



# Mail Handlers Local Union No. 323

1602 Selby Ave., Suite 5 St. Paul, MN 55104  
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## Minutes of the Local Union 323 Council Meeting ST. PAUL, MN December 10, 2010

Jeff Larsen

*Local President*

Kathy Schultz

*Vice President*

Dean Abatte

*Recording Secretary*

John Frey

*Treasurer*

State Executive

Board Members

Shane Ryden

*Minnesota*

Brock Engstrom

*North Dakota*

Branch Presidents

Dean Abatte

*Minneapolis*

Douglas Vitek

*St. Paul*

Mike Straiton

*BMC*

Gary Tollefsrud

*Fargo*

On December 10<sup>th</sup> 2010, Local President Jeff Larsen called to order the Local Union Council meeting at 2:31 P.M. Roll call was taken by Recording Secretary Dean Abatte.

### IN ATTENDANCE:

**Local President:** Jeff Larsen

**Vice President:** Kathleen Schultz

**Recording Secretary:** Dean Abatte

**Treasurer:** John Frey

**MN State Representative:** Shane Ryden

**ND State Representative:** Brock Engstrom

**BMC Branch President:** Mike Straiton

**St. Paul Branch President:** Doug Vitek

**Minneapolis Branch President:** Dean Abatte

**Fargo Branch President:** Gary Tollefsrud

Review of the Previous Minutes:

The Council reviewed the minutes from the last meeting on April 30<sup>th</sup> 2010 at 9:38 A.M. N.D. State Rep. Brock Engstrom motioned to accept the minutes of the previous meeting and was seconded by John Frey. The motion carried.

### Presidents Report:

President Larsen provided the Council a copy of the President's report for review. (See attached copy).

Officer Reports:

### Vice President Kathleen Schultz reports:

Kathleen Schulz has been attending the annual Health Fair during open season as a representative of the Mail Handler Benefit plan.

### **NDC Branch President Mike Straiton reports:**

As President Larsen noted in his report, NDC Management will post 41 duty assignments on Monday, December 13, 2010. Thus begins the process of implementing retreat rights for those NDC Mail Handlers who were excessed outside of the installation effective February 13, 2010. Any posted positions that are not bid on by NDC Mail Handlers become residual vacancies and will be offered for retreat preferencing to the aforementioned excessed Mail handlers. Once all retreat rights have been satisfied, additional residual vacancies will become landing spots for Mail Handlers excessed from Minneapolis.

Management's actions are driven by the anticipation of the deployment of new machines, operations and mail products in the coming months. The NDC will be the new home of the 200 bin APPS machine and two LCTS's currently in operation at the STC. The NDC will also be deploying a Low Cost Universal Sorter.

“Change is coming” has been a familiar refrain for the Mail Handlers at the NDC. The next several months are no exception. NDC Mail Handlers will see the deployment of new machines, the return of brothers and sisters, and the arrival of some new ones.

### **Minneapolis Branch President Dean Abatte reports:**

Minneapolis has a current compliment of 289 FTR's, 31 PTF's and 6 PTR's. Labor management meetings have been held weekly as Management began their excessing event in the Mpls. Bid cluster. We had been notified that 101 FTR's, 26 PTF's and 1 PTR will be excessed from the Mpls bid cluster. Many employee informational meetings were conducted by the Management team. I attended all of the meetings and was accompanied by Steward Ryden for most of the meetings as well. A lot of information was distributed to the Mail Handlers that were to be impacted. Many questions were asked and just as many were left open for those to seek out an answer from the Union as to how it relates to their specific situation. It has been very difficult for many. Some very tough decisions have to be made by those impacted. Houses have to be sold, kids have to find new schools in the middle of the school year and spouses will have to decide what they will do with their own jobs. The Stewards have done a standup job gathering the Members questions and concerns and forwarding them to me for answers.

The first round of preferencing for those being excessed to the Des Moines NDC has been completed. Sixteen junior Mail Handlers will be moving to the Des Moines area by the 29<sup>th</sup> of January 2010. The Mail Handlers in Mpls. are eagerly awaiting the results of the bidding process that is currently ongoing at the Eagan NDC. Many have inquired about the residual vacancies for the Eagan NDC. As of to date, none have occurred as the bidding process continues.

### **Grievance activity**

We currently have one Mail Handler out on removal. The case was appealed to Step 3 and was denied. We are awaiting an arbitration date.

