



Tampa Letter Carrier

Volume 9 - Issue 6

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

Tampa, Florida

June 2010

President's Report

by Jim Good

President - Branch 599

OWCP, OIG & Postal Inspectors

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 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 days will be restored of you are out of work for fourteen 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
(continued on page 6)

Branch Meeting

Thursday, June 3 - 7:30 PM

Special Guest Speaker

FSALC President Matty Rose

Branch 599 Officers

PRESIDENT	Jim Good	(813) 417-8877
EXECUTIVE VICE-PRESIDENT	Dook Ramotar	(813) 767-0322
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LABOR - MANAGEMENT	A. Sam Santilli	(813) 215-7595

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Brandon	33510	Terry Franklin	(813) 758-3061
Brandon	33511	James Dobson	(813) 661-1636
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Interbay	33611	Sammy Graham	(813) 832-6644
Interbay	33629	Jim Tremblay	(813) 323-6534
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Tampa Carrier Annex	33607	Don Wiseman	(813) 713-6273
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Town & Country	33635	Brain Obst	(727) 458-0679
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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>

Unionism

by Brian Obst

Chief Steward - Branch 599

Safety and You

Safety on the job is of paramount importance. I believe that everyone plans to go to work and then come home after work with all of their body parts intact. No one plans to get hurt but it sometimes does happen. Just how do we prevent this from occurring?

Working safely is not something that just happens, it takes effort on your part to do so. By keeping our minds open and paying attention to the details we are able to be safe. Just what do I mean by paying attention to the details?

The details are things like bending over to pickup the plastic strap on the floor so one doesn't trip and fall, reporting defective equipment so it can be removed from the workplace and repaired, reporting problems with your LLV so maintenance can come out and repair the defects. These are just some of the things that you can do to be safe on the job.

Here in the Suncoast District there are a set of rules developed to help ensure driving safety known as the Suncoast Safe Driving Rules and the responsibility to follow these guidelines falls to the carriers on a daily basis. Now I know that

many of you feel these are written just so management have another way to discipline the carriers on the job but if you look at them I believe you will see the main purpose of these rules is to ensure that you get to go home every day in the same condition you came to work in.

These rules are designed with your driving safety in mind. They mimic many of the rules of the state of Florida and they are not so overbearing that they interfere with the duties and responsibilities we have as carriers, in fact much of the flexibility built into the rules is to accommodate the way we deliver the mail.

One of the most important rules is the rule dealing with shutting the engine off and setting the hand brake if we need to depart the vehicle for any reason (i.e. a dismount delivery). The reasoning behind this rule is to prevent the potential of a rollaway/runaway accident, where the vehicle slips into gear and begins to drive off (runaway) on its own or rolls off (rollaway) because either the engine was left running or the handbrake wasn't set. There can be no greater feeling of worry and despair as what one feels when they turn around and see their vehicle moving off on its own. This becomes an unmanned missile, unguided and the damage

it can cause can be catastrophic. I shudder to think about the potential damages caused by a vehicle runaway that enters traffic on a busy street or the potential fatal consequences of a runaway vehicle hitting an unassuming pedestrian. Not only are these possibilities dangerous but the ramifications of being the driver whose vehicle causes this from a runaway accident will have to live with this for the rest of their lives and no one wishes for that to happen.

Please make every attempt to be safe on the job. If you see an unsafe condition report it, if management fails to take action speak to your steward and he will direct you in the appropriate way to handle the situation. Safety should be your number one concern when doing your job and if you work safely there will be nothing else to worry about.

Remember, knowledge is the key

Until next month,
Brian Obst
Chief Steward

**Arslan Uniform Drawing**

The Arslan Uniform prize for the June 3rd Branch 599 meeting will be **\$360.00**. If you are in attendance at the meeting and your name is drawn, you will win the **\$360.00** donated by Bill & Shirley Moran of Arslan Uniforms.

