



VOLUME 64 No 8

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October 2012

## Election Update

For the position of Branch 9 Trustee there were four candidates nominated who submitted Letters of Intent. On October 16, 2012, the Election Committee received in writing a withdrawal of a Letter of Intent from candidate Barb Watzak.

Upon review of the NALC Constitution and the Branch 9 By-Laws and finding nothing to prohibit this action, the withdrawal was accepted. A telephone consultation was also done with a representative from the Department of Labor office that covers union elections and no problem was found with the decision.

The remaining three candidates thereby become uncontested, Mike Smith, JoAnn Gilbaugh and Cathy Burton.

**Bob Baird**  
Chief Election Judge

## Hate Politics?

More people seem turned off by politics now more than at any other time in recent history. How has the right to vote in a free democracy become so contentious and ugly? We should be celebrating our right to choose, a right that is envied by much of the world and won by the blood of many. Perhaps it is the caliber of contestants lured and captured by big money. They buy TV and radio air time, place ads in the newspapers and plaster signs and billboards all over the country that do little more than berate and slander their opponent and far too often promote outright lies. After the election, gridlock takes over and all we hear for the next two years is that it is the other guy's fault that Congress accomplishes so little.

Who is to blame? We are! After all, we voted them in.

As letter carriers and retirees, we cannot get caught up in all that gamesmanship. Between the economy, new technology and the desire by those that wish to privatize the USPS, our jobs, benefits and retirement is on the line. Social Security, Medicare and for that matter any retirement plan are all in play as well as health benefits. The same folks that want to privatize the Post Office are the same ones that want to eliminate or greatly reduce all of these programs.

I am not going to go into all the specifics of all the dangers to our economic security if this election does not go well. The NALC, Branch 9, and many others have gone to enormous effort to publish this information online and in their respective publications and bulletins. Please turn off the talking heads and

pundits and educate yourself to the real issues that affect us.

A couple of things to remember before you cast your vote; We did not cause the USPS financial problems and which political party's platform endorses privatization of the USPS (hint; it's not the Democrats). It is time to throw the red herrings out of the boat and elect officials that realize that it is the middle class that built this country. It was not the fundamentalists, the bankers or the churches. It was us, the folks with dirt under their fingernails, sweat on their brow, a family to feed and a country to defend. Learn the issues and make this an election about you, the worker that built America.

**Lenny Larson**  
President Emeritus  
Branch 9



Join us for lunch and games to celebrate another successful year of Stamp Out Hunger and help honor Branch 9 and Branch 28. The winners in the awareness category of the Second Harvest Heartland's 2012 Hunger Hero awards.

**When:** Sunday, November 11  
Noon to 3:00 PM

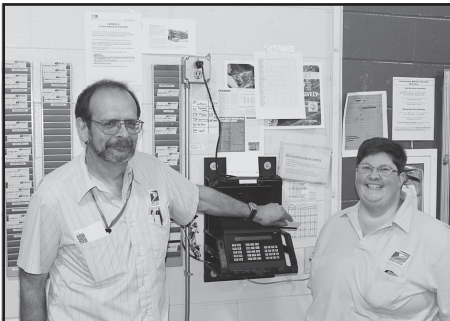
**Where:** Second Harvest Heartland  
West 6325 Sandburg Road, Ste 1700  
Golden Valley, MN 55427

\*Families are welcome\*

RSVP to the Branch Office at 612.781.9858 by November 5th.

**Ballots for contested Branch 9 Offices will be mailed out on November 1, 2012. If you do not receive a ballot please contact the Branch Office at 612-781-9858. All Ballots must be returned to the Election Committee before November 20th. Ballots will be collected at 9:00 a.m. November 20, 2012.**

**Election Committee - Bob Baird, Joel Carter, Loren McNellis**



Patrick DeBonnet (Brooklyn Park) with Alt. Steward, Jenna Ratzlaff



Burton Pansch and Dan Johnson made their last punch at the Osseo Post office with Steward Roger Maas looking on.

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### Branch Nine Officers

**President**  
Mike Zagaros

**Exec. Vice President**  
Darrell Maus

**Recording Secretary**  
Jeremy Rothstein

**Treasurer**  
Lisa O'Neill

**Financial Secretary**  
Melia Derrick

**Editor**  
Chuck Glover

**Sergeant at Arms**  
Jim Nelson

**Trustee**  
Barb Watzak

**Trustee**  
Mike Smith

**Trustee**  
Samantha Hartwig

**Director of Retirees**  
Rodney Anderson

**NALC Health Benefits Rep.**  
Julie Waldemar  
(612) 963-6252

The Branch Nine News is a monthly publication of NALC Branch 9, and is published in the interest of and for the members of NALC Branch 9. The opinions expressed by the writers are not necessarily those of the OFFICERS, or of NALC Branch 9. Articles MUST be submitted to the editor by the 2nd Friday of the month, and must be signed. The Editorial Staff reserves the right to edit or refuse to print articles which are derogatory in nature. Any official NALC organization may reproduce our articles provided appropriate credit is given.

