



# REGION 5 NBA REPORT



May 2014	National Business Agent's Report	NALC Region
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The USPS and NALC have agreed to a new Memorandum of Understanding in reference to Residual Vacancies in the City Letter Carrier Craft. This new MOU (M-1834) extends the previous agreement (M-1824) until May 31, 2014. While most of the agreement is an extension of M-1824, effective June 1, 2014, this new MOU addresses the concerns voiced by local branch officers and CCA's across the country by limiting the number of transfers to the Memorandum of Understanding on Transfers, one in four or one in six (JCAM 12-40). The agreement is effective until March 31, 2015. This should allow CCA's in locations where transfers requests have been highly sought, to begin converting to career positions as vacancies become available. For further information and specific details, please read M-1834.

A hero has several definitions. Simply put, if you just happen to be at the right place at the right time and are able to help someone in distress. David Morris of the Florissant, Missouri Branch 4839 happened to be at that place and a patron is very happy that he was. As mentioned in the March Postal Record, David came across a lady that had been severely attacked by a large dog and had been seriously injured. David pulled his vehicle between the lady and the dog and protected her until the paramedics arrived. The woman had emergency surgery to reattach her foot and was scheduled to undergo rehab to learn to walk again. David was at the right place when this patron was in need. We thank David for being there and he will be receiving a letter and a hero's pin from our National President to be delivered by your National Business Agent.

As many of you unfortunately remember, Independence Missouri letter carrier John Watzlawick lost his life July 23, 2012 while on duty delivering the mail from hyperthermia—he got too hot. Mr. Watzlawick had only the day before returned to work from an extended absence following surgery, worked 10 hours and told his supervisor's he had gotten too hot and was sick—it fell on deaf ears.

The Occupational Safety and Health Administration (OSHA) investigated the tragedy and issued a Citation against the Postal Service indicating it committed a "WILLFUL" violation of OSHA regulations in the death of Mr. Watzlawick. A "WILLFUL" violation is the most serious Citation OSHA can issue. As you might well imagine, the Postal Service filed suit against OSHA claiming it did not violate the Law and was in no way responsible for the death. NALC requested and was

granted “party” status in the suit joining OSHA in defense of the “WILLFUL” finding. In late February the trial took place in Federal Court in Kansas City, Missouri. Department of Labor solicitor, Chuck Gordon and his staff put forward a masterful defense of the OSHA finding and were joined by Director of Safety and Health Manny Peralta and Mark Sims of this office at hearing.

While the Judge’s decision has not yet been rendered I want to take this opportunity to thank Mr. Gordon and his staff and all the Letter Carrier participants and witnesses who boldly took the stand and told the truth about the Postal Service and how it treats its employees. We must NEVER allow a tragedy like this to occur again. As we enter into the summer months take note of your environment, your consumption of water and how hot you are getting. If you believe you are getting overheated act immediately to cool down. We all need to watch out for one another as it gets hotter; the Postal Service has clearly said it won’t. If you want to know more—and you should—about heat related illness log onto this OSHA website link and learn more; <https://www.osha.gov/SLTC/heatstress/index.html>

The 22<sup>nd</sup> Annual NALC Food Drive to be held on May 10<sup>th</sup> is fast approaching. By the time you read this, you should have received your postcards. Please use the resources (Radio and TV PSA’s, Videos, Letters, Social Media Links, etc...) available at the NALC website to make this the best food drive ever. Thanks to Region 5 State Food Drive Coordinators, Jeff Connell, Br. 763, Columbia, MO, Traci Van Hying, Br. 403, Ft. Madison, IA, Cathy Lamb, Br. 201, Wichita, KS and Larrissa Parde, Br. 8, Lincoln, NE.

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