



# Tampa Letter Carrier

Volume 9 - Issue 2

A.R. "Tony" Huerta - NALC Branch 599

Tampa, Florida

February 2010

## President's Report

by Jim Good

President - Branch 599

### OWCP Facts

I have recently become involved in a number of cases representing Branch 599 letter carriers who have been injured on the job and are having difficulties dealing with the Office of Workers' Compensation Program (OWCP). One of my duties as branch president is to assist and represent branch members in the filing and appealing, if necessary, of the proper forms to ensure your rights designated by OWCP. These rights are granted and protected under the Federal Employee Compensation Act (FECA). In order for you to be protected, however, you must follow certain procedures, rules and time limits.

It has been some time since I have written regarding this subject, and lately a number of carriers have called because their claims have been denied. In some of these cases the claims were denied because more medical evidence was requested by OWCP and either not enough was provided or it did not go into enough detail.

When you are injured on-the-job there are a number of things that you need to do to ensure that you will receive the care and compensation that you are entitled to under the Office of Workers' Compensation Program for Federal Employees. If you fail to do these things properly, or within the proscribed time limits, you may forfeit some of these entitlements.

First, it is your responsibility to notify your supervisor immediately when you are involved in any type of accident, whether it is a vehicle accident or an industrial accident. Then you must fill out a form CA-1, "Notice of Traumatic Injury". Your supervisor should give you this form to complete; if not then you must ask for it. After completion make sure that your supervisor gives you a receipt of filing that will show the date

and location where the injury occurred, as well as the date the form was filed. Although the employee has up to three years to file this form, it should be filed immediately to ensure that you will receive Continuation of Pay. The USPS will continue to pay the wages of an injured employee, after the first three (3) days, for up to 45 calendar days provided medical evidence is submitted within ten days of the filing of the CA-1. (Leave used for the first three (3) days will be restored if you are out of work for fourteen (14) days)

When you are injured on-the-job you have the right to go to the doctor of your choice for treatment. If you can not be seen by your doctor immediately, you may go to a hospital emergency room for initial treatment, and then go to your choice of physicians for further treatment. Prior to going to either the emergency room or the doctor of your choice you will be given a Form CA-16 signed by your supervisor. This form authorizes medical treatment for a period of sixty days. Management must give you this form if you file a CA-1 within seven days of the injury. Once you choose a physician, however, you must remain under his/her care unless referred by him/her to another doctor or get approval from OWCP. If you file a claim for traumatic injury, and the claim is subsequently denied, any COP that has been paid to you must be paid back in the form of sick leave, annual leave, or money.

These initial procedures are extremely important. I have recently been involved in cases where proper paperwork was not filled out in a timely manner and as a result the carrier forfeited his right to COP. When this happens the carrier may still qualify for compensation for lost work hours and paid medical bills, but may have to wait four to six weeks or longer to receive that compensation.

**Do not trust your supervisor to inform**

**you of your rights and responsibilities. If you have any questions or concerns when you are injured on the job, ask your shop steward or call the union hall for advice. It is always better to err on the side of safety and see a doctor or the emergency room immediately if you are injured.**



I have also received phone calls from carriers who are reluctant to submit medical documentation for sick leave or work restrictions to their supervisors. You do not have to submit any medical documentation to your supervisor. Medical documentation for sick leave should be submitted to the Medical Unit, USPS, P.O. Box 39451, Tampa, FL 33630-9451. Medical documentation for OWCP cases involving on-the-job injuries or industrial accidents should be submitted to Injury Compensation, P. O. Box 39443, Tampa, FL 33630. FMLA documentation should be submitted to the FMLA coordinator at the FMLA, USPS, P. O. Box 39727, Tampa, FL 33630.

If you follow these procedures from the date of your injury it will make the entire process of dealing with OWCP go much more smoothly and ensure that you are covered for any future medical bills that may arise resulting from your approved case.

