

*The Official Newsletter of
NJ Merged Branch 38, NALC*



THE SENTINEL

July 2024

Branch 38 Scholarships



President

by Mike O'Neill

Congratulations to the winners of Branch 38's four \$1,500 scholarships. Jessica Caldwell, the daughter of Old Bridge letter carrier Lisa Caldwell, was awarded the Michael J. McTigue Scholarship. Isabella Gabbirazio, the daughter of Belford letter carrier Melissa Picariello, has been awarded the Gil Hampton Scholarship. Jonathan Santiago, the son of Wyckoff letter carrier Johanna Espinal-Santiago, has been awarded the Richard P. O'Connell Scholarship. Brianna Singleton, the daughter of Union letter carrier Harvey Singleton, has been awarded the Tony Massa Scholarship.

All the applicants presented extraordinary scholastic records and have been of valuable service to their schools and communities. Best wishes to all the applicants and scholarship winners. You have made your families proud, and Branch 38 is honored to help as you go forward with your education. Special thanks to Bruce Didriksen, Region 15 National Business Agent for joining us for the presentation of the scholarships.

On another important subject, management is required to provide Career Conversion Training to city carriers when they are converted to career status. That training is normally held at District Headquarters. During this training, employees are informed of their

newly acquired benefits, which include health insurance and Federal Employee Life Insurance. There are strict time frames in which the employee must enroll in these programs, or wait until the next open season.

It has recently come to our attention that many newly converted carriers have not been given the opportunity to attend this very important training. The local Postmaster is normally notified by the District when an employee who has recently been converted is scheduled to attend the training. Unfortunately, in some cases the notification is ignored and the carrier is not notified of the scheduled class. As a result, the carrier may miss the time limits for obtaining health benefits or Federal Employee Life Insurance. When that happens, that employee should contact the Branch office for assistance.

To avoid this from occurring in the future, newly converted carriers should contact the Branch office and we will make certain that they are scheduled to attend the class and that they are permitted to go. Anyone reading this article should make an effort to inform any newly converted carrier of this issue. We want to prevent anyone from falling through the cracks in the future.



Scholarship winners Brianna Singleton, Jessica Caldwell, Isabella Gabbirazio, and Jonathan Santiago.

NEW JERSEY MERGED BRANCH 38

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DATES TO REMEMBER

BRANCH MEETINGS

September 4, 2024
October 2, 2024
November 6, 2024

SPECIAL EVENTS

Labor Day
September 2, 2024

Retirement Seminar
October 6, 2024

Shop Steward Training
October 9, 2024

Charlie Connell Golf Outing
October 14, 2024

Retiree Breakfast
October 20, 2024

**NJ Merged Branch 38
Web Site**

<http://www.Branch38nalc.com/>

Working Together for MDA



Executive Vice President

by Dan Szucs

The NALC was the first national sponsor of MDA in 1953, and MDA continues to be the NALC's official charity. America's letter carriers have helped lead the search for a cure for neuromuscular diseases for half a century. For many years, Branch 38 has been the number one contributor to MDA out of all the branches throughout the country. 2023 was no different, Branch 38 was number one in the country raising \$54,955.47. We kicked off our 2024 fundraising efforts in January with the 7th Annual Shamrocks for MDA in Honor of Robert Paccioretti.

During our first 6 years of this fundraiser, you helped raise \$60,187.00. This year's kickoff was no different. The members of Branch 38 answered the call and raised \$14,250.00. The officers and staff of NJ Merged Branch 38 have continued this tradition and believe that the annual Shamrock campaign in Bob Paccioretti's name is a fitting way to honor his memory.

This success has been matched by our other fundraisers that took place so far this year. In January, our first annual Pickle Ball for MDA raised \$695. The Blackjack Mulligan's St. Patrick's Day event in March raised \$1,130. The NJ Devils raffle raised \$635. The John Sheridan Day at the Races at Monmouth Park Racetrack in May raised \$1,400. Our Juneteenth Golf Outing at Bunker Hill Golf Course raised \$2,800.

