

Razorback Scheme

American Postal Workers Union • Northwest Arkansas Area Local

April 2019

From the President

What Exactly Is an Investigative Interview? by Ike Mills

The well-attended **TRI-STATE CONVENTION** was held March 6th through the 9th 2019 in Springdale. We had hoped to see many of you there – although most officers and stewards did attend. Amazing information! Oh, how I wish all of you would have attended. There were at least 15 national union officers present, including President Mark Dimondstein and his Vice-President, who answered many of our questions.

I was recently asked a question, and so for this month's article I have decided to use that topic for my subject of discussion. The question I was asked is "**What exactly is an Investigative Interview?**" so here goes.

An **Investigative Interview** is referred to as several things — the two most common are an Investigative Interview and/or a Pre-Disciplinary Interview/Investigation (PDI). Any time management is considering issuing discipline to an individual they **MUST** conduct a PDI to give that employee their day in court to present the facts to the best of their ability. It is that employee's chance to explain the situation, and all employees must cooperate with these interviews as required in the ELM and the CBA.

In the JCIM under the rules of *Just Cause* in Article 16 it states that before management can discipline an employee, a thorough or complete investigation must be done before any discipline can be issued.

Remember that all employees have a right to be represented by the Union in all investigatory interviews by management or the Postal Inspectors or the OIG. But you **MUST** ask for that representation. They do not have to afford you that right if you do not ask for it. The first word out of your mouth when they say, "*We need to ask you a few questions*", should be, "*Not unless my steward is here with me*".

My recommendation if the OIG or Postal Inspectors are the ones doing the investigations is that you quickly enlist the services of a good lawyer, because you are probably going to need better representation than I will be able to provide in that situation.

Remember, an Official Discussion is not an Investigative Interview; you do not have a right to steward representation during an Official Discussion. It is a one-on-one discussion between the employee and their supervisor and cannot lead to discipline. They cannot interrogate you during an official discussion, but if they start to do so, then ask if this is an Investigative Interview and if this can lead to discipline. And, if so, then you would like to have steward representation present.

Those are the basics, folks. So, hope I helped, and until next time be safe and see you at the next meeting. Thanks! Ike.



APWU President Mark Dimondstein at Tri-State, Springdale, March 8

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NEXT UNION MEETINGS:

Sunday, April 14, 2019 – 1:00 pm
 Foghorn's, 1100 48th Place, Springdale AR
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"I Survived the Holidays"

– Tina M. Delay, Treasurer –

On January 19th we had our annual "I Survived the Holidays Party". For those of you that do not know anything about this, it was held at Fastlane in Rogers from 6:30-8:30 with free bowling in which we reserved the black light area for just our group. There were free pizzas and drinks of your choice, and for the children we had \$10 arcade cards for them to use at their will. I think we were able to give each child at least 3 cards apiece. I am always disappointed in the fact that we have such a low turnout, but at the same time everyone that does attend seems to have such a great time. I wish more of you would participate or even come up with another great idea for next year's party. Thank you to everyone that attended and, as always, it was great to see you all having a great time and enjoying yourselves. For those of you that could not attend we missed you.



Axel Ambrocio – bowling January 19th at the "I Survived the Holidays" Party

On a different note, I know some of you are aware of all the challenges that I personally have been facing for the last 4 months. I know one thing: I have never missed this much work in my entire life, and I am still off until at least the middle of March. I asked for some leave donation to try to make it through this trying time and I know that there are some of you that generously donated leave to me. I do not have any way of knowing who donated leave, but I just want to let all of you how much I appreciate you and I hope that someday I will also get to pay it forward for some of you. All I can tell you all, is that you just never know when life is going to throw you a curve ball and usually when you least expect it, and then repeatedly you get dealt even more. But I know I will eventually be okay because with friends like all of you, how could I not be? Thank you again for the support, phone calls, and all the concern from each and every one of you. I thank God for all of you every day. My Union Family is AMAZING!



UNION MEETING!

Sun., April 14th, 1 p.m.

Foghorn's Restaurant
1100 48th Place, Springdale
 (Take Exit 72 off I-49, turn east 1 block to 48th St signal light, turn L to Foghorn's.)

You could win \$50 door prize!

I Have a Job to Support My Family – Not a Family to Support my Job

By “Barney” Barnes, Steward, Siloam Springs

“Too many times in our lives we forget what’s important.” Yes, that’s a total cliché. But it’s also very true.

