

PRESIDENTIAL RULINGS

ROBERT WILKERSON—WILMINGTON, DE DELAWARE STATE ASSOCIATION OF LETTER CARRIERS

JUNE 17, 2024 (9436)

This is in reply to your email, dated June 7, 2024, requesting dispensation permitting the Delaware State Association of Letter Carriers to register out of time delegates to the National Convention. It is apparent that the Association did not meet the deadline for registering its delegates.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Association will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

ABRAHAM REDCLOUD—PORTLAND, OR OREGON STATE ASSOCIATION OF LETTER CARRIERS

JUNE 17, 2024 (9438)

This is in reply to your letter, dated June 7, 2024, requesting dispensation permitting the Oregon State Association of Letter Carriers to register out of time delegates to the National Convention. It is apparent that the Association did not meet the deadline for registering its delegates.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Association will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

DAVID MORSE—CLINTON, AR, BRANCH 1592

JUNE 17, 2024 (9439)

This is in reply to letter, received June 10, 2024, requesting dispensation permitting Branch 1592 to register out of time a delegate to the National Convention. It is apparent that the Branch did not meet the deadline for registering its delegates.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of

this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

DAVID ARNOLD—EASTON, PA, BRANCH 389

JUNE 17, 2024 (9440)

This is in reply to your letter, received June 10, 2024, requesting dispensation permitting Branch 389 to register out of time delegates to the National Convention. It is apparent that the Branch did not meet the deadline for registering its delegates.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

DENZEL CHEIRS—ALBANY, GA, BRANCH 4040

JUNE 17, 2024 (9441)

This is in reply to your letter, dated June 7, 2024, requesting dispensation permitting Branch 4040 to register out of time delegates to the National Convention. It is apparent that the Branch did not meet the deadline for registering its delegates.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

CORY CARTER—WEST FARGO, ND

NORTH DAKOTA STATE ASSOCIATION OF LETTER CARRIERS

JUNE 17, 2024 (9444)

This is in reply to your letter, received June 13, 2024, requesting dispensation permitting the North Dakota State Association of Letter Carriers to register out of time delegates to the National Convention. It is apparent that the Association did not meet the deadline for registering its delegates.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Association will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

LONDON GALVAS—LA PORTE, IN, BRANCH 200

JUNE 18, 2024 (9447)

This is in reply to your letter, dated June 11, 2024, requesting dispensation permitting Branch 200 to register out of time delegates to the National Convention. It is apparent that the Branch did not meet the deadline for registering its delegates.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

GARY SMITH—OCALA, FL, BRANCH 1103

JUNE 20, 2024 (9451)

This is in reply to your letter, dated June 18, 2024, requesting dispensation permitting Branch 1103 to register Kelly Austin as a delegate to the National Convention out of time. According to your letter, the Branch was unable to register her before the registration deadline.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

MATTHEW PHILLIPS—CENTRALIA, WA, BRANCH 1266

JUNE 24, 2024 (9418)

This is in reply to your letter, received by my office, June 4, 2024, concerning Branch 1266 President Elkins' transfer to a custodial position. Your letter requests dispensation permitting the Branch to hold a special election to replace Brother Elkins. According to your letter, Brother Elkins has decided not to request

dispensation to remain President of the Branch.

At the outset, your letter appears to reflect a misunderstanding of the *NALC Constitution*. Non-letter carrier members, such as clerks and maintenance employees, have full rights as members of the NALC. Article 2, Section 1(a) of the *NALC National Constitution* defines "regular" members as including "non-supervisory employees of the Postal Service." It does not limit regular membership to employees in the letter carrier craft. Accordingly, non-supervisory members employed in other crafts are eligible to hold Branch office. This means that Brother Elkins may remain the President of the Branch.

If Brother Elkins no longer wishes to serve as Branch President, a special election would not be necessary to fill the office of President. Article 6, Section 2 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* requires that the Vice President of the Branch succeed to the presidency if the President leaves office. Thus, under the *Constitution* you would become President upon the resignation of Brother Elkins.

Your request for dispensation would be appropriate, however, if you are not willing to serve as President. Assuming that is the case, I hereby grant the requested dispensation pursuant to my authority under Article 9, Section 1 of the *NALC Constitution*. The Branch may conduct a special election for Branch President. If you do so, appropriate notice to the members must be provided as expeditiously as possible.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

WILLIAM BRANNICK III—BETHLEHEM, PA, BRANCH 254

JUNE 24, 2024 (9421)

This is in reply to your letter, received by my office on June 4, 2024, concerning the President of Branch 254's decision to suspend you from steward duties.

I have been advised that you have appealed the suspension and that the matter is pending before the Committee on Appeals. I am therefore referring your letter to the Committee on Appeals. It would be inappropriate for me to intervene in a pending appeal.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

KENNETH MONTGOMERY—ROCHESTER, NY, BRANCH 210

JUNE 24, 2024 (9423)

This is in reply to email, sent June 6, 2024, requesting dispensation

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permitting Branch 210 to change the date of its regular meeting from August 6 to July 31. The purpose of this change is to avoid having a meeting during the National Convention. You also request dispensation permitting the Branch to hold the meeting by ZOOM because the regular venue for Branch meetings is not available on July 31. This change is intended only to apply to this one meeting.

Your requests are certainly appropriate. Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. Please be sure to provide appropriate and timely notice of these changes to the members of the Branch.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

FREDERICK WOODLEY, JR.—YOUNGSTOWN, OH—BRANCH 385

JUNE 24, 2024 (9427)

This is in reply to your letter, email, sent June 6, 2024, inquiring as to the procedures by which a member who has forfeited membership status for non-payment of dues can be restored to membership.

At the outset, it would be entirely inappropriate for me to rule on whether or when a particular member has forfeited or been restored to membership based on the limited information in your letter. I can provide the following general guidance.

A member who has forfeited membership in the Branch for failing to pay dues cannot rejoin the NALC simply by submitting a new Form 1187. Under Article 7, Section 5 of the *Constitution for the Government of Subordinate and Federal Branches*, a member who has forfeited membership is entitled to reinstatement upon "payment of back . . . dues, as well as such reinstatement fee as the Branch may prescribe by reasonable rules, uniformly applied." However, if the Branch has not established a reinstatement fee, it may not charge one to a former member as a condition of reinstatement.

Apart from the foregoing, the rulings have also held that a Branch cannot charge a former member back dues for the period of non-membership. A non-member cannot accrue a dues liability to the Branch. But the former member must pay the back dues that were owed at the time membership was cancelled.

The question whether such individual must execute a new Form 1187 turns on whether the Postal Service has cancelled the individual's membership. If such cancellation has occurred, then a new Form 1187 would have to be executed and filed to ensure that there is on file an active authorization for deduction of dues. If

the Postal Service has not cancelled membership, then a new Form 1187 is not needed. In either event, if the Branch has previously notified the National Union that the individual had forfeited membership, it should promptly notify the National Union when the individual is reinstated.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

BRIAN JOHNSON—KANKAKEE, IL, BRANCH 407
JUNE 24, 2024 (9452)

This is in reply to your letter, received June 20, 2024, requesting dispensation permitting Branch 407 to register out of time its delegates to the National Convention. It is apparent that the Branch did not meet the deadline for registering its delegates.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

TIMOTHY CARPENTER—PLATTSBURGH, NY
VERMONT STATE ASSOCIATION OF LETTER CARRIERS

JUNE 24, 2024 (9453)

This is in reply to your letter, dated June 17, 2024, requesting dispensation permitting the Vermont State Association to register you out of time as a delegate to the National Convention. It is apparent that the State Association did not meet the deadline for registering you as a delegate.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to your registration as a delegate to the 2024 National Convention. In the future, the State Association will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

PHILLIP PADICK—MONTEREY, CA
BRANCH 1310

JUNE 26, 2024 (9420)

This is in reply to your letter dated May 25, 2024. In your letter, you requested special dispensation allowing Branch 1310 to compensate Sister Cramer as the Branch's del-

egate to the National Convention Article V, Section 3 of the Branch's bylaws states that "[i]n order to be a paid delegate to the National of State Convention, you must have attended fifty [percent] (50%) of the regular monthly meetings." Your letter states that Sister Cramer is a retiree member in good standing, but lives far from the Branch meeting locations, making it difficult for her to attend meetings. It also states that at the Branch's May 16, 2024 meeting, the members voted in favor of paying Sister Cramer for her attendance at the National Convention, despite her not satisfying the 50% requirement.

In light of the facts presented in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant dispensation permitting the Branch to allow Sister Cramer to attend the National Convention as a paid delegate.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

SHAWN BOYD—KINGWOOD, TX, REGION 10
JULY 1, 2024 (9455)

This is in reply to your recent email concerning the situation in Branch 3703, Artesia, New Mexico. According to your email, this Branch is nonfunctioning. They have had no elections for some time, do not have meetings, and have no representational activities or stewards. Branch 1069 in neighboring Roswell, New Mexico has expressed interest in merging with 3703 and making Branch 1069 the surviving branch.

In light of this situation, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby authorize you or your designee to have merger discussions on behalf of Branch 3703 and to facilitate a merger with Branch 1069.

When the details of the proposed merger are finalized you or your designee may convene a merger meeting for Branch 3703 upon thirty days' notice, conduct the vote, and may sign the merger application on behalf of Branch 3703. In accordance with Article 2, Section 3 of the *Constitution*, the notice must set forth the details of the proposed merger.

Thank you for addressing this situation. Please feel free to contact me if you need any additional assistance or guidance.

SHAWN BOYD—KINGWOOD, TX, REGION 10
JULY 1, 2024 (9456)

This is in reply to your recent email concerning the situation in Branch 1550, Brenham, Texas. According to your email, this Branch is nonfunctioning. They have had no elections for some time, do not have meet-

ings, and have no representational activities or stewards. They do not have a Branch President. The members have been reaching out for representational help and assistance in merging with Branch 283. Branch 283 President Willie Ferguson in neighboring Houston, Texas has expressed an interest in merging with Branch 1550 and making Branch 283 the surviving branch.

In light of this situation, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby authorize you or your designee to have merger discussions on behalf of Branch 1550 and to facilitate a merger with Branch 283.

When the details of the proposed merger are finalized you or your designee may convene a merger meeting for Branch 1550 upon thirty days' notice, conduct the vote, and may sign the merger application on behalf of Branch 1550. In accordance with Article 2, Section 3 of the *Constitution*, the notice must set forth the details of the proposed merger.

Thank you for addressing this situation. Please feel free to contact me if you need any additional assistance or guidance.

DON HARTSHORN—PENACOOK NH, BRANCH 72
JULY 1, 2024 (9457)

This is in reply to your letter, dated June 11, 2024, requesting dispensation permitting Branch 72 to register out of time alternate delegates to the National Convention. It is apparent that the Branch did not meet the deadline for registering this delegate.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of a delegates to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

MARY MEDINA—FRESNO, CA, BRANCH 231
JULY 1, 2024 (9458)

This is in reply to your letter, dated June 14, 2024, requesting dispensation permitting Branch 231 to register an alternate delegate to the National Convention. It is apparent that the Branch did not meet the deadline for registering this delegate.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of a delegate to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

GERALD SOILEAU—LAFAYETTE, LA, BRANCH 1760

JULY 1, 2024 (9459)

This is in reply to your letter I received requesting dispensation permitting Branch 1760 to register out of time its delegates to the National Convention. It is apparent that the Branch did not meet the deadline for registering its delegate.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

MICHAEL ALEXANDER—NEW ORLEANS, LA, BRANCH 124

JULY 1, 2024 (9460)

This is in reply to your email, received June 18, 2024, requesting dispensation permitting Branch 124 to register out of time alternate delegates to the National Convention. Your request states these delegates will replace delegates the Branch has already registered.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of alternate delegates to the 2024 National Convention.

I hope that this letter addresses your concerns.

LAWRENCE BROWN, JR.—LOS ANGELES, CA, BRANCH 24

JULY 1, 2024 (9461)

This is in reply to your letter, dated June 20, 2024, requesting dispensation permitting Branch 24 to cancel its regularly scheduled general branch meeting on August 8. The purpose of the request is due to a conflict with the National Convention.

Your request is certainly appropriate. Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. Please be sure to provide the branch members timely notice that the general branch meeting is cancelled.

Thank you for bring this matter to my attention.

ANDREW BAUTISTA—MANGILAO, GU, BRANCH 4093

JULY 1, 2024 (9462)

This is in reply to your email, dated June 28, 2024, requesting dispensation permitting Branch 4093 to register out of time its delegates to the National Convention. Your letter states the Branch mailed its delegates registration in a timely fashion; however, Secretary-Treasurer Nicole Rhine recently informed you she did not receive your information.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

ANTHONY PALLANTE—SANTA BERNARDINO, CA, BRANCH 411

JULY 10, 2024 (9476)

This is in reply to your letter, dated July 3, 2024, requesting dispensation permitting Branch 411 to register out of time two members as delegates to the National Convention. It is apparent that the Branch did not meet the deadline for registering these delegates.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

KELLY BUCKLES—JOHNSON CITY, TN, BRANCH 1110

JULY 10, 2024 (9477)

This is in reply to your letter, dated July 3, 2024, requesting dispensation permitting Branch 1110 to register out of time an alternate delegate to the National Convention. It is apparent that the Branch did not meet the deadline for registering this delegate.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

JAMES COLLINS, II—KNOXVILLE, TN, BRANCH 419

JULY 10, 2024 (9478)

This is in reply to your letter, dated July 9, 2024, requesting dispensation permitting Branch 419 to register out of time delegate to the National Convention. It is apparent that the Branch did not meet the deadline for registering this delegate.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

RAQUEL ACASIO—SAN DIEGO, CA, BRANCH 70

JULY 10, 2024 (9482)

This is in reply to your letter, dated July 10, 2024, requesting dispensation permitting Branch 70 to register out of time a delegate to the National Convention. It is apparent that the Branch did not meet the deadline for registering these delegates.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

KENNETH WILLIAMS—GREENVILLE, MS, BRANCH 2896

JULY 10, 2024 (9483)

This is in reply to your letter, dated July 9, 2024, requesting dispensation permitting Branch 2896 to register you as a delegate out of time to the National Convention. According to your letter, you did not receive your registration packet until after the deadline.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

CHRISTOPHER CORLEY—GASTONIA, NC, BRANCH 1512

JULY 11, 2024 (9425)

This is in reply to your letter, which was emailed to Executive Vice President Paul Barner on May 19, 2024, in which you claim that Branch 1512 has passed motions to expend funds for convention expenses that the Branch cannot afford. According to your letter, the Branch does not have sufficient funds to provide advance funding to the delegates, as required by the motion that was adopted. You also contend that it would be imprudent for the Branch credit card to be used for lodging expenses since that would result in an accumulation of interest obligations.

As a general principle, it is up to the members of the Branch to decide how to expend Branch funds. Article 12, Section 3 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* specifically states that "all Branch funds shall be devoted to such uses as the Branch may determine; provided that no appropriation shall be made except when ordered by a majority vote of the members present and voting at a regular meeting."

However in this situation, it appears that the Branch doesn't have sufficient funds to implement the motions adopted by the members. Because the payments at issue would normally be required by the Branch vote, your request for my intervention is appropriate. Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant dispensation permitting you to withhold payment of the authorized funds, in whole or in part, notwithstanding the adoption of motions authorizing such payments by the Branch.

Your decisions must be communicated to the delegates as expeditiously as possible and to the members at the next meeting. Any member aggrieved by your decisions may appeal to the Committee on Appeals in accordance with Article 11 of the *CGSFB*.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

MICHAEL HARRIS LITTLE EAGLE—KANSAS CITY, KS, BRANCH 5521

JULY 12, 2024 (9479)

This is in reply to your letter, received by my office on July 9, 2024, concerning Branch 5521's decision to remove you as Branch president and expel you from membership.

Article 10 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* provides a detailed procedure for processing charges culminating in a branch vote on guilt or innocence and then a separate branch vote on the issue of penalty. Once the vote is taken, it is binding on the parties and the branch. The only means for overturn-

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ing the vote provided by the *Constitution* is an appeal to the National Committee on Appeals under Article 11 of the *CGSFB*.

The proper procedure for challenging the action of the Branch would be to submit an appeal in accordance with the provisions of Article 11 of the *CGSFB*. Your appeal must be in writing and filed with the Recording Secretary of the Branch, together with any written testimony, arguments and briefs, within twenty days from the date of the Branch meeting at which the decision to be appealed from was made. It is the responsibility of the Branch to prepare a response to the appeal and to submit both the appeal and response to the Committee. The NALC Committee on Appeals may then address your issues on the basis of a fully developed factual record.

I hope that this letter addresses your concerns. This letter should not be read to reflect any view as to the merits of the Branch's decision or any appeal you might undertake.

CODY REUM—MUNCIE, IN, BRANCH 98
JULY 12, 2024 (9484)

This is in reply to your letter, dated July 11 2024, requesting dispensation permitting Branch 98 to register two out of time delegates to the National Convention. It is apparent that the Branch did not meet the deadline for registering these delegates.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

KENISHA HILL-CHAPMAN—DUBUQUE, IA, BRANCH 257

JULY 12, 2024 (9485)

This is in reply to your letter, received July 11 2024, requesting dispensation permitting Branch 257 to register out of time its delegates to the National Convention. It is apparent that the Branch did not meet the deadline for registering its delegates.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the fu-

ture, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

ROBERT ALVAREZ—VICTORIA, TX, BRANCH 1221

JULY 12, 2024 (9486)

This is in reply to your letter, received July 11 2024, requesting dispensation permitting Branch 1221 to register out of time its delegates to the National Convention. It is apparent that the Branch did not meet the deadline for registering its delegates.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

GILBERT RAMIREZ—SANTA BARBARA, CA, BRANCH 290

JULY 15, 2024 (9481)

This is in reply to your letter, dated June 25, 2024, requesting dispensation permitting Branch 290 to add a new steward as a delegate to the National Convention.

Unfortunately, Branches cannot add new delegates who have not been nominated and elected in accordance with the *Constitution*. Articles 4 and 5 of the *NALC Constitution*, consistent with federal law, require that all delegates be elected.

Accordingly, I regret that I cannot grant your request. However, the new steward is welcome to attend the Convention as a guest and may attend all training classes. I hope that this option at least partially addresses your concerns.

KAREN ESHABARR—SAN FRANCISCO, CA, BRANCH 214

JULY 15, 2024 (9487)

This is in reply to your letter, received July 12 2024, requesting dispensation permitting Branch 214 to register out of time a delegate to the National Convention. It is apparent that the Branch did not meet the deadline for registering this delegate.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the

2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

JAMES WINTHER—CORVALLIS, OR, BRANCH 1274

JULY 15, 2024 (9488)

This is in reply to your letter, received July 12 2024, requesting dispensation permitting Branch 1274 to register out of time its delegates to the National Convention. It is apparent that the Branch did not meet the deadline for registering its delegates.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

ALFONSO GAMBOA—CANOGA PARK, CA, BRANCH 4006

JULY 15, 2024 (9489)

This is in reply to your letter, received July 12 2024, requesting dispensation permitting Branch 4006 to register out of time a delegate to the National Convention. It is apparent that the Branch did not meet the deadline for registering this delegate.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

SUSAN GEUDTNER—TEMECULA, CA, BRANCH 2901

JULY 16, 2024 (9491)

This is in reply to your letter, dated July 9, 2024, requesting dispensation permitting Branch 2901 to register its delegates out of time to the National Convention. According to your letter, the delegate list you mailed was received after the deadline.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the

requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

GERALD WATTS—LAWTON, OK BRANCH 1123
JULY 16, 2024 (9493)

This is in reply to your letter, received July 15, 2024, requesting dispensation permitting Branch 1123 to register its delegates out of time to the National Convention. It is apparent that the Branch did not meet the deadline for registering its delegates.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

TOUNA LINDER-BROWN—PETERSBURG, VA, BRANCH 326

JULY 16 2024 (9494)

This is in reply to your email, received July 15, 2024, requesting dispensation permitting Branch 326 to register out of time its delegates to the National Convention. It is apparent that the Branch did not meet the deadline for registering its delegates.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

PAUL BOULANGER—MANCHESTER, NH, BRANCH 44

JULY 16, 2024 (9495)

This is in reply to your letter, received July 15, 2024, requesting dispensation permitting Branch 44 to register two alternate delegates out of time to the National Convention. It is apparent that the Branch did not meet the deadline for registering these delegates.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of the alternate delegates to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

CORY CARTER—FARGO, ND, BRANCH 205
JULY 17, 2024 (9496)

This is in reply to your letter, received July 16, 2024, requesting dispensation permitting Branch 205 to register out of time a delegate to the National Convention. It is apparent that the Branch did not meet the deadline for registering this delegate.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of this delegate to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

ELENA GUERRERO—DODGE CITY, KS, BRANCH 1579

JULY 17, 2024 (9497)

This is in reply to your letter, dated July 17, 2024, requesting dispensation permitting Branch 1579 to register out of time its delegates to the National Convention. It is apparent that the Branch did not meet the deadline for registering the delegates.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

RENEE KERNS—PERRY, FL, BRANCH 2889
JULY 19, 2024 (9480)

This is in reply to your letter, dated June 27, 2024, requesting dispensation permitting Branch 2889 to register you as a delegate out of time to the National Convention. I have been informed that your request has been endorsed by the current President of the Branch.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to your registration to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

DANIEL WOLFF—CASPER, WY, BRANCH 1681
JULY 19, 2024 (9498)

This is in reply to your letter, received July 18, 2024, requesting dispensation permitting Branch 1681 to register its delegate out of time to the National Convention. It is apparent that the Branch did not meet the deadline for registering its delegates.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

LESLIE MENDOZA—MERCED, CA, BRANCH 1340

JULY 19, 2024 (9499)

This is in reply to your email, received July 18, 2024, requesting dispensation permitting Branch 1340 to register its delegates out of time to the National Convention. It is apparent that the Branch did not meet the deadline for registering its delegates.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of delegates to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

WILLIE YOUNG—MARIETTA, GA, BRANCH 1119
JULY 19, 2024 (9500)

This is in reply to your letter, dated July 18, 2024, requesting dispensation permitting Branch 1119 to register a delegate out of time to the National Convention. It is apparent that the Branch did not meet the deadline for registering this delegate.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of this delegate to the 2024 National Convention. In the future, the Branch will be ex-

pected to comply with registration deadlines.

I hope that this letter addresses your concerns.

ANTONIA SHIELDS—TRUSSVILLE, AL, BRANCH 340

JULY 19, 2024 (9501)

This is in reply to your letter, dated July 18, 2024, requesting dispensation permitting Branch 340 to register an alternate delegate out of time to the National Convention. It is apparent that the Branch did not meet the deadline for registering this alternate delegate.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of this alternate delegate to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

FABIAN GREENIDGE—YUMA, AZ, BRANCH 1642
JULY 19, 2024 (9502)

This is in reply to your letter, dated July 19, 2024, requesting dispensation permitting Branch 1642 to register an alternate delegate out of time to the National Convention. It is apparent that the Branch did not meet the deadline for registering this alternate delegate.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of this alternate delegate to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

HOMER HERNANDEZ, JR.,—SAN ANTONIO, TX, BRANCH 421

JULY 22, 2024 (9503)

This is in reply to your email, sent July 22, 2024, requesting guidance as to whether you are obligated to honor a steward's request for copies of complaints against him that were submitted to you by members of Branch 421.

So far as the *Constitution* is concerned, the answer to your question is no. Article 6, Section 1 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* provides that the Branch President shall have "general supervisory powers over the Branch" and the authority to "see that officers perform their duties." In addition,

Article 6, Section 1 provides that the Branch President is Chief Shop Steward of the Branch. The Branch President, therefore, retains the ultimate authority to supervise all stewards in the performance of their duties, regardless of whether they are elected or appointed.

Accordingly, as President you have discretion to decide whether or not to allow the steward to see the written complaints in question.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

JAMES BROWN—DAYTON, OH, BRANCH 182
JULY 23, 2024 (9474)

This is in reply to your letter, dated July 2, 2024, inquiring whether the *NALC Constitution* requires Branches to have a Director of Retirees and, if so, whether the Director must be a retired member.

Please be advised that the answer to both questions is no. As previous rulings have recognized, the *Constitution* does not require that a Branch have a Director of Retirees, although each Branch has the authority to establish such a position if it so wishes. Article 4, Section 1 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* specifically states that a "Branch may provide for additional elective offices in its by-laws."

Although Article 6, Section 1 of the *NALC Constitution* does provide that the National Director of Retirees must be a retired member, this provision is applicable only to the National Union. Accordingly, the Branch is not required to limit eligibility for the position of Director of Retirees to retired members.

In response to your last question, the Branch should include the Director of Retirees in its By-laws if it is an elective position, in accordance with Article 4, Section 1 of the *CGSFB*.

I hope that this letter addresses your concerns.

SCOTT GARBE—SHEBOYGAN, WI, BRANCH 102
JULY 23, 2024 (9504)

This is in reply to your letter, dated July 23, 2024, requesting dispensation permitting Branch 102 to register a delegate out of time to the National Convention. It is apparent that the Branch did not meet the deadline for registering this delegate.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. By copy of this letter, I am so notifying Secretary-Treasurer Rhine's office.

This dispensation applies only to the registration of this delegate to the 2024 National Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns.

PRESIDENTIAL RULINGS

PHILIP BZURA—SOUTHGATE, MI, BRANCH 758
JULY 25, 2024 (9505)

This is in reply to your letter, received at NALC Headquarters July 23, 2024, requesting that I reverse the decision of the Committee on Appeals in Appeals 54 and 55.

While I appreciate your concerns, I must advise that your request that I intervene in this matter is premature. The Committee's decision simply requires that you allow the members to vote on certain motions authorizing the expenditure of Branch funds. Any decision made by the members may then be re-appealed to the Committee. If necessary, I would be prepared to consider a request for dispensation allowing you not to implement a motion to expend funds if circumstances indicate that the expenditure would be harmful to the Branch.

I hope that this letter clarifies the situation. However, this letter should not be read to express any view at this time with respect to the financial issues you have raised.

MARK ROSE—HAMPDEN, ME, BRANCH 391
JULY 31, 2024 (9508)

This is in reply to your emails sent July 30, 2024, inquiring whether a member of Branch 391 who served as a 204b supervisor earlier this year is eligible to serve as a delegate to the National Convention.

Unfortunately I must advise that it appears this member cannot be a delegate. The disqualification provided by Article 5, Section 2 of the *NALC Constitution* does apply to 204b's.

Thank you for bringing this matter to my attention.