(This article was originally printed in the October, 2007 [Tampa Letter Carrier](#))

### Branch Meeting

Thursday, February 4

7:30 PM

**Branch 599 Officers**

PRESIDENT	Jim Good	(813) 417-8877
EXECUTIVE VICE-PRESIDENT	Dook Ramotar	(813) 767-0322
VICE-PRESIDENT	Gilbert Cabanas	(813) 855-0516
RECORDING SECRETARY	Mike Brink	(813) 661-1106
FINANCIAL SECRETARY	Tony Diaz	(813) 598-9635
TREASURER	Michael Anderson	(813) 967-1615
TRUSTEE	Silven Zimmerman	(813) 380-3731
TRUSTEE	Jose Oliva	(813) 873-2747
TRUSTEE	Terry Franklin	(813) 657-9690
SERGEANT-AT-ARMS	J.C. Howard	(813) 621-1976
MBA / NSBA	Albert Guice	(813) 621-7931
HEALTH BENEFITS	Detlev Aeppel	(813) 505-7914
DIRECTOR OF RETIREES	John Gebo	(813) 985-5474, cell 503-1256
LABOR - MANAGEMENT	Brian Obst	(727) 458-0679
LABOR - MANAGEMENT	A. Sam Santilli	(813) 215-7595

**Presidents Emeritus**

Michael Anderson	Orbe Andux
Don Thomas	Garland Tickle

**Branch 599 Shop Stewards**

Brandon	33510	Terry Franklin	(813) 758-3061
Brandon	33511	James Dobson	(813) 661-1636
Carrollwood	33618	Eddie Berroth	(813) 493-5224
Commerce	33602	Dook Ramotar	(813) 767-0322
Forest Hills	33612	Alan Robinson	(813) 843-9762
Forest Hills Annex	33613	Nick Cullaro	(813) 541-8159
Hilldale	33614	A. Sam Santilli	(813) 215-7595
Hilldale Annex	33634	Julio Acosta	(813) 889-3913
Hyde Park	33606	Tom Cobert	(813) 694-0711
Interbay	33611	Sammy Graham	(813) 832-6644
Interbay	33629	Brian Obst	(727) 458-0679
MacDill	33608	Sammy Graham	(813) 832-6644
Palm River	33619	J.C. Howard	(813) 621-1976
Plant City	33565	Varick Reeder	(813) 746-0238
Port Tampa	33616	Sammy Graham	(813) 832-6644
Produce	33610	John DeRosa	(813) 850-8418
Ruskin / Sun City Center	33570	Jack Hencoski	(813) 685-9034
Seminole Heights	33603	Tony Diaz	(813) 598-9635
Sulphur Springs	33604	John Rowland	(813) 770-7769
Tampa Carrier Annex	33607	Don Wiseman	(813) 713-6273
Tampa Carrier Annex	33609	Dennis Lorenzo	(813) 966-3989
Temple Terrace	33617	Warren Sumlin	(813) 486-7612
Town & Country	33615	Brian Obst	(727) 458-0679
Town & Country	33635	Brain Obst	(727) 458-0679
Ybor City	33605	Detlev Aeppel	(813) 505-7914

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The opinions expressed in this publication are those of the writers, and do not necessarily reflect the opinions of Branch 599.

All articles are subject to editing and revision at the discretion of the publisher & editor.

Articles must be submitted no later than the first of the month. Submit articles as .txt, .rtf, .doc or .wpd documents attached to email sent to [newsletter@nalc599.com](mailto:newsletter@nalc599.com).

**RETIREES BREAKFAST**  
**(In Tampa)**  
**First Monday of Every Month**  
**9:00 AM at**  
**The Coffee Cup**  
**4407 N. Hubert**  
**in Drew Park**

**RETIREES BREAKFAST**  
**(In Brandon)**  
**Second Tuesday of Every Month**  
**8:00 AM at**  
**La Septima Café**  
**140 Parsons Ave.**  
**in Brandon**

Read the *Tampa Letter Carrier* online at  
<http://www.nalc599.com/newsletter.htm>

## Around The Horn

by Tony Diaz

### FMLA Facts

**B**rothers and Sisters, I hope your New Year is off to a great start. This month I wanted to delve into one of the best defenses a Letter Carrier can possess. That defense is FMLA, and it can be used to cover personal issues as well as family issues. A few facts and answers about FMLA.

- 1) What is FMLA? short for Family Medical Leave Act.
- 2) 2) How long has FMLA been around? FMLA became effective 9/5/2003 and is classified as a federal law.
- 3) Who is eligible? a) you must have worked for the Postal Service for at least 12 months, b) you must have worked at least 1,250 hours during the 12 months prior to the start of the FMLA leave, c) you must work at a location where at least 50 employees are employed.
- 4) How long does FMLA cover me for? Up to a total of 12 workweeks of leave in a 12-month period.
- 5) What reasons will FMLA cover me for? a) For the birth of a child and to care for the newborn, b) for the placement with the employee of a child for adoption or foster care, and to care for the newly placed child, c) to care for an immediate family member (spouse, child or parent – but not a parent “in-law” with a serious health condition, d) when the employee is unable to work because of a **serious health condition**.

