



The Beast of Burden



Issue 2-10

NALC Branch 290

Mar/Apr 2010

Branch Officers

President Mike Coyle
962-7402/ 698-7036 (cell)

Vice-President
Elvis Gutierrez 818-239-6153

Sec/Treasurer
Joyce McCue 683-4473

Editor
Neal Couey 487-1324

Trustees
Juan Zamora 512-2917
Melinda Flinchum 901-8447
Jorge Lopez 562-8883

Fairview
Armando Rosales 827-1288
Joyce McCue - Alternate

Goleta
Joe Pensabene - 705-9462

Main Office
Elvis Guterrez 818-239-6153

San Roque
Shiloh Holguin 450-2730

Milpas
Juan Zamora 512-2917
Eileen Smith - 654-8702

Mesa
Peter Cuevas 252-5299

Carpinteria
Mike Coyle 698-7036

Health Benefits
Don Gullette 965-3204

Sergeant-at-arms
Scott Pickering 685-9278

Safety
Hadley Carpenter
(949) 322-3600

What is in your future?



Cha...Cha...Cha...Changes

The U.S. Postal Service's workforce reductions have not kept pace with the declines in mail volume the past two years, but postal officials indicate that may change this fiscal year.

Mail volume was down 13% and revenue was down 9%, but the number of career employees declined only 6% in the fiscal year that ended last September 30th. The previous year, volume declined 4% while career employees decreased 3%. Postal officials have projected that both mail volume and the number of career employees will decrease by 6%. Revenue is only projected to decline by 3%.

With labor constituting about 80% of the Postal Service's costs, it has been scrambling to reduce its workforce over the past couple of years in light of decreasing mail volumes.

Here's are some statistics:

- **20,150:** Employees, as of Oct. 31, who had accepted the early retirement offer made last August. USPS had planned for up to 30,000 to accept.
- **40,110:** Decrease in career employees during the last fiscal year – a reduction of : 6%. Of the major categories of career employees, the decreases ranged from 3% for those in or related to headquarters to 9% for supervisors and managers in the field and also for clerks. Postmasters were down 6%, mail handlers and city carriers each decreased 5%, and rural carriers and building and equipment

maintenance personnel were down 2% each.

- **12%:** Decrease in the number of career employees since 2005, ranging from 2% for headquarters to 20% for clerks.

- **13%:** Decrease in the number of non-career employees in just the past year after several years of relatively steady levels.

- **53,000:** Projected decrease in full-time equivalents this fiscal year. That suggests another big cut in work hours for non-career employees.

- **36:** Number of deliveries per hour in FY2009, up from 30 just four years ago. Delivery operations are a productivity bright spot for USPS: There were 8% fewer career carriers but 4% more delivery points than there were 4 years ago.

- **13%:** Decrease in number of mail pieces last year – including drops of 8% for Periodicals, 9% for First Class, and 17% for Standard.

- **223:** Increase in the number of post offices, stations, and branches during the past year. At 36,946 facilities, the total has decreased by less than 1% in the past four years.

- **-0.3%:** The likely change in the average monthly Consumer Price Index for 2009, which sets the ceiling for annual increases in most postal rates and is used in determining some cost-of-living pay increases. Even before release of the October CPI, which was lower than a year ago for the seventh month in a row, postal officials had already announced they would not increase most rates in 2010.

- **25% to 30%:** Projected decrease in paper consumption for JC Penney catalogs next year as a result of discontinuing its

"big books". No word on how much less its postage bill will be, but the move can't be good news for the Postal Service.

- **1,869,168:** Number of October 26 issues of Newsweek that were mailed in the U.S., down at least 600,000 in just a few months and 1 million less than two years ago. As it has reduced its circulation this year to match its lower rate base, the weekly magazine has cut back drastically on free copies and low-priced subscriptions, according to a statement it filed with USPS. And its annual postage bill has also decreased by millions of dollars.

The Postal Service now reports that it faces a \$238 billion deficit over the next 10 years, but offers no justification for this claim.

This mythical deficit — based on the economy not improving, mail volumes continuing to decline and postal management and Congress apparently helpless to avoid it — is simply a scare tactic. It has no basis in reality.

Their solution: eliminate Saturday!

The Postal Service has sought to reduce the number of delivery days before and now believes it's time to wave their flag of surrender again, in order to save itself. They also believed it in 1957, 1962, 1975, 1977, 1981, 1987, 1992 and 2001.

There are other actions, as there were before, that should be taken before reducing service.

(Continued on page 3)

THE BEAST OF BURDEN EDITOR...Neal Couey

The Beast of Burden is published bi-monthly by Branch 290 of the National Association of Letter Carriers. Contact Branch 290 at P.O. Box 821, Goleta, CA 93116.

All facts, opinions, statements appearing within this publication are those of the writers and editors themselves, and are in no way to be construed as state-

ments, positions, or endorsements by Branch 290 or its officers. Permission to reprint any item in *The Beast of Burden* is hereby granted, provided proper credit is given.

We invite all members to contribute material for possible publication. All submissions must be signed and delivered by the date of the union meeting of the month for publica-

tion. Union meetings are held on the first Monday of the month. Names will be withheld if requested. Editor reserves the right to determine whether material submitted shall be printed for reasons of good taste, legality, or for the good of the branch.

The Beast of Burden is free to members in good standing.

Presidents Report

Dear Brothers and Sisters,

"Five day is the wrong way to save the Postal Service".

This is the NALC response to the misguided USPS plan to attempt to eliminate Saturday delivery. Remember, only Congress can authorize cut-backs in service days. At recent hearings, the suggestion by Postmaster General Potter, asking for authority to drop Saturday delivery, did not sit well with the members of the House oversight and Government Reform committee on April 15th.