Several cases have been appealed to Step 3 regarding cross craft issues, specifically the tear up

mail generated on the AFCS's that has been dispatched by the SDO to the 030 operation to be worked by the Clerk Craft. We are awaiting decisions from Step 3 on those grievances.

We are at a standing still at Step 2 with the NRP grievances. It is understood that nationally some of these grievances have been resolved with favorable results. We have 3 cases pending at Step 2.

We too have had the same issue at the Mpls facility as the St. Paul facility regarding Carriers returning from their routes with collection mail and sorting it on the East Dock. Chief Steward Schultz has been tasked with the duties of investigating this situation for the filing of a grievance as we contend this to be a violation of the local inventory. The Mail Handlers have craft jurisdiction on the Dock Platform regarding any culling or separation of mails by type. We will update on the results of these grievances as they develop.

**MN State Representative Shane Ryden submitted via email the following report:**

MN State Rep. Shane Ryden report's attending St. Cloud Labor Management meeting. He also reports his continued effort to control the assault on the Mail Handler craft by Clerks and Contract Drivers by filing grievances. Shane also reports attending many of the Employee excessing meetings with the Minneapolis Branch President.

**North Dakota State Representative Brock Engstrom reports:**

ND State Rep. Brock Engstrom reported attending Health Fairs in the Dakota's. He reports one transfer from California to Minot ND. Fargo is currently working 12 hour days 5 times weekly, seven days a week if wanted. LDC 17 crew set to arrive in January to monitor all aspects of the Mail Handler functions and to determine the how many Mail Handlers are needed for the facility.

**Fargo Branch President Gary Tollefsrud reports:**

The current compliment of Mail Handlers at the Fargo facility is 53. The Postal Service has sent a team to the Fargo Facility to perform a Function 17 review of all Mail Handler functions within the facility to determine if all the current positions were needed.

A Branch meeting was held on Saturday December 4<sup>th</sup>. Five Mail handlers attended.

**St. Paul Branch President Doug Vitek reports:**

Branch Jurisdictional inventory:

On October 13, 2010 my office completed the jurisdictional inventory in the new St. Paul P&DC. In short, my office secured jurisdiction to several functions in over 26 different operations (Attached) that did not exist in the previous inventory. The NPMHU still has 3 remaining jurisdictional disputes. Two disputes are currently pending appeal to the RDRC and the remaining dispute is pending discussion in the LDRC. The APWU has 1 remaining jurisdictional dispute that is pending discussion in the LDRC.

Now we are entering Phase 2 which is an educational phase. For example; the Union secured

scanning mail and empty equipment on the platform. Mail Handlers in general are not aware that is now our work and it is anticipated this work will increase the amount of Mail Handler work hours on the platform by 20%.

In general the data that we generate through our scans on the platform is the same information that the Postal Service relies upon to staff our facility. Anyway it is my goal to generate enough data to justify more Mail Handler positions or landing spots in St. Paul for our brothers and sisters identified as excess to the Minneapolis P&DC next spring.

#### St. Paul Arbitration

On November 18, 2010 the Local President Jeff Larsen and I attended an arbitration involving the removal of a Mail Handler in St. Paul. All went well and we anticipate a decision within the next week.

#### NRP

My office is nearing the completion of entering into a Step 2 settlement that will bring back a Mail Handler that was told the Postal Service had no work anywhere that fits his restrictions. The Postal Service Step 2 Rep. And Myself are having some minor disagreements about making the grievant whole for the harm he has suffered.

#### Light Duty Assignments

Since we have been in the new building the Postal Service has been very reluctant at best to provide employees light duty work. This is a drastic change from the past in which every employee who requested light duty work got light duty work. The Postal Service Labor Relations Department has been notifying Management in the plant that the work they claim does not exist actually exists but to no avail. My office anticipates that we will end up in arbitration in the future to resolve the Employees obligation to make every effort to find our mail handlers light duty work.

#### City Collections

Separating mixed collection mail on the platform was one of the many functions my office secured in the new jurisdictional inventory. Currently city collection drivers are returning from their routes and separating mixed collection mail on the platform. My office initiated a cross craft grievance and the parties are close to a resolution. Specifically, Plant Manager Pobuda agreed in my last Labor Management meeting to reassign the separation of mixed collection to the Mail handler craft with the exception of holdouts for the Tier 1 and Tier 2 RNDC facilities. If this comes to fruition it should involve another 3 plus Mail Handler assignments on the Platform.

