AMERICAN POSTAL WORKERS ACCIDENT BENEFIT ASSOCIATION

Vol. 37, No. 1

Postal Workers Serving Postal Workers Since 1891

April, 2022

#### **National Director**

**Wayne Maurer** 

# Let's Ingain



Welcome everyone to the spring issue of the APW-ABA News Digest. I hope all of you had an amazing holiday and start to the new year. I do not want to jinx things, but it looks as though we might just be getting back to some normalcy. The coronavirus and variants are still out there and still plenty serious, but many facets of life are beginning to return to how they were two long years ago. With that in mind, it appears we are a GO for the 2022 National APWU Convention and the APW-ABA National Convention this August in National Harbor, Maryland. You will find our convention call inside this issue. I hope to see a large turnout to the convention this year as our conventions in 2020 and later rescheduled to 2021 were both canceled due to the pandemic. Additionally in this issue is our an-

NON-PROFIT ORG U.S. POSTAGE PAID PRESORT INC nual scholarship application and guidelines where two eligible children whose parent(s) are both APWU and APW-ABA members will be awarded \$1,000 scholarships to go toward their educational institution of choosing.

As I am writing this article the parties are finalizing the vote on the rati-

As I am writing this article the parties are finalizing the vote on the ratification of a new collective bargaining agreement between the APWU and the USPS. As everyone knows, no single contract obtains everything for everyone that they could possibly wish for but in these unstable times the APWU negotiating team has done an outstanding job in securing generous pay raises, maintaining our COLA and job protections as well as dozens

of other enhancements throughout the crafts within the APWU. Compared to the other postal unions we have many different wage levels and job descriptions which make our agreement a bit more complex to negotiate than those of the other unions. Our national officers have continually taken a proactive approach, not only in trying to enhance our wages, benefits and working conditions, but have been up front and center in the legislative arena with postal reform at the top of the list. Additionally, we have not backed off on postal banking and now more than anytime I can remember, we have reached out to "be there" for other organized labor unions. Not just because those unions

might be able to help us in the future but because it is the right thing to do. I only worked for twelve years before my career at the USPS began and my membership in the APWU, but I can say that these past thirty-six years have been the most rewarding and satisfying working years of my life. That is not to say there weren't some down times or low points but overall, my life has turned out the way it has thanks to the APWU.

I hope everyone enjoys this issue of the *News Digest* and has an amazing and safe spring and summer and I look forward to seeing you at both the APWU and APW-ABA National Conventions later this year.



**The ABA National Convention** 

will convene on

Monday, August 15, 2022 at 6:00 p.m.

AMERICAN POSTAL WORKERS



**ACCIDENT BENEFIT ASSOCIATION** 

in the Annapolis Ballroom at the Gaylord National Resort & Convention Center in National Harbor, MD

Registration will begin on Friday August 12, 2022 at the ABA Registration Booth, where credentials <u>must</u> be presented no later than two hours prior to the start of the APW-ABA National Convention.

\*\*Continued on page 2\*\*

American Postal Workers Accident Benefit Association P.O. Box 120 Rochester, NH 03866-0120

# THE 2022 ABA NATIONA

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## ARTICLE 7 ELECTION OF DELEGATES AND OFFICERS

#### Section 1.

(a) The members of the respective Locals or State ABA organizations shall use procedure that is consistent with ROBERTS RULES OF ORDER to elect delegates to the ABA Convention. The names of delegates should be received by the home office in New Hampshire prior to June 1st of the Convention year.

(b) Delegate's credentials must be presented at the ABA Registration Booth no later than two (2) hours prior to the scheduled start of the ABA National Convention.

#### Section 2.

(a) The membership of the National Convention shall be composed of the Board of Directors and registered delegates. An eligible MAL may petition their state organization to gain delegate status to the National ABA Convention.

(b) Each Local or State shall be entitled to representation at the National Convention on the following basis:

3 to 75 members1 delegate76 to 150 members2 delegates151 to 300 members3 delegates301 to 500 members4 delegates501 to 750 members5 delegates751 to 1000 members6 delegates

and for each additional 250 members or major fraction thereof in any Local or State, one additional delegate is authorized, with a maximum of twenty delegates for any single Local or State.

**Section 3.** The President, National Director, and Regional Directors shall be elected for a term consistent with the schedule of the American Postal Workers Union National Convention. All nominations for office by members must be in writing and sent via US Postal Service mail to the National Director's office at: APW-ABA, PO Box 120, Rochester, NH 03866 and must be received after March 1st, but no later than close of business on April 15th of the election year. All nomination letters of intent must be signed and state the office the member wishes to be a candidate for. There will be no nominations excepted after 4:00pm EST April 15th and he/she must be a member in good standing on the date the letter of intent is received by the APW-ABA Home Office. Any candidate who wishes to withdraw from consideration for office must follow the same procedures used for nominations and said withdraw must be received by May 15th of the election year. As the first order of business, the National Director will read all the names and offices of the candidates seeking elective office. The election of officers shall be the last order of business of the Convention prior to the Installation of Officers.

(a) A candidate for the office of President or National Director, must be a member in good standing in the Association and shall be elected by delegates present and voting.

(b) A candidate for the office of Regional Director shall be a member in good standing in the Association within the Area he or she seeks to represent and shall be elected by the delegates representing that Area.

#### AMERICAN POSTAL WORKERS



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### Honorariums

Hank Greenberg National Director Emeritus (2004)

Michael B. Ganino, Jr.
National Director
Emeritus (2012)

David E. Daniel National Director Emeritus (2016)

# L CONVENTION CALL

**Section 4:** Regional Directors: Two (2) Regional Directors shall be elected from each of the five ABA Regions:

#### 1. Northeast Region:

Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York.