Additionally, the chairman of the postal regulatory commission (PRC), Ruth Goldway, stated that the USPS media blitz to eliminate Saturday delivery "is not a done deal by any means". PRC will be holding meetings around the country before it consults with members of Congress on any final decision it makes.

The latest updated information can always be obtained by visiting the national Union website at <http://nalc.org>.

If you have been following the news of the battle between Postmaster General Potter and NALC, you know that it is only our allies in Congress that are preventing the USPS from getting the necessary votes it needs to eliminate Saturday delivery. The importance of voluntary contributions to COLCPE has never been greater. For active carriers - donate to secure your future. For retirees - donate to keep your benefits.

The question of whether Saturday delivery will continue is perhaps the best chance you have to interact with your customers on the future of the Postal Service. Tell them what you think. Tell them what the consequences are. As we try to grow our parcel and package business, we must be able to show that we are able to pick up and deliver this important service, six days a week. If the USPS is successful in its efforts to eliminate Saturday delivery, our competitors will gladly start delivering our packages on Saturday, and thereby put us in a catch-up situation at a time that we are trying to gain new business.

The six-day week is important to keep the USPS a strong and reliable delivery option. Go the extra mile to keep our customers satisfied and impress them with our services.

Our parcel and package business, click and ship, low rate flat shipping, media mail, parcel return service, priority and express mail are the future to a stable and affordable Universal service. Closing on Saturday will give our competitors the edge in the parcel delivery business.

Delivery confirmation and tracking is a service our customers want: the competition uses it exclusively on all packages. We must scan parcels as received and delivered or attempted. If we don't, we will lose this vital service to our competition. Take the time to assure we keep this important package service.

Ironically, the NALC national food drive is on Saturday, May 8th. Our national food drive and our local holiday

food drive have always been on Saturdays. This year, Scott Pickering, has again volunteered to be our local coordinator. I thank him and all of you for helping make this food drive a success for our customers who donate and for those in need.

Some supervisors have intentionally or mistakenly demanded that carriers bring in medical documentation when they are not on restricted sick leave. If you are ordered to provide medical documentation, you must follow the order. Then grieve the order when returning to work. If the doctor puts you off work: document when you will be able to return and the number of days you will need to be off. If you are unable to see a doctor that day, be sure to tell the supervisor that you are unable to comply until a later date and the reason. The union has been successful in reimbursing carriers for any copayment and for the mileage to and from the doctor's office.

Sick leave is an earned benefit. Try to save it for unanticipated illnesses and use it wisely.

There are many changes coming to the USPS in the next few years. Stay informed. Don't just believe whatever management says. Check out your union bulletin board, the union website, or ask any officer or steward for the latest information. Our union meeting is the first Monday of the month at Rusty's Pizza on Cabrillo Blvd at 6 P.M.

*In Solidarity,
Mike Coyle*

(Continued from page 2)

The Postal Accountability and Enhancement Act requires that the Postal Service pre-fund future retiree health care benefits over 10 years. This crushing \$55 billion burden is not required of any other government or private entity and should be eliminated.

The Postal Service's obligations to the Civil Service Retirement Fund have been incorrectly calculated, resulting in a \$75 billion overpayment. If this were re-funded, USPS financial difficulties would quickly evaporate.

Work-sharing discounts, provided to mailers that pre-sort and barcode their

mail, exceed the costs avoided, in violation of federal law. This is also contrary to good business practice, especially when the USPS currently has excess mail processing capacity.

Reducing hours will only help lead to further losses at a time when we need to be providing more service.

Pony Express ran into history 150 years ago

Carl Nolte, Chronicle Staff Writer

Saturday, April 3, 2010

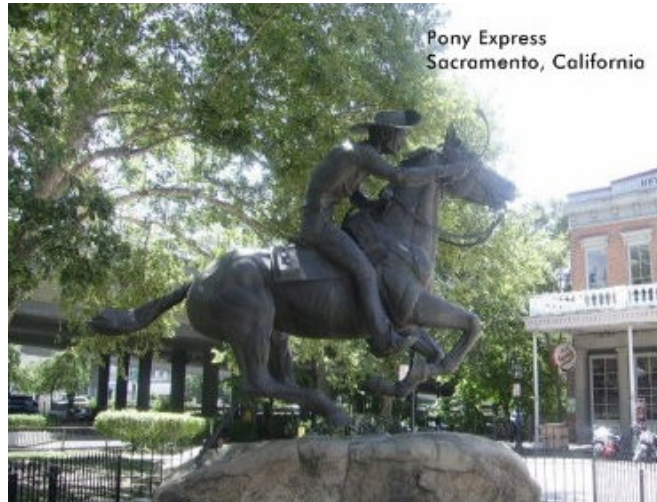
On its first day, Pony Express riders left San Francisco, heading east, and St. Joseph, Mo., heading west. Daring young men on fast horses pounded along day and night 1,966 miles over prairies and deserts, over the Rockies and the Sierra Nevada, through searing heat and blinding snowstorms.

They rode in relays, a rider jumping off his worn pony and onto another. "We stopped for nothing," express rider Charles Cliff was reported to say.

Into the Bay Area

The Pony Express trail led over what is now Highway 50. On the way west, the riders rode over the Sierra and down to Sacramento. San Francisco was the western terminal, and Pony Express riders usually rode riverboats from Sacramento to San Francisco, but the boats didn't run on Sundays, and for some months, the express riders came through Benicia, Martinez, Lafayette and Oakland.

