From The President

Christopher "Chris" Ulmer
President

All employees must be involved when reporting violation of our contractual rights, any reduction in our benefits of any kind is only one part of our fight to maintain our rights.

Another part of this fight is contract negotiations, contract negotiations are very vital to this fight, because this process affects employee’s benefits and rights. Union employees receive most of their benefits & rights (Nationally & Locally) directly from contract negotiations and the rest come from Labor laws.

The most basic premise which we as a union members live by is the continuing struggle and fight for our benefits (vacation days, sick leave, health insurance, life insurance, etc), and our rights (safety, breaks & lunches, FMLA, off days, etc). These benefits and rights help working people improve their Quality of Work Life and allow us to deal with the things in our everyday society that affects our working conditions and wages, and the things that will allow us to provide adequately and abundantly for our families, our children and our loved ones.

As workers must be equipped and be ready to defend our rights at the slightest threat to them. The smallest changes to our benefits and rights usually brings more changes later and if we [employees & union] don’t get on these changes and things in the beginning the employer will continue to come after them, and before you know it our rights and benefits become a shell of what they use to be and we end up worst off than when we started.

Our Nationally Elected Union Officers have been in contract negotiations since May of 2015 and while they have agreed to some TA’s (tentative agreements) our union will be starting binding arbitration soon, if no agreement is reached. No agreement could mean either side can withdraw from some of the TA’s and place them in front of the Arbitrator.

The DDAL Financial State
The DDAL is not broke as some would have you believe. The DDAL have debts but those debts are not all from this administration like some would have you believe also. In 2010, from the 2000 election the DDAL had an overall debt of about $150,000 to $200,000 when we walked into office. This administration has been very frugal with the spending of funds during the last 6 years. The Administration had a very lucrative debt reduction plan which relied on our retired elected full-time officers to taking a VOLUNTARY salary reduction (it was their campaign promise) until we could get a new constitution passed with many new representatives are the more grievance issue they achieved in the last 6 years of winning 70% to 85% of our grievances at all levels.

You will see the more educated your representatives are the more grievance issue they get resolved and the more money they get the DDAL membership in grievance compensation for violations to our CBA & LMOU. Educated representatives are the only thing that keeps the USPS from controlling the Union. The cost of doing business is not free, taking all this into account the DDAL financial situation is “we are not BROKE “, but the financials of the DDAL needs to be properly addressed and can only be addressed by those who are experienced enough to address them properly.

The Grievance Status
I am frequently asked what is the status of the excessing grievance that we have been trying to get the USPS to resolve short of arbitration. Well regrettably we have not been able to get them resolved and the union will be scheduling some of the more than 50 excessing grievances continued on page 2
The Detroit District Area Safety & Health Program

Our Sincere Condolences

The Fight For Our Rights Must Continue

With Deepest Sympathy

Detroit Postal Worker

This newspaper is the official publication of the Detroit District Area Local, APWU, published quarterly, and affiliated with the Postal Press Association and the AFL-CIO. Please send all correspondence in care of: Detroit District Area Local, 26530 Southfield Road, Detroit, MI 48235, 313-532-9305.

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Opinions expressed in this paper are those of the writer and not necessarily those of the Editors or the Detroit District Area Local.

Page 2  DETROIT POSTAL WORKER    October, 2015
As our National Union moves forward in setting our groundwork for Interest Arbitration on our 2015 National Agreement, we must start to prepare for Local Negotiations. Local negotiations will take place immediately after our National Contract is settled. A local contract is a written agreement between specific Post Offices and the employees who work there. For example, the GWY facility and the 482 city stations have their own local contract in addition to the National Agreement. Roseville, Ypsilanti, Ann Arbor, Monroe, Lincoln Park, the NDC (National Distributive Center) all have their own local contracts as well. This means a lot of negotiations with your local union officers.

At our past couple union meetings, I have asked stewards, members and officers to submit agenda items for our Local Contract negotiations. One of the most frequent questions I receive is “what can we negotiate for?”

Under our National Agreement, each local can negotiate at least 22 items, which are required. Some locals have additional items negotiated which may identify provisions which may only apply to their one specific office. I have listed the contractual required items. They are:

1. Additional or longer wash-up
2. The establishment of a regular work week of five days with either fixed or rotating days off.
3. Guidelines for the entertainment or termination of patrol operations to conform to orders of local authorities or as local conditions warrant because of emergency conditions.
4. Formulation of local leave program.
5. Length of the duration of the choice vacation period(s).
6. The determination of the beginning day of an employee’s vacation period.
7. Whether employees at their option may request two selections during the choice vacation period, in units of either 5 or 10 days.
8. Whether jury duty and attendance at National or State Conventions shall be charged to the choice vacation period.
9. Determination of the maximum number of employees who shall receive leave each week during the choice vacation period.
10. The issuance of official notices to each employee of the vacation schedule approved for such employee.
11. Determination of the date and means of notifying employees of the temporary or permanent light duty assignment.
12. The procedures for submission of applications for annual leave during other than the choice vacation period.
13. The method of selecting employees to work on a holiday.
14. Whether “Overtime desired” lists in Article 8 shall be by section and/or tour. The number of light duty assignments within each craft or occupational group to be reserved for vacation period.
15. The method to be used in reserving light duty assignments so that no regularly assigned member of the regular work force will be adversely affected.
16. The identification of assignments that are to be considered light duty within each craft represented in the office.
17. The identification of assignments comprising a section, when it is proposed to realign with an installation employees excess to the needs of a section.
18. The assignment of employee parking spaces.
19. The determination as to whether annual leave to attend union activities requested prior to determination of the choice vacation schedule is to be part of the total choice vacation plan.
20. The method to be used in reserving light duty assignments so that no regularly assigned member of the regular work force will be adversely affected.
21. Those other items which are subject to local negotiations as provided in the craft provisions of this Agreement.
22. Local implementation of this Agreement relating to seniority, reassignments and posting.

