

The Philadelphia POSTAL WORKER

Vol. 29 No. 3

A Member of the APWU Postal Press Association

September/October 2009

Weathering the Hurricane of Bad Management Decisions



*Gwen Ivey,
President*

According to the latest information put out by management the number of city stations on the closure hit list is now down to eight (30th Street Train Station, Adams Ave., Castor Ave. Franklin Mills,

Girard Ave., Mayfair Postal Store, Nicetown and Wissinoming.) However, we feel management is playing a shell game with this list and we are taking the position that every city station is potentially on the closure list. We have formed a committee to combat the issues we are being faced with.

The Mayor and City Council were sent letters asking to help stop this action; petitions and flyers reaching out to the community for support are being given out; phone calls have been made and letters have been sent to our Senators and Congressional leaders. We are doing everything humanly possible to prevent the closure of any city station.

On Friday, Sept. 4, 2009, the Nicetown community put together a rally outside of Nicetown Station to show their displeasure at the pros-

pect of losing their Post Office. We were very much in support of this move and showed up in force to participate in the demonstration. The senior members of the community were out in full force to keep their station open. We can not sit back and do nothing; we must fight these issues together. What affects one of us affects all of us.

The people running the Postal Service and the Republican Party are trying to run us out of existence. The Postal Service says they are in dire financial straits, and they are. Yes, the economy is down, mail volume is down, but it is the continually bad business decisions they always make that hurt us the most and cost the public we serve and the workforce to suffer.

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Safety and Health



*Mark Reeves,
Vice
President*

Hello brothers and sisters. I wanted to update you on the current status of the April 7, 2009, formal complaint that I filed with the Philadelphia area Occupational Safety and Health Administration

(OSHA) on behalf of the Philadelphia PA Area Local 89 for the ergonomic issues related to the DBCS machines.

I reported in my last article that local unions around the country initiated formal complaints with OSHA against the Postal Service on this issue. As of September 2009, OSHA has conducted inspections of the DBCS machines at several postal sites across the country.

As the process continues, the inspection team will take a short break from inspections to validate the information that has been collected along with the legal team that will thoroughly review all of the documentation that was gathered.

OSHA will not be inspecting every postal site that filed a formal complaint. OSHA will inspect representative sites that are located in

each of the 12 OSHA districts. After the completion of the OSHA inspection process and a final determination of the results are made OSHA will address this issue with the Postal Service on a national level.

Here in Philadelphia your union representatives on the workroom floor have spearheaded the effort to ensure the safety and health of our members who work on the DBCS machines. Grievances on the safety and health and on the inadequate staffing of the DBCS machines have been filed in mass. The APWU has made attempts to address this issue at the quarterly labor-management meeting and at the quarterly joint safety and health committee meeting with no success. We will continue to work towards final resolution of this issue through all means at our disposal. □

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Send all communication to the Editor at the above address or via e-mail to dstevenson@phillyapwu.com.

Articles must be submitted by the second Thursday of the month. They must be typed. Letters must be signed. Name withheld upon request.

Visit our web site at
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Weathering the Hurricane

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They are doing all they can to make us look bad; the stations not having enough employees to properly service the customers, lines out the door, the list goes on.

Incentive Negotiated

Our National APWU President Bill Burrus has negotiated a monetary incentive of \$15,000.00, to be paid in two separate lump sums, to employees who decide to leave the employment of the Postal Service. To receive the incentive an employee may leave either by regular retirement, early retirement, or an employee may resign. Under those circumstances eligible employees will receive the incentive.

The negotiation was finalized on August 24, 2009. Employees who as of August 24, 2009, who had a scheduled date of retirement on or before September 30, 2009, will be permitted to retire on the date they selected, and will be eligible to receive the \$15,000.00 incentive. All other employees who want to retire or separate under the incentive will receive a retirement date, assigned by management, of October 31, 2009 or November 30, 2009. If an em-

ployee has already submitted their retirement paperwork with a retirement date after those two dates they can still receive the incentive payment, however, they will have to change their retirement date to one of those two dates.

Excessing Update

In July of 2008, we were notified there would be 185 employees excessed outside the Philadelphia Bid Installation. Through the unions' aggressive negotiating, attrition and non-impacted employees who opted to take 'in lieu' of positions we got the number of employees to be excessed down to 85 employees. Although we would have preferred that no employees are excessed out of Philadelphia we were pleased that we were able to save 100 people from having to go through the process of uprooting their lives because of their job.