The pony, celebrated in movies, books, dime novels, Wild West shows and legends, is part of the legacy of the Old West. It began on April 3, 1860, when the first eastbound rider, a gent named James Randall, picked up his mailbag loaded with "full dispatches," as the papers reported, and mounted his wiry pony in front of the Alta California Telegraph Co. office at Merchant and Montgomery streets in San Francisco.



"A crowd gathered in front of the office gave three hearty cheers," said the Sacramento Union. The rider was so unnerved that he mounted on the wrong side of the horse, but he rode in good order to the Broadway wharf and then got aboard a river steamer, sailing at 4 p.m. for Sacramento.

There another horseman took over and headed east into history.

In St. Joseph, another rider started west. He had in his mail pouch letters and dispatches from New York, which reached St. Joseph by rail and telegraph. He carried a letter from President James Buchanan to the governor of California.

The first westbound rider arrived in San Francisco on April 13 aboard the river steamer Antelope, met by a brass band playing "See the Conquering Hero Comes" and four volunteer fire companies firing cannon salutes.

Wells Fargo, now based in San Francisco, managed the Pony Express for the last six months of its existence. The bank's historian Robert Chan-

dlar said the Pony Express was the idea of William H. Russell, a flamboyant promoter who figured if he could start a mail and express service across the center of the country, he would become a rich man.

Stagecoach took 20 days

Until the Pony Express, mail and dispatches were sent by stagecoach from St. Louis to El Paso, then

to Los Angeles and on to San Francisco. It took about 20 days.

Fast horses could cut the time in half. Russell and his partners in Russell, Majors and Waddell hired young, lean men - none weighing more than 125 pounds - and paid them \$125 a month. Among the riders was the young William F. Cody, the famous Buffalo Bill.

It was hard, tough work, "the hardest work I have ever done in my life," according to Lucius Hitchcock, a rider who lived in Nevada County.

By the fall of 1861, only 18 months after it started, the Pony Express rode off into the sunset, done in by technology. News of Lincoln's election came by horseback, but news of his assassination in April 1865, came by wire, virtually instantly.

The Pony Express lost \$1 million, a gigantic sum in those days, and bankrupted Russell, Majors and Waddell.



NALC Food Drive: "One Billion Pounds"

I'm proud to say that on Saturday May 8, 2010 members of Branch 290 will join letter carriers from over 10,000 cities and towns across America, Puerto

Rico, Guam and the District of Columbia by participating in the 18th annual NALC "Stamp Out Hunger" food drive. This event provides the opportunity for our Branch to work hand in hand with a variety of local charities/non-profits by collecting non perishable food donations from the patrons on our routes, for redistribution to individuals and families in need within our own community. With over 982 million pounds of food collected nationally in the previous 17 years of the drive, our "Stamp Out Hunger" event stands poised to

shatter the One Billion pound cumulative total with this May's collections! That rocks! I really hope it fills each of you with a sense of community awareness, assistance, accomplishment and pride in helping to make the lives a little better for those members of our community experiencing a need. I can't say enough about Branch 290's participation in the drive last year despite all the adversity created in the very tragic Jesusita fire. Members of 290 rose to all the incredible logistical and timetable challenges presented to us and delivered both a successful "Stamp Out Hunger" drive and also a supplemental food collection in June. Each carrier should absolutely pat themselves on the back for helping a needful, stressed, and hurting recovering community. Thanks to all for that. Also giving thanks to Branch 290 were Mayors Marty Blum of Santa Barbara and Roger Aceves of Goleta who issued proclamations honoring our community service. I'm hoping every letter carrier gets involved this year by delivering the drive postcards, collecting all food items left by patrons, maybe taking photos from our stations to be placed in the Beast of

Burden; and perhaps even donating some non-perishable food themselves. The breakdown for charities working with the individual stations are as follows: Fairview/Goleta- Food Bank of S.B. County; San Roque - Aids Project Central Coast; East Beach /Carpinteria- Catholic Charities; and Main Office- Food Bank of S.B. County. I hope that works well for everyone, and if any carrier is more interested in learning more about any of the non-profits involved, the charities are more than happy to give tours of their facilities and answer any questions you might have. To increase the visibility, awareness and participation in our event, press releases will be issued to local papers; the Branch will more than likely take out an ad in the Independent + Daily Sound; and we will be partnering with Rincon Broadcasting (KTYD and KLITE) to increase exposure of the drive. If you have any ideas to make the event more successful please contact me before or after and we can utilize those thoughts and inspirations in future years. Thanks!
Scott Pickering

COLCPE Makes a Difference! by Elvis Gutierrez, VP

Dear Brothers and Sisters

The United States Postal Service is broke according to the Postmaster General, and I would be lying if I said everything is fine. I'm sure you've heard the talk about the five-day work week, maybe sounds great to some of you but there are a few, including myself, who are against the five day work week.

We can see that the mail volume has decreased and there seems to be no end. People seem to forget that we are just getting out of one of the worst recessions since the great depression and ten percent unemployment is something to take notice. So with the economy being at a low point, don't you think that it would

affect the mail volume? It's a chain reaction that now has caught up to us. So, what will happen when the economy recovers and the mail volume comes back?

What can we do as a letter carrier at the local level? COLCPE! what is COLCPE? It's not just another add-on to your union dues, brothers and sisters, it's the NALC's Political Action Committee. The Committee on Letter Carrier Political Education. The NALC is not allowed to lobby Congress directly, nor is it allowed to use its funds to lobby indirectly. The Postal Service also is barred by law from lobbying, due to its status as a federal agency. COLCPE is your voice in Washington

COLCPE is doing everything it can to protect your job and benefits that we've fought so hard for. COLCPE needs these funds to maintain that fight and to fight against the special interests like UPS, who'd like to see the USPS fail. It's time to act, brothers and sisters. Turn to the last inside page in any recent postal record for step-by-step instructions to sign up to have your COLCPE contributions taken directly from your paycheck. Five or ten dollars a pay period can make a huge difference in COLCPE's lobbying power. This is not a drill. Act now and convince your fellow letter carriers of the importance of signing up also. This is your chance to make a difference.