We already anticipate negotiations to be difficult this November, as over the years, the company has nearly stopped hiring career employees and continues to fill bargaining unit employee vacancies with temporary workers. It seems that every time an employee retires, resigns, quits or gets promoted, the company will have to “revert” the job they left vacant. Under normal conditions, the jobs should be posted for other employees to bid on. After the bidding cycle expires, a new employee should be hired to fill the vacancy in the office. Management is required under the Collective Bargaining Agreement to notify the Union if they intend to revert a job an employee leaves vacant. This isn’t always the case for all jobs left vacant. Sometimes management will post the vacancy and when it is filled, never hire a new employee to fill the job of the employee who bid. The Union is locked into specific time limits to challenge management reversioning of positions, therefore, it is important that our members keep us informed of what is happening in your office with job vacancies.

Our Future is in the Hands of An Arbitrator

Yesterday, Labor Day, I joined a dozen other DDAL members in the annual Labor Day Parade. Although our numbers were very small, we joined a large and spirited group of unionists from all the area unions. The issues of two or more tier wage scales was very prominent with auto workers and steel workers. Rank & File auto workers are certainly talking about the possibility of striking over this critical issue.

Two and more tiers is certainly an issue for us postal workers too. We have not had an update since we went into mediation in May. It looks like our future is in the hands of an arbitrator at this point.

This will be the last issue of the DETROIT POSTAL WORKER before our fall election cycle. As we are nearing the end of this term, I would like to give a brief update on our statistics.

We started 2013 with an aggregate debt of $75,991
We will end 2015 with an estimated debt of $99,698
There are two big components in these figures: $300 retirement benefit due to the 2013 VER and also inherited attorney’s bills.

The lion’s share of the increase comes from the $300 benefit stipulated by the current constitution for all retirees with five (5) consecutive years of membership in APWU-DDAL prior to retirement. We have had over $30,000 in recent years from people who took the VER (Voluntary Early Retirement) in 2013.

In recent years, the fact that we had one and now two full time officers who are retired from the postal service has kept us afloat. The local pays very minimal benefits for officers who are retirees. While one officer still employed by USPS cost almost $26,000 in benefits in 2014, two retired officers cost the local about $8600 combined in the same time frame.

Moving forward, we will have to have a very tight budget and a firm commitment to living within our budget. Next year’s budget committee will have the difficult task of charting a path for 2016. With our ever shrinking membership, it continues to be a quite a challenge.

I look forward to seeing you at one of our upcoming events: Making Strides Against Breast Cancer, our annual walk, children’s Halloween celebration, steward appreciation or the adult Christmas Party.
Thank You So Much

Maintenance Craft PAR, PER And Promotions

Maintenance Craft Director
Jason Rushing

There is a PAR declination form that is available to put preference in writing. The union is happy to research for its members what PAR and PER listings you have on file.

PER, or Promotion Eligibility Register. This is the listing of applicants with successful scores to promote for a specific job. MPE, MM, ET, MOSC etc. This list stays live also, like a PAR until you take your name off of it. This is accomplished with a Promotion declination form. The declination form can be for a time frame or forever. Again, this form is used if you do not want to be awarded a promotion. It must be in before closing date and time of the posting. The tricky part with being on a PER is you never know when a promotion may occur. It could happen on any posting. Best to be safe than sorry. If you are willing to promote to any tour for a job stay on it. If you have limits consider filling out a PER declaration form.

We wish any maintenance posting, there is always a chance for you to move it if you have a PAR or PER on file. If you are in your #1 choice and never want to move anywhere, please make sure you do not have any PARs on file. If you are on a PER be aware of what you have. Make sure you want to be promoted in the future if a job opportunity becomes open. If plans change in your life and you never want to promote, put in a form to get you name off the particular PER list you don’t want, or all of them. Remember you could be on many PER listings.

Minimal qualification. If something occurred and you had to be placed in another open job, you have to be minimally qualified for that. Means you would need at least a passing test score, which means you completed the entire testing process, test and interview at minimum. Everyone is minimally qualified for level 4 custodial laborers because of a national agreement a few years ago. All other jobs require a test or other criteria to be qualified.

A good idea for level 5 and above maintenance employees would be to update a current non-qualifying test score or to take any available tests for positions available above their current position. It never hurts to have options available.

Thank you, for allowing me to serve you, the members!
**Legislative News & Views**

**Regina Gina Favors Legislation Director**

Good afternoon sisters and brothers and welcome back from our summer break. I hope you all had a wonderful break and have come back with a renewed energy and spirit, ready to take on the challenges we continue to face as we move forward. As you may know, we still are without a new contract and have [I believe] moved into binding arbitration. We are asking that you still keep wearing your union shirts, buttons and gear on Thursdays to show your support and solidarity. Believe it or not people are watching and supporting us as well. We are also asking that you continue to boycott Staples and remind your family, friends and others to please not shop there.

During the course of our summer “break” we have been actively participating in a number of struggles. The AFGE members held an informational picket on July 22nd and again on August 25th. Both of them are national picket on July 22nd and again on August 25th. Both of them are facing the same struggles. And if we cannot come together and support our union(s), we will become extinct. It should not be us against us; it’s supposed to be us against those who seek to destroy/dismantle us.

Next, it is now that time again. Elections take place on November 3, 2015, so once again I am asking folks to make sure you are registered. If you have moved since last year please make sure you changed your address and that you are registered in the city or county that you have moved into. The last day to register is October 3, 2015 to vote in November’s election. We have talked at length about voter apathy and are always looking for ways to increase voter turnout, but if what has been happening in our state and our cities is concerned, we should be bringing folks out then I don’t know what is. Folks you should be engaging in who is elected to serve on your school boards, your county commissioners, your council people and your mayors. This is really where it begins. We need competent and sincere folks, not just folks looking to get paid. We are being robbed and the worst part of that is “WE THE PEOPLE”, are being blamed. We must get to know those who seek and or hold office in our communities. There will also be a number of proposals on the ballot, which is another reason to make sure we get out and vote. Over the summer a number of folks were out collecting signatures and some did not even know what their positions were about. One of them was a petition AGAINST the prevailing wage. I truly hope that none of you signed that one as it seeks to repeal our prevailing wage ordinance.