# President's Report

Overtime grievances, staffing shortages, our contract and the elections, these topics are the hot topics of conversation on the workroom floor. We have been talking about these same topics for months now. As the year starts to wind down the question is now focusing on some sort of resolution. Are we there yet? Is there a light at the end of the tunnel? Yes it's there, off in the distance but it is not clear enough to say what the answers will be.

## Operational Windows & the OTDL

After months of talking about it, the first grievance challenging management's requiring carriers not on the overtime desired list to work overtime before the OTDL has been maxed out is going before the arbitrator. In the next room the advocates are addressing the arbitrator, each presenting their respective sides of the argument. Management maintains that they have the ability to declare an operational window and because of this, they can schedule carriers on and off the OTDL at the same time to meet that window. We disagree, which is why these cases have not been resolved. After opening statements, each side then presents their case. Witnesses are sequestered (kept out of room), waiting for their turn to add their testimony to the evidence that has been presented in the case file. In this case, the parties have agreed to submit briefs (written arguments) that will be prepared and sent to the arbitrator after the conclusion of the hearing. Then it will be up to the arbitrator to make a decision. There are two more operational window/overtime violation cases that have been scheduled

for arbitration, one in November and one in December. We don't know how many cases will have to be heard at arbitration after these three are decided before there will be some sort of resolution on these grievances for the rest of the stations. Again, thank you to the stewards for continuing to do the work that is necessary to enforce the contract.

## Staffing

By the time you receive this, it is expected that the withholding events for the Minneapolis and St. Paul clerks will be resolved. The net result is expected to be that no clerks will have been excessed to fill the 50 residual vacancies in the Minneapolis Installation and that is not counting the vacant assignments that are on the bid sheet. The National Parties recently signed a Memorandum of Understanding allowing the Postal Service to hire an additional 3400 TEs nation-wide. Local management has requested additional TEs but there has been no word as to how many or when any additional TEs will be brought on board in Minneapolis. Management does have the authority to accept transfers into the Minneapolis Installations, however management has stated that at this time, there are no requests to transfer into Minneapolis in e-Reassign. We will keep you posted.

## The National Agreement

The arbitration for our new National Agreement continues to move forward. The parties made their opening statements. The next step is for each side to present their case through witnesses and documentation. There will be several days of testimony by each side with a decision expected



Mike Zagaros

sometime in the spring. While there still may be a chance of a negotiated settlement, the NALC continues to work to make the best case for the arbitrators. As new information becomes available we will be reporting it to you via the Branch 9 website, the facebook page and through News by Nine. President Rolando has sent each member an update about the issues facing us. Please take the time to read it and complete the NALC Membership Mobilization Information form that was enclosed. This will allow you to receive the most up to date information about what is happening legislatively and on the contract. Following a decision on the National Agreement, there will be an opportunity for the local parties to meet and discuss possible changes to their local agreements under the terms of Article 30 of the National Agreement. If you have any questions or concerns about the language in your local (Minneapolis and the 10 associate offices each have a different local agreement) please give us a call.

## Elections

Tuesday November 6th is the big thing. By the time you read this you will probably be experiencing sensory overload as all sides work overtime to

*Presidents article continued on page 14*

## Branch 9 candidates for Treasurer



**Joe Rian**

Brothers and Sisters, I am running for Treasurer of Branch 9 and I need your vote to win this election. These are challenging times for our Branch, and our craft as a whole. As candidate for Treasurer, I am offering to work on your behalf in retooling our Branch to meet these challenges head on with innovation and determination.

My career began in October 1994 as a Casual Carrier; a TE in March of 1995; and a PTF in June 1996. In July 1997, a Regular Carrier on walking Route 35 in Richfield near 70th Street and 12th Avenue. Thanks to the greatest coworkers in America, I have had the honor to serve as Richfield Steward for over 10 years. We have raised a lot of money for MDA, the Coat Drive and have over 30 brothers and sisters join COLCPE. I have been a delegate to the last six national conventions and 11 state conventions. I attend NBA Regional Training and have worked adjusting routes under the MIRAP and JRAP agreements. I have served the Branch as a Political Coordinator and helped draft the Joint Safety Program for Minneapolis. Currently, I am a Formal Step A advocate in the grievance process.

The challenges we face as a Branch are financial and structural. Short staffing has brought active membership numbers down; retirements up. This means tough budget decisions for us. We are being mistreated and mismanaged on the workroom floor. This means vigorous contract enforcement and tireless negotiations with reluctant management partners. As Treasurer, I will address the financial issues for you. As an Executive Board member, I will work aggressively to defend our rights as carriers. Our strength is our unity. We will build a bright future together.

**VOTE JOE RIAN FOR  
BRANCH 9 TREASURER.**



**Elizabeth (Lisa) O'Neill**

for Branch 9 Treasurer

I am running for Treasurer of Branch 9 and I ask for your vote. My letter carrier career began in May, 1989 at Coon Rapids. A union member from day one, I have been active in Branch 9 in many ways. From

being a station steward to Northland District Customer Connect Coordinator, I have advocated for carriers without reservation or fear of management or branch leadership. I have also been a co-leader in various route adjustment processes (MIARAP, JARAP and FSS) with a reputation of fighting for every minute of office or street time that carriers demonstrated for their route. I have been a station safety liaison, food drive coordinator, PAL9 board member, MRLF delegate, congressional district liaison (MN 6th) and a coordinator of NALC phone banks and door knocks. I have volunteered at branch functions like the retirement banquet, the May Day Parade, Minneapolis Pride Parade, MDA fundraising events, the state fair booth and the branch picnic. I show up, participate and let my voice be heard – sometimes to the chagrin of branch leaders or union brothers and sisters.