#### 2. Eastern Region:

Pennsylvania, New Jersey, Delaware, Virginia, West Virginia and Maryland

#### 3. Southern Region:

North Carolina, South Carolina Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, Tennessee, Arkansas, Puerto Rico, Virgin Islands.

#### 4. Central Region:

Kentucky, Ohio, Indiana, Illinois, Michigan, Minnesota, Wisconsin, North Dakota, South Dakota, Iowa, Oklahoma, Missouri, Kansas, Nebraska

#### 5. Western Region:

Montana, Idaho, Washington, Oregon, Alaska, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, California, Hawaii, Pacific Islands

**Section 5.** Any candidate for National Office who receives a majority of votes cast at the Convention for said office shall be declared elected. No write in votes will be valid.

**Section 6.** When there are two or more candidates for National Office and the two candidates receiving a majority of the votes cast for such offices result in a tie on the first ballot another election shall be held immediately. These two candidates engaged in a tie shall be voted upon as candidates for such office in the second election, and the candidate with the majority of the votes shall be declared elected.

**Section 7.** All National ABA officers will be installed following the completion of the election by the President of the American Postal Workers Union, AFL-CIO, or his/her designee.

**Section 8.** The members, officers, representatives or delegates of this Association will not be permitted to vote by proxy.

**Section 9.** Each delegate and each member of the Board of Directors shall receive one vote. Members of the Board shall be allowed to vote for the Director of their respective Region.

**Section 10.** The President of the Accident Benefit Association shall establish an election committee, no member of which shall be a candidate for election while serving on such committee. The election committee shall be responsible for conducting the election. Prior to the acceptance of the election committee report any candidate who feels aggrieved in connection with the election shall file an appeal with the election committee at the ABA Convention. Where the

Committee finds merit in an appeal, it shall report its findings to the President who will report to the delegates. The delegates shall act on the findings of the Committee.

(For the purpose of this Article the term "election" shall include nominating procedures.)

### ARTICLE 8 NATIONAL AND LOCAL MEETINGS

**Section 1.** The National Convention shall convene in the same month and years as the American Postal Workers Union Convention, at a time and place to be named by the Board of Directors, provided a National Convention is held at least once every four (4) years. Special sessions of the ABA National Convention may be convened upon call of the President, subject to the approval of two-thirds (2/3) of the Board of Directors.

(a) At least one hundred twenty (120) days prior to the biennial session of the National ABA Convention this association shall publish in the Official Publication of the ABA, a notice stating the time and place of the National Convention. This information shall be sent to every ABA Local and State Association, not later than April 10th of the Convention year.

(b) At least sixty (60) days prior to any special session of a National ABA Convention, the National Director will notify all ABA affiliated locals and State Organizations of the time, place, and purpose of the special session.

(c) It shall be the duty of the Local or State President or Secretary to furnish a certified list showing the names of the delegates and alternates. These certified credentials shall be furnished to the ABA Home Office no later than June 1 of the Convention year and it is to be used to entitle them to be seated as a delegate at the National ABA Convention.

(d) Resolutions must be submitted for the ABA Convention prior to June 1 of the convention year. The author of the resolution is required to send these resolutions to the office of the National Director in duplicate. This shall not prevent the submission of resolutions by delegates at convention as long as a copy is available for each delegate in attendance. Resolutions submitted after the report of the Constitution Committee will not be considered nor acted upon.

**Section 2.** The President shall meet between each non-convention year at the home office of the Organization, with the National Director. In addition, the Constitution Committee shall review the Constitution and make recommendations to the next convention to conform with such state and federal regulations as required by law.

President Richard Phillips

# Timeline For Scheduled Events In The 2022 ABA Convention



Brothers and Sisters.

Well, needless to say, we're all aware of the impacts that the COV-ID19 pandemic has had on ourselves, our families, our communities, as well as the organizations we belong to for the past two years. Many of us, especially those of us in our retiree years, were pretty much "sheltered in place" for several months beginning in early 2020. For most of us, business travel and vacation plans with the family over the last two years were cancelled, or postponed at the best. Social gatherings with our friends and families have also been put on hold.

This included the cancellation

of the 2020 APWU National Convention which was scheduled to be held in Los Angeles, and with it the cancellation of the ABA Convention which was to be held at the same time. Moreover, we need look only at the postponement and possible rescheduling of APWU State conventions and National seminars to see the potential negative impact on the ABA.

Yes, sad to say, with the reduction in APWU functions, the ABA has been hampered in our ability to meet face-to-face with local officers and members to thank them for their continued membership, as well as to reinforce the many benefits the ABA offers with new members.

Hopefully, all of that is changing, as the APWU National Convention is now scheduled to be held from Monday, August 15 thru Thursday, August 18, 2022, at the Gaylord National Resort and Convention Center, National Harbor, MD, which is next to Washington, D.C. (You can view specifics about the convention and hotel by log-

ging onto **apwu.org** and clicking onto the Secretary/Treasurer office.)

Along with the APWU National Convention, the ABA Convention will be conducted Monday evening, August 15th. It is extremely important that locals send in credentials for their delegates to the ABA convention in a timely manner, and their delegates register and attend this convention in order for us to have a quorum.

As I write this article the upcoming 2022 ABA National Convention and other scheduled events are quickly approaching. Here are some relevant provisions of the ABA Constitution that establish these important dates and ABA events:

#### **CONVENTION NOTICE**

The ABA Constitution states that the National Convention shall convene in the same month and years as the American Postal Workers Union Convention, which means that this year the APW-ABA Convention will be held in National Harbor, MD, during the evening of Monday, August 15th.

At least one hundred twenty (120) days prior to the biennial session of the National ABA Convention this as-

sociation shall publish in the Official Publication of the ABA, a notice stating the time and place of the National Convention. This information shall be sent to every ABA Local and State Association, not later than April 10th of the Convention year. This edition of the ABA News Digest satisfies that requirement

#### **RESOLUTIONS**

Resolutions must be submitted for the ABA Convention **prior to June 1** of the convention year. The author of the resolution is required to sign and mail these resolutions to the office of the National Director, P.O. Box 120, Rochester, New Hampshire 03866, in duplicate.