If you sign this petition you are agreeing to lower wages of construction workers, allowing your tax dollars to be used “OUT OF STATE” unskilled workers to take Michigan construction jobs and potentially eliminate safety standards. I asked one petitioner [when she asked me to sign] if she knew what it was about and she replied “yes”, it would raise the minimum wage and increase school funding while making it easier to get jobs. When I explained to her what it would actually do she was shocked but also said she was paid to collect the signatures. She also stopped collecting there and left. Folks, please read any petition before you sign it. Thank you!

In Strength & Solidarity.

**MEMBER PROFILE**

**Virgil Peterson**

by Danny Sawicki

Virgil is in the maintenance craft with 27 years of service in the Post Office. He works at the GWY facility in Detroit. He started in custodial maintenance and then was promoted to a mail processing equipment mechanic. He is a veteran from the United States Army, serving as a communications specialist. He is married with two “awesome” children. Daughter “Quienisa” and son “Quintel”. Virgil’s job title is “God’s Harvest”. We caught up with Virgil and asked him a few questions.

**Q-Hi Virgil, what are some of the challenges you face daily in the maintenance craft?**

**A-** Danny, a real challenge is being able to prepare equipment to run when we have a short maintenance window. It all depends on timing is available to have the machines ready in proper running order when Tour 1 starts.

**Q-Since the Post Office has taken out machines and added multiple zones to the remaining facility, have you noticed a difference in the operation of the machines, and how has that affected the maintenance craft as a whole?**

**A-** We did have a discrepancy in the operation of the machines, and how that affected the maintenance craft as a whole. And by cutting your work force it can put a strain on your workers, but we still give it a 100%.

**Q-Now let’s talk about the band. When and how did “God’s Harvest” get started? Give us some history of the band.**

**A-Gods Harvest consists of four vocalist and four musicians. We weren’t always Gods Harvest. We, the four vocalists are actually really brothers. We used to do Motown reunions and the jazz scene; we went by the name “Family G”. When my oldest brother Victor became a minister of God we decided to put our music gift in an even more positive light, and the rest is history.**

**Q-I love the CD “In This Place”. How many CDs do your guys have out, and what are the future plans for recording and touring for “God’s Harvest”?**

**A-We actually have four CD’s out at this time. We write, arrange and compose our own music with the help of our awesome band members. You can purchase our music at www.tatemusigroup.com. Toll free 888-361-9473. To find out all future events go on line to godsharvest2@comcast.net. Also, we appreciate your business.**

**Outside the post office and band, I like to spend quality time with family and work with youth in our music ministry.**

That sounds great Virgil, we are looking forward to the next CD and seeing you guys live. Thank you for your service.
The American Postal Workers Union (APWU) National Executive Board (NEB) has determined that there is no evidence in the record establishing that Mr. Ulmer’s appeal, dated December 19, 2014, was untimely.

Further, the Guidelines also provide that once an appeal is tiled, the National Executive Board will determine whether the appeal is properly before it, and if so, it will assign it to a Hearing Officer or Reviewing Officer. See Guidelines, Article 15, Section 4(f), at 4. The Board presumes that the National Executive Board determined that the appeal was timely and would have assigned it to this Board to hear the appeal. The Board will not second-guess the National Executive Board.

The Board therefore FINDS that Mr. Merritt did not meet his burden of proof, and RECOMMENDS that the National Executive Board find that the appeal was timely and reach the merits of the charges and appeal.

Merits of the Charges: Both the National and DDAL Constitutions allow charges to be brought by one officer against the other only for specific misconduct:

- Violating any provision of the constitution and bylaws of the National or a subordinate body or failing to perform the duties or functions specified or required therein;
- Engaging in a movement that has for its purpose fostering a rival organization;
- Violating the rights of members to be free from certain forms of discrimination;
- Engaging in conduct that would expose the APWU to civil liability; or
- Joining or supporting organizations whose objectives are contrary to the fundamental principles of the U.S. government.

APWU Constitution, Art. ix, Sec. 1 and Sec. 3(c); DDAL Constitution, Art. XVI Sec. 3. Further, the charges must set forth the exact nature of the charged offense, and the constitutional provision alleged violated. Id. The restriction of internal charges to specific, limited offenses is wise governance, as it avoids the disruption of union business. As to the 2/3s vote, members use union resources to pursue personal or political disputes with each other.

The following is a summary of the charges, followed by the Board’s findings and recommendations on each charge. The findings are based on the evidence presented to the Board, both as part of Mr. Ulmer’s appeal and through witness and documents presented at the hearing, and the parties’ opening and closing arguments.

As a preliminary matter, it must be noted that since the DDAL membership did not vote by a 2/3s majority to remove Mr. Ulmer from office upon being found guilty of the charges, that remedy/penalty is not before the Board.

Charge No. 1: Abandonment of position

Mr. Merritt appealed the trial board’s decision to the National Executive Board, raising both procedural and substantive objections. To summarize Mr. Ulmer’s argument, he believed he was not given a fair trial because, among other things, (a) he was denied information necessary to defend himself against the charges; (b) the trial board was comprised of persons who were involved in initiating the charges against him, had solicited the membership to remove him from office and otherwise had demonstrated bias against him; and (c) the charges had been dismissed at the August 11th session and no further proceedings should have taken place after that date.

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cicked was acknowledged before the Board that he was no longer pursuing this charge. The Board therefore FINDS that this charge is no longer at issue, and RECOMMENDS that the National Executive Board dismiss this charge.

