



News from Washington

Congress continues work on White House

Build Back Better agenda; Two nominated for USPS BOG

Dan Tangherlini and Derek Kan nominated to Postal Service BOG

On Nov. 19, President Biden nominated Dan Tangherlini and Derek Kan to serve on the U.S. Postal Service Board of Governors (BOG). If confirmed by the Senate, Tangherlini and Kan would serve on the BOG until 2028. The nominees would replace BOG members John Barger and Ron Bloom, the current BOG chairman.

Tangherlini, a Democratic nominee, currently serves as the managing director of Emerson Collective, a private philanthropic firm. Until 2017, he was the president of SeamlessDocs Federal, a technology firm that focused on simplifying government forms and data collection. His previous government roles include serving as the administrator of the General Services Administration under President Obama and serving as chief financial officer at the Department of Treasury from 2009 to 2013. From 2006 to 2009, he served the District of Columbia as city administrator and deputy mayor. He also served in the management of the Biden transition team with responsibility for the Postal Service's Agency Review Team.

Kan, a Republican nominee, is currently an executive with Deliverr, a California-based e-commerce fulfillment startup company. He previously served as the deputy director of the Office of Management and Budget from July 2020 to December 2020. From 2017 to 2019, he served as the under secretary of transportation for policy. He also served as an Amtrak board member and as a general manager for Lyft. Prior to that, he served as an advisor for Senate Minority Leader Mitch McConnell (R-KY) and as chief economist for the Senate Republican Policy Committee.

"I look forward to meeting with Mr. Tangherlini and Mr. Kan before their nominations are taken up for approval by the Senate," NALC President Fredric Rolando said. "On behalf of NALC, I want to thank Ron Bloom for his strong support of letter carriers and his exceptional public service to the U.S. Postal Service."

As required by the Postal Reorganization Act, the president nominates the nine-member BOG, which is responsible for overseeing the executive management of USPS. By law, no more than five members can be affiliated with the president's political party. The Senate's Homeland Security and Governmental Affairs Committee will hold confirmation hearings on the two nominees, most likely in early 2022. Before serving, board members must be confirmed by a majority in the Senate.

NALC will update letter carriers when these nominees are considered by the Senate.

Congress continues work on White House Build Back Better agenda

Following months of negotiations, the president's Build Back Better agenda is one step closer to completion following House passage of the Build Back Better Act (H.R. 5376). The \$1.75 trillion social spending and tax package includes funding to support the nation's education system, climate provisions, health care and tax laws. The bill passed the House prior to members' departure for the Thanksgiving recess on a party-line vote of 220-213, with one Democrat, Jared Golden of Maine, voting against the bill.

Of significance for the Postal Service, the bill includes \$6 billion in funding to electrify the Postal Service's vehicle fleet, including \$2.6 billion for the agency to acquire electric vehicles and \$3.4 billion for the necessary infra-

structure to support these vehicles. Additionally, the bill provides \$15 million for the Office of the Inspector General of the Postal Service to perform oversight of the agency.

"NALC applauds the House passage of the Build Back Better Act," NALC President Fredric Rolando said. "The funding for the Postal Service will allow it to maximize the electric portion of the new vehicle fleet that is sorely needed. We urge the Senate to pass this legislation and send it to the president's desk."

Highlights from the landmark legislation include funding for climate provisions and clean energy, and consumer rebates and tax credits for clean energy and electrification. It also provides free universal preschool for three- and four-year-olds, extends the child tax credit to 2022, caps childcare costs at 7 percent and invests additional funding into child nutrition programs. Also included is four weeks of paid family and medical leave. Additionally, it offers expanded Medicare coverage and the ability for Medicare to negotiate prescription drug costs, extends the Affordable Care Act tax credits, and expands public housing programs. Funding to expand workforce development also is included. The Department of Labor will receive \$1.9 billion to strengthen worker protections, including \$707 million for the Occupational Safety and Health Administration. The Department of Veterans Affairs also will receive funding to upgrade its facilities and infrastructure.

The bill proposes offsetting the spending by increasing taxes for large corporations and households that make more than \$400,000 annually. It places a 15 percent corporate minimum tax on corporations that earn more than \$1 billion annually. Additionally, it places a 1 percent surcharge on cor-

porate stock buybacks. It also invests in the Internal Revenue Service (IRS) to improve tax enforcement and auditing, raising a projected \$400 billion.