The effective date of the excessing was June 20, 2009. Because of the medical conditions of some of the impacted employees not all of the employees left

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General Membership Meeting

Thursday, October 15, 2009

7:30 p.m.

864 Main Street
Darby, PA 19023

Shuttle Service from Lindbergh
to the
Union Hall Available

Light Refreshments Will be Served

Following Meeting: November 19, 2009

This COLA Won't Satisfy Your Thirst



**Stacey
Franklin,
Treasurer**

Hello brothers and sisters! I recently reported that the sixth cost of living adjustment (COLA) for the 2006 Collective Bargaining Agreement was scheduled to take effect during pay period 19, which

would have been effective August 29, 2009. Our national union reported that in the month of July the Consumer Price Index (CPI) fell to 627.093, still well below the July 2008 index of 644.303, upon which our last COLA was based. The CPI must rise above 644.303 before another COLA is due. After the final month of the six-month measuring period, the sixth COLA will unfortunately be zero. The fifth COLA of this agreement that would have been effective March 14, 2009 was also zero.

Our next scheduled pay raise will be the second general increase under the 2006 Collective Bargaining Agreement; the 1.2% increase will be effective November 21, 2009.

The trustees that oversee Social Security have predicted that millions of retired and disabled Americans will not receive a COLA for the next two years. Automatic increases were adopted in 1975, and this will be the first time that payments did not increase. The COLA is directly related to inflation, which has been negative this year because energy prices are below 2008 levels.

Federal law requires that social security payments cannot decrease. However, millions of people are enrolled in the Medicare Prescription Drug Program, and those rates are scheduled to increase. The premiums for the prescription drug program are often deducted directly from their social security payments which will cause people to see a decline in their monthly payment. An estimated fifty million retired and disabled Americans receive social security benefits and about thirty-two million people are in the Medicare Prescription Drug Program. For many who solely rely on these benefits a slight decrease in their monthly payments could be extremely detrimental.

Some lawmakers are pushing for an increase, despite the prediction, but many are against it because of the serious financial problems that are plaguing Social Security. Social Security is slated to pay out more than it is taking in during the year 2016, and if the issue is not addressed the fund will be exhausted in 2037. President Obama has stated that he will address these issues next year.

Blurred Vision

On the Postal Service's website, www.usps.com, the USPS has a five year business plan (2009 - 2013) called Vision 2013 and this plan was composed in October of 2008. According to the Postmaster General and the Chairman of the Board of Governors, the goal of

Vision 2013 is to maintain affordable universal service for the country. This plan is supposed to be guided by one principle, "we exist to serve our customers," and the first of three major strategies is, "focus on what matters most to our customers." We are all aware that customers have different opinions and different needs. A customer that predominantly performs business transactions will have a different opinion than a customer that predominantly performs personal transactions. However, as a prior Sales and Service Associate that served business and personal customers no one has ever complained to me that the Postal Service should close the stations as an option to serve customers better. Both types of customers generally had the same complaint and question. The complaint being that the USPS should improve service and the question, which a lot of window clerks hear almost daily, "Why are these lines so long?"

I recently traveled to North Carolina and I asked several residents from different cities about their experiences when they go to their local post office to obtain services, whether it's purchasing stamps, money orders, mailing packages, asking questions or any other services that are performed daily in postal stations, and all of them said the exact same thing; the lines are ridiculous and the stations are always understaffed.

Several people informed me that they think the Postal Service is intentionally trying to turn them away. Some of the elderly people rely on relatives or friends to give them rides to the stations to conduct their business, and they often feel bad asking because they know in advance that a trip to the post office will not be a short one. These residents stated that they complain, but nothing changes. The general consensus from everyone that I asked about the Sales and Service Associates that work in these stations was the same; the residents said the Associates are always professional and courteous, even when some customers give them a hard time because they are irate due to standing in those long lines.

The Postal Service states in this five year plan that, "for millions of customers who visit our Post Offices each day, the contact with retail associates is still an important part of their relationship with us. Customers appreciate the personal touch of postmasters, account representatives, mail acceptance staff, and many others."