Examples of a **serious health condition** are, a) an overnight stay in a hospital, hospice or residential medical care facility, b) a period of incapacity of more than three consecutive calendar days – including any subsequent treatment or period of incapacity relating to the same condition that also includes treatment by a member of the health care profession, c) pregnancy – any period of incapacity, prenatal care, morning sickness or doctor visits, d) chronic conditions – which occur repeatedly and require treatment (diabetes, epilepsy or asthma), e) perma-

nent long term conditions requiring supervision (Alzheimer’s, multiple sclerosis or terminal cancer, f) non-chronic conditions which necessitate the need for multiple treatments such as kidney dialysis or physical therapy after an accident.

6) Does a father have the same right as a mother following childbirth to qualify for FMLA leave? Yes a father, as well as a mother may take FMLA leave for the adoption, foster care and caring for the birth of a newborn during the 12 months following the date of birth.

Many FMLA cases result from situations mentioned in 5c, to care for an immediate family member (spouse, child or parent). If you are being forced to miss work for this reason or any of the others take advantage of FMLA and request FMLA papers the next time you call in for unscheduled leave. Your doctor will determine how many days you need per call-in depending on your situation. FMLA will protect you against discipline should there be a need for you to miss extended time caring for a loved one or for a personal health problem. The Wage and Hour Division of the U.S. Department of Labor’s Employment Standards Administration enforces FMLA and investigates complaints of violations.

Another line of defense for Letter Carriers is SLDC (Sick Leave Dependent Care). A few facts and answers about SLDC.

1) Explain what is SLDC used for and how it differs from FMLA. The Employee and Labor Relations Manual (ELM) 513.1, Purpose, and 513.32, Conditions for Authorization, were revised effective October 27, 2005. This was done to differentiate sick leave used for employee incapacitation, and from sick leave used for dependent care. Also, to clarify, leave used for care of a qualifying family member (after a maximum of 80 hours of sick leave are used), will be charged to annual leave, or to leave without pay, at the employee’s option. 513.11 covers our personal sick leave we take because of illness, injury, medical exam or treatment. 513.12 is about SLDC and how there is a limited amount of sick leave that can be used for the medical needs of a family member. You are allowed up to 80 hours of your accrued sick leave per leave year to give care or otherwise attend to a family member. Again, FMLA is a federal law that entitles eligible employees up to 12 workweeks of unpaid leave during a 12-month period, SLDC is a contractual right with paid leave as I have

mentioned above.

2) Is SLDC protected from discipline, as is FMLA? No, unless the illness, injury or other condition is a serious health condition with a family member the employee can be disciplined for unscheduled absences.

3) How are they the same? Both were developed to balance the demands of the workplace with the needs of the families.

4) Is the time used for SLDC separate from time taken from FMLA? No, if the employee needs time off to care for a family member with a serious health condition and takes SLDC the time off will be counted towards both the 80 hour SLDC **and** the 12 week FMLA entitlement.

#### Quick Hits: Information you should know

\*) MIARAP, Phase 2 is winding down. The mail volume showed an increase and as a result routes were either added back, axillaries were created or time was added to an existing aux.

\*) If you should move or have a mailing address change, please notify the Branch 599 Union Office. I will notify National Headquarters if you do not, in order for you to receive all Union related information.

Look forward to talking to you again in the next *Around The Horn*.

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### Arslan Uniform Drawing

The Arslan Uniform prize for the February 4<sup>th</sup> Branch 599 meeting will be \$320.00. If you are in attendance at the meeting and your name is drawn, you will win the \$320.00, donated by Bill & Shirley Moran of Arslan Uniforms. Why not come to the meeting, hear what is going on with your union, and maybe win some big money? There have been many changes happening that affect your daily work, so you really need to keep informed regarding your rights. What better place to keep updated than at the branch meeting? Hope to see you here on February 4<sup>th</sup>.