Confessions of a Former Station Manager 2010

Have you seen "Undercover Boss"?

If not, I suggest that my fellow Letter Carriers tune in to CBS and enjoy the heck out of it! Your question should be "Would my boss do the job so things would be better in my office? Would they see solutions that are obvious to us but are a mystery to them now? Will my boss get off that cushy chair or up from behind that standup desk?"

First, let's regress. In the beginning of 2008, we introduced the idea of pencil pushers carrying mail for one week every 4 months, on a route that the office's Letter Carriers choose. Not a single Manager, Postmaster, District Manager, Area Manager, MPOO, or solitaire-playing support staff member has taken us up on the offer. Why do you think that is? Yes, because they have it GOOD JUST WHERE THEY'RE AT and DON'T WANT TO KNOW.

Now let's get back to the present time. To put it in my teenage daughter's language: "OMG! We're like... in...like... trouble!"...Or are we?

We know all the panic and chatter aimed at making us all work faster and unsafely. Let's, however, get a clue here and see what we're really about:

- In Article 1 of the Constitution of the United States, Congress is charged with the responsibility to "Establish Post Offices and Post Roads".
- In 1983, Federal Law mandated mail delivery 6 days a week.
- A few weeks ago, President Obama reinforced the law in his budget statement "That 6-day delivery and rural delivery of mail shall continue..." and made other supportive statements for our organization and it's hundreds of thousands of employees.

So what does that tell us?

Every mailman knows that people need their mail. Just ask smaller communities who are now losing their Post Offices or rural delivery.

Just ask customers who are waiting for letters from service members and loved ones, checks, birthday cards, packages, etc. What about the economy? Direct Mailings result in profits that far exceed the advertising in newspapers, TV commercials, and internet spam ads. Why? ... because they work. Americans want and need their mail. We will be around as long as America is around.

The only people who don't want mail delivery are bloggers who seem to hate anything and everything and compensate for their own inabilities by trashing everything the government provides for

them or those who have so much money that they look down upon any services provided to the lower classes as Big government. Then there are profiteers who want to allow any company or any person to deliver to your mailbox so they can make a buck. So, if you can't speak up in church, or your wife beats you, or you see servants as a lower class, or you have a selfish interest in violating the Federal protection afforded to people's mailboxes, then you probably don't like or need the mainline of communication that built this great nation.

Don't even think about how your local Letter Carrier will be the one bringing you Immediate Federal

(Continued on page 7)



From the Mailbox

....Upon reading the January-February 2010 newsletter and opening to the "In Memoriam" section, moments of sadness overcame me as I read the names of over 60 carriers with whom I have worked with since the late 1940s. A few of which had served in World War one, but most in World War II. ...But my moments of sadness were soon forgotten, As I reminisced about the happy times that we all had working at the main office, the only post office in Santa Barbara at that time. Carriers catching buses or riding relay trucks to their routes with coffee stops in between and ending perfect work-days with a libation and serious street talk at Jimmy's Oriental Café next door...

Jackson Ciafrone



(Continued from page 6)

Aid in the case of a Nuclear/Biological/Chemical emergency. We will deliver help to bloggers too!

But wait! What would John Potter do if he were an Undercover Boss? Well, having met him, it is my feeling that he's a well intended, good family man and a good businessman not opposed to real solutions. I would suspect, that he would conclude the following, if he were to carry mail one week every four months on a route of our choosing:

- He would learn that "harassment and inappropriate conduct" is a daily occurrence, and is not being addressed in most offices.
- He would understand that the customers are what we are all about. The 5 day week talk would come to a sudden stop.
- He would send back any 204-B's who cannot pass the basic English and math comprehension test. A supervisor who isn't smarter than a 5th grader should not supervise after all. You have to be able to

read, write, and add. Can I hear ... "like OMG!?"

- He would encourage his staff to strongly support "Customer Connect" and reinvigorate our financial status, after about a million questions a week from hungry business customers on the route.
- He would propose a final VERA for all employees similar to the one in 1992. We would be offered a 6 month separations pay, 5 years time on top of time in service, military service inclusion, and no penalties, for age or TSP. Newer employees would be hired where needed and, because of lower seniority, they would not be as expensive as those waiting to retire.
- He would begin work on the Re-Federalizing of the USPS from a Pseudo-pseudo agency. He would ensure the maintaining of current contract rights.
- He would realize that all EAS (Executive and Administrative Staff) personnel need to carry

mail one week every 4 months so they'd understand too.

What would it be like if your boss really did understand?

Put him to the task. Take the initiative. Politely, respectfully tell your boss that he could be much more effective, and respected, if he carried mail for one week every four months on the route of your choice.

If he doesn't take you up on it... Well, shame on him. Let's see if he can learn as much as real executives are learning on "Undercover Boss". I can tell you, from first hand experience, it is a real eye opener.

Be Well. Work Proud!

Guy

Nohrenberg

Simi Valley



Carpal Tunnel Syndrome

Carpal tunnel syndrome is the most common disorder seen in a hand surgeon's office, and it is also the most misunderstood.

Carpal tunnel syndrome is a problem with a pinched nerve at the wrist. Nerves themselves are sensitive cables that carry electrical signals from the brain and spinal cord to and from the rest of the body. When a nerve is perturbed, it cannot do its job. It has trouble providing appropriate information to and from the brain. The result is static—"pins and needles"—in the territory of that nerve.

