

Postal Regulatory Commission

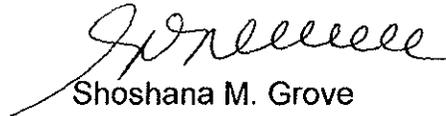
Washington, D.C. 20268-0001

NOTICE OF FILING UNDER 39 U.S.C. § 404(d)

TO THE UNITED STATES POSTAL SERVICE:

Please take notice that on February 22, 2010, a letter and supporting documents were filed with the Postal Regulatory Commission by Simon Sanchez Jr., of the American Postal Workers Union, Local 1992, P.O. Box 56, Elko, Nevada 89803-0056. Mr. Sanchez's letter objects to the closure of the East Elko Station, Elko, Nevada 89801. While not necessarily in the form required by the Commission's rules of practice, 39 CFR § 3001.110 *et seq.*, the document may nevertheless ultimately be found to constitute an appeal appropriate for consideration under 39 U.S.C. § 404(d). A copy of the document is attached for reference.

This notice is advisory only and is being furnished so that the Postal Service may begin assembling the administrative record in advance of any formal appeal proceedings held upon the alleged (closing/consolidation) for transmittal pursuant to 39 CFR § 3001.113(a) (requiring the filing of the record within 15 days of the filing with the Commission of a petition for review).


Shoshana M. Grove
Secretary

Date: February 23, 2010
Attachment

AMERICAN POSTAL WORKER UNION
LOCAL 1992
POST OFFICE BOX 56
ELKO, NEVADA 89803-0056

February 19, 2010

Postal Regulatory Commission
Docket Clerk
Joyce Taylor
901 New York NW
Suite 200
Washington, DC 20268-0001

Encl: (1) Letter to Mr. John Potter dated January 29, 2010.
(2) Letter from the National League of Postmasters Legislative White Paper dated January 28, 2010.

Subject: REQUEST FOR APPEAL TO POST OFFICE CLOSURE OF THE EAST ELKO STATION, ELKO NEVADA

Dear: Postal Regulatory Commission

I have attached several letters from the National League of Postmasters to the Postmaster General, which supports the concerns of our community, postal employee's, and the Local Union members of the American Postal Worker Union.

The concern of our community, Union Members and myself is why is the East Elko Station not listed in your list of pending Post Office for Closure (DOCKET PI2010-1). The East Station is scheduled to be closed on February 19, 2010 and dismantle on February 20, 2010. I attempted to file a complain with your organization, but your system does not allow for more than 1000 words.

As a user of the East Station for mailing, purchasing stamps and other services I am turning to you for assistance and am requesting to appeal the decision to close the East Station Post Office in Elko, Nevada.

The reason for this request is the Postal Service in their effort to close this station, has created a panic by issuing a news release stating the closure of the facility, as if it was closed yesterday. The Postal Service has never discussed the issue of the closure and how it may affect the community with the Mayor, City Council, County Commissioner, or any of the elected official in Elko.

The District Manager spoke only to three members of the Chamber of Commerce in a private meeting, in which the District Manager demanded that any subject discussed in the meeting was to remain private and was not to leave the meeting room.

The City Officials had to rely on the press releases, which were not accurate for information on the status of the East Elko Station. The Postal Service claims a Business like operation, my foot, this is clear and simple back room dealing, which they are getting better and better at.

The Postal Service stated that surveys were provided to all box holders and the general public; this is a twisted half-truth. The general public were required to stand in line and request a copy of the survey; they were not placed in an area, which was easily accessible for anyone to pickup.

The East Station main boxes holders are customers who live in the rural areas of Elko, these areas are known as Osino, Ryndon, and White Rock. Many customers opened post office boxes at the East Station because it is nearest their line of travel home and mail delivery for these areas are limited to several large cluster boxes, which have in the past been vandalized and broken into. The main walk-in customers at the East Station are employees from the mall stores, employees from the hotels, casino, and other small business within walking distance of the East Station. This is the only facility on the east side of town. All other postal facilities are on the west side of town. Package pickup and mailing packages are the main activities at the East Station, so moving to street delivery will require customer to travel to the west side of town, which is not open on weekends. The East Station use parcel locker for their customer, now many customers will need to miss work or leave early to pickup packages. The Highway Contractor does not do package delivery in the White Rock, Osino or Ryndon areas.