In May of 2011, I was appointed branch treasurer when Darrell Maus became the Executive VP. My background in accounting helped prepare me for the challenges of being treasurer. Prior to carrying mail, I worked at the College of Agriculture, UMN as an Accounts Supervisor overseeing the college's budget of payroll and operating expenses. I worked with accounting software, Lotus 1-2-3 which was the precursor to QuickBooks (Branch 9's software). You can count on me to continue to be diligent, ethical and transparent in performing the Treasurer duties. I will continue to be a "voice for the members" while serving the Branch!

**VOTE Elizabeth (Lisa) O'Neill  
FOR TREASURER**

## Executive Vice President's Report

### THE ACTIONS OF MANAGEMENT

As all of us are aware by now management has taken the monitoring of carriers to a new level and are merely using their own reports to form conclusions that seem to always lead to discipline. It seems the way we have done our jobs for all these years is now considered a time wasting practice or a failure to follow instructions where discipline has been almost always sure to follow. Carriers are now getting handed Letters of Warning for missing a single scan or not making a DOIS projected leave time.

The stance taken by management has been that if a carrier cannot fulfill the instructions given by the supervisor in the morning that there is no acceptable reason that a carrier can use as a defense and discipline is required. This is not what the National Agreement states when it asks the question whether management had "Just Cause" to issue any carrier discipline. Management has the right to give us instructions and we are required to follow them unless they are against the law or they put our personal safety at risk. Carriers are now well aware and are constantly reminded of it. I believe that the issue of not following instructions sometimes leads carriers to discipline when the instructions do not make any sense to us.

Service has fallen to the way side and been replaced with the mandatory

requirement to succeed with the projected numbers that management has come up with for these routes and to be back at the station to meet the truck. All other goals seem to be a distant second. Letter Carriers have always put service first and made sure that all the questions raised by our patrons were answered and we have gone out of our way to make sure letters and packages got delivered correctly even when it required more time on our daily route. Now numbers and station return times are king and they rule all. We, as carriers, are expected to adapt and follow the instructions of management regardless of our concerns and beliefs that were part of this job before.

So what should we, as carriers, do now? Follow the instructions of the supervisor. Scan every mailbox that has an MSP label, scan every package that has a scan label and let the scanner tell you if it is a scan-able package or not, and make sure you make the leave and return times the supervisor tells you to. When the time comes and you have not finished casing your mail for the day and you have to start pulling down your route to make the leave time, find your supervisor and inform them by help slip (3996) and continuously ask them what you are to do, finish casing the mail and not make leave time or curtail the mail. If your instructions are to curtail then fill out a curtailment slip (1571) and proceed to make your instructed leave time.



*Darrell Maus*

If management wants they can curtail any mail whether it be bulk bypass flats, buckets of flats, even FSS or DPS, or currently post almost daily. This is their mail and their routes and management has control of both. The issue of return time to the station should be handled in the same manner. Inform your station of your delivery situation and when you anticipate to be finished and get revised instructions whether by phone or returning to the station in person. This is not the time where you are to be interrogated by your supervisor as to the reason why you are unable to complete the delivery that can be addressed at the station at a later time. The first concern is to get the mail delivered and get back to the station especially now with the time change and darkness issues.

When I was a JIT trainer years ago I always ensured new employees that if management wasn't talking to you, you were doing a great job. Now management **is** talking to every carrier so I have changed that to ensuring each employee that just because we can not make management's numbers this does not mean it is our fault. As always, contact your steward with any issues that arise.

## Branch 9 Trustees



**MIKE SMITH FOR TRUSTEE**

### My name is Mike Smith

and I am running for re-election as Branch 9 Trustee. I started my postal career in 1989 and have served as a Steward (elected 3 times), Branch 9 Sergeant at Arms, and currently as Trustee. As a proud 2007 graduate of the NALC's Leadership Academy, I believe the training by current and retired national officers provided me with the best education possible. The hands on training about budgets, dispute resolution, proper teaching techniques, branch administration, and public speaking has been invaluable. I also have completed the U.S. Department of Labor's Labor Management Reporting Disclosure Act training and the NALC's Secretary-Treasurer's class.

I am proud to have been a member of three different unions for the past 37 years, with the past 22 years as a member of the NALC. My wife Darcy and myself are proud parents of 4 children, ages 14 to 29. Being involved in community based mentoring programs, coaching, and church activities have also prepared me to be a leader. I also am a Na-

*Continued next page*



### My name is JoAnn Gilbaugh,

and I'm very honored to have the opportunity to serve the members of Branch 9 as Trustee.