We still have the following events scheduled this year: the NFL Jets raffle in September; The Charles Connell Golf Outing at Bunker Hill Golf Course in October; and we finish it off with our annual Beefsteak Fundraiser at the American Legion in Lyndhurst in November.

Our fundraising efforts help make MDA Summer Camp possible for kids and young adults with neuromuscular disease. At Summer Camp, the campers experience an incredible week of connecting with the outdoors, trying new things, and building lifelong friendships. Campers get to experience the magic of MDA Summer Camp at no cost to their families. Branch 38 is honored to attend the camp in New Jersey every year to be part of the life-changing day of fun and adventure participating in the magic of camp! It is so important to continue our fundraising efforts, so no child suffers from this awful disease.

We are looking forward to continuing the success of raising money for MDA for the rest of the year. The other fundraiser events that I mentioned in this article have or will be taking place as scheduled. You will find information on these events in this Sentinel, on our website, and on the Branch 38 Facebook page. (please check the events page for dates). These events are open for all Branch 38 carriers, their families, and friends. These events have been proven to be a fun time for all that attend. Join us and be part of this great tradition of giving.



John Sheridan's wife, Rose Ann, and family and friends in the winner's circle with winning jockey Melissa Iorio following Bucchenera's victory in the race sponsored by Branch 38 in John's memory.

Beware of the Dog!



Treasurer

by Joe Rutkoski

Dog owners are responsible for controlling their dogs. Most communities have ordinances for the control of dogs. Yet, each year Postal Service employees sustain on average more than 5,000 dog-bites. The annual estimated cost of these injuries is more than one million dollars. To dogs, you are an intruder. Therefore, you must guard yourself every day from every dog you meet as you go about your daily work.

Some basic rules to follow while delivering your route that will help prevent you being bitten by a dog are:

- Always be on the lookout for dogs. They can hide under parked cars, under hedges, on the porch, and behind a screen door easily pushed open.
- When you see a dog, determine if the dog is asleep, barking, growling, large, small, etc. Try not to show signs of fear. A dog is more apt to bite you if it knows you are afraid.
- Do not startle a dog. If the dog is asleep, make some kind of non-startling noise, such as soft whistling. Do this before you are close to the dog, while you still have time and space for an escape.
- Never assume a dog will not bite.
- Keep your eyes on the dog. A dog is highly likely to bite you when you are not looking. Always be on the alert for a sneak attack!
- Make friends. Talk in a friendly manner. Call the dog's name if you know it.
- Stand your ground. If a dog comes toward you, turn and face it. If you have a satchel, hold it in front of you and back away slowly.
- Never try to run away from the dog. This will only encourage the animal to chase you.

If all the above does not work and the dog tries to attack you, use the dog repellent to protect yourself. Spray the repellent directly on the eyes, nose, and mouth of the attacking dog. The effective range is up to ten feet.

The dog repellent consists of oleoresin capsicum (extract of cayenne pepper) and mineral oil. This will not hurt the dog and

without a whimper, a dog will put its tail between its legs and retreat. Within 10 to 15 minutes, the effect of the repellent will wear off, and the dog will return to normal.

The repellent produces mild discomfort to the eyes for about 10 minutes, but there are no lasting harmful or damaging effects to either dogs or to humans if they should accidentally get sprayed. The repellent has undergone extensive laboratory and field tests. Veterinarians have thoroughly examined it and have stated that it is safe, effective, and a very humane method of controlling animals. The Postal Service field test showed a high degree of effectiveness in controlling attacking animals. The repellent has been accepted by the U.S. Department of Agriculture Pesticides Regulation Branch and has been registered by the U.S. Environmental Protection Agency (registration No. 7754-1). In addition, it has been registered in every state that requires it. These registrations verify that many regulatory agencies consider the product to be effective and safe.

Certainly, no dog owner wants to have their beloved pet sprayed in the face with pepper spray, but USPS Publication 174-How to Avoid Dog Bites suggests that dog owners have indicated that the possible use of the repellent on their dogs reduces their worries about the dog's attacking carriers and the resulting consequences. The discomfort of the spray trains dogs of the negative consequences associated with attacking the letter carrier.