EDDIE DAVIDSON—MARIETTA, GA, REGION 9
AUGUST 2, 2024 (9492)

This is in reply to your email, sent July 15, 2024, requesting dispensation permitting the committee appointed to investigate charges pending in Branch 1690 to present their report at the Branch's meeting in August. According to your email, the committee members couldn't attend the July meeting.

Your request is appropriate. Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. Please advise the Branch and the members of the committee that they may present their report at the August meeting and that the Branch vote on the charges will be postponed until that meeting.

I trust that the foregoing addresses your concerns. Thank you for bringing this matter to my attention.

ERIC WETZBARGER—FAYETTEVILLE, NC, BRANCH 1128

AUGUST 19, 2024 (9514)

This is in reply to your letter, which you forwarded by email on August 15, 2024, concerning a motion you made at Branch 1128's meeting on July 11. According to your letter, you made a motion to invite National Business Agent Eddie Davidson to attend the Branch's next meeting, but Branch President Vega ruled your motion out of order. You now request that I issue a presidential ruling on this matter.

At the outset, I must advise that it would be inappropriate for me to rule on the specific situation described in your letter. Quite obviously, I was not at the meeting in question, and I only have your side of the story before me. I can provide the following guidance.

First, any decision of a Branch President can be appealed to the members of the Branch in accordance with Article 11, Section 1 of the *Constitution for the Government of Subordinate and Federal Branches*.

Second, National Business Agents are entitled to attend Branch meetings. As we have previously advised Brother Vega, the National Union is the exclusive bargaining representative of all letter carriers nationwide. Accordingly, it is expected that NBA's will generally have access to Branch meetings to carry out their responsibilities as representatives of the NALC. Therefore, I would suggest that Branch 1128 maintain an ongoing dialogue with Brother Davidson over his attendance at meetings, while recognizing that he is authorized to attend meetings on his own initiative.

Please note that I am providing copies of this letter to both Brothers Davidson and Vega.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

TRACY SEGURA, SR.—SLIDELL, LA, BRANCH 4413

AUGUST 19, 2024 (9515)

This is in reply to your letter dated August 2, 2024. In your letter, you requested my permission for the Branch to hold an emergency meeting so that the Branch could schedule a special election to fill the office of Branch President after current Branch President Keyanna Williams steps down.

First, the Branch does not need my permission to hold a special meeting. Article 3, Section 2 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* provides that a special meeting may be called by the Branch, and specifies the procedure for the Branch to call such a meeting.

Next, I understand that the Branch does not have a Vice President or Executive Vice President. Accordingly, it would be appropriate for the Branch to hold a special election to fill the vacancy created by the resignation of the current President. Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 4413 dispensation to conduct a special election for Branch President. Such election must comply with Article 5 of the *CGSFB* and the Branch's by-laws. By copy of this letter, I am directing National Business Agent Steve Lassan to provide whatever assistance the Branch may require to conduct the election.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

KEITH HOOKS—WASHINGTON, DC, BRANCH 142

SEPTEMBER 5, 2024 (9532)

This is in reply to your email, sent September 4, 2024, inquiring whether, as Branch 142 President, you have the authority to request copies of PS Forms 8038 and 8039 for the purposes of investigating a claim for possible reimbursement of monies paid by the Branch. The answer is yes.

Article 6, Section 1 of the *Constitution for the Government of Subordinate and Federal Branches* provides that the Branch President shall "have general supervisory powers over the Branch." In addition, Article 6, Section provides that the Branch President is the Chief Steward of the Branch. Pursuant to this authority, it is appropriate for the Branch President to request information necessary to investigate claims for funds owed to the Branch.

I hope that this letter addresses your concerns.

HOMER HERNANDEZ, JR.—SAN ANTONIO, TX, BRANCH 421

SEPTEMBER 16, 2024 (9525)

This is in reply to your August 22, 2024 inquiry and your August 23, 2024 request for advice.

In your August 22 inquiry, you asked whether one member can file Article 10 charges against another. The answer is yes. Article 10, Section 1 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* provides that "[a]ny member of the Branch who shall violate the *Constitution* or By-Laws of the Association or Branch may have charges preferred against them, and if such charges are proved shall be fined, reprimanded, suspended or expelled as the laws may direct or the Branch determine." Accordingly, charges under Article 10 may

be brought by one member against another.

Your August 23 request for advice attached an email from Brother Sergio Dovalina in which he asserts that at the Branch's August 15, 2024 meeting, charges against him were read without him having received any prior notice. Article 10, Section 2 provides that "charges shall be read by the Recording Secretary at the first regular Branch meeting after service on the member or officer." Therefore, charges should not be read until after they are served. If the charges against Brother Dovalina were read prior to service, as he asserts, they should not be processed until the first regular Branch meeting after they have been served on him.

Brother Dovalina's email also contained an information request concerning the charges. That information request may be referred to the committee of three disinterested members after the committee is appointed. The committee can then decide on the appropriateness of the request.

By copy of this letter, I am requesting that National Business Agent Shawn Boyd provide whatever assistance the Branch may require regarding the processing of the charges.

I hope that this letter addresses your concerns.

PHILIP BZURA—SOUTHGATE, MI, BRANCH 758
SEPTEMBER 16, 2024 (9531)

This is in reply to your letter, received by my office on September 4, 2024, concerning developments following remand of two appeals challenging the alleged misuse of Branch funds. The Committee of Appeals' decision, dated June 6, 2024, had required you to allow the members to vote on certain motions authorizing the expenditure of Branch funds. You wrote to me requesting that I reverse that decision, and by letter dated July 25, 2024 I advised you that while I appreciated your concerns, your request that I intervene was premature because any decision made by the members could be reappealed to the Committee. I also advised that, if necessary, I would be prepared to consider a request for dispensation allowing you not to implement a motion to expend funds if circumstances indicated that the expenditure would be harmful to the Branch.

In your most recent letter, you describe motions for expenditures of Branch funds that were made and seconded at the December 2023, January 2024, and June 2024 Branch meetings. You also describe a motion that was made and seconded at the December 2023 Branch meeting to disband a building fund. However, you do not indicate whether

the members voted on any of those motions, and if so, the outcome. You also express concern that the Branch's annual retiree Christmas party was cancelled. Finally, you ask how the Committee would rule on several hypothetical scenarios, and ask about the ethics, legality and tax consequences of "dues refunds."

Your letter asks me to consider the appeals you previously filed and the post-remand facts that you describe, and issue a ruling in favor of the Branch. To the extent you wish to challenge post-remand decisions of the members, the way to do that is to file a new appeal with the Committee. Such appeal should be directed to specific decisions by the Branch that you wish to reverse. It would be inappropriate for me to intervene in the appeal process provided by the *Constitution*.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

JOE CHOQUET—LOUISA, VA, BRANCH 685
SEPTEMBER 16, 2024 (9542)

This is in response to your email, sent September 6, 2024, concerning the appointment of Branch 685 President Bill Nightingale to serve as a steward. In your email, you state that Brother Nightingale was found guilty of charges under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* and suspended for the remainder of his term. Subsequently the acting President appointed him as a steward. You state that you believe the appointment was improper "as Nightingale is still the President (suspended) and cannot hold a Steward position."

It would be inappropriate for me to rule on the specific situation you describe, since I have only your account of the events. However, I can provide the following guidance.

Prior rulings establish that it is permissible under the *Constitution* for a member to serve simultaneously as both a branch officer and a steward, so long as the steward position is not treated as a branch office under the By-laws (e.g. if stewards are elected by station, rather than the entire membership, and do not sit on the Branch Executive Board). In other words, the *Constitution*, by itself, does not prohibit simultaneous service as both branch officer and shop steward in these circumstances.

However, prior presidential rulings have also recognized that a branch may impose a prohibition of officers serving as stewards through its By-laws. While members do have a constitutionally protected right to run for branch office, the branch has discretion to determine who may be selected shop steward. See Article 4, Section 5 of the *CGSFB*.

If you believe that the appointment of Brother Nightingale was inconsistent with either the Branch By-laws or the action taken by the

Branch under Article 10, you may appeal that decision to the Branch in accordance with the provisions of Article 11, Section 1 of the *CGSFB*.

I hope that this response addresses your concerns.

KEVIN GOTTLIEB—SEATTLE, WA, BRANCH 79
SEPTEMBER 18, 2024 (9554)

This is in reply to your letter, dated September 13, 2024, and subsequent email requesting dispensation for Branch 79 to hold its November 2024 regular Branch meeting on November 6, which is the first Wednesday of the month.

According to your letter, the Branch's by-laws require that its regular meetings be held on the second Wednesday of every month, except that when legal holidays and conventions interfere, the meeting shall be held on the first Wednesday of the month. You request dispensation to hold the meeting on the first Wednesday of the month, even though the second Wednesday is not a legal holiday or convention, because the Region 2 Regional Rap Session will take place the second week of the month and many of the Branch's members, including its full-time officers, plan to attend.

Your request is certainly reasonable. Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation, allowing the Branch to hold its November regular meeting on November 6.

Thank you for bringing this matter to my attention.

WILLIAM NIGHTINGALE, JR.—FREDERICKSBURG, VA, BRANCH 685
SEPTEMBER 19, 2024 (9550)

This is in reply to your email, received by my office on September 9, 2024, concerning your request that I preclude Branch 685 from relying on certain evidence that you contend was not available to you when you appealed from the Branch's decision on Article 10 charges against you.

It would be inappropriate for me to issue a ruling on this matter, as it pertains to a pending appeal over which the Committee on Appeals has responsibility. Accordingly, I am referring your letter to the Committee so that it is aware of your concerns and can address your request if it deems it appropriate to do so.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention. This letter should not be read the express any opinion on the merits of your appeal.

RENEE LOMAX—CICERO, IL, BRANCH 825
SEPTEMBER 19, 2024 (9553)

This is in reply to your email, received by my office on September 11, 2024, concerning the compensation paid to three Branch 825 officers while attending the National Convention. You write that the Branch's

past practice has been to require Branch officers to use their annual leave hours or take leave without pay while attending Conventions. You also write that at the Branch meeting on August 29, 2024, the membership approved a motion requiring the three Branch officers to convert their paid hours to annual leave or leave without pay.

You now ask whether the Branch officers can seek to have the Branch overrule the August 29 decision through a new motion at a future Branch meeting, or whether their only recourse is to appeal the August 29 decision to the National Committee on Appeals.

The *Constitution* does not restrict Branches from modifying or overturning previously adopted motions. Of course, any such motion would have to be consistent with the Branch By-laws. So long as there is no conflict with the By-laws, the August 29 decision could potentially be modified or reversed through a future motion approved by the membership.

The August 29 decision could also be challenged through an appeal to the Committee. The options are not mutually exclusive; the Branch officers could pursue both.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention. This letter should not be read to address any issue which may arise in a future appeal.

NICOLE RHINE & STEPHANIE STEWART—WASHINGTON, DC, NALC HQ
SEPTEMBER 20, 2024 (9551)

In accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby issue the following interpretive ruling.

This ruling addresses whether certain categories of enrollees in the NALC Health Benefit Plan (HBP) are required to pay the annual per capita tax required by Article 22 of the *NALC Constitution* in order to continue their enrollment in the HBP. The enrollees in question are survivor annuitants and enrollees eligible for coverage under Spouse Equity Law or the Temporary Continuation of Coverage ("TCC").

Article 22 provides, in pertinent part, as follows:

Section 1. Notwithstanding the provision in Article 2, there shall be a health plan type of membership which shall include any active or retired employee of the United States government and of the District of Columbia government (except a non-supervisory employee of the United States Postal Service), and supervisory employees in the Postal Service. In addition, health plan membership under this Article shall be available to the following categories of retirees from the Postal Service: (a) non-supervisory employees who were not regular members at the time of retirement; (b) non-supervisory employees who were regular members

at the time of retirement but subsequently did not maintain membership under Article 2; and (c) employees who were in supervisory status at the time of retirement.

...
Section 3. Each health plan member who is not a supervisory employee of the Postal Service shall pay directly to the National Association per capita tax of \$36 per annum or fraction thereof, payable on the date enrollment in the NALC Health Benefit Plan is effective, and on each January 1 thereafter during continuance of the enrollment. Health plan membership shall be terminated if per capita tax payment is not made within 60 days of the due date.

The only categories of enrollees required to pay the \$36 annual per capita tax are active or retired employees of the United States government and of the District of Columbia government (except nonsupervisory Postal Service employees and annuitants who maintain their membership). Article 22 does not mention surviving spouses who are not themselves employees or annuitants or individuals entitled to enrollment in the HBP under the above referenced statutes. The omission of these enrollees is consistent with applicable federal regulations prohibiting the HBP from disenrolling these specific groups for failure to maintain membership in the NALC.

Therefore, I conclude that the *NALC Constitution* does not require that survivor annuitants and enrollees eligible for coverage under Spouse Equity Law or the TCC be charged an annual per capita tax and that their enrollment in the HBP should be continued without such payment. To the extent necessary, the HBP Brochure should be amended to clarify this exemption.

TAMMY HARE—LEXINGTON, SC, BRANCH 233
SEPTEMBER 23, 2024 (9561 & 9562)

This is in reply to your email, sent September 20, 2024, in your capacity as Chairperson of the Branch 233 Election Committee. By copy of this letter, I am also responding to an email sent by Sister Aisha Culler on behalf of several candidates in the ongoing Branch election. Both emails reference problems that have arisen with the conduct of the election.

At the outset, it does appear that the extension of time requested by Sister Hare is warranted insofar as the Branch has decided to mail out a second set of ballots to address an issue with the return envelopes mailed with the first ballots. Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 233 dispensation to extend the deadline for return of ballots to ensure that the members have at least twenty days to mail their ballots, as required by Section 14.2 of the *NALC Regulations Governing Branch Election Procedures*.

PRESIDENTIAL RULINGS

It would be inappropriate for me to comment on the other issues raised in the emails, since I only have one side of the story before me. However, I recognize that Branch 233 has had problems conducting past elections. Accordingly, by copy of this letter, I am directing National Business Agent Eddie Davidson, or his designee, to contact the Branch Election Committee and provide whatever guidance and assistance may be needed to ensure that the election is conducted in accordance with the *Constitution* and the NALC election regulations.

Finally, this letter should not be read to limit the right of any Branch member to file a post-election appeal.

I hope that this letter addresses your concerns. Thank you for bringing these issues to my attention.

**CANTLIN MAGRUDER—JOLIET, IL, BRANCH 305
SEPTEMBER 25, 2024 (9556)**

This is in reply to your email, sent September 12, 2024, requesting advice on Branch 305's practice of waiving business by a majority vote at three (3) of the Branch's ten (10) regular meetings each year. Your email requests that I address your contention that this practice is inconsistent with the *NALC Constitution* and the Branch By-laws.

At the outset, as National President, I am responsible for ruling on the interpretation of the *NALC Constitution*. Disputes over the interpretation or application of By-law provisions must be resolved, in the first instance, at the Branch level. I can provide the following guidance as to the applicable provisions of the *Constitution*.

Article 3, Section 1 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* specifically provides that "regular meetings of the Branch shall be held not less than once a month," subject only to the proviso that the Branch may opt to have only ten (10) meetings a year. Although regular meetings may be cancelled due to unforeseen circumstances, prior rulings have recognized that a practice of entertaining motions to cancel regular Branch meetings in the absence of unforeseen circumstances would conflict with the *Constitution*.

There is a difference, however, between the cancellation of a regular meeting and the waiver of business at a regular meeting. Although Article 15 of the *CGSFB* establishes an order of business for Branch meetings, previous rulings have consistently held that the Branches have discretion to alter the order of business. In addition, there is nothing in the *Constitution* which would prohibit Branches from waiving agenda items during meetings.

If you believe that the Branch's actions violate the Branch's By-laws you may challenge its decision by initiating an appeal to the National Committee on Appeals in accordance with Article 11 of the *CGSFB*. This letter should not be read to express any view as to the merits of any such appeal.

I hope that this letter addresses your concerns, at least in part. Thank you for bringing this matter to my attention.

**GEBRAEL HAMM—COLUMBIA, SC,
BRANCH 233**

SEPTEMBER 25, 2024 (9569)

This is in reply to your email, sent September 24, 2024, requesting that I authorize Branch 233 to re-run its ongoing election.

In my response to Sister Hare, I directed National Business Agent Eddie Davidson, or his designee, to contact the Branch Election Committee to provide guidance and assistance. I am not persuaded that this responsibility should be reassigned to another regional office as suggested in your email.

However, by copy of this letter, I am authorizing Brother Davidson to conduct a new election if he determines that it would be in the best interest of the Branch to do so.

I hope that this letter addresses your concerns.

**HOMER HERNANDEZ—SAN ANTONIO, TX,
BRANCH 421**

OCTOBER 1, 2024 (9560)

This is in reply to your email, sent September 18, 2024, inquiring whether Branch 421 must conduct a special election to fill a vacant officer position.

So far as the *Constitution* is concerned, the answer to your question depends entirely on the provisions of the Branch By-laws. Article 4, Section 2 of the *Constitution for the Government of Subordinate and Federal Branches* specifically provides that the Branch President may fill vacancies in officer positions by appointment, unless the Branch By-laws provide for an order of succession. However, presidential rulings have also recognized that Branches may make provision in their By-laws to hold special elections to fill vacancies in Branch offices, even though such special elections are not required by the *Constitution*.

While I appreciate your concerns, it would be entirely inappropriate for me to comment on whether the By-law provision described in your email requires that you conduct a special election to fill the vacancy in question. As National President, it is my responsibility to interpret the *NALC Constitution*. The issue described in

your letter depends on the interpretation and application of the relevant Branch By-law language. Such disputes must be resolved, in the first instance, at the Branch level.

As Branch President, you have the authority to rule on the meaning of the Branch By-laws. However, your ruling may be appealed to the Branch under Article 11, Section 1 of the *NALC Constitution for the Government of Subordinate and Federal Branches (CGSFB)*. The Branch's decision may be appealed to the National Committee on Appeals pursuant to Article 11, Section 2 of the *CGSFB*.

If the By-laws are ambiguous, I would suggest that the Branch enact a clarifying amendment which reflects the will of the members.

I trust that the foregoing addresses your concerns, at least in part. Thank you for bringing this matter to my attention.

DAVID GROSSKOPF, JR.—CHEEKTOWAGA, NY, BRANCH 3

OCTOBER 2, 2024 (9555)

This is in reply to your email, sent September 12, 2024, concerning the amendment to Article 2, Section 1(e) that was adopted by the 2024 National Convention. You now inquire whether that amendment will authorize former retiree members who resigned from membership to rejoin the NALC.

Article 2, Section 1(e), as amended, will now read as follows:

(e). a Form 1189 (Dues Check-Off Provision) must be signed by all retiring members within the NALC who wish to retain their membership in said organization. An annuitant who was a member in good standing at the time of retirement may also sign this Form and have their membership reinstated.

This change adopted by the delegates now allows a retiree whose membership was canceled for failure to timely complete a Form 1189 at the time of retirement, the opportunity to have their membership reinstated by completing a Form 1189. The amendment does not apply to retiree members who did complete the Form 1189 so as to maintain their membership, if they subsequently resign their membership voluntarily.

I hope that this response addresses your concern. Thank you for bringing this issue to my attention.

**KYLE NELSON—SAN FRANCISCO, CA,
BRANCH 214**

OCTOBER 7, 2024 (9578)

This is in reply to your email, sent October 3, 2024, in which you ask several questions pertaining to the appeal process set forth in Section 21 of the *NALC Regulations Gov-*

erning Branch Election Procedures (RGBEP). While it would be inappropriate for me to address the specific situation in Branch 214, as described in your email, I can provide the following guidance.

First, Section 21.1 of the RGBEP states that appeals must be mailed to the Election Committee "within five (5) days after the date of the election." Prior rulings interpreting this provision have held that, as a general rule, the five day period begins on the date on which the Election Committee completed the counting of ballots. The fact that certain elective offices had only one nominee would not be significant, so long as a contested election for other offices is conducted.

Second, any member who believes that the election was conducted improperly may file an appeal after the election in accordance with Section 21.

Third, under Section 21.1 the timeliness of an appeal is determined by the date of mailing, not the date of receipt by the Election Committee.

I hope that this letter addresses your concerns. This letter should not be read to express any view as to the merits of any appeal that may be filed in connection with the Branch 214 election.

**JAMES WINNER—CORVALLIS, OR,
BRANCH 1274**

OCTOBER 8, 2024 (9575)

This is in reply to your October 1 and October 2, 2024 emails. In your emails, you request dispensation for Branch 1274 to hold nominations at its November 2024 meeting instead of its October 2024 meeting, and to hold elections at its December 2024 meeting instead of at its November 2024 meeting.

According to your emails, the Branch's bylaws provide that nominations are to take place at the Branch's October meeting and the election at its November meeting. You write that, due to a late start, the Branch will be unable to send the notice of nominations 10 or more days before the Branch's October meeting, as required by Article 5, Section 5(b) of the *Constitution for the Government of Subordinate and Federal Branches* and Section 6.1 of the *NALC Regulations Governing Branch Election Procedures*.

In order to allow the Branch to comply with the 10-day notice requirement and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the Branch dispensation to hold nominations at the Branch's November 2024 meeting and to hold its election at its December 2024 meeting.

Please understand that this dispensation applies only to the 2024 Branch election and that for future elections the Branch must comply with the requirements of its bylaws, the *Constitution* and NALC election regulations.

I hope this letter addresses your concerns. Thank you for bringing this matter to my attention.

JESSICA SHULTZ—QUINCY, IL, BRANCH 216
OCTOBER 8, 2024 (9576)

This is in reply to your email, sent on October 1, 2024, advising that Branch 216 does not have a President or Vice President. Apparently, Branch President Micah Bowton has resigned. Brother Bowton, who had been Vice President, assumed the presidency following the resignation of former President Jason Owen. You further advise that the Branch By-laws do not provide for a succession to office. The Branch will hold its regular election later this year.

Brother Bowton's letter of resignation clearly indicates that he anticipated that Sister Shultz would succeed him as President. However, Article 6, Section 2 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* requires that the Vice President of the Branch succeed to the presidency in the event that the President leaves office. The Vice President, upon becoming President, would then have the authority to fill the resulting vacancy in the office of Vice President by appointment, as provided by Article 4, Section 2 of the *CGSFB*, unless the Branch has enacted By-laws which provide an order of succession.

In this case, Brother Bowton should have appointed Sister Shultz to be Vice President before he resigned to assure that she would succeed him. Since he failed to do so, dispensation from me is appropriate to resolve this situation and assure that the Branch can continue to function.

Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 216 dispensation permitting Sister Shultz to serve as President of the Branch until the next slate of officers is installed following the election later this year. As President, Sister Shultz may appoint a member to serve as Vice President for the balance of the present term.

I trust that the foregoing addresses your concerns. Thank you for bringing this matter to my attention.

CARLY HOOK—SANTA CLARA, CA, BRANCH 1427

OCTOBER 9, 2024 (9585)

This is in reply to your October 2, 2024 letter requesting dispensation permitting Branch 1427 to hold nominations for its delegates to the 2025 California State Convention at the Branch's December 4, 2024 meeting.

According to your letter, the Branch's bylaws provide that Convention delegates are to be nominated at the Branch's October meeting. You write that due to inadvertent oversight, the Branch's election notice in the August 2024 *Postal Record* left out notice of the California State Convention delegates in its October newsletter.

Your request is reasonable. In accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the Branch dispensation to hold nominations for its California State Convention delegates at its December 4, 2024 meeting.

I hope this letter addresses your concerns. Thank you for bringing this matter to my attention.

JEROME TERCERO—ELK GROVE, CA, BRANCH 214

OCTOBER 10, 2024 (9574)

This is in reply to your email, sent September 30, 2024, in which you ask various questions about NALC policy requirements for Branch elections.

Please be advised that each of your questions is addressed by the *NALC Regulations Governing Branch Election Procedures (RGBEP)*. These regulations are applicable to the election of Branch officers, stewards who are members of the Branch executive board, convention delegates, and any other Branch positions which have executive or policy-making authority or responsibility. See, *RGBEP* Section 2.1.

Section 5 of the *RGBEP* explains the requirements for the contents and mailing of the notice of nominations and elections. Section 5.1 requires that no less than 45 days before the election, notice of the election be mailed to every member at their last known home address. Per Section 5.11, this requirement may also be satisfied by timely publication of the notice in *The Postal Record* or in State or Branch publications that are mailed to the last known address of the member. Section 5.2 requires the notice to state the offices to be filled and the length of terms for each office, and to identify the time, place, and manner for nomination and election.

In your email, you also describe two scenarios and ask if NALC policy requires the Branch to permit absentee voting under the conditions described. Generally speaking, absentee voting must be permitted in all elections covered by the *RGBEP*. Section 11.5 states that a member who for any reason is unable to vote in-person may request an absentee ballot. Per Section 5.21, the election notice should state who can request an absentee ballot, where such requests must be received, and when requests must be made.

However, there are no *Constitutional* rules or NALC regulations which address this issue in the context of an election of a steward in a particular office. The *RGBEP* are not binding on the election of stewards who are elected by station and are not members of the Branch Executive Board. See

RGBEP, Section 2.1. Rather, as provided in Article 4, Section 5 of the *Constitution* for the

Government of Subordinate and Federal Branches (*CGSFB*), stewards may be elected in individual stations "as the Branch may determine." Accordingly, in the scenario described in your email, the Branch would be free to address the issue of absentee voting in any manner that is consistent with its By-laws.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

TED LEE, PITTSBURGH, PA, BRANCH 84
OCTOBER 10, 2024 (9577)

This is in reply to your email, sent September 30, 2024, requesting clarification of the membership status of Michael Schuler, a member of Branch 84.

According to NALC membership records, Brother Schuler is a regular member. The records show that he is an active employee who maintained his membership in the NALC when he transferred to the maintenance craft.

Non-letter carrier members, such as clerks and maintenance employees, have full rights as members of the NALC. Article 2, Section 1(a) of the *NALC National Constitution* defines "regular" members as including "non-supervisory employees of the Postal Career Service." It does not limit regular membership to employees in the letter carrier craft. The sole limitation on the activities of "non-letter carrier regular members" is that they may have "no voice or vote in the branch in any matter pertaining to the ratification of a national working agreement, local memorandum of understanding, or proposed work stoppage."