Sometimes we forget that a job is about earning the living to take care of your family. Of course, that means being away from them to do that job. But, please don’t forget to spend time with your family.

That simple fact is why I AM UNION. I’ve personally worked jobs that required me to be away from my family 25 or may days a month. I had almost no vacation time and no health benefits, no sick leave, no support at work if management decided they didn’t want or like me (for whatever reason). In fact, I was once fired from a company because I found out a boss was stealing from the company from co-workers (long story)!

What it all boils down to is – The Union and the Collective Bargaining Agreement is the only protection you have from bad management. Yes, it’s not perfect. There are humans involved.

But you need to get involved yourself, if only to protect yourself. At least go online and read the Contract so you know for sure if your guaranteed rights are being violated – and not just your feelings being hurt.

Getting back to my point.... Spend time with your family! Be sure they know you care about them. (Even if it means being corny sometimes.) {My daughter thinks I’m the “King of Corny”.}

Also, do your job. Be proud of what you do. The Post Office isn’t giving you that paycheck – You earn it!

Union since 1994, Darrell “Barney” Barnes

Attendance

– by Vinny Dachille, Vice-President –

As we’ve been told in many Union Conventions lately management is really cracking down on attendance. They also are pushing on tardies. Tardies count as an unscheduled absence exactly the same as a call in. We’ve seen a whole lot of disciplinary actions being brought against clerks and maintenance for attendance. Don’t be afraid, if you have a condition that warrants it get FMLA. It is the only protection that you can get if you have multiple instances, bringing a doctor’s note will not cover you for missing work. Management may take it into consideration and it does give us an argument in that case but ultimately it doesn’t hold much water. Help yourself and us as much as you can.

Later in March, we will be hosting the Iowa-Missouri-Arkansas APWU Tri-State Convention. We will be getting updates on how the contract is going and get trained on some various issues.

If anyone wishes to give me questions to find answers to at this convention just let me know and I will attempt to get these answers for you while I’m there.



It's Just an Idea

By Andrew Heyd

Mention Christmas season to a postal employee and odds are you'll be met with an eye-roll followed by "Ugh". While most look forward to this time of year (family, decorations, festivities, food, presents), to a postal employee, this time of year signals long (extended) hours, short staff, and an increase of letter mail and packages that on many days resembles a nightmare.

It's the time of year when the Contract is relaxed. Article 8.5.G limits work hours to 12 hours per day and 60 hours per week. However, during the month of December, clerks (on the OTDL) may work in excess of 12 hours/day and as such, in excess of 60 hours/week.

This past Christmas in our office (and I'm sure in many others), we were short-staffed in the clerk craft causing several occurrences of management working and other employees crossing crafts and working the mail.

Now, just to be clear, no clerk was denied hours in any way. Clerks on and off the OTDL worked all the hours they wanted (and several worked more than they desired). I am not trying to justify these actions or pioneer a change in the Contract. However, the mail must get moved. This was a holiday season where it was imperative that the general public receives their letters and packages as promptly as possible. To delay this mail because there wasn't enough clerks to work it is, well, irresponsible to our future careers.

So, I'm sure many are wondering what this article is about. And that's what I'm getting to. In our Contract, management working the mail and crossing craft is a violation and as such, grievances need to be filed. To ignore these violations is to say we are okay with being short-staffed.

In a grievance there is a resolution. A resolution is generally requested to make whole an individual or group which was harmed in some way. In the month of December, when hour-limits are relaxed, clerks worked all the hours they care to. Since no one should have been denied work hours, no clerk should have been harmed.

Through past conventions and training, this circumstance has actually been addressed. Where there is no injured party, the Union can ask for the settlement to be paid to the local union itself. And it's in this idea that I'm writing this article. Instead of these monies being utilized by the local union for group festivities or such, I suggest said money be donated to charity or charities local to the area.

We fight/struggle every day to maintain a positive view with the public. Getting some good publicity to reflect on not just our Local, but the Union as a whole and in part, the Postal Service, could be a good thing. Just recently we saw our government experience a partial shutdown for over a month. Fortunately, as our pay doesn't rely on tax dollars, our paychecks were not affected. Think of the benefit that we could have done (and in some cases can still do) to help other federal workers. Maybe some locals are still in the process of working on grievances that occurred during the month of December, or maybe this is something to consider for next year.

It's just an idea.

COMING SOON!
Union-Made T-Shirts for
ALL Members of Northwest
Arkansas Area Local!