The American Kennel Club, the American Humane Association, the Popular Dogs Publishing Company, and the Humane Society of the United States indicated no objection to the use of the USPS dog repellent. Utilize the tips in this article along with your dog repellent to protect yourself from dog bites.

NALC *Disaster Relief Foundation*

In 2018, NALC established the NALC Disaster Relief Foundation to alleviate the suffering of members affected by natural disasters including earthquakes, tornadoes, hurricanes, and wildfires. The Foundation was designed to provide an avenue for our members to assist our fellow sister and brother members during extreme times of great financial need. Branch 38 members have benefited several times from this Foundation. Please consider contributing to this worthy cause by going to nalc.org and clicking on the NALC Disaster Relief Foundation link. Thank you.

You Are Being Watched From Afar



**Director
of
City
Delivery**

by Mark McGrady

Idle time is time during which a carrier is not delivering mail.

This time is monitored by management using technology as their tool of choice, not the old fashion way of physically observing a letter carrier. The technology is not new, it has been around for years, and is called DMS. DMS is an acronym which stands for Delivery Management System. The DMS works in conjunction with the MDD, Mobile Delivery Device, which is the scanner the carriers use to scan parcels and are GPS equipped, Global Positioning System capability.

The MDD with the GPS capability is a computer-generated

program that tracks carriers' idle time, also called stationary time, on a computer screen. It tracks your movements from the time you leave the Post Office to deliver your route till the time you return to the Post Office after you are done delivering your route. The idle time is an event in which the MDD has been idle in one location too long or not moved for a period of time. Management monitors carriers through this program all day. If a scanner is idle for a period of time, management should either go and check on a carrier or question the carrier why the MDD was not moving and was idle. Sadly, management is using this program to discipline carriers for their idle time without going to the street to observe them. There are numerous reasons the MDD could be idle: break times, lunch time, comfort stop, delivering mail in a mail room, there could be a dead spot on your route, no reception because of the walls and ceilings in tall buildings or because the MDD was not working.

The M-39 Section 134.21 and 134.22 states the correct approach management must follow to conduct street supervision.

134.21 The manager must maintain an objective attitude in conducting street supervision and discharge this duty in an open and above board manner.

134.22 The manager is not to spy or use other covert techniques. Any employee infractions are to be handled in accordance with the section in the current National Agreement that deal with these problems.

Management's new practice of using technology is wrong and against the negotiated contract, handbooks, and manuals. Management is allowed to conduct street observations. That is their job to manage letter carriers in the office and on the street. The observations should not be conducted in a covert manner. That means they should approach you and discuss their observation with you. If needed, they should offer a recommendation to correct a safety violation. They should not hide behind a tree, car, or a computer screen to trap a letter carrier because the scanner has been idle for too long. Be mindful, managers are trying to use the DMS and the MDD with GPS technology to discipline carriers for idle time.

If management questions you about idle time, let them know why the MDD wasn't moving or simply answer you don't remember. If you believe this questioning could lead to discipline request your shop steward immediately.



Tom Delaney, Jr., 60 year NALC member and Former President of Branch 5272 East Brunswick, receiving a Branch 38 Veteran's Plaque in recognition of his service to our country.

**The Branch 38
Facebook Page
"NJ Merged Branch 38"**

All Branch 38 members are invited to join our closed Facebook page to stay in touch and keep up to date on NALC news and Branch events and activities.

Honoring Our Veterans

Rahway shop steward, Ernesto Rivera, has presented the Branch 38 Executive Board with a unique way of honoring our military veterans. Ernesto, who is a veteran himself, spends much of his free time working with wood and designed a plaque to be presented to any Branch 38 member who is a veteran of any Branch of the United States Military upon request. Our veterans may request a plaque by contacting Ernesto at erivera178@icloud.com. The wording on the plaque reads, "While only one day of the year is dedicated solely to honoring our veterans, Americans must never forget the sacrifices that many of our countrymen have made to defend our country and protect our freedoms. Bless you all and thank you for your service." Thanks to our veterans and Ernesto.



