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NAPFE Newsletter

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Wilbur L. Duncan
National President



Season's Greetings

From the Officers and Staff

The officers and staff of the National Alliance of Postal and Federal Employees have spent the past year refurbishing the new office building. There was much to be done because the District codes have been upgraded since we built the building back in 1984. We have almost completed the renovations, but it does take time.

Our priorities for the coming year are in recruiting and retention. You remember the workshops that have been held over the years. Nothing has changed. We still need the personal touch. The one on one; getting to

know your co-workers; talking about the Alliance. Some Local officers are doing a great job, but we need all of you to join in. Every member can become a recruiter and receive a substantial reward for your efforts for signing new members up on Form 1187. Or, in the case of the Federal sector, where we have Locals, the new member will sign up on the federal form, if no Local in that agency, the new member can sign up through the NAPFE Credit Union. Why not start the New Year off with a resolution to become the top recruiter for 2016. We would be proud to recognize your efforts at your District Convention and write up your accomplishments in the National Alliance magazine. In the interim, we wish all you a very **Merry Christmas** and a **Happy New Year**.



From Office of 1st Vice President Janice F. Robinson

OSHA Guide to Restroom Access for Transgender Workers
This is the updated guidelines in accordance with OSHA. Advising all employees to read and govern yourself according to OSHA's guidelines.

Occupational Safety and Health Administration

All employees, including transgender employees, should have access to restrooms that correspond to their gender identity. Further, employers may not impose unreasonable restrictions on employee use of toilet facilities.

WASHINGTON - The Occupational Safety and Health

Administration today published a Guide to Restroom Access for Transgender Workers (PDF*). The publication provides guidance to employers on best practices regarding restroom access for transgender workers. The guide was developed at the request of the National Center for Transgender Equality, an OSHA Alliance partner that works collaboratively with the agency to develop products and materials to protect the safety and health of transgender workers.

OSHA's Sanitation standard requires that all employers under its jurisdiction provide employees with sanitary and available toilet facilities, so that employees will not suffer the adverse health effects that can result if toilets are not available when employees need them.

"The core principle is that all employees, including transgender employees, should have access to restrooms that correspond to their gender identity," said Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels. "OSHA's goal is to assure that employers provide a safe and healthful working environment for all employees."

Many companies have implemented written policies to ensure that all employees—including transgender employees—have prompt access to appropriate sanitary facilities. The core belief underlying these policies is that all employees should be permitted to use the facilities that correspond with their gender identify. For example, a person who identifies as a man should be permitted to use men's restrooms, and a person who identifies as a woman should be permitted to use women's restrooms.



ZERO TOLERANCE POLICIES

An agency may establish a zero tolerance policy that results in automatic removal if the agency has effectively communicated the policy of removing all employees who engage in the prohibited conduct, and if the agency has consistently followed the policy. The Merit Systems Protection Board may give little weight to an agency's zero tolerance policy leading to virtually automatic removal if the record shows a long and otherwise unblemished performance and an absence of aggravating factors.

When an agency imposes removal under a zero tolerance policy without giving bona fide consideration to the appropriate **Douglas** factors, its penalty determination is not entitled to deference. In such a case, the board will independently weight the relevant **Douglas** factors to evaluate the reasonableness of the penalty. (**Douglas factors** are a list of factors that management **must** consider when deciding discipline).

Case example: The Federal Circuit affirmed the removal of an employee for engaging in violent and threatening behavior in violation of the U.S. Postal Service's zero tolerance policy on workplace violence. The policy states that "threats, assaults, or other acts of violence committed against other postal employees or customers will result in sever disciplinary action, up to and including removal from the Postal Service." During the course of a meeting his supervisor, Ms. Ramos, and her supervisor, Mr. Daniels, the employee made several specific threats, including threatening to rape and kill Mr. Daniels' wife, daughter and son, and also to go to Ms. Ramos' house while her husband was working and rape and kill Ms. Ramos' children and then slash Mrs. Ramos's throat.

An agency may charge an employee with improper conduct for violating a provision of its zero tolerance policy which prohibits any "actual, implied or veiled threat, made seriously or in jest" and states that "any form or manner of threatening or provoking remarks or threatening gestures in the workplace is unacceptable." Such a provision contains a lesser burden of proof because it does not require that the agency prove that the appellant intended to cause harm or that any listeners felt threatened by the alleged statements.

All Postal and Federal Employees should acquaint themselves with their agency's Zero-Tolerance Policies and act accordantly.

For further information pertaining to Zero-Tolerance Policies, please contact me: Gale R. Thames, National Labor Director, 202-939-6381 or email at gthames@napfe.org.



ANSWERS FROM TEDDY THE TAX MAN

Q: The Internal Revenue Service levied my bank account for about nine hundred dollars. Do you think it would be a good move to start another account somewhere else so that I can put this to a stop?

A: You're not going to believe this, but the safest place for you to put your money, is that same account! The IRS will only hit that account ONE time for the year for which you owe. Most people don't know that. In essence, if they hit your account for a 2006 balance due, they'll never come back and hit that SAME account again for 2006. Consider discussing this with your tax advisor, because there obviously is more to your story.