Resolutions may also be submitted by delegates at the convention as long as a copy is available for each delegate in attendance. Resolutions submitted after the report of the Constitution Committee will not be considered nor acted upon.

#### **DELEGATE CREDENTIALS**

Locals requesting delegate credentials must be received **not later than June 1st** – The members of the respective Locals or State ABA continued on page 4

### Northeastern Region Director

# Scott Hoffman

# The National Convention Is Important

Dear Sisters and Brothers,

Hope all is well with you after a long winter and an even longer stretch through Covid. We see light at the end of the tunnel.

In that vein, it looks like we all may finally be able to get together for our National Convention. The National Convention is important for many reasons. First and foremost, it is the highest governing body within the APWU. The National Convention can change how we do business via constitutional changes. It can give policy direction

through submitted and passed resolutions. It's a strong voice to let the National Union and officials know what areas and issues need to be addressed.

It is part of a system of checks and balances contained in our Constitution. It is also a great opportunity to hob-knob with your fellow wizards. A chance to commiserate, a chance to communicate, a chance to share strategy and knowledge. It is a chance to pump your tires, and build the esprit de corps that any good fighting force needs.

And let's make no mistake, the

Union must be a fighting force. Real negotiations only begin when the other side knows that you can hurt them, because you have. And, you will do it again. And again. If your enemy has no fear, they have no respect; and being at the table with an opponent that has no fear or respect for you means you get whatever scraps or good will they feel like restoring. That is begging and charity. The Postal Service is not a charitable organization, nor have they ever demonstrated good will towards its employees or the Union.

You may think you've seen good will, but it is usually to lull you to sleep, to snuff you out with the pillow. Let us reinvigorate ourselves at this Convention. Let us join together to take back to our Locals the strategies and attitudes necessary to win!

Let us bask in the camaraderie that only people with common goals, and needs, and enemies, can enjoy. Then we go back home and take serious action. So the next time we meet we have even more ammunition for victory and unity.

### Northeastern Region Director

### Dana Coletti

# Child Safety In The Internet Age

Brothers and Sisters,

Here we are another year under our belts and moving forward into 2022. I hope you are all holding up in these trying times. With Covid and quarantining, one issue that has come to my attention and needs to be addressed is internet safety for children. As if it wasn't hard enough to keep your children off the internet prior to the Covid-19 pandemic, it seems it can be an exercise in futility now. With that access comes responsibility and yet another thing to have to try to monitor. So how can we do this and keep our children in the age where almost anything is accessible on the internet? With the onset of Covid, internet usage has increased considerably. Often, our kids are surfing the internet as we are in the other room, unaware of what they are accessing. It may seem a daunting task at times to be able to monitor everything they are doing but there are ways to keep track of their activity on the internet.

There are many dangers on the internet, and some are more serious than others. The most prevalent seem to be **Content** – This is one of the most common threats a child may experience being online. It can range from profanity, vulgar language to racist and discriminatory hate speech. This also includes violent or sexually explicit images. These all can have a harmful effect on a young child. One in two young children have been exposed to images and messages of this sort. Online Predators – Often times, adults take to the internet to exploit or entice children for sexual or inappropriate contact. Adults that exhibit this kind of behavior are considered online predators. The victims can range in age from infants to teenagers. Girls are typically the victims of online predators while males are generally the predators. Almost all online predators have never met their child targets in person. Cyberbullying - One in three teens have been bullied online at some point in their lives and statistics show, one in ten has bullied someone online. Cyberbullying is any behavior that may be deemed threatening, aggressive or hostile through any type of electronic media. This could be

the following. Inappropriate Online emails, social media, text messaging etc. Girls are typically the victims of cyberbullying and boys are usually the

> So how do we keep our kids safe from these dangers? It is statistically impossible to shield children from all the perils of the internet, but here are some ways to keep them safe. The easiest way is to make sure the websites are secure. To instantly tell if any website is safe by looking for one letter: "s." Every website address starts with the letters "http," but you will know a site is secure when you see "https." That means the website itself is taking measures to keep users and their information secure while they use their site. Another way is to guard your personal information. While this is not exclusive to children it is a good idea to keep this practice. This can be an issue with school identification numbers and other extracurricular apps that use specific identification numbers for children. There is certain information that should never be used as an identifier for your child. They include, first and last name, so

cial security number, birthdate, home address, or any photograph. Parents should also set up parental controls to limit and control their children's access to the internet. There are many free websites which offer software and suggestions to keep our kids safe that provide information to help you best fine tune the access your child has to the internet. Finally, one of the easiest and most often overlooked ways to keep your child safe is ensuring all applications and software are up to date. It can be time consuming and laborious, but updates typically are designed to avoid hacking and unauthorized access. Outdated parental controls can leave your children exposed to attacks. While these are just a fraction of the ways we can help to protect our children from the perils of inappropriate online content and the other dangers of the internet, they are a good foundation to plan for success. All these tips will help to aid you in your efforts to thwart the dangers that come from being on the internet and help keep our kids safe.

In Unity.

# Timeline For Scheduled Events In The 2022 ABA Convention

continued from page 3

oganizations shall use procedure that is consistent with Roberts Rules of Order to elect delegates to the ABA Convention. It shall be the duty of the Local or State President or Secretary to furnish a certified list to the ABA Home Office prior to June 1st, showing the names of the delegates and alternates to the ABA National Convention. These credentials will be used to entitle delegates to be seated as a delegate at the National ABA Convention.

