

I will stand my ground, and I won't back down



Director of Education
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Every so often, I come across a story that is just too good not to share, and this is one of them. It's a bit long for one article, so I'll break into two parts.

About a year ago, a city carrier assistant in Fairbanks, AK, was accused of criminal misconduct, so the Postal Inspection Service was brought in to investigate. The carrier—a military veteran who served two tours of duty in Iraq and had received a Purple Heart for being wounded in combat—

adamantly denied he'd done anything improper and even agreed to take a polygraph test to prove it. (That is never a good idea, but more on that another time.)

When the polygraph examiner arrived, the carrier wisely asked for union representation, so his branch president, Tanya Vakhrusheva, accompanied him. He could not have been in better hands. Tanya, as her name might suggest, was born in the Soviet Union and emigrated to the U.S. when she was 24 years old. She was hired as a letter carrier in Minnesota in 2005 and got involved with NALC right away; within a few years, she was elected president of Branch 114 in Duluth. Apparently the winters in Northern Minnesota were not cold enough for her Russian bones, so she transferred to Fairbanks in 2011 and shortly became branch president there also. Tanya, who is a Class 19 graduate of the NALC Leadership Academy, credits growing up under the Soviet system with giving her the ability to stand up to bullies and deal with bureaucratic nonsense, both of which are in ample supply in the Postal Service.

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When they arrived at the office for the polygraph test, a postal inspector introduced himself and, after explaining for several minutes how the polygraph examination would proceed, the inspector said, “Let’s go over this first, OK?” and proceeded to read the Miranda rights to the carrier. (“You have the right to remain silent...”etc.) When he finished reading, Tanya calmly told the carrier, “It sounds like you should talk to a lawyer.” This is exactly the advice a steward should give whenever a carrier is read Miranda rights, but it was all it took to turn the once-friendly inspector into a raging bully. Here’s how it went:

Postal inspector: *(to Tanya in a raised voice)* Hey, let me explain something to you. He has the right to ask you questions. If he asks you a question, you are free to answer; if he doesn’t, you are to remain silent.

Tanya: *(calmly)* I have...

PI: *(interrupting louder)* That’s the way it works. He has the right to ask you... you don’t have it, if you don’t like that, I’ll replace you with another union rep. I’m out of headquarters. I deal with unions all the time. I know what your national standards are. Alright?

Tanya: *(calmly)* So do I.

PI: *(even louder now and jabbing his pointed finger at Tanya)* Then you abide by the union standards, because the last union rep I had in here was trying to influence things, and that union rep is under investigation right now. Your union has standards and I will not deprive him of any rights. If he wants to stop and ask for a lawyer, he can do that.

Tanya: *(still calm)* And I...

PI: One more word and you are stepping out of the room. Do you understand me?

At this point, the carrier spoke up.

Carrier: Sir...

PI: *(Putting his hand up to try to stop the carrier from speaking)* Now, now just let me...

Carrier: Sir, I’m going to go off the best judgment of my union rep and I do want to have a lawyer.

PI: OK, you can have a lawyer, but let me explain some things for you. I’m up here voluntarily. You can have a lawyer, and you can have one with you if you wish, but...

Carrier: OK, can I step outside with my union rep?

At this point, the inspector, who was obviously upset with the way things were going, rose from his chair and moved across the room toward Tanya.

PI: *(angrily at Tanya)* I want to tell you right now that you have stepped beyond your union rights. You don’t make a statement.

(dismissively to the carrier) Step outside; I want to talk to her for a minute or two.

(ordered at Tanya) Union rep, stay in here.

For the record, pretty much everything the inspector said is not true. During this kind of interview, the employee has the right to a steward’s assistance and it is a violation of the employee’s Weingarten Rights to refuse to allow the steward to speak or to restrict the steward to the role of a passive observer. To find out how the interview ended and what happened to the carrier and the inspector, look for Part 2 in next month’s *Postal Record*.