



The Corner Stone

PUBLICATION OF WATERLOO LOCAL #451
AMERICAN POSTAL WORKERS UNION, AFL-CIO
MEMBER OF APWU POSTAL PRESS ASSOCIATION

March 2008



Retiree's Get-Together
Mondays at 1:00pm
University Ave. McDonald's
Across from HY-Vee

Understanding FMLA....

From the VP's desk...



By: Kim Karol



Article time again, and again I feel it is important to explain in more detail certain aspects of FMLA. This month I want to focus on the definitions of serious health conditions under the law. It is very important that you understand these definitions so that you will be able to assist your health care provider in making the correct selection when completing your certification information. Basically the employer has the right to know the general reason why you are unable to work, for how long you may be absent, if this is going to be recurring and the possible frequency and duration of each absence. You will be required to provide this information in accordance to the definition of your condition.

Now I will try to put all this information into a practical format. You should be familiar with the six definitions of a serious health condition under this law.

Category #1 - Hospital Care - Any inpatient (i.e. overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care. Treatment includes examinations to determine if a serious health condition exists, but it does not include regular or routine examinations such as physicals, eye exams, etc. What this means to you is that if you have an overnight stay in the hospital, and then are instructed to go for diagnostic tests at a later date related to that stay, both events are covered by this category.

Category #2 - Absence Plus Treatment- A period of incapacity of more than three consecutive calendar days (including any subsequent treatment or period of incapacity related to the same condition), that also involves:

- a. Treatment two or more times by a health care provider.

or

- b. Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.

This category should be used if there is an illness that lasts for at least three consecutive calendar days and required a visit to the doctor more than once, or at the first visit the doctor prescribed medication or therapy which can only be initiated by a health care provider.

Category #3 - Pregnancy- This is pretty obvious, but you should know that it does include treatment for prenatal care. Be careful and use this category wisely. If you have too much time off for prenatal care, you will not have much time left for maternity leave. Both periods of time are related to the same condition.

Category #4 - Chronic condition requiring treatments. This category is the most problematic for employees. This category requires periodic visits for treatment by a health care provider; will continue for an extended period of time; and may cause episodic rather than a continuing period of incapacity. The health care provider must indicate how often the condition is likely to manifest and the likely duration of each episode. The time frame must be reasonable. It is no longer acceptable to indicate the condition as permanent, or life long. In addition it is not acceptable to indicate that the condition is likely to occur once a month and last 30 days. The health care provider should indicate your needs based on environmental and the medical facts at the time. Meaning if for example you have severe asthma, and you live in a highly polluted environment it may be reasonable to anticipate that you may have an episode once a week that could last for 1-2 days. If you experience episodes more or less frequently than the doctor anticipates then you may be required to re-certify your condition. This category should not be selected only because the health care provider believes that the condition will be life long in duration.

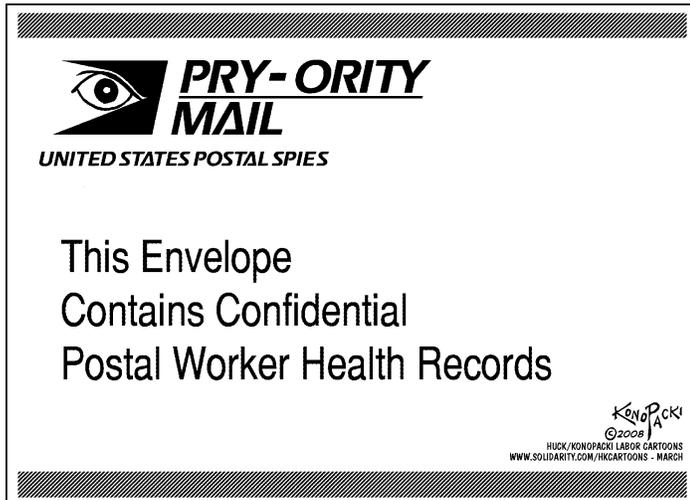
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From the VP's desk...(continued)

Category #5- Permanent/Long Term Condition Requiring Supervision. This condition should be considered for conditions which leave the covered individual incapacitated permanently or for a long period of time and for which treatment may not be effective. Incapacity means the inability to work or perform basic regular daily activities due to the condition, or from the recovery of the condition. (Examples of conditions covered by this category, Alzheimer's, stroke or the terminal stages of disease.)

Category #6- Multiple Treatments (Non-Chronic Condition) This category would cover conditions for which multiple treatments by a health care provider are required. (Examples of covered condition could include chemotherapy for cancer, radiation.)