#### **Treasurer John Frey reports:**

It's good to be back as Local Treasurer of Local 323. I would like to take this opportunity to thank Doug Vitek for stepping up to the plate to serve as Treasurer in my absence. Doug did a

great job for learning the position on the fly, and I will have no worries when sometime next year when I hopefully will have my next and last surgery that Doug will again do a great job in my absence.

I will now submit to each member present of the Local Executive Board copies of the Local income Expense Statement starting from October 6, 2010 through December 9, 2010. As well as the balance for all of the locals accounts.

**Open Discussion:**

During the open discussion, Minneapolis Branch President Dean Abatte proposed having a Union function/picnic for 2011. Discussion ensued and a vote was taken of the Board and Council. The results of the vote were: those for, Jeff Larsen, John Frey, Doug Vitek, Dean Abatte, Mike Straiton and Gary Tollefsrud. Those against were Kathleen Schultz, Shane Ryden and Brock Engstrom. After the vote it was determined that the Local Union would pursue having a Union event/picnic next summer. St. Paul Branch President Vitek volunteered to be the Chair person for the event with Branch President Dean Abatte as the Co-chair and Local President Larsen as an assistant. A subcommittee was to be formed and dates will be scheduled to discuss where the event will take place. All other aspects of the event will be open for discussion, to include, cost, prizes, food, who will cook and any games that will take place.

A motion was made to adjourn the Council meeting by Shane Ryden and was seconded by Gary Tollefsrud. Motion carries.

Council meeting adjourned at 4:05 pm.

Respectfully Submitted,

Dean Abatte  
Recording Secretary Local 323  
National Postal Mail Handlers Union

cc: Local Union Council  
Branch Leaders  
File

Operation Number	Function	Was Jurisdiction Secure in St. Paul?	Is Jurisdiction Secure in Eagan?	
Operation 010	All Functions	Yes	Yes	
Operation 015	All Functions related to the AFCS	No	Yes	1
Operation 019	All Functions related to the Tabber	No	In dispute	
Operation 020-022	All Functions related to Metered letter and flat preparation	Yes	Yes	
Operation 030	Transportation to and from manual letter staging area.	No	Yes	1
Operation 035	All Functions AFSM 100 Mail Prep	No	In dispute	
Operations 050-053	Transportation to and from priority staging area.	No	Yes	1
Operations 060	Transportation to and from manual flat staging area.	No	Yes	1
Operations 083-089	Transportation to and from PARS staging area.	No	Yes	1
Operations 091-099	Transportation to and from CIOSS staging area.	No	Yes	1
Operation 109	All Functions related to Rewrap.	Yes	Yes	
Operations 168-169	Transportation to and from Box staging area.	No	Yes	1
Operations 178-179	Transportation to and from Box staging area.	No	Yes	1
Operations 181-184	All Functions related to induction of incoming mail.	No	Yes	1
Operation 208-209	All Functions related to the EAA	No	No	
Operation 212	All Functions related to the separation 540/550 sacks and outsides	Yes	Yes	
Operation 214	All Platform related functions.	No	Yes	1
Operation 229	All Functions related to Mail Handler Equipment Operator Tow	No	Yes	1
Operation 230	All Functions related to Mail Handler Equipment Operator Forklift	No	Yes	1
Operation 231	Identified all General Expeditor Functions	No	No	
Operation 232	Transportation to and from Express staging area.	No	Yes	1
Operation 233	Transportation to and from Express staging area.	No	Yes	1
Operation 235	All Functions related to the 235 Breakdown	No	No	
Operation 261-297	Transportation to and from DBCS staging area.	No	Yes	1
Operation 321	Transportation to and from city outside priority staging area.	No	Yes	1
Operation 324	Transport and dump mail Incoming Priority	No	Yes	1
Operation 326	Transportation to and from city priority staging area.	No	Yes	1
Operation 401-407	Transportation to and from AFSM 100 staging area.	No	Yes	1
Operation 486-489	Transportation to and from LCREM staging area.	No	Yes	1
Operation 530	All Functions related to FSS	No	Yes	1
Operation 549	All Functions related to the handling of empty equipment.	No	Yes	1
Operation 564	All Functions related to Nixie	No	No	
Operation 585	Transportation to and from Registry staging area.	No	Yes	1
Operation 618	Transport mail to and from and induct mail LCTS #1	No	Yes	1
Operation 619	Transport mail to and from LCTS #2	Yes	Yes	
Operation 619	Transport mail to and from and induct mail LCTS #3	No	Yes	1
Operation 618	Transport mail to and from and induct mail LCTS #4	No	Yes (550/540 In dispu	1
	The NPMHU secured new jurisdictional claim to several functions in 26 different operations			26



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December 10, 2010

## Local President's Report

### Local Complement

The Local 323 career complement as of Pay Period 23-10 is 791 (712 Minnesota and 79 North Dakota) with Membership at 711.