I've been a letter carrier for 12 years, and work at Lowry Station in North Minneapolis. My first position for the Branch was that of Steward in 2007. Soon after, I began and still continue to work as a Formal Step A representative. In 2009 I graduated from the NALC Leadership Academy, where my training included the basics of branch operations, and the duties of trustees. I'm a State and National Delegate, NALC Carrier Corps member, COLCPE contributor and E-activist. Writing for the Postal Record as Branch 9 Scribe is a position I especially enjoy. I've also served on the By-laws Committee and was a team member for the last Local Contract negotiations. Our MDA fundraising is dear to my heart and I've been privileged to be the Branch MDA Coordinator for the past three years. It's been wonderful to experience first-hand the great spirit of generosity within our membership.

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### Cathy Burton

I have been standing up for letter carrier rights since I've been a PTF and I will do so for the rest of my career.

Communication is another key factor to our success. As one of the executive boards newest members, I intend on bringing fresh ideas and support to our members. Outreach to the rank and file will be one of my top priorities.

This is a critical time for our union and our employer. I will continue my legislative efforts, uniting with other unions to ensure we elect labor friendly candidates.

We must look to innovation, make bold decisions and most important of all, work together in solidarity. Our future depends on this.

I am honored to be your trustee.

Experience at branch 9:

- Safety Captain
- Steward
- Peer Evaluator
- Diversity Committee
- Union Women Leadership Initiative
- CD 5 Liaison

*Continued next page*

**Mike Smith**

tional and State Delegate for Branch 9, and a Delegate for the Minneapolis Regional Labor Federation of the AFL-CIO. I also have been the chair for the By-Law Committee for the Minnesota State Association of Letter Carriers. Being on Branch 9's Political Committee has taught me many different ways to stay involved in politics.

The Postal Service is going through drastic changes, along with our national economy. With all the changes facing organized labor in the near future, I believe now is the time to elect experienced and highly qualified candidates. I have the experience, training and integrity to continue as Branch 9 Trustee. I need and will appreciate your vote.

In solidarity,  
Mike Smith

**JoAnn Gilbaugh**

As to my qualifications that specifically relate to those of Trustee, I have experience in the corporate sector with both planning and administering budgets. As a small business owner, I learned how to maximize results, minimize expenses and to work with limited financial resources. I have served on three non-profit executive boards in the positions of President, Executive Vice President and Director. These positions taught me that excellent leadership begins with listening to members, and ends with doing what is right for the organization.

Our Branch benefits today from the smart financial decisions of the brothers and sisters who came before us. Our financial stability is something we can all be proud of. As Trustee, I will do my part to ensure that strength for our future.

**Cathy Burton**

- Union Women Google Group
- Co-Coordinator Stamp Out Hunger Food Drive 2011
- Carrier Alert Coordinator
- Currently detailed by the NALC National Union as a full-time Legislative Liaison

*If H.R.2309 gets passed, this is what your parents/grandparents/neighbors will have to do to get their mail from a central mail unit at the end of the block.*



**Call your Congressman.  
Tell him/her to vote NO  
on H.R. 2309**

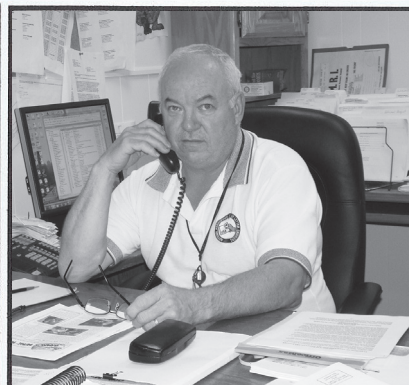
**Elect Darrell Maus**

**Executive Vice President Branch 9**

**Executive Vice President**  
Past Treasurer, Financial Secretary, Trustee and Steward

**Experienced in:**  
Grievance handling, Branch Finances, Branch Administration and functions

**Dedicated Volunteer**



**Endorsed and Supported by:**

- |                  |                |
|------------------|----------------|
| Mike Zagaros     | Lenny Larson   |
| Troy Fredenburg  | Jason Karnopp  |
| Jeremy Rothstein | Melisa Derrick |
| Lisa O'Neill     | Julie Waldemar |
| Chuck Glover     | Jim Nelson     |
| Rodney Anderson  | Barb Watzczak  |
| Samantha Hartwig | Mike Smith     |

**The right experience – The right choice**

## The Right Person At The Right Time



As a younger letter carrier and a proud member of the NALC I take pride in all of the hard work and sacrifices the members who came before me have fought for. Right now we face the toughest fight letter carriers have had to tackle, protecting our jobs. I believe it is time for the next generation of leaders in this Branch to step up and take the lead. I am more than ready to fight for all of the members, retired and active. The first step is to elect a new Financial Secretary.