The median nerve is one of the important nerves in the hand. It travels from the neck down into the thumb, index finger, middle finger, and ring finger. It supplies many of the hand's muscles, especially those controlling the thumb.

As the median nerve travels through the wrist, it traverses a snug passageway known as the carpal tunnel. This tight sheath has a floor composed of eight wrist bones (known as the carpal bones) and a roof made of a strong ligament called the transverse carpal ligament.

Unfortunately, the median nerve has to share the carpal tunnel with nine tendons. These are the structures that happen to bend down the fingers and thumb - two to each finger and one to the thumb. The tendons are tough and fibrous. The median nerve, on the contrary, is very sensitive. It contains thousands of microscopic nerve fibers. It lies directly beneath the transverse carpal ligament and comes in contact with the ligament when bending or straightening the fingers.

The syndrome of the carpal tunnel is caused by increased pressure in the carpal tunnel, resulting in the compression at the median nerve. Thickening of the tendons from inflammation, known as tendonitis, can restrict the space within the tunnel and cause the nerve to become pressed against the ligament which forms the roof of the tunnel. When the relatively soft structure of the median nerve is pushed up against the ligament, blood flow to the nerve is restricted. The nerve can only send 'static' to the brain. The brain then interprets this disorder as

'pins and needles' in the fingers. If the decreased blood flow to the median nerve is severe or very longstanding, numbness can occur.

In a sense, carpal tunnel syndrome is a pinched nerve, not much different from the pinched nerves that people suffer in their neck or lower back.

It is not entirely clear why some people develop carpal tunnel syndrome and others do not. The most common victims are pregnant women and pre-menopausal women. Is the nerve pinching the result of hormones? We hand surgeons are not sure. Certainly, we do know that some conditions are predisposed to triggering: diabetes, hypothyroidism, pregnancy, and rheumatoid arthritis.

There is also considerable debate as to whether specific work activities cause carpal tunnel syndrome, even though there is little doubt that many work activities aggravate and produce related symptoms. The best scientific evidence seems to implicate vibrating tools (such as jackhammers) as causes of carpal tunnel syndrome. Typing and keyboarding are probably not risk factors.

Hand surgeons usually diagnose carpal tunnel syndrome by a careful history and examination. Numbness, burning, or tingling of one or more of the fingers (usually excluding the small finger) is the most common symptom of carpal tunnel syndrome. Patients usually notice that these symptoms are particularly acute at night; frequently, they are awakened from sleep because the hand has "fallen asleep"? At times, the electrical pain may extend up the forearm, into the elbow, and as far up as the shoulder or neck.

Patients may also note that the hand numbness results in clumsiness and weakness. Patients may find themselves dropping objects and may be less capable of performing tasks requiring gripping or pinching strength.

Also, on the palm side of the hand, just below the thumb, is a bulging pad of muscle called the thenar muscle group. These muscles are controlled by the median nerve - the carpal tunnel nerve. With advanced carpal tunnel syndrome, this

muscle group may begin to waste away, giving a flattened appearance to the palm when compared to the rest of the hand.

Hand doctors try to treat carpal tunnel syndrome without surgery. I usually recommend a combination of four non-operative modalities: rest of the hand and arm, avoidance of activities that provoke further symptoms, a splint to restrict wrist motion (to be worn especially at night), and anti-inflammatory pain pills, such as ibuprofen. In some instances, I also administer a cortisone injection into the carpal tunnel to reduce swelling.

However, when non-surgical management fails or when the carpal tunnel syndrome is severe, I recommend surgery. Carpal tunnel releases are performed on an outpatient basis. Patients do not have to be hospitalized or put to sleep. I prefer to use local anesthesia, meaning that I just numb up the area of the hand with 'Novocain-like' medication. Patients frequently return to work later that day or the next morning.

After the palm is numbed up, I inflate a tourniquet on the arm - I don't believe in losing even a drop of blood! Then, I make an incision in the palm of the hand, usually an inch or less long. I release the ligament which forms the roof of the tunnel. This then relieves the pressure on the median nerve. The whole surgery takes 15-20 minutes long, from the time that I incise the skin until the bandage is on.

Blood flow to median nerve is immediately restored. It is not uncommon that within just two or three days, patients get the best night's sleep that they have in months or even years. No more waking with tingling fingers!

Patients can expect soreness from the incision for 4 to 6 weeks, and discomfort from deep pressure for as long as several months.

Improvements in strength and sensation depend on the extent of the nerve damage prior to treatment. Doctors do not really know how to fix nerves; we just put them in an environment whereby they can best fix themselves. So, the natural healing process and nerve regeneration may require six months to a year. 95% of patients, however, are extremely happy with carpal tunnel release surgery.

By Michael C. Pickart, M.D., F.A.C.S.

To All NALC Branch 290 Members/Retirees

Dear Brothers and Sisters,

Today I opened my February 'Special COLCPE Issue' Postal Record and naturally, the first thing I did was turn to the California Branches to check out the Branch 290 contributors. To say I was disappointed is an understatement. Where are all of you? Your jobs and retirement may be hanging in the balance –



Earlier this month, I had the extreme honor to attend a memorial publicized as 'A Celebration of the Life and Legacy of Crystal Lee Sutton, The Real Norma Rae' here in Greensboro.

The keynote speaker was the president of the UNITE-HERE International Union, AFI-CIO. Local NALC and AMU representatives, as well as representatives of

other area unions, and a member of the N.C. Human Relations Commission Execu-

tive Board, presented testimony about this remarkable woman who died of brain cancer on September 11, 2009 in Burlington, N.C. The most poignant speaker was Crystal Lee's son, Mark, who spoke at length on behalf of the entire family about his mother and her work in union organizing and standing up for the poor and working poor all her adult life..