# ***ARSLAN UNIFORMS***

*Bill & Shirley Moran*

*Retired Letter Carrier Branch 1477 St. Petersburg*

*Honorary Member Branch 599 Tampa*

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## **TAMPA LETTER CARRIERS PRESENT BINGO**

**COME JOIN THE FUN**

**EVERY WEDNESDAY AND FRIDAY**

**DOORS OPEN AT 5:30  
GAMES START AT 6:30**

**AT THE TAMPA LETTER CARRIERS HALL**

**3003 W. CYPRESS ST.**

**TAMPA, FL. 33609      813-877-4785**

## Proposed Bylaw Change

### Proposed Bylaw Change Article IV Officers

#### Currently Reads:

The Officers of the Branch shall be a President, Executive Vice-President, Vice-President, Recording Secretary, Financial Secretary, Treasurer, Sergeant-at-Arms, MBA-NSBA Representative, Health Benefits Representative, Director of Retirees, and a Board of Trustees composed of three members.

#### Proposed to Read (delete Executive Vice-President):

The Officers of the Branch shall be a President, Vice-President, Recording Secretary, Financial Secretary, Treasurer, Sergeant-at-Arms, MBA-NSBA Representative, Health Benefits Representative, Director of Retirees, and a Board of Trustees composed of three members.

When passed delete all wording to Executive Vice-President and replace with Vice-President in our Branch 599 Bylaws.

Signed by at least three members in good standing.

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### Health and Welfare

Our deepest condolences go out to NALC Shop Steward & Health Benefits Rep. Detlev Aeppel and his family on the loss of his mother Trudie, who passed away 12/25/09.

Condolences also go out to Donna Dayton from Carrollwood Station whose mother passed away on 12/28/09.

Retiree Ernest Fulp passed away on December 20, 2009, and retiree Larry Kuhnast passed away on January 6, 2010.

Our thoughts and prayers go out to the families of the deceased.



Branch 599 President Jim Good congratulates Carlos Licier-Reyes on his recent retirement from the USPS



# What A Federal Employee Should Do When Injured At Work

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Report to Supervisor	Every job-related injury should be reported as soon as possible to your supervisor. Injury also means any illness or disease that is caused or aggravated by the employment as well as damage to medical braces, artificial limbs and other prosthetic devices.
Obtain Medical Care	Before you obtain medical treatment, ask your supervisor to authorize medical treatment by use of form CA-16. You may initially select the physician to provide necessary treatment. This may be a private physician or, if available, a local Federal medical officer/hospital. Emergency medical treatment may be obtained without prior authorization. Take the form CA-16 and form OWCP-1500/HCFA-1500 to the provider you select. The form OWCP-1500/HCFA 1500 is the billing form physicians must use to submit bills to OWCP. Hospitals and pharmacies may use their own billing forms. On occupational disease claims form CA-16 may not be issued without prior approval from OWCP.
File Written Notice	In traumatic injuries, complete the employee's portion of Form CA-1. Obtain the form from your employing agency, complete and turn it in to your supervisor as soon as possible, but not later than 30 days following the injury. For occupational disease, use form CA-2 instead of form CA-1. For more detailed information carefully read the "Benefits ..." and "Instructions ..." sheets which are attached to the Forms CA-1 and CA-2.
Obtain Receipt of Notice	A "Receipt" of Notice of Injury is attached to each Form CA-1 and Form CA-2. Your supervisor should complete the receipt and return it to you for your personal records. If it is not returned to you, ask your supervisor for it.
Submit Claim For COP/Leave and/or Compensation For Wage Loss	If disabled due to traumatic injury, you may claim continuation of pay (COP) not to exceed 45 calendar days or use leave. A claim for COP must be submitted no later than 30 days following the injury (the form CA-1 is designed to serve as a claim for continuation of pay). If disabled and claiming COP, submit to your employing agency within 10 work days medical evidence that you sustained a disabling traumatic injury. If disabled beyond the COP period, or if you are not entitled to COP, you may claim compensation on form CA-7 or use leave. If disabled due to occupational disease, you may claim compensation on form CA-7 or use leave. A claim for compensation for disability should be submitted as soon as possible after it is apparent that you are disabled and will enter a leave-without-pay status.

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The Federal Employees' Compensation Act (FECA) is administered by the U.S. Department of Labor, Employment Standards Administration, Office of Workers' Compensation Programs (OWCP). Benefits include continuation of pay for traumatic injuries, compensation for wage loss, medical care and other assistance for job-related injury or death. For additional information about the FECA, read pamphlet CA-11, "When Injured at Work" or Federal Personnel Manual, Chapter 810, Injury Compensation, available from your employing agency. The agency will also give you the address of the OWCP Office which services your area.