It is important that you have a basic understanding of the categories so that you can help your health care provider chose the definition that best fits your circumstances and minimizes your hassles with the FMLA Coordinator.



Secretary's Meeting Minutes.....



Bonnie Salinas



APWU LOCAL 451
February 16, 2008

The meeting of the APWU Local 451 was called to order at 11:09 am at the OP with 12 members present.

A **motion** was made by Mike Burke and seconded by RoseAnn Garvey to accept the **minutes** as printed in the Corner Stone. **Motion carried.**

The **Treasures Report:** was presented by Glenn Staudinger and a **motion** was made by Glenn to put the report on file for review. Jerry Kemmer seconded the motion. **Motion Carried.**

Officers Reports:

President's report:

- 1) COPA – I Will still get around to those who are not donating through automatic withdrawal. Those that are donating this way, year-end total will be slightly under \$3000.00. The hat pass netted \$24.06 – Nice Job.
- 2) Clocking in on proper operation numbers is **extremely important** in the clerk craft. Take the time to clock into proper operations no matter how many times moved. Window section numbers have completely turned around with Kim Karol's diligence. Doing things properly shows the need for a position they want to revert. Kim Karol explained that positions have been determined from clock rings – it's important to care about the clock rings even if it's only for a short time. We know we are short people, but if you are not using proper clock rings, the numbers will not show the need for personnel.
- 3) A woman in Des Moines want to make 2 quilts to raffle off at the Tri State Convention for COPA – she is doing this from local union shirts. If you have a new or slightly used union shirt you would like to donate bring it in for Dwight.
- 4) **MDA Labor bowl** is on April 6th – Bonnie Salinas will be heading this up again this year and will be looking for bowlers.

Vice Presidents report:

Kim Karol explained FMLA categories 2 and 4, which are the most confusing. Please read next month's newsletter for further explanation and details.

Old Business:

- 1) Next meeting will be Saturday March 22nd, 2008 at 11:00 am at the OP (this is not the 3rd Saturday/changed due to Tri State Convention)
- 2) We have to complete election for secretary – last month Bonnie Salinas was the only nominee, by constitution we have to take a secret ballot. Ballot results were 10 votes for Bonnie Salinas, 1 vote for Paulette Woods. Bonnie Salinas is the new secretary.
- 3) Sign up list for registration, hospitality and other items needed for the state convention will be put on the union board, Kim Karol suggested we have specific times down so people can sign up for them.

New Business:

- 1) IFL COPE Conference April 12th – need 1 delegate – A **motion** by Glenn Staudinger to send Chris Salinas with all customary expenses seconded by Mike Burke. **Motion Carried.**
- 2) National Convention Aug 16 – 23 – President is automatic delegate. A **motion** by Jerry Kemmer to send Dwight Slaikeu and Kim Karol with customary expenses was seconded by Cindy Miller. **Motion Carried.**

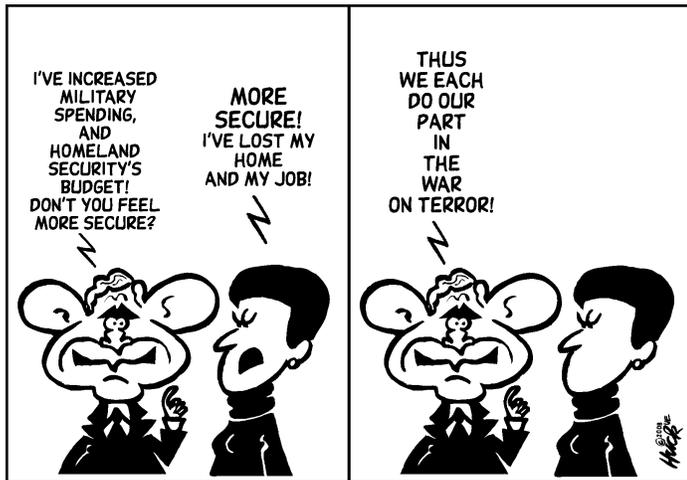
- 3) Glenn Staudinger mentioned the Dept of Labor does not recognize per diem rules per GSA, and that receipts for meals may need to be kept.
- 4) Issues with forcing people higher on list to work – this is happening because not enough people trained on jobs.
- 5) Mike Burke brought up issues with lunch times and also with the Low Cost Universal Sorter Warning System, which is constantly beeping, and not being cleared properly. Kim Karol mentioned that this problem is supposed to be addressed.

Drawing:

A **motion** by Chris Salinas to hold the drawing seconded by Mike Burke. **Motion Carried.** Jerry Kemmer won a water bottle and Cindy Miller won the money.