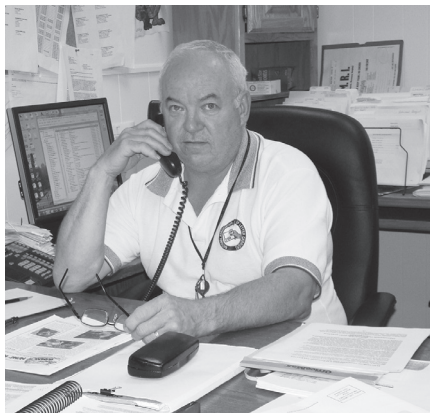
### My Experience:

- ▶ Current Trustee of Branch 9.
- ▶ Branch 9 Food Drive Coordinator.
- ▶ Minnesota State Food Drive Coordinator.
- ▶ Union Steward for 6 years.
- ▶ Formal A Representative for 5 years.
- ▶ By-Law Committee Member.
- ▶ Entertainment Committee Member.
- ▶ Graduate of NALC Leadership Academy Class 13.
- ▶ Currently attending University of Minnesota Union Leadership Class.
- ▶ Representative for injured letter carriers during the National Reassessment Process (NRP), and OWCP training.

**Vote Samantha Hartwig for Financial Secretary!**



## Branch 9 Candidates for Executive Vice President



### I am Darrell Maus

the current Executive Vice President of Branch 9 and I am running for reelection. I began my career as a Letter Carrier in 1988 at Diamond Lake Station and in 1992 became Steward there. Over the years I have had several union positions that include; Formal A Rep, Trustee, Financial Secretary, Treasurer, and Executive Vice President. I have also been an advocate in all the joint route adjustments teams since 1996 including Formal Inspection Co-Leader, PRAM, IRAP, MIRAP and MIARAP.

Over the years I have been involved in many of the volunteer functions of the Branch including; annual Food Drive, MDA bowling tournament, Branch picnic, State Fair booth, and most recently the planning of the National Convention our Branch hosted. I have enjoyed working along side of the great volunteers at these Branch functions and will continue to urge all members to become involved to insure the great reputation of this Branch and it's commitment to these functions is carried on.

As the current Vice President the experience I have gained will be a great asset to myself and the members of this great Branch. We are

facing conditions in our stations and membership ranks never before imagined. It is because of the past years of experience and knowledge of all the issues our Branch and its members have faced that will qualify me as your Vice President to face the challenges of the ever changing future. It is with the combined effort of the entire Branch along with their officers that decide our fate. Whether it be Branch office functions and finances or contractual issues concerning our members you will have my total commitment.

I am dedicated to serving the members of this Branch and ask for your support and vote in the upcoming election.



### my name is Jim Hendrickson

and I'm a carrier and steward at Brooklyn Park. I'm a Marine Corps veteran father of two, and I've been a steward at St. Louis Park and Brooklyn Park for 13 or 14 years combined now. I'm running for Vice President of Branch 9. I've spent those years

as steward dealing with the work room floor issues of carriers which I feel are the the most important issue that carriers face on a daily basis. Although legislative, MDA, and contract issues are important I believe most carriers want and need representation on the work room floor. This is what seems to affect your daily life and causes the most stress. Although management continues to break the contract on a daily basis it doesn't mean they are immune from their responsibility from following it. Most of all it doesn't mean they have the right to bully carriers , mistreat or harass them. I realize the need for properly adjusted routes and how the lack of that creates stress and problems with carriers being harassed my management who simply go by their DOIS numbers. I would like to bring a more vigilant and active role back to the carrier's day to day duties by having management finally held accountable for any mistreatment of carriers. To most of us this is a job not some kind of cult, we want to go home relax and forget about it. We work hard and would like to be respected for it,we deserve that and should demand it. Anyway I would like to work toward those means as Vice President I hope you will consider me and and vote for me thanks.

## Candidates for Financial Secretary



### **MELIA DERRICK** For Financial Secretary

I seek the office of Financial Secretary of Branch 9 with great honor and pride.

Over 25 years ago I began my union activism after accepting a nomination from the floor to be a steward at Eastside station. Through the years I have served as the branch scribe to the Postal Record and chaired the coat drive project. I worked at the beginning of the PEER program and currently work as the lead Step A representative and as a backup on the Step B team. I have served multiple times as a State and National Convention delegate. At the 2011 State Convention I served on the audit committee. As a member of the Executive board I have worked as a Trustee, the Recording Secretary and currently as the Financial Secretary. Serving on the Executive Board has been a maturing experience. Management is being difficult and testing our resolve to stick together as a union. Through continuous strong leadership this Branch is on solid financial ground. But the financial challenges of the USPS have meant less hiring affecting our bottom line. I was sent by the Branch to Washington D.C.

for the Secretary-Treasurer training a few years ago. That training as well as my experience will be needed as we make some hard choices for our future.

With pride I have accepted the endorsement our two full time officers President Mike Zagaros and Executive Vice President Darrell Maus. Trustee Mike Smith who is seeking reelection has given me his support as well. Editor Chuck Glover and Recording Secretary Jeremy Rothstein are lending me their recommendation. Together, this team, with the combined experience we all have, can work for the future of Branch 9. I ask for your support and vote in the upcoming election.

Melia Derrick



### **Sam I Am**

Currently I am a Trustee for Branch 9, and I have decided to run for the office of Financial Secretary. I have been a city letter carrier for 9 years, and supporter of the Union the entire time. My representational experience comes from my time as a union steward at the Eastside Station for the six years, and a Formal A Representative for Branch 9 for five years.