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Fighting Contract Postal Units



Gene Chieffo
Director of
Industrial
Relations

The USPS announced in May that more than 3,200 stations and branches in Level 24 and above post offices would be evaluated for possible consolidation or closure. Retail employees are understand

ably fearful that their jobs will be eliminated, and the union is convinced that management plans to replace the stations and branches with Contract Postal Units (CPUs), which are owned and run by non-postal employees.

To protect retail jobs, a national-level grievance has been filed regarding plans to consolidate and close stations and branches. The Union is also participating in proceedings before the Postal Regulatory Commission on the subject.

Here are some important guidelines that will help determine whether CPUs violate the Collective Bargaining Agreement or USPS handbooks. If the CPUs are in violation the union will demand that they be shut down. We also will demand compensation for work our members are denied and that the work currently subcontracted be brought back into the U.S. Postal Service.

To help decide whether a CPU has been properly established, answer the following questions:

- Does the CPU own its own facility? A contract postal unit is a contractor owned and operated facility, under contract to the Postal Service.
- Does the Postal Service rent or own the property the CPU is operating and then identified the operation as a CPU? This is improper, because Article 1 of the Collective Bargaining Agreement stipulates that the APWU would have jurisdiction over such a facility. That means that the APWU would represent the workers, and the contract would have to be honored. If the USPS rents or owns the property, the operation fails to meet the requirements of a CPU.
- Does the CPU have a post office box section? Postal regulations stipulate that post office boxes may be located only in USPS operated facilities.
- Does the business housing the CPU sell alcoholic beverages for consumption on the premises? If the business sells alcoholic beverages for consumption on the premises, the operation fails to meet the requirements of a CPU.
- Does the CPU also sell the products of competitors? CPUs established after May 17, 2007, are prohibited from selling competitors' branded products, including those of UPS and FedEx, unless an exception has been granted by USPS Headquarters. If the CPU sells these items, the operation should be challenged.

Our Eyes and Ears

You are the eyes and ears of the union and must be on the lookout for any and all viola-

tions of our contract. Ask for the help of your friends and family; ask them to let you know when a new CPU opens up so you can inform the union. It is only through the proactive participation of you, our members, that we'll be able to battle management when they violate our contract and our rights. Staying strong and united is how we'll stay employed. □

COLA

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Considering the understaffing that currently exists in post offices across the country what message is the Postal Service sending to the millions of customers that visit our Post Offices daily? What type of personal touch can a retail associate give to a customer when the lines extend to the door and when a customer finally approaches the window they are angry and agitated and really not interested in hearing about additional services that we offer; or when a customer hurries to one of our Post Offices during their personal lunch break and find that the Post Office is closed because only one retail associate is working and that associate is on their lunch break? To add insult to injury, now the Postal Service is suggesting the closing or consolidation of thousands of identified post offices and finance stations. Does the USPS really want to focus on what matters most to our customers or is their vision blurred?

The Time Has Come

In my last article I stated that the USPS should offer some type of financial incentive to eligible retirees, well that time has finally come! After intense negotiations National APWU President William Burrus signed a monetary incentive agreement for retirements and separations with the Postal Service on August 25, 2009.

This monetary incentive will allow certain APWU represented craft employees that are eligible to retire and employees that wish to separate on or before November 30, 2009 an opportunity to retire or separate and receive monetary compensation. The agreement also includes a moratorium on excessing through October 9, 2009. Basically, physically excessing an employee will be held in abeyance until that date.

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More Than Stamps Being Canceled



**Drew
Stevenson,
Editor**

With the current economic climate facing the Postal Service your stamps may not be the only thing getting canceled. The U.S. Postal Service is currently reviewing operations at city stations and branch

offices throughout the country and has identified over 600 stations and branch offices that it considers as being underused and not profitable. These stations and branch offices are targeted for closure and/or consolidation.

The following is a list of Philadelphia city stations that have been identified by the Postal Service for consideration to be closed: 30th Street Train Station; Adams Avenue Postal Store; Boulevard Station; Castle Station; Castor Avenue Station; Franklin Mills Postal Store; Girard Avenue Station; John Wanamaker Postal Store; Manayunk Station; Mayfair Postal Store; Nicetown Station; Olney Station; Somerton Station; Wadsworth Station and Wissinoming Station. And it just isn't in Philadelphia that this is happening, this is being done all over the country.