Adjourn: A **motion** to adjourn was made by Kim Karol and seconded by Jerry Kemmer. **Motion Carried.**

Members Present: RoseAnn Garvey, Chris Salinas, Mike Burke, Kim Karol, Cindy Miller, Glenn Staudinger, Marna Creery, Terry McEntee, Dwight Slaikeu, Jerry Kemmer, Paulette Woods and Bill Rice.



Union Members Urged to Fight Proposals From the DOL to Gut FMLA

APWU President William Burrus has issued a call to action, asking the union’s officers and activists to fight proposed new regulations that would weaken the Family and Medical Leave Act of 1993.

“The FMLA is the one of the most important pro-worker, pro-family laws in recent memory,” Burrus said. “It has worked well for both employers and employees. We must derail any attempt to dilute its effectiveness.”

The Department of Labor proposed new regulations on Feb. 11 that would require workers to provide more proof of their illness; to present documentation more often; and to relinquish medical information to non-medical personnel. The new rules also would allow management personnel to contact workers’ medical providers.

“If adopted, the regulations would make it far more difficult for workers to use leave under the terms of the Family and Medical Leave Act,” Burrus said.

“I encourage union activists to work with APWU members to show solidarity in opposition to these proposed changes by submitting comments to the Federal Register,” said APWU Legislative Director Myke Reid. Public comment on the proposals will be accepted through April 11.

To submit comments, go to this website:
fmla.dynalias.net

To read more about the process, go to the APWU website:
www.apwu.org/issues-fmla/takeaction.htm

Among the anti-worker regulations presented by the Department of Labor:

- Employees with chronic conditions could be required to see their doctors more frequently than the current one time per year. Employees would have to pay for the extra visits out of their own pockets.
- Employers could authorize anyone they choose to demand information to support FMLA absences; under the current rules, employees are required to share medical information only with medical professionals.
- The proposed rules would widen the discretion of low-level supervisors to force employees to seek second medical opinions — at the employees’ expense— to determine the facts of a “diagnosis or prognosis.” Under current rules if those facts are unclear, the cost of a second opinion is charged to the employer.
- Employees who typically work overtime could be charged overtime hours as FMLA leave during their absence. In other words, they risk using FMLA protection at a faster rate.

The APWU is reviewing the proposed regulations and will file formal objections within the 60-day public comment period. The Labor Department is expected to publish final recommendations before the end of the year.

“We take this very seriously,” Burrus said. “Due to the limited time to comment, we must make a swift and strong response.”

The FMLA was signed into law by President Clinton in 1993. It requires employers to grant eligible employees up to 12 workweeks of unpaid leave during any 12-month period due to a serious health condition, to care for an immediate family member with a serious health condition, to care for a newborn child, or for adopting a child or caring for a foster child.

The FMLA applies to government agencies and most businesses that employ 50 or more workers. To be eligible, employees must have worked for their employer for least 12 months and must have worked a minimum 1,250 hours during the 12-month period immediately preceding the FMLA leave.



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AMERICAN POSTAL WORKERS UNION
WATERLOO LOCAL #451
P.O. BOX 387
WATERLOO, IA 50704

Waterloo Local #451 Officers

President - Dwight Slaikeu
Vice-President - Kim Karol
Steward Director - Vanda Blankenship
Secretary - Bonnie Salinas
Treasurer - Glenn Staudinger
Trustees - Dave Knebel
Jenelle Brucher
Julie Schmitz
Editor - Chris Salinas

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**JOIN THE ACTION
ATTEND YOUR
UNION MEETING!**
March 22nd @ 11am
THE OTHER PLACE
3904 Lafayette Rd
Evansdale, IA



WHAT IS IT?

Labor Bowl Challenge is where local unions get together to raise money for the Muscular Dystrophy Association in the Cedar Valley and (for an added bonus) just have a fun day bowling.

WHAT DO I NEED TO DO TO PARTICIPATE?

Contact Bonnie Salinas (Tour 1) if you are interested in bowling or you just want to give a donation. You can reach Bonnie at 827-3313 (Jesup#) or by cell 296-5733 (Waterloo#)

Let's help Jerry's kids!!

NON-MEMBERS of the APWU Waterloo Local 451

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**Marcie Turner**  
**Nancy Kannegieter**  
**Tammy French**  
**Jackie Murray**  
**Dave Palmer**  
**Kim Mettner**  
**Betty Murphy**  
**Kathy Leyen**

The union is only as strong as its  
weakest link!