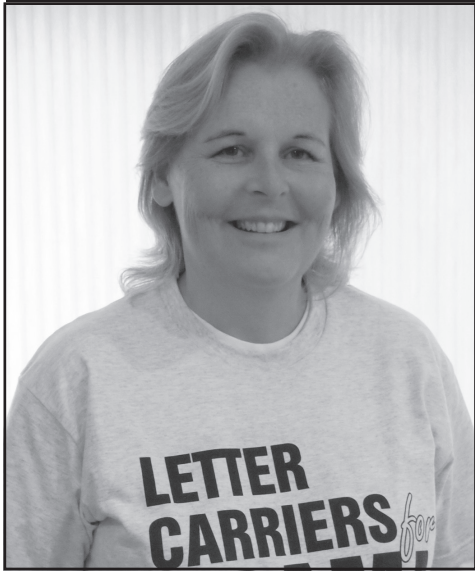
Earlier this year I graduated from the 13th NALC Leadership Academy Class. During this intensive 3 week course I learned more about not only representing members through the grievance procedure, but also all aspects of running a local union branch, from leadership to financial management.

Since 2009 I have been working toward becoming an Office of Workers' Compensation Programs (OWCP) advocate for our branch. I represented injured letter carriers when the National Reassessment Process (NRP) was initiated by the USPS. While working with injured letter carriers I have come to realize that many times they are not well enough informed as to what their rights are under the Federal Employees' Compensation Act. I have had the opportunity to receive specialized advanced OWCP training from the National, which I am ready to put to good use for all of the members.

I am also the Food Drive Coordinator for Branch 9, and the State Food Drive Coordinator. I have served on the By-Law Committee, Entertainment Committee, and as an Election Judge for the previous branch elections.

I know I am the right candidate for the position of Financial Secretary, and look forward to many more years of representing Branch 9. While I have learned much over the years I am not done learning, and plan to keep this union strong for the next 20 plus years.

In solidarity,  
Samantha Hartwig



...ACCOUNTABLE.....DILIGENT.....RELIABLE.....

Branch 9 Treasurer: '11 & '12  
 Station Steward: Coon Rapids, East Side and Blaine  
 Northland District Customer Connect Coordinator: '07 & '08  
 MDA Fundraiser  
 Station Customer Connect Coordinator: East Side, Blaine  
 Station Food Drive Coordinator: East Side, Blaine  
 Station Safety Liaison: Blaine  
 Co-Leader in Route Adjustments: MIARAP, JARAP, FSS  
 Trainer: 6-Day Count & Inspection  
 Congressional District Liaison: MN 6th  
 Minneapolis Regional Labor Federation delegate  
 PAL 9 Board member  
 Volunteer: retiree banquet, May Day Parade,  
 Mpls Pride Parade, branch picnic, state fair booth

**My name is Elizabeth (Lisa) O'Neill**

I am running for Branch 9 Treasurer and have been endorsed by.....


Lenny Larson, Br 9 President Emeritus...Barry Weiner, Retired NBA...

Troy Fredenburg, RAA Region 7...Jason Karnopp, RAA Region 7... Mike Zagaros, Br 9 President...

Darrell Maus, Br 9 Executive VP...


Rodney Anderson, Br 9 Director of Retirees...Ron Lawrence, PAL9 Treasurer...Deb Grunnes, Assoc

Off Rep to E-Brd... Victor Boehmer, Steward...Chuck Lilligren, C.R. Carrier...Alice Nopola, Retiree...



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 2220 Lyndale Avenue South  
 Minneapolis, MN 55405  
 612-377-0011



**St. Paul**  
 935 N. Dale Street  
 St. Paul, MN 55103  
 651- 224 - 7567

**VOTE**

**VOTE**

**VOTE**

**VOTE**

**VOTE**

**Melia Derrick  
 For  
 Financial Secretary**

Experienced

Demonstrated Leadership

National Secretary-Treasurer Training

# Weingarten Rights

Article from the NALC Activist:  
Vol 17 No 3. Fall 2004

In addition to the specific provisions of Article 17, Section 3 of the National Agreement which concern interrogations by Postal Inspectors (see below), letter carriers have the right to union representation in many other meeting situations by virtue of the Weingarten doctrine.

This legal principle, established by the U.S. Supreme Court in 1975 in a case titled NLRB vs. J. Weingarten Inc., provides that employees are entitled to assistance from their union representatives during any investigatory interview which the carrier reasonably believes may lead to discipline.

**An investigatory interview is usually defined as questioning by management to search for facts that will be used to determine an employee's guilt, or to decide whether or not to impose discipline.** The Weingarten rule does not apply to some kinds of meetings between management and carriers, such as fitness-for-duty examinations and "official discussions" under the provisions of Article 16, Section 2 of the National Agreement which states that "For minor offenses by an employee, ... discussions ... shall be held in private between the employee and the supervisor. See National Arbitrator Aaron, C-03769, January 6, 1983.

The steward cannot exercise Weingarten rights on the employee's behalf. And unlike "Miranda rights," which involve criminal investigations, the employer is not required to

inform the employee of the Weingarten right to representation.