Why not come to the meeting, hear what is going on in 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 there on June 3rd.

Health & Welfare

We are sad to announce that Ybor City carrier Victor Vega passed away on May 5th. Our condolences go out to the Vega family.

Building Maintenance Fund

The names of the donors who have contributed to the Tampa Letter Carriers' Building Maintenance Fund since the last printing of the newsletter are as follows:

Tony Diaz, Maggie Lancaster and David Skelton.
Thanks go out to these carriers for their generosity.

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

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AT THE TAMPA LETTER CARRIERS HALL

3003 W. CYPRESS ST.

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Around The Horn

by Tony Diaz

*Financial Secretary - Branch 599***Personal Issues**

Brothers and sisters, I recently encountered a situation that I have run across several times as a union representative. I relied on an old article I had written in 2008 to assist me in dealing with the matter at hand. Have you ever been put in a position of trying to help a co-worker or a fellow union member with a personal issue? I read an article in the *Steward Update* newsletter back in 2006 that addressed this issue. The article titled “*Helping Troubled Co-Workers*” was very interesting and I wanted to share some of the excerpts with you.

Most steward duties involve seeing that the union contract is honored, advising and assisting carriers with work related issues. It would not however be unusual to find a steward serving in the role of *Dear Abby*, trying to help co-workers deal with personal problems that find their way onto the job. I guess it just comes with the territory. A shop steward must accept the challenge, and while not having the training a social worker does, a steward can play an important role. The challenge is how you help these people without being a “busybody”. For instance, referring troubled co-workers to the Employee Assistance Program (EAP) is excellent advice a steward can provide without probing to deeply into some of the personal issues. This advice not only can help the individual going through the bad times, but also may benefit everyone else in that station. The article addressed questions like; How

does a steward approach a co-worker who seems headed for trouble? How do you make that referral without being seen as judgmental or intrusive? When do you push the issue? When do you back off? Knowing the services available that may be helpful (EAP, counseling and other helpful services available) is important. When making a referral, have a brochure, a phone number or an address to give to the troubled individual. Most people in pain welcome the inquiries of a concerned person, and need to be reminded that help is available. EAPs are comprehensive programs offered as a benefit to employees. They are generally a 24-hour crisis intervention, assessment, short-termed counseling with referrals to helpful recourses within a community. Problems that are usually addressed include substance abuse, mental health concerns, workplace stress, financial difficulties, family and relationship problems, marital difficulties, physical illness and a host of other life stressors. A shop steward may encounter two different scenarios, the willing worker and the resistant worker. Where the willing worker might be more inclined to listen and accept the advice, there still might not be a response or an admission to the severity of the problem. The resistant worker may require more persuasion and a need to push a little. For example, you tell him/her, “As your steward, I want to talk with you about getting in trouble with the supervisor. Remember, I am on your side.” You present some EAP information and be prepared to name the troubling behavior. For example, “People say you’re spending hours on the phone, fighting with your husband/wife. It is not only affecting you but all the people who work around you. The supervisor is going to come down on you, if he/she

hasn’t said anything to you already.” When the angry response begins, interrupt and say, “Look, I am your steward not a family counselor, but I can direct you to some professional guidance, and it’s free. Here is a brochure (or a number), it is the smart thing to do. Do not let your husband/wife control your life, and make you lose your job.” Unfortunately, not every worker will accept help and may have to learn the hard way. Try as you might, you won’t be able to get through and this experience is very frustrating. At this point your co-worker will hopefully find his/her “bottom” and get assistance. The steward, at this point is not to blame, the effort was made. To sum up, I approached my situation with compassion, personal knowledge and humility, trying to give the best advice for the individual and the entire work place. It seemed to make a difference this time.

**Quick Hits: Information you should know**

*Summer months are upon us, with the extensive heat hydration becomes very important. Hydration is defined: *to provide water for somebody or something in order to reestablish or maintain a correct fluid balance.* Pay attention to your body. Take an extra break if you are feeling any symptoms that accompany dehydration.