Heat Illness

Exposure to heat can cause illness and death. The most serious heat illness is heat stroke. Other heat illnesses, such as heat exhaustion, heat cramps and heat rash, should also be avoided

Risk Factors for Heat Illness

- High temperature and humidity direct sun exposure, no breeze or wind
- Low liquid intake
- Heavy physical labor
- Waterproof clothing
- No recent exposure to hot workplaces

Symptoms of Heat Exhaustion

- Headache, dizziness, or fainting
- Weakness and wet skin
- Irritability or confusion
- Thirst, nausea, or vomiting

Symptoms of Heat Stroke

- May be confused, unable to think clearly, pass out, collapse, or have seizures (fits)
- May stop sweating

To Prevent Heat Illness

Be aware of the risk factors for heat illness and symptoms of heat exhaustion listed above.

Drink plenty of water.

Take extra comfort stops to get out of the heat and reduce your body temperature when necessary.

Stop working and report any symptoms to management.

Sign Up for the Letter Carrier Political Fund Now!!!

**Help Protect:
Your Job
Your Benefits
The Postal Service**

Go to: <http://nalc.org/>

By making a contribution to the Letter Carrier Political fund, you are doing so voluntarily with the understanding that your contribution is not a condition of membership in the National Association of Letter Carriers or of employment by the Postal Service, nor is it part of union dues. You have a right to refuse to contribute without any reprisal. The Letter Carrier Political Fund will use the money it receives to contribute to candidates for federal office and undertake other political spending as permitted by law. Your selection shall remain in full force and effect until cancelled. Contributions to the Letter Carrier Political Fund are not deductible for federal income tax purposes. Federal law prohibits the Letter Carrier Political Fund from soliciting contributions from individuals who are not NALC members, executive and administrative staff or their families. Any contribution received from such an individual will be refunded to that contributor. Federal law requires us to use our best efforts to collect and report the name, mailing address, occupation and name of employer of individuals whose contributions exceed \$200 in a calendar year.

Take What is Yours!



**Corresponding
Secretary**

by **Christine Strasser**

Whether you are a career letter carrier or a newly hired City Carrier Assistant (CCA), skipping your breaks and lunch is very costly to you and your fellow employees. We all have personal commitments outside of work. These commitments occasionally conflict with our work schedules. We are often faced with the dilemma of missing the commitment, debating a PS Form 3996 with a supervisor, or working through our breaks and lunch. Unfortunately, too many individuals choose the last option. To better understand why skipping breaks and lunch is costly, we need to know what we are entitled to and what are the long-term consequences.

Let's review the contractual language for breaks. Each letter carrier will receive two paid ten-minute breaks during an eight-hour work shift. Your local agreement will determine if one break is in the office and one on the street, or if both are on the street. The breaks cannot be combined and cannot be combined with your lunch. The contractual language for the negotiated breaks is found in Handbook M-39, Management of Delivery Services, Section 242.341 which provides the following:

The carriers at the delivery unit will receive two 10-minute break periods. The local union may annually opt to have either (a) both breaks on the street or (b) one of the 10-minute breaks in the office and one break on the street. If two 10-minute breaks are taken on the street, they will be separate from each other. Breaks must be separate from the lunch period. The carrier shall record on PS Form 1564-A, Delivery Instructions, the approximate location of the break(s). Reasonable comfort stops will not be deducted from the carrier's actual time.

CCAs may question if they are authorized a break when working less than eight hours and the answer is "yes." M-01870, a jointly developed document to provide understanding of issues related to the 2011 USPS/NALC National Agreement explains:

*81. How are breaks provided for CCAs who work less than eight hours on a particular day?
Breaks for CCAs who work only a portion of a day (less than eight hours) will be as follows: One ten-minute break if the employee works less than six hours and two ten-minute breaks if*

the employee works six hours or more.

The same language applies to career letter carriers and PTF's for working less than eight hours per work shift. Letter carriers who work over six hours in one shift are permitted one unpaid half hour lunch break. The half hour unpaid lunch is automatically deducted from your day if you work just one unit past six hours. Contractually, the lunch break is defined as mealtime under the Employee and Labor Relations (ELM), Section 432.33 Mealtime, and provides the following:

Except in emergency situations or where service conditions preclude compliance, no employee may be required to work more than 6 continuous hours without a meal or rest period of at least 1/2 hour.