**Under Weingarten employees have a right to a pre-interview consultation with a steward.** In a Weingarten interview the employee has the right to a steward's active 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.

Although ELM Section 666.6 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 in this situation. The carrier may respond that he or she will answer questions once a steward is provided.

Interrogations by Postal Inspectors Stewards should also be aware of the specific language in the fifth paragraph of Article 17, Section 3 of the National Agreement which states that "If an employee requests a steward or Union representative to be present during the course of an interrogation by the Inspection Service, such request will be granted." This sentence reinforces employees' Weingarten rights and clearly informs postal inspectors that stewards have the right to represent employees if requested. Stewards should understand that, **just as with Weingarten rights, the inspectors are not obligated to inform carriers of their right to union representation; rather the carrier must request it** and can insist that questioning not continue until a union representative is present. Federal Courts have extended the right to pre-meeting consultations with a Union representative to cover

Inspection Service interrogations. (M-01092, U.S. Postal Service v. NLRB, D.C. Cir. 1992).

## Miranda Warnings

Most people—especially fans of TV cop shows—know that before the police can question anyone about possible criminal activity, the suspects must be "Mirandized," or informed of their rights to have a lawyer present and to remain silent.

Miranda rights, like Weingarten rights, stem from a U.S. Supreme Court decision. Stewards should ensure that all letter carriers know that as soon as an inspector reads a carrier his or her Miranda rights, the carrier should ask both for a steward (if not already present) and an attorney. Stewards may be called upon to represent the Union in many types of meeting other than those discussed in this article. For example, Labor/Management Meetings, Safety Committee Meetings, Benefit Committee Meetings and the like. Stewards should respect the process, fully exercise their rights and recognize that they are management's equal during any such meetings.





*Julie Waldemar, Branch 9  
Health Benefits Coordinator*

**FEHB Open Season  
Nov 14th – Dec 12th  
2013**

It's that time of year again – Time to start researching which FEHB Plan is best for you /and your family. The 2013 price comparison is on the web at [www.OPM.gov/insure/health/rates/index](http://www.OPM.gov/insure/health/rates/index). For pricing NALC career

employees are Postal Category 1 (in the NALC plan).

At the time I was writing this article they didn't have the 2013 plan booklets or the comparison charts with all of the details up. However, the NALC 2013 booklet is on the Health Benefit Plan pg [www.nalchbp.org/nalc/portal](http://www.nalchbp.org/nalc/portal).

Section 2 in all booklets shows the 2013 changes. The last page has the rate information (non-postal is retirees and annuitants).

Remember when making your choice that the NALC plan is owned by the members and it is a nonprofit plan. We have a lot of the same doctors and very comparable rates and costs. Please take a good look at the NALC plan. Plus you have me as an advocate to try and get answers to any questions you might have. My

number is 612-963-NALC (6252) P.S. I'm not sure if you will get a booklet mailed to you or if you'll have to call the branch and have one sent to you (if you don't have web access). If you attend a Health Fair you can get booklets for all the plans. As soon as I get a list of Health Fairs I will have it posted at [www.branch-9nalc.com](http://www.branch-9nalc.com).

**Your HBR – Julie Waldemar**



**VOTE  
JOE RIAN  
FOR  
BRANCH 9  
TREASURER**



**Watch your mail box after November 1st.  
All voting is by mail in ballot.**

*Presidents article continued from page 3*

convince you to support their issue or candidate. Everywhere you look you will find campaign literature, phone calls, door knocks and radio and television advertising. Thank you to those of you who volunteered your time to get involved, whether it was through the Branch 9 sponsored phone banks and door knocks; talking with your friends and neighbors telling them the truth about the Postal Service; or contributing to COLCPE and PAL 9 that allowed funds to be used to release letter carriers to work getting worker friendly candidates elected and to get our message out.

Throughout the spring and summer months, members of the Minneapolis Regional Labor Federation, have been conducting screenings for individuals who were seeking labor's endorsement in the upcoming elections. Candidates for US Senate, US House of Representatives, the Minnesota Legislature, County Commissioners, City Councils, School Boards and Judgeships were screened before several committees. Those who screened, completed a questionnaire prior to being interviewed. Afterwards the committees would discuss the candidates and their answers and then vote whether or not to recommend endorsement. For a list of those candidates who have been endorsed by the Minnesota AFL-CIO for state and federal offices go to the Branch 9 website at [www.branch9nalc.com](http://www.branch9nalc.com). For the city and county candidates that are endorsed by the Minneapolis RLF go to [www.minneapolisunions.org](http://www.minneapolisunions.org).

There are two constitutional amendments, often referred to as the voter ID and the marriage amendments that are on the ballot this election. On Election Day, voters will be asked to put language into the Minnesota

Constitution that can and will have a profound impact on our society. If you have questions about the amendments, I urge to seek out the information necessary for you to make an informed decision about the meaning and the impact of these amendments. At the most recent MSALC convention the delegates passed a resolution that stated "that the 101st Convention of the Minnesota State Association of Letter Carriers go on record that they oppose all Constitutional Amendments that circumvent the Minnesota Governor and are being placed on the Ballot in November 2012." This resolution was passed overwhelmingly.