Active craft employees, such as Brother Schuler, are not eligible for membership under Article 22 of the *Constitution*. Article 22 membership is limited to non-postal federal employees, postal supervisors, and non-member retirees. Accordingly, Article 22 does not provide a basis for excluding Brother Schuler from Branch meetings, events or mailings, as suggested in your letter.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

JAMES THIGPEN—JACKSONVILLE, FL, BRANCH 53

OCTOBER 10, 2024 (9589)

This is in reply to your email, sent October 8, 2024, requesting dispensation permitting Branch 53 to reschedule its nominations and

election of officers. This change is necessary because the Branch has had to cancel its scheduled nominations meeting due to Hurricane Milton. As indicated in your email, the Branch will provide appropriate notice of the new date for nominations to all active and retired members.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 53 dispensation to reschedule its nominations of officers and delegates to next regular meeting at which it is possible to hold nominations. An election, if necessary, may be scheduled for a later meeting.

Please understand that this dispensation applies only to the 2024 nominations and election of officers and delegates. For future elections, the Branch must comply with the time frames and notice requirements provided by its By-laws, the *Constitution*, and the *NALC Regulations Governing Branch Election Procedures*.

Thank you for bringing this matter to my attention. Please convey our best wishes and support to the members of the Branch.

KATHY TAR-TAYLOR—DEER PARK, TX, BRANCH 3867

OCTOBER 25, 2024 (9593)

This is in reply to your letter, sent by email on October 17, 2024, requesting dispensation permitting Branch 3867 to conduct a new election of officers in December. According to your letter, the Postal Service mishandled all the absentee ballots in the regular election in October so that they were returned to sender.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 3867 dispensation to conduct a new election in December. The Branch must provide appropriate and timely notice of this change to all active and retired members as expeditiously as possible.

Please understand that this dispensation applies only to the 2024 nomination and election of officers. For future elections, the Branch must comply with the time frames and notice requirements provided by its By-laws, the *Constitution*, and the *NALC Regulations Governing Branch Election Procedures*.

Your cover email also requested that I appoint an outside election committee to conduct the election. There is no apparent basis for this request. The Branch seems capable of conducting the election without an outside committee. However, by copy of this letter, I am directing National Business Agent Shawn Boyd to provide whatever assistance the Branch may require to conduct a successful election. Please feel free to contact Brother Boyd's office for any further guidance.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

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KAREN ESHABARR—SAN FRANCISCO, CA, BRANCH 214
OCTOBER 25, 2024 (9594)

This is in reply to your letter, dated October 22, 2024, requesting dispensation permitting Branch 214 to reschedule its nominations and election of officers. According to your email, the Branch did not send to the members a timely notice of nominations and election.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 214 dispensation to reschedule its nominations of officers to its regular meeting in December. The Branch must provide appropriate and timely notice of this change to all active and retired members as expeditiously as possible. The Branch may conduct its mail ballot election in January, as requested in your letter.

Please understand that this dispensation applies only to the 2024 nomination and election of officers. For future elections, the Branch must comply with the time frames and notice requirements provided by its By-laws, the *Constitution*, and the *NALC Regulations Governing Branch Election Procedures*.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

JOAN HERTEL—ARVADA, CO, BRANCH 4405
OCTOBER 28, 2024 (9591)

This is in reply to your email, sent October 15, 2024, requesting that I grant Branch 4405 dispensation approving the notice of election that you submitted to *The Postal Record* in August. According to your email, you did not realize that the next issue of *The Postal Record* would be combined for two months so that the election notice may be late.

While I appreciate your concerns, I must advise that it would not be appropriate for me to act on your request. The issue you raise could be the subject of a post-election appeal.

I am not suggesting that you reschedule the nominations or election. If you believe that the delay in publication of the notice did not affect nominations and will not affect the conduct of the election, you may proceed with the understanding that any aggrieved member may submit a post-election appeal.

I hope that this letter addresses your concerns, at least in part. Thank you for bringing this matter to my attention.

NANCY RIVERA—EUSTIS, FL, BRANCH 5192
OCTOBER 28, 2024 (9592)

This is in reply to your email, sent October 15, 2024, requesting dis-

pensation permitting Branch 5192 to reschedule its nominations to its November meeting. According to your email, the Branch will not have a quorum at its October nominations meeting because the members will be out late due to the impact of Hurricane Milton on the Apopka, Florida installation.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 5192 dispensation to reschedule its nominations of officers and delegates to its November meeting. An election, if necessary, may be scheduled for a later time. The Branch must provide appropriate notice of the new date for nominations to all active and retired members.

Please understand that this dispensation applies only to the 2024 nominations and election of officers and delegates. For future elections, the Branch must comply with the time frames and notice requirements provided by its By-laws, the *Constitution*, and the *NALC Regulations Governing Branch Election Procedures*.

Thank you for bringing this matter to my attention. Please convey our best wishes and support to the members of the Branch.

CHRISTOPHER JACKSON—SCHENECTADY, NY, BRANCH 358
OCTOBER 28, 2024 (9595)

This is in reply to your letter, sent by email on October 17, 2024, requesting dispensation permitting Branch 358 to conduct its election for First Vice President by mail ballot. According to your letter, the Branch by-laws do not specify a method of voting.

Please be advised that Section 11.7 of the *NALC Regulations Governing Branch Election Procedures* provides that "voting must be at a branch meeting unless branch by-laws provide for a different method." Accordingly, dispensation from the National President is necessary to authorize a mail ballot for the current Branch 358 election.

The facts set forth in your letter demonstrate that a mail ballot would be in the best interest of the Branch. Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. The Branch may proceed with the ongoing election by mail-in ballot.

As suggested in your letter, the Branch should amend its By-laws to authorize future mail ballot elections.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

JOHN MCPHERSON—NORTH HIGHLAND, CA, BRANCH 133
OCTOBER 28, 2024 (9596)

This is in reply to your email, sent October 17, 2024, requesting dispensation permitting Branch 133 to reschedule its election of delegates to the 2025 California State Association Convention to December. According to your email, the Branch did not send to the members a timely notice of nominations and election.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. The Branch must provide appropriate and timely notice of this change to all active and retired members as expeditiously as possible.

Please understand that this dispensation applies only to the 2024 nomination and election of delegates. For future elections, the Branch must comply with the time frames and notice requirements provided by its By-laws, the *Constitution*, and the *NALC Regulations Governing Branch Election Procedures*.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

DAVE NEGROTTI—BOULDER, CO, BRANCH 642
OCTOBER 29, 2024 (9599)

This is in reply to your letter, dated October 15, 2024, requesting dispensation permitting Branch 642 to reschedule its election of delegates to the Colorado State Association Convention to its meeting in November. According to your letter, the Branch inadvertently failed to call for nominations at its October meeting, when they were originally scheduled.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. The Branch must provide appropriate and timely notice of this change to all active and retired members as expeditiously as possible.

Please understand that this dispensation applies only to the 2024 nomination and election of delegates. For future elections, the Branch must comply with the time frames and notice requirements provided by its By-laws, the *Constitution*, and the *NALC Regulations Governing Branch Election Procedures*.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

CORY CARTER—FARGO, ND, BRANCH 205
OCTOBER 30, 2024 (9600)

This is in reply to your letter, dated October 23, 2024, requesting dis-

pensation permitting Branch 205 to reschedule its nomination of delegates to the North Dakota State Association Convention to its meeting in November and, if necessary, its election of delegates to the December meeting. According to your letter, the Branch inadvertently failed to conduct nominations at its October meeting, as required by the Branch By-laws.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. The Branch must provide appropriate and timely notice of this change to all active and retired members as expeditiously as possible.

Please understand that this dispensation applies only to the 2024 nomination and election of delegates. For future elections, the Branch must comply with the time frames and notice requirements provided by its By-laws, the *Constitution*, and the *NALC Regulations Governing Branch Election Procedures*.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

HENRY CORDERO—BEVERLY HILLS, CA, BRANCH 2293
OCTOBER 30, 2024 (9601)

This is in reply to your email, sent October 19, 2024, inquiring whether Branch 2293 is required to honor a member's request for copies of the minutes of the Branch's meetings. According to your email, the Branch policy has been to provide copies of minutes only to Branch officers upon request but not to members who are not officers. Apparently, you have advised the member in question that he may inspect the minutes but cannot have a copy.

The policy described in your email appears to be consistent with the *NALC Constitution*. Previous presidential rulings have held that the minutes of Branch meetings should be reasonably accessible for review by all members on an equal basis. However, there are no constitutional provisions or prior rulings which generally require that the Branch provide copies of minutes to members upon request. Accordingly, the Branch may adopt any reasonable policy to address this issue as it sees fit.

A member may appeal the denial of a request for a copy of the minutes to the Branch under Article 11, Section 1 of the *Constitution for the Government of Subordinate and Federal Branches*. This letter should not be read to express any view as to whether such an appeal would have merit.

I hope that this letter addresses your concerns.

**CINQUE STEVENS—DOWNERS GROVE, IL,
BRANCH 1870**

OCTOBER 30, 2024 (9602)

This is in reply to your letter, dated October 22, 2024, requesting dispensation permitting Branch 1870 to reschedule its election of delegates to the Illinois State Association Convention to December. According to your letter, the Branch inadvertently failed to appoint an election committee in time to conduct the mail ballot election in November, when it was originally scheduled.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation.

Please understand that this dispensation applies only to the 2024 election of delegates. For future elections, the Branch must comply with the time frames and notice requirements provided by its By-laws, the *Constitution*, and the *NALC Regulations Governing Branch Election Procedures*.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

MELE BALL—PASCO, WA, BRANCH 1528

NOVEMBER 1, 2024 (9608)

This is in reply to your letter, dated October 30, 2024, requesting dispensation permitting Branch 1528 to conduct its nomination of officers at its November 14 meeting, even if a quorum is not present. According to your letter, members who regularly attend Branch meetings will be attending the Region 2 Rap Session instead.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation.

Please understand that this dispensation applies only to the 2024 nominations. For future nominations a quorum should be present.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**TRAVIS KLEMP—FORT DODGE, IA,
BRANCH 645**

NOVEMBER 1, 2024 (9609)

This is in reply to your letter, dated October 15, 2024, concerning the nomination of officers in Branch 645. According to your letter, the Branch was unable to conduct nominations as scheduled at its October 8 meeting because a quorum was not present. You now ask for guidance as to how to proceed.

Article 3, Section 4 of the *Constitution for the Government of Subordinate and Federal Branches* states that "The Branch shall be called to order at the time prescribed in the by-laws if a quorum be present." Previous rulings have recognized that this language requires that a quorum be present before any Branch

meeting may be called to order. In addition, the rulings have also noted that, as a general rule, no official Branch business should be conducted at a meeting at which a quorum is not present. Accordingly, in the absence of a quorum, the Branch's decision not to conduct nominations was proper.

I am prepared to grant dispensation authorizing the Branch to reschedule its nominations and, if necessary, an election to a later date for which suitable notification can be provided to the members. If necessary, I would also consider granting dispensation permitting the Branch to conduct a nominations meeting with a reduced quorum requirement or to use alternative methods of nominating candidates, such as nominations by mail.

I recommend that you contact Executive Vice President Paul Barner. He can assist you in working out a plan for an alternative nominations and election process which could then be presented to me for approval.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**KEVIN SOMMERS—STATE COLLEGE, PA,
BRANCH 1495**

NOVEMBER 1, 2024 (9610)

This is in reply to your letter, dated October 28, 2024, requesting dispensation permitting Branch 1495 to reschedule its election to its meeting in November. According to your letter, the Branch inadvertently omitted the nomination of delegates to the Pennsylvania State Association Convention from its meeting agenda.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. The Branch must provide appropriate and timely notice of this change to all active and retired members as expeditiously as possible.

Please understand that this dispensation applies only to the 2024 election. For future elections, the Branch must comply with the time frames and notice requirements provided by its By-laws, the *Constitution*, and the *NALC Regulations Governing Branch Election Procedures*.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**MICHAEL BRASAEMLÉ, JONATHAN MUNOZ
AND ALAN GEGAN—LAS VEGAS, NV,
BRANCH 2502**

NOVEMBER 1, 2024 (9611)

This is in reply to your letter, dated October 21, 2024, in which you allege that several improprieties have occurred in the current Branch 2502 election.

While I appreciate your concerns, I must advise that it would be inappropriate for me to comment on your specific claims, particularly since I

only have your side of the story before me. There is no basis for any intervention in this election by the National Union at this time.

All objections to the conduct of an election must be brought in the form of a post-election complaint to the Branch Election Committee under Section 21 of the *NALC Regulations Governing Branch Election Procedures*.

It is the responsibility of the Election Committee to rule on the issues raised by the appeal. The Committee's decision may be appealed to the Branch Executive Board. Thereafter, the matter will be subject to appeal to the Branch and to the National Committee on Appeals.

I hope that this letter addresses your concerns, at least in part. This letter should not be read as expressing any view as to the merits of any issues which may be raised in any appeal.

JAYSON JONES—RALEIGH, NC, BRANCH 459
NOVEMBER 12, 2024 (9621)

This is in reply to your email, sent November 7, 2024, requesting dispensation permitting Branch 459 to reschedule nominations and election of delegates to the 2025 North Carolina State Association Convention. According to your letter, the Branch inadvertently failed to conduct its nomination and election of delegates in accordance with the time frames set forth in its By-laws.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. The Branch must provide appropriate and timely notice of this change to all active and retired members as expeditiously as possible.

Please understand that this dispensation applies only to the 2024 election. For future elections, the Branch must comply with the time frames and notice requirements provided by its By-laws, the *Constitution*, and the *NALC Regulations Governing Branch Election Procedures*.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**KATHY HUNTER—KALAMAZOO, MI,
BRANCH 246**

NOVEMBER 12, 2024 (9622)

This is in reply to your letter, sent by email on November 7, 2024, requesting dispensation permitting Branch 246 to reschedule nominations and election of delegates to the 2025 Michigan State Association Convention. According to your letter, the Branch inadvertently failed to conduct its nomination and election of delegates in accordance with the time frames set forth in its By-laws.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. The

Branch may conduct nominations at its December meeting. If necessary, an election may be conducted at the Branch's January meeting. The Branch must provide appropriate and timely notice of this change to all active and retired members as expeditiously as possible.

Please understand that this dispensation applies only to the 2024 election. For future elections, the Branch must comply with the time frames and notice requirements provided by its By-laws, the *Constitution*, and the *NALC Regulations Governing Branch Election Procedures*.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**PAMELA MOORE—HEPHZIBAN, GA,
BRANCH 263**

NOVEMBER 20, 2024 (9626)

This is in reply to your letter, received by my office on November 12, 2024, concerning your request that I issue an "expedited resolve" on an appeal that appears to be currently pending with Branch 263's Executive Board. You explain that you sent an appeal to the Executive Board by mail on August 14 and also by text message on an unspecified date, but that you have not yet received a decision. You also ask that I issue an "expedited resolve" on Article 10 charges sent to the Branch on August 19 and read at the Branch's September 10 meeting.

While I appreciate your concerns, I must advise that your request appears to be based on a misunderstanding of the appeals process. Appeals are governed by Article 11 of the *Constitution for the Government of Subordinate and Federal Branches*. Article 11, Section 1 of the *CGSFB* permits an appeal to be taken to the President from the decision of any officers of the Branch, and to the Branch from any decisions of the President. To date, it does not appear that a decision on your appeal has been made by any Branch officer or that your appeal has been presented to the members at a Branch meeting.

Accordingly, it would be inappropriate for me to issue an "expedited resolve" or other decision on your appeal. Based on your letter, it appears that the Branch President denies having received the mailed copy of your appeal. I have copied the Branch President on this letter so that she is aware you are awaiting a response to your appeal.

With respect to the Article 10 charges referenced in your letter, it would also be inappropriate for me to issue an "expedited resolve" or other decision. According to your letter, the Article 10 charges against the Branch President were read at the Branch's September 10 meeting. Under Article 10, Section 3 of the *CGSFB*, the next step is for the Vice President to appoint a committee of three disinterested members to investigate the charges and make a re-

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port to the Branch. It is unclear from your letter if an impartial committee has been appointed. In any event, it does not appear that the Branch has yet voted on whether to sustain the charges. Ultimately, any appeal from a Branch decision on the Article 10 charges would be to the National Committee on Appeals. The procedure for submitting an appeal to the Committee is set forth in Article 11, Section 2 of the *CGSFB*.

I hope that this letter addresses your concerns. This letter should not be read as expressing any opinion on the merits of an appeal. Thank you for bringing these matters to my attention.

QUETCY AVILES AND CHRISTOPHER JACKSON—NEWPORT NEWS, VA, BRANCH 609

NOVEMBER 20, 2024 (9641)

This is in reply to your email, sent on November 19, 2024, requesting special dispensation to hold Branch 609's election of delegates for the State Association Convention at your January 16, 2025 membership meeting.

Article 5, Section 4 of the *NALC Constitution* provides that election of delegates to the State Association Convention shall be made no later than December of the year preceding the convention year. This provision further provides that notice of the election must be sent no less than 45 days before the election. Article 5, Section 5(b) requires the nomination of candidates at a regular or special meeting of the Branch not less than four weeks before the date of election and not less than 10 days after the notice of nomination and election has been sent out.

In your email, you state that due to unforeseen circumstances the Branch mailed its notice of election on November 15, 2024, only 34 days before the scheduled election of delegates at your December meeting. You request dispensation to postpone the election until your January 16, 2025 membership meeting to allow for timely notice to be sent. Rather than hold nominations at your November 21, 2024 membership meeting, you propose holding nominations at your regularly scheduled December 2024 meeting.

In light of the facts presented, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 609 dispensation to postpone its nominations of delegates to its December 2024 meeting and to postpone its election of delegates to its January 2025 meeting. Please note that this dispensation is for this election cycle only. In the future, the Branch must take care to provide timely notice to the members so as to ensure that its elections are conducted in accordance

with the requirements of the *Constitution* and *NALC Regulations Governing Branch Election Procedures*.

I hope that the foregoing addresses your concerns.

DARCY MATHIS—HARPERS FERRY, IA, BRANCH 2409

NOVEMBER 26, 2024 (9642)

This is in reply to your letter, dated November 16, 2024, requesting dispensation for Branch 2409 to conduct a special election for Branch President. You write that you are the senior full time carrier in your post office, and that the Branch currently has no President, Executive Vice President or Vice President.

If, as you write, the Branch currently has no President, Executive Vice President or Vice President, it would be appropriate for the Branch to hold a special election to fill the office of President. Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 2409 dispensation to conduct a special election for Branch President. Such election must comply with *NALC Constitution* and *Regulations Governing Branch Election Procedures* and the Branch's by-laws. By copy of this letter, I am directing National Business Agent David Teegarden to provide whatever assistance the Branch may require to conduct the election.

Thank you for bringing this matter to my attention.

TRAVIS KLEMP—FORT DODGE, IA, BRANCH 645

NOVEMBER 26, 2024 (9643)

This is in reply to your letter, dated November 20, 2024, requesting dispensation for Branch 645 to reschedule its nominations and election to a later date for which suitable notification can be provided to the members, as well as dispensation for the Branch to conduct its nomination and election meetings with a reduced quorum requirement, pending enactment of a By-law amendment reducing the quorum requirement permanently. You note that the Branch intends to vote at a future meeting on a proposed by-law change to reduce the quorum from eight to six or four members, in order to alleviate what seems to be a recurring problem with achieving a quorum.

Your request is certainly reasonable. Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation, allowing the Branch, following suitable notice, to hold its nominations on February 11, 2025 and its election on March 11, 2025. I also hereby

grant dispensation for the Branch, for the February 11, 2025 and March 11, 2025 meetings only, to proceed with a reduced quorum of four members.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

MARK CAMILLI—LORAIN, OH, REGION 11

NOVEMBER 26, 2024 (9644)

This is in reply to your email, sent on November 22, 2024, requesting dispensation to conduct a special election for officers of Branch 307. You note that it was recently discovered that the Branch has not been holding regular meetings and did not conduct an official election of officers. The members of Branch 307 have requested authority to hold a special election and then submit updated bylaws. You propose that nominations be held at the Branch's January 2025 membership meeting and the election be held at the Branch's February 2025 meeting. You further request dispensation to have RAA David Kennedy oversee and run the January and February 2025 Branch meetings.

Article 4, Section 2 of the *Constitution for the Government of Subordinate and Federal Branches*, as well as federal law, require that all Branch officers be elected to a term that cannot exceed three years. See also Section 3.1 of the *NALC Regulations Governing Branch Election Procedures (RGBEP)*. Therefore, it is imperative that the Branch conduct a special election of officers as expeditiously as possible.

In accordance with my authority under Article 9, Section 1(a) of the *NALC Constitution*, I hereby grant Branch 307 dispensation to hold a special election for officers with the nominations to be held at the Branch's January 2025 membership meeting and the election to be held at the Branch's February 2025 membership meeting. I hereby authorize RAA David Kennedy to oversee and run these meetings and the election process.

Brother Kennedy must make sure that an appropriate and timely notice of nominations and election is sent to all active and retired members of the Branch. The election should otherwise conform to the procedures provided in the *RGBEP* and any other branch by-laws. Additionally, the Branch must resume having regular branch meetings in conformity with the *NALC Constitution*.

Thank you for bringing this matter to my attention.

GARY SMITH—OCALA, FL, BRANCH 1103

DECEMBER 6, 2024 (9647)

This is in reply to your November 22, 2024 email asking for guidance

regarding the withdrawal of the Branch's sole nominee for Branch President. According to your email, the only candidate for Branch President in the upcoming Branch officer election has withdrawn, leaving the nominee for Branch Vice President as the only candidate in the election.

The Branch may address this situation in either of two ways.

First, the Branch could conduct a special election for Branch President, in order to have the opportunity to try to find one or more new nominees for that position. To do this, you should submit to me a request for dispensation to conduct such a special election, and state the reasons for your request.

Alternatively, the Branch could proceed with the scheduled election and install as Vice President the unopposed candidate for that position. Once in office, the Vice President would assume the vacant position of President, as provided by Article 6, Section 2 of the *Constitution for the Government of Subordinate and Federal Branches* ("CGSFB"). As President, he or she could then appoint another member as Vice President, pursuant to Article 4, Section 2 of the *CGSFB*.

I trust that the foregoing addresses your concerns.

DON FERRARO, JR.—MADISON HEIGHTS, MI, BRANCH 3126

DECEMBER 10, 2024 (9649)

This is in reply to your letter, dated November 29, 2024, requesting guidance as to whether you should comply with a request for a special meeting to consider whether the active members of Branch 3126 should recommend a "no vote" on the tentative national agreement. You suggest that the proposed special meeting would violate the Branch By-laws, as well as the *NALC Constitution*, because the meeting would be limited to active members.

At the outset, it would not be appropriate for me to address whether the request for a special meeting, as written, would violate the Branch By-laws. As President of the Branch, you have the authority to rule on the meaning and application of the By-laws. However, your decision would be subject to appeal to the Branch under Article 11, Section 1 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*.

I can provide the following general guidance with respect to the *Constitution*. Under Article 3, Section 2 of the *CGSFB*, special meetings may be called for a specific purpose. However, as prior presidential rulings have recognized, if a Branch President receives a petition calling for a special meeting, but the purpose of the

meeting would be clearly improper, the President would not be obliged to call the meeting. Such a decision by the President would be subject to appeal under Article 11, Section 1 of the *CGSFB*.

Special meetings are official meetings of the Branch. They are equivalent to regular meetings, except that, as provided by Article 3, Section 3 of the *CGSFB*, no business may be transacted at a special meeting other than that for which it may have been called. Accordingly, retiree members have the right to attend special meetings, regardless of the purpose of the meeting. Therefore, if you believe that the request for a special meeting that is now under consideration would improperly require you to exclude retiree members from the meeting, then you may decline to call the special meeting. However, once again, your decision may be appealed to the Branch.

Finally, retiree members may be permitted to speak at a regular or special meeting to express their views on a tentative agreement. However, as provided by Article 2, Section 1(a) of the *NALC Constitution*, retiree members may not participate in a voice vote or cast a ballot in any matter pertaining to the ratification of a tentative national agreement.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**PETER O'KEEFE—MIDDLEBORO, MA,
BRANCH 18**

DECEMBER 13, 2024 (9650)

This is in reply to your letter, dated November 20, 2024, requesting guidance as to whether Branch 18 should entertain a motion to recommend a "no vote" on the tentative national agreement at a regular Branch meeting. You suggest that consideration of the motion would violate the *NALC Constitution*, because the meeting would include retiree members.

Article 2, Section 1(a) of the *NALC Constitution* provides that retiree members "shall have no voice or vote in any matter pertaining to the ratification of a national working agreement." Accordingly, retiree members may not participate in a voice vote or cast a ballot in any Branch vote on a proposed recommendation to vote for or against a tentative national agreement.

However, the *Constitution* does not otherwise prohibit retirees from attending a meeting at which such a motion is considered. Retiree members may be permitted to speak at a regular or special meeting to express their views on a tentative agreement, but, as noted above, they may not cast any votes on motions pertaining to ratification.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**HOMER HERNANDEZ—SAN ANTONIO, TX,
BRANCH 421**

DECEMBER 13, 2024 (9651)

This is in reply to your email, sent December 9, 2024, requesting advice about a proposal offered by a steward in Branch 421. As I understand the proposal, stewards would be required to sign a written pledge. No steward would be permitted to handle any grievances beyond Informal Step A unless they swear to the proposed pledge.

The proposal would appear to violate Article 6, Section 1 of the *Constitution for the Government of Subordinate and Federal Branches* which provides that the Branch President is the chief steward of the Branch. Under Article 6, Section 1 the Branch President has the sole authority to delegate representational responsibilities to stewards. That authority cannot be restricted by a pledge requirement. In addition, the proposed requirement that stewards pledge to reimburse the union for training costs would probably violate members' rights under the *Constitution*.

If you agree with my interpretation of the proposal, it would be appropriate for you to rule that any motion to adopt this proposal would be out of order. Your decision, of course would be subject to appeal.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**VICKI OXNER AND JACKIE STEPHENSON—
ARLINGTON, TX, BRANCH 2309**

DECEMBER 23, 2024 (9658)

This is in reply to your letter, dated November 25, 2024 and received December 13. In your letter, you describe events following my May 31, 2024 dispensation permitting Branch 2309, if it so chose, to waive the minimum meeting attendance requirements provided by the Branch By-laws to allow Branch President David McFarland to attend the 2024 National Convention as a paid delegate.

According to your letter, the Branch voted at its July 2024 meeting to permit Brother McFarland to attend the 2024 Convention as a paid delegate, notwithstanding the fact he had failed to attend the required number of Branch meetings. You contend that Brother McFarland failed to notify the Branch's executive board that he was seeking dispensation, and take issue with some of Brother McFarland's representations in his letter to me.

While you express interest in protecting the integrity and finances of the Branch, you do not make clear what action you are asking me to take. Branch decisions are normally challenged through an appeal to the National Committee on Appeals. As provided by Article 11 of the *Constitution for the Government of Subordinate and Federal Branches*, such an ap-

peal must be in writing and filed with the Recording Secretary of the Branch within 20 days from the date of the Branch meeting at which the decision to be appealed from was made.