For those of you who are too young to know, Crystal Lee Sutton's real-life stand on a cotton mill worktable, raising a sign that read 'UNION,' at the J.P. Stevens textile factory in 1973 (and her subsequent firing) resulted in the Amalgamated Clothing and Textile Workers Union winning the right to represent 3,000 employees at seven plants in Roanoke Rapids, N.C. The dramatization of those events led to the Academy Award-winning film, 'Norma Rae.'

So for several weeks I have been revisiting my union roots and feeling warm and fuzzy, not withstanding the fact that I know union membership across the country is starkly reduced. All that said, then came the specter of the consequences of the Supreme Court's ruling last week that extended to corporations the free-speech rights of individuals, giving them the go-ahead to Use unlimited funds for that purpose, including advertisements up to the eve of elections.. And wasn't that a smack in the head!!

Then it came to me – UNION! (Thanks, Crystal Lee.!) The media pundits kept intoning, "...corporations and UNIONS.' Well, that means NALC is now an individual and can take advantage of the Supreme Court's ruling.

So let's make hay while the sun shines and start sending NALC more money than ever to use to speak up for the rights of letter carriers and ensure survival of the Postal Service. The mechanism is in plain sight, too –COLCPE!

I know all of you can afford at least \$5, and if you do it by automatic deduction you will truly never miss it. The rewards of having your good-paying job or retirement are, to borrow that well-known corporation's phrase, priceless!"

To start the ball rolling, I have personally raised my COLCPE deduction from \$5 to \$25 per month..

I challenge all Branch 290 members, active and retired, to match my contribution of \$25 per month

If this retiree can do it, so can you – Instructions are in your Postal Record. UNION!

In solidarity,

Phyllis (Fletcher) MacKenzie
Branch 290 (retired)
Greensboro, North Carolina

NALC Branch 290 Don Gullette Scholarship

Accepting applications from high school seniors who are the dependant son or daughter of an active or retired member of Br 290

Please request an application from:

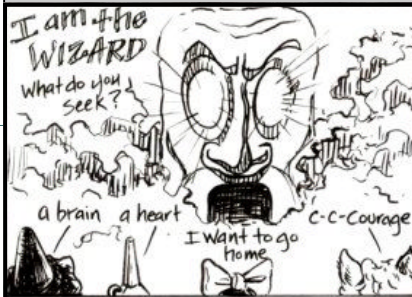
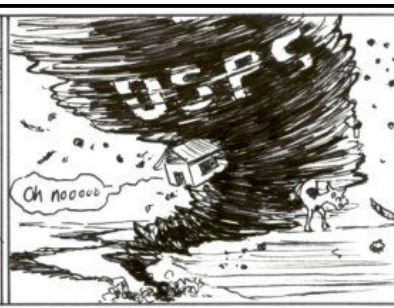
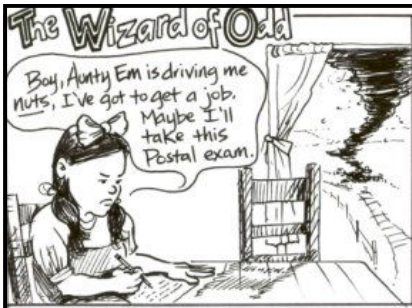
NALC Branch 290 Scholarship Committee

P.O. Box 821

Goleta, CA 93116

Scholarship recipient must attend an accredited college or vocational school. Award winners are required to notify the Scholarship Committee which school they will attend.

Art of Laird Atkins



Laird '04

Santa Barbara Leased Facility Inventory Report (2009)

Address	Occupied	Maint	Eff Date	Exp Date	Bldg Own	Land Own	Pur-chase Opt	LO Years	Lessor	Sq Ft	Annual Rent	Rent Sq Ft
Milpas 107 Nopalitos	5/1958	USPS (Not	12/1/2008	11/30/2013	B	B	N	5	Sidney W Schuman	Int 7,820 Site 20,315	\$111,984	\$14.32
Monticeto 1470 E Valley	8/1959	Landlord	6/1/2006	5/31/2009	A	A	N		Valley Im- provement	Int 1,512	\$35,886	\$23.73
San Roque 3345 State St	5/1956	Landlord	5/1/2008	4/30/2013	P	P	N	5	Harz Gallup & Howorth	Int 6,039 Site 34,951	\$201,341	\$33.34
Victoria Ct 1221 State St	3/1956	Landlord	3/1/2008		P	P			1221 Victoria Ct LP	Int 1,103 Site 8,198	\$34,200	\$31.01

Where does the money go?

Overhead Costs for postal facilities
Including ...

- Leases
- Maintenance
- Utilities



FMLA : The Family and Medical Leave Act of 1993

The Family and Medical Leave Act guarantees each letter carrier up to 12 weeks of leave each postal leave year, for:

- A new child in the family—by birth, by adoption or by placement in foster care;
- Caring for a family member with a serious health condition; or
- The employee's own serious health condition that prevents him or her from performing the job.

The FMLA guarantees time off, whether paid or unpaid. The type of leave taken depends on the reasons for the leave, an employee's earnings and the usual postal leave regulations. There are eligibility criteria, medical certification guidelines and other detailed rules governing letter carrier rights to FMLA leave.

Changes to FMLA Regulations

In November 2008 the Department of Labor (DOL) published its Final Rule to implement the first-ever amendments to the Family Medical Leave Act (FMLA). The amendments come from the National Defense Authorization Act (NDAA) of 2008 and provide new military family leave entitlements. The Final Rule also substantially revised many other parts of the implementing regulations of the FMLA for the first time since 1995. The Final Rule became effective on January 16, 2009 just four days before President Bush left office. While the new regulations provide important new entitlements to protected leave for letter carriers who have family members who serve in the Armed Forces, they also impose new burdens on employees who need leave for the already existing reasons for FMLA leave: birth, adoption, foster care placement and serious health conditions.

