

OPM Action Delays Early Outs

New Regulations Expected in Three Weeks

The implementation of the agreement to offer early retirement opportunities to APWU-represented employees has been delayed, pending the issuance of new regulations governing the authority of federal and postal agencies to offer early retirement.

As a part of the Homeland Security Act (P.L. 107-296, Nov. 25, 2002), the president signed into law modifications of procedures for the approval of agency requests for buyouts and early retirement. The Office of Personnel Management (OPM) has responded to the Jan. 23 request by the USPS to offer early retirements to APWU-represented employees, informing management that "it cannot be approved until the new regulations are printed in the *Federal Register*."

OPM has informed the union that it expects the new

regulations to be published in approximately three weeks, at which time OPM will respond to the USPS request for authority to offer voluntary early retirement.

Meanwhile, the union has rejected overtures by the Postal Service to offer early retirement opportunities to employees in limited geographical areas, which OPM could approve while the new regulations are being drafted. The Memorandum of Understanding between the APWU and USPS required management to seek authority to offer retirement opportunities to all APWU-represented employees nationwide.

The APWU has requested copies of all written communications between OPM and the Postal Service on this subject, so that the union can understand the specific exchanges regarding the original USPS request.

APWU, USPS Reach Key Settlement On RMD, Related Attendance Issues

In a national pre-arbitration settlement dated March 28, 2003, the APWU and the USPS resolved several attendance-related disputes that arose in 2000, following the widespread implementation of the Postal Service's Resource Management Database (RMD) program and its Web-based counterpart, eRMS.

"The settlement resolves many of the issues related to management's implementation of RMD and eRMS, including disputes regarding the Privacy Act, multiple call-in requirements, medical documentation for absences of three days or less, a fixed number of absences triggering discipline, and related issues," said APWU Director of Industrial Relations Greg Bell. "These problems have plagued locals around the country since the program was adopted."

The settlement prohibits management from using RMD/eRMS (or any similar system of records) to alter existing regulations, the National Agreement, local memorandums of understanding and agreements, and grievance-arbitration settlements and awards.

Several issues remain outstanding, specifically: management requesting the nature of illness or injury when an employee calls in, FMLA second/third opinion procedures, and medical documentation requirements to substitute paid leave for unpaid intermittent FMLA leave. If no agreement on these issues is reached within 15 days of the settlement, the parties have agreed they will be given priority scheduling for national arbitration.

The full text of the agreement is on the union's Web site, www.apwu.org. Highlights of the settlement follow:

Postal Commission Update

Panel Studying USPS Takes Road Show to L.A.

At its half-day meeting in Los Angeles on April 4, the Presidential Commission on the U.S. Postal Service focused on the work of its "Private-Sector Partnership Subcommittee." As it did on its previous road trip (Austin, TX, March 18), the commission heard from only a limited number of panelists, none of whom stood up for the interests of postal workers and consumers.

Commission members asked those testifying, mainly representatives of big mailers, to make suggestions on how the private sector could help the USPS to better fulfill its "mission." After declaring that the Postal Service "regrettably has strayed from its mission of providing universal mail delivery at reasonable and non-discriminatory rates," Gary Pruitt, representing the Newspaper Association of America, testified that the USPS should not "take sides in competition in private markets." He did not point out, however, that newspapers compete with the USPS for advertising.

As it did in the previous hearing, the commission briefly opened up the microphone to the audience at the end of the day. In her brief remarks, Yoggi Riley, a 36-year Postal Service veteran and an officer with the San Fernando Valley (CA) Area Local APWU, looked over her notes on the

day's events and saw that the private sector already seems to have benefited greatly from work-sharing partnerships.

"It's the USPS that furnishes all the equipment to the pre-sort houses—the trays, sleeves, tubs, hampers, rolling equipment. The Postal Service has always borne this cost."

"I understand the need to give incentives so big mailers will use the USPS," she said. "But the pre-sort houses should factor in the use of equipment and staffing costs they get for free. The mailing houses are receiving discounts way above and beyond the costs for doing these mailings."

Riley then quoted Postmaster General John E. Potter, who told a House appropriations committee March 27, "I am proud to say that today, service performance across the country is the highest it's ever been... I can't say enough about our employees—all 740,000 of them."

"Potter praised the work of everyone from local postmasters to clerks," Riley said. "From what I heard today, we risk turning over a mailing industry to others that offer only a mere promise of 'we can do it better.' That is not good enough."

Two Key Republicans Sidetrack GOP Leaders' Plan to Raid Benefits

After the House Budget Committee passed a plan to help pay for additional tax cuts for special interests and the wealthy by cutting health and retirement benefits for postal and federal employees, the APWU and other unions were looking at a long, tough battle. In a Capitol Hill surprise just eight days later, however, two key Republicans apparently convinced GOP leaders not to make government workers and retirees bear the brunt of the cuts.