Similar to breaks, each route has up to three authorized lunch locations. For the regular letter carrier and the carrier technician on a route, the authorized lunch locations must be recorded on PS Form 1564-A Delivery Instructions. It is very important to be familiar with your authorized locations to avoid possible discipline.

Is it really that big of a deal if you do not take your breaks. Yes, it is a big deal. Numerous grievances are filed to ensure letter carriers are not violating the contract and are protecting our routes. Arbitrator Britton opined in C-8555, December 1988, *"the Postal Service must ensure that all employees stop working during an office break. Contractual breaks must be observed and cannot be waived by employees."* Besides the contractual issues, employees are paid for their breaks. Letter carriers, depending on their career status and current Step in the pay scale, are giving back to the Postal Service anywhere from \$1,700 to over \$3,100.

If those numbers are not alarming enough, carriers who skip their lunch are actually working off the clock and are not getting paid. Again, depending on their career status and current Step in the pay scale, carriers who work through their lunch are forfeiting anywhere from \$2,250 to \$4,700 that should be their money.

After reviewing the contractual and monetary reasons for not working through breaks and lunches, there is one last vital reason to consider. Recently, the TIAREAP process for route inspections came to an end. As a result, many installations may be placed in unilateral route inspections this fall. Again, many may say who cares? In the route inspection process under Chapter 2 of the M-39, a seven-week timecard analysis may be used to establish your street time. I have witnessed many routes added to on the street in cases in which the letter carrier did not take their breaks and lunch for the months leading up to the week of inspection. That means extra work for that carrier and could mean a loss of routes/jobs in the office. The job of a letter carrier is hard and is getting harder. At the least, you should get paid for your hard work. Please, take what you are entitled to.

Dental & Vision Insurance



***Full-Time
Area Rep
& HBP Rep***

by Pete Bednarz

Most letter carriers have health insurance plans through the Post Office. There are, however, many letter carriers (Career, CCAs, Retirees) that are not aware of the Dental and Vision plans that are available to them. Since 2004, postal employees have had the opportunity to enroll in the Federal Employees Dental and Vision Insurance Program. FEDVIP is a voluntary program designed to provide supplemental dental and vision benefits that the employee pays for without any USPS contribution towards the premiums. The program allows dental and vision insurance to be purchased on a group basis, which means competitive premiums and no pre-existing condition limitations.

Any employee that has had crowns, implants, or dentures knows how expensive dental work is. If you have children needing braces, you almost need a second job to pay off the huge expense. If you or a family member has poor vision and need glasses or contacts, why pay the full cost when you can save money by having a vision plan covering most of the cost.

There are several dental and vision plans to choose from. Enrollment takes place during the Federal Benefits open season each year in November and December. Newly hired CCAs can enroll in the plans within 60 days of being hired. Also, any newly converted career employee can enroll within 60 days of their conversion date. An employee may enroll in FEDVIP using the BENEFEDS online portal. To get there, go to LiteBlue-My HR-Pay & Benefits-FEDVIP- Benefeds. The site allows you access to information on each plan's premium rates, services, and benefits. You can also access the dental and vision plans websites through the portal to see if your dentist or eye doctors participate in the plan. The website also has the FEDVIP Plan Compare Tool. Use this tool to research plans and premiums based on where you live. You can view up to three dental or vision plans side by side for easy comparison to determine what is the right plan for you and your family.

Postal employees can enroll in a plan for Self Only, Self Plus One, or Self and Family. Eligible family members include one's spouse, and unmarried civilian dependent children under age 22.

It also includes legally adopted children, stepchildren, and foster children who live with the enrollee in a regular parent-child relationship. Under certain circumstances, one may continue coverage for a child 22 years or older who is incapable of self-support.

