



The Centennial Sentinel June / July 2024

Sisters & Brothers of the COSALC,

You've Heard It Here Before

"If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working conditions, I respectfully request that my union representative, officer, or steward be present at this meeting. Without my Union representation present, I respectfully choose not to answer any questions or participate in this discussion."

But there's a lot to unpack when we start looking at our Weingarten Rights.

Weingarten rights are not specific to City Letter Carriers, or even to employees of the US Postal Service. Instead, they are a result of a National Labor Relations Board decision, which was upheld in the Supreme Court in 1975, in the case of *NLRB v. J. Weingarten, Inc.* 420 U.S. 251, and they apply to all union-represented employees. CCAs also have Weingarten Rights, regardless of how long they have been employed. Any time a member of management seeks to question a carrier, if that questioning asks the carrier to defend or explain work performance issues, or admit misconduct that the carrier reasonably believes may form the basis for discipline or discharge, the carrier may request a union representative be present. This could include questions about 'stationary events' or 'periods of inactivity', questions about a missing parcel, about failing to make imaginary 'street standards', or a variety of other things. Three rules were established that apply during this type of questioning, which can happen during a closed-door meeting, an informal conversation on the workroom floor, over text messages, phone calls, etc:

Rule 1 – The employee must make a clear request for union representation before or during the interview. The employee cannot be punished for making this request.

Rule 2 – After the employee makes the request, the employer must choose from among three options:

- Grant the request and delay questioning until the union representative arrives and (prior to the interview continuing) the representative has a chance to consult privately with the employee;
- Deny the request and end the interview immediately; or
- Give the employee a clear choice between having the interview without representation, or ending the interview.

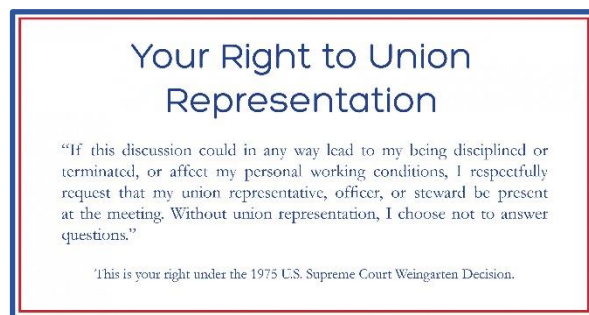
Rule 3 – If the employer denies the request for union representation, and continues to ask questions, it commits an unfair labor practice and the employee has the right to refuse to answer. The employer may not discipline the employee for such a refusal.

These rules must be followed, even if there is no “shop steward” in the office. Management has to pause the interview until a union representative can be present, or they have to stop the interview altogether. If it will be a few days before a representative can be there, then they will have to wait a few days. Just be prepared to contact your branch to request a steward, **or to contact the Business Agents Office to send a representative** if your branch does not have stewards.

The union representative is there to act as both an advisor and a witness. Because of this, management is required to inform the union representative as to the nature of the interview and allow them to discuss with the carrier prior to being questioned. The union representative does not have to be a silent observer – they can ask to clarify a question, give advice how to answer (but not tell them what to say or advise them to lie), provide additional information, or object to questions if they are badgering, intimidating, offensive, or assume guilt (such as, “Is there a reason you failed to be regular in attendance?”).

Management is not required to inform a carrier of their Weingarten Rights, and the carrier is the one who must request to have a union representative present. This is important to note and pass on to your co-workers so they are aware. Keep an eye out for each other and spread the information!

Jenilee Jackson – President of Branch 849, Fort Collins



Good Day Colorado Letter Carriers!

Recently I have had lots of individuals ask me about the pending change in health benefits. There is a lot of misinformation out there right now. The truth is that no one is 100% certain how the change is going to go, but several things are for certain. The first is that the NALC health benefits department has been diligently working to make the change as easy on the members as possible, but keep in mind that the NALC health benefits department can only control the NALC health benefit plans. Those of you that other plans may need to make a phone call or two to make sure that your provider is on task for the upcoming changes. The second misconception is that we are being kicked off the Federal Employees Health Benefits program (FEHB). We are not being kicked off or out of the FEHB. Postal employees are getting a different designation under the FEHB. It's like apples and oranges. They are both fruit, but they require different things to thrive. Postal employees are healthier than other federal employees, and because of our jobs, we require different coverage. Our new designation will be Postal Service Health Benefits Program (PEHB). Right now, the information available says that all the plans that have historically been available will be available for renewal this year. However, as the consumer of these plans, it would be in your own interest to reach out to your individual plan and find out from them if there are going to be changes to your existing plan. In October, OPM will mail information to you regarding all the upcoming changes. Please, Please, Please do not throw away any mail you receive regarding your Health Benefits. This process has been in the works for a while and I have been told that it should be a seamless transition, however whenever the Post Office and OPM, is involved in anything, especially something as huge as this undertaking, I get a little nervous. **BE A GOOD CONSUMER, CONTACT YOUR PROVIDER IF YOU HAVE ANY CONCERNS, BEFORE OPEN SEASON.**

The stop gap measure if you don't make a choice is that you will be assigned a health benefit provider. That provider may or may not meet your family's needs. Open season will be very busy this year, with all the

changes DO NOT WAIT UNTIL THE CLOSING DAY OF OPEN SEASON TO MAKE YOUR CHANGES. I am including a short to-do list. The best thing you can do for yourself, and your family is to be prepared. Start thinking about this now.