**IMPORTANT:** Please note that credentials for each Delegate must be presented at the ABA Registration Booth at the National Convention no later than two (2) hours prior to the scheduled start of the ABA National Convention. In past years Delegates to the ABA National Convention have shown up with their credentials in hand just prior to the beginning of the Convention and have been denied admittance.

#### NOMINATIONS FOR OFFICE

Nominations for office must be received after March 1, but no later than close of business on April 15 -- All nominations for office by members must be in writing and sent via U.S. Postal Service mail to the National Director's office at APWABA, P.O. Box 120, Rochester, New Hampshire 03866. All nomination letters of intent must be signed and state the office the member wishes to be a candidate for. There will be no nominations accepted after 4:00 p.m. EST, April 15 and he/she must be a member in good standing on the date the letter of intent is received by the APW-ABA home office.

The National Officers of the ABA consist of the Board of Directors, and is comprised of the following:

- Resident full-time National Di-
- President
- Ten (10) Regional Directors, with Two (2) Regional Directors

Regions. NOTE: A candidate for the office of Regional Director must be a member in good standing in the Association within the Area he or she seeks to represent and shall be elected by the delegates representing that Area.

- 1. Northeast Region: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New
- 2. Eastern Region: Pennsylvania, New Jersey, Delaware, Virginia, West Virginia and Maryland
- 3. Southern Region: North Carolina, South Carolina Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, Tennessee, Arkansas, Puerto Rico, Virgin Islands.
- 4. Central Region: Kentucky, Ohio, Indiana, Illinois, Michigan, Minnesota, Wisconsin, North Dakota, South Dakota, Iowa, Oklahoma, Missouri, Kansas, Nebraska
- 5. Western Region: Montana Idaho, Washington, Oregon, Alaska,

elected from each of the five ABA Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, California, Hawaii, Pacific Islands

> These Officers shall be elected for a term consistent with the schedule of the American Postal Workers Union National Convention and shall be elected by the delegates present and voting at the ABA National Conven-

#### **ELECTIONS**

Election of Officers takes place by the delegates in attendance at the ABA Convention

- Candidates for the positions of President or National Director shall be elected among all delegates present and voting at the Convention.
- Candidates for the offices of Regional Director shall be elected by the delegates representing that Area.

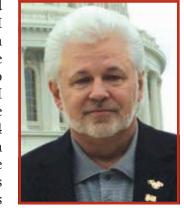
Here's hoping that by printing the above guidelines we will have a large turnout, resulting in a positive and productive ABA Convention.

### **Eastern Region Director**

### David Dunkle

# I Love The APW Accident Benefit Association

Hello Brothers and Sisters. Years ago, I was almost killed in a car wreck and the APW-ABA came to my financial aid and I never forget it after the money arrived only 4 days after my claim was filed. I love the ABA because it has helped so many across



our great land since 1891. I'd rather get my coverage from an organization run by retired and current APWU postal workers who I know understand my needs. I also believe in helping my own before helping others.

The American Postal Workers - Accident Benefit Association comes from very humble beginnings in 1891. It was incorporated on December 12, 1898, and originally named the "National Association of Railway Postal Clerks."

It was started by several Railway Mail Clerks who had very dangerous jobs hanging out of trains attaching mail sacks to hooks as the train moved on. As a result of the immense danger, no company would insure them, so they started the "National Association of Railway Postal Clerks."

On September 5th, 1972, the organization's name was changed to the American Postal Workers Accident Benefit Association, (APW-ABA) which has paid out millions in claims and remains solvent today even after the great depression and more recent recessions.

My local is a 100% APW-ABA local enrolled in the Advantage Plan and I am so proud to remind you of the changes implemented by myself and other members on the Board of Directors that took effect on January 1, 2019. The previous Advantage Plan \$10,000 accidental death benefit was changed to \$24,000 and the dismemberment pay outs were also increased, with no increase in premiums. In my opinion the APW-ABA Advantage Plan is a better bang for your buck because it pays out more than the Value Plan when an employee gets injured accidentally. This also helps us sign up new members with greater frequency when they find this out. If you have ABA coverage and your local does not and you want to get the reduced rates 100% APWU Organizations enjoy, you simply go to your local APWU meeting and make a motion to join the ABA Advantage or other plan(s). If it passes, your President will only need to call our great staff at the APW-ABA headquarters in New Hampshire and soon you and all your local brothers and sisters will enjoy not only the reduced rates, but the good feeling you'll get knowing that your motion caused others to be covered like yourself with 24 dollar a day pay outs for up to an entire year if you have the Advantage Plan and those increased accidental death and dismemberment pay outs, if applicable.

Brothers and Sisters, if you're tired or frustrated with your local union spending money on parties or other things that some, but not all can enjoy, it's time you should consider what I believe is a wiser use of your Local Union funds that helps all local members rather than some. If you put your thinking cap on, you can probably figure out where money can be diverted from one local activity to pay for APW-ABA

benefits or add it to your local dues at a current rate of \$3.00 a pay period for 100% locals with Advantage Plan. PLEASE JOIN THE ABA!

I have sincerely loved serving you during my last term and I hope you will support me in my re-election efforts.

USPS EMPLOYEES WITH
QUALIFYING DISABILITIES AS
DEFINED IN THE AMERICANS
WITH DISABILITIES ACT (ADA)
AS REFERENCED IN 791 OF
THE REHABILITATION ACT
CANNOT BE FORCED INTO
ANOTHER CRAFT

Employees of the USPS are covered by the Rehabilitation Act for disability purposes. 29 CFR 791 states in part: SEC. 4. *Definitions*. (a) "Disability" shall be defined as set forth in the ADA Amendments Act of 2008.