I hope that this letter addresses your concerns, at least in part. This letter should not be read to express any view as to the merits or timeliness of any appeal pertaining to the issues referenced in your letter.

Thank you for bringing this matter to my attention.

GARY SMITH—OCALA, FL, BRANCH 1103

DECEMBER 23, 2024 (9659)

This is in reply to your December 8, 2024 email asking for additional guidance regarding the situation in Branch 1103. According to your letter, the Branch has four officer positions to be filled in the upcoming election, but no nominees for President, Secretary, and Treasurer. Since there was only one nominee for Vice President, that member has been elected. In the meantime, a proposed merger with Branch 53 remains pending. If the merger is approved, the issues raised in your letter would become moot.

In my previous letter, I suggested two options the Branch could consider: requesting dispensation to conduct new nominations and a special election, or to proceed with the installation of the unopposed candidate for Vice President. Given the uncertainty over the outcome of the pending merger proposal, I recommend the second option.

As I noted in my earlier letter, upon installation the Vice President would assume the vacant position of President, pursuant to Article 6, Section 2 of the *Constitution for the Government of Subordinate and Federal Branches* ("*CGSFB*"). The Branch President could then appoint members to fill all remaining vacant officer positions pursuant to Article 4, Section 2 of the *CGSFB*. Future vacancies which could arise if By-law amendments are adopted could be filled in the same manner. Of course, none of this will be necessary if the Branch is merged with Branch 53.

I hope that this letter addresses your concerns. Once again, thank you for bringing this matter to my attention.

JERRY PENN—LAS VEGAS, NV, BRANCH 2502
DECEMBER 31, 2024 (9661)

This is in reply to your letter, dated December 11, 2024, concerning a pending election appeal in Branch 2502.

According to your letter, the original appeal raised objections to the conduct of the election, but did not seek to reopen nominations. However, the Election Committee sustained the appeal and ordered the Branch to conduct both new nominations and a new election. That decision was appealed to the Branch Executive Board which upheld the decision to conduct a new election but

overturned the decision to have new nominations. Four members have appealed the Executive Board's decision to the Branch. These members are seeking to have the members vote to conduct new nominations. You now ask whether it is proper for them to do so insofar as there was no objection to the conduct of the nominations in the original appeal to the Election Committee.

While I appreciate your concerns, I must advise that it would be entirely inappropriate for me to rule on the issue you have presented based on the limited information contained in your letter. I do not have any of the appeal documents and only have your side of the story before me. I can provide the following general guidance which you may share with the officers and members of the Branch.

First, a decision to sustain an election appeal does not necessarily require new nominations. If the original appeal did not challenge the conduct of nominations, and only raised objection with respect to the subsequent conduct of the election, then a decision to sustain that appeal would normally only require a rerun of the election, not the nominations.

Second, as a general rule, an aggrieved member who appeals a branch election to the Executive Board or the Branch may not add new objections that were not included in the original appeal to the Election Committee. Section 21.1 of the *NALC Regulations Governing Branch Election Procedures (RGBEP)* expressly provides that "*all objections*" to the conduct of an election by an aggrieved member must be mailed to the Chairperson of the Branch Election Committee within five (5) days after the date of the election." (Emphasis supplied.)

Third, the officers of the Branch may not refuse to present an appeal to the members because they believe it inappropriately raises new objections that were not included in the original election appeal. That issue can be raised at the meeting, but it is up to the members to decide.

Fourth, the members' decision may be appealed to the National Committee on Appeals under Section 21.4 of the *RGBEP*. The Committee may rule on whether an appeal of the conduct of an election was improperly expanded to encompass nominations, based on a review of the entire record.

Finally, in response to your last question, the *NALC* election regulations do not contain any provisions requiring that the issues described in your letter be decided by a two-thirds vote.

I hope that this letter addresses your concerns, at least in part. Thank you for bringing this matter to my attention.

KEVIN GOTTLIEB—SEATTLE, WA, BRANCH 79
DECEMBER 31, 2024 (9662)

This is in reply to your email, sent December 21, 2024, concerning the

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tie vote in the recent election for a Trustee position in Branch 79. You now request an extension of the requirement set forth in Section 11.31 of the *NALC Regulations Governing Branch Election Procedures* that the Branch conduct a run off election within thirty days of the original election. Specifically, you ask that the 30 day deadline be extended to 60 days because of the holidays.

Your request is certainly reasonable. Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. Branch 79 may conduct its rerun election at any time within 60 days of the original election.

I hope that the foregoing addresses your concerns. Thank you for bringing this matter to my attention.

PHIL PARDICK—CARMEL VALLEY, CA, BRANCH 1310

DECEMBER 31, 2024 (9663)

This is in reply to your letter dated May 25, 2024. In your letter, you requested special dispensation allowing Branch 1310 to compensate Sister Cramer as the Branch's delegate to the National Convention. Article V, Section 3 of the Branch's bylaws states that "[i]n order to be a paid delegate to the National or State Convention, you must have attended fifty [percent] (50%) of the regular monthly meetings." Your letter states that Sister Cramer is a retiree member in good standing, but lives far from the Branch meeting locations, making it difficult for her to attend meetings. It also states that at the Branch's May 16, 2024 meeting, the members voted in favor of paying Sister Cramer for her attendance at the National Convention, despite her not satisfying the 50% requirement.

In light of the facts presented in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant dispensation permitting the Branch to allow Sister Cramer to attend the National Convention as a paid delegate.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

QUETCY AVILES AND CHRISTOPHER JACKSON—NEWPORT NEWS, VA, BRANCH 609

DECEMBER 31, 2024 (9664)

This is in reply to your email, sent December 25, 2024, requesting dispensation permitting Branch 609 to reschedule its nominations and election of delegates to the 2025 Virginia State Convention. According to your letter, the Branch did not have a quorum at its nominations meeting due to the holiday season and members having to work late. You also note

that the Branch's notice of election missed the 45 day deadline.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 609 dispensation to reschedule its nominations of state convention delegates to the next regular meeting at which it is possible to hold nominations. The Branch must provide appropriate and timely notice of this change to all active and retired members as expeditiously as possible. An election, if necessary, may be scheduled for a later meeting.

Your letter indicates that the Branch may have a misunderstanding of the applicable notice requirement. Article 5, Section 4 of the *NALC Constitution for the Government of Subordinate and Federal Branches* and Section 5.1 of the *NALC Regulations Governing Branch Election Procedures* (RGBEP) require that a notice of nominations and election be sent by mail to each member of the Branch 45 days before the election, not 45 days before nominations. Section 6.1 of the RGBEP provides that the notice of nominations must be sent out 10 days before the date nominations are held.

The limited information contained in your letter does not indicate that the Branch failed to meet the notice deadlines. Going forward, the Branch may schedule nominations at its January meeting and the election at its February meeting, if it chooses to do so. Otherwise, nominations and the election may be scheduled for the February and March meetings.

Finally, as requested in your email, I hereby grant the Branch dispensation to reduce its quorum requirement temporarily from 15 to 10 members in order to ensure that it can proceed with the meetings at which delegates will be nominated and elected.

Please understand that this dispensation applies only to the 2024 nominations and election of delegates. For future elections, the Branch must comply with the time frames and notice requirements provided by its By-laws, the *Constitution*, and the *NALC Regulations Governing Branch Election Procedures*.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

MICHAEL SHEWBART—HUNTSVILLE, AL, BRANCH 462

DECEMBER 31, 2024 (9665)

This is in reply to your email, sent December 31, 2024, requesting dispensation permitting Branch 462 to change the date of its January meeting from January 2nd to January 9th

due to everyone working late the day after the holiday.

Your request is certainly reasonable. Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

THOMAS DEVROS III—ANCHORAGE, AK, BRANCH 4319

JANUARY 3, 2025 (9666)

This is in reply to your email, sent December 31, 2024, requesting dispensation permitting Branch 4319 to reschedule its January meeting. According to your email, the meeting is scheduled to take place on January 9 which has now been designated as the official Day of Mourning for President Carter.

Your request is reasonable. Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. Please make sure that appropriate and timely notice is provided to the members of any change in the meeting date.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

CATHERINE BODNAR—HIGHLAND, IN, BRANCH 580

JANUARY 15, 2025 (9671)

This is in reply to your email, sent January 12, 2025, requesting guidance on whether it would be permissible for you to appoint yourself, as Branch President, to serve on a committee in Branch 580.

In the absence of a conflict with the Branch By-laws, such an appointment would be permissible. Article 6, Section 1 of the *Constitution for the Government of Subordinate and Federal Branches*, in pertinent part, provides that the President of a Branch "shall . . . appoint all committees not otherwise provided for." There is nothing in the *Constitution* prohibiting Branch Presidents from appointing themselves to serve on a committee. Similarly, there are no special procedures which would have to be followed, as suggested in your email.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

GARY SMITH—OCALA, FL, BRANCH 1103

JANUARY 17, 2025 (9672)

This is in reply to your letter, dated January 6, 2024, requesting dispensation permitting Branch 1103 to reschedule its nominations and election of convention delegates. According to your letter, the Branch was

unable complete nominations at its regular nominations meeting due to minimal participation.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 1103 dispensation to reschedule its nominations of delegates to the next regular meeting at which it is possible to hold nominations. The Branch must provide appropriate and timely notice of this change to all active and retired members as expeditiously as possible. An election, if necessary, may be scheduled for a later meeting.

Please understand that this dispensation applies only to the 2024 nominations and election of delegates. For future elections, the Branch must comply with the time frames and notice requirements provided by its By-laws, the *Constitution*, and the *NALC Regulations Governing Branch Election Procedures*.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

PAUL PETERMAN—LAS VEGAS, NV, BRANCH 2502

JANUARY 24, 2025 (9676)

This is in reply to your letter, received in my office on January 15, 2025, concerning the pending election appeal in Branch 2502 and the effect of that appeal on the Branch's re-run election.

In my correspondence to you dated November 4, I previously advised that the Branch should conduct a re-run election as expeditiously as possible after you identified various issues with the mailing of the ballots and notice of election. I understood that the Branch intended to hold the re-run election in January.

I subsequently received correspondence from Branch Secretary Jerry Penn, indicating that after the winners of the election were announced at the Branch's November 6 meeting, an appeal was made that raised objections to the conduct of the election. According to that letter, the Election Committee sustained the appeal and ordered the Branch to conduct new nominations in addition to a new election, even though objections to the conduct of nominations had not been included in the appeal. That decision was appealed to the Branch Executive Board, which upheld the decision to conduct a new election, but overturned the decision to have new nominations. Several members then appealed the Executive Board's decision to the Branch. I understand from your most recent correspondence that at the Branch meeting on January 9, the members present voted to override the decision of the

Executive Board and reinstate the Election Committee's decision to conduct both nominations and a re-run election. The Branch's decision is now being appealed to the Committee on Appeals.

You now ask if the Branch is required to immediately re-run the election and nominations, or if the re-run can be postponed until the Committee on Appeals has ruled. You point out that if the Branch were to conduct new nominations and a re-run election, and the Committee on Appeals subsequently sustained the appeal, the Branch would have unnecessarily expended money and many hours of its time.

Previous rulings have held that a re-run election may be conducted when the appeal process has been exhausted at the Branch level. However, Branch decisions remain subject to appeal to the National Committee on Appeals. In this case, the Committee could reinstate the Executive Board's decision to conduct the re-run without new nominations may be reinstated. In similar situations, the rulings have recognized that the Branch may elect to defer the re-run until the time to appeal to the National Committee has expired, or, if an appeal is submitted, until the National Committee issues its decision.

Accordingly, Branch 2502 may defer implementing the decision to hold new nominations until the Committee on Appeals issues its decision.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**ALEXANDER CHAPMAN—AMES, IA,
BRANCH 2034**

JANUARY 24, 2025 (9681)

This is in reply to your email, sent on January 17, 2025, requesting dispensation to conduct a special election for officers of Branch 2034. You note that the Branch currently has no bylaws and no active officers.

Article 4, Section 2 of the *Constitution for the Government of Subordinate and Federal Branches*, as well as federal law, require that Branch officers be elected to a term that cannot exceed three years. See also Section 3.1 of the *NALC Regulations Governing Branch Election Procedures (RGBEP)*. Therefore, it is imperative that the Branch conduct a special election of officers as expeditiously as possible.

In accordance with my authority under Article 9, Section 1(a) of the *NALC Constitution*, I hereby grant Branch 2034 dispensation to hold a special election for officers. By copy of this letter, I am directing Region 5 National Business Agent David Teegarden or his designee to oversee and run the election process.

Appropriate and timely notice of nominations and election should be sent to all active and retired members of the Branch. The election should otherwise conform to the procedures provided in the *RGBEP*. Fol-

lowing the election and installation of new officers, the Branch should draft and adopt By-laws as expeditiously as possible. Brother Teegarden's office may provide whatever assistance the Branch may require.

Thank you for bringing this matter to my attention.

**TONY VAUGHN—BALTIMORE, MD,
BRANCH 176**

JANUARY 27, 2025 (9685)

This is in reply to your email, sent January 21, 2025, requesting dispensation to reschedule Branch 176's nominations to its meeting in September. According to your email, the Branch's bylaws require that the nominations for its officer election "shall" be held "at the regular November meeting." You request dispensation to hold the nominations at the Branch's regular September 2025 meeting instead, because the regular November 2025 meeting would fall on a national holiday (Veterans Day). You also advise that the Branch will be unable to hold its regular October 2025 meeting because of a scheduling conflict with the Maryland/DC State Convention.

Your request is reasonable. Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 176 dispensation to nominations at its regular September 2025 meeting. Appropriate and timely notice of this change must be provided to all active and retired members of the Branch.

I hope that the foregoing addresses your concerns.

**EDWARD FLETCHER—RICHMOND, CA,
BRANCH 1111**

JANUARY 27, 2025 (9686)

This is in reply to your letter, received in my office on January 24, 2025, requesting retroactive dispensation permitting the installation of the officers and stewards of Branch 1707 to be conducted by a current, rather than past, Branch President.

In your letter, you state that Branch 1707 President Fou Tern asked you to serve as the installing officer for the Branch 1707 installation ceremony conducted on January 9, 2025. You note that only after you conducted the ceremony did you realize that serving as the installing officer was technically inconsistent with the *NALC Constitution*. Article 5, Section 6 of the *Constitution for the Government of Subordinate and Federal Branches* provides for installations to be conducted by "any National officer, a Past President of the National Association, or a President or Past President of a State Association." In the absence of any such present or past officers, the installation may be conducted by "any officer of a State Association or the Past President of a Branch." Because you are the current President of Branch 1111, rather than a past president of a Branch,

you did not meet the criteria to serve as an installing officer.

In light of these facts, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 1707 retroactive dispensation permitting its installation of officers to be conducted by Edward P. Fletcher, the current President of Branch 1111.

Thank you for bringing this matter to my attention.

MATT NAUFEL—NAPLES, FL, BRANCH 4716
JANUARY 29, 2025 (9694)

This is in reply to your email to Executive Vice President Paul Barner, sent January 28, 2025. Your email requests a presidential ruling to resolve the following question: "may a retired member speak (without a vote) in any matter pertaining to the ratification of a national working agreement, local memorandum of understanding, or proposed work stoppage?"

The answer to your question is yes. Article 2, Section 1(a) of the *NALC Constitution* provides that retiree members "shall have no voice or vote in any matter pertaining to the ratification of a national working agreement." This language prohibits retiree members from participating in a voice vote or casting a ballot in any vote on a tentative national or local agreement.

However, the *Constitution* does not otherwise prohibit retirees from attending a meeting at which these matters are considered. Retiree members may be permitted to speak at a regular or special meeting to express their views on a tentative agreement, but, as noted above, they may not cast any votes on motions pertaining to ratification.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

GARY SMITH—OCALA, FL, BRANCH 1103
JANUARY 30, 2025 (9695)

This is in reply to your letter, dated January 16, 2025, requesting dispensation permitting you to transfer as a retiree from Branch 1103, Ocala, Florida to Branch 56, Grand Rapids, Michigan. According to your letter, you were a member of Branch 56 for approximately 30 years and served as an officer for that Branch. Although you no longer live in Michigan, you continue to spend a great deal of time there because much of your family still lives in Michigan.

Article 2, Section 3(a) of the *Constitution for the Government of Subordinate and Federal Branches* provides, in pertinent part, that a "retiree in good standing his/her Branch moving to another city, may transfer membership to the Branch located in such city." Previous rulings have recognized that the intent of this provision is to allow NALC members to transfer to the closest Branch to their residence when they retire. Because you do not currently

live in Michigan, this provision is not applicable to your situation. Accordingly, your request for dispensation from me is appropriate.

In light of these facts, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. Please contact NALC Secretary-Treasurer Nicole Rhine to work out the necessary arrangements.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

TOMI WATKINS—LANSING, MI, BRANCH 122
FEBRUARY 4, 2025 (9690)

This is in reply to your letter, dated January 7, 2025, requesting dispensation allowing Brother Jerred Thill to serve as a paid delegate from Branch 122 to the 2025 Michigan State Convention. Article VII, Section 3 of the Branch 122 By-laws, which you enclosed, states that "[t]o be a paid delegate, a member must have attended at least eight (8) regular branch meetings during the year preceding the convention." In your letter, you state that Brother Thill regularly attended Branch 122's membership meetings and was active in the Branch, even serving as an officer until recently. However, unbeknownst to him and to Branch 122, his membership was automatically transferred to Branch 56 for a period of time when he accepted a driver trainer position attached to the Grand Rapids installation. Secretary-Treasurer Rhine has since transferred his membership back to Branch 122.

At the outset, it is not clear to me that Brother Thill is ineligible to be a paid delegate since he is now a member of Branch 122, and he did attend the requisite number of meetings. However, since the language of the By-law is subject to interpretation, your request for a dispensation is reasonable. Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 122 dispensation to have Brother Thill serve as one of its paid delegates to the 2025 Michigan State Convention.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

ALLEN WALKER—FLETCHER, NC, BRANCH 248
FEBRUARY 4, 2025 (9696)

This is in reply to your letter, dated January 29, 2025. According to your letter, charges were brought against you under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*. You advise that an impartial committee presented its report on those charges at the Branch meeting held on January 28, 2025. A motion was then made and seconded to remove you as shop steward indefinitely. You contend that you were suspended without a proper vote and ask me to direct National Business Agent

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Eddie Davidson to form a new impartial committee to investigate the charges.

While I appreciate your concern, I must advise that it would be inappropriate for me to intervene in this matter. The proper way to challenge the actions at the Branch meeting on January 28, 2025 is through an appeal to the National Committee on Appeals under Article 11 of the *CGSFB*. Such an appeal must be in writing and filed with the Recording Secretary of the Branch within 20 days from the date of the Branch meeting at which the decision to be appealed from was made.

I hope that this letter addresses your concerns, at least in part. This letter should not be read to express any view as to the merits or timeliness of an appeal. Thank you for bringing this matter to my attention.

PAUL PETERMAN—LAS VEGAS, NV, BRANCH 2502

FEBRUARY 4, 2025 (9700)

This is in reply to your letter, dated January 31, 2025, regarding charges that have recently been filed against members of Branch 2502 under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*. According to your letter, the investigating committee cannot complete its report in accordance with the time frame specified in Article 10. In addition, members have requested the appointment of members from other Branches to serve on the committee.

The facts set forth in your letter demonstrate that some level of scrutiny by the National Union is warranted to ensure that the charges are investigated impartially and in full compliance with Article 10. Therefore, by copy of this letter, I am directing National Business Agent Keisha Lewis, or her designee, to investigate this situation and provide whatever assistance the Branch may require. In accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I am authorizing Sister Lewis, or her designee, to appoint new members to the committee, if she believes that it is in the best interest of the Branch for her to do so. The committee may include disinterested members from other Branches.

As you requested, time limits may be extended to the extent necessary to complete the process.

I hope that this letter addresses your concerns. This letter should not be read to express any view as to the merits of the charges or any other issue that may arise during the investigation.

PAUL PETERMAN—LAS VEGAS, NV, BRANCH 2502

FEBRUARY 4, 2025 (9702)

This is in reply to your letter, dated February 1, 2025, concerning a dispute over your removal of alternate stewards from their positions. Your letter requests confirmation of your authority to do so.

At the outset, it would be inappropriate for me to rule on the specific actions that you have apparently taken, particularly since I only have your side of the story before me. I can provide the following guidance as to the applicable provisions of the *NALC Constitution*.

Article 4, Section 5 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* provides that stewards “may be appointed or elected, within the respective stations,” as “may be determined” by the Branch. If the Branch By-laws do not provide for steward elections, then stewards are appointed by the Branch President. Article 6, Section 1 of the *CGSFB* specifically provides that the President of the Branch “shall, by virtue of his/her office, be the chief steward for the Branch, and they may delegate such authority to other members.” This language empowers the Branch President to appoint stewards.

Presidential rulings going back decades have recognized that the ability of the Branch President to remove shop stewards is determined by the manner of steward selection. If the Branch’s stewards are appointed by the Branch President, then the President may remove a steward for good and sufficient cause. This would include both regular and alternate stewards.

Of course, any exercise of presidential authority must be consistent with the Branch By-laws. However, disputes over the meaning or application of by-law provisions must be resolved, in the first instance, at the Branch level. Any decision by the President with respect to the application of the By-laws may be appealed to the Branch under Article 11, Section 1 of the *CGSFB*.

I hope that this letter addresses your concerns. This letter should not be read to express any view as to the merits of any appeal that may be initiated concerning these issues.

ALAN GEGAX—HENDERSON, NV, BRANCH 2502

FEBRUARY 4, 2025 (9703)

This is in reply to your email, sent February 3, 2025, concerning the appeal of the recent election in Branch 2502 and the processing of various sets of charges against officers and members of the Branch.

At the outset, it would be entirely inappropriate for me to address the specific facts detailed in your email. I have no first-hand knowledge of these events, and I only have your side of the story before me. I can advise you of the following.

Re-run election

Previous rulings have held that a re-run election may be conducted when the appeal process has been exhausted at the Branch level. However, Branch decisions remain subject to appeal to the National Committee on Appeals. In this case, there is an ongoing dispute over whether the re-run election should encompass new nominations. It is my understanding that this dispute will be the subject of an appeal to the Committee. If this appeal were to be sustained, the Branch Executive Board’s decision to conduct the re-run without new nominations may be reinstated.

In similar situations, the rulings have recognized that the Branch may elect to defer the re-run until the time to appeal to the National Committee has expired, or, if an appeal is submitted, until the National Committee issues its decision. Accordingly, I have advised Brother Peterman that Branch 2502 may defer implementing the decision to hold new nominations until the Committee on Appeals issues its decision.

Charges

The facts set forth in your email have persuaded me that some level of scrutiny by the National Union is warranted to ensure that all the various charges are investigated impartially and in full compliance with Article 10. Therefore, by copy of this letter, I am directing National Business Agent Keisha Lewis, or her designee, to investigate this situation and provide whatever assistance the Branch may require. In accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I am authorizing Sister Lewis, or her designee, to appoint the members of one or more of the committees, if she believes that it is in the best interest of the Branch for her to do so. The committees may include disinterested members from other Branches.

Time limits may be extended to the extent necessary to complete the process of investigating the pending charges.

I hope that this letter addresses your concerns, at least in part. This letter should not be read to express any view as to the merits of the election appeal, the pending charges, or any other issue that may arise.

STEVE LASSAN—MERIDIANVILLE, AL, REGION 8

FEBRUARY 10, 2025 (9590)

This is in reply to your email, sent February 10, 2025, concerning the

situation in Branch 1437. The information contained in your email and Jason Atchley’s investigative report clearly indicate that the Branch has not yet been able to conduct an election of officers which complies with the requirements of the *NALC Constitution* and election regulations. A new election is clearly necessary.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 1437 dispensation to conduct a special election for all vacant officer positions under the supervision of your office. Please make the necessary arrangements as expeditiously as possible.

Thank you for bringing this matter to my attention.

AMY BREAU—PITTSFIELD, MA, BRANCH 286
FEBRUARY 10, 2025 (9701)

This is in reply to your letter, sent by email January 31, 2025, requesting a ruling on the validity of a motion adopted by the members attending a recent meeting of Branch 286. The motion directed you, as Branch President, to appoint a particular individual to serve as the steward of the Pittsfield installation. According to your letter, you have not made this appointment and ask if you may treat the motion as having been out of order.

At the outset, it would be inappropriate for me to rule specifically on the validity of the motion in question. I have no first-hand knowledge of the facts and only have your letter before me. I can provide the following guidance as to the applicable provisions of the *NALC Constitution*.

Article 6, Section 1 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* specifically provides that the President of the Branch “shall, by virtue of their office, be the chief steward for the Branch, and they may delegate such authority to other members.” This language empowers the Branch President to appoint stewards. The authority to delegate this responsibility, should the Branch President so choose, cannot be taken from the President. For example, previous rulings have recognized that a By-law provision assigning to the Branch Vice President the duties of chief shop steward conflicts with Article 6, Section 1 of the *CGSFB* and cannot be enforced. Similarly, the membership cannot remove the President’s authority to choose which members to appoint as stewards by adopting a motion at a meeting.

Of course, any decision you make would be subject to an appeal under Article 11 of the *CGSFB*. This letter should not be read to express any view as to the merits of any appeal.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**URBANO CONTRERAS—HAVERLOCK, NC,
BRANCH 4970**

FEBRUARY 10, 2025 (9710)

This is in reply to your email, sent February 8, 2025, requesting dispensation permitting Branch 4970 to reschedule its nominations and election of officers. According to your email, the Branch was unable to send out a timely notice of election.

In light of the facts set forth in your email, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 4970 dispensation to reschedule its election to the extent necessary to ensure that appropriate and timely notice of this change is sent to all active and retired members. By copy of this letter, I am directing National Business Agent Eddie Davidson to provide whatever assistance the Branch may require to ensure that the election is conducted properly.

Please understand that this dispensation applies only to the 2025 election of officers. For future elections, the Branch must comply with the time frames and notice requirements provided by its By-laws, the *Constitution*, and the *NALC Regulations Governing Branch Election Procedures*.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

ALAN GEGAX—HENDERSON, NV, BRANCH 2502
FEBRUARY 25, 2025 (9711 & 9717)

This is in reply to your two recent emails, sent February 7 and 12, 2025.

I am referring your February 7 email to National Business Agent Keisha Lewis for whatever action she deems appropriate. My letter of February 4 authorized Sister Lewis or her designee to investigate all pending charges in Branch 2502 and to provide whatever assistance the Branch may require. Sister Lewis or her designee may address any procedural irregularities that may have occurred in connection with any of the charges. In addition, the Branch's disposition of any of the charges will be subject to appeal to the National Committee on Appeals, in accordance with Article 11 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*.