Q: Back in the day, they used to say, "Don't invest in a fund in which your advisor doesn't invest." I have my own thoughts about that. May we hear yours?

A: Yes you may, and watch how common sensical (I may have just made that term up) this is. It's impossible for advisors like me, who offer funds from ten, twenty, sometimes one hundred companies, to invest in every fund that he/she offers. It's comparable to being a car salesman who buys every model of car on the showroom floor, just to show that he believes in those vehicles. It's like a realtor (and remember realtor only has two syllables) who buys every model of house he/she sells.

Impossible? Yes, I agree. Remember, my client probably doesn't have the same risk tolerance as I.

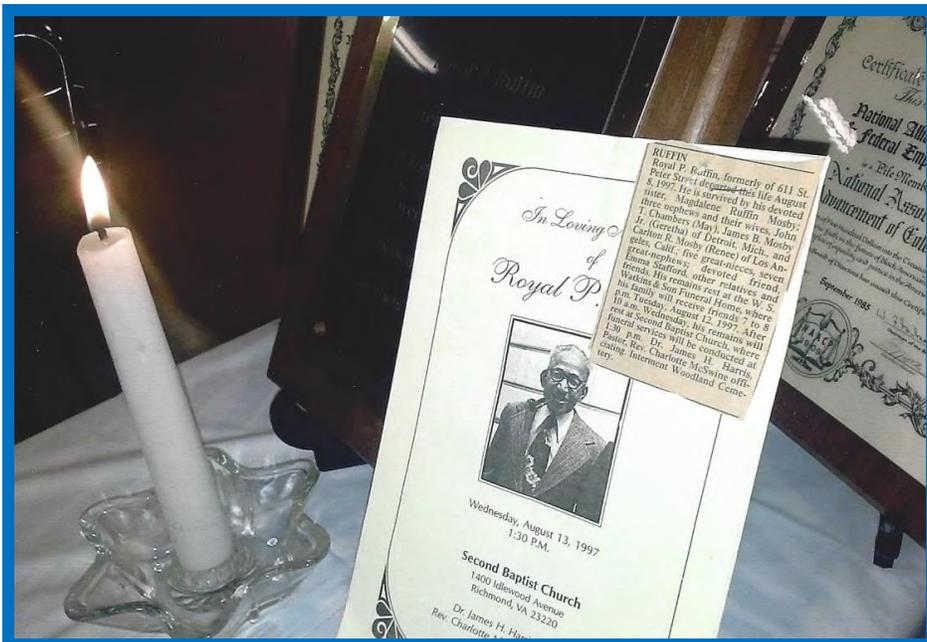
The client may not have the same timeframe in mind that I might have for myself. Maybe the fund that your advisor is recommending for you, was just opened up recently. So don't let the fact that the advisor is recommending a different fund than the one that he/she invests in for himself, deter you from investing for your future.

Q: I have a full-time and a part-time job. Every year, I end up owing the federal and the state when I prepare my taxes. I don't get it. I claim 0 allowances on both jobs, yet this continues to happen. What's the problem?

A: I'll bet you that the issue is with the part-time job. Check to see if federal and state taxes are being withheld from your pay check. Many times, the pay check on the second job, is not enough for taxes (except social security and Medicare) to be withheld. If that pattern holds true for an entire year, you will have made an entire year's income, with no taxes withheld. Is it any wonder you keep owing?

Teddy Prioleau is a registered representative, Enrolled Agent and the founder of Hunt Valley Retirements, LLC. You can reach him at 410 931-2004 or send an email to teddy@hvretirements.com. You can obtain additional information at www.hvretirements.com.

Happy



Top Photo: The keynote speaker at the NAPFFE Founders' Day program held by Local 208 in Richmond, VA, was Mr. Frank Thornton. Standing with him (L to R) Mr. Charles H. Green, Local 208 Pres.; Mr. Thornton; Mr. Warren E. Powell, National Treasurer-Comptroller, NAPFE; and Mr. Preston Hill, retiree.

Bottom photo: A picture of Mr. Royal Ruffin, founding member of Local 208 and a former Local 208 president who was honored during candlelight ceremony as part of the Founder's Day program.

Ad Mortem Fidelis

Local 208 Richmond, VA

Founder's Day 2015

Local 208 held their annual Founder's Day program On Sunday, October 11 to celebrate the 102nd anniversary of the founding of the National Alliance of Postal and Federal Employees.

The keynote speaker was Mr. Frank Thornton, Supervisor, Fairfield District, Henrico County, VA.

Mr. Thornton has been a long-time friend of NAPFE. He received a rousing applause for his words of welcome and congratulations on such a momentous occasion.

Mr. Warren E. Powell, National Treasurer-Comptroller for NAPFE and a member of Local 208 introduced the speaker and later, gave an overview of the Union's status.

There was a question answer session which included a little trivia about the Union.

A candle lighting ceremony was held to honor one of the Local's founding members, former Local president, Mr. Royal Ruffin (deceased). Refreshments were served following the ceremony.

Charles H. Green
Local 208 President, NAPFE