“Build Back Better is a better agenda for workers, for families, for children and for our planet,” Speaker of the House Nancy Pelosi (D-CA) said.

“The Build Back Better Act is fiscally responsible,” President Biden said in a statement. “It reduces the deficit over the long-term. It’s fully paid for by making sure that the wealthiest Americans and biggest corporations begin to pay their fair share in federal taxes. It keeps my commitment that no one earning less than \$400,000 a year will pay a penny more in federal taxes. Leading economists and independent experts on Wall Street have confirmed that it will not add to inflationary pressures. Instead, it will boost the capacity of our economy and reduce costs for millions of families.”

Taken together with the recent signing by the president of the \$1.2 trillion bipartisan infrastructure package, the White House is one step closer to completing work on its Build Back Better agenda. The Build Back Better Act will now await Senate action, where certain portions of the bill, such as paid family and medical leave, are likely to be removed.

NALC will continue to monitor this legislation as it moves through Congress.

Resolution supporting workers’ rights introduced in House

Rep. Donald Norcross (D-NJ) introduced a resolution (H. Res. 752) on Oct. 28 urging solidarity with working people who are fighting for adequate pay, quality retirement benefits and safe working conditions.

The resolution recognizes and supports the thousands of workers from various industries across the country who have gone on strike recently. This October, or “Striketober,” saw

an increased level of organized labor mobilization, including strikes.

“I want every working person in this country to know—be they a machinist on the picket line or a barista organizing a union drive—that I stand with them,” Rep. Norcross said. “Despite large corporations turning huge profits on the backs of workers, too many workers are not being rewarded with family-sustaining wages or benefits. It’s time to put the American worker at the heart of federal policymaking.”

“NALC appreciates this pro-worker resolution introduced by Rep. Norcross,” NALC President Rolando said. “We urge lawmakers to support workers by passing legislation like the PRO Act that protects workers’ critical right to organize.”

House committee holds hearing on Chicago service

Rep. Gerald Connolly (D-VA), chairman of the House Subcommittee on Government Operations, held a hearing in Chicago on Oct. 15 to examine the city’s declining service performance.

Witnesses included NALC National Trustee and President of Chicago Branch 11 Mack Julion, Chicago Postmaster Eddie Morgan Jr. and Deputy Assistant Inspector General for Audit for the USPS Office of Inspector General Melinda Perez.

While members of Congress focused on recent changes to postal operations, in his opening statement, Julion said that the issues in Chicago are nothing new.

“Unfortunately, the reason we are here today is to discuss the crisis that has befallen the Chicago Post Office, a crisis that was not born of the recent pandemic or the questionable policies of the current postmaster general, but rather was years in the making and only exacerbated by COVID-19,” Julion

said. “From the flawed onboarding process to the training and retention of new hires, to the erratic and unpredictable daily operations, the Chicago Post Office is dysfunctional at best. Although the [Office of Inspector General] reports provided detailed recommendations to improve service, nothing changed because there is no real accountability.”

When questioned about service degradation in Chicago, Julion noted that a lack of resources and staff, as well as other workplace issues, have contributed to the ongoing problems.

“It is well known within the Postal Service that there is, in some workplaces, a healthy level of hostility... when you’re trying to get more out of less, when you don’t have enough employees and you’re making unreasonable demands of those who are at work every day,” he said.

Much of the hearing focused on members’ concerns regarding recent operational changes to the Postal Service, delayed deliveries and the leadership of Postmaster General Louis DeJoy.

“We expect and demand more from our Postal Service,” Chairman Connolly said in his opening statement. “To do that, however, we need to provide it the resources and staffing it requires to meet customer needs.”

While concerns continue to mount in Congress, NALC believes that the best way for members of Congress who are concerned about service and leadership to help is by making the Postal Service Reform Act (H.R. 3076/S. 1720) an immediate priority.