The Definition of the Discrimination in the ADA is: A person who has

a physical or mental impairment that substantially limits major life activities; has a record of such an impairment; or is regarded as having such an impairment. *Major life activities* are defined as functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

All a worker needs to do to achieve disability status is get a doctor to put in writing the conpermanent and write the exact wording for disability related to any of the parts underlined above and have proof the USPS received it and the USPS then must treat you as per the law. Certified mail is a good way to send it to USPS or have a supervisor

sign for it on the copy the employee keeps.

I would never suggest an employee with a work-related disability take disability retirement from USPS. The employee should stay on OWCP compensation which normally pays the employee more than normal disability retirement. I believe the employee should stay on the Compensation until employee gets enough years on rolls with USPS, so when they request regular USPS retirement it is more

than the compensation. Otherwise, they should stay on OWCP Compensation if possible.

Employees who are not injured on the job may not be able to do work in another craft, but the USPS has been known to try to send employees to other crafts to cause friction between the injured employee and employees in the other craft in hopes said injured employee will resign because of co-worker harassment or USPS is just trying to look for an angle to fire the employee if they don't accept the job offer in another craft. One downside for the USPS bringing an employee back to work with a non-work-related disability or other non-work related medical problem is that condition can be aggravated while at work and if it is and the employee files a CA-1 for compensation then wins they can stay on OWCP compensation which pays at the rate of 75% an employee's base pay if they have eligible dependents such as a spouse and/or young children and 66% if not.

For those of you with a non-work-related disability who don't want to go to another craft I have good news. The USPS cannot force you to go to another craft if you meet the criteria in Title 5 U.S. Code § 8337 that states: 5 USC § 8337a - DISABILITY RE-

5 USC § 8337a - DISABILITY RE TIREMENT

An employee who completes 5 years of civilian service and has become dis-

and efficient service. For the purpose of the preceding sentence, an employee of the United States Postal Service shall be considered not qualified for a reassignment described in that sentence if the reassignment is to a position in a different craft or is inconsistent with the terms of a collective bargaining agreement covering the employee. A judge of the United States Court of Appeals for the Armed Forces who completes 5 years of civilian service and who is found by the Office to be disabled for useful and efficient service as a judge of such court or who is removed for mental or physical disability under section 942(c) of title 10 shall be retired on the judge's own application or upon such removal. A Member who completes 5 years of Member service and is found by the Office to be disabled for useful and efficient service as a Member because of disease or injury shall be retired on the Member's own application. An annuity authorized by this section is computed under section

This language can also be used by the APWU stewards to prevent someone coming over from another craft, if they can establish the person from the other craft has a disability.

8339(g) of this title, unless the employee

or Member is eligible for a higher annuity

computed under section 8339(a) through

(e), (n), (q), (r), or (s).

Locally I use a form previously called the M-16 for all disability or non-disability medical problems that, in the right hands and

completed in a way beneficial to employee, can be used not only for OWCP, but other disability and non-disability situations. If you decide to use the below form however I would not use the M-16 number. Reason, I was contacted by OWCP some time ago regarding the form. They were concerned about the widespread use of the M-16 form probably because it made it so easy for employees to get disabilities and OWCP claims approved. I suspicion, they have advised doctors across the USA not use the M-16 form. No problem, if you use it just take the number off form and tell the employee to tell the doctor it is information needed for your USPS employment. The doctor will

probably assume, since it does not have a number and believes it is for employer will complete it. Most doctors are from wealthy families and more than not they side with management, so keep your guard up.

My experience with most Doctors is they are great in their field, but otherwise, not so much. Anyway, the form I referenced is supplied for your review and use if you desire. Or if you would like, please contact me at kyowva45@comcast.net for a pdf copy.

MEDICAL EVALUATION FORM M-16 Sent by Certified # :			
Fatient's name:			
Date of Examination of the above patient:			
1. What is the patient's diagnosis ?			
2. is the patient suffering from Epilepsy? If yes, is the Epilepsy under adequate control ?	YES NO NO	7	
<ol> <li>Is the patient suffering from a physical or mental impairment that substantially limits.</li> <li>the patient in his/her ability to work or engage in one or more major life activities?</li> </ol>	YES NO		
4. What is the patient's prognosis ?	GOOD BAD UNCERTAIN		
5. Will the patient be incapacitated from work for any period of time? If so, through what dates ?	YES NO	_	
6. May patient return to full duty at U. S. Postal Service?	YES NO	$\neg$	
7. Is patient able to work under some form of limitation(s) as it relates to this diagnosis?	YES NO		
If so, does patient have the recessary skills as well as physical ability to perform his/her normal USPS job requirements with reasonable accommodations for this impairment?	YES NO		
Will patient benefit from this accomodation ?	YES NO	$\overline{}$	
Does patient need accomposation to improve his/her quality of life ?	YES		
B. Could patient currently be hazardous to patient's self or others if at work ?	YES NO		
9. Is the patient being treated for the above diagnosis by any hospital or other doctor ?	YES NO		
If yes, has the patient been officially discharged ?	YES NO	-	
<ol> <li>Based on your current knowledge, is the patient's above diagnosed medical status related to and aggravated by the patient's employment with the U.S. Postal Service.?</li> </ol>	YES NO [		
<ol> <li>In the patient suffering from a Family Medical Leave Act (FMLA) qualifying serious health condition in duration of more than 3 days?</li> </ol>	YES NO .		
12. Is above diagnosis a permanent or temporary condition for patient ?	Permanent, unless there is change	Ÿ	
13. Is schedule(s) below considered prescribed medical care for patient improvement ?	YES NO		
a. How many days a week should petient work at the straight time rate ?	WITHIN 7 DAYS		
b. How many hours a week should patient work at straight time rate ?	NO MORE THAN	$\Box$	
c. How many days a week can patient work at some form of overtime rate ?	DAYSAW	EEK	
d. How many hours a day can patient work at some form of overtime rate?	Hours A (	DAY	
14. Is patient being referred to any other physician(s) by you 7	YES NO		
If \$0, who is this physician(s)?			
Put additional comments or limitations on attached page(s).			
sformation on form M-16 precludes any information on any other formits that I sign that appear	CATCHING THE COLOR OF THE COLOR OF THE COLOR OF	epute	
ATTENDING PHYSICIAN'S SIGNATURE ATTENDING PHYSICIAN'S NAME	DATE DATE		
ATTENDING PHYSICIAN'S ADDRESS:		_	