While the Final Rule does not reduce eligible workers' entitlement to FMLA leave, the new regulations have imposed additional burdens on employees that make it harder for them to use the leave. For example, the Final Rule has clarified the definition of "serious health condition" in cases involving continuing treatment. Prior to the change, a serious health condition could involve incapacity of more than three consecutive calendar days plus "two visits to a health care provider" or one visit which resulted

in a regime of continuing treatment under the health care provider's supervision. The new rule changes that requirement to more than three full consecutive calendar days. Partial days no longer count. Also under the new rules, the two visits must now occur within 30 days of the beginning of the incapacity and the first visit must take place within seven days of the first day of incapacity. Notably, the health care provider – not the employee – must determine if the second visit within the 30 days is required. Under the previous rules there was neither a 30 day nor a 7 day requirement. Finally, the Final Rule has defined "periodic visits" for chronic serious health conditions as at least two visits to a health care provider per year. There was no two visit requirement prior to the change.

In addition to the above, under the previous regulations an employee did not have to assert his or her rights under the FMLA or even mention it by name when seeking leave for a FMLA qualifying reason. Under the Final Rule, this applies only to when an employee seeks leave for the first time for the FMLA qualifying reason. Once FMLA leave has been granted for an employee's health condition, the employee, in making future requests for leave, must specifically reference either the qualifying reason or the need for FMLA leave. For further information on the changes to FMLA see the Contract Talk article in the April 2009 Postal Record.

The NALC is currently updating The NALC Guide to the Family and Medical Leave Act and NALC FMLA forms to reflect the new regulations as well as developing new forms for the two categories of military family leave. Until the new NALC forms are published, letter carriers applying for FMLA by using the current NALC forms who are told by their local managers that certain NALC forms do not meet the requirements of the new law should request that local management advise them as to what required information is missing. If you are not sure local management has a right to that information please contact your National Business Agent for assistance.

Because we have a new administration in the White House and there is now pending legislation which would restore some of the rights that have been taken away or otherwise changed in some way, instead of rewriting language that may change again very soon, the parties have removed all reference to FMLA from the JCAM recently posted on line. Once the dust settles, a supplement to the JCAM including language concerning the current FMLA regulations will be provided.

*Please note that laws and regulations CHANGE. For the latest information about FMLA regulations, see the U.S. Department of Labor's FMLA website.

Top Ten FMLA Violations

The Federal Family and Medical Leave ACT (FMLA) 29 CFR part 825, became effective on August 5, 1993. Since that date, our office (D.O.L.) has answered thousands of compliance questions from employers and employees. The Wage and Hour Division has processed over 2,000 employee complaints. Our experience has allowed us to identify the most common violations.

The following list will alert employers to personnel actions, which will likely cause employees to file complaints with us (Dept. Of Labor). The pertinent section of the regulations is cited for your reference.

1. Failure to notify employee of FMLA rights. (825.300-.301)
2. Failure to notify employee that leave counted towards 12-week FMLA entitlement. (825.208(b)(1)- (b)(2))
3. Counting FMLA leave against the firm's absentee policy for disciplinary purposes. (825.220(c))
4. Taking disciplinary action against employee for using FMLA. (825.220(c))
5. Failure to grant leave to provide physical care or psychological comfort to a seriously ill parent. (825.116(a))
6. Failure to reinstate a employee to same or equivalent position.
7. Terminating an employee during or at the conclusion of FMLA leave. (825.216)
8. Failure to grant FMLA leave because of a misunderstanding of what qualifies as a "serious health condition". (825.114)
9. Failure to request medical certification in writing and not giving employee at least 15 days to obtain medical certification. (825.305)
10. Failure to handle questions about the validity of a medical certification by guidelines set forth in FMLA regulations. (825.307)

Additionally, under Management Instruction EL- 860-98-2, FMLA documentation can become "restricted medical record" when it includes restricted medical information, diagnoses and/or does not involve a worker's compensation claim. As such, it is highly confidential, reflect the privileged employee-occupational health provider relationship, and have the most limitations placed on both their access and disclosure. Only medical personnel or postal personnel with a need to know have access to this material. These records are maintained only in medical offices or facilities in employee medical folders (EMFs) unless otherwise directed by the national medical director. Any request for review of this information must be made in writing and is not automatically approved.

Whenever information from a restricted medical record is released to any authorized person, the EMF must note the action, including:

- The purpose as expressed by the requester.
- The requester's name, address, and organization.
- The signature of the requester.
- The information released.
- The date the information was released.

Questions about access to, or disclosure of, medical records involve the Privacy Act, which applies to records about individuals that are maintained in government systems of records. The Privacy Act provides criminal penalties for any employee who willfully discloses information knowing that disclosure is prohibited, and for any person who knowingly and willfully requests or obtains under false pretense any records about another person.

The Privacy Act prohibits additional copying of covered documents, verbal disclosure of information contained in the documents, or distribution of the documents to any person not authorized to receive the information.



One Day Counts



A one-day count and inspection may not be used as the sole basis to establish a standard against which the carrier's performance may be measured for disciplinary purposes.

True — M-00829 (Step 4 H1N-5B-C 29131 4/15/86)

M-39, Section 141.2 allows for a one-day count to determine office performance but there is absolutely no contractual provision for a one-day count and inspection. Form 3999s may be done throughout the year.

Letter carriers may not verify an entire mail count.