### Local Activities:

- **Excessing, Retreat Rights, and Implementation**

The reassignment of Mail Handlers in the metro facilities is continuing. The latest round of excessing involves the Minneapolis Branch and is resulting from management's decision to close the Twin Cities Surface Transfer Center or "Metro Hub". Similar to the previous excessing events at the NDC and St. Paul Branches, the Union remains fervently focused on minimizing the impact on the regular work force. Put another way, the Union's focus is to see that as many members of the regular work force as possible remain employed in the Twin Cities metropolitan area. The regular work force is defined in Article 7 as full-time regulars, part-time regulars, and part-time flexibles.

- **Minneapolis Branch**

By letter dated October 19, 2010 the Union was notified at the regional level that management had deemed it necessary to excess 48 level 4 full-time regulars, 53 level 5 full-time regulars, 26 level 4 part-time flexibles, and 1 level 4 part-time regular, from the Minneapolis installation. This letter indicates that this is the direct result of management's decision to close the Twin Cities Surface Transfer Center or "Metro Hub". The Minneapolis installation for this purpose is comprised of the downtown Minneapolis plant and the Metro Hub. The initial excessing notice authorized the withholding of an equal number of positions in facilities within a 35 and then a 100 mile radius of the Minneapolis installation. By letter dated November 1, 2010, the Union was notified that management had expanded the withholding radius to 350 miles.

Jeff Larsen

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State Executive

Board Members

Shane Ryden

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Branch Presidents

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*Minneapolis*

Douglas Vitek

*St. Paul*

Mike Straiton

*BMC*

Gary Tollefsrud

*Fargo*



Article 12 of the National Agreement provides that employees will be excessed by juniority within the respective categories of full-time regular, part-time regular, and part-time flexible. Branch President Dean Abatte, Vice President Kathleen Schultz, Minnesota State Executive Board Member Shane Ryden, and I, will comprise the Union's team that will be addressing this issue. Meetings with management which are aimed at contractual compliance and minimizing the impact to the regular work force will continue throughout this process.

- **Saint Paul Branch**

Things appear to be settling in somewhat at the St. Paul P & DC following the move into the new building. I recently attended a Labor-Management meeting at that facility concerning operations during the Christmas season and other items remaining from the move. Also in attendance at this meeting were Branch President Doug Vitek, Chief Steward Tony Triplett, and L & DC Steward Brian Lay. Agreements previously negotiated concerning the transition and daily work assignments seem to be accomplishing their goals. Moreover, a transportation agreement involving both the St. Paul and NDC Branches continues to regulate the movement of mail and equipment between the adjacent facilities. Any Mail Handler who has concerns or is aware of any lack of adherence to these agreements should bring these issues to the attention of their Branch representatives.

- **NDC Branch**

The NDC has gone full circle and management is currently preparing to post duty assignments in order to begin the process of implementing retreat rights. Duty assignments will first be posted for bid by Mail Handlers working at the NDC. The bidding process will eventually create residual duty assignments or duty assignments which no one selects during the bidding process. This process may take several rounds of bidding before a residual vacancy is created. Once residual vacancies are created they will be offered by seniority to Mail Handlers previously excessed to other installations who have indicated their desire to retreat back to the NDC. Once the retreat rights of all excessed Mail Handlers have been satisfied it is anticipated that the remaining residual duty assignments will be utilized for Mail Handlers excessed from the Minneapolis installation. The exact number of residual duty assignments which will eventually become available for this purpose remains unknown at this time. In sum, Mail Handlers currently at the NDC will have the first choice, Mail Handlers with retreat rights to the NDC will have the second choice, and Mail Handlers excessed from Minneapolis will then have an opportunity to choose from the remaining assignments. Once again, meetings with management have recently been initiated in order to ensure compliance with everyone's contractual rights. Branch President Mike Straiton, Chief Steward Keith Unterseher, Stewards Mark Hesch, Tony Stickler, John Frey, and I, were in attendance at the initial meeting.