Your February 12 email raises two issues pertaining to the pending election appeal in the Branch. Your first question concerns the preparation of the Branch's response to an appeal to the National Committee on Appeals.

Sections 21.43-44 of the *NALC Regulations Governing Branch Election Procedures* require that the Branch prepare a reply to an appeal from a decision of the Branch and submit both the appeal and reply

to the Committee. The regulations do not specify who is to prepare the Branch's reply. Previous rulings recognize that if the Branch President is the party who has appealed the Branch's decision to the National Committee, or if the Branch President supports the appeal, then he cannot prepare the Branch's reply. The reply must be prepared by a member who supports the Branch's decision.

In such circumstances, any officer who is not supporting the appeal to the Committee may prepare the reply. Alternatively, the reply may be submitted by the member or members who submitted the appeal from the Executive Board decision that was upheld by the Branch. Alternatively, the Branch could vote to designate one or more members to draft the reply on behalf of the Branch to defend its decision.

Please note that I am providing a copy of this letter to President Peterman and to NALC Vice President James Henry, who serves as Chairman of the Committee on Appeals.

The second issue raised in your email concerns the timing of the rerun election that all parties recognize must be conducted. You request that I order the Branch to conduct an immediate rerun election in accordance with the Branch decision that is now under appeal to the Committee. As noted in my February 4 letter, the Committee may reverse the Branch's decision and reinstate the earlier decision of the Branch Executive Board. That decision called for a rerun election without new nominations. Requiring the Branch to conduct an immediate rerun might result in the Branch's incurring the expense of conducting two rerun elections if the current appeal is sustained by the Committee. Given the circumstances, I am declining your request.

I hope that this letter addresses your concerns, at least in part. This letter should not be read to express any view as to the merits of any pending charges or appeals, or any related issue.

JACK VAN DYKE—PHOENIX, AZ, BRANCH 576
FEBRUARY 25, 2025 (9715)

This is in reply to your email, sent February 10, 2025, requesting dispensation, if needed, permitting Branch 576 to conduct a re-run election of officers. According to your email, objections to the conduct of the Branch's regular election in November 2024 have been upheld by the Branch Executive Board. The Board has ordered that a re-run election be conducted in May.

Please be advised that the facts set forth in your letter do not indicate that dispensation from the National President is required in this situation. Under the appeal procedure set forth in Section 21 of the *NALC Regulations Governing Branch Election Procedures*, the decision of the Executive Board is final and binding

so long as no aggrieved member has appealed that decision to the Branch. Accordingly, Branch 576 may proceed with the re-run election.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

LORNA LYNCH—BROOKLYN, NY, BRANCH 41
FEBRUARY 26, 2025 (9691)

This is in reply to your letter, received by my office January 22, 2025, concerning the apparent refusal of Branch 41 to reinstate your membership. According to your letter, you were not allowed to work in 2022. Apparently, at some point you lost your membership in Branch 41 for non-payment of dues. You successfully grieved management's action and received back pay, from which all back dues were deducted. However, according to your letter, the Branch has refused to reinstate you unless you pay a year's dues in advance.

We have carefully investigated your situation. I have been advised that the Branch 41 By-laws contain a provision requiring members who have forfeited membership for non-payment of dues to pay a full year's dues to be reinstated. Apparently, this By-law provision has been in effect for many years, although records maintained at NALC Headquarters do not indicate whether this provision was ever approved by the NALC Committee of Laws. However, Branch President Cruz is obliged to adhere to the Branch By-laws, so his position was clearly taken in good faith.

Nonetheless, Branch By-laws must be consistent with the *NALC Constitution*, and it is my duty, as National President, to interpret the *Constitution*. I have concluded that the By-law provision at issue here is not consistent with the *Constitution* and cannot be enforced.

Article 7, Section 5 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* provides that a member who has forfeited membership for non-payment of dues is entitled to reinstatement upon "payment of back . . . dues, as well as such reinstatement fee as the Branch may prescribe by reasonable rules, uniformly applied." Accordingly, if your back dues have been repaid, either by your direct payment and/or through the application of the dues check-off procedure to your back pay award, then you would be entitled to reinstatement.

While Article 7, Section 5 authorizes Branches to impose a "reinstatement fee," the amount of any such fee must be established by "reasonable rules." Prior rulings have established that reinstatement fees cannot be "unreasonably large" and that a fee equal to one year's dues would be unreasonable and cannot be enforced.

By copy of this letter I am requesting that Branch President Cruz use his best efforts to resolve this situa-

tion in accordance with the applicable provisions of the *NALC Constitution*. If the matter is not resolved, you may send your form 1187 directly to Secretary-Treasurer Nicole Rhine at NALC Headquarters for processing.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**DREW BANFIELD—LAS VEGAS, NV,
BRANCH 2502**

FEBRUARY 26, 2025 (9725)

This is in reply to your recent letter, which you emailed on February 21, 2025, concerning the procedure for imposing penalties following Branch 2502's vote on charges brought against Brothers Alan Gegax and Michael Brasaemle. According to your letter, the Branch adopted a motion to refer the penalty issue to an outside committee. You now request that I appoint a committee composed of members from outside of Branch 2502 to determine the appropriate punishment following the Branch's vote to sustain the charges.

I must advise that it would be entirely inappropriate for me to intervene in this matter. Article 10, Section 3 of the *Constitution for the Government of Subordinate and Federal Branches* states that "If the Branch decides that the facts sustain the charge, then the Branch shall entertain a motion to fix the penalty, if any be required." Potential penalties, and the rules for imposing them by vote, are set forth in Article 10, Section 4. Normally, such a vote would be conducted immediately after the vote on the charge. Thus, it is the responsibility of the Branch in the first instance to resolve any dispute regarding the question of penalty. The Branch's determination, of course, would be subject to appeal.

In a letter sent to Brother Gegax, dated February 4, 2025, I directed National Business Agent Keisha Lewis, or her designee, to investigate the various charges that are pending in Branch 2502 in order to ensure that they are processed in full compliance with Article 10. I specifically authorized Sister Lewis, or her designee, to provide whatever assistance the Branch may require. Accordingly, I am referring your letter to her as well for whatever action she deems appropriate.

I hope that this letter addresses your concerns, at least in part. This letter should not be read to express any view as to the merits of any pending charges or appeals, or any related issue.

**PAUL PETERMAN—LAS VEGAS, NV,
BRANCH 2502**

FEBRUARY 28, 2025 (9727)

This is in response to the two letters that you sent on February 18, 2025.

Your first letter asks whether it is appropriate to rule a motion out of order when the Branch already rejected the same motion in a previous

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meeting. Please be advised that previous rulings have held that the *Constitution* does not prohibit Branches from voting to reconsider or reverse previously adopted resolutions. Thus, the mere fact that a resolution was previously voted on would not necessarily be a basis for ruling the motion out of order, at least so far as the *Constitution* is concerned.

However, in this instance, the motion as described would appear to be inconsistent with the *Constitution*. Article 4, Section 5 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* states that Branches may provide in their By-laws for the election of stewards within the respective stations. However, absent such provision, stewards are to be appointed by the President. Article 6, Section 1 of the *CGSFB* specifically provides that the President of the Branch "shall, by virtue of his/her office, be the chief steward for the Branch, and he/she may delegate such authority to other members." This language provides the Branch President with the exclusive authority to appoint stewards. The power of the President to appoint officers and stewards, as described above, cannot be conditioned on the consent of the members.

If you conclude that a motion conflicts with the *Constitution*, then you may rule it out of order as Chairman of the meeting. Of course, any such ruling would be subject to appeal.

Your second letter requests a clarification of my previous ruling regarding election re-runs.

In previous correspondence, I specifically authorized the Branch to defer holding its re-run election until the Committee on Appeals had resolved the remaining issues. If you conclude that a motion offered at the meeting was inconsistent with this authority, then you may rule the motion out of order. Once again, your decision would be subject to appeal under Article 11 of the *CGSFB*.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

GABRIEL HAMM AND STEPHANIE BERNIQUE—COLUMBIA, SC, BRANCH 233

MARCH 3, 2025 (9699 & 9716)

This is in response to two letters I received, one dated January 31, 2025 from Brother Hamm and the other dated February 4, 2025 from Sister Bernique regarding Branch 233's By-laws. In Mr. Hamm's letter he requested dispensation determining which of the Branch's By-laws is the official document of the Branch. Both letters indicate a committee was appointed to review records at the Branch and subsequently identified multiple sets of By-laws. Specifi-

cally, there are several copies of By-laws from 2015 and 2019 but nothing from 2014, and the updated By-laws from March of 2011 are missing. It is my understanding there is confusion as to whether any set of By-laws are fully updated in accordance with submissions to and responses from the Committee of Laws. Further, Sister Bernique has an electronic endorsement from the 2021-2022 term of updated By-laws which were never submitted to the National Office. Sister Bernique requests that these By-laws be adhered to in the best interest of the Branch.

At the outset, I must advise that it would be inappropriate for me to rule on this matter. As National President, it is my responsibility to interpret the *NALC Constitution*. Issues concerning By-laws must be resolved by the Branch itself.

The procedure for amending Branch By-laws is governed by Article 15 of the *NALC Constitution*. The enclosed 2019 By-laws are the last ones approved by the Committee of Laws and are binding on the Branch in accordance with the *Constitution*. Although amendments from 2021-2022 exist and may (or may not) be in the best interest of the Branch, they were not adopted or enacted in conformity with Article 15. Therefore, they cannot be binding on the Branch at this time.

Because there are amendments approved by the Committee of Laws that were not included in the 2019 submission, the Branch may want to consider preparing a comprehensive set of By-laws. The *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*, which is contained in the *NALC Constitution*, is a useful guide for preparing By-law provisions. The new, comprehensive By-laws must be voted on and approved by the Branch in conformance with the provisions of Article 15 of the *NALC Constitution*. The new By-laws, of course, will not be effective until approved by the Committee of Laws.

I hope this letter addresses your concerns, at least in part. Thank you for bringing this matter to my attention.

HOMER HERNANDEZ—SAN ANTONIO, TX, BRANCH 421

MARCH 5, 2025 (9734)

This is in reply to your email, sent on March 2, 2025, inquiring whether you are required to accept the resignation of a Branch 421 officer and order a special election in accordance with the Branch By-laws. According to your email, the Assistant Recording Secretary of Branch 421 submitted a resignation letter by email to you on January 30, 2025. You indicate that you did not accept

the resignation letter at that time but requested a meeting with the Assistant Recording Secretary to discuss his letter. Following a meeting on February 19, 2025, you state that the Assistant Recording Secretary sent you an email withdrawing his resignation.

Please be advised that there are no provisions in the *Constitution* specifying the procedures for the resignation of Branch officers or stewards. Similarly, there are no constitutional provisions or other union regulations which define precisely when a resignation from Branch office becomes official. Past presidential rulings have recognized that once a Branch officer's resignation from office has become effective, they may not reclaim that office. At the same time, nothing in the *Constitution* prohibits an officer from withdrawing a resignation prior to its effective date.

Accordingly, if you determine that the officer in question withdrew his resignation before it became effective, then he may remain in office. There would be no basis for treating the office as vacant and calling for a special election, in these circumstances.

I hope that this letter addresses your concerns, at least in part. Thank you for bringing this matter to my attention.

HORACE LEWIS, II—CORONA, CA, BRANCH 1100
MARCH 10, 2025 (9736)

This is in reply to your email dated March 4, 2025. In your email, you advise that at the January Branch meeting, the membership voted to have the Branch President investigate you and to read the report and any subsequent actions taken against you. You further advise that at the February meeting, the Branch President read the summary of the report and the subsequent actions against you, and that on March 4, you learned that Article 10 charges had been filed against you.

You request a Presidential Ruling as to whether double jeopardy has been attached to you based on the fact you already have had an action levied against you (which I understand to mean that Article 10 charges were filed against you at some point in the past prior to March 4).

I do not have any information about the current or past Article 10 charges against you, beyond what you have relayed in your March 4 email. Therefore, I have no knowledge as to whether the charges filed against you on March 4 are duplicative of previous charges. However, I can offer this general advice, which is that Article 10 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* sets

out the process whereby charges against members are brought, investigated and adjudicated. There is no limit in Article 10 on the number of times charges may be brought against a member.

In addition, any Branch decision with respect to Article 10 charges may be appealed to the National Committee on Appeals under Article 11 of the *CGSFB*.

This letter is not intended to offer any opinion as to any past or future decision by the Branch concerning the disposition of Article 10 charges against you or any subsequent appeal.

I hope that this letter addresses your concerns, at least in part. Thank you for bringing this matter to my attention.

MARY HELLEMS—SAINT LOUIS, MO, BRANCH 4839

MARCH 12, 2025 (9739)

This is in reply to your letter, dated March 7, 2025, requesting clarification on where a Trustee must be located during an audit. You mentioned that your preference is not to conduct the audit in the Branch's office space.

Please be advised that there are no provisions in the *NALC Constitution* which address the issue described in your letter. Although Article 6, Section 9 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* states that the Trustees "shall examine and report to the Branch the condition of the books of the officers at least once every six months, compare the vouchers and records and see that they correspond with the collections and disbursements" and that the Trustees "shall have custody of all Branch property," there is no language which specifically addresses where the Trustees are to perform their duties.

So long as the Trustees are allowed to discharge their responsibilities, as defined by Article 6, Section 9 and the Branch By-laws, there is no prohibition against Trustees performing their duties outside of Branch facilities. However, past rulings have consistently held that it is up to the Branch to determine how the Trustees are to perform their duties, including the time, place and manner of examining and reporting the condition of the books.

A decision by the Branch President that an audit may not occur outside the Branch's office may be appealed to the Branch under Article 11, Section 1 of the *CGSFB*. I express no view as to the merits of any appeal.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**SHARON PERALTA—GARDEN GROVE, CA,
BRANCH 1100**

MARCH 13, 2025 (9743)

This is in reply to your email, sent on March 11, 2025, requesting guidance concerning the procedure for appointing a committee or committees to investigate charges brought against the President and Executive Vice President of Branch 1100.

First, as to whether there must be two committees, or whether a single committee can investigate both charges, the relevant constitutional provision, Article 10, Section 3 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*, does not specifically require multiple committees to handle multiple charges. Accordingly, the Branch has the discretion to appoint a single committee or two committees.

Since the charges relate to the same incident, it would be appropriate to appoint one committee to investigate the charges. The only qualification is that the members of the committee would have to be disinterested with respect to both charges they are responsible for investigating. In addition, the members of the committee must be in a position to find the facts concerning all charges assigned to them.

Second, with respect to who should assume the responsibility for appointing the committee(s), Article 10, Section 3 of *CGSFB* provides that the committee to investigate the charge is to be appointed by “[t]he president, or if the president be the person against whom charges are made, the vice president.” If both the President and the Vice President are charged, then the next highest-ranking officer who is not named in the charge should normally appoint the committee.

If there are no other officers eligible to appoint the committee, then the investigating committee may be appointed by action of the members of the Branch. Specifically, the Branch could nominate and elect members to the committee at a regular or special meeting. Alternatively, the members could vote to select an individual disinterested Branch member to appoint the members of the committee. As a last resort, the National President may authorize National Business Agents to appoint investigating committees where the Branch has been unable to do so.

I hope that this letter addresses your concerns. This letter should not be read to express any view as to the merits of the charges or any other issue that may arise during the investigation.

**RYAN DERCHER—PRAIRIE VILLAGE, KS,
BRANCH 5521**

MARCH 17, 2025 (9738)

This is in reply to your inquiry to Secretary-Treasurer Nicole Rhine concerning the procedures for

imposing an expulsion following Branch 5221's vote to expel a member. Specifically, you have asked whether the expelled member has the right to be present during a Branch discussion of the length of the expulsion and whether his appeal rights would be reopened.

I must first advise you that it would be inappropriate for me to rule regarding any specific disciplinary action taken by the Branch based on the limited information before me. I can, however, provide the following general guidance.

First, prior rulings have made clear that expulsions should normally be for a fixed term. Article 10, Section 7 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* provides that “an expelled member can be reinstated only after the manner of a new applicant.” At the same time, Article 2, Section 1 of the *National Constitution* permits any postal employee to join the NALC upon execution of a Form 1187. In order to harmonize these provisions, prior rulings have held that it is necessary that any expulsion issued by a branch under Article 10 be for a fixed term. During this period, the individual would not be eligible for reinstatement under Article 2.

Second, a member who has been found guilty of charges does have the right to be present when the Branch votes on the imposition of a penalty. Article 10, Section 3 of the *CGSFB* states that, following investigation by a committee, the Branch shall vote on whether or not the facts, as determined by the committee, sustain the charge. Article 10, Section 3 further provides that a charged party has the right to defend himself before the Branch immediately before this vote is taken. Normally, if the Branch votes to sustain the charge, a vote to impose a penalty should be conducted immediately after the vote on the charge. Article 10, Section 4 states that questions of expulsion should be decided by ballot and require a two-thirds vote.

Finally, Article 11, Section 1 of the *CGSFB* provides that any decision of the Branch is subject to appeal to the National Committee of Appeals. That would certainly include a Branch decision fixing the terms of an expulsion.

I hope that this letter addresses your concerns, at least in part. This letter should not be read to express any view as to the merits of any appeal that may be filed involving this matter.

JOHN CRUZ—BROOKLYN, NY, BRANCH 41

MARCH 21, 2025 (9751)

This is in reply to your letter, dated March 10, 2025, and received on March 19. In your letter, you ask that I retract my February 26 ruling concerning whether Sister Lorna Lynch is required to pay a full year's worth of dues to have her membership reinstated. In my ruling, I asked that

you use your best efforts to resolve the situation in accordance with the applicable provisions of the *NALC Constitution*, to which the Branch's By-laws are subordinate. I noted that if the matter could not be resolved, Sister Lynch could send her form 1187 directly to Secretary-Treasurer Nicole Rhine at NALC Headquarters for processing.

As I noted in my February 26 ruling, the Branch By-law provision at issue, which requires members who have forfeited membership for non-payment of dues to pay a full year's dues to be reinstated, is not consistent with Article 7, Section 5 of the *Constitution for the Government of Subordinate and Federal Branches*. Accordingly, the Branch By-law provision at issue cannot be enforced.

In your March 10 letter, you enclose a copy of an amendment to the Branch By-laws apparently approved by the NALC Committee of Laws on April 8, 2003. The amendment you sent does not include the language at issue about the obligation to pay a full year's dues. As I noted previously, the records maintained at NALC Headquarters do not indicate whether that particular provision was ever approved by the Committee of Laws.

In my February 26 ruling, I referenced prior rulings establishing that reinstatement fees cannot be “unreasonably large.” At your request, I have enclosed a copy of the relevant section of a digest of prior rulings maintained by the Committee of Laws.

I stand by my February 26 ruling, which is limited to whether the Branch By-law provision at issue may be enforced. Neither my February 26 ruling nor this one should be read to speak to the soundness or enforceability of the Branch's By-laws as a whole.

As indicated in my previous letter, if this matter cannot be resolved Sister Lynch may send her form 1187 directly to Sister Rhine for processing.

Thank you for bringing this matter to my attention.

**GEORGE LAHAM—EAST HARTFORD, CT,
BRANCH 86**

MARCH 21, 2025 (9754)

This is in reply to your e-mail, dated March 19, 2025, requesting a ruling as to the eligibility of members who are in 204B status to vote in Branch elections for stewards. Your e-mail also stated that your Branch's Election Committee excluded a carrier in 204B status from voting in a steward election.

As an initial matter, it would not be appropriate for me to comment on whether the Election Committee's particular determination was correct. I can provide the following guidance.

Article 2, Section 1(c) of the *NALC Constitution* provides that members who “have been temporarily or permanently promoted to supervisory status . . . shall have no voice or vote in any of the affairs of the Branch,” except for “matters appertaining to

the NALC Life Insurance Plan, and/or the NALC Health Benefit Plan, if they are a member thereof, and on any proposition to raise dues.”

Previous rulings interpreting this provision have established that a 204B may not vote in Branch elections while they are acting in a supervisory status. However, when the member returns to a bargaining unit assignment, they immediately regain the right to vote. Thus, members who serve intermittently as temporary supervisors may vote in Branch elections on days that they are not serving in a supervisory capacity, but not when they are serving as a supervisor.

I hope that the foregoing addresses your concerns. Thank you for bringing this matter to my attention.

**BENJAMIN WHITMER—HAYS, KS,
BRANCH 2161**

MARCH 21, 2025 (9756)

This is in reply to your letter, sent by email on March 20, 2025, requesting dispensation permitting Branch 2161 to conduct a special election of officers. You note that it has been many years since the Branch held an election.

Article 4, Section 2 of the *Constitution for the Government of Subordinate and Federal Branches*, as well as federal law, require that Branch officers be elected to a term that cannot exceed three years. *See also* Section 3.1 of the *NALC Regulations Governing Branch Election Procedures (RGBEP)*.

By copy of this letter, I am requesting that Region 5 National Business Agent David Teegarden investigate this situation. If he confirms the accuracy of your letter, it will be imperative that the Branch conduct a special election of officers as expeditiously as possible.

In accordance with my authority under Article 9, Section 1(a) of the *NALC Constitution*, I hereby grant Branch 2161 dispensation to hold a special election for officers. Brother Teegarden or his designee may provide whatever assistance the Branch requires to conduct the election. If necessary, Brother Teegarden is authorized to oversee and run the election process.

Appropriate and timely notice of nominations and election must be sent to all active and retired members of the Branch. The election should otherwise conform to the procedures provided in the *RGBEP*.

Thank you for bringing this matter to my attention.

ABE REDCLOUD—PORTLAND, OR

**OREGON STATE ASSOCIATION OF LETTER
CARRIERS**

MARCH 27, 2025 (9757)

This is in reply to your letter, dated March 14, 2025, and received on March 20. In your letter, you explain that at the Oregon State Association convention scheduled to

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take place on April 4 and 5, there will be an election of officers, including Secretary and Treasurer. You explain that the offices of Secretary and Treasurer are currently two separate positions, but that an amendment to the State Association By-laws has been proposed which, if passed and approved by the NALC Committee of Laws, will result in those offices being combined. You ask what the effect of that amendment would be on the terms of office of the individuals elected next month to fill the Secretary and Treasurer positions, so that you can properly advise the convention body.

The answer to your question depends on the language of the amendment.

Article 6, Section 1 of the *NALC Constitution* for the Government of State Associations (CGSA) does specifically authorize state associations to combine the offices of Secretary and Treasurer. However, it will be up to the State Association to determine whether both the office of Secretary and Treasurer are to be eliminated and replaced by the new combined Secretary-Treasurer position or, alternatively, whether only one position will be eliminated so that the duties of that office would be transferred to the surviving position. If the amendment provides for the latter case, the member elected to the surviving position would assume the duties of the combined position whenever the By-law goes into effect. No further action would be required.

If the amendment provides that both positions are to be eliminated, then the situation is more complicated. It would make sense for the vote on the By-law amendment to precede nominations. If the State Association is able to consider the proposal before nominations, I would entertain a request for dispensation that would allow the State Association to waive nominations and election for the positions of Secretary and Treasurer, in the event that the By-law is enacted, pending final approval of the Committee of Laws.

If the State Association By-laws provide that nominations must be conducted before the By-law may be considered, then you will be required to conduct nominations and elections for the separate Secretary and Treasurer positions. In that context, if the By-law is subsequently enacted, the question posed in your letter would arise, i.e., when would the positions be eliminated and replaced by the combined office? That question should be answered by the By-law itself—either by incorporating an effective date in the text of the By-law, or having the sponsor make an on the record statement of their intent.

If the intent of the By-law is to replace both positions immediately, then it would go into effect, and the separate Secretary and Treasurer positions would be eliminated when the By-law is approved by the Committee of Laws. In that scenario, the State Association President would have the authority to fill the new office by appointment, as provided by Article 8, Section 1 of the CGSA.

If the intent of the amendment is to eliminate the separate Secretary and Treasurer positions at the end of the term, that should be explained to the delegates. The separate positions would then continue for the balance of the term only.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**TRENTON DEBUSK—FALLS CITY, NE,
BRANCH 1582**

APRIL 7, 2025 (9759)

This is in reply to your letter, received March 25, 2025, requesting dispensation permitting Branch 1582 to conduct a special election of officers. You note that it has been several years since the Branch has held meetings or elections within the proper timeframes.

Article 4, Section 2 of the *Constitution for the Government of Subordinate and Federal Branches*, as well as federal law, require that Branch officers be elected to a term that cannot exceed three years. See also Section 3.1 of the *NALC Regulations Governing Branch Election Procedures* (RGBEP).

By copy of this letter, I am requesting that Region 5 National Business Agent David Teegarden investigate this situation. If he confirms the accuracy of your letter, it will be imperative that the Branch conduct a special election of officers as expeditiously as possible.

In accordance with my authority under Article 9, Section 1(a) of the *NALC Constitution*, I hereby grant Branch 1582 dispensation to hold a special election for officers. Brother Teegarden, or his designee, may provide whatever assistance the Branch requires to conduct the election. If necessary, Brother Teegarden is authorized to oversee and run the election process.

Appropriate and timely notice of nominations and election must be sent to all active and retired members of the Branch. The election should otherwise conform to the procedures provided in the RGBEP.

Thank you for bringing this matter to my attention.

**MAUREEN WILLIAMS—FLORISSANT, MO,
BRANCH 4839**

APRIL 7, 2025 (9760)

This is in reply to your letter, dated March 18, 2025, requesting

dispensation permitting Branch 4839 to conduct a special election of officers. According to your letter, a special election is necessary to address the recent resignations of the Branch's President and Vice President, as well as the Branch's failure to fill a vacancy in the office of Treasurer in accordance with its By-laws.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1(a) of the *NALC Constitution*, I hereby grant Branch 4839 dispensation to hold a special election for officers. By copy of this letter, I am directing your National Business Agent David Teegarden or his designee to provide whatever assistance the Branch requires to conduct the election. If necessary, Brother Teegarden is authorized to oversee and run the election process.

Appropriate and timely notice of nominations and election must be sent to all active and retired members of the Branch. The election should otherwise conform to the procedures provided in the *NALC Regulations Governing Branch Election Procedures*.

Thank you for bringing this matter to my attention.

KENNETH GUY—LAUREL, MS, BRANCH 1437

APRIL 7, 2025 (9764)

This is in reply to your letter, dated March 28, 2025, requesting dispensation to re-open the nomination process in Branch 1437 because certain candidates were not nominated based on a misunderstanding of the Branch By-laws.