Charge No. 2: Acceptance of dual salaries

It is undisputed that beginning on February 12, 2014, Mr. Ulmer received a salary from the National as an employee of the National while at the same time receiving his salary from the DDAL. However, Mr. Merritt has not shown that Mr. Ulmer's receipt of these two salaries violated some provision of the National or DDAL’s Constitution.

There is no express prohibition in either the APWU Constitution or the DDAL Constitution against an APWU officer(s) receiving two salaries from two separate entities for performing two jobs, and as both parties acknowledged before the Board, the APWU has no policy against a member simultaneously performing two different jobs for performing two full-time jobs. Mr. Merritt points out that the Constitutions also do not expressly authorize two salaries for two full-time positions. Mr. Merritt's point is not relevant. Article 15, Sec. 3 (c) requires proof of constitutional violations, not of conduct that is not expressly authorized.

Mr. Merritt refers the Board to prior instances in which officers of the DDAL were convicted of criminal charges for receiving two salaries most notably Delene Reid and Milton Mayfield. The Board has reviewed public documents and finds that the circumstances involved were substantially different than those before the Board. Ms. Reid and Mr. Mayfield embezzled union funds by taking two salaries from the DDAL for doing one job. That is different than receiving two salaries for two different jobs.

Mr. Merritt essentially argues that receiving two full-time salaries in and of itself is embezzlement of union funds. The Board does not agree. Embezzlement of union funds requires willful receipt of union funds to which the recipient knows he is not entitled. By contrast, here the evidence establishes that Mr. Ulmer continued to perform at least some of the duties of the President of the DDAL during the time he received the two salaries. He was in Detroit at least some of the time, he continued to chair Executive Board meetings, and he was in Washington, DC during this period, the Board recognizes that with telephone and email, many duties of the President and Business of the DDAL can be conducted at such a distance.

Jane Duggan, Secretary-Treasurer of the DDAL, testified as to duties of the President that fell upon her during this time. More specifically, Ms. Duggan testified that she met with service providers to the DDAL’s dental and vision plans to obtain information about plans changes, something the President would typically do. However, Ms. Duggan testified she informed the providers that she would pass along the information to the President for him to review, indicating that Ulmer was Detroit often enough during this time to conduct at least some of the business of the DDAL.

In summary, the evidence in the record shows that Mr. Ulmer was performing at least some of the duties of the President of the DDAL at the same time he was also employed by the National. Under these circumstances, Mr. Ulmer's receipt of two salaries for doing two different jobs did not violate a specific provision of the Constitution, not even violate APWU policy.

Therefore, the Board FINDS Mr. Ulmer NOT GUILTY of Charge No. 3, and RECOMMENDS that the National Executive Board grant Mr. Ulmer's appeal and dismiss Charge No. 2.

Charge No. 3: Assignment of President's duties in violation of the Constitution

The evidence reflects that Mr. Ulmer, by letter dated April 2, 2014, informed the DDAL's President, Steward and Committee Members of his temporary absence, and of the appointment of James Stevenson to fulfill the President's duties in Mr. Ulmer's absence, citing Article VII, Section D (6) of the DDAL Constitution.

Mr. Merritt contends this appointment violated the DDAL Constitution, because pursuant to Article VII, Section 2(A), the Executive Vice President is to perform the duties of the President in his absence. As he stated at the September 29, 2014 hearing before the DDAL trial board, Mr. Merritt does not believe he has to prove that Mr. Stevenson improperly performed any duties as President, because the mere act of sending the April 2, 2014 letter violated the Constitution.

Given Mr. Merritt's position, there is very little evidence in the record as to what duties, if any, Mr. Stevenson performed or tried to perform during Mr. Ulmer's absence. The evidence in the record, do not mention or refer to pay for attorneys at the upcoming trial board, of order a motion regarding using DDAL funds to pay for attorneys at the upcoming trial board, and to allow an appeal of his ruling to be voted on by the body.

The latter basis of the charge was not addressed at all before the Board. The minutes of the June 2014 Regular Membership meeting, which are in the record, do not mention or reference that such a motion was made. The Board reviewed and considered the written statement of Lopinna R. Roe, which was presented to the DDAL trial board, regarding this matter, but did not give this statement any weight. Ms. Roe references the same June 1014 meeting for which the minutes are in the record, and they do not show that any such motion was made. The Board finds that this basis for the charge is not supported by evidence.

With regard to the first basis of the charge, the record shows that as of May 4, 2014, Mr. Ulmer had withdrawn his resignation as President, expressly or by conduct. According to Robert's

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between the language of Section 1(D) and Section 2(A), if any, Mr. Stevenson performed or tried to perform during Mr. Ulmer's absence. The evidence in the record, do not mention or refer to pay for attorneys at the upcoming trial board, of order a motion regarding using DDAL funds to pay for attorneys at the upcoming trial board, and to allow an appeal of his ruling to be voted on by the body.

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We Lost Two Working Class Heroes: Dick Fallow and Hugo Chavez

by Bruce Clark, President

Iowa Postal Worker

April 13 the working class of Iowa, indeed the working class of the world, lost a champion. Richard “Dick” Fallow of Davenport, Iowa, died taking us from one of the true heroes of the Iowa and Illinois labor movement.

Dick’s long journey began in many ways on a bicycle trip through youth hostels in Europe in 1937. On this trip he witnessed the poverty and harsh conditions faced by working people in Europe during World War II. He worked with the American Field Service and drove an ambulance and worked with the 8th British Army in North Africa. Dick saw first hand the battle against fascism that united the working class across the globe.

Upon his return home, he worked with the United Electrical and Radio Workers Union. The UE was one of the left-led unions that were the target of American based fascists like Joe McCarthy. The UE responded with strength and file and a democratic union.

As a result, they were targeted both by the government and by the AFL-CIO unions who opened their shops to wipe them out. Dick ended up in Sioux City where he met Wilhelmina, the love of his life. They later moved to Davenport in this time he joined the staff of the newly merged AFL-CIO and served for years as the area director for the Committee on Political Education (COPE).