During a subsequent meeting it was agreed to utilize an expedited installation wide bidding procedure in order to facilitate the creation of residual duty assignments. Many people may remember years ago (prior to shared services) that bidding occurred twice a month. This expedited bidding process is essentially the same thing; albeit, manually operated. Article 12.3 B3 states that, "All vacant or newly established craft duty assignments shall be posted for employees to bid within ten (10) days after a determination has been made that the position is not to be reverted." and Article 12.3 B8 requires that, "Vacant full-time Mail Handler assignments shall be posted for a period of ten (10) days." The National Agreement contains no limitation on how frequently the bidding process can occur as long as these provisions are followed. The Union will be monitoring compliance with the contractual time frames and making sure that everyone has an understanding of this process.

- **Mail Handlers Benefit Plan Seminar**

In early October Local 323 was in attendance at the 2010 Mail Handler Benefit Plan Seminar which was held in Atlanta, GA. Specifically, Vice President Kathleen Schultz, Minneapolis Branch Steward Brad Kaluza, North Dakota State Executive Board Member Brock Engstrom, Fargo Branch Steward Brian Blatchford, and I, participated in the training to prepare for marketing the plan during this year's open season. During one of the training sessions our team was recognized for its excellent knowledge of the plan.

Kathleen Schultz and Brad Kaluza served as our primary Health Plan Representatives in the State of Minnesota. Brock Engstrom and Brian Blatchford performed the same functions in the State of North Dakota. Open season health fairs have been completed recently and our team did a fine job of getting the information in the hands of Postal and Federal employees for their consideration.

- **National Shop Steward Training**

In mid October Eastern Regional Vice President and National Shop Steward Trainer Sam D'Ambrosio visited Local 323 to conduct National Shop Steward Training. It is particularly important that during these challenging times that we continue building internally and strengthening our Local Union for the future. Accordingly, your Representatives from throughout the States of Minnesota and North Dakota joined together in St. Paul to further these goals. Special thanks go to Vice President Kathleen Schultz who served as the chairperson for this event. Pictures from the training can be viewed on the Local 323 website.

- **Arbitration Activity**

On November 18<sup>th</sup> I appeared on behalf of the St. Paul Branch in Regular Regional Arbitration before Arbitrator Joseph Cannavo. St. Paul Branch Douglas Vitek assisted in the presentation of the Union's case. The hearing concerned the grievances of a Branch

Member who was placed on emergency suspension and subsequently issued a notice of removal. These actions were taken for allegedly using a pallet jack as a weapon to threaten a supervisor. The proceedings were unconventional and at times extremely contentious. As of the date of this report, we have not received the Arbitrator's decision; however, it will be circulated to the Officers and Stewards upon receipt.

- **Local 323 Dental Program**

Local 323 is continuing to offer dental insurance to our Regular Membership as well as Postal and Federal employees who choose to affiliate as Associate Members. This year's Dental Program is again being offered without a rate increase or change in benefits. While this year's marketing efforts were somewhat abbreviated due to the present circumstances, a combination of mailings, postings, and the availability of materials on the website, have ensured ready access to the plan. The deadline for enrolling or making changes is December 17<sup>th</sup>; so, please provide any materials to the Local Office by that date.

- **Local 323 Website**

The Local 323 website has been receiving regular updates and work on the newly established Representative Center continues. The "Rep Center" while still in its early stages, is already a powerful tool that the Local 323 Representatives have for researching issues and filing grievances. Having our resources available on the web will allow the Local 323 Representatives to access the most current forms and information, 24 hours a day, 7 days a week, from any computer.

- **National Scholarship**

The National Union has recently announced the Arthur S. Vallone Scholarship. The purpose of this Scholarship Program is to provide financial assistance to Mail Handlers and/or their family members who are seeking to further their education beyond high school. The program will award a minimum of 25 scholarships (5 per Region) in the annual amount of at least \$1,000, renewable for up to four (4) years or until the completion of the undergraduate degree, whichever occurs first (for a maximum of \$4,000 per recipient over 4 years). The deadline for submitting an application is March 15, 2011, and applications are available at the National Union's website.

A final thought:

These times are fraught with uncertainty and many people will be required to make difficult decisions. Your Union remains committed to ensuring that all the Mail Handlers of Local 323 are afforded the rights and options guaranteed them by the National Agreement.

Fraternally,

Jeff Larsen  
Local President

cc: All Branches  
File