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## Post on Employees' Bulletin Board

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U.S. Department of Labor  
Employment Standards Administration  
Office of Workers' Compensation Programs



## Five Ways To Save Time and Money On Your Taxes

The typical taxpayer is expected to spend more than three business days and more than \$200 completing his or her tax return. "That's too much time and too much money," says Gary Lundberg, product management director for CompleteTax (<http://www.CompleteTax.com>), an online income tax preparation program. "The good news is, there are a few easy things people can do that will help them save time and money doing their taxes, as well as make sure they get the biggest refund they're due."

As people get ready to file their 2009 tax returns, there are a few things they can do to save time and money.

### 1. Make sure you're prepared.

Having a few key items available when you start your taxes will save a lot of time. These include:

- \* Your tax return from 2008
- \* Social Security numbers for you, your spouse and children
- \* All W-2s (wage and tax withheld form for 2009 supplied by your employer), 1099s (statements on investment income provided by your financial services institutions), mortgage interest statements and other statements related to income
- \* All statements related to expenses that you will be claiming on your tax return
- \* The routing numbers and account numbers for the accounts in which you want to directly deposit your tax refund.

### 2. Use an online tax program.

One advantage of using an online tax program is that many of the items you need to start your taxes - like your prior year's return - can be stored by the program. So, you don't have to waste time hunting down information every year.

More than 32 million people filed their tax returns from their home computers during 2009, up nearly 20 percent from the prior year, according to Internal Revenue Service data. That number is likely to continue to increase as more people realize the benefits of online tax prep and electronic filing.

Using the right online tax program makes it a lot easier and faster for people to finish their tax return with no need to go to the store or download a program onto their computer.

Online tax programs also are a lot more accurate. In fact, the IRS reports that an electronically prepared and filed return has an error rate of less than 1 percent, compared to an error rate of about 20 percent for a paper prepared return.

### 3. Free file if you can.

Depending upon how complicated a person's taxes are, they may be able to prepare and e-file their tax return absolutely free. For example, if you don't need to itemize, and only have a few simple requirements - such as claiming the Earned Income Tax Credit - you may be able to use a free online tax program. For example, CompleteTax offers a free version of its program and the IRS lists other providers

participating in the Free File Alliance.

If your tax situation is more complicated - for example, you have itemized deductions, investment income or you are a small business owner - you will want to make sure to purchase the online solution that is tailored to your needs. Good online tax programs for people with general tax needs are available for less than \$20 and even investors or small business owners who have more complicated returns can find solutions for less than \$75.

"Completing your tax returns does not need to be a drain on your wallet," says Lundberg. "The right tax program can save a taxpayer both time and money."

### 4. Maximize your credits and deductions.

The average tax refund for 2008 was nearly \$2,800. However, many taxpayers have the sinking feeling that they are not getting the tax breaks they should. In fact, according to an independent survey conducted by CompleteTax, two-thirds of 1,000 randomly surveyed taxpayers fear they may overlook tax breaks or make mistakes that could cost them in fines or penalties.

"There are dozens of credits and deductions that people may have available to them. So it's important to make sure that the tax program they're using is geared to identify these and guide them to options that will maximize their refund," says Lundberg.

Some programs will also provide tools to help further ensure accuracy. For example, while millions of people donate clothing and household items to charities, few have any idea of the value. A tax program, such as CompleteTax, with a charitable donation calculator, provides an easy way for determining and documenting the fair market value of these items, helping you realize the greatest charitable contribution deductions you can.

### 5. E-file and use direct deposit.

Electronically filing and using direct deposit significantly increases how quickly taxpayers have access to their refund. Generally, e-filers can have their refund deposited directly into their accounts within a few days, compared to the weeks it takes to receive a mailed check. Certain tax programs also allow customers to split their refund and deposit it into three separate accounts. For example, you could deposit part in your checking account, part in your savings account and part directly into a tax-advantaged IRA account.

"E-filing and direct deposit don't cost you anything, but they can mean you have your refund faster so that it can start working for you - whether that's paying off debt, buying something you want or saving for the future," Lundberg says.

Taxpayers can find more money-saving tips through CompleteTax news and tax alerts at [www.CompleteTax.com](http://www.CompleteTax.com).

*Courtesy of ARAcontent*

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## Special Dental Benefits

As a member of Tampa Postal FCU, are eligible for high quality, affordable dental coverage offered by CompBenefits, which includes:

- \$5.00 copayment for office visits
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