Labor folks around the Quad Cities and beyond can regale you for hours with stories of Dick’s incredible work in the labor movement and other progressive causes. Dick was always there when there was a need to organize that the organizing, some injustice to battle.

My own contact was all too close. I met Dick when he was inducted into the Iowa Federation of Labor Hall of Fame. At the banquet he gave a speech and talked about historical events, and future work. Those who know me know I am always struggling to get working folks to understand they are not “middle class” but proud members of the “working class.” If you don’t know who you are, you cannot understand the struggle you are in and you will never win.

I went up to Dick afterwards and said, “Where have they been hiding you . . . you and I are the two main people in this room who talk about the “working class.” That was it, we became buddies and met for lunch once half way between us in Maquoketa and talked when we could. Dick also came to Dubuque to address the graduates of our Dubuque Workers’ Academy. What an amazing guy, brother, friend, comrade in arms!

My huge regret was not to have met Dick earlier or taken more time when I did learn from this fore finesse of experience as a warrior for the people. It is like the old song, “I al- ways knew you one more time again.” That was not to be and it is a good reminder to us all. Take the time to be with those who matter in your life because you never know how long they will be with us. At his memorial celebration someone said that Dick wanted to assume that Dick would be with us forever because he always was there. Dick, my dear brother and hero, it was a pleasure to know you and you will be missed. When Dick died, there truly was a “dis- turbance in the force.”

The other recent loss may seem short. I met Dick when he was inducted to the 8th British Army in North Africa and the effects of war. During the war, Dick saw first hand the battle against fascism that united the working class across the globe.

The labor movement and the working class have been well served by Richard “Dick” Fallow of Davenport, Iowa, our brother, our hero, our champion in the fight for a world where everyone is treated with dignity and respect.

In Columbia, for instance, under continued on page 12

Recommendations Of The APWU National Executive Board

Innocent, Not Guilty, No Violations

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Rules of Order, which govern the conduct of the DDAL membership meetings pursuant to DDAL Bylaws, Art. 5, Section 2, a resignation may be withdrawn at any time before it is acted upon. See Robert’s Rules of Order (10th Ed) (“RRO”), at pp. 297-98. While Mr. Ulmer had announced his intent to resign effective March 31, 2014, at the February 2014 Executive Board and Mem- bership meetings, no action was taken on his resignation at that time: no vote to accept the resignation was made, and no steps were taken to elect a new president or fill the position more than temporarily. While the minutes of the Feb- ruary meeting reported that staff boards the minutes of “Mr. Ulmer as President would be taken, no evidence was presented that in fact Mr. Ulmer was re- placed as President before his resignation took effect.

Mr. Ulmer claimed he notified Mr. Chornoby and Trustee Anthony Latimore on March 23, 2014, that he was withdrawing his resignation, which was before the date it was to take effect. Mr. Chornoby did not dispute that when testify- ing before the Board. Mr. Ulmer’s issuance of the April 2, 2014 letter indicates he did not withdraw his resignation and instead took a tempo- rary absence. Certainly Mr. Ulmer’s conduct in attending and chairing the April 13, 2014 Regular Membership Meetings indicate that at least as of that date he had withdrawn his resig- nation.

Therefore, Mr. Ulmer properly ruled out of or- der the motions at the May 4 and May 18 meet- ings to accept his resignation. In particular, the motion at the May 18 meeting to hold a secret ballot election on “enforcing” the minutes of the February and March Regular Membership Meetings and “accepting” Mr. Ulmer’s resigna- tion was out of order. Minute of meetings are nothing more than records of what occurred at a meeting. The records of the meeting should accept or reject a point of order, as it had been withdrawn well before the meeting. A secret ballot on a resignation that had been withdrawn would have been an end-run around RRO’s prohibition against recall elections of officers.

When a chair’s ruling that a motion is out of order is appealed and seconded, Robert’s Rules of Order required the chair’s ruling to be voted on by the membership. See ROR, pp. 247-252. However, the minutes of the May 18, 2014 do not reflect that the appeal of Mr. Ulmer’s ruling was seconded. Even if it had been seconded, however, there was no harm to the member- ship in refusing to allow them to vote on the appeal or on the substantive motion — they had no right to vote on a resignation that had been withdrawn, and doing so would have resulted in a violation of Article 14 of the Constitution. Mr. Ulmer cannot be faulted for a technical vio- lation of the DDAL’s Bylaws by failing to strict- ly follow Robert’s Rules of Order when had he done so, it could have resulted in a clear viola- tion of the Constitution.

In summary, Mr. Merritt has not met his burden of proving an intentional violation of the Constitution as charged. The Board there- fore FINDS Mr. Ulmer NOT GUILTY, and RECOMMENDS that the National Executive Board grant Mr. Ulmer’s appeal and dismiss the charge.

The Board thanks the parties for their professional- ism and cooperation during the course of the hearing, despite the obvious differences between them. The Board sincerely hopes that both sides will put their differences behind them, and work together to unify and strength- en the DDAL and serve as advocates for the DDAL’s membership going forward.

Dick Fallow

Heroes of the Iowa and Illinois labor movement. Richard “Dick” Fallow of Davenport, Iowa, ended up in Sioux City where he met Wilhelmina, the love of his life. They later moved to Davenport and in this time he joined the staff of the newly merged AFL-CIO and served for years as the area director for the Committee on Political Education (COPE).
Racist Attacks On The Working Class Accelerate

by Bruce Clark, President Iowa APWU, Iowa Postal Worker

With the election of Barack Obama as President there was a lot of talk about the United States becoming a “post racial” society somehow. That race was somehow no longer much of a factor in this society, I will grant you that is was a wonderful thing to see the majority of Americans vote for the first African American to be our President, but any notion of the end of racism is a fantasy and a lie.

In fact, racist attacks on the working class have greatly accelerated as part of a larger attack on the whole working class. From my perspective these are always the same and the same. The nature of racism in the US is far more than a matter of the collective bigotry of individual citizen’s. That personal “in your face bigotry” with it’s racial slurs may indeed have diminished especially as successive generations grow up with more exposure to others different than themselves.

