Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation. The steward found that initially the Service controverted the claim; however, the Department of Labor rejected the allegations made by the Service and

weeks after the grievant's claim that the doctor wanted him to wean himself from the use of the crutches and the brace.

The steward also reviewed the station manager's claim that the *"Employee has been observed working beyond his restrictions, not using his crutches and walking around the workroom floor without crutches."* This statement was dated December 14 as well. The steward found that, interestingly enough, there was no documentary evidence, or testimony, that the managers had addressed these alleged violations with the grievant at the time they occurred, let alone identified the actual dates the observations were made. So, while the observations may have technically been accurate, the statements were used out of context.

As noted above, the Notice of Removal contained two videotaped incidents of the grievant allegedly exceeding his medical restriction: on November 30 and December 1. While these occurrences were recorded on videotape, they proved to be more difficult for the steward to address because she had limited access to the tape. The steward was allowed to view the video only once and that was during the investigative interview; she was never given a copy of the tape. And while the union did make several requests for the video, they went unanswered. Because of this the steward had to address the observations without the benefit of being able to closely scrutinize the video.

The allegations made based on the November 30 and December 1 observations included lifting a door, a bucket of paint, and kicking a pile of trash all while not wearing the brace or using crutches. The grievant had stated that the door was a hollow core door and not heavy at all, and that the paint bucket was very nearly empty. Other than the grievant's testimony, the best evidence the

steward had was the treating physician's notes that substantiated the grievant's initial claim that his treating physician wanted him to work away from the dependence on the brace and crutches. In the notes from a November 4 examination the doctor wrote, *"Begin toe touch weightbearing, then progress to full weightbearing over the next 2-3 weeks. Pt taught exercises for ROM and to wean from assistive devise. Continue home exercises... Work-full duty start 12/4..."*

A curious bit of information was uncovered when the steward looked into the home exercises mentioned in the November 4 notes. She obtained the grievant's physical therapy instructions which outlined five exercises the grievant was to perform 1-3 times per day and with 10-15 repetitions for each exercise. The exercises included: standing solely on the injured leg and rising up and down on his toes, standing on both legs and rising up and down on his toes, standing on both legs and rising up and down on his heels, and then two more exercises in which the grievant had to lean on a wall and push forward, then release, with his injured leg.

Perhaps the most interesting and helpful information the steward uncovered was a second modified assignment that was offered to and accepted by the grievant on November 9, some 50 days after the assignment relied upon in the Notice of Removal. This assignment was based on, in part, a CA-17 dated November 4 which allowed the grievant to walk for 2 hours, kneel for ½ hour, bend/stoop for 1-3 hours, and to twist for up to 8 hours. The steward argued that this was the modified assignment the grievant was working under when observed he was not using his crutches or brace, not the September 29 modified assignment which did not allow for any walking, bending/stooping, or twisting.

Based on the above, the steward argued that the information from the treating physician and the physical therapy instructions showed that the grievant was capable of and being instructed to perform physical activities similar to what he was observed doing. The steward came to the conclusion that the grievant was not violating his November 4 restrictions. This, and the other evidence, after being capably argued by the NALC advocate, had a positive impact on the arbitrator, which resulted in a favorable award.

The advocate carried forward the argument that it was the November 9 modified assignment/restrictions and not the September 29 modified assignment/restrictions under which the grievant was working. The arbitrator demonstrated that he fully understood the union argument when he found that the observations came at a time when the doctor had told the grievant to wean himself from the brace and the crutches. The arbitrator also found that there was no dispute that the grievant had delivered Express Mail, using his own vehicle, when he was medically restricted from driving, which resulted in the following comment, *"There is significant irony in the fact that Management assigned the grievant work outside of his medical restrictions, but at a later date, sees nothing wrong with using the grievant's standing and walking without crutches as partial support for a removal."*

The arbitrator agreed that the observations of the supervisor and the station manager—that the grievant walked and stood on the workroom floor without crutches—were not critical to the outcome of the case. While he accepted the observations as accurate he found that they show the grievant as lax in his use of the devices, but not deliberately attempting to avoid his medical restrictions. The arbitrator