The Philadelphia suburbs are no exception either; the same report that listed the Philadelphia city stations also listed Post Offices like the Bridgeport Post Office. At this point in time the Postal Service hasn't said these stations and branch offices will definitely close, but just like the blue mail boxes you used to find all over the place city stations and branch offices will be disappearing soon too.

What I find most disturbing about all this is the fact that the true reasons for the creation of the United States Postal Service seems to be lost on the people who run the Post Office. The Postal Service was created so that every citizen of this great country of ours would be able to communicate with every other citizen; we'd be able to conduct business over distance in a safe and secure manner and all at an affordable price. The Postal Service was not created to generate a profit. In fact, the mandate of the Postal Service is to break even.

What I'm trying to get at here is that there is no such thing as an underused station or branch office. Try telling the person who doesn't drive, is on a limited or fixed income that because not enough people use the same Post Office as them they're going to close it and now you have to travel three or four miles to the next closest one. It will be a great inconvenience to some and downright impossible for others.

I read an editorial recently in the Philadelphia Inquirer where the author thought perhaps "nor unprecedented recession" should be added to the Post Office motto. Unfortunately, the recession may do what snow, rain, sleet, heat or gloom of night could not do, stop the delivery of the U.S. Mail.

The Postal Service has a debt ceiling of 15 billion dollars; they have hit that ceiling. In

accordance with the 2006 Postal Accountability and Enhancement Act they will be required by law to make a five billion dollar payment to pre-fund future retiree health benefits. The Postal Service does not have the funds to make this payment and will default on it, according to Postmaster General John Potter. Mind you no other federal agency or private sector company is required by law to pre-fund their retiree health benefits, just the Postal Service.

So with the recession and mail volume falling by a couple billion pieces over the last year and not expected to recover, the threat of closures and consolidations to the Philadelphia city stations and branch offices everywhere should be taken as a reality, however, I think it would be a mistake to deny potentially millions of customers nationwide easy access to what for many is a life-line to the rest of the world. □

COLA

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Hopefully, this incentive will help those employees who are contemplating whether or not they wish to retire or separate in their decision. The first payment will be received this year and the remaining payment will be issued next year. This incentive may also reduce or eliminate current and future excessing and will hopefully expedite the retreat rights of our members that were already excessed.

The Postal Service stated that the funding for this incentive will be based upon the wages saved for each employee that decides to retire or separate. The agency has reported and complained that employee salaries make up a major portion of operating expenses so this monetary incentive should have been at the forefront of any decisions to reduce costs prior to tour compressions, excessing our members and paying extensive relocation costs.

It is very comforting to know that our union continued to fight for this opportunity, regardless of the fact that the Postal Service did not want to provide any incentive, until it came to fruition for our members.

Mortgage Relief Loan Modification

Mortgage relief loan modification is a part of the American Recovery and Reinvestment Act.

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Weathering the Hurricane

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June 20, 2009. They will leave once they find a place for them within their restrictions, most likely quite a bit further away than the other employees who already left.

Unfortunately, excessing has once again reared its ugly head. On July 17, 2009, we were notified we are again under Article 12 withholding and have been notified of another excessing of employees. The number of targeted employees at the time was approximately 77 to be excessed outside the Philadelphia Bid Installation. We negotiated it down to approximately 55 at our first meeting. More information will be given after our next meeting.

Live Bidder Letters

There is something new, yet old, that is affecting members these days, 'Live Bidder Letters'. As stated in Article 37.3.F.8 (a) of the National CBA, "When an employee is designated as successful bidder and remains a live bidder on other bids, the employee shall notify management in writing within ten days of his/her election to remain a bidder on one or more of those assignments. The notice shall identify the assignment(s) by job and posting number. Failure to notify within ten days will cancel such other bids."

The Live Bidder Letters are known more so at the city stations than at the Lindbergh Plant, however, recently a few employees were affected by this. The letters come into play when a job will fall down to an employee. The most common scenario that happens is that an injured employee bids on a job; that employee is

then disqualified for that bid due to his/her medical restrictions, and then that bid falls down to the next senior bidder who is a 'live bidder'.

