

The Local Line

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Casuals In Lieu Of Grievances by: Jackie Engelhart

Casuals in Lieu of Grievances

Carol Stream clerks have been waiting patiently for money from the years of violations at Carol Stream P&DC where management worked casuals year round dating back to the opening of the facility. Numerous grievances were filed on this issue and there was talk of a possible million dollar settlement (right before the election). Just prior to and right after the election I was informed by Labor Relations that there was one high liability casual in lieu of grievance that they wanted to settle.

\$150,000.00 Settlement Signed on May 25, 2005

After the election I had made several requests to Labor Relations for a list of the open casuals in lieu of grievances for Carol Stream. After several weeks with no response, I spoke with Labor Relations to ask why I had not received the list and why there had been no more discussion on settling the "million dollar grievance". I was told on June 12th that the case had been settled in a Pre-Arbitration Settlement dated May 25, 2005. I had received a copy of this Pre-

Arbitration settlement signed by APWU National Advocate (and former Palatine steward Rod Thompson) after it was signed. The settlement resolved ten grievances for a total of \$150,00.00. I did not know what the cases were for when I received the settlement and Rod did not speak to me or (Vice President) Dave Baskin before he signed it.

No Settlement Offer Made to Current Administration

One of the grievances resolved in this settlement was the one management considered the only remaining high liability casual in lieu of grievance. Labor Relations told me this was the same grievance they had told me about right before and after the election.

While management had informed me that there was a possible million dollar case still open they did not (either before or after the election) make any kind of settlement offer to me. After I was informed that the possible big case had been settled I located the grievance file to determine what it was worth. The grievance (Local # CS29800101) was filed on April 29, 1998 by tour 2 steward Stanley Slupik. In his remedy he

requested overtime and out of schedule pay for the violated clerks going back to November 2, 1993.

Millions Unlikely for Incomplete Grievance File

The Union cannot request a remedy going back to 1993 if the grievance was not filed until 1998. For casuals in lieu of, PTF conversions, and newly created duty assignments, the grievance is filed for the preceding six month period, not the previous four years.

The liability on this grievance would start on April 15, 1998 (14 days prior to the step one date of April 29, 1998) and extend until the grievance is settled. The grievance file I have is incomplete as it contains only the PTF and casual work schedules from 1997 and 1998. It does not contain any clock rings or any information requests from the Union for clock rings. I have asked 601 CCD Taylor to look in his office to see if he has any more documentation for this grievance. From the incomplete file I have looked at for this grievance I cannot criticize the settlement made by Rod Thompson. Based on the grievance file I believe this grievance would have probably been withdrawn by our National Business Agents (NBA's).

Special points of interest:

Casuals In Lieu Of Grievances

Northwest Illinois Area Local
American Postal Workers Union
194 W. Lake Street
Elmhurst, IL 60126
Phone: 630-833-0088
Fax: 630-833-0248

Some Casual Grievances were not Appealed

On June 6, 2005 I sent a list of ten Carol Stream casuals in lieu of grievances to our NBA office to find out if these cases were live. I received a fax back the next day stating "No Record". I did not believe these grievances had been appealed to step 3 because they had nothing in the file from the BA office to show they had been received.

These case numbers do not appear on management's list either. All of these grievances were filed on tour 2 in the year 2000. At that time we were in the "Alternative Dispute Resolution Procedure" (ADRP) entered into by then President Slupik. Under the ADRP, grievances were not appealed per normal contractual time limits, but were held at step 2 until the President met with the Plant Manager. The ADRP agreement was ended by then President Miles after he took office, with Palatine ending on June 8, 2002. Hundreds of grievances filed in 2000, 2001, and 2002 had to be discussed at step 2 and then appealed per contractual time limits. Most of the grievances filed during this period at all three plants were not discussed and had to be appealed under the Miles administration. I know we discussed and appealed this backlog for approximately one year at Palatine. It appears that some of these ADRP grievances from Carol Stream were not discussed and appealed once ADRP ended. 601 Clerk Craft Director Gerry Giddens became seriously ill shortly after taking office and her duties were assigned to Calvin Taylor by Vice President Lindsey Jefferson.

No More Casuals in Lieu of Grievances Left

I sent a letter to Carol Dellutri (Labor Relations Manager for the Northern Illinois District) on June 10th, requesting a list of all casual in lieu of grievances management was discuss

ing with the previous administration. On June 15th I received a letter back in which she stated "None of the cases remain live and there are no open cases."

\$150,000.00 Settlement to be Paid to Tour 2 ODL

All but one of the ten grievances settled in the \$150,000.00 settlement were tour 2 grievances. The main casual in lieu of grievance and the one rumored to be worth a million dollars, was also a tour 2 grievance. The requested remedy was to post bids with out of scheduled pay, and to pay the violated ODL. As no bids were posted as a result of this settlement, the remedy is to pay the violated (tour 2) ODL. I have asked 601 CCD Taylor to meet with me and Vice President Baskin so that we can determine the ODL employees to be paid and the amounts to be paid to each individual.

Members Right to be Informed

The members have a right to be informed. They should not have to rely on rumors or hearsay. Carol Stream employees most definitely will not be happy to receive this information, but they certainly have the right to know. It took some time to get the grievance files and to determine (to the best of my ability) what happened. I do not know what happened to the rest of the file for the "big money" grievance CS29800101. I do not know why the ten casual in lieu of grievances filed in 2000 were not appealed to step 3. This information is not for the purpose of placing blame. I am sorry that some former Union leaders have raised expectations of millions of dollars in free money right before the election. If one of these former leaders continues to talk to you about millions of dollars, ask them what happened.

Current Casual Staffing in Clerk Craft

I have talked to Carol Stream management (Melvin Dean, Todd Hawkins) about the current casual staffing at Carol Stream. Both of these managers have been reassigned and I have therefore requested a Labor-Management meeting with current Plant Manager Ron Woodall. He informed me he will be able to meet with us in early July. I have been told that casuals and T.E.'s were hired in the clerk craft in anticipation of the APPS. I have also been told that plans have changed and Carol Stream is not getting an APPS. I have also been told that casuals are working in place of light and limited duty clerks.

Management at Carol Stream needs to address the issue of casuals in the clerk craft sooner rather than later. Casuals are to be used as a limited term supplemental workforce. Casuals and T.E.'s in the clerk craft will be the first issue discussed at the July Labor-Management meeting at Carol Stream. There is no reason that management at Carol Stream should continue to violate the contract on casuals in lieu of.

Our Deepest Sympathies

The Local would like to extend our deepest sympathies to the Clark Family. National Business Agent John Clark and his wife, Tour 2 Palatine employee Rose Clark recently suffered two losses in their family. John's father passed away on June 14th. On June 14th, John and Rosie's youngest son Peter also passed away. Our condolences to the family.

Jackie Engelhart