The Postal Service states the cost cutting is the main reason for this action, with the closure date as February 19, 2010. The current lease agreement does not expire until February 28, 2010, yet in an effort to insure the East Station is permanently closed, the District Management has directed the maintenance employees to work over time on Saturday, February 20, 2010 and destroy any evidence that a post office was once located at the address.

Cost cutting yet we pay overtime to destroy small post office, so that the Postal Service can cry "its too costly to reopen". I urge your quick action to halt the Postal Service action to destroy our East Elko Station. Many of the original box holders have held the PO Boxes since opening 15 years ago. With the growth over the years the Spring Creek Post Office was open, yet many of the customer who live in Spring Creek kept the PO Boxes until the Postal Service reduce the staffing to one clerk back in October 2008. This created long lines and lost the great customer service they had become use to over the many years.

Under the current Joint Interpretation Manual (JCIM) requires notice to the Local Union, and then a meeting with the Local, as well as an opportunity for input on the proposed changes. Management unilaterally imposed the changes without notice, meeting or allowing input from anyone, not the Mayor, City Council, County Commissioner, or any elected official from Elko.

The Union's hands have been tied, because of the time limitation placed on the Union by our contract. Just like the removal of the automation equipment from the Aspen Station, the Union filed a grievance, which is still waiting to be heard in the next 4 years. The automation equipment was cut up and sold for scrap, while our grievance goes through the procedures. The action of the Postal Service leaves the community, customers, and the employees without due process.

I urge the Postal Regulatory Commission to halt the closures and require the Postal Service to comply with current rules and regulations, which by law they are required to follow. Without checks and balances the financial challenges we face will only help take the postal service out of business.

Sincerely yours,



Simon Sanchez Jr.
Steward, Local 1992

To Whom It May Concern

Re: East End Post Office

I am writing this in the hopes that my voice will count as far keeping the East End Post Office open. I realize that the US is having a tough time, along with everyone else, but I think the alternatives you may or should consider before reducing the this branch.

I indirectly worked for the USPS as a contract highway driver year, so I have an idea how the system works (or doesn't). Too much upper end management that is not cost effective while workers themselves are over worked. I know at the East End they are open for business, there is always a line waiting, and workers have a hard time getting the mail out..How can you be cutting this office , I am surprised that you are even thinking cutting the hours!?

Please reconsider keeping the office open, surely there are compromises that can be made to help run the whole system efficiently.

Sincerely,

Stacy Mecham

P.O. Box 5592

Elko. NV 89802

2/11/2010

I am appalled for what you are going to do to those of us at the East End Post Office.

I have had my Post Office Box for more than fifteen (15) years. I love this Post Office. The service given is outstanding. They may be small public with a smile and care.

I don't live in town. There are boxes, but at times I notice I would have bikes, kids, drunks. I work from 7:30am to 5:30pm. Where am I to go to mail? Last I heard, the boxes out at Ryndon (though I feel the mail is not there).

How would I get my packages, Elko Main Post Office? That's a joke on the other side of town. I only have my lunch hour to pick up my mail, with a long line is always extremely long with only one person. The East End Mailboxes are each other when the line gets long. At the Main Post Office, when they go into hiding.

I am a Department (State) Treasurer, I get a lot of mail and packages. How do I get them and work too?

I feel what you are doing to the patriots of the East End Post Office.

You also say, Elko Aspen Station. Is there ever a person behind the counter? They say it's open but no one is there. At least we know they care about us at the East End Mall Post Office.

This is my opinion

Bonnie J Rigsby

Bonnie Rigsby
PO Box 5914 (East End Mall)
Elko NV 89802



LEAGUE

National League of Postmasters
of The United States

Mr John Potter
Postmaster General
US Postal Service RM 10022
475 L'Enfant Plaza, SW
Washington, DC 20260

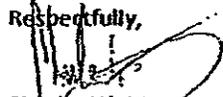
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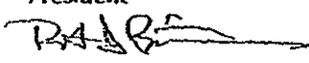
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The League of Postmasters knows full well of the financial challenges that continue to face the Postal Service, but that cannot be used as an excuse for the poor treatment of your Postmasters, especially in light of the fact that most of our issues began before the Postal Service fell into the economic downturn. We will continue to carry the Postal Service by managing its post offices, and managing them well. We will again carry the issues of the Postal Service to Congress as we have for decades, but this year, the issues of Postmasters will be our priority in the halls of Congress.