Now there is just one more thing to do. That is to get out and vote. Make sure your neighbors, friends and family members get out and vote. All the work that has been done will be for naught if we stay home. When you go to the polls, vote for the candidates that will support you and your family. It's time for the people to have their say.



*Rodney Anderson (Director of Retirees)*

## Retirement Breakfasts

One of the great pleasures of taking over this assignment is all the new friends I am making, under the best of circumstances. At this writing, I

have been to an AFL-CIO Regional Labor Federation event, and I'm looking forward to attending the Minnesota State Retiree Council. Furthermore, our Branch leaders have taken pains to acquaint me not only with issues and opportunities for Retirees, but many of the people involved as well.

One which we can all enjoy is the Branch Retirement Breakfasts. These are open to Branch 9 retirees, obviously. But in my experience they bring friends (even grandchildren!), Branch officers, and occasionally even some active carriers (who are off) will show up. All these are welcome.

The breakfasts are generally agenda-free, other than the impromptu shenanigans we can dream up. But it's an opportunity to renew acquaintances, and keep up with old friends. Conversation is usually light, occasionally serious and information can be exchanged.

The "Northside" breakfasts are held on the first Tuesday of each month at Elsie's (729 Marshall St NE) at 9:30AM. The "Southside" breakfasts are on the second Tuesday of the month at the Fred Babcock VFW (6715 Lakeshore Drive in Richfield) at 9:00AM. The Nokomis Station even has its own breakfast, also at the Fred Babcock VFW at 9:00AM on the 4th Tuesday of the month.

I urge you to try a local Retirement Breakfast, especially if you are retired. I think you will find an opportunity for general bonhomie and a good breakfast at a very reasonable rate. I don't think you will be disappointed, and perhaps you will make them a good habit!



# Retiree Holiday Party Wednesday, December 5th

*This year's event will once again feature friendly libations, good food, and plenty of time for reminiscing and extending holiday cheer to all our colleagues who we have worked with and known for so many years.*

**Fred Babcock VFW  
6715 Lakeshore Drive  
Richfield, MN  
612.869.5555**

**Social Hour begins at  
6:00PM**

**Dinner from 7:00 - 9:00PM**



### Dinner Menu

Choice of Prime Rib or  
1/2 Oven-baked Chicken  
or Walleye

Salad

Potato

Vegetable

Coffee, Tea, Milk

*Please complete the reservation form and return it to the Branch office by November 28th*

### Retiree Holiday Party

Name: \_\_\_\_\_

Chicken

Prime Rib

Walleye

(Circle One)

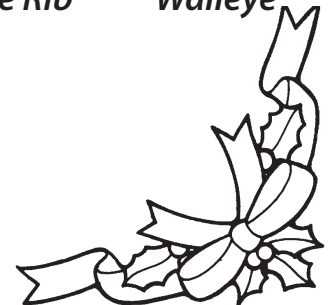
I will be bringing \_\_\_\_\_ guest(s)

Name of Guest 1: \_\_\_\_\_ Chicken Prime Rib Walleye

Name of Guest 2: \_\_\_\_\_ Chicken Prime Rib Walleye

Cost: \$20.00/Person

All checks made out and mailed to:  
NALC Branch 9 Retiree Holiday Party  
2408 Central Avenue NE, Minneapolis, MN 55418



Branch Nine News  
2408 Central Avenue NE  
Minneapolis, MN 55418-3712



Change Service Requested

PRSRT STD  
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TWIN CITIES MN  
PERMIT NO. 91964

## Branch Nine Calendar

### October 23

Nokomis Retiree Breakfast  
9:00AM  
Fred Babcock VFW  
6715 Lakeshore Drive, Richfield

### Tuesday, October 23

General Membership Meeting  
7:00PM  
Golden Valley VFW Post 7051  
7775 Medicine Lake Rd  
Golden Valley

### November 6

Northside Retiree's Breakfast  
9:30AM  
Elsie's  
729 Marshall St. NE, Minneapolis

### November 6

Election Day  
VOTE VOTE VOTE VOTE

### November 11

Veterans Day  
Thank a Veteran and  
remember those who gave  
there all for our Freedom

### November 11

Food Drive Celebration  
Second Harvest Heartland West  
6325 Sandburg Road Suite 1700  
Golden Valley, MN 55427  
Noon - 3:00PM

### November 13

Stewards Meeting  
7:00PM  
Golden Valley VFW Post 7051  
7775 Medicine Lake Rd  
Golden Valley

### November 13

Southside Retiree Breakfast  
9:00AM  
Fred Babcock VFW  
6715 Lakeshore Drive, Richfield

### November 20

Ballot Deadline for  
Branch 9 Election

### November 27

Nokomis Retiree Breakfast  
9:00AM  
Fred Babcock VFW  
6715 Lakeshore Drive, Richfield

### Tuesday, November 27

General Membership Meeting  
7:00PM  
Golden Valley VFW Post 7051  
7775 Medicine Lake Rd  
Golden Valley

### December 5

Retiree Holiday Party  
6:00 - 9:00PM  
Fred Babcock VFW  
6715 Lakeshore Drive, Richfield