The Office of Personnel Management (OPM) also has great information dealing with dental and vision plans for postal employees. You can find the FEDVIP Plan Comparison Tool which can help you make an informed decision on which plan is suitable for your dental or vision needs. Some of the dental plans that are available are Aetna, Delta, Metlife, Geha, Blue Cross-Blue Shield, etc. They include preventive services at 100% when an in-network provider is used. All the plans have different premium rates. For example, the Self Only premiums average between \$10.00 to \$30.00 dollars per pay period. The Self and Family premiums average between \$35.00 to \$95.00 dollars per pay period. The vision plans average about \$3.00 to \$7.00 dollars per pay period for Self Only, and \$9.00 to \$20.00 dollars per pay period for Self and Family. A few of the vision plans available are United Healthcare Vision, VSP Vision, and Metlife Vision. These plans typically cover routine eye exams, contact lenses, eyeglass frames, and lenses.

Any Letter Carrier needing dental or vision work for themselves or a family member should strongly consider getting one of the plans from BENEFEDS. If you have any questions, please contact your area representative or the Branch office.



Lakewood carriers Ozzie Berrios (35), Sam Atieth (25), George Clearwater (25), Mark Goracy (25), (kneeling) Marc Zimmerman (25) receiving lapel pins and letters of appreciation for their many years of loyal membership in NALC from Branch President Mike O'Neill.

One Day Walks



**Recording
Secretary**

by **Roy Jancio**

Management has the right and the responsibility to do the following things according to their handbook M-39 and the carrier handbook M-41 when conducting one day walks and counts:

M-39 Section 141.2 Special Office Mail Counts - *When management desires to determine the efficiency of a carrier in the office, a count of mail may be made. The carrier must be given one day's advance notification of this special count. Use Form 1838-C to record count and time items concerned. The carrier must be advised of the result of the office mail count. (They must notify the carrier(s) one day in advance before counting any carrier's mail.)*

M-39 Section 111.2.d – *Evaluate daily service rendered by the employees. Observe carriers to assure their performance of duties as outlined in Handbook M-41, City Deliveries Duties and Responsibilities.*

M-39 Section 134.12 – *Accompanying carriers on the street is considered an essential responsibility of management and one of the manager's most important duties. Management should act promptly to correct improper conditions. A positive attitude must be maintained by the manager at all times.*

M-41 Section-16 (Supervision) - *Carriers may expect to be supervised at all times while in the performance of their daily duties.*

However, Article 3 reads in relevant part as follows:

While postal management has the right to manage the USPS, they must act in accordance with applicable laws, regulations, contract provisions, arbitration awards, letters of agreement, and memoranda. Consequently, many of management's rights enumerated in Article 3 are limited by negotiated contract provisions.

Some of the applicable contract provisions, arbitration awards, letters of agreement, and memoranda are as follows:

M-39 Section 242.332 *No carrier shall be disciplined for failure to meet standards, except in cases of unsatisfactory effort which must be documented, unacceptable conduct that led to the carrier's fail-*

ure to meet office standards. (Meaning, if you are doing your best, you cannot be disciplined for not making standards.)

M39 Section 232.1 *The route examiner must: a. Not set a pace for the carrier but should maintain a position to observe all delivery points and conditions. b. Not suggest or forbid any rest or comfort stops but should make proper notations of them. (Always take your lunch and two ten-minute breaks. Going to the bathroom or resting is in addition to your lunch and breaks.)*

M-00111 - *However, a one (1) day count of mail should be utilized for the purposes intended by the M-39 Handbook and local officials are to ensure that one (1) day counts are not used for the purpose of harassment. (Meaning, they cannot try to use a one-day count as an estimate of your daily workload)*

M-00005 - *Management counted the carrier's mail in the case after he requested assistance. This decision reaffirms the union's position that such counts may not be used to determine efficiency or for discipline. (Meaning, they cannot try to use a one-day count as an estimate of your daily workload)*

M-00829 - *Under Article 16, no employee may be disciplined except for just cause. In this instance, the parties agree that a one-day count and inspection may not be used as the sole basis to establish a standard against which a carrier's performance may be measured for disciplinary purposes.*