“Inadequate staffing and undelivered routes are a daily source of frustration for letter carriers in far too many post offices throughout the country,” President Rolando said. “For the past several months, NALC has been providing the Postal Service with data received from branches in hundreds of installations, including Chicago, regarding staffing

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needs, undelivered routes, and solutions to address these issues. It remains to be seen whether the Postal Service wisely uses this ‘boots on the ground’ information in preparation for the upcoming peak season and beyond. Meanwhile, concerned members of Congress can help by making the Postal Service Reform Act (H.R. 3076/S. 1720) an immediate priority.”

White House task force encourages feds to join unions

Vice President Kamala Harris hosted a roundtable on Oct. 20 announcing new guidelines that encourage federal workers to join unions. These guidelines were established by the White House Task Force on Worker Organizing and Empowerment, which was established by executive order earlier this year. Harris serves as the chairman of the task force and Secretary of Labor Marty Walsh serves as the vice chairman.

Harris announced two new guidelines during the event. The first affects new federal employees. Under the new guidance, the federal government will be required to let new hires know their union eligibility, to provide new hires with unions’ contact information and to inform new hires of their rights. The second guideline affects current federal workers and requires the federal government to remind employees of their union eligibility.

These guidelines aim to remove any barriers to organizing in the federal workforce, which is the largest employer in the country with more than 2 million employees. Harris emphasized that with these new guidelines, the federal government will lead by example and encourage other employers and industries to support collective bargaining.

“We do believe this is not only going to impact a large number of people who make up the federal workforce, but this will be a model of what all industries

have the capacity and the ability, if not the imperative, to do,” she said.

“We are the most pro-worker, pro-union administration of our lifetimes,” Walsh said. “Unions are good for workers, as all of you know, good for our communities, good for our economy, and they are certainly good for our country.”

President Rolando noted, “While NALC is an open shop with over 93 percent voluntary membership, we do not take our success in organizing for granted. We appreciate the important work of this task force and support these new guidelines that encourage federal workers to organize and collectively bargain.”

OSHA update

The U.S. Court of Appeals for the Sixth Circuit in Cincinnati, OH, has been designated to resolve all pending legal challenges to the Biden administration’s emergency rule on workplace COVID-19 vaccination and testing.

More than 30 petitions seeking judicial review of the rule issued by the Occupational Safety and Health Administration (OSHA) have been filed by state attorneys general, employers, unions and other organizations in all 12 federal appeals courts across the country. The U.S. Judicial Panel on Multidistrict Litigation conducted a lottery to designate a single court to hear all these cases.

The pending legal challenges include a joint filing by the AFL-CIO and UFCW in the U.S. Court of Appeals in Washington DC, which will seek to have the mandates expanded to cover as many businesses as possible and to ensure that employees do not have to pay for COVID testing and face masks. SEIU Local 32BJ has filed a similar petition with the U.S. Court of Appeals in New York, seeking to broaden the mandate and to require more stringent COVID mitigation measures.

Most of the petitions have been filed by Republican state attorneys general and employer groups that want to overturn the rule. In one of these cases, the U.S. Court of Appeals for the Fifth Circuit has already issued an order preventing the administration from enforcing the rule. The Sixth Circuit will now have the authority to modify or vacate the Fifth Circuit’s order. In addition, certain employers, possibly including the Postal Service, might request extensions of the deadlines for implementation of the rule.

In a related development, the National Labor Relations Board’s General Counsel’s office has issued a memorandum affirming that unionized employers will be obliged to bargain in good faith with their unions over the workplace effects of the OSHA rule.

USPS releases Fiscal Year 2021 financial report

On Nov. 10, USPS released its Fiscal Year 2021 financial report, which showed an operating revenue increase of \$3.9 billion over the previous year and a reduced loss compared to the previous year.

“The postal revenue increase for Fiscal Year 2021 over Fiscal Year 2020 makes two things clear,” President Rolando said in a statement. “The first is how much the American people and their businesses rely on the Postal Service. During the pandemic, letter carriers have helped tens of millions of Americans shelter safely at home, while also helping them vote safely from home—and providing a sense of normalcy through the worst months. Secondly, even with the demonstrated strength of the postal business model, USPS reported a net loss, which drives home the need for postal reform to address the artificial red ink caused by the 2006 congressional mandate that the USPS—alone among all U.S. companies and agencies—pre-fund future retiree benefits.”