

# The Local Line

"A PPA Award Winning Publication"

The Official Voice of the  
Northwest Illinois Area Local

## Local Update by Jackie Engelhart

### Northern II District Defies Arbitration Award

On 7-15-08 one employee was notified they would return to the Clerk craft at the Palatine P&DC effective 7-19-08. This action was the result of an arbitration award for a **class action** filed by Vice President Dave Baskin. The notification letter was signed by Human Resource Manager Phyllis Lingenfelter, who called me to inform us that **one** Clerk was being returned to the craft. Management was shocked to lose this case and they are now trying to avoid the penalty by limiting the class action remedy for **18** Clerks to only the one who initiated the grievance. The arbitrator's award was clear in that she sustained the grievance and granted the **Union's** remedy. Labor Relations reports to the Human Resource Manager, so the buck stops with Phyllis. The Labor Specialist who arbitrated the grievance for management was reassigned out of Labor as the "blame" was assigned to him.

### Damage Control...

Shortly after this award shocked management they started "damage control". Phyllis sent a copy of the award to Postal headquarters and there was some talk of "trying to get the award vacated." An award is an award, and can only be vacated for specific reasons such as misconduct on the part of the Arbitrator or if the award does not "draw its essence" from the collective bargaining agreement. There is no basis to overturn this award so management wants to "meet with the arbitrator" because "we disagree on the remedy". They want to meet so they can intimidate her into agreeing with their interpretation of the award as applying to one Clerk. They want to pressure the arbitrator into "rewriting" her award and saying it does not apply to all 18 Clerks. Vice President Baskin has filed a grievance for management's failure to implement Arbitrator Kenis' award for grievance # P10700570.

### Labor Relations???

Tom Grens has left as quickly as he came. He was on a 60 day detail from the "DIRT Team" in Central IL to Northern IL Labor Relations Manager. Bertha McGee is occupying the chair until 8-18 when she goes to the Area. Phyllis has asked us to assign one steward for each "issue" until we can get the grievance backlog down. We were given a GATTS list of 544 Palatine P&DC grievances to be discussed at step 2, and all of management's files were transported from Palatine to Carol Stream. **Tour 1 is the Worst...** The majority of the 544 grievances were filed on tour 1 and this tour continues to be the biggest problem. CCD Al Czerwinski is talking to MDO Michelle Davis and Senior MDO Bracket (rumored to be retiring in October) to resolve issues. There are many, as on 8-7-08 Automation Clerks told me they took lunch at 1:30 am and did not get their second break until 8 am. **6.5 hours without a break and no break on OT!**

## Floor Edition

August 8, 2008  
Jackie Engelhart  
President  
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News Director

Northern IL District  
Defies Arbitration  
Award

Damage Control...

Labor Relations

Tour 1 is the Worst

Carol Stream Issues

Chicago Metro Surface  
Hub Issues

SPBS Bids to be Posted

Bob La Foe Does it  
Again

FMLA Dispute Ap-  
pealed

NWIAL Events

### **Carol Stream Issues**

We had our Labor-Management meeting on 7-22-08 with Plant Manager Greg Johnson. Greg was cooperative and agreed to correct several problems and investigate other agenda items. Our agenda was prepared by CCD Taylor with input from the CS Stewards.

1. Leave control closed.
2. Tour 2 incidental leave must go to the MDO.
3. Manual Flats closed on tour 2 with bid Clerks displaced.
4. Tour 3 casuals in Automation bumping bid Clerks from machines.
5. Tour 3 limited duty Clerks moved to 1500 without explanation.
6. Tour 3 Clerks not allowed to work their bid in Automation.
7. Clerks from other units working in AFSM-AI.
8. PARS training for tour 2.
9. New union room is needed.
10. More microwaves in break rooms needed.
11. MH casuals making placards.
12. No Labor response on incidental leave problems.
13. Employees on tour 3 receiving attendance reviews after three unscheduled absences.
14. Continuing FMLA problems due to failure to process requests in a timely manner and excessive denial of FMLA based on aggressive scrutiny of the forms by FMLA office.

We have problems at Carol Stream but at least we can talk to Plant Manager Johnson and he will make an effort to correct them. That is why we file grievances at Carol Stream but we do not have a back log of 544 grievances like we do at Palatine. Where management works with us we have fewer grievances.

### **Chicago Metro Surface Hub Issues**

We had our Labor-Management meeting on 7-16-08 with Plant Manager Ruby Branch and discussed the following agenda items:

1. What impact will the mail changes have on Clerk bids?
2. When will SPBS bids be posted?
3. What is the complement for Clerks, Maintenance and MVS?
4. Conversion of two MVS-PTF's
5. Request all residual vacancies
6. How many casuals?
7. All bids should be posted with one principal area of assignment
8. APWU is not getting copies of all 1723's and 3189's
9. APWU is not getting information we request.
10. Management is not implementing grievance settlements timely.
11. Labor Relations is not meeting in a timely manner.
12. Management is not honoring the negotiated 15% in the LMOU for incidental leave.
13. Long-term details with no duty assignments posted. Tour 1 General Expediter, Tour 2 Expediter/Registry, In-Plant Support Clerks, Transportation Clerk
14. Mail Handler performing General Expediter/Review Clerk work.

#### **SPBS Bids to be Posted**

On 7-30-08 we had a meeting with Ruby and her staff to discuss staffing issues resulting from the mail changes. She said SPBS bids will be posted and Operations Manager Shanteau Anderson is working on those bids. My last conversation with Ruby is that 3-4 bids will be posted with an earlier starting time (1500 or 1600) and 6-7 will be posted at 1800 or 1900. All SPBS bids will be offered to Clerks with retreat rights before being posted. These bids are long overdue as management has been running the machine with no bids since 2006.

### **Bob La Foe Does it Again**

Palatine Maintenance Steward Bob La Foe faxed me a settlement signed on 7-14-08 by National Business Agent Vance Zimmerman. The settlement was for grievance # P20700364, filed by Bob for management's use of a Custodian (not on the PER) to perform 80 hours of higher level Maintenance Mechanic work.

#### **FMLA Dispute Appealed**

On 8-1-08 Industrial Relations Director Greg Bell notified the Postal Service APWU was appealing an FMLA dispute to arbitration. The issue is management's refusal to accept FMLA certification unless submitted in "conjunction with an absence". For the past few years they have taken this position and say "it's in the regulations". APWU says "the Postal Service failed to identify any provisions in Section 515 of the ELM, in the Act itself, or in the collective bargaining agreement that prohibits an employee from submitting medical certification notifying the employer of a serious health condition before the leave begins or before the actual date is known." This policy has created a burden on the employee who must document on the recertification all FMLA dates incurred until the form is deemed acceptable by the FMLA office. We all know FMLA is not processed in a timely manner.

#### **NWIAL Events...**

1. NWIAL Picnic on 8-10-08
2. Great America Outings
3. Retirement Seminar on 9-20-08 (tentative date).
4. Social & Recreation Dinner-Dance on 9-27.

*JK*