However, the additional exploitation, over and above that faced by white workers, is still very much in place with no significant reduction and no real plans to change that put forward by our first black President. Across a range of indexes there is no question that black and Latin workers make much less money on average; have vastly higher rates of unemployment; on average the children of poor people are the most underfunded; have an obscenely higher rate of incarceration in prisons, including the well known fact that penalties for “crack” (more a ghetto drug) are much more severe than for “cocaine” (the more suburban form) and the list goes on for any measure you want to examine.

This nonsense of a “post racial” society is peddled by those who want to cover up the continuing fact that American Capitalism rests heavily as it always has on the racist super exploitation of the Black and Latin sections of the working class. Billions of dollars pours from these racist wage and societal differentials into the pockets of US Capitalists. Let’s be clear the whole American Working Class is exploited and their labor, which produces all the wealth of this society, is largely stolen from them. I reject the idea that others advocate that white workers relatively better position in this economy based on wage slavery, gives them a vested interest in racism and keeping black and Latin workers down. White workers also produce vastly more value than they take home with the excess wealth stolen from them. In addition, white workers suffer from racist divisions in the working class as these divisions weaken all workers and therefore weaken our collective struggle and drive down wages and standards of living for all workers. One has only to examine the long tragic history of the Southern working class to see how this plays out.

New Even More Vicious Racist Attacks

When we are in periods of economic downturn, or stated more honestly when the Capitalists are greedy gambling again destroys the of young black workers who “look threatening”. In past years in the South this took the form of lynching young black men who dared to “look at a white woman”. The difference between the murder of Trayvon Martin and the lynchings of old is only the method of killing.

How Does This Affect Postal Workers

Postal employees and APWU members are among the most diverse work forces in most parts of the country. Postal employment has long been one of the relatively few places minority workers could find a decent job. In addition with white workers and large numbers of Veterans we stand as a shining example of a diverse workforce.

“And we must remember the words of our great President Emeritus Moe Biller, ‘The struggle continues’ and remember as I tell you ‘Don’t let the bastards get you down.’ ”

Racist Attacks On The Working Class Accelerate

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October, 2015 DETROIT POSTAL WORKER Page 9

OPEN SEASON ALERT

THIS YEAR, FOR THE FIRST TIME, YOU

HAVE A NEW ENROLLMENT OPTION

SELF PLUS ONE / SELF PLUS SPOUSE OR CHILD

SELF PLUS ONE IS MUCH CHEAPER THAN “FAMILY”

YOU MUST GO TO LIGHT BLUE OR OPM AND MAKE THIS CHANGE DURING OPEN SEASON

ANY QUESTIONS? CALL SECRETARY-TREASURER

JANE DUGGAN at (313) 532-9305
“Thru Put”, Contract Negotiations, Installation Information, Overtime

The Get Engaged Program

Q1. Chris, we started the “Get Engaged Program” in 2012. This is a program that is emulated by locals around the country. This is a program that encourages our members to have a simple language to “get engaged”. We must get engaged to keep our jobs. Explain to our members why you started this and the importance of “Getting Engaged”.

A. I started this movement to get our members involved in the campaign to help STOP the USPS from closing the GWY Facility, and to bring more awareness to the attacks from the USPS on all Post Offices especially in City of Detroit. This campaign has given the DDAL and the members of the DDAL some needed attention. This campaign allowed me to go on the radio and talk about Postal issues and the concerns of the workforce and the public which we serve. This campaign has connected me with very influential politicians and business owners which helped us keep the GWY open and to build vital business relationships with which I know we will need in the future.

Q2. What are some of the main issues in Congress that may affect the post office in the near future and how can we help?

A. The most pressing issues for postal employees and the U.S public are the attacks on Post Offices throughout the USA and the threat to close more and more Post Offices AND EX-CESS THE EMPLOYEES across the country or into the Letter Carrier craft. There are several bills in the House and Senate to keep the USPS from closing Post Offices and reduce exceeding to restoring the Delivery Standards that the USPS changed in February that needs to be acted upon by both houses of Congress.

The Truth About Thru Put

Q3. Ok, let’s focus on some floor issues. We must address the thru put issue on the DBCS machines. What in the heck is “thru put”? How those numbers are formulated, are the thru put issue addressed in the [CBA] Collective Bargaining Agreement? Our diligent members try to achieve the thru put issue on the DBCS machines. What in the heck is “thru put”?

A. Thru Put is simply the rate of speed the machine is accurately reading the mail pieces placed through the feeder. I know USPS management may have GOALS but the goals are not contractual and therefore if you don’t achieve the GOAL be assured you will not be disciplined for this, the this is the position of the DDAL.

Q4. We are threatened frequently with discipline if we don’t meet their thru put.

A. The union takes all disciplinary issues very seriously and the union has been very successful at addressing them and getting favorable resolution. There are so many things that affect the thru put that you are not responsible for, which may cause that machine not to reach that goal; therefore the USPS should not fault you. The employees are only contractually required to do a fair days work for a fair days pay (article 34) and as long as you do what you are supposed to do when you are supposed to do it you have satisfied the terms of the CBA. If management threatens you or the employees any length of time you will address the issue and we have been very successful in addressing this type of issue as we learn about them.

Q5. Mr. Ulmer, what lets jump back to an important litigation issue, contract negotiations.

A. The contract is not rumor but more of concern. Neither the APWU nor the USPS has spoken very much about the Contract talks since they first began. The parties did not reach an agreement and they were then required to participate in mediation which did not yield any contractual agreement so now the parties are in a mandatory 60 day cooling off period before the parties enter into binding interest arbitration. No new information about the contract has been announced by either side. The parties are still negotiating to try and get all the things they can settle before the arbitration settled so they will not have to deal with those issues in front of the Arbitrator.