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

Food Drive Report

Food Drive 2010

To all my fellow brothers and sisters,

What a pleasure it is to report another successful year to you. We really showed the organizations involved with this program that we know how to work it! After 18 years of collecting the most food in one day, we deserve astonishing results. Our total poundage collected has reached 2,062,529! I am extremely impressed at the very good communications between every station in the 336 zone. Thanks to all those shop stewards who called in to report and those who helped while it was their day off of work. Thanks go to the managers and/or supervisors who drove their family pickup trucks to help relieve their carriers of so much food that they collected during the day. A big thank you and appreciation goes out to Marianne Baab (ret. Rural Carrier) who worked the rural stations. She helped to post food drive fliers inside postal lobbies, spent a Sunday to

help label and distribute Publix bags, worked closely with Tampa Bay Harvest on special food pickups from rural stations and even had her husband Ken (retired carrier) helping at Northdale station. Thanks to you both for helping to feed thousands in need right here in Hillsborough County. Verbal reports from some rural stations were above normal level as well. This could not have happened without the support from the rural carriers. A wonderful job was done and the NALC thanks every one of you for helping out. Also, our own MVS drivers did an excellent job of emptying out the post offices all throughout 336, working till 9pm. As did the volunteers at the warehouse driving the forklifts and those physically unloading bags that were on the trucks without boxes or cages. Every little bit of help is appreciated.

Did you know that all of the food you collect stays in your delivery area? There are food banks all over this county and some of those provide a box truck for our drive to help collect

food. They get to keep that food and return it to their kitchens.



With all the good information said, I must make an apology to the shop stewards and their carriers from those stations who received the wrong pick up point times. I inadvertently gave the shop stewards a copy of a previous year's box truck pickup points. We have since altered the times and therefore those trucks were missed. Other mistakes could be worked out over the phone and some can only be noted in hopes to fine tune those areas for next year. With that said, if anyone has an issue or suggestion to better the program, please don't hesitate to contact me.

In solidarity,

Lori McMillion
Food Drive Coordinator - Branch 599

President's Report *(from page 1)*

are injured on the job, call the union office for advice. I can and will represent you in the process!
It is always better to err on the side of safety and see a doctor or go to the emergency room immediately if you are injured.

Now on to another important topic. When a supervisor, station manager, an officer of the Inspector General or a postal inspector requests to speak with you should do one very important thing. Ask if this discussion could lead to discipline. If they tell you that it is a possibility tell them you would like

to have your shop steward represent you in the meeting. They must provide representation to you. You may think that they are nice people, and they probably will come across that way, but they are not there to help you. They are there because something has gone wrong and they were called in to do an investigation. The problem with going into the meeting alone is that they almost always travel in twos. One to read you the questions and take notes, and the other to also take notes Who is going to write down your answers if you are in there alone? Surely not you; so it is two against one. Please, please protect

yourselves! Know your rights and use them. I know I have said these things numerous times, but carriers continue to not pay attention. You pay the officers and shop stewards to help you out in these awkward situations, so please use them. They have been trained in the proper ways to represent you.

And finally, I want to once again say a great big Thank You to everyone who helped Branch 599 collect over 2,062,000 pounds of food during our May 8th Food Drive. You all did an outstanding job, and we may very well be the number one branch in the country.

Food Drive 2010



A Point of Personal Privilege

What Do You Think?

If the Postmaster General and his associates are serious about really limiting spending and to have surplus revenues, why hasn't Mr. Potter sought ideas from the craft unions? What better group of individuals could come up with ideas to help save the USPS revenues? Who could be better on the implementation of doing this job than those specific members of the craft unions? However, as all craft employees know, the postmaster and his cronies have only one mindset. They want to eliminate the heart and soul of the USPS: service. Service that is only provided by craft employees, i.e. clerks and letter carriers. You get rid of those craft employees and efficient, quality service is no longer achievable. The pencil pushers will maintain their projected numbers and bonuses but at the demise of the USPS.