As National President I have the authority to grant dispensation to the Branch to re-open nominations and, if necessary, to postpone the election. Normally, any such request must be submitted by the Branch President. However, as the positions of Branch President and Vice President are both currently vacant, that requirement does not apply.

Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 1437 dispensation to re-open its nomination.

Article 5, Section 5(b) of the *NALC Constitution for the Government of Subordinate and Federal Branches* requires that a nomination meeting must take place not less than four weeks before the date of the election. See also, Section 6.1 of the *NALC Regulations Governing Branch Election Procedures* (RGBEP). Accordingly, the Branch may postpone the election, which should be scheduled to take place at least four weeks after the nomination meeting. The Branch must send a corrected notice of nominations and election to the members at least ten days before the

new date of nominations, as provided by Section 6.1 of the RGBEP.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**KATHY HUNTER—KALAMAZOO, MI,
BRANCH 246**

APRIL 8, 2025 (9768)

This is in reply to your email, sent April 4, 2025, requesting guidance as to how Branch 246 should record attendance for members who tried to attend the hybrid in-person/virtual April general meeting, but were unable to do so due to the loss of internet service caused by heavy storms. You note that the platform used to host virtual attendees recorded the names of members who attempted to log on. You ask if those members should receive credit for attending the meeting, and note that if they do not receive credit, it may affect their eligibility for Branch funds to travel to conventions.

The answer to your question turns on the application of the relevant language of the Branch By-laws to these unusual circumstances. As you suggest in your email, this is a question that should be decided in the first instance by vote of the members at a future meeting. As National President, my responsibility is to interpret the *NALC Constitution*. However, issues involving the interpretation of the Branch By-laws must be resolved in the first instance at the Branch level.

If the Branch determines that the members should receive credit for purposes of eligibility to receive funds, but that credit would be inconsistent with the By-laws, I would consider a request for dispensation permitting the Branch to allow the credit despite the conflict with the By-laws.

Finally, if a member is dissatisfied with the Branch's decision, they would have the right to appeal that decision to the Committee on Appeals pursuant to the process provided for in Article 11, Section 2 of the CGFSB.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**PAUL PETERMAN—LAS VEGAS, NV,
BRANCH 2502**

APRIL 10, 2025 (9767)

This is in reply to your letter, dated April 4, 2025, advising that the members of Branch 2502 have voted overwhelmingly to request that the National Union oversee the Branch's rerun election in accordance with the recent decision of the National Committee on Appeals. You now request that I authorize the National Union to do so.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1(a) of the *NALC Constitution*, I hereby authorize National Business Agent Keisha Lewis, or her designee, to oversee the nominations and election in Branch 2502 and to provide whatever assistance the Branch may require. If necessary, Sister Lewis, or her designee, may directly supervise the nominations and election.

Appropriate and timely notice of nominations and election must be sent to all active and retired members of the Branch. The election should otherwise conform to the procedures provided in the *NALC Regulations Governing Branch Election Procedures*.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**RONALD HERSHNER—FRANKLIN, NE,
BRANCH 4142**

APRIL 10, 2025 (9769)

This is in reply to your email, dated April 7, 2025, requesting dispensation permitting Branch 4142 to conduct a special election of officers and requesting sample copies of Branch By-laws, as you are currently drafting Branch 4142's Bylaws. You note that the current Branch President is retired and, according to his wife, does not want to be contacted for union business anymore.

Article 4, Section 2 of the *Constitution for the Government of Subordinate and Federal Branches*, as well as federal law, require that Branch officers be elected to a term that cannot exceed three years. See also Section 3.1 of the *NALC Regulations Governing Branch Election Procedures (RGBEP)*.

By copy of this letter, I am requesting that Region 5 National Business Agent David Teegarden investigate this situation. If he confirms the accuracy of your letter, it will be imperative that the Branch conduct a special election of officers as expeditiously as possible.

In accordance with my authority under Article 9, Section 1(a) of the *NALC Constitution*, I hereby grant Branch 4142 dispensation to hold a special election for officers. Brother Teegarden or his designee may provide whatever assistance the Branch requires to conduct the election. If necessary, Brother Teegarden is authorized to oversee and run the election process.

Appropriate and timely notice of nominations and election must be sent to all active and retired members of the Branch. The election should otherwise conform to the procedures provided in the *RGBEP*.

Finally, Brother Teegarden or his designee should assist the Branch in drafting By-laws, as needed.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**JOHN CRUZ—BROOKLYN, NY, BRANCH 41
APRIL 15, 2025 (9770)**

This is in reply to your letter, dated April 3, 2025, concerning the Committee of Laws' approval of certain By-law amendments submitted by Branch 41 in 2019. I appreciate your sending the entire file which I have reviewed.

The file shows that the sentence in Article VII of the By-laws requiring a reinstatement fee of one year's dues, payable in advance, was part of the old By-law language. It was not an amendment that was adopted for the first time in 2019.

Nonetheless, the Committee's failure to note that this requirement violates the *Constitution* was an error. Even if the reinstatement fee had been previously approved, it cannot be enforced because it is inconsistent with the *Constitution*, as I have explained in my earlier ruling.

Previous approval by the Committee is not a bar to a later correction, where, as here, the initial approval was erroneous. For example, in 2011, the Committee of Laws overturned a provision of Branch 6000's By-laws, that had previously been approved by the Committee itself. The Committee's action was upheld by President Rolando in a ruling that was reported to the National Convention. (See attachment).

Accordingly, while I appreciate the concerns outlined in your letter, I must advise that there is no basis for setting aside my previous ruling. I recommend that the Branch amend its By-laws to conform to the *Constitution*.

I hope that this letter addresses your concerns.

**TJ DEMATTEO—NEW HAVEN, CT, BRANCH 19
APRIL 15, 2025 (9770)**

This is in reply to your letter, dated April 14, 2024, requesting special dispensation to hold a Sunday brunch for retired members in lieu of a retirement dinner. You note that although the Branch's By-laws call for a retirement dinner to be held in November, the Branch's executive council believes that a day-time brunch would work better for retired members. Since holding a brunch rather than a dinner would be inconsistent with the Branch's By-laws, your request for dispensation is appropriate.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section of the *NALC Constitution*, I hereby grant Branch 19 dispensation to hold a Sunday brunch in lieu of a retirement dinner this year. As you note in your letter, if the Branch wishes to change this practice going forward, it should amend its By-laws to reflect this change.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**JT ADAMS—ORANGE PARK, FL, BRANCH 53
APRIL 24, 2025 (9778)**

This is in reply to your letter, received by my office on April 15, 2025, concerning your request that I rule on several issues related to the filing of Article 10 charges against you by the President of Branch 53.

At the outset, it would be entirely inappropriate for me to comment on the substance of your complaints against Brother Thigpen, Brother Parriss or Executive Vice President Barner, particularly since I have only your version of the facts before me. I can offer the following general guidance.

First, in response to your question as to whether the *NALC Constitution* imposes any time limitation on the filing of charges under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*, the answer is no. However, as previous rulings have recognized, the members may take into account the timeliness of the charge as a relevant factor when they vote on the merits of the allegations.

Second, as indicated above, I am not going to address your comments about any conversations between Brother Barner and Brother Thigpen. Any issues or arguments pertaining to the evidence in this case are for the investigating committee.

Third, in response to your question as to whether the impartial committee must require witnesses to testify in-person, Article 10, Section 3 of the *CGSFB* simply provides that the investigating committee is to "summon the parties" and to hear and record the testimony and documentary evidence presented by them. Article 10, Section 3 explicitly states that the parties "are entitled to be heard by the committee [and] to present evidence." This language vests the committee with discretion to determine how the hearings will be conducted. For example, previous rulings have recognized that, if necessary, the parties and any witnesses may present testimony, including any cross-examination, by telephone conference call or by a video conferencing platform. However, the committee must take care to ensure that the parties are given a fair opportunity to exercise their rights to be heard, to present evidence, and to cross-examine witnesses.

Fourth, in response to your question as to how an appeal may be made from a Branch decision, that process is described in Article 11, Section 2 of the *CGSFB*. The appeal must be in writing and filed with the Recording Secretary of the Branch, together with any written testimony, arguments and briefs, within 20 days from the date of the Branch meeting at which the decision to be appealed from was made.

Fifth, in response to your question as to the "procedure" when an individual against whom Article 10 charges are brought believes the

members may be too fearful to vote their conscience, that is a matter you may raise in an appeal, should the charges against you be sustained.

Finally, in response to your question as to the procedure for bringing Article 10 charges against a national officer, that process is described in Article 10 of the *NALC Constitution*.

I hope that this letter addresses your concerns. This letter should not be read as expressing any opinion on the merits of charges against you, any charges you might file, or any appeal.

**DARRELL JEFFERIES—GARDEN GROVE, CA,
BRANCH 1100**

APRIL 24, 2025 (9781)

This is in reply to your email, dated April 21, 2025, requesting a ruling as to the procedures governing an investigation of Article 10 charges against a Branch officer.

Article 10, Section 3 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* provides that the investigating committee is to "summon the parties" and to hear and record the testimony and documentary evidence presented by them. The investigating committee must then "present to the Branch a written report of the facts elicited[.]" All parties are "entitled to be heard by the committee, to present evidence, and to cross examine all witnesses who make statements to the committee."

Your email first asked whether a charged party is entitled to copies of the notes of the witnesses the committee interviewed. It is not clear from your email what kinds of notes are at issue. Generally speaking, the committee has discretion to develop reasonable procedures to address particular problems and are not required to observe "rules of evidence and rules of judicial procedure[.]" Accordingly, the committee has the discretion to require a party's notes to be provided to the other party, or to provide its own notes from a prior interview, so long as the committee also protects parties' right to cross-examination.

Second, your email asked whether a charged party is permitted to interview individuals who the committee did not interview or who did not write statements regarding the charges. Article 10, Section 3 of the *CGSFB* gives all parties the right "to present evidence[.]" This includes the right to present witnesses to the committee, even if the committee has not previously interviewed them or the individual has not previously provided a written statement to the committee.

However, the committee has discretion to develop reasonable procedures to address particular problems in order to ensure that the presentation of evidence occurs in an orderly manner. While, generally speaking, any evidence relevant to the charge may be submitted to the committee, it is ultimately up to the committee to

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decide who, apart from the parties, may attend the hearing. All parties and witnesses are expected to comply with the committee's decisions regarding hearing procedures.

Third, your email asked what rights a charged party has if witnesses do not wish to be cross-examined, or if the members that the charged party wishes to interview do not wish to be interviewed. As discussed above, all parties have the right "to cross examine all witnesses who make statements to the committee[,] regardless of whether the witnesses wish to be cross-examined or not. The committee is required to protect this right of cross-examination.

Ultimately, it is the responsibility of the committee to "find the true facts and report to the Branch." I caution that any of the parties could challenge the manner in which the committee's procedures may be implemented in an appeal to the National Committee on Appeals following the Branch's decision on the charge. Any such appeal would have to be resolved on the basis of the specific facts presented. My comments are intended solely to provide advice as to the applicable constitutional principles. It would be entirely premature for me to attempt now to resolve particular issues that may be raised by the parties.

I trust that the foregoing addresses your concerns, at least in part. This letter should not be read to express my view as to the merits of the pending charges.

EDDIE DAVIDSON—MARIETTA, GA, REGION 9
APRIL 29, 2025 (9612)

This is in response to the report dated, dated March 10, 2025, regarding your investigation into allegations involving Branch 1321. By copy of this letter, I am also responding to an email from Sister Donna Gruhler and a letter from Branch President Silver concerning this matter.

Based on the results of your investigation, I have concluded that the Branch must conduct nominations and an election as expeditiously as possible. The election should be conducted under the supervision of the National Business Agent's office.

Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 1321 dispensation to conduct a special election of officers at a time to be determined by you or your designee. I am authorizing you or your designee to appoint an election committee and to take whatever actions may be necessary to ensure that nominations and an election take place as expeditiously as possible. You should continue to monitor this situation and advise me if any additional action is required.

Please feel free to contact me if you require any additional assistance. Thank you for bringing this matter to my attention.

STEPHANIE LAGRECA—EGG HARBOR TOWNSHIP, NJ, BRANCH 370
MAY 1, 2025 (9782)

This is in reply to your email, sent April 23, 2025, in which you pose several questions pertaining to the calling of special meetings under Article 3, Section 2 of the *NALC Constitution*.

Article 3, Section 2 provides as follows:

Special meetings shall be called by the President upon the written request of not less than one-half of all the Branches representing not less than two-thirds of this membership of this National Association of Letter Carriers. The Secretary-Treasurer shall notify by letter each Branch entitled to representation in the National Association of Letter Carriers, and also every member by a general notice printed in *The Postal Record* stating the object of the call. No other business shall be transacted at said special meeting. If the object of the call is to raise per capita tax or to levy a general or special assessment on members, the Secretary shall send the aforesaid notice no less than 30 days before the meeting is convened.

Your first question inquires as to the degree of specificity required for the purpose of the special meeting. The constitutional language does not address this question. Clearly, the written request for the special meeting must state the "object of the call" which must be published in *The Postal Record*. Objections to the scope of the call could be raised and resolved at the special meeting.

As to your second question, the *Constitution* does not impose limits on the number of resolutions or amendments that could be considered at a special meeting. Again, it would be up to the delegates to determine any limitations. Proposed resolutions and amendments would be subject to the relevant provisions of the *Constitution* governing resolutions and proposed amendments submitted to the National Convention. Resolutions are governed by Article 12 and proposed amendments are governed by Article 19.

Finally, our most recent records show that there are 1,542 branches in the NALC. (Nine non-functioning branches were deleted from our current branch list after your recent conversation with Secretary-Treasurer Rhine.) The records also show that the total membership is 294,904.

I hope that this letter addresses your concerns.

PAUL BOULANGER—MANCHESTER, NH, BRANCH 44

MAY 1, 2025 (9785)

Your email to Secretary-Treasurer Nicole Rhine, sent April 18, 2025, has been referred to me for reply insofar as you are requesting an interpretation of the *NALC Constitution*. You ask whether under Article 3, Section 2 of the National *Constitution*, a Branch President is empowered to join a request for a special meeting on behalf of their Branch. You also ask how Article 3, Section 2 applies to small or dysfunctional Branches that may not have a leadership structure.

As you recognize in your email, Article 3, Section 2 provides in pertinent part that "Special meetings shall be called by the President **upon the written request of not less than one-half of all the Branches** representing not less than two-thirds of this membership of this National Association of Letter Carriers." (Emphasis supplied.) This language on its face requires that the request be made by the Branch. The language does not empower individual Branch Presidents to make the request unilaterally. The process by which each Branch may decide to join a request for a special meeting, like any other Branch decision, would be governed by the Branch's By-laws.

With regard to your second question, from time to time the National Union determines that certain Branches have ceased to function. In such circumstances, the National may declare those Branches to be defunct and will transfer the members to another Branch. The defunct Branch is then removed from NALC's database of current Branches. However, absent such circumstances, all Branches listed in NALC's database would be included in the total number of Branches for purposes of Article 3, Section 2.

I hope that this letter addresses your concerns.

JENNIFER PARADISO—AUGUSTA, GA, BRANCH 263

MAY 1, 2025 (9786)

This is in reply to your letter, postmarked April 10, 2025, requesting guidance concerning the duties and functions of National Business Agents.

At the outset, it would be entirely inappropriate for me to comment on any specific complaints or concerns that you have concerning the conduct of the National Business Agent assigned to your region, particularly since I have only your version of the facts before me. There is no specific benchmark outlined in the *NALC Constitution* for determining whether a particular National Business Agent has performed their duties. I can,

however, offer the following general guidance.

Article 9, Section 8 of the *NALC Constitution* outlines the duties and functions of the National Business Agents. Article 9, Section 8 states that National Business Agents are "subject to the ultimate direction of the President and the immediate direction of the Executive Vice President and Vice President." The duties of the National Business Agents include duties related to organizing, contract administration and interpretation, and the processing of unfair labor practices. The functions of the National Business Agents include, but are not limited to, assisting in organization campaigns, gathering evidence for legal proceedings, assisting in the preparation of grievances and arbitration hearings, assisting in the mediation and conciliation of labor disputes, advising members and local administration and officers upon practice and procedure, assisting in all activities relating to legislation; conducting training and educational seminars; and all other functions relevant to their duties.

National Business Agents may be assigned other duties by the President of the NALC. They may perform any of the duties described in your letter in appropriate circumstances.

I hope this letter addresses your concerns, at least in part.

MARY SOMCHAI—BOSSIER CITY, LA, BRANCH 4617

MAY 1, 2025 (9787)

This is in reply to your letter, sent on April 7, 2025, requesting dispensation to conduct a special election for officers of Branch 4617. You note that all of the Branch's officers have resigned.

Article 4, Section 2 of the *Constitution for the Government of Subordinate and Federal Branches*, as well as federal law, require that Branch officers be elected to a term that cannot exceed three years. See also Section 3.1 of the *NALC Regulations Governing Branch Election Procedures (RGBEP)*. Therefore, it is imperative that the Branch conduct a special election of officers as expeditiously as possible.

In accordance with my authority under Article 9, Section 1(a) of the *NALC Constitution*, I hereby grant Branch 4617 dispensation to hold a special election for officers. By copy of this letter, I am authorizing Region 8 National Business Agent Steve Lasso or his designee to oversee and run the election process.

Brother Lasso or his designee must make sure that an appropriate and timely notice of nominations and election is sent to all active and retired members of the Branch. The election should otherwise conform

to the procedures provided in the RGBEP.

Thank you for bringing this matter to my attention.

**JT ADAMS—ORANGE PARK, FL, BRANCH 53
MAY 2, 2025 (9788)**

This is in reply to your email, sent April 25, 2025, concerning your request that I rule on the propriety of a Branch president appointing a retired letter carrier (who is also the Branch vice-president) as a permanent steward, and whether expenses associated with that individual performing steward duties would need to be approved by the membership.

Based on your prior correspondence, it appears that these questions relate to Article 10 charges that you have filed or plan to file. Accordingly, it would be inappropriate for me to offer a view as to these matters.

I can advise that under Article 6 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*, the Branch president, by virtue of their office, is the chief steward for the Branch, and may delegate such authority to other members. In addition, per Article 6, the Branch president shall at all times have the authority to assign steward duties or functions to another member appointed by the president whenever the president concludes that such action is necessary for the Branch to meet its representational duties or comply with NALC policy.

I hope that this letter addresses your concerns. This letter should not be read to express any opinion on the merits of any charges that you might file, or an appeal. Thank you for bringing these matters to my attention.

**JT ADAMS—ORANGE PARK, FL, BRANCH 53
MAY 2, 2025 (9789)**

This is in reply to your email dated April 25, 2025, concerning your request that I rule on two issues related to the filing of Article 10 charges against you.

At the outset, as I previously explained, it would be entirely inappropriate for me to intervene in the conduct of the ongoing investigation. Any issues related to access to witnesses or the timing of hearings are for the investigating committee to resolve.

For example, you say that you lack contact information for potential witnesses. I suggest that you provide the names of your potential witnesses to the impartial committee. The committee can decide whether to obtain contact information from the Branch.

To the extent you believe you need additional time to review the requested information prior to your meeting on April 29, it would be appropriate to ask the impartial committee if they would be available to meet with you at a later date. Should the committee deny that request,

you could raise that denial in any appeal you might file from the Branch's decision on the charges.

I hope that this letter addresses your concerns, at least in part. This letter should not be read as expressing any opinion on the merits of the charges at issue or any appeal.

**DARRELL JEFFERIES—GARDEN GROVE, CA,
BRANCH 1100**

MAY 6, 2025 (9796)

This is in reply to your email, sent May 1, 2025, regarding the timing of an investigation by a committee appointed to investigate charges brought against the Branch's Executive Vice President. According to your email, the Branch passed a motion to hear the committee's report at the May meeting, although the charges were read at the Branch's March meeting. However, the committee was unable to conclude its investigation in time to submit its report at the Branch's May meeting. Because Article 10, Section 1 of the *NALC Constitution for the Government of Subordinate and Federal Branches (CGSFB)* only permits one continuance by motion, you now ask for my guidance as to how to proceed.

Prior rulings have recognized that circumstances sometimes arise which prevent an investigating committee from completing its investigation within the time frame provided by Article 10, Section 1. The rulings have instructed committees in these circumstances to complete their investigations as soon as possible. I am hereby granting Branch 1100 and the committee dispensation to extend the time needed to complete the investigation and to vote on the charges, if the committee cannot complete its investigation in time for the May meeting.

I trust that the foregoing addresses your concerns. Thank you for bringing this matter to my attention.

JOE DESROSIERS—NORTH EASTON, MA

**MASSACHUSETTS STATE ASSOCIATION OF
LETTER CARRIERS**

MAY 12, 2025 (9802)

This is in reply to your email, dated May 7, 2025, requesting guidance as to the appropriate procedures to be followed by Branch delegates when voting at a State Convention.

At the outset, I cannot comment on any specific procedures that may be adopted by the delegates at the Massachusetts State Association Convention. Similarly, it would be inappropriate for me to rule on the interpretation of the State Association By-laws. Disputes regarding the interpretation or application of State Association By-laws should be resolved by the State Association in the first instance. However, I can provide you with general advice as to the relevant constitutional principles which should be applied.

At the outset, the prior rulings have consistently held that State As-

sociations may not adopt any kind of voting structure that would prevent Branches from voting their full proportional voting strength based on the number of Branch members who paid per capita tax to the State Association. (See, Article 5, Section 4 of the *Constitution of the Government of State Associations*.)

The number of votes that an individual delegate is entitled to cast depends on the voting procedures chosen by the State Association (through its by-laws or at the Convention). A State Association may choose to adopt the unit rule, under which a single delegate may cast all the votes to which a Branch is entitled.

However, even where a State Association decides to allow delegates the option of voting by the unit rule, the delegates of any given Branch cannot vote the unit rule unless its delegates vote unanimously to do so. Thus, a single delegate can block the Branch's use of the unit rule. The rulings have also recognized that, if no State Association delegate objects, to facilitate the voting process the Branch delegates who wish to cast their votes as a group may do so, even if the Branch has not adopted the unit rule.

When the unit rule is not in effect, the voting strength of the Branch is divided pro rata among the Branch's delegates in attendance at the Convention. The pro rata allocation of votes may result in a number of "odd votes" when the number of delegates in attendance cannot be divided evenly into the number of votes to which the Branch is entitled. For example, if the Branch is entitled to 100 votes, but only sends 30 delegates, then each delegate would be allocated 3 votes, with a remainder of 10 odd votes. The rulings recognize two permissible methods for casting such odd votes: (1) fractional votes to be allocated among the Branch's delegates or (2) a Branch caucus decision appointing one delegate to vote all the odd votes, certified by the Branch Secretary. The Convention may decide which of these two methods to adopt.

In sum, regardless of whether the unit rule is in effect, each Branch is entitled to exercise its full proportional voting strength for ballot votes, with one vote for every twenty Branch members who paid per capita tax to the State Association. The State Association will decide whether those votes may be cast by one delegate or must be distributed pro rata among the Branch's delegates present at the Convention.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**FRANK LEONARD—MENTOR, OH, BRANCH 4195
MAY 14, 2025 (9803)**

This will confirm my email sent, sent May 13, 2025, regarding the appointment of a committee to investigate charges against you and other officers of Branch 4195.

In light of the facts presented in your email, your request for assistance in appointing the committee appears to be reasonable. Accordingly, by copy of this letter, I am authorizing National Business Agent Mark Camilli, or his designee, to appoint a committee to investigate and report on the charges in accordance with Article 10, Section 3 of the *NALC Constitution for the Government of Subordinate and Federal Branches*. If necessary, Brother Camilli, or his designee, may arrange for the appointment of a committee to investigate the charges consisting of three members from outside the Branch.

Thank you for bringing this matter to my attention. This letter should not be read to express any view as to the merits of the charges or any related issue.

**ALICIA TUTT—LAUREL, MD, BRANCH 3755
MAY 16, 2025 (9804)**

Your email to Secretary-Treasurer Nicole Rhine, sent May 5, 2025, has been referred to me for reply, insofar as your email raises an issue involving the interpretation of the *NALC Constitution*. You ask whether you would be disqualified from serving as Secretary-Treasurer of Branch 3755 if you are awarded an EAS-15 position as an Administrative Assistant.

As you know, the *Constitution* generally prohibits members who hold or apply for supervisory positions from serving as national, state, or branch officers. See, Article 6, Section 4, of the *NALC Constitution* and Article 5, Section 2 of the *Constitution for the Government of Subordinate and Federal Branches*. However, as previous rulings have repeatedly held, higher level, non-bargaining unit positions are not necessarily supervisory for purposes of this disqualification.

Generally speaking, a position is considered supervisory, within the meaning of Article 5, Section 2, if the person holding that position would have the authority to discipline bargaining unit employees or otherwise supervise them in the performance of their duties. The job description for the Administrative Assistant position which you provided does not indicate that the position carries such authority. Assuming that the job description accurately reflects the responsibilities of the position, applying for or being awarded that position would not disqualify you from continuing to serve as the Secretary-Treasurer of Branch 3755.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**DARWIN "JOE" RIAN—ST. LOUIS PARK, MN,
BRANCH 9
MAY 19, 2025 (9805)**

This is in reply to your letter, dated May 8 and received on May 13, 2025, requesting dispensation to postpone Branch 9's annual by-laws meeting

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from April 22 to May 27, 2025. You write that the Branch's by-laws require the annual meeting at which votes are taken on proposed by-laws changes to be held in April, but that due to printing delays, publication of the proposed changes did not occur sufficiently in advance of April 22. You state that when the issue was discovered, the Branch's by-laws chair consulted with the Committee of Laws and then recommended to the membership that the vote on the proposed changes be postponed until the May 27 meeting. A motion was made and passed to that effect.

Your request is certainly reasonable. Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. Branch 9 may conduct its annual by-laws meeting on May 27, 2025. The Branch must ensure that suitable notice of the meeting is provided to the members as required by Article 15 of the *NALC Constitution*.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

MARK CAMILLI—LORAIN, OH, REGION 11
MAY 23, 2025 (9809)

This letter responds to Michael Brim's email, sent May 21, 2025, advising that the President of Branch 140 has resigned and that the Branch does not have a Vice President.

Article 6, Section 2 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* requires that the Vice President of the Branch succeed to the presidency if the President leaves office. The Vice President, upon becoming President, would then have the authority to fill the resulting vacancy in the office of Vice President by appointment, as provided by Article 4, Section 2 of the *CGSFB*, unless the Branch has enacted By-laws which provide an order of succession.

