

Meeting called to order by President Poston at 07:35PM

Pledge of Allegiance

Memoriam

Roll Call of Officers

With the exception of Trustee Jeffrey Glenn who was excused all other officers were in attendance.

Reading of the Minutes

A motion was made to dispense the reading of the minutes for the previous Branch 40 meeting held September 9th, 2022 by Dan Rupp and was seconded by Bruce Graham. The motion was passed.

Reading of the Bills

Trustee A.T. Wilson read the Bills for the month of September 2022, which totaled 11,230.15 cents. The Bills would be submitted for audit and a copy is included.

Financial Treasurers Report

Mary Campbell-Stack

Spoke about last month's meeting, the bills were considerably higher, as they were for three months. As it stands, we did lose money last year and we expect to have losses for this year. We do need more revenue, and in the future if our revenues substantially increase, we can always submit a By-Law change to address that.

Recording Secretary

Nestor J Chaves

Communications- New Members- Article 10

A letter was read to the members from the NALC Disaster Relief Foundation thanking the Branch for its recent contribution of 233.00.

A copy is included.

Application for new members

Since our last meeting on September 9th 2022, a total of 50 CCA's submitted 1187s for membership into the NALC, Branch 40. A motion was made by Dennis Perk and seconded by A.T. Wilson to accept the new members. Motion was passed, document included.

Article 10

An article 10 charge was received at Branch 40 on September 19th 2022, filed by Tom Tyndall against Midpark Union Steward Jim Bokisa. In accordance with Article 10 the Recording Secretary read the charges in their entirety at this meeting.

In accordance with Article 10, President Poston stated to the members that a three-person committee would be formed and that Charnell Green would lead that committee. A copy is included with these minutes.

President Poston informed the members that the Business portion of the meeting had concluded and next was the By-Laws which were mailed out in the Branch 40 Mailbag.

President Poston recognized Nestor Chaves under Point of Order and at this time Nestor Chaves addressed the members.

He did not speak to the contents of the proposed By-Laws but pointed out that the handing out of proposed By-Laws without the signature of at least 3 members violated our own By-Laws, under Amendments. At the September meeting the members received the proposals and a By-Law committee was identified as Brian Wisniewski, Nestor Chaves and Mary Campbell-Stack. He went on to state that as the Recording Secretary he was bound to mail them out as they were given to him, unsigned. The proposed By-Laws were never vetted, nor are there any recommendations because the committee never met as a stand-alone committee. Understanding the financial duress and the importance of these By-Law changes, which will change the structure of this Branch for years to come, we should not act in haste and circumvent our own rules.

The By-Laws presented were not signed by Committee members Mary Campbell-Stack, Nestor Chaves, or to the best of our knowledge Brian Wisniewski.

At the end of the day the members are the deciders and the proposals have to be presented properly, signed, so the makers can answer your questions. We need to reset and put the brakes on so that we can fix this and move forward.

President Poston recognized former Branch 40 President Dennis Perk.

Under privilege Dennis Perk was not stating his position on the proposed By-Laws. However, he did voice his concern as to how they were presented and was in agreement with Nestor regarding changes in the Branch, dues being an important one. He was concerned that we were rushing ahead, not following our own procedures, and in good conscious did not see how that could be done.

Went on to point out if he had questions regarding the proposed By-Law who would answer them? Who were the maker of these By-Laws? Continued to state while speaking to President Poston that he made it clear the committee was identified as Nestor, Mary, Brian and made it

appear to the Branch as if they had looked them over. Based on what was stated earlier it simply wasn't the case and going forward will just complicate matters. We should back this up and have them presented properly with the names of the makers so we can directly speak to them and discuss them.

At this time Dennis Perk made a motion to have all the proposed By-Law changes tabled until the next meeting to go through the procedure the proper way, have them signed, and take a vote in accordance with our own By-Laws. The motion was seconded by A.T. Wilson.

Under discussion:

Leonard Scruggs, Cleveland Hts., was recognized.

He stated that we needed more time and that one meeting was not enough. Due to the fact we are under conditional time many cannot make the meetings and it wouldn't it be fair to the body. We need to have more information and to know who's involved with it.

Nestor Chaves was recognized. He stated that a committee is charged with breaking everything down and making sense of it. The committee will present itself to you, make its recommendations to the maker of each By-Law and at the end of the day you have the final say.

President Poston under discussion stated that all this was discussed and clarified at the Executive Board meeting with Brian, Patrice, Andre, Nestor, Mary, A.T. , Phyllis, Jeffrey Glenn, and himself were all in attendance. Went on to say that anyone of those could answer your questions.

The Branch is in dire straits losing \$172,000 in 2021. He was handed a Branch he believed could support 4 officers but barely supports three.

He stated that truthfully, he doesn't want to change any of the By-Laws, because he makes a lot of money the way they are.

He stated that Nestor and Mary were well aware that By-Laws were coming in September.

Jeffrey Glenn stated we shouldn't put them out in the summertime due to the lack of meetings and the convention. He also referenced the minutes from the Executive Board meeting.

He called on Brian Wisniewski to comment.

Brain Wisniewski stated he recollected what Eric had stated and went on to speak about the overtime payments, formation of a committee, and for the trustees to look over the raising of the dues.

At this time former Branch President Dan Rupp was recognized.