Q6. We have published this important Union benefits many times in the “Detroit Postal Worker” and I still get many questions concerning this important benefit that pays $15-$20 per day. Does this benefit apply whether we are on or off the job? Does it apply to an injury, illness or both? Again, please explain how this benefit works and how it can help employees who get injured.

A. Accident Benefit Association (ABA)

Formed by postal railway clerks in 1898, the APWU Accident Benefit Association (ABA) today is a non-profit organization that provides benefits to APWU members and their beneficiaries in case of temporary disability, dismemberment, or death resulting directly from a covered accident.

Whether you are injured on the job or off, both the ABA’s Advantage and Value plans offer financial benefits — even if you are also eligible for OWCP or other compensation.

To learn more about ABA’s benefits, contact your local president or visit the ABA’s Web site, www.apwu-aba.org.

http://www.apwu.org/pay-benefits#ABA

Q7. We are dealing mostly with the George W Young facility. Can you address the recent reports of other installations covered by the Detroit District Area Local?

Q8. There has been a lot of confusion regarding overtime. What is the new non OTDL guaranteed, the work hour guarantee comes from management may have GOALS but the goals are not contractual and therefore if you don’t achieve the GOAL be assured you will not be disciplined for this, the this is the position of the DDAL.

A. You are absolutely correct I don’t address the USPS or leave me a voicemail message if you have questions or concerns regarding overtime. Can you clarify the agreement for the OTDL and the non-list employees? I.E. If the list works 12 hours is the non-list guaranteed 10? Also, if you are not on the list and they call mandatory overtime, can you be disciplined if you don’t stay for overtime?

A. The Overtime Desire List (OTDL) is a list of employees who are solicited by the employer as to who wants to work overtime when it is called for that quarter. These employees are solicited 2 weeks prior to the beginning of each fiscal quarter.

The CBA Article 8 is the article that governs overtime, who overtime is called on, when it is called, and how many hours the employer is entitled to call. The OTDL employees must be used up before employees not on the OTDL can be called on. The OTDL employees are required to be worked 12 hours if the USPS work non OTDL employees any length of time, unless the USPS can show the operational window for working the mail was limited.

Overtime has no guarantee number of hours, the only guarantee of work hours is being called into work and that is a work hour guarantee, the work hour guarantee comes from being called into work period, whether it is overtime or straight time. If a career full-time employee is called into work, whether for overtime or straight time they have an 8 hour work guarantee. Overtime can be called and the number of hours you were told to work can be reduced because there are no overtime guaranty hours. If non-list employees are working any length of time the OTDL should be worked 12 hours by virtue of the CBA language, unless the operational window comes into play.

Employees are required to follow all order from management and can be subjected to discipline if they do not follow the order(s), unless the employee’s failure to follow said order are due to safety or health reasons.

I want to thank you all for your questions and responses. You can always contact me at the Union Hall office, text me, Email me, call me or leave me a voicemail message if you have pressing questions in need of an answer.
October, 2015 DETROIT POSTAL WORKER Page 11

by Danny Sawicki
Associate Editor

Postal and Labor news and notes form around the world.

In Eastpointe, MI, a Postal service worker was hospitalized with se-
rious injuries after being struck by a vehicle while retrieving mail from
the back of her truck.

Source: Roseville, Eastpointe Eastside

Danny: Our sincere condolences go to the family and hopeing and pray-
ing for a full recovery for our carrier sister. It does not matter what craft
we are in, we work dangerous jobs, please be careful.

* In September The Al Jazeera
American digital journalism company
announced they are trying to unionize the company. Union-
ing would “give workers a voice” says Tammy Kim, a feature writer
at AJAM. She goes on to say, “with union, we believe we will have a
stronger voice.”

Source: USA Today
September 2015

Danny: The right to work move-
ment says unions are dying. I don’t think so, we stand strong and proud,
and companies are again starting to realize the power of the union.

* In Texas township Michigan,
more than two dozen homes were
told by the road commission of Kalamazoo that they must replace their
stone end brick mailboxes be-
cause the mailboxes “post a haz-
ard to the motoring public” and
the homeowners have to install other
mail boxes the conform to the com-
mission policy.

Source: Detroit News
July 2015

Danny: For one thing, people should think of something else to
another thing, are they going to take
shouldn’t be going that fast and for
first.

* You get a letter from the IRS, look at
the right hand corner of the letter,
you get a letter from the IRS, look at
the right hand corner of the letter,
you are not being scammed by scam
cards . . . except from the IRS. But

Source: Detroit News
July 2015

Danny: That’s a good thing. Management want to try to cut
benefits, retirement benefits and
anything else they can. Our fellow
brothers and sisters are fighting
hard, and we are too.

* In the summer of 2015 in a trag-
ic event in Lenox Township, Michi-
igan, a postal employee was involved
in a murder-suicide.

Source: Detroit Free Press

Danny: Please, please dear mem-
bers, take heed.

* In April, a carrier from Detroit
won a million dollars in the April
lottery. He bought his winning ticket
in Lambertville Michigan, who
bought his winning ticket in a game
in his mailbox. It became clear how much
Norman Halls smile and smile had
made her.

Source: USA Today

Danny: Come on postal peo-
ple we need to push this one thru.
Wouldn’t it be cool to have an Ez-
velope服务中心 representing the big D
nationally? Go to change.org to get
my ear Lloyd a stamp. Great player,
family man and a true hero to the
community.

* As of September 17, 2015,
memories of Wayne County key
employees would avoid a 5% wage
cut under a tentative agree-
ment. The proposed contracts
will be approved by members of the American Federation of State,
County and Municipal Employees,
but with wage cuts off the table, ap
proval would appear to have a good
chance.

Source: Detroit Free Press

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benefits, retirement benefits and
anything else they can. Our fellow
brothers and sisters are fighting
hard, and we are too.

* The Mcmornb Daily

Danny: Our sincere condolences to our overseas constituents and
families. The Post office all over the world is involved in humanitar-
ian issues at home and abroad. Sadly,
tragic events occur but we must con
continue to be vigilant in those efforts.