In this case, the Branch does not have a Vice President to succeed to the presidency. Therefore, dispensation from me is appropriate to resolve this situation and ensure that the Branch can continue to function.

In accordance with my authority under Article 9, Section 1(a) of the *NALC Constitution*, I hereby grant Branch 140 dispensation to hold a special election for the offices of President, Vice President and any other Branch officer positions that are currently vacant. I am also directing you or your designee to oversee and run the election process.

You or your designee should make sure that an appropriate and timely notice of nominations and election is sent to all active and retired members of the Branch. The election should otherwise conform

to the procedures provided in the *NALC Regulations Governing Branch Election Procedures (RGBEP)*.

Please feel free to contact me if you need any additional assistance.

JESUS VILLARUEL—GOLETA, CA, BRANCH 290
JUNE 1, 2025 (9813)

This is in reply to your letter, sent by email on May 29, 2025, requesting that I order Branch 290 to conduct a special election to fill vacancies in officer positions at the Branch. According to your letter, both the President and Vice President recently resigned.

Normally, the resignation of a Branch President would not necessitate a special election. Under Article 6, Section 2 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*, if the President resigns, the Branch Vice President will assume the presidency. The Vice President, upon assuming the presidency, could fill any remaining offices by appointment, as provided by Article 4, Section 2 of the *CGSFB*, unless the Branch By-laws provide for an order of succession. However, your letter suggests that this did not happen, and that the Branch 290 By-laws do not provide for either an order of succession or a special election. Since Branch 290 does not have a Vice President, it does appear that a special election would be appropriate.

Therefore, in light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation.

By copy of this letter, I am instructing Region 1 National Business Agent Keisha Lewis to designate a representative from her office to investigate this matter and to assist the Branch in conducting a special election to ensure that all vacancies are filled.

I hope that this letter addresses your concerns, at least in part. Thank you for bringing this matter to my attention.

LARRY BROWN—LOS ANGELES, CA, BRANCH 24

JUNE 13, 2025 (9821)

This is in reply to your June 9, 2025 message requesting dispensation to postpone Branch 24's July meeting from July 5, 2025 to July 12, 2025 in light of the Fourth of July holiday. You state that the Branch will give ample notice of the change of date to the membership.

Your request is certainly reasonable. Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. Branch 24 may hold its July meeting on July 12, 2025.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

SHAWN BOYD—FLOWER MOUND, TX, REGION 10

JUNE 18, 2025 (9825)

This is in reply to your email, sent on June 12, 2025, requesting that I authorize you or your designee to initiate merger discussions on behalf of Branch 3843 with Branch 283. As you noted in your email, I previously granted you dispensation on April 3, 2023 to either oversee a special election of officers for Branch 3843 or to initiate merger discussions on behalf of Branch 3843 and to facilitate a merger with Branch 283. At that time, Branch 3843 decided to proceed with a special election. You explain that although Branch 3843 currently has elected officers, it has had difficulty garnering participation and relies on your office for representational duties on a weekly basis. You note that your office either handles these requests or sends Branch 283 stewards to serve as outside representatives.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I am hereby authorizing you or your designee to initiate merger discussions on behalf of Branch 3843 and to facilitate a possible merger with Branch 283.

I trust that the foregoing addresses your concerns. Thank you for bringing this matter to my attention.

JOHN CRADER—CHARLESTON, SC, BRANCH 3902

JUNE 24, 2025 (9830)

This is in reply to your June 16, 2025 email to National Business Agent Eddie Davidson concerning charges filed against Branch 3902 President Michael Hamilton under Article 10 of the *NALC Constitution for the Government of Subordinate and Federal Branches*. In your email, you request that I authorize Brother Davidson to appoint an impartial committee composed of individuals from outside the Branch to investigate the charges, so that the investigation can be as unbiased as possible.

I agree that some level of scrutiny by the National Union is warranted to ensure that the charges are investigated impartially and in full compliance with Article 10. Therefore, by copy of this letter, I am directing Brother Davidson to contact you to offer any guidance or other assistance that may be necessary to ensure that an impartial committee is appointed to investigate the charges and report the facts to the Branch. In accordance with my authority under Article 9, Section 1 of the *NALC Con-*

stitution, I am authorizing Brother Davidson to appoint the committee himself, if he believes that it is in the best interest of the Branch for him to do so. The committee may include or be comprised entirely of disinterested members from other Branches.

I hope that this letter addresses your concerns. This letter should not be read to express any view as to the merits of the charges or any other issue that may arise during the investigation.

DARRELL JEFFERIES—GARDEN GROVE, CA, BRANCH 1100

JUNE 24, 2025 (9834)

This is in reply to your email, sent June 17, 2025, in which you asked whether a fact-finding committee convened under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* must submit a report and their notes to the Branch's Executive Secretary, or just their report.

Article 10, Section 3 of the *CGSFB* states that "The committee, after completing its fact-finding duty, will present to the Branch a written report of the facts elicited, and immediately thereafter disband and be eligible to vote. The Branch shall then decide, by simple majority vote, the issue of whether or not the facts, as found by the committee, sustain the charge." The *CGSFB* only requires the committee to provide the written report to the Branch.

In addition, the *CGSFB* requires that the report be provided to the Branch, not just to the Branch's Executive Secretary, as your email suggested. Past rulings have noted that the committee may either read their report at the Branch meeting to vote on the charge, or the Branch may provide copies of the report to members to read themselves before voting, so long as the charged party is given the opportunity to defend themselves immediately before the vote is taken, as provided by Article 10, Section 3.

I hope that this letter addresses your concerns. This letter should not be read to express any view as to the merits of the pending charges.

BRENDA KING—PORT ANGELES, WA, BRANCH 1906

JUNE 25, 2025 (9836)

This is in reply to your letter, dated June 9, 2025, regarding the charges that were filed against the President of Branch 1906 under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches*. Your letter requests that I authorize the appointment of an outside committee to investigate the charges, and that I extend the time limit for the investigation.

At the outset, while I appreciate your concerns, I must advise that it would be inappropriate for me to comment on the specific situation described in your letter, particularly since I only have your side of the story before me.

In light of the facts set forth in your email, however, I agree that assistance from the National Union is warranted to ensure that the charges are investigated impartially and in full compliance with Article 10. By copy of this letter I am directing National Business Agent Nick Vafiades to provide whatever assistance may be necessary to ensure that an impartial committee is appointed to investigate the charges and report the facts to the Branch. In accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I am authorizing Brother Vafiades, or his designee, to appoint the committee, if he believes that it is in the best interest of the Branch for him to do so. If necessary, the time for the committee to complete its report may be extended.

I hope that this letter addresses your concerns. This letter should not be read to express any view as to the merits of the charges or any other issue that may arise during the investigation.

**URBANO CONTRERAS—HAVERLOCK, NC,
BRANCH 4970**

JUNE 25, 2025 (9837)

This is in reply to your email, sent on June 13, 2025, requesting the assistance of the Region 9 National Business Agent in connection with the processing of charges against Sister Katie Eubanks under Article 10 of the *NALC Constitution for the Government of Subordinate and Federal Branches*.

By copy of this letter, I am authorizing National Business Agent Eddie Davidson or his designee to provide whatever assistance the Branch may require regarding the processing of the charges. In accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I am authorizing Brother Davidson, or his designee, to appoint the committee, if he believes that it is in the best interest of the Branch for him to do so.

I hope that this letter addresses your concerns. This letter should not be read to express any view as to the merits of the charges referenced in your email.

**SHAWN BOYD—FLOWER MOUND, TX,
REGION 10**

JULY 2, 2025 (9822)

This is in reply to your recent email, sent on June 10, 2025, requesting that I authorize you to concurrently oversee a special election of officers for Branch 3028 and a vote on a potential merger between Branch 3028 and Branch 421. You explained that Branch 3028 has not held an election in 12 years, has no bylaws, and has struggled to function effectively.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant your request. If the members choose to do so, Branch 3028 may conduct a special election for all vacant officer positions under the supervision of your office. Please make the necessary arrangements as expeditiously as possible.

In addition, your office is authorized to facilitate a merger of Branch 3028 with Branch 421 if there are no nominees for office in the special election. Any merger vote must be conducted in accordance with the procedures provided by Article 2, Section 3 of the *NALC Constitution*.

Thank you for bringing this matter to my attention.

**BRANCH 111 MEMBERS—SALT LAKE CITY, UT
JULY 2, 2025 (9839)**

This is in reply to your letter, dated June 14 and received on June 24, 2025, requesting all rules and expectations the NALC has in place concerning the obligation of “headquarters” employees to pay dues to their Branch. In your letter, you state that Region 2 RGA Amie Gallo did not pay dues at all in 2023 and that when she resumed paying dues in late 2024, she did not pay full dues but only the national and state portions. You state that during the period Sister Gallo did not pay dues or paid reduced dues, Sister Gallo attended the Utah State Convention, the NALC Convention in Boston, and numerous Branch 111 meetings where she participated fully as a member. You ask for guidance as to how the Branch should address this situation.

While I appreciate the concerns expressed in your letter, I must advise that it would be inappropriate for me to intervene in this matter or to comment on the specific allegations, particularly since I only have your side of the story before me. However, I can offer the following guidance.

First, dues are not deducted from full-time headquarters’ employees’ paychecks.

Second, the National Union collects national and state dues from the Branch dues deposits. Thus, so far as the National Union is concerned, all members of your Branch are considered current with their national and state dues.

It is up to each Branch to determine if and when they will bill members who are not subject to dues check-off. Article 7, Section 3(b) of the *Constitution for the Government of Federal and Subordinate Branches (CGSFB)* permits a Branch to exempt any member from dues payments under reasonable rules uniformly applied for a stated period of time. Thus, for example, a Branch could adopt a policy providing that members will be exempt from dues payments while on workers compensation or LWOP. Your letter does not indicate whether Branch 111 has such a policy.

Under Article 7, Section 4 of the *CGSFB*, “[a]ny member failing to pay ... monthly dues within thirty (30) days after the same shall become due, shall forfeit their membership.” This requirement applies to members who are not subject to dues check-off (e.g. members on compensation or LWOP, or who work for the NALC as full-time employees). However, prior to the time of forfeiture, the member retains full membership rights, notwithstanding the dues delinquency. This would include the right to attend meetings and vote in the Branch, as well as the right to attend state or national conventions as a delegate.

It is Branch’s obligation to apply the above guidance to individual situations based on the specific circumstances. In particular, it is the Branch’s responsibility to establish the due date for payment of back dues and to enforce the consequences for non-payment of dues. Absent Branch action, the delinquent member retains full membership rights, including the right to attend and vote in the Branch and to be a convention delegate.

Finally, as President I only interpret the *Constitution*, not Branch by-laws. Any disputes over application of Branch by-laws must be resolved, in the first instance, at the Branch level, subject to appeal.

I hope that this letter addresses your concerns, at least in part. Thank you for bringing this matter to my attention.

**SANDRA LAEMMEL—DETROIT, MI, BRANCH 1
JULY 3, 2025 (9847)**

This is in reply to your letter, dated June 30, 2025. You ask whether the Branch membership may fix a penalty at the next general membership meeting after having found that the facts sustained a charge against a Branch steward at the last general membership meeting. According to your letter, no motion was made at that time to impose a penalty.

It would be entirely inappropriate for me to comment on this specific situation, particularly since the Branch’s actions may be subject to an appeal. I can provide the following general guidance with respect to your question.

Article 10, Section 3 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* states, “If the Branch decides that the facts sustain the charge, then the Branch shall entertain a motion to fix the penalty, if any be required.” Previous rulings have recognized that Branches are not required to impose a penalty, even if the charges are sustained.

The rulings have also held that balloting on questions of penalty is to be conducted at the same Branch meeting at which the members vote on the issue of whether or not the facts sustain the charge. It would not be appropriate to defer consideration of a penalty to a later meeting.

A motion to reopen the penalty issue at a later meeting may be ruled out-of-order.

I hope that this letter addresses your concerns. This letter should not be read to express any view as to any issue relating to Branch 1’s handling of the charge in question.

**BRADFORD LOUIS—SAN FRANCISCO, CA,
BRANCH 214**

JULY 3, 2025 (9848)

This is in reply to your email, sent July 1, 2025, regarding charges that were filed against you under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches*. Your email requests that I appoint three disinterested members to serve on the committee that will investigate the charges. Branch Executive Vice President Tony Lee, who is responsible for appointing the committee under Article 10, has sent a separate email stating that he concurs with your request.

At the outset, while I appreciate your concerns, I must advise that it would be inappropriate for me to comment on the specific situation described in your email, particularly since I only have your side of the story before me. Nonetheless it does appear that assistance from the National Union may be warranted to ensure that the charges are investigated impartially and in full compliance with Article 10.

Accordingly, by copy of this letter I am directing National Business Agent Keisha Lewis to provide whatever assistance may be necessary to ensure that an impartial committee investigates the charges and reports the facts to the Branch. In accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I am authorizing Sister Lewis, or her designee, to appoint the members of the committee, if she believes that it is in the best interest of the Branch for her to do so. If necessary, the committee may include members from other Branches.

I hope that this letter addresses your concerns. This letter should not be read to express any view as to the merits of the charges or any other issue that may arise during the investigation.

**DARRELL JEFFERIES—GARDEN GROVE, CA,
BRANCH 1100**

JULY 7, 2025 (9849)

This is in reply to your email, sent on July 2, 2025, inquiring whether the charged party must be present during the reading of charges filed under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches (“CGSFB”)*. You note that the charged party will be out on leave during the week when the charges against him are scheduled to be read.

Article 10, Section 2 of the *CGSFB* provides that charges should be read by the Recording Secretary at the first regular Branch meeting after

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service on the charged party. There is no requirement that the charged party be present during the reading of the charges.

In light of the facts presented, however, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant dispensation to Branch 1100 to postpone the reading of the charges, if it so chooses, until the following regularly scheduled Branch meeting to allow the charged party to be present during the reading of the charges.

I trust that the foregoing addresses your concerns. Thank you for bringing this matter to my attention.

**CHRISTOPHER CIULLA—MENTOR, OH,
BRANCH 4195**

JULY 9, 2026 (9850)

This is in reply to your email, dated July 6, 2025, requesting a ruling as to recent events at Branch 4195. You write that following this year's Branch election of officers, you filed an appeal seeking to have the election re-run. You write that after the Election Committee denied your appeal, the Executive Board upheld your appeal. You advise that the Branch president then appealed the Executive Board's decision to the Branch, which voted at its June 2025 regular meeting to re-run the election "when all possible appeals of the 2025 election are resolved through the *NALC Constitution* rules of appeal." You report that "as of July 6, 2025, my approved appeal still has not been processed. In addition to this, I have been recently informed that another member is attempting to appeal the decision of the Executive Board for a second time at our next branch meeting that should occur on July 9, 2025."

While I appreciate the concerns expressed in your letter, I must advise that it would be inappropriate for me to intervene in this matter or to comment on the specific allegations, particularly since I only have your side of the story before me. However, I can offer the following guidance.

If a member is dissatisfied with the Branch's July 9, 2025 decision, they would have the right to appeal that decision to the Committee on Appeals pursuant to the process provided for in Sections 21.4-21.44 of the *NALC Regulations Governing Branch Election Procedures*. It is unclear from your letter whether such an appeal has been filed. This letter should not be read to express any opinion as to the merits of such an appeal.

It is up to the Branch to determine whether the second appeal to the Branch referenced in your email is timely. Section 21.3 of the *NALC Reg-*

ulations Governing Branch Election Procedures provides that a member may appeal the decision of the Branch Executive Board to the next scheduled meeting of the Branch. However, the member must notify the Branch Recording Secretary of their intention to appeal "within five [5] days after receiving the ruling" of the Executive Board. It would be entirely inappropriate for me to rule on whether the appeal in question satisfied this requirement.

I hope that this letter addresses your concerns, at least in part. Thank you for bringing this matter to my attention.

**DONALD GOLDEN—JONESBORO, GA,
BRANCH 73**

JULY 11, 2025 (9852)

Your email to Executive Vice President Paul Barner, dated July 7, 2025, has been referred to me for reply. You argue that your Branch improperly interpreted its By-laws to exclude retirees from reimbursement for attending Rap Sessions.

While I appreciate your concerns, I must advise that the *NALC Constitution* does not support your claim. The National Rap Session is governed by Article 3, Section 4 of the *Constitution* which provides as follows:

The National President shall, once each year except in the year of the National Convention, call a national conference. This conference shall be voluntarily attended by only State and Branch Presidents or their designees, with their expenses to be borne by the State Association or Branch represented.

This language only requires payment of expenses incurred by State or Branch Presidents or their designees who attend the Rap Session.

To be sure, over the years, NALC Presidents have authorized expansion of the Rap Sessions to allow Branches to include additional attendees. So long as NALC continues this practice, it will be up to each Branch to decide who may attend. Similarly, Branches will have discretion to decide which attendees will be eligible for compensation, so long as the expenditure of Branch funds is properly authorized by the members in accordance with Article 12, Section 3 of the *Constitution for the Government of Subordinate and Federal Branches* or the Branch By-laws.

It would be inappropriate for me to issue a ruling resolving the question of whether the Branch 73 By-laws require the expenditures at issue. As National President, it is my responsibility to interpret the *NALC Constitution*. Disputes over the interpretation or application of Branch By-laws must be resolved, in the first instance, at the Branch level.

Any decision by the Branch is subject to appeal to the National Committee on Appeals, in accordance with Article 11 of the *CGSFB*. This letter should not be read to express any views as to the merits of any appeal.

I hope that this letter addresses your concerns, at least in part. Thank you for bringing this matter to my attention.

**ATHENA FRANKLIN—AUGUSTA, GA,
BRANCH 263**

JULY 11, 2025 (9854)

This will acknowledge receipt of your charges against the former Secretary-Treasurer of Branch 263. The charges were received by my office on July 8, 2025.

Please be advised that there is no basis in the *NALC Constitution* for filing these charges with the National Union. Charges against Branch officers must be filed at the Branch level, as provided by Article 10 of the *Constitution for the Government of Subordinate and Federal Branches*.

Accordingly, no action will be taken with respect to your charges. This letter should not be read to express any view as to the merits of any charges that you may file with the Branch.

**CHRISTOPHER CIULLA—MENTOR, OH,
BRANCH 4195**

JULY 17, 2025 (9850 REVISED)

This is in further reply to your email, dated July 6, 2025, based on your recent conversations with Executive Vice President Paul Barner. Specifically, you inquire whether the rerun election apparently required by a decision of Branch 4195 should proceed now, or whether it may be delayed pending further review by the NALC Committee on Appeals. Thank you for clarifying the issue.

Previous rulings have held that a re-run election may be conducted when the appeals process has been exhausted at the Branch level. However, Branch decisions remain subject to appeal to the National Committee on Appeals. Under Section 21.41 of the *NALC Regulations Governing Branch Elections*, appeals are to be made within 20 days from the date of the Branch meeting at which the decision to be appealed from was made.

The rulings have recognized that the Branch may elect to defer the re-run until the time to appeal to the National Committee has expired, or, if an appeal is submitted, until the National Committee issues its decision. Indeed, this seems to be what the Branch contemplated when it voted in June that it would re-run the election "when all possible appeals ... are resolved through the *NALC Constitution* rules of appeal.

Of course, if no appeal is filed within the applicable time limits, then the Branch's decision would stand and should be implemented.

I hope that this letter addresses your concerns. Once again, thank you for bringing this matter to my attention.

**BRYAN RUBNER—CEDAR RAPIDS, IA,
BRANCH 373**

JULY 17, 2025 (9853)

This is in reply to your letter, dated June 26, 2025, requesting that I resolve an apparent dispute in Branch 373 over your determination that a member was ineligible to vote on a motion at a Branch meeting because he arrived after attendance was taken.

At the outset, so far as the *NALC Constitution* is concerned, this member would have been entitled to vote. The *Constitution* does not contain any provisions which prevent members who arrive at a meeting late from fully participating in the business of the meeting that takes place after their arrival.

Your letter cites a provision of the Branch by-laws regarding the roll call of attendance and the Branch's practice. While I appreciate your concerns, it would be entirely inappropriate for me to comment on the application of this provision to this specific situation. As National President, it is my responsibility to interpret the *NALC Constitution*. The issue described in your letter depends on the interpretation and application of the relevant Branch By-law language. Such disputes must be resolved, in the first instance, at the Branch level.

As Branch President, you have the authority to rule on the meaning of the Branch By-laws. However, your ruling may be appealed to the Branch under Article 11, Section 1 of the *NALC Constitution for the Government of Subordinate and Federal Branches (CGSFB)*. The Branch's decision may be appealed to the National Committee on Appeals pursuant to Article 11, Section 2 of the *CGSFB*.

Finally, as to your second question, it is appropriate for the Branch President, as chair of a meeting, to vote to break a tie. Article 6, Section 1 of the *CGSFB* specifically provides that "The President shall preside at all meetings of the Branch; [and] give the deciding vote when a tie occurs."

I hope that this letter addresses your concerns, at least in part. Thank you for bringing this matter to my attention.

ZINA WRIGHT—SUMTER, SC, BRANCH 904
JULY 17, 2025 (9855)

This is in reply to your email dated July 13, 2025, requesting dispensa-

tion permitting the Branch to vote on an amendment that would reduce its quorum requirement from 11 to 7. According to your email, the Branch has been experiencing insufficient attendance to permit it to conduct Branch business.

In light of the facts presented, and in accordance with Article 9, Section 1 of the *NALC Constitution*, the requested dispensation is hereby granted. The members of Branch 904 in attendance may vote on the quorum amendment at their next regular meeting. The vote may go forward even if a quorum is not present.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**CECIL CLOYED—KERRVILLE, TX, BRANCH 3028
JULY 23, 2025 (9858)**

This is in reply to your email, dated June 6, 2025, requesting dispensation on behalf of Branch 3028 to register delegates for the Texas State Convention even though the Branch missed the December 31 deadline. It is not clear whether you are asking for permission to send delegates without having held an election of delegates or simply to register elected delegates late.

At the outset, delegates to NALC State Association Conventions must be nominated and elected in accordance with the procedures provided by Article 5 of the *NALC Constitution* and *NALC Regulations Governing Branch Election Procedures*. As stated in Article 5, Section 4 of the *Constitution*, the election of delegates must take place no later than December of the year preceding the Convention.

I am always willing to entertain requests for dispensation permitting Branches to conduct a special election of delegates out of time. However, I cannot give a dispensation to permit non-elected delegates to attend the Texas State Convention. To the extent that is your request, it is denied.

A request to allow a Branch to register its elected delegates after a registration deadline would be appropriate. Therefore, in accordance with my authority under Article 9, Section 1 of the *Constitution*, I hereby grant dispensation permitting the Texas State Association to allow delegates from Branch 3028 to register for the 2025 Convention if they were properly nominated and elected. This dispensation applies only to the registration of delegates to the 2025 Texas State Convention. In the future, the Branch will be expected to comply with registration deadlines.

I hope that this letter addresses your concerns, at least in part.

**MICHAEL WAHLQUIST—SALT LAKE CITY, UT,
BRANCH 111
JULY 23, 2025 (9859)**

This is in reply to your letter, dated July 3, 2025, asking whether Branch 111 may adopt a motion to forgive the

dues of a member who is serving as a National Officer.

The answer to your question turns on the wording of the motion. As I explained in my letter, dated July 2, 2025, Article 7, Section 3(b) of the *NALC Constitution for the Government of Subordinate and Federal Branches (CGSFB)* permits Branches to “exempt or remit the dues of any member under reasonable rules *uniformly applied* for a stated period of time (emphasis supplied).” As indicated, an exemption must be based on a reasonable rule that is uniformly applied. A motion to exempt a specific individual would not be consistent with this language. However, a Branch may adopt a policy providing that all members will be exempt from dues payments while serving as National Officers or staff.

Any rule adopted by the Branch must also make clear how long the dues exemption will continue — e.g. “so long as the member is a National Officer” — consistent with the constitutional requirement that the exemption be for a “stated period of time.” Such a rule could allow the Branch to waive its right to reimbursement of back dues.

I hope that this letter addresses your concerns. Once again, thank you for bringing this matter to my attention.

**ANTONIO MONTGOMERY—ALPHARETTA,
GA, BRANCH 6070
JULY 23, 2025 (9860)**

This is in reply to your email, sent on July 16, 2025, requesting dispensation to conduct a special election for officers of Branch 6070 due to the unexpected passing of Branch 6070 President Latoya Freeman. You do not indicate whether any other Branch officer positions were filled at the time of Sister Freeman’s passing. You further request the appointment of a national election committee to certify the election. In support of your request, you provided an excerpt from the Branch’s bylaws and a list of proposed nominees.

First, to the extent that the Branch does not currently have any officers, it would be appropriate for the Branch to hold a special election to fill these vacancies. In accordance with my authority under Article 9, Section 1(a) of the *NALC Constitution*, I hereby grant Branch 6070 dispensation to hold a special election for any vacant officer positions. I note that the excerpt of the Branch’s bylaws that you provided indicates that the Branch’s elected officer positions include President, Vice-President, Recording Secretary, Treasurer and Shop-Steward.

Additionally, you have requested dispensation to hold a special election for the positions of Health Benefit Representative and Trustee. It is unclear from the provided excerpt of the Branch’s bylaws whether the position of Health Benefit Representative still exists as it appears there was a motion to remove this position

from the Branch’s bylaws. To the extent the position of Health Benefit Representative still exists, in accordance with my authority under Article 9, Section 1(a) of the *NALC Constitution*, I hereby grant Branch 6070 dispensation to hold a special election for the position of Health Benefit Representative. In accordance with my authority under Article 9, Section 1(a) of the *NALC Constitution*, I also grant Branch 6070 dispensation to hold special election for the position of Trustee.

Finally, you requested that I appoint a national election committee to certify the Branch’s special election. The appointment of a national election committee is not necessary in the case of an election of Branch officers. By copy of this letter, however, I am directing Region 9 National Business Agent Eddie Davidson or his designee to oversee and run the election process. Appropriate and timely notice of nominations and election should be sent to all active and retired members of the Branch. The election should otherwise conform to the procedures provided in the *NALC Regulations*.

Governing Branch Election Procedures. Brother Davidson’s office may provide whatever assistance the Branch may require. Following this special election, the Branch should return to its regular officer election schedule.

Thank you for bringing this matter to my attention.

**RICHARD NAJERA—FRESNO, CA, BRANCH 231
JULY 23, 2025 (9861)**

This is in reply to your email, dated July 16, 2025, inquiring whether a member of Branch 231 is eligible to continue to serve as a steward. The member apparently sent a letter to the postmaster expressing his interest in a 204B position and further down the line to be able to move up to a supervisor position. However, you state that the member did not fill out a formal application and was told by management that there were no openings available for him.