USPS

BY THE NUMBERS

USPS Operations August 2005	Number	Chg. from SPLY*	Employment/Wages October 2005	Number	Chg. from SPLY*
Total mail volume year-to-date (Billions of pieces)	193.9	2.9%	City carrier employment	227,928	-0.1%
			Percent union members	91.5%	--
			Percent career employees	100.0%	--
Mail volume by class (YTD in billions)			City carrier casual/TE employment		
First-Class	90.3	0.2%	Casuals	3,928	-12.0%
Priority Mail	0.8	4.3%	Percent of bargaining unit	1.9%	--
Express	0.1	2.3%	Transitionals	0	-100%
Periodicals	8.4	1.3%	Percent of bargaining unit	0.0%	--
Standard Mail	91.8	5.9%	City carrier per deliver supervisor	18.5	-0.3%
Packages	1.1	3.9%	Career USPS employment	704,132	-0.4%
International	0.8	0.5%	City carrier avg. straight-time wage	\$21.84/hour	3.4%
Daily delivery points	144.2 mil.	0.2%	City carrier overtime ratio (OT hrs/total work hours)	14.1%	--
Percent city	69.7%	--	Ratio SPLY	15.8%	--
Percent rural	30.3%	--			
City carrier routes	164,435	0.0%			
Rural carrier routes	72,489	0.5%			
Net Income (\$ mil.)	\$1,467.3	-47.8%			
Total Revenue	\$64,145.3	2.2%			
Total Expense	\$62,678.0	-0.1%			

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

commented on the managers' statements, reasoning that based on them it could not be determined whether the grievant walked a few steps or many yards, whether he stood for a few minutes with his weight on his non-injured foot, or if he stood for a much longer time with weight on both feet.

Management fared no better with its testimony regarding the grievant's activities that were videotaped. During the hearing the postal inspector testified that he followed the grievant for several days, and stated that the employee would leave the post office at the end of his shift and work on rental property that he owned. Under skillful cross-examination the postal inspector admitted that, while he followed the grievant for several days, he had not seen him work—that he had only watched the videotape.

The inspector testified that the Postal Service hired a fraud analyst who conducted surveillance of the grievant after normal work hours and off postal premises. The inspector testified that the video provided by the analyst showed the grievant performing work on rental properties, and that the tape revealed the employee "walking, bending, twisting, lifting a door and kicking a trash pile with both feet all without the use of either a splint/cast or crutches."

The arbitrator noted the grievant testified that the door was hollow and the paint bucket was empty. He went on to discuss how the videotape may have answered some crucial questions because a solid wooden door and a nearly full bucket of paint are far heavier than a hollow-core door and a nearly empty bucket of paint. The arbitrator was smart enough to know that

there was no doubt that viewing the videotape may have allowed a determination of what the grievant handled since heavy objects are generally not lifted and moved with the same ease of movement as lighter objects. As for kicking versus moving trash, again, the videotape would have been the best and only persuasive evidence.

This award demonstrates that the union has a right to relevant medical documents and Inspection Service information. It demonstrates the possible consequences when management ignores union requests for such information. The case also illustrates the importance of having all the documentation relevant to an issue and not just relying on the documents the Postal Service decides to consider. Remember, many times the Postal Service is selective in what evidence they make available.

TAMING THE PAPERWORK TIGER

What can you do with all the paperwork that inevitably results from union work?

Record-keeping is important for everyone who works for NALC—not just the branch president or secretary-treasurer. A few simple practices can help you maintain the necessary records without being buried under piles of paper or trapped in a maze of computer files. The ultimate goal: to have what you need and what the law requires, and to find it quickly when you need it. That way, you can do your work efficiently and the branch will function more smoothly.

WHERE DO YOU START?

The first step in establishing order is to look at your current practice.

Open your filing cabinet or desk drawer. What kind of system do you have? Do you have lots of file folders with nothing in them because you never take the time to file? Are your drawers crammed full? Do you “file by pile”—grievance paperwork on the chair, NALC

correspondence on the floor, publications on the top of the filing cabinet? How do your files relate to other branch records? Does everyone in your branch office have a different system? If you were away, could someone else figure out where anything is?



Log onto your computer. Are all your files in one long list in the “My Documents” folder or have you established folders to organize your electronic records? Can you tell what each document contains by the name you have given it?

Look at your e-mail. How many messages are in your inbox? Do you still have that notice from last year

found in most branches include memos, USPS correspondence, by-laws, notes of time spent on union business, contracts, receipts, financial data, grievance and membership records, photographs and videos. They can be on paper or electronic. But not everything needs to be kept.