abled shall be retired on the employee's

own application or on application by the

employee's agency. Any employee shall be

considered to be disabled only if the em-

ployee is found by the Office of Person-

nel Management to be unable, because

of disease or injury, to render useful and

efficient service in the employee's position

and is not qualified for reassignment, un-

der procedures prescribed by the Office, to

a vacant position which is in the agency at

the same grade or level and in which the

employee would be able to render useful

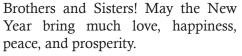
### **Eastern Region Director**

### Sherry C. McKnight

# Gift Card Scammers

Greeting Brothers and Sisters,

Hope this article finds you all in good health. You have survived another year of turmoil and loss, and you have made it! Let's open our hearts and minds to welcome a positive year. Happy New Year 2022 my



#### **GIFT CARDS SCAMS** Are you being scammed? Here's how to know and what to do.

If someone asks for payment in the form of a gift card, just say no.

Sound weird? It should, because there's no legitimate company or government agency that will ever ask for payment in gift cards. The call, text or email might seem on the up and up at first. It might say you won a crash prize, or that your computer needs updating, or on a darker note, that you owe back taxes that need to be paid or you risk going to jail.

Of course, the scammers say, you can easily take care of all of these situations with some money, transferred over to them in the form of a gift card.

#### LOOK OUT FOR **SCAMMERS**

Scams target people of all ages, but the most vulnerable tend to be older adults.

Scammers that target elderly people can have a big impact on their

retirement from the money they can lose. According to the National Council on Aging, seniors lose an estimated \$3 billion each year to financial scams! Those in or near retirement can't afford to fall for scams.

#### PEOPLE ARE FIGHTING **BACK AGAINST GIFT CARD SCAMMERS**

#### Here's how:

Many of the scams will start with emails or robocall, then move to where you speak with someone. The person on the phone will use social engineering to try to convince you to buy the gift cards, then read them the numbers over the phone.

Some scammers will try to convince victims that they work for the Internal Revenue Service and are seeking the payment of taxes, then ask for that

payment in the form of gift cards. Others make no bones about the facts that they're criminals, claiming that they've taken over a victim's bank account and threatening to empty it if they don't get paid off with gift cards.

In some cases, scammers will convince victims that they're going to send them money. They'll convince victims to hand over access to a computer by asking them to install a remote connect with an app like Team-Viewer or LogMein. They will then ask the victims to log in to their bank account to check that the transfer went through. But while the victims are on their banking sit, the scammers will modify the webpage code to show a transfer of money that's bigger than the one promised. Then the scammers will ask for a refund of the difference in the form of gift cards. But in reality, that transferred money doesn't exist.

One of the more convincing scams involves people impersonating CEO's or other high-ranking officials at companies. The scammers will email or text employees at a given company, saying they need somewhere in the range of \$500.00 to \$2,000.00 to reward employees, or perhaps for gifts for family members.

In addition, though tech-support

scams, which often involve convincing victims that their computer is either infected with a virus or needs to be updated, will primarily ask victims to "pay" with a credit card, some of the people behind those scams are now also asking for gifts cards.

#### **GIFT CARD SCAMS ARE GROWING, AND WE'RE ALL PAYING THE PRICE** Why Gift Cards?

Gift cards are popular among scammers because they're easy to sell and virtually untraceable. And unlike credit cards, where charges can be reversed, there aren't any build-in consumer protections. Once a card is used, the money is gone for good.

#### **HOW TO TRY TO AVOID GIFT CARD SCAMS**

To try to avoid that, only buy gift cards in tamper-proof packaging if you are purchasing them from a rack in a store. Consider buying gift cards online, direct from the merchant, and even then, you should change its PIN as soon as it is activated. It's estimated 33 percent of us have been grifted by gift-card scammers.

Remember to not fall in the hands scammers!

— SOURCE: cnet.com

### **Southern Region Director**

### Kenyon Beasley

# **Emergency Preparedness**

Greetings Sisters and Brothers. A new year is now upon us and hopefully everyone was able to enjoy a safe and prosperous holiday season. Now that company and conversation of and with close family and friends is something to look forward to, during the next holiday season, we are encouraging you to give some thought to emergency preparedness for the rest of the year.

At the printing of this article, the sovereign country of Ukraine has been invaded by another sovereign country, Russia. It has been quite some time since we have seen a declaration of war on this scale, and I bring this up only as an example of how quickly things can change without warning. Prior to the invasion the Ukrainians were going to school, to work, meeting in parks, etc. All the activities of

a normal life, but the definition of an emergency is an unforeseen circumstance or action. I have no doubt that the citizens of that country are in utter disbelief at the recent change in lifestyle. As an ABA Member, it is quite evident that you possess the forethought to prepare yourself for a "just in case" scenario, but below I have included some advice and tips which could prove to be even more valuable in an emergency situation.