M-00360/M-00305/M-00394 - *In keeping with the principle of a fair day's work for a fair day's pay, it is understood that there is no set pace at which a carrier must walk and no street standard for walking.*

M-00379 – *The union's request that the number of paces per minute be used as an observation and not as a specific criterion or standard of performance is sustained. (Means management cannot discuss paces per minute/walking speed, for disciplinary action)*

Management may try to use the one-day counts being conducted as a demonstrated performance tool, but one day counts mean absolutely nothing. Management may give you expectations on the results of the one-day count and walk but their expectations, projections or anything else they come up with from that count and walk mean nothing. You are the letter carrier. You know your assignment/route better than anyone. You tell management how long it will take you on your route on any given day, not them. Please remember to work safely and follow all the rules and regulations on your route, because safety depends on you. A rule of thumb is to always perform your duties on your route as if you are being walked every day and you will never have any issues.

Pre-Disciplinary Interview



Area Representative

by *Armando Pedreira*

What is an investigative interview/ PDI? It is an interview that management conducts with an employee for the purpose of searching for facts to determine the employee's guilt or innocence, and to decide whether to impose discipline.

Know your rights if management calls you in for a PDI. When management tells a carrier that he or she is being brought into the office for a PDI, there are a few things you must know before you answer any questions.

1. When management tells you that you are being brought into the office for a PDI, the first thing you must do is request union representation. You are entitled to union representation during a PDI. The right to union representation is also known as Weingarten Rights.
2. Weingarten Rights: Federal labor law, in what is known as the Weingarten rule, gives each employee the right to representation during any investigatory interview which he or she reasonably believes may lead to discipline (NLRB v. J. Weingarten, U.S. Supreme Court, 1975).
3. Although ELM Section 665.3 requires all postal employees to cooperate with postal investigations, the carrier still has the right under Weingarten to have a steward present before answering questions. The carrier may respond that he or she will cooperate and answer questions once a steward is provided.
4. The steward cannot exercise Weingarten rights on the employee's behalf. Unlike Miranda rights, which apply in criminal matters, the employer is not required to inform the employee of the Weingarten right to representation.
5. Employees also have the right under Weingarten to a pre-interview consultation with a steward. Federal Courts have extended this right to pre-meeting consultations to cover Inspection Service interrogations (U.S. Postal Service v. NLRB, D.C. Cir. 1992, M-01092).
6. It is important to have the pre-interview meeting with your steward. You and your steward must be on the same page prior to answering any questions during the PDI.

When your pre-interview is completed, you and your steward will both be in the PDI together. It is important to stay calm and answer every question. If you feel that you do not understand the

question or you do not feel comfortable with the way management is conducting the PDI, you have the right to ask for your steward's assistance. Article 17 of the JCAM states: "In a Weingarten interview the employee has the right to a steward's assistance—not just a silent presence. The employer would violate the employee's Weingarten rights if it refused to allow the representative to speak or tried to restrict the steward to the role of a passive observer."

You must keep in mind that this is just an interview. Many carriers automatically assume that management has made up their minds and will issue discipline no matter what is said during the PDI. Even if that is true, it is important for you to tell your side of the story. This is your day in court. During the PDI your steward should be taking notes of what is said during the PDI. It is important that you are clear with your answers and that you give your steward the time to write down your answers. This will help if discipline is issued. Make sure to stay calm during the PDI. Sometimes management will try to confuse you or even try to get you to lose your cool. Do not let them get to you and remember that your steward is there to help if needed.

As a steward I have been involved in many PDI's. I know it sometimes gets frustrating for some carriers during a PDI, but from my experience the PDI's go smoother if you can just stay calm, keep your cool and just answer the questions.

Finally, if discipline is eventually issued, you must let your steward know immediately. Your steward only has 14 days to file a grievance within the time limits prescribed by the National Agreement.

Download The NALC Member App

The app contains links to workplace resources, including the National Agreement, the JCAM, the MRS, CCA resources and more. It also includes legislative tools, such as a bill tracker, an individualized list of your Congressional Representatives and PAC information. One of the coolest features is an Interactive Non-Scheduled Days calendar. Available for iPhone and Android smartphones. The app is available at the Apple App Store or the Google Play Store. Search for "NALC Member App." Go to NALC.org for more information.