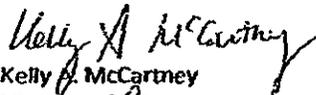
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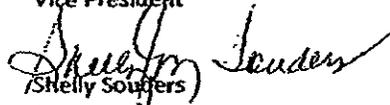
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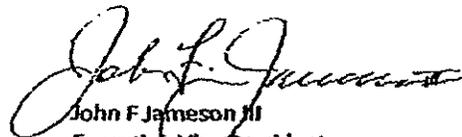
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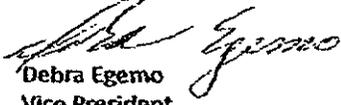
Shelly Soufers
Secretary/Treasurer



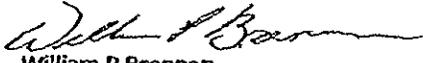
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**National League of Postmasters
Legislative White Paper
Postmaster Hours and Post Office Management
Practices.**

January 28, 2010

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No one knows this better than America's Postmasters. Postmasters are on the front lines and see and feel the effects of the recession on operating budgets and employee complements more than anyone. Throughout this crisis, Postmasters have responded heroically to the challenge.

Shifting Hours.

In FY 09, the Postal Service cut over a million work hours. While some of those hours are hours saved because mail volume is down, the vast majority of the time has *not* been driven out of the system, as claimed by the Postal Service. In fact, many of the so-called work hour savings are actually hours shifted to the backs of Postmasters who must not only perform their job, but also perform much of the job of clerks and carriers. Over the last several years, the Postal Service has failed, by design, to adequately staff post offices, or the Postal Service has deliberately failed to budget sufficient work hours to adequately operate a post office. The result has been that either the Postmasters took up the slack, or the system crumbled.

For example, instead of having five or six clerks or carriers work two to six additional hours per week, that 10 to 36 hours of work has been shifted from those clerks or carriers who get paid by the hour to the one person who does not get paid by the hour—the Postmaster. The result, as this example shows, are six (sometimes seven) day work weeks, that range from 50 hours to 76 hours per week for Postmasters. Critically, instead of being occasional occurrences, this practice has become standard operating procedure, month in and month out, throughout the country.

Additionally, in those offices that are supposed to have supervisors, the Postal Service initiated a freeze on the hiring of supervisors. In some cases, this left Postmasters little choice but to do two or more jobs where supervisor vacancies opened up or existed. In other cases, where extra hours by supervisors were needed, those extra hours were denied by upper level management, since supervisors are entitled to be paid for *all* hours worked. Again, the Postmaster had to make the time up, since the work did not disappear and service had to be maintained.

For the past 3 or 4 years, this has become an increasingly popular strategy in the Postal Service. During this same time period, the Postal Service also willfully shifted work from other employees to Postmasters. As the Postal Service eliminated or reduced different functional groups in districts, such as Finance, Human Resources, and Training and Development, Postmasters had to take up the slack as best they could, because there is no one else to do so.

Although Postmasters are accustomed to regularly and routinely working extra hours each week, when needed, the situation has escalated to where it is not unusual for many Postmasters to work fifty, sixty or seventy hours a week, week after week, month after endless month.

This additional workload is taking a tremendous toll on many Postmasters. A recent League survey shows that 60% of FLSA Exempt Postmasters are working 50 or more hours a week. This same survey reports that 45% of Postmasters are working 2 or more weekends a month. These Postmasters are men and women trying to raise families and play active roles in their churches, schools, communities, and other local organizations. Their overloaded workweek is negatively impacting their families, personal lives, and health. Ultimately it is affecting the postal service.

The survey reports that almost 73% of Postmasters state their health is directly suffering from their workload, including bouts of depression, insomnia, high blood pressure, anxiety attacks, ulcers and other problems.

Inefficient and Ineffective Post Office Management Practices by Upper Level Management.

In many districts the working climate for Postmasters is destructive. Every facet of a Postmaster's day and operation is micromanaged. Chasing numbers has cultivated a climate where verbal abuse and threats from senior managers are now in vogue. Not long ago, a high-ranking manager was quoted as saying "those non-performing supervisors should be taken out and executed." Management associations complained about this inappropriate comment. Our complaint was ignored; nothing was done.