He stated to the Chairmen that there is nothing more sacred to this organization than our National Constitution and Branch By-Laws. Spoke to the financial issues facing the Branch and his support when the time comes. If we are willing to make excuses or mistakes and not follow our By-Laws, such as getting three signatures, then what will come next. We have to live by our Constitution and By-Laws, they are sacred to our organization. These By-Laws are our contract to the members and we have to live by them.

Eric Poston stated that Nestor had every opportunity to state we needed three signatures and waited until today.

Eric Poston recognized Patrice Ashley

She stated that she was at the meeting referenced earlier and there were discussions about points which were stated. Overall, the purpose of

having a By-Law Committee is to examine each By-Law to see how it would work. She went on to state that he presented the By-Laws at the Branch meeting without her having any prior knowledge he had written them.

She addressed the fact that he identified the committee as Mary, Brian and Nestor but they saw the By-Laws at the same time she got them at the meeting. Went on to state that she was unaware if the Trustees met to determine the union dues increase. Finished her remarks by stating that it isn't right to bypass what has been done in the past.

Tom Griffiths retiree was recognized.

Spoke to the fact that the problem is that no one knows why you want to make the changes and the results of the changes. Stated the constitution does say 10 days from notification for a vote.

At this time Eric Poston asked Dennis Perk to summarize his original motion.

Dennis Perk restated that the motion is to table the By-Law proposals, to start from scratch, to go through the committee resubmitting them with signatures and recommendations for or against, for as long as it takes.

President Poston reiterated that the motion would table the By-Laws so the Committee can sign them with three signatures, and spend the 5000 to 6000 thousand dollars to resend them, followed by subsequent meetings to read and vote.

At this time the motion was passed.

President Poston revisited the By-Laws by stating that he would not benefit nor the leadership team from the changes but the future of the Branch does. Due to monthly expenses, membership numbers, we will be down significantly this year.

Nestor Chaves was recognized and stated that Eric was doing a good job pointing out his work with the new Union Stewards as an example. However, he stated that as the Recording Secretary it wasn't his job to solicit signatures the makers of the By-Laws should have signed them.

Eric Poston recognized Health and Benefits

Patrice Ashley

She was still waiting on information for the upcoming open season. She also spoke about the canvassing that she and Mary Campbell have been doing with the AFLCIO in getting out the vote for the Democratic candidates and touched on her involvement with the AFLCIO retirees' group.

Staying on the topic of the AFLCIO, President Poston talked about signage available for candidate Tim Ryan and flyers for the AFLCIO. The AFLCIO would like to see every member volunteer 4 hours of their time for the upcoming election.

Administrative Vice President

Regina Williams

Spoke to the upcoming elections on the first Tuesday of November and their importance to you and your family. Not only are the national elections important but the local ones are also. She spoke to the importance of not just relying on soundbites in the media but to invest the time to do your own research. Our democratic process is being challenged and its important to go out and vote.

President Poston recognized Regional Administrative Assistant Dave Kennedy from Mark Camilli's office.

He spoke about the new Aetna health plan for retirees who are on Medicare which will return 75.00 a month, up to 900.00 for the year. This plan also includes the addition of the Silver Sneaker benefit, some type of vision and dental plan. What is still to be determined is if it will be an actual reduction in the health plan or Medicare premium. He also touched on the Postal Reform ACT and the upcoming plan changes in 2025, with premiums projected to drop. Spoke about the upcoming COLA which is at 8.7% and for FERS 7.7% for retirees and the 1.18 cent COLA raise for active carriers. Over the years our COLA raises have exceeded the contractual increases and we are very fortunate to have them.

Patrice Ashley asked why there was a difference of one percent for FERS retirees. Dave Kennedy stated it was the legislated along with having to be 62 prior to the COLA taking effect.

The lawmakers at the time decided that we needed to be more in line with the private sector so it was taken away and this is why elections are crucial. He thanked the Branch for the invitation.

Executive Vice President

Andre Laney

Spoke about recent arbitrations regarding violations of Article 8.5 F, non over time carriers working past 10 hours, working the 5th day, etc.

Spoke about the arbitrator who has decided that the Union cannot arbitrate 8.5 F. Another Arbitrator stated that we simply had to live with her decision and went on to state that this decision could not be used outside of Cleveland as persuasive language, a clear indication that he knew it was a bad decision.

Went on to talk about recent Arbitration win regarding Article 41 hold down violations. Management recently paid out over 57,000 dollars to settle, with 12,000 dollars for one carrier who was represented by Chris

Balega. Branch 40 will also be included future settlements to help offset the expenses associated with filing these grievances.

Eric also stated that there are another 100 plus cases pending, with a thousand dollars for the employee and five hundred for the Branch.

Unfinished Business

None

New Business

President Poston recognized former Branch 40 President Dennis Perk

He commended Eric of his handling of the last State Convention, his recognition of Veterans, and the organization of the Union Stewards. He cited the fact that he did not want his comments to reflect on him and how he is running the office. He is still relatively new and many of these things we had to learn ourselves. We have to follow the rules otherwise we cannot expect the same of others. He did emphasize that had he been able to separate the Dues increase from the others he would have voted in favor, as we do need the increase.

Chris Balega, Lyn May, was recognized and asked about any updates regarding offices to be adjusted.

The response was this is the time thru the end of October when Management or the Union can submit Offices.

Good of the Order

Bruce Graham, Retiree, made a motion for the meeting to be adjourned.

Was seconded and passed.

8:50 Pm

Recording Secretary

Nestor J Chaves
11/03/2022

Signed Copy Available In Branch Office