False — M-00814 (Step 4 H4N-5T-C 42333 7/7/87), M-00536 2/11/85, M-01216 (Pre-arb H7N-3QC38909/39493 4/11/95) and M-39 221.131

This also applies for one day counts.

Management may use a one-day 3999 to determine the actual street time of a route.

False — M-00745 (Joint City Delivery Committee Meeting 12/11/79), M-00829 (Step 4 H1N-5B-C 29131 04/15/86) and M-39 242.321.a

The M-39 provides that the street time shall be determined by the average street time for the seven weeks random time card analysis and the week following the count and inspection or the average street time used during the week of count and inspection. (The only exception is the current MIARAP process that evaluates routes based on a two

month average of the performance of the regular carrier)

Management may set an appropriate pace at which a letter carrier must walk.

False — M-00304 (Pre-arb H1N 1N-D 31781 10/22/85),

This provision indicates that there is no set pace at which a carrier must walk and no street standard for walking.

One-day counts per 141.2 of the M-39 can be utilized to substantiate discipline for lack of performance.

False — M-00005 (Step 4 E3-MD-C 1131 1/17/77) and M-00829 (Step 4 H1N-5B-C 29131 4/15/86)

If management has a problem with an employee's office efficiency they should conduct a one day count.

True — M-00385 (Step 4 NCC 2322 9/14/76)

Management can perform one day counts without using an 1838C.

False — M-01181 (Step 4 H0N-5T-C 1387 6/9/94)

Investigative Interviews

Investigative Interviews are required before any disciplinary action is taken. Employees have a right to a full, fair and impartial investigation. This allows employees a chance to tell their side of the story before discipline is imposed.

Some managers will use investigative interviews as a tool to intimidate employees.

Stewards and employees need to know their rights concerning Investigative Interviews. Every city letter carrier has a right to union representation during an investigative interview. But you must request representation. Unless you request it, management will not provide you with that representation.

Once a request for union representation is made, management has two choices. They can grant the request, delaying questioning until the steward arrives or they can refuse the request and stop the interview.

If the request for union representation is denied, and management continues with the investigative interview, the employee may refuse to answer any question, or answer the question with "I cannot answer that question without union representation".

The presence of a steward can help in many ways. The steward serves as a witness to prevent management from giving a false account of the interview.

Stewards cannot be used as a witness against an employee. Both the employee and their steward are protected from this under the National Labor Relations Act (NLRA).

Some managers believe that stewards must sit quietly and passively during the investigative interview. This is not true!

Stewards have a right to know the type of alleged misconduct being investigated before the questioning begins. Carriers and their stewards have a right to meet privately prior to and during the investigative interview.

The steward may object to questions, and may request a question be clarified so that the employee and steward can know what is being asked. Stewards may advise employees not to answer questions that are abusive, misleading, badgering, confusing, or harassing.

An important thing to remember during an investigative interview is: Use common sense. If you don't know the answer to a question, say so. Don't guess.

CONGRESS

President Barack Obama

The White House

District of Columbia 20500

Phone: (202) 456-1414

Fax: (202) 456-2461

Website: www.whitehouse.gov



Senator Diane Feinstein

331 Hart Senate Office Building

District of Columbia 20510-0504

Phone: (202) 224-3841

Fax: (202) 228-3954

Senator Barbara Boxer

112 Hart Senate Office Building

District of Columbia 20510-0505

Phone: (202) 224-3553

Fax: (202) 224-0454

Congresswoman Lois Capps

1110 Longworth House Office Building

District of Columbia 20515-0523

Phone: (202) 225-3601

Fax: (202) 225-5632



Santa Barbara Office

101 W. Anapamu St, Suite C

Santa Barbara, CA 93101

Phone: (805) 730-1710

Fax: (805) 730-9153

BIRTHDAYS



Richard Gereaux	1	Jim Weedon	1
Rosendo Preciado	3	Robert Ripley	1
Minh Tran	3	Mark Cummins	3
James Creeth	4	Jeanne Hohly	3
Vito Carone	4	Bill Holbrook	3
Joseph Macias	5	Fran Valdiva	4
Howard Cobb	7	Ryuta Yamaguchi	4
Beryl Herbert	10	Nancy Guzman	7
Joe Pensabene	10	Bill Kerby	9
Gary Heuer	13	Jack Woods	10
Eric Spencer	13	Jack Puckett	10
Ray Minc	14	Miguel Martinez	12
Dionne Van Meter	15	Evelyn McKnerney	13
Carol Lavagnino	16	Sherman Sagasi	17
Eileen Smith	18	Bahador Jafarpour	17
Manuel Chavira	19	John Applequist	18
Edward Ochoa	20	Frank Holguin	18
Benjamin Tiscareno	23	Eugene Armstrong	19
Vik Sidhu	23	Gilbert Velasquez	19
Joe Grijalva	23	Carlton Roberts	20
Robert Bose	25	Corey Hudson	21
Jose Chavez	27	Jim Yoder	22
Patricia Adger	30	Michael Sjollem	24
Albert Head	30	Laurie Wreesman	24
Marcee Tabb	31	Jen-Ai Mayo	24
		Daniel Cordero	25

Brookfield Uniforms

Dwayne Gortner
 Phone: (805) 938-0215
 Cell: (805) 451-0205



SANTA BARBARA BRANCH 290 OF THE NATIONAL
ASSOCIATION OF LETTER CARRIERS
PO BOX 821 Goleta, CA 93116-0821

NON PROFIT ORG

U.S. POSTAGE PAID

SANTA BARBARA, CA

PERMIT NO. 662

Change Service Requested

Union Meeting

1st Monday of the Month

6:00 PM

“Rusty’s” on Cabrillo Blvd

Place Address Here