Many Postmasters live in fear of their district leaders and are reluctant to speak up on important district issues. Often, small office Postmasters, who are entitled to overtime pay and not represented by unions, refuse to claim those overtime hours because of intimidation from senior managers who do not want overtime to appear on district reports. That is not only morally wrong, it is illegal. Postmasters are even being "disciplined" for the inadvertent errors of their employees. A Postmaster who employs

one hundred mail carriers may be suspended if one of his carriers fails to scan even one collection box.

Another pressing issue is that Postmasters have been saddled with a pay for performance program that is largely ineffective. It is supposed to be a motivator; it is anything but. This is not a bonus program; it is the only avenue through which a Postmaster can get a raise. Last year, because of the manipulation of the program and revenue goals being set artificially high, tens of thousands of hardworking Postmasters were termed "non-contributors" and received no raise while practically every other postal and federal employee received something. If management is going to be honest and respectful of its employees, it should say that there will be no increases, regardless of pay for performance results, and not "fix" the system so that everyone fails. That is neither honest nor respectful.

Finally, the Postal Service has failed the American people, especially those in rural communities, by not filling Postmaster positions in smaller post offices. In many cases, these offices have been staffed by temporary personnel for more than two years. Sometimes a series of managers have been cycled through such post offices, placing the Post Offices generally under management that is neither as trained nor as experienced as the Postmaster, and generally does not know the community as well as the Postmaster. This deprives communities of the Postmasters they deserve, and the service and continuity a Postmaster would provide. This is costing the Postal Service millions of dollars in lost efficiency each year.

For over two hundred years the Postal Service has faithfully filled Postmaster positions in these offices, but now, in 2010, it is failing to do so. The dedicated employees managing these offices deserve better from the Postal Service as do the American people in the communities these post offices serve.

This may not be a pretty picture, but it is an accurate one. Granted, the financial state of the Postal Service is not good. But that is because, as the Postal Service's Inspector General has pointed out, the Postal Service has overpaid \$75 Billion into the Federal Treasury for the CSRS pension obligations. In any case, the state of the Postal Service cannot be used as an excuse to treat people poorly. Postmasters are among the Postal Service's most loyal and dedicated employees. Over the years they have worked under adverse conditions with very little complaint. The National League of Postmasters has taken every issue recounted above to Postal Service Headquarters in efforts to get relief for, or resolution to them. The Postal Service has repeatedly refused to even hear our voices.

Coming to Congress is not an easy move for Postmasters. That choice was not made lightly. But in view of the Postal Service's refusal to consider their issues—much less positively resolve them—Congressional oversight must be exercised.

Congress should open an investigation into these issues and hold hearings. Ultimately Congress should instruct the Postal Service to cease shifting workload from supervisors, clerks, and carriers to Postmasters and get them to realize that such actions are not a long term solution to anything. In doing so, Congress should instruct the Postal Service to institute and follow standards for senior management interaction, cease frivolous disciplinary action, and put into place a reasonable and less complicated pay for performance system for Postmasters.

Finally, the Postal Service should immediately fill all Postmaster vacancies. The increase in efficiency will be notable.

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National League of Postmasters
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Mr John Potter
Postmaster General
US Postal Service RM 10022
475 L'Enfant Plaza, SW
Washington, DC 20260

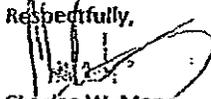
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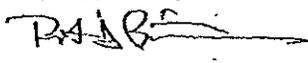
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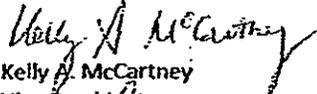
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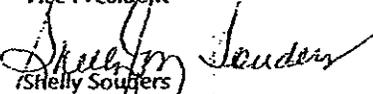
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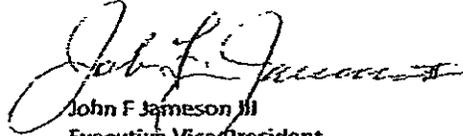
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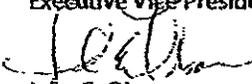

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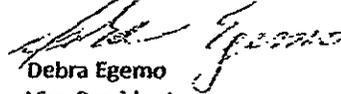

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