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Don Shandor
Plant Manager
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Don:

I sent an e-mail to Tour 3 MDO Greg Curtis this morning, but have not received a response as of yet. I wanted to let you know of a couple of issues that I have found quite disturbing, and I wanted to address these with you, so that you in turn could address these with your staff.

Firstly, I was advised that one of your staff, Robert 'Sean' Bothwell, was a bit combative during an Investigative Interview the other night with one of my Stewards, Tracy Williams. Apparently, he (Bothwell) did not, and does not, believe the APWU Steward can have an active role in an Investigative Interview. I am told that Mr. Bothwell did not want to provide a list of the Investigative Interview questions to the Steward. It is a rare occasion that the APWU Steward is denied a copy of such questions. When a Steward is denied a copy the interview questions such interviews 'normally' do not ordinarily run as smoothly as when the interview questions are provided. I am advised that during one such Investigative Interview the other night the grievant and Steward had to caucus outside of the room on a couple of occasions. I was informed that Mr. Bothwell was quite adamant in that he did not want the grievant and APWU representative to discuss some concerns of the grievant outside of the room for grievant's clarification of a few questions, and he did not want the Steward to have any other role than that of an observer. I attached some language below that refutes this misunderstanding on the part of this supervisor.

STEWARD RIGHTS

*Employers sometimes assert that the only function of a steward at an investigatory interview is to observe the discussion; in other words, to be a silent witness. **This is incorrect. The steward must be allowed to advise and assist the employee in presenting the facts.** When the steward arrives at the meeting:*

- The supervisor or manager must inform the steward of the subject matter of the interview: in other words, the type of misconduct being investigated.*
- The steward must be allowed to have a private meeting with the employee before questioning begins.*
- **The steward can speak during the interview,** but cannot insist that the interview be ended.*
- The steward can object to a confusing question and can request that the question be clarified so that the employee understands what is being asked.*
- The steward can advise the employee not to answer questions that are abusive, misleading, badgering, or harassing.*



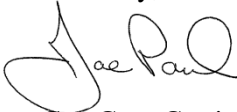
- *When the questioning ends, the steward can provide information to justify the employee's conduct.*

Secondly, there have been complaints that there is some bullying going on from this particular supervisor. As you are aware, as the former Chairperson of the Suncoast District EAP/DAC Committee, we produced a video on Work Place Bullying that was mandated to be shown throughout the Suncoast District. From what I have been advised, the conduct from this supervisor towards the bargaining unit employee was a classic form of bullying. To make matters worse, the grievant filed a PS Form 1767 (Safety Hazzard Report) for a safety concern and felt bullied after doing so, and was harassed to the point that a Threat Assessment Incident Report on 8-1-2016 was initiated. After this report was filed, the grievant was then called in for an Investigative Interview under the guise of her 'DPCS volume being unacceptable'. There are no definable work standards, as can be seen in the below language which was taken from Article 34 of the Collective Bargaining Agreement and the 2012 JCIM. As we both know; different classes of mail, thick and/or thin mail, and larger pieces give varying throughput numbers.

"Management may post the productivity goals for informational purposes only. No discipline shall be administered to an individual or group for not attaining the goal."

I am requesting that during your management meetings that you would be able to instruct your staff on some of the concerns/issues above. When the bargaining unit employees under the Central Florida Area Local's umbrella of representation experience these types of problems, I take this quite seriously. You (USPS) and I (APWU) have developed a good labor/management relationship, which in turn impacts the workplace, so it is imperative that this positive relationship continues in the present and future. If you have any questions and or concerns please feel free to contact me.

Sincerely,



Cc: Greg Curtis, Tour 3 MDO
John McTigue, Tour 1 MDO
Robert 'Sean' Bothwell, Supervisor
Tour 3 Steward
Tour 2 Steward
Tour 1 Steward