Retired letter carrier, Herb Flavell of Branch 38 in New Jersey, has some interesting suggestions on some possible revenue savings, acquiring additional revenues and increase volume:

"1. Cards such as Christmas, birthday, anniversary, graduation, Mother's Day, Father's Day, etc. charge one half the cost of the first class mailing price of each item; 2. Sell the product at each post office that holds the product we deliver...mail receptacles. After all, they have to be approved by the Postmaster General of the United States; 3. Abolish bonuses (incentives) for every management position; 4. Managers that violate the National and Local Agreements will be fined. Repetitive violations of these agreements will increase the amount of the fines. The fines will be paid by the individual violator; 5. Abolish all vice presidential positions at the USPS; 6. Abolish the local positions of postmaster and assistant post-

master/superintendent of postal operations; 7. Since every other agency of the federal government receives a 100% subsidy why can't the USPS receive a minimum of a 25% subsidy? This would give the USPS about \$20 billion dollars annually."

I have written in previous articles about the exorbitant wages management above the floor supervisor and station manager annually receives. Should anyone care to re-read my articles from 2/09, 3/09, 4/09, titled "Are You Kidding", parts I-III. And of course my article from 4/10, "The Death of Ben Franklin's Idea". These articles contain my personal feelings toward the continual mismanagement of the USPS by all those above each station manager.

Another idea that might save the USPS revenues is something I have harped on ever since automation. Let the letter carrier case the DPS mail, give CFS back to the letter carrier, and let the carrier case the FSS mailings. Abraham Lincoln said, "A house divided against itself cannot stand.." Why does the USPS have two separate business operations within one organization: Customer Service (delivery) and Mail Processing? Each operation is a separate entity that only seeks its own goals. One is time savings and the other is the quantity of production. Neither one is satisfied with quality or service.

These operations have multiple levels of mismanagement that should be eliminated. An idea that might save revenues on repetitive grievances would be to invoke the *three strike rule*. On the third violation, said violator would be returned to craft for a period of two years at the PTF level of pay and acquire junior seniority. Thus any individual or former management employee seeking a management position must have worked in all crafts

by Leslie Ray Garcia



over a period of five years prior to applying for a managerial position. An example of this would be a minimum of one year in each craft. After completing this, said individual would have to take a test and pass this test with a minimum of 95%. Former management individuals must submit a fitness for duty exam.

You know as well as I do that violations of the National and Local Agreements occur every day. Most of them are formulated at the top of the management chain of command and the *three strike rule* should apply to them also. It is my understanding that many of the government offices of the United States do not use the USPS for its mailings. This is another avenue that should be sought to increase our revenue. I know at one point our own local Tampa Post Office at District was utilizing Fed Ex and other forms of companies to send their mailings. How much revenue has been lost through this ill advised concept?

I once had a conversation with a much disliked supervisor during which I told him I had ten favorite supervisors. The supervisor asked me who they were. I rattled off their ten names and the super replied that they were all dead. I answered that was the reason I liked them.

Don't get me wrong. There are many excellent supervisors that understand the plight of craft employees and know that we are the strength of this organization. However, their hands are tied and they are not allowed to manage properly. This is one of the many reasons I never applied for a managerial position.

I am submitting a challenge to all
(continued on page 9)



Branch 599 President Jim Good congratulates Ray Zschoche on his retirement

Personal Privilege *(from page 8)*

active and retired letter carriers. With the ever increasing threat to our jobs and the continued emphasis of five day delivery, please consider donating to COLCPE by signing up for the "Gimme Five" program. I have.

"Politics has got so expensive that it takes lots of money to even get beat with."

Will Rogers

Food Drive 2010



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