Following the retention schedule on page 11 will help you decide what to keep and ensure that you comply with legal requirements and NALC policy. But this schedule can't cover everything. Every branch is different. You must consider your branch's practical needs, and then draw up a supplemental retention schedule for these additional records. Don't forget a policy for e-mail.

One crucial point. Your focus should always be your work, your branch and its records. These are usually documents that no one else in the NALC has, and if you don't keep track of them, nobody will.

“The first step in establishing order is to look at your current practice. Open your filing cabinet or desk drawer. What kind of system do you have?”

THE FIRST STEP

Start by clearing out items that should NOT be filed. Items that fall into this category include:

- Materials (magazines, pamphlets, books) issued by organizations other than your branch

changing the date for a meeting? Or do you routinely discard e-mails once you've read and acted on them?

Anything related to NALC and its business is potentially a document worth keeping. Union records

- Duplicates
- Envelopes (unless needed to verify postmark)
- Routine, ephemeral items such as telephone messages, form cover letters, and most e-mails

TAMING THE PAPERWORK TIGER

You may, of course, wish to keep some of these items, such as books or magazines, for reference purposes. But remember that they are NOT branch records, which you need to retain once their usefulness is past. This applies to national NALC documents as well. You may wish to keep copies of national NALC documents, like convention proceedings, but you don't need to take up storage space preserving back issues. The NALC national office does that.

STEP 2

Next, identify your CURRENT or ACTIVE records and files. Current records are the papers that you use on a regular basis as you do your union work. They're the ones you want close at hand. Because you need to refer to these documents frequently, it is especially important that they be well-organized and up-to-date. You may have inherited a filing system from your predecessor, but take a minute to make sure the files that exist are logically arranged. Add file topics as needed to reflect the activities of your branch and your specific job. Subdivide files that have gotten too large and cumbersome. Prepare an index of all your topics and sub-topics—it will help you organize your records logically.

You don't need to spend a fortune on filing supplies. Here are some

suggestions to help keep your records organized and easy to use:

Use a locking and fireproof filing cabinet to safeguard your records.

“Don't stop with your paper documents: the files on your computer need organizing too. Make folders in 'My Documents' which parallel your paper folders.”

Label folders with both topic and the date. When you file, place the most recent items in front.

Keep your files manageable in size. Don't overstuff—get rid of any duplication, and subdivide by date or subheading if necessary.

Color coding, either the file folders themselves or the labels, makes it easier to find exactly what you need.

Allow room for expansion in each file drawer—leave about 20 percent of each drawer empty.

The single most important thing to do is FILE. It may seem boring, but everything depends on it. If you can't get in the habit of putting things away right when you're finished, at least schedule a regular time each week to file. Remember, the best record-keeping system in the world is useless if you don't keep it up.

Don't stop with your paper documents: the files on your computer

need organizing too. Make folders in “My Documents” which parallel your paper folders. When you type a letter or other document, take the time to save it in the appropriate folder. Give your files obvious, easily understood names. And safeguard your electronic records by backing up your computer files regularly.

E-mail poses a special challenge. As mentioned above, you should have an e-mail retention policy and follow it. NALC headquarters, for example, only allows e-mails to be kept for six months. Routinely get rid of e-mail as you deal

with it—if the message communicates important information, print a paper copy or transfer it to the appropriate computer file.

ALMOST DONE

Once you've thrown out what you shouldn't keep, and have organized your current records, what's left? INACTIVE records are those to which you need to refer only occasionally, perhaps once or twice a year. Or else they are records which according to the retention schedule, you have to maintain for a given length of time (old grievance files or financial data, for example).

Records that are no longer of immediate use should be removed from your filing cabinet and retired on a regular basis. These records can be boxed and stored, but they shouldn't be thrown into boxes willy-nilly. Store related files together in standard record storage boxes (available at any office supply