On March 12, the budget committee approved a spending blueprint for FY 2004 that instructed congressional committees to propose a total of \$470 billion in funding cuts. Among the committees asked to "save" was the Government Reform Committee (GRC), which was told to cut \$40 billion: Much of that was to come out of worker and retiree benefits.

But two of the GRC's key members—its chairman, Tom Davis (R-VA), and Jo Ann Davis (R-VA)—went to bat for the federal workforce. During a floor debate, they got Bud-

get Committee Chairman Jim Nussle (R-IA) to agree that the Government Reform panel could find a way to comply with the budget resolution without affecting federal health and retirement programs.

While the GRC was not told which programs to cut, it would likely have been forced to meet the budgetary goals by reducing health insurance and pension benefits, and cost-of-living increases for all federal retirees.

Meanwhile, on the other side of the Hill, another key Republican weighed in on the side of postal and other federal workers. Though the Senate's budget plan did not specify particular cuts, Sen. Susan Collins, (R-ME), chairwoman of the Governmental Affairs Committee, asked Senate budget leaders to reject any efforts to balance the budget on the backs of federal employees. "In these difficult times, during which we continually ask more of our public servants," she wrote to Sen. Don Nickles (R-OK), "we must find ways to reward—not punish—them."

Workers Memorial Day Is April 28

International Workers Memorial Day will again be celebrated on April 28. Worldwide, trade unions are demanding that the international Trade Union Confederation call for "Real Corporate Accountability for Health and Safety."

Every year, two million people are killed while on the job, according to the International Labour Organisation (the United Nations agency responsible for workplace issues).

Workers are urged to organize actions, activities, and observances in their workplaces and communities to highlight the toll of job injuries and deaths. The fight for safer workplace conditions has become even more dif-

ficult as the Bush administration has joined with business supporters to roll back, block, or stall needed worker protection measures.



Workers Memorial Day originated in Canada in 1985 when the Canadian Union of Public Employees staged events to commemorate those killed, injured or made unwell

by their work. Trade unions in the United States have been participating in the Worker Memorial Day events since 1989.

Conference Alerts

Deaf/Hard of Hearing National Conference

The APWU Deaf/Hard of Hearing Task Force would like to remind APWU members of its invitation to attend the Deaf/Hard of Hearing National Conference. The conference is May 14 to May 17 in Houston, at the Westin Galleria and Westin Oaks Hotel.

APWU President William Burrus will be addressing the opening General Session at 7 p.m. on Wednesday, May 14. The conference gives deaf or hard of hearing members—as well as hearing members—the opportunity to compare notes and come up with new ideas on how to deal with problems in the workplace.

The closing general session will be on Saturday, from 9 a.m. to 5 p.m. concluding with dinner at 7 p.m.

For further information, contact the APWU Secretary-Treasurer's Department (202-845-8530, fax; 202-408-5339, TDD).

To make hotel reservations, contact the Westin Galleria at 800-228-3000. Be sure to identify yourself as a participant in the APWU Deaf/Hard of Hearing Conference. To guarantee the negotiated rate, you are asked to reserve by April 12.

Injury Compensation Seminar

An Injury Compensation Specialist seminar sponsored by the APWU Human Relations Department will be offered May 28 to May 30 in Plymouth Meeting, PA.

Modeled after the training offered to federal agencies by the Department of Labor's Office of Workers' Compensation Program (OWCP), this seminar will include a special presentation for APWU locals in the USPS Eastern Area who must work with Shared Services instead of with a USPS Injury Compensation unit.

The APWU seminar is tailored to address issues specifically relevant to postal workers and union representatives. In addition to a presentation by a Shared Services representative, the agenda includes definitions, types of claims, claim forms, claimant and agency re-

sponsibilities, claimant rights, benefits, continuation of pay, compensation, controversies, scheduled awards, physicians, medical narrative, second and referee opinions, limited duty, ELM 540, record-keeping, hearings, reconsideration and appeals, the Agency Query System, and claims-examiner role and perspective in claim review.

Rooms have been blocked at the Doubletree Guest Suites in Plymouth Meeting (about 20 miles north of Philadelphia). The special APWU room rate is \$105. To make a reservation, call the hotel at 877-874-7125.

The registration fee for the event is \$70, and includes a graduation luncheon on Friday, May 30. The deadline for registration forms to be received is May 12.

HUMAN RELATIONS SEMINAR Injury Compensation and Shared Services Plymouth Meeting, PA May 28 - 30

Name _____ Social Security Number _____

Address _____

City _____ State _____ Zip _____

Title _____ Local _____

Phone (Work) _____ Phone (Home) _____ Email _____

Work Hours _____ Enclosed is a check for \$70 payable to APWU Human Relations Dept.

Send this completed form and check by May 12 to:

American Postal Workers Union
Attn: Human Relations Department
1300 L St. NW, Washington, DC 20005