- Emergency Water supply
- Emergency food supply, including specialty foods—such as nutrition drinks and ready-to-feed formula—for infants, people with dietary restrictions, food allergies and sensitivities, and medical conditions such as diabe-
  - Prescription medicines

- Prescription and home-use medical devices, such as:
- Assistive technologies, including prescription eyeglasses, hearing aids, wheelchair and walker
- Contact lenses and disinfecting solution
  - Asthma inhaler
  - Epinephrine autoinjector
  - Blood sugar monitor
  - Medical supplies, such as:
  - Antibacterial wipes
  - Catheters
  - Syringes
  - Nasal cannulas
  - Blood test strips
  - First aid supplies, such as:
  - First aid reference
- Non-latex gloves
- A thermometer that is easy to use and to read, for example, a digital

thermometer with a replaceable bat-

- Waterproof bandages and gauze
- Tweezers and scissors
- Antibiotic cream or ointment
- Infant and childcare supplies
- Pet supplies
- Smoke detectors and fire extinguishers throughout your residence
- Flashlight and batteries (Car and Residence)
  - Blanket and water (Car)
  - Battery powered radio
  - Emergency clothing
- Power supply (Cellular phones, computer, etc)
  - Cash on hand

Everyone has different circumstances, so feel free to add or subtract from the list. The main goal is to be somewhat prepared for an emergency.

### **Central Region Director**

#### Edward J. Brennan

# The Postal Press – The Written Voice Of The Postal Worker

The postal press is the written voice of the American Postal Worker. It can speak out to the postal workers about all things internally that affect their jobs and externally things that affect their lives outside of the workplace.

An example of an item outside the postal service that would be of interest to postal workers and every citizen

of the United States and could eventually affect every postal worker in the United States, is the Russia-Ukraine war. An example of an issue of importance to every postal worker that could receive more publicity is the American Postal Workers Accident Benefit Association.

erated by American postal workers. Many postal workers of the APWU take advantage of their exclusive right to this outstanding benefit while some are overcome by an overload of workplace problems and grievances and overlook this low-cost union sponsored benefit.

Postal editors should set aside a This organization is owned and op-special publication for their members

showing the importance of the Accident Benefit Association. Once published, locals or states should consider joining 100% in the Accident Benefit Association Group Discount Plan. What a good way to increase your membership and provide your members with a great benefit. Please think about joining today!

### **Southern Region Director**

**Larry Sorrells** 

# Important Months And Mentoring

history of Organized Labor and the history of the United States are upon us. One is February, which is Black History Month. The other is March, Women's History Month. African Americans have always been an extremely vital and important part of the Labor Movement. A. Phillip Randolph of the Sleeping Car Porters Union was very instrumental in Organized Labor and its effect on working people struggles. He was a great spokesman and organizer for Labor and was a fighter for the Civil Rights Movement. He clearly made this country better for his people and all working families. He was a great American and should

who was an important part of the history of Labor and our Country was Mary G. Harris Jones, known as Mother Jones. She lived up into her 90's from 1837 to 1930. She was an organizer for the Knights of Labor (a forerunner for the AFL-CIO) and later the United Mine Workers. She was active in getting wives and children involved in labor struggles. She got churches involved in Labor also, as she had a brother who was an important Catholic priest in Canada. These are but two examples of African Americans and women who were "lions of labor" in our history. Both groups were instrumental in war efforts from the Revolutionary

II, and conflicts since then. Women were very important in World War II, when the "Rosie the Riveter" women came on the scene and worked the factories doing work in the war effort. Both groups have been important in education, medicine, science, politics, etc. I salute those brave and tireless African Americans and women who have meant so much to our history. It was an oftentimes difficult and dangerous endeavor.

I wanted to list some of my mentors in my time as an APWU representative. I apologize in advance because I know I will miss someone. Here they are: Moe Biller, Bill Burrus, Andy Anderson, Kenny Wilson, Cliff Guffey,

Two very important months the receive more recognition. A female War, Civil War, World War I and Bob Tunstall, Doug Holbrook, John Kelly, Bob Stutts, Jimmy Fouts, Ranny Erskine, Mike Morris, Jim Mc-Carthy, Liz Powell, Pat Davis-Weeks, Bob Bloomer, Bob Kessler, Benny Frizzel, Jim Adams, Jim Lingburgh, Bruce Haberman (Asheville, NC Local), Bill Sullivan, Omar Gonzalez, Terry Stapleton, Mike Gallagher, John Dirzius, Sharon Stone, Richard Phillips, Martha Shunn, Tom Maier, LeRoy Moyer, Rob Strunk and many others. Please consider being a mentor to others, in your church, your union, your community, your families, civic organizations, to children and young adults, and the list goes on. It has been a blessing to me and invaluable. Pass it on, it is worth it.

### Vice President & Central Region Director

Keith M. Richardson

# How To Report With PS Form 1767



Greetings Sisters and Brothers,

On behalf of Brother Ed Brennan and I, we want to extend well wishes and hope you all are staying safe & injury free. Although the ABA is here for you in case you unfortunately sustain an injury while working on or off the job, we would rather for you to steer clear of injuries or being injured all together. As a reminder it's important to be aware of your surroundings especially while at work. If while working you notice any unsafe conditions, hazards or work practices, **REPORT THEM!** 

For your reading pleasure we're providing you with the text from an Article from the National APWU on How to Report Hazards, Unsafe Conditions or Practices with PS Form 1767:

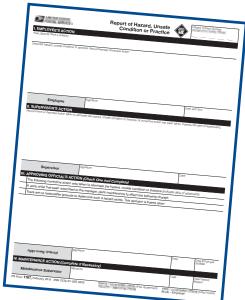
"This form is to be used to report hazards, unsafe conditions, work practice and, in the opinion of the APWU, hostile work environments. You can use this form to report anything that you think could jeopardize your health: Dirty conditions, pests, mold, disturbed or broken building materials (tiles, insulation, etc.)

The form must be readily available and easily accessible to all workers on the workroom floor. You should not have to ask a supervisor for a formthey are not supposed to be locked up in a desk or stored where an employee cannot get them. The form can be submitted anonymously, but if it is you will not receive back a copy of the form that includes management's actions to abate the problem.

The **ELM in Section 824.6** has very clear explanations of how the form is to be used with both supervisor and employee responsibilities listed. The text of ELM 824.6 is below.