Once an employee receives an award on a bid posting, that employee must submit a letter requesting to remain a live bidder on other jobs that they bid on for that specific posting. You must list the specific bids by job I.D. number and the posting number as stated above. However, if an employee bids on a posting and does not receive an award, that employee automatically remains a live bidder on all bids that they submitted for that posting.

Make sure that when you bid and you receive an award, submit your letter ten days from the date of your award if you wish to remain a live bidder.

Burrus Letters

Employees who bid and have some type of medical restrictions will receive what is known as the "Burrus Letter". This letter will request the employee to submit their current medical restrictions within fifteen (15) days of the receipt of the letter.

The award will be held pending the outcome of the response to the letter. If the employee fails to respond or the restrictions state the employee is unable to perform the full duties of the job, the award will go to the next senior bidder

As per Article 13.5.C of the National CBA and

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This COLA Won't Satisfy Your Thirst

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You may be eligible for some assistance if: your mortgage was obtained prior to January 1, 2009; have a primary mortgage of less than \$729,000.00; may be at default or risk of default; and if your home is owner occupied.

If your total debt is more than 55% of your income you may still be eligible, but may be required to attend debt counseling. Some lenders will lower your monthly payments to 31% of your gross income and lower your interest rates. The refinance will last for five years and you can receive financial incentives for making loan payments on time. You still are required to prove that you are able to make loan payments.

It is predicted that over eight million homeowners could benefit from several different types of loan modifications. If you are an interested homeowner, or know someone that may be interested, you should contact your lender and/or other lenders to participate in these modification programs and determine eligibility. If you are eligible make sure you do

your homework to ensure that whatever program you participate is advantageous to you.

Locally

As the Treasurer and a union representative for our Local I take my job very seriously. Our local is not exempt from the consequences of this current dismal economy. Our finances remain strong, however, our main source of income is attributed to the collection of union dues, and because of attrition and the Postal Service freeze on hiring our membership has declined. It is imperative that we cut costs and generate revenue to remain financially solvent.

We are continually viewing all expenditures and reducing costs. In the near future instead of sending our newsletters to an outside printer

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Not the Lottery



**Kenneth
Lester,
Director,
Maintenance
Craft**

Hello union brothers and sisters. There have been several questions that need to be clarified at this time. Many have considered the grievance procedure some kind of money generating entity; much like a lottery. Believe me, that is not the purpose of this most essential tool. Our enforcement of the contractual agreement is foremost and essential in protecting the future of our members and their families.

According to Article 15 of the contract a grievance is defined as, "a dispute, difference, disagreement or complaint between the parties related to wages, hours, and conditions of employment." Although the provision allows for a wide field of issues, it is important for us to pursue legitimate concerns. To forward an issue simply out of anger against management places a drain on resources and costs the union and members. An appeal without supporting facts or documentation usually results in a wasted investment. Believe me each of you fully expects, and is entitled to, a fair accounting of the union's investment in funds and effort.

For far too long, our appeals process has suffered unnecessary delays. Much of these delays are due to appeals that are simply minor disagreements that should have been addressed and resolved at the lowest level. Often our union representatives are demanded to file an appeal for issues that are lacking in validity and have little or no merit. The grievance procedure can no longer be depended upon for this use. It serves to prolong resolution of serious issues and subsequently places members "justice" on hold. This causes a serious disservice to our members and makes it difficult for the union to maintain respect and dignity of the job.

There are often individuals who like to 'play' the process like a lottery, seeking some financial jackpot despite the obvious strain on the process. This is selfish and disregards other members and the financial viability of the union. It places strain financially on the union and members. The increasing abuse of the process must be stopped and diligence restored.

The contract expresses that, "A grievance shall include, but is not limited to, the complaint of an employee or of the union which involves the interpretation, application of, or compliance with the provisions of this Agreement or any Local Memorandum of Understanding not in conflict with this Agreement." Our pursuit of contractual enforcement must be diligent and the foundation of our struggle. This includes the pursuit of legitimate and justified issues supported by facts not opinions, nor anger.

When we achieve this aspect of our responsibilities, the appeals process will yield results, justice, in a timelier manner. It is up to each and every one of us to remember the lessons of the

past and establish necessary change. The improvements will lead us to be a more effective and focused bargaining agent. □

COLA

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we are in the process of moving the production of our newsletter in-house, which will save us several thousands of dollars annually. We have also implemented other in-house printing of forms that will also save money.