It could be easier for unions to
bargain for better pay and working
conditions on behalf of millions of
postal workers at McDonalds, Burger
and other fast food chains after a Na-
tional Labor Relations Board ruling
in July 2015.

The ruling could have broader im-
lications for unions that have strug-
gled to organize worker at many fast
food restaurant, which are owned by
big companies but run by franchis-
s.

Source: Detroit Free Press

Danny: That the NLRB has spoken,
the fast-food chain employees want
union representation, so you right to
work advocates, take heed.

* In September, Leslie Mann of the
Chicago Tribune wrote a poignant
article “In Their Own Hand”. Hand
writing keepsakes kept loved ones
alive. The article was about different
families that keep different handwrit-
ten keepsakes by family member and
what that meant to them. Whether it
was musical scores, letters or cards
is a good back up or making multiple
copies. Keep handwritten recipe
cards.

Source: Detroit News
September 2015

Danny: Great advice to keep
our penmanship and letter writing
sharp. We must remember we are in
the mail business and mail means
writing, so get off the computer or
smart phone, write a letter and or
follow some of these tips the experts
give us. That goes for the Post Of-
fice, wouldn’t some of these ideas
make a nice commercial?

* Digitalize the paper copies of old
letters and handwritten mementos
before they get lost. Some things can
get lost in fires, moving and many
ways. Saving them on a computer
is good back up or making multiple
copies. Keep handwritten recipe
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Source: Detroit News
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We Lost Two Working Class Heroes: Dick Fallow and Hugo Chavez

continued from page 8
the umbrella of “fighting drugs” these groups have killed more labor leaders than in any country on earth. In Central America these U.S. trained terrorists were responsible for the murder of Archbishop Romero in El Salvador and the tragic murder of mums who went there to carry out their mission of witnessing for the poor.

Perhaps the most outrageous case was the poor country of Chile where the U.S. engineered the ousting of the democratically elected socialist Allende and replaced him with the true Fascist Pinochet who unleashed a reign of terror against progressives and working class of Chile [may she at last be free].

Hugo Chavez was one very vocal voice of the increasing rebellion throughout South America which is rejecting American corporate imperialism and striking out with new independence to determine what benefits the working people of their countries rather than U.S. corporations.

To his shame, President Obama failed to even send the normal condolences that would be sent with the death of a foreign leader. And now the U.S. is even trying to interfere in the elections in Venezuela because they don’t like it that a Chavez supporter was elected to take his place. Despite the fact that former President Carter, who monitors elections in many parts of the world, has declared that elections under Chavez were completely fair and above board.

So brother Chavez, I take the time in this short article to note and remember your passing and to salute you and to send regrets and condolences to the people of Venezuela on the loss of their leader and hero.

Racist Attacks On The Working Class Accelerate

continued from page 9
working class, or you can conclude that this flows from some inherent weakness or inferiority of these people. These racist ideas from academia in the 60’s and the recent versions, don’t immediately seem like racism to a lot of folks because it doesn’t typically involve the bigoted slurs and assertion of inferiority that we are used to seeing as racism. These newer forms of racism are simply thinly veiled and come down to saying that these working people are not born inferior but apparently become inferior shortly after birth.

Racist divisions have been the biggest Achilles heal of the American working class throughout the history of our country. Jay Gould, railroad titan of the late 1800’s famously asserted: “I can hire half the working class to kill the other half.” This has been too close to partly true in our history.

If you want to see a rebirth of the strength of the labor movement. If you want to see a bright future for your children and grandchildren and the rest of the next generation of the working class. If you want to hold on to a public unionized Postal Service and other public services such as health care, retirement, etc. Then you must fight racism constantly, consistently, and with a great deal of the importance it deserves. TO WIN WE MUST SMASH RACISM !!! This fight is a central part of our larger fights and we must become acutely aware of how this poison can slip into our thinking and see the lies that are spread to divide and confuse us. And we must remember the words of our great President Emeritus Moe Biller, “The struggle continues” and remember as I tell you “Don’t let the bastards get you down.”

In Working Class Solidarity.

Danny’s Mailbag

continued from page 11
							didn’t buy them at regular retail price or return them, you were legally bound to fulfill the contract and buying a certain amount of product. In the marketing world, it’s called “negative option billing”. It took me a long time to buy the required number of full priced albums needed to cancel my membership. Bottom line, if it looks to good it usually isn’t good and READ THE FINE PRINT. Scams are all over the place.

• In July 2015, the UAW recently joined with the AFL-CIO and eleven affiliate unions as a charter union of the union Sportsmen’s Alliance. It’s the only union conservation organization working to preserve our nation’s outdoor heritage for future generations.

Source: Detroit News July 2015

Danny: Great idea, our fellow brothers and sisters banding together for a great cause. Our environment is our children future. The DDAL is looking into this and how to get involved.

• In May, The Office of the Inspector General for the Post Office came out with new suggestions for expanding the money-order, check cashing and bill payment services already available at post offices as a stepping stone to wider expansion of financial services down the road.

Source: USA Today May 2015

Danny: Fantastic idea. Banks rip us off so much, with service charges, hidden fees. If the OIG comes up with a sound plan, economically affordable with banking services to the 68 million Americans who are currently under served by banks, it would be a home run for both the post office and fellow Americans. Of course, there is always the lawmakers and congress hurdle who are unaccountably hostile to the USPS. However, the OIG is looking for avenues to proceed with the plan without congressional authorization. We hope the momentum keeps on building on their idea and we will keep you updated as information comes in.

Wishing everyone health and happiness as we enter the holiday season.

2015 Membership Meetings

The meetings are held at your union hall:

20530 Southfield Road, Detroit, MI 48235.

November 8, 2015

All meetings are at 1 p.m. to 3 p.m. If you have any concerns, come out and let your voice be heard! Support your union! For more information call your union office at 313-532-9305.