1. You are required to select a health insurance plan in the PSHB program during open season from November 11, 2024- December 9,2024.
2. PSHB plan information will be available in October.
3. OPM will launch a new enrollment platform for health insurance.
4. ASK, ASK, ASK if you have questions. Your branch officers should be able to help you, or you can reach out to me.
5. **DO NOT WAIT UNTIL DECEMBER 9,2024 TO MAKE YOUR SELECTIONS.**

I will include information next time on the changes to Medicare for active and retired members. All this information is available on the NALC.org website.

Respectfully submitted,

Jacqueline Skene
COSALC Dir. Of Retirees

Is Your Uniform Card Current?

We received an update about several carriers who have tried to order uniforms and their uniform allotment card expires only a few days after placing the order. Be sure to keep up on the date of expiration so that the order can be processed, and the shipment can be sent to you in a timely manner.

The salespeople in Colorado are AMES Rich Pottenger 303-956-4783, AMES Jacqueline Skene 303-819-2251, AMES Marcy Zakrewski 303-418-7638; Brookfield Mary McDowell 719-459-1813

Region 4 Rap Session Ardmore, Oklahoma September 26-28, 2024

More details will be provided by NBA Dan Versluis in the future...

During this time when the representatives are in your local area, please reach out to them and ask them to support this legislation. You can also visit www.nalc.org/action to do your part. Contact information can be found at www.congress.gov.





Route Inspections

Many questions have been asked about the process now that TIAREAP has expired. Instead of trying to retype everything from the M-39 and fit it into this format, we've included a copy of the Contract Talk from the July edition of the NALC Postal Record. If you have questions, please feel free to reach out to your branch steward or branch president. You may reach out to the NBA's office if you need additional assistance by calling 720-828-6840.

Coffee with COSALC

As many of you know, we began a Zoom session called **Coffee with COSALC** in January 2023 under our previous COSALC President Doug Jaynes. Current COSALC President Richard Byrne continued the sessions into 2024 as they continued to grow in popularity, and we even had union members attend from outside Colorado while making these sessions a weekly event. The whole goal was to help educate letter carriers on their rights and benefits with the training materials provided by the NALC.

Due to circumstances beyond our control, the state association was asked to cease with the Zoom sessions. We immediately followed the request and **Coffee with COSALC** is no longer an active group. Many of the union leaders in the group felt it was a positive environment and wanted to continue a similar group under a different name outside of the state association.

The group created is now called **Coffee with Letter Carriers**. There are still weekly Zoom sessions, and you can join in by emailing educate@coffeewithlettercarriers.org. You can also follow them on Facebook at **Coffee with Letter Carriers**. The format is similar but not connected to the Colorado State Association of Letter Carriers. There are some groups out there on social media that thrive in attacking others. Coffee with Letter Carriers isn't that type of group and our focus is education.



History of the NALC

Congress having assembled, it is now the duty of every carrier in our branch associations to put forth individual efforts on behalf of the bill for an increase of salary.

That the pay of letter carriers in cities where free delivery has been or may be established. For the first year of service shall be \$600, for the second-year service shall be \$800, for the third year of service shall be \$1000, for the 4th year of service and thereafter the pay of the letter carrier shall be \$1200. All acts are parts of acts inconsistent with this act are hereby repealed.

The committee chosen in Detroit in August on legislation will do everything in his power to promote the success of the bill; but you will readily understand that without the combined aid of all interested their efforts will be burdened by serious drawbacks. No success was ever accomplished without unity, no prize gained without hard work. Our success depends not alone upon the work of the committee, But upon the faithfulness of each branch. Do not think you are without influence. There is not an office in the country, whether it has two carriers or 1000, but has an influence with their Representative or Senator. We must push through this matter. Each year's delay lessons are chances of success. The committee expects to get the bill through this year, and it remains with you whether it is successful. The erroneous ideal may be entertained by some that all the work should fall upon the legislative committee, it being selected for that purpose. Such however is not the case. The committee without your particular aid is like a ship without a rudder. It cannot possibly carry the influence to each individual congressman and senator that you yourselves could wield. Our hands will be full, from the time we arrive in Washington until the bill has either passed or has been defeated.

(This was a proportion of an article from the postal record February 1892)

HR 291 to increase and equalize the pay of letter carriers

HR 293 to pension in incapacitated letter carriers after 15 years of service

HR 386 to allow the postmaster general to grant leave of absence with full pay (in addition to the leave now granted by law) to any letter carrier or clerk in the post office who shall be disabled by any casualty while in the performance of their duty

HR 387 regulating rates of postage on 2nd class mail matter at letter carrier offices

HR 2670 to authorize the payment of salary to letter carriers not allowed leave of absence

HR 175 to secure the appointment of all letter carriers for merit

(This was from congressional records of the house of representatives)

All the bills that are listed here are from 1892 and letter carriers have always had to fight for the improvement of their livelihoods. **Even though we are in a different era, we still have to band together on the bills that the National Association of Letter Carriers think will help the improvement of our livelihoods and our families' livelihoods.**

Bryan "OB" Sanders
COSALC Executive Board