

# The Local Line

"A PPA Award Winning Publication"

The Official Voice of the  
Northwest Illinois Area Local

Floor Edition

Update by: Jackie Engelhart

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## Arbitrator Affirms Her Award

After a long struggle, we finally got the decision we were waiting for. The Arbitrator affirmed that the Palatine grievance referred to as the Kenis award applies to all 18 Clerks as the union remedy requested. The original award stated "It is sustained on the merits. The Postal Service violated the National Agreement by permitting and/or inducing senior clerks to volunteer in lieu of junior clerks to be excessed into the mail handler craft at the Palatine P&DC. The corrective action sought by the union is granted. The corrective action requested by the union in its Step 2 Appeal was incorporated in the award as follows-Grievants made whole. Any clerks who volunteered to be a mail handler due to enticement and/or in lieu of junior clerks, who wish to return to the clerk craft, must be immediately returned to the clerk craft and compensated

**Kenis Award (cont.)** for all lost wages and benefits including but not limited to, out-of-schedule and guaranteed pay, lost overtime including penalty, lost upgrade, Sunday premium, night differential, seniority in the clerk craft, and the difference in wages." Her second award states-"The language of the Kenis Award is clear and broad. The grievance was sustained, not in part, but in whole. The corrective action sought by the Union was fully granted. The Union had requested that "any clerk who **volunteered** to be a mail handler due to enticements **and/or in lieu of Junior Clerks**, who wish to return to the Clerk craft, must be immediately returned to the Clerk craft and compensated..." (emphasis added) Management cannot successfully argue that the award language only pertains to one clerk. The award covers not only those clerks who volunteered to be mail handlers due to enticements but also to those

**Kenis Award (cont.)** clerks who volunteered to in lieu of junior clerks. The grievance was filed as a class action and the requested remedy, which was fully awarded, clearly contemplates a make whole remedy for the class as a whole...Management cannot re-litigate the original evidence. Even if it regards the Kenis award as erroneous, the Postal Service must comply. The parties were afforded an opportunity to present their respective theories of the case and an award was rendered. Management cannot circumvent the ruling in this case at this late juncture - it must implement the remedy awarded. The union has the right to insist on full compliance with the Kenis award." Thanks to National Business Agent Linda Turney who successfully argued the implementation grievance, to Central Region Coordinator Sharyn M. Stone and National Business Agents John Clark and Lynn Pallas-Barber for attending the hearing, to VP Dave Baskin who never gave up, and to the clerks for their patience.

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### **Management Attacks on Maintenance Craft Director at Pal.**

For the last six months Palatine management has refused to allow Maintenance Craft Director Joe Golden sufficient union time to perform his duty of representation as a Steward and Craft Director. They cancelled his tour 2 detail and required him to perform three hours of routes daily regardless of his grievance workload. They said he could return to tour 2 once the machines were moved between floors in preparation for the FSS, but instead he was given a "take it or leave it" detail to 0400. The 0400 start was to put him on three hours of routes daily, regardless of his union workload. When Labor Relations wants to meet with Joe, he is expected to meet, regardless of grievances he needs to work on because of his restricted union time. Labor is well aware of the interference with union time but allows this to continue. The goal of Palatine Maintenance Management as well as Labor, is to shut down the grievance flow from Maintenance by shutting down the Director. The latest obstacle thrown out is to require Joe (and only Joe) to provide grievance numbers for every grievance he is working on, or to deny his request for release. No other union Steward, past or present, of any union, is required to provide grievance numbers of cases they are working on as a condition of union release time. We have talked to Maintenance Manager Hilliard, and MMO Scott who seems to be pushing this, and to Senior Plant Manager Johnson, but the unfair practice continues, so we have requested a meeting with Regional Coordinator Stone and Area Labor Relations ASAP.

### **Maintenance in Withholding**

We recently received an impact notice for the Maintenance Craft for excessing out of the craft at the Bulk Mail Center in Forest Park. This means that residual vacancies within an occupational group will be withheld for the excessed maintenance employees from the BMC. The BMC network is being changed to an NDC network. As a tier 1 NDC Forest Park will be more of a transfer facility and will lose much of its mail processing equipment. There is a major impact on all crafts in Forest Park.

### **Contact the Union for Discipline issued without a Steward**

Normally management calls for a Steward when issuing discipline, but if you are issued discipline with no Steward present, come to the union office immediately or as soon as possible and let us know.

### **Carol Stream Time Changes**

We met with A/Plant Manager Lee Thompson on 11-20-09 in an effort to keep the senior tour 1 (1300) Automation Clerks from being moved to 1600. We were recently notified that management would be changing starting times from 1300 and 1400 to 1500 and 1600. With 100 Clerks at 1400 being moved the one hour to 1500 that left the 29 (mostly senior) 1300 Clerks with the later 1600 starting time. She said she needed to keep all Carol Stream Clerks gainfully employed for 8 hours per day to keep the facility from losing employees. She wants to avoid stand-by time and believes the 1500/1600 start times will keep Carol Stream efficient and Clerks off of stand-by operation. She suggested asking for volunteers for 1600, and some vacancies will be posted at 1600 reducing the impact on the 1300's.

### **Staffing Changes at Busse**

We have met with management several times since they decided to implement their staffing changes, and they have corrected most of what we told them. Many errors were reported to us and our Busse Stewards continued to look for errors and communicate with us on almost a daily basis. The main problems were not having employees in the right jobs in their WebCoins tracking system and lack of clarity on which sections were closed and which ones were open for all to bid on. The posting comes down on 11-27-09 and the new bids are effective on 12-5-09. Those bidding on the best qualified data collection jobs should submit a separate bid as there is a separate posting for those jobs, and they will not be filled on 12-5.

### **Pay Raise on 11-21-09**

APWU represented employees will receive a 1.2% raise effective 11-21-09 which will show up on their 12-11-09 paychecks. This is the last raise of the 2006-2010 contract which expires 11-21-10.

### **FERS Sick Leave Becomes Law**

President Obama signed the law on 10-28-09 which allows FERS employees to receive credit for unused sick leave when they retire. Employees will receive 50% credit from now until 12-31-13, and will receive full credit beginning on 1-1-14.

### **End of the Year Information**

The penalty overtime exclusion period is from 12-5-09 thru 1-1-10. The new leave year begins on 1-2-10 and will be reflected on checks dated 1-22-10. Annual leave in excess of 440 hours must be used or sold back by the start of the new leave year. USPS lost 3.8 billion in FY 2009 in spite of 6 billion in cost savings made.