Although a fillable PDF form is included here on our website, we recommend that you utilize the 4-copy NCR form provided by the USPS in your workplace so that you can get your copy returned to you. By doing so, you can see what abate actions were completed or ignored. Also, having a copy helps your union representative if they need to file a grievance on the safety issue that is not being addressed.

If you have questions about the



form, need help completing one, or can't find one in your office, contact your local union representative."

Also see the attached PS Form 1767.

Hope this is helpful. Stay safe and accident free!

In Solidarity.

## **West Region Director**

**Marty Schneider** 

# Where There's Smoke, There's Lung Cancer

Brothers and sisters, it is time again to turn our thoughts toward convention. We gather as a body to conduct the official business of this long-standing organization. This vear we shall meet in National Harbor, Maryland on Monday August 15, 2022. Our tasks include election of board members and reviewing the past three years of business as well as any constitutional changes or housekeeping to our constitution that arise before the APW-ABA.

Since we have not gathered due to the pandemic, this convention is especially important. The convention that should have occurred in 2020 was postponed to 2021 and unfortunately in 2021, it was cancelled. It will be much anticipated, and we will be looking forward to seeing all attendees there.

Also, in 2022 we will administer the APW-ABA Scholarship Program. Two very fortunate graduating High School Seniors will be awarded \$1000.00 each for merely sending in an application as the child or legal ward of an APW-ABA member in good standing. Deadline for application is May 15, 2022. The choice is by simple lottery - so High School Seniors jump in and apply! Blank applications are on the APW-ABA website.

Switching gears to a pet topic of mine since I was 17 years old: I would like to address the link between smoking and lung cancer, as well as second-hand smoke and lung cancer. Statistics prove that once someone begins smoking, they are almost likely to become a regular user. The statistics also prove that after many

years of smoking the odds and probability are that lung cancer will follow. Even after quitting for a long period, the disease can surface. Personally, I never acquired the habit. My parents did not permit smoking in our home. They never smoked. That did not deter my two brothers and my two sisters from the forbidden fruit. And alas one of each has been diagnosed with cancer. It claimed my eldest brother. My eldest sister hopefully has beaten cancer through radiation.

The upshot of the story is simple. If you don't smoke, please don't start. If you do smoke, please try anything (legal) to quit. There are smoking cessation programs available through our health plans. Hypnotism is known to work for some, and anti-smoking medication is

available through your doctor.

I recall in 1988, the Postal Service prohibited smoking in the workplace. (Prior to that, not only was smoking permitted but USPS provided clip-on ash trays that affixed to our metal cases.) This is where second-hand smoke comes into play. While folks like me were never smokers, the employee on the right and the employee on the left may very well have been smokers. There was no escaping the odor or the damage that occurred. If a family member smokes and children or a spouse are around the smoker constantly it only spells trouble. So once again if you don't smoke, don't start. And if you do smoke, please quit. The life you save may be more than just yours.

In Solidarity.

# 2022 APW-ABA Scholarship Program

# Honoring Thomas Hartos, Michael Tosches & Eugene Johnson

#### 2022 APW-ABA SCHOLARSHIP PROGRAM

honoring

THOMAS HARTOS, MICHAEL TOSCHES & EUGENE JOHNSON

#### **APPLICATION**

**APPLICATION DEADLINE: MAY 15, 2022** 

#### APPLICATIONS MUST BE FILLED OUT IN THEIR ENTIRETY

ADDRESS:

NAME

CITY:	STATE:	ZIP:	P	PHONE#:(	_)			
I will graduate from				High Sc	hool, which is located			
in			in					
in, (City – State)			(Month – Year)					
I will be enrolled for the		term of _		_ at				
			(Year)		(School)			
in(City – Sta		My	father, mo	other or legal	guardian is a member			
in good standing in the ABA a	nd the				Local APWII			
	id the		Local nam		Bocurri we.			
ABA Member's EID#			_					
ABA Member's email address:				<u></u> @	·			
(Student - printed name & signature)								
(Parent/Guardian - printed name & signature)								
ALL APPLICATIONS MUST BE SENT TO:  ABA Scholarship Program PO Box 120 Rochester, NH 03866								
This section to be completed by ABA National Director								
This application has been reviewed and certifies that the above member is a member in good standing of the Accident Benefit Association.								
Local Name		Loc	a1 #	Date	Recv'd			
ABA Nat'l Director				- Date				

# 2022 SCHOLARSHIP GUIDELINES AMERICAN POSTAL WORKERS ACCIDENT BENEFIT ASSOCIATION

- 1). The scholarship announcement, application and guidelines will be mailed each year to all Local and State Presidents and ABA Board of Directors, no later than March of each year. The announcement and application will also be printed in the ABA News Digest as well as posted on the official ABA website. The deadline for returning the scholarship application will be set forth by the ABA.
- 2). All entrants must submit a completed application which will be verified by their local or state president or by the ABA home office. Properly completed applications will be entered into a drawing for a one thousand dollar (\$1,000) scholarship. Entrants must be a graduating high school senior who is the son, daughter or legal ward of a member of the ABA.
- 3). The scholarship award is limited to a one time amount of one thousand dollars, (\$1,000). Two scholarships will be awarded per calendar year.
- 4). The scholarship drawings will be held at the ABA home office no later than June of each year. These drawings will be strict "luck of the draw", meaning the entrants pulled are the winners. No preferential treatment will be given to any entrant. All applicants will be assigned a random number for drawing. The winners will be drawn from amongst all applicants and notified by certified mail.
- 5). Scholarships will be paid directly to the school that has been designated on each winners application. Each winner will also be required to submit an acceptance letter and photograph accompanied by a biography which will appear in an issue of the *ABA News Digest*.
- 6). The National Director will coordinate the scholar-ship program with the authority to settle any or all eligibility requirements or disputes that may arise.