RETENTION SCHEDULE FOR BRANCH RECORDS

Type of Record	Retention Period	Notes
1. General Branch Files		
By-laws and Amendments	Permanent	
Community Activities	5 years	
Correspondence	3 years	<i>This is a recommended retention period for routine correspondence. Important correspondence should be kept longer as long as needed.</i>
Election records	1 year	<i>The Labor-Management Reporting and Disclosure Act (LMRDA) requires that branch election records be kept for at least one year.</i>
Local Memorandums of Understanding	Permanent	
Minutes of Meetings	Permanent	<i>Because membership authorization for branch expenditures should be noted in official minutes of branch meetings, minutes are covered by the LMRDA's 5-year record-keeping requirement for financial records (see below). It is recommended that official minutes be kept permanently for historical or research purposes.</i>
Items that Document Branch History	Permanent	
2. Branch Membership Records		
Correspondence	3 years	<i>This is a recommended retention period for routine correspondence. Important correspondence should be kept as long as needed.</i>
Dues Deduction Forms (1187, 1189, etc.)	3 years	<i>When Forms 1187 are destroyed, a list should be prepared and kept showing the names of those members whose forms are being destroyed, and the "date of delivery" appearing on each form. When Forms 1189 are destroyed, keep a similar record showing the date each form was signed by the member.</i>
3. Grievance and Related Records		
EEO Case Files [full files]	5 years	
Moving Papers	7 years	
Grievance Case Files [full files]	5 years	
Moving Papers	7 years	
Merit System Protection Board (MSPB) Case Files [full files]	5 years	
Moving Papers	7 years	
Workers' Compensation Case Files	5 years	
4. Branch Financial Records		
Branch Books (Cash Journals, Equipment Record, etc.)	Permanent	
Correspondence	5 years	
Direct-Pay Per Capita Tax Rosters	5 years	
Dues Reimbursement Listings	5 years	
Financial Source Documents (Receipts, Canceled Checks, Bills, Expense Vouchers, etc.)	5 years	<i>The LMRDA requires branches to keep records supporting information reported to the Labor Department on Forms LM-1, LM-2, LM-3 and LM-4 for at least five years after such reports are filed. This requirement covers all branch financial records, as well as many additional records—for example, branch by-laws, minutes of meetings, resolutions and membership records.</i>
Financial Statements or Reports	Permanent	
IRS Returns, etc.	3 years	<i>The federal tax law (Internal Revenue Code) requires branches to keep tax returns, reports, statements, etc. for at least three years after they are filed with the IRS.</i>
Labor Department Reports	5 years	
Member Dues Payment Records	5 years	
Officers's Bonds	Permanent	

TAMING THE PAPERWORK TIGER

store). Whenever you move paper files out of your filing cabinet, you should also clean up your computer by moving old files to disks. Always inventory each box and computer disk, so that you know what's stored where. Label each box and all computer disks with both the topic and the date. That way you can easily find a specific document when you need it.

Where you store inactive records depends on what space is available. Here are some pointers to keep your records in good shape: Avoid attics and basements. The ideal storage space is clean and dry, without bugs and with little or no light. Steel shelving is always best. Make sure the bottom shelf is at least three inches off the floor.

THE FINAL STEP

Records don't stay inactive forever—most records will ultimately be destroyed. But not all. Certain vital records and items of historic interest

should be kept permanently. The retention schedule identifies those categories of records. They include such things as branch financial statements, meeting minutes, local memoranda of agreement and officers' bonds. Historical items worth preserving include: the branch charter and bylaws, first editions of branch publications and photographs or videos of important branch events.

As these items will be kept for years, special attention should be paid to the condition of their storage. Vital records—insurance policies, deeds or other legal documents, and backup computer data files—should be stored off-site, away from the branch's regular office.

Fragile historic documents need to be stored in acid-free folders placed in acid-free, dust-tight boxes (available in some office supply stores or via the Internet). When storing historic documents, remove all paper clips, rubber bands and staples. Unfold and smooth out the documents. Keep food, drink, and cigarettes far away. If you are unsure how to han-

dle old documents, local historical societies can often help. And you can always contact the NALC Information Center for assistance.

Obviously, items that must be kept permanently form only a small percentage of the branch's records. Everything else can be destroyed after being kept for the amount of time spelled out in the retention schedule. Routine items, such as publicity for events, meeting notices, and simple conveyance letters, can simply be thrown in the trash. Any record with personal data, credit card numbers or other sensitive information needs to be shredded completely. Use a cross-cut shredder that produces confetti, not the kind that merely slices documents into long pieces.

Records management is not hard or expensive, but it does take time. It requires an ongoing commitment on everyone's part to keep your branch record-keeping system up-to-date. But the payoff is clear: the paperwork monster will be under control. The branch's records will be well-organized, easy to use, and in compliance with all legal and NALC requirements.

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