Branch 38 **Retiree Breakfast**

On Sunday, October 20, 2024, at 9:00 AM, NJ Merged Branch 38 will be holding our annual Retiree Breakfast. The Breakfast will be held at the Chandelier Restaurant located at 340 Franklin Avenue, Belleville, NJ 07109. To reserve a spot, and to get directions, call Director of Retirees, Ron Villegas at 973-564-7244 (Ext. 21). All Branch 38 retirees are welcome to attend. There is no charge to retired members and guests.

Invited guest speakers include NALC President Brian Renfro, NBA Bruce Didriksen, and NJSALC President Rich O'Connell. All NJ Merged Branch 38 officers and staff will be in attendance as well. This is an excellent opportunity for retirees to come together to exchange old stories, renew old friendships, and hear the latest news from Washington affecting letter carriers and retirees.

Charlie Connell **Columbus Day** **Golf Outing**

MONDAY, OCTOBER 14, 2024
BUNKER HILL GOLF COURSE - PRINCETON, NJ

FEE - \$110 per Golfer - Price Includes:
Golf, Cart, Dinner, Beer, Soda, Hot Dogs & Prizes

To reserve a spot for your foursome,
or to make a donation, call:

Christine Strasser (973-564-7244 Ext. 20)
or

Send a check with your golfers' names to:
NJ Merged Branch 38
374 Morris Ave.
Springfield, NJ 07081

All Proceeds Go To MDA

Retirement Seminar

Sunday, October 6, 2024
10:00 AM - 1:00 PM

WOODBIDGE ELKS LODGE #2116
665 RAHWAY AVENUE
WOODBIDGE, NJ 07095

NJ Merged Branch 38 will be holding a retirement seminar for those considering their option to retire during the next few years. Information relative to CSRS and FERS retirement plans will be addressed.

We will be covering topics such as how to calculate your annuity and carrying health and life insurance into retirement. We will discuss what information you will need to complete the application for retirement, and what you need to do to prepare for retirement.

You will have a chance to ask questions and meet with some of the Branch 38 officers. Spouses are also welcome.

Please let us know if you plan to attend by contacting Ron Villegas at 973-564-7244 (Ext. 21) or your Area Rep no later than September 22, so that we will be sure to have an adequate supply of training material and space available.

MDA **FUND RAISERS**

NY Jets Ticket Raffle

Two Club Seats & Parking
Colts at Jets - Nov. 17, 2024
\$20.00 Per Chance
Contact Joe Otero
973-564-7244 (Ext.11)

Beefsteak Dinner **Tricky Tray for MDA**

November 9, 2024
Lyndhurst, NJ American Legion Hall
Contact Armando Pedreira
973-564-7244 (Ext.19)

THE SENTINEL
NJ Merged Branch 38, NALC
374 Morris Avenue
Springfield, NJ 07081

NON-PROFIT
U.S. POSTAGE
PAID
PERMIT #398
TRENTON, NJ

ADDRESS SERVICE REQUESTED



Branch Meeting Information & Directions

Meetings are held at 7:30 PM on the first Wednesday of each month, except July & August.

The Branch Meetings are held at:

ELKS BPO LODGE #2116
665 RAHWAY AVENUE
WOODBIDGE, NJ 07095
732-634-2116

Directions:

SOUTH on Garden State Parkway. Take Exit #129 to Route 9 North to Woodbridge Exit (Just after the Forge Restaurant on your right). At the end of the Exit Ramp, turn right onto Main Street (Route 514) and proceed until you reach a monument at City Hall. Bear left onto Rahway Avenue. The Elks is @1/2 mile down the road on your left.

NORTH on Garden State Parkway. Take Exit #127 to Route 9 North and follow directions above.

NJ Turnpike. Take Exit 12 (Carteret). Bear right after toll booth and turn left at light after overpass. Proceed through industrial park to Rahway Avenue and turn left. The Elks is 1 mile ahead on your right.