The union is also in the process of upgrading our grievance manager system that will not only enable our representatives to be more effective and efficient; it will also save time and money.

The upgraded grievance system will also afford the Local an opportunity to generate revenue, because the Local will own the rights to the programming and we will be able to solicit other Locals to either purchase or lease the program to improve their processing also.

Additionally, the rental of the union hall for various types of events has generated several thousands of dollars of revenue and the interest from members and other outside sources for future events has been phenomenal. I receive numerous calls daily from prospective renters and we already have several events booked for 2010. I can assure you that there will be additional cost cutting measures and ideas to generate additional revenue.

Our Local is roughly 91% organized, but we still have quite a few non members. The Local has a long standing policy of compensating a member \$50 for referring a non member to join the union. If you work with or know any non members encourage them to join our union and you will be compensated.

The benefits are endless. Everything that the APWU obtains, locally or nationally, for its members, whether it's our salaries, health insurance, no layoff clause, monetary incentive, etc., is negotiated. The USPS does not simply give the members anything that we want, the union fights to protect our jobs, rights, and our livelihood. In solidarity! □

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the JCIM, "An employee who is temporarily disabled will be allowed to bid for and be awarded a preferred bid assignment in accordance with the provisions in the various craft articles of the National Agreement, or where applicable, in accordance with the provisions of a Local Memorandum of Understanding, provided that the employee will be able to fully assume the position within six months from the time at which the bid is submitted.

Management may, at the time of submission of the bid or at any time thereafter, request that the employee provide medical certification indicating that the employee will be able to fully perform the duties of the bid for position within six months of the bid. If the employee fails to provide such certification, the bid shall be disallowed, and, if the assignment was awarded, the employee shall become an unassigned regular and the bid will be reposted. Under such circumstances, the employee shall not be eligible to re-bid the next posting of that assignment. If at the end of the six month period, the employee is still unable to fully perform the duties of the bid for position, management may request that the employee provide new medical certification indicating that the employee will be able to fully perform the duties of the bid for position within the second six months after the bid.

If the employee fails to provide such new certification, the bid shall be disallowed and the employee shall become an unassigned regular and the bid will be reposted. Under such circumstances, the employee shall not be eligible to re-bid the next posting of that assignment. If at the end of one year from the submission of the bid the employee has not been able to fully perform the duties of the bid-for position, the employee must relinquish the assignment, and would then become an unassigned regular and not be eligible to re-bid the next posting of that assignment.

It is still incumbent upon the employee to follow procedures in the appropriate craft articles to request notices to be sent to a specific location when absent. All other provisions relevant to the bidding process will also apply. If the bid is to an assignment that has other duties or require-

ments more physically restrictive or demanding than the employee's current assignment which, at the time of bidding, the employee cannot perform as a result of temporary physical restrictions, the employee's bid will not be accepted."

There has been an ongoing problem with employees who know they are unable to perform the full duties of a bid assignment bidding and holding a bid without ever working a day in that bid. Injured workers must remember if they bid on a duty assignment, such as automation, and are found unable to perform those duties, that employee will be blocked from bidding on that duty assignment (e.g. automation) until such time that they provide documentation showing they are able to perform the full duties of that assignment prior to submitting bids.

If you have already been disabled for a period of time prior to receiving the 'Burrus Letter', management will take that period of time into consideration, especially if it has been a prolonged period of time.

Injured employees have the right to bid; however, strict enforcement of the contract will help protect the rights of both the injured and able-bodied workers.

In closing I want to tell you about an article I read recently that was written nearly 20 years ago by a former NBA from the midwest that is as true today as it was when it was written. The enemies of the Postal Service are no longer attacking us from the outside; they have long ago infiltrated our ranks and are now attacking us from within.

They attack us from within every time they knowingly make a bad business decision; they attack us every time they put their bonuses before customer service; they attack us every time they close a facility, excess an employee or eliminate more jobs.

Brothers and sisters I am here to tell you we are in a war; a war for our livelihood; a war to provide quality, affordable service to our customers. I am calling on every one of you to stand with me and fight, for there is strength in numbers and together our voice will be heard. We will not go silently into the night! In solidarity! ☐