Article 5, Section 2 of the *Constitution for the Government of Subordinate and Federal Branches* provides that a member who holds, accepts, or applies for a supervisory position, whether detailed, acting, probationary, or permanently, is not eligible to hold any office in the Branch for a period of two years. The prohibition set forth in Article 5, Section 2 covers any application for a supervisory position. It is not necessary that the member file a Form 991 or otherwise submit an application in writing. A letter indicating a member’s interest in a management position may or may not constitute an application for a supervisory position, depending on the member’s intent, the specific wording of the statement, local practices, and other relevant circumstances.

It is the Branch’s responsibility to determine, in the first instance,

whether or not a member has in fact applied for a supervisory position. The Branch should investigate and, if necessary, discuss the situation with management to clarify whether the member’s letter was considered an application for a supervisory position. If the Branch concludes that in the present case the member’s communications with management were tantamount to an application for a supervisory position, then he will no longer be eligible to be a steward.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**JOHN YANSON—SELKIRK, NY, BRANCH 29
JULY 29, 2025 (9868)**

This is in reply to your letter, dated July 15, 2025, regarding your request that I expel a member of Branch 29 from membership in the NALC. According to your letter and enclosures, the member pled guilty to a felony involving a female co-worker.

According to the news article you sent with the letter, this individual will be sentenced in September. He may be sent to prison. If he is separated from employment with the Postal Service, he will no longer be entitled to maintain his active membership with the NALC.

While I appreciate your concerns for the victim prior to final resolution of the criminal case, I must advise that it would be entirely inappropriate for the National Union to intervene in this situation at this time. Under the *NALC Constitution*, any internal union discipline against a member, including expulsion from membership, must be initiated at the Branch level. I can provide the following general guidance.

Article 10 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* provides a detailed procedure for processing charges, which may be based on alleged misconduct toward another member of the Branch. This procedure culminates in a Branch vote on guilt or innocence and then a separate Branch vote on the issue of penalty. Article 10, Section 4 of the *CGSFB* requires a secret ballot vote for certain penalties, including expulsion. The merits of a charge and the severity of any penalty are subject to review by the Committee on Appeals.

I hope that the foregoing, at least in part, addresses your concerns. This letter should not be read to express any view as to the merits of any charges or appeals.

**CHARLES GOUSHIAN—COLLINGSWOOD, NJ,
BRANCH 540
JULY 31, 2025 (9866)**

I am enclosing a copy of a letter from Branch 540 member Richard Grabowski, protesting the conduct of the recent vote to merge with Branch 769. By copy of this letter, I am also responding to Brother Grabowski. Region 12 National Business Agent

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Brian Thompson has advised that Branch 769 will vote on the proposed merger at its August 12th monthly meeting.

Please be advised that the *NALC Constitution* requires that I now review Brother Grabowski's complaint. Article 2 Section 3(i) of the *NALC Constitution* provides that:

"If a substantial complaint is raised following Branch merger voting, documentation and supporting evidence of the charge or charges must be submitted to the National President, within thirty (30) days after such voting, who will in turn have the authority, upon review, to order a new vote to be taken among all members in each respective Branch seeking merger in accordance with the voting procedures as contained in the By-Laws of each respective Branch, and the *National Constitution*."

Accordingly, I ask that you furnish me with a written response to Brother Grabowski's letter as soon as possible.

In addition, please bear in mind that a merger does not become final until the application has been approved by the National President and appropriate notification is sent to the merging Branches by the National Union. Accordingly, the merger of Branches 540 and 769 cannot be implemented until I have ruled on Brother Grabowski's complaint.

I look forward to your expeditious response. This letter should not be read to express any view as to the merits of the complaint or any of the allegations in it.

**MANDY KIRK—JEFFERSONVILLE, IN,
BRANCH 553**

JULY 31, 2025 (9867)

This is in reply to your letter, dated July 17, 2025, regarding the recent election of officers in Branch 553. According to your letter, the Branch has voted to conduct a rerun election. You now ask whether that decision was proper and should be implemented.

Normally, in the absence of an appeal, the validity of ballots and the results of the election as determined by the Election Committee would stand. However, the information in your letter shows that the election was not conducted in accordance with the *NALC Regulations Governing Branch Election Procedures* (RG-BEP) available on the NALC website at: <https://www.nalc.org/union-administration/secretary-treasurer/body/ElectionBook.pdf>.

According to your letter, the ballots were mailed on June 5 and were due on June 18, only thirteen days after the ballots were mailed. Section 14.2 of the RG-BEP provides that in a mail ballot election, ballots must be mailed "at least twenty [20] days

before the pre-announced election date (i.e., the date by which ballots must be received in order to be counted)." Clearly, Branch 553 failed to provide its members with the required twenty day balloting period.

Therefore, in light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 553 dispensation to conduct a new election of officers. The election should be conducted as expeditiously as possible.

However, nothing in your letter suggests that there were any flaws in the original nomination process. Accordingly, the Branch is not required to reopen nominations. The rerun election should be limited to the original nominees.

Finally, by copy of this letter, I am directing National Business Agent David Mudd to provide whatever assistance the Branch may need to conduct the election.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**KENNETH LERCH—ROCKVILLE, MD,
BRANCH 3825**

JULY 31, 2025 (9871)

This is in reply to your email, sent July 30, 2025, requesting dispensation permitting you to conduct Branch 3825's nominations meeting on September 3 at a location other than the Rockville Senior Center. According to your email, you have received notice that the Center will be closing before the meeting. The Branch's notice of nominations, which was published in the *Postal Record*, had stated that nominations would take place at that location.

Based on our recent discussions, it does not appear that dispensation from me is necessary. You have advised that you will send out a new notice to the members which will notify them of the new location for the meeting which will take place on September 3, as scheduled. Section 6.1 of the *NALC Regulations Governing Branch Election Procedures* requires that the notice of nominations be sent ten days before nominations (not 45 days as suggested in your email). Accordingly, it appears that the revised notice will be timely and that the nominations meeting will otherwise be consistent with the Branch By-laws.

Your proposed course of action is an appropriate response to the anticipated closing of the Rockville Senior Center and is consistent with your authority as Branch President. As National President, I approve of your proposal.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**CARLY HOOK—SANTA CLARA, CA,
BRANCH 1427**

AUGUST 12, 2025 (9880)

This is in reply to your July 30, 2025 letter requesting dispensation for Branch 1427 to hold nominations for its delegates to the 2026 National Convention at the Branch's November 5, 2025 meeting.

According to your letter, the Branch's by-laws provide that Convention delegates are to be nominated at the Branch's October meeting. You write that due to a vacancy in the Branch's Secretary position and inadvertent oversight, the notice of the nominations for the 2026 National Convention Delegates was left out of the Branch's July 2025 newsletter and the August 2025 *Postal Record*. You write that the Branch intends to put notice of the nominations for the 2026 National Convention delegates in the September 2025 edition of the *Postal Record* and to post an informational flyer on the NALC bulletin boards at all 22 USPS offices in which Branch 1427 represents letter carriers.

Your request is reasonable. In accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the Branch dispensation to hold nominations for its 2026 National Convention Delegates at its November 5, 2025 meeting.

I hope this letter addresses your concerns. Thank you for bringing this matter to my attention.

**GARY FORMARO—FORT MYERS, FL,
BRANCH 2072**

AUGUST 12, 2025 (9874)

This is in reply to your email, sent August 5, 2025, regarding charges that are being brought against the Branch's Secretary under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches*. Your email requests that I assign National Business Agent Eddie Davidson to appoint three disinterested members to serve on the committee that will be investigating the charges.

At the outset, while I appreciate your concerns, I must advise that it would be inappropriate for me to comment on the specific situation described in your email, particularly since I only have your side of the story before me. Nonetheless it does appear that assistance from the National Union may be warranted to ensure that the charges are investigated impartially and in full compliance with Article 10.

Accordingly, by copy of this letter I am directing Brother Davidson to provide whatever assistance may be necessary to ensure that an impartial committee investigates the charges and reports the facts to the Branch. In accordance with my authority un-

der Article 9, Section 1 of the *NALC Constitution*, I am authorizing Brother Davidson, or his designee, to appoint the members of the committee, if he believes that it is in the best interest of the Branch for him to do so.

I hope that this letter addresses your concerns. This letter should not be read to express any view as to the merits of the charges or any other issue that may arise during the investigation.

JOHN CRADER—HANAHAN, SC, BRANCH 3902
AUGUST 13, 2025 (9881)

This is in reply to your email, sent August 4, 2025, requesting clarification on whether the Branch must continue to pay the salary of a steward after the Branch President has reassigned duties.

Article 6, Section 1 of the *Constitution for the Government of Subordinate and Federal Branches* authorizes a Branch President to *reassign* a steward's representational duties to another person based on the steward's failure to meet his/her responsibilities. The representational duties of stewards vary from Branch to Branch. It is up to the Branch President to decide which duties are to be reassigned. The *Constitution* does not limit the duties that are subject to reassignment.

The ability of the Branch President to *remove* shop stewards is determined by manner of steward selection. A steward chosen through an election process whose duties have been reassigned under Article 6, Section 1 has not been removed from his/her elected position. Generally speaking, an elected steward remains entitled to attend steward meetings and to perform whatever duties were not reassigned to the extent consistent with the Branch By-laws.

The issue of whether the Branch is obligated to pay salary to a steward whose duties have been reassigned is controlled by the Branch By-Laws. For this reason, it would be inappropriate for me to offer an opinion on what obligation, if any, exists. It is the responsibility of the Branch, in the first instance, to interpret and apply its own By-laws. Relevant factors include the language of the By-law, any pertinent past practice, and any evidence of the intent of the Branch when it originally enacted the By-law provision at issue. If necessary, the matter may be resolved by vote of the members at a Branch meeting.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**ALAN GEGAX—HENDERSON, NV,
BRANCH 2502**

AUGUST 13, 2025 (9883)

This is in reply to your email, sent August 11, 2025, requesting clarification

tion of the nomination process provided by the NALC Regulations Governing Branch Elections and Branch 2502's Bylaws. You provided a copy of email communications with Executive Vice President Paul Barner concerning whether individuals may be nominated to serve both as a Branch officer and steward pursuant to the *NALC Regulations Governing Branch Election Procedures*.

As Brother Barner correctly noted in his email to you, Section 6.5 of the *NALC Regulations Governing Branch Election Procedures (RGBEP)* specifically states that "No person shall accept nomination for more than one office." However, a shop steward position is not necessarily a branch office.

Previous presidential rulings have recognized that if a steward position is not treated as a branch office under the By-Laws (e.g., if stewards are elected by station, rather than by the entire membership, and do not sit on the Branch Executive Board), then a member would have the right to be nominated for both a branch office and a steward position. Neither the *Constitution* nor the *RGBEP* prohibit simultaneous service as both Branch officer and steward in these circumstances.

Your email indicates that the Branch By-laws provide that stewards are elected by station. Therefore, so long as the Branch By-laws themselves do not prohibit dual service as an officer and steward, it would appear that the double nomination described in your email is acceptable.

I must caution, however, that it would not be appropriate for me, as National President, to resolve any issues about the meaning of the By-laws. Such disputes must be resolved, in the first instance, at the Branch level.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**LARRISSA PARDE—ST. LOUIS, MO,
BRANCH 4839**

AUGUST 14, 2025 (9873)

This is in reply to your email, sent August 6, 2025, on behalf of Branch 4839 President Sheree Brewer. Sister Brewer is requesting dispensation permitting Branch 4839 to suspend compliance with its By-law provision governing the quorum requirement for membership meetings. Specifically, the Branch proposes a reduction in the quorum requirement from 12 to 8 members. You explain that the Branch has recently had difficulty meeting its quorum, and as a result has not been able to consider proposed By-laws changes or conduct business.

The Branch's request is certainly reasonable, given the circumstances described in your email. Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation until the is-

ssues confronting the Branch have abated. If the Branch wishes to make this reduction in the quorum requirement permanent, it should amend its By-laws accordingly. The Branch must also make sure that appropriate and timely notice is provided to the membership regarding the time and place of meetings.

I that this letter addresses the Branch's concerns. Thank you for bringing this matter to my attention.

**CHARLES GOUSHIAN—COLLINSWOOD, NJ,
BRANCH 540**

AUGUST 14, 2025 (9882)

I am enclosing a copy of a letter from Robert Sweerus, the second Branch 540 member to protest the conduct of the recent vote to merge with Branch 769. By copy of this letter, I am also responding to Brother Sweerus.

As you are aware, the *NALC Constitution* requires that I now review this complaint. I therefore ask that you furnish me with a written response to Brother Sweerus' letter as soon as possible. The merger of Branches 540 and 769 cannot be implemented until I have ruled on Brother Sweerus' complaint.

I look forward to your expeditious response. This letter should not be read to express any view as to the merits of the complaint or any of the allegations in it.

**PAUL PETERMAN—LAS VEGAS, NV,
BRANCH 2502**

AUGUST 25, 2025 (9889)

This is in reply to your letter, dated August 14, 2025, concerning my prior ruling addressing whether individuals may be nominated to serve both as a Branch officer and steward pursuant to the *NALC Regulations Governing Branch Election Procedures (RGBEP)*.

While I appreciate your concerns, as National President, it is my responsibility to interpret the *NALC Constitution*. In my prior ruling, I explained that neither the *National Constitution* nor the *RGBEP* prohibit simultaneous service as both a Branch officer and a steward where the steward position is not treated as a Branch office under the By-laws (e.g. the stewards are elected by station, rather than by the entire membership, and do not sit on the Branch Executive Board).

However, my ruling expressly noted that the Branch By-laws themselves may prohibit dual service as an officer and steward, but that it would not be appropriate for me, as National President, to resolve any issues about the meaning of the By-laws. Such disputes must be resolved, in the first instance, at the Branch level.

As Branch President, you have the authority to rule on the meaning of the Branch By-laws. Your ruling may be appealed to the Branch under Article 11, Section 1 of the *NALC Constitution for the Government of*

Subordinate and Federal Branches (CGSFB). The Branch's decision may be appealed to the National Committee on Appeals pursuant to Article 11, Section 2 of the *CGSFB*. Once again, neither this letter nor my previous letter to Brother Gegax should be read to reflect any view as to the interpretation or application of the Branch By-laws.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**CHUCK GOUSHIAN—COLLINGSWOOD, NJ,
BRANCH 540**

AUGUST 27, 2025 (9866 & 9882)

In July 2025, I received timely appeals from Brothers Grabowski and Sweerus protesting Branch 540's vote on June 12, 2025 to approve a merger agreement with Branch 769. On my request, you submitted responses to each appeal, along with additional documentary exhibits.

Having reviewed all the evidence and arguments, I am satisfied that Branch 540's vote to accept the merger complied with the requirements of Article 2, Section 3 of the *NALC Constitution*, and that the objections of the appellants are without merit. Accordingly, the challenges to the validity of Branch 540's merger vote are hereby denied. By copy of this letter, I am instructing Secretary-Treasurer Nicole Rhine and the NALC Membership Department to process the merger application, upon receipt.

By copy of this letter, I am also notifying Brothers Grabowski and Sweerus of my decision.

BILL HOENE—MESA, AZ, BRANCH 1902

AUGUST 27, 2025 (9894)

This is in reply to your email to Executive Vice President Paul Barner, sent August 25, 2025. Your email asks whether the pendency of a post-election appeal impacts the timing of the installation of the winning candidate.

The answer to this question is no. Consistent with federal law and Department of Labor regulations, presidential rulings have consistently held that the outcome of a Branch election is presumed to be valid, pending the completion of the appeal process. This means that the winners of the election, as determined by the ballots received and counted, must be installed as scheduled, even if an appeal is still pending, or a new election is ordered.

I hope that the foregoing addresses your concerns.

STEPHANIE LAGRECA—EGG HARBOR TOWNSHIP, NJ, BRANCH 370

AUGUST 28, 2025 (9895)

This is in reply to your August 26, 2025 letter concerning restrictions on campaign fundraising for union officer elections.

The only rules that NALC has promulgated which may be relevant to

your inquiry are set forth in the *NALC Regulations Governing Branch Election Procedures (RGBEP)*. The *RGBEP* booklet is available on NALC's website at: <https://www.nalc.org/union-administration/secretary-treasurer/body/ElectionBook.pdf>.

Consistent with federal law, the *RGBEP* prohibits the use of union funds and resources to support or oppose candidates in Branch elections. See *RGBEP* Sections 9.4 and 9.7. This prohibition would apply to the use of union funds or resources to raise funds for a candidate. The regulations also provide that the United States Postal Service may not contribute money or anything of value to the campaign of any candidate. See *RGBEP* Section 9.5.

I hope that the foregoing addresses your concerns.

**MICHAEL TRUMPH—ROUND LAKE, IL,
BRANCH 4007**

AUGUST 29, 2025 (9896)

Your email to Executive Vice President Paul Barner, sent August 15, 2025, has been referred to me for reply. According to your email, the Treasurer of Branch 4007 has refused to address your request to inspect Branch's 4007's bank records.

At the outset, it would be inappropriate for me to rule on this situation based on the limited information in your email since I only have your side of the story before me. I can provide the following guidance. Please note that I am providing a copy of this letter to Branch President Morrow and to Sister Reyther.

Article 6, Section 4 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* states that the Financial Secretary of the Branch "shall keep an account of all properties, investments, and funds of the Branch which at all times shall be open for inspection." Prior presidential rulings have recognized that the specific manner of inspecting the books is left to the discretion of the Branch. The denial of a request for records may be appealed to the Branch President and the President's decision may be appealed to the members under Article 11, Section 1 of the *CGSFB*.

Article 6, Section 1 of the *CGSFB* provides that the Branch President shall "have general supervisory powers over the Branch," which includes the authority to "see that officers perform their duties [and] enforce the *Constitution*, By-Laws, Rules and Regulations of the Branch." As previous rulings have consistently recognized, this provision confers upon the Branch President supervisory authority over subordinate officers. Accordingly, the President has the authority to order compliance with constitutional requirements regarding the inspection of Branch financial records.

I hope that this letter addresses your concerns. Thank you for bringing this matter to our attention.

PRESIDENTIAL RULINGS

**HOMER HERNANDEZ—SAN ANTONIO, TX,
BRANCH 421**

SEPTEMBER 4, 2025 (9893)

Your email to Executive Vice President Paul Barner, dated August 25, 2025, has been referred to me for reply insofar as your letter raises issues involving the interpretation of the *NALC Constitution*. You ask whether a charge may be filed pursuant to Article 10 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* against a member of the Step B DRT who is also a member of Branch 421. According to you, the charge concerns a Step B decision on a grievance initiated by the charging party. You also note that the charge is not specific about which constitutional or by-laws provisions have been violated.

While I appreciate your concerns, I must advise that it would be inappropriate for me to rule on the validity of the charges at issue, based on the limited information in your email. However, I can provide the following guidance.

Past rulings have recognized that there are no procedures in the *Constitution* for charging DRT members, based on their decisions. DRT members are not Branch officers. Under Article 10, Section 1, a charge against a member of the Branch must allege that the charged party has violated the *Constitution* or the Branch By-laws. A charge which does no more than challenge a DRT member's decision would not be sufficient to meet this requirement.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention. This letter should not be read to express any view as to the merits of the specific charge described in your or any related issue.

**BARBARA STICKLER—ISSION VIEJO, CA,
BRANCH 1100**

SEPTEMBER 8, 2025 (9904)

This is in reply to your email, sent September 8, 2025, requesting that I determine whether an election appeal was properly submitted to the Branch. According to your email, the Branch Executive Board has not yet completed its written decision.

At the outset, it would be inappropriate for me to resolve this issue in a presidential ruling based solely on your email. Any procedural objections to an appeal to the Branch must be resolved by the Branch itself. However, I can provide the following guidance.

Section 21.2 of the *NALC Regulations Governing Branch Election Procedures (RGBEP)* authorizes members dissatisfied with a decision of the Election Committee to appeal the

Committee's decision to the Branch Executive Board. Section 21.2 of the regulations states that the Board must prepare a written response to the appeal. Section 21.3 then permits an aggrieved member to appeal the Board's decision to the Branch.

This process requires that the Executive Board's written decision must be finalized and sent to the parties before the Branch may consider any further appeal. If a member submits an appeal before the written decision is finalized, the Branch may advise the appellant that the appeal will be heard at the first scheduled meeting after the Executive Board issues its written decision.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**KEIR PARKS—MIAMI GARDEN, FL,
BRANCH 1071**

SEPTEMBER 9, 2025 (9902)

This is in reply to your letter, sent August 14, 2025, regarding your alleged removal as State Convention delegate and Steward.

At the outset, while I appreciate your concerns, I must advise that it would be inappropriate for me to comment on the specific situation described in your email, particularly since I only have your side of the story before me. In any event, a direct appeal to me is not the correct procedure for addressing a decision by a Branch President.

To challenge the decision of a Branch President, you must first appeal that decision to the Branch under Article 11, Section 1 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*. The Branch's decision may then be appealed to the National Committee on Appeals in accordance with the procedures set forth in Article 11, Section 2 of the *CGSFB*.

I hope that this letter addresses your concerns. This letter should not be read to express any view as to the merits or timeliness of any appeal that you may bring.

**KENNETH LERCH—ROCKVILLE, MD,
BRANCH 3825**

SEPTEMBER 10, 2025 (9900)

This is in reply to your email, sent September 4, 2025, in which you ask whether there is a deadline by which candidates for Branch office who no longer wish to run must withdraw from the election. You advise there are presently nine candidates running for five trustee positions.

Previous rulings have recognized that nominees for Branch office may withdraw their acceptance of nomination either at the nominations meeting or in writing within five days thereafter. If they fail to do so, the

nominee's name must appear on the ballot.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**LAWRENCE STEWARD, II—ROCKFORD, IL,
BRANCH 245**

SEPTEMBER 12, 2025 (9899)

This is in reply to your letter, sent on September 3, 2025, concerning Region 3 Business Agent Michael Caref's alleged involvement in internal issues in Branch 245.

At the outset, it would be entirely inappropriate for me to comment on any specific complaints or concerns that you have concerning the conduct of the National Business Agent assigned to your region, particularly since I have only your version of the facts before me. I can, however, offer the following general guidance.

Article 9, Section 8 of the *NALC Constitution* outlines the duties and functions of the National Business Agents. These duties do not generally encompass the review of Branch finances. The Branch and its officers are primarily responsible for the administration of the finances of the Branch. The *NALC Constitution* does not provide National Business Agents with any independent authority to review branch finances. Pursuant to Article 9, Section 1 of the *NALC Constitution*, the National President may in certain circumstances assign a National Business Agent to investigate issues related to the finances or governance of a Branch. I have not done so in this case.

I express no comment on the substance or merits of any pending charges under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*. Charges should be dealt with in the first instance at the Branch level. As National President, I can provide assistance to the Branch, if necessary, to ensure that an independent committee is appointed to investigate the charges.

With respect to the processing of grievances, Article 6, Section 1 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* provides that the Branch President shall "have general supervisory powers over the Branch," which includes the authority to "see that officers perform their duties [and] enforce the *Constitution*, By-Laws, Rules and Regulations of the Branch." As previous rulings have consistently recognized, this provision confers upon the Branch President supervisory authority over subordinate officers. Accordingly, as President you would have the authority to order compliance with policies regarding the processing of grievances. A subordinate officer

who fails to comply with directions from the Branch President could be subject to charges under Article 10 of the *CGSFB*. The President would also have the authority to temporarily reassign the duties of the non-complying officer to another officer or member pending the disposition of any charges.

I hope this addresses your concerns, at least in part. Thank you for bringing these matters to my attention. Once again, this letter should not be read to reflect any view as to the merits of any of the ongoing disputes in Branch 245.

**ALAN GEGAX—HENDERSON, NV,
BRANCH 2502**

SEPTEMBER 12, 2025 (9901)

This is in reply to your email, dated September 4, 2025, regarding the Branch 2502 nominations process that took place on September 3, 2025. You assert that the Branch President improperly ignored my prior rulings on dual service as a Branch officer and steward, and the Branch upheld that decision.

My prior correspondence clearly noted that Branch By-laws may prohibit dual service as an officer and steward. Neither of my prior letters stated any view as to whether the Branch 2502 By-laws permitted or prohibited such dual service. I am not now going to substitute my judgment for that of the Branch as to the interpretation of the Branch's By-laws.

As stated in my prior letters, the Branch's decision may be appealed to the National Committee on Appeals pursuant to Article 11, Section 2 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*. The Committee may consider any arguments you wish to make in support of your position.

Finally, I can advise that a dispute over the proper interpretation of a Branch's By-laws would not normally be the basis for charges of misconduct under Article 10 of the *CGSFB*.

I hope that this letter addresses your concerns, at least in part. This letter should not be read to express any views as to the merits of the dispute or any resulting charges or appeal.

**HOMER HERNANDEZ—SAN ANTONIO, TX,
BRANCH 421**

SEPTEMBER 29, 2025 (9905)

This is in reply to your email, dated September 10, 2025, asking whether a Branch officer appointed to fill a mid-term vacancy must be formally installed.

Please be advised that the relevant constitutional provision, Article 5, Section 6 of the *Constitution*

for the Government of Subordinate and Federal Branches, requires that an installation of Branch officers be conducted at the first or second meeting of the Branch following the election. There is no language requiring a formal installation ceremony when individuals are appointed to fill vacancies between elections. While the Branch may conduct an installation and swearing-in if it so chooses, such a ceremony is not constitutionally required. The Branch would have discretion to determine who would swear in the appointed officer.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**ANTOINE VAUGHN—BALTIMORE, MD,
BRANCH 176**

SEPTEMBER 12, 2025 (9906)

This is in reply to your email, sent September 10, 2025, requesting clarification of my previous dispensation permitting Branch 176 to move its nominations meeting from November to September. In your email, you note that the nominations meeting took place on September 9, 2025 and ask if additional dispensation is needed given that the Branch By-laws require ballots to be mailed to members within 15 days after nominations.

It does not appear that additional dispensation is necessary. The Branch may conduct the mail ballot election in accordance with its usual schedule, notwithstanding the change in the timing of nominations. The dispensation to conduct nominations at the September meeting does not require the Branch to mail ballots earlier than would otherwise be required by the Branch By-laws.

For example, you note that the Branch's By-laws provide that to be valid, ballots must be postmarked by the time and date specified by the Election Committee in the printed instructions, which will be at least 10 days from the final date upon which the ballots were mailed by the Election Committee, but no later than 9:30 a.m., Monday morning before the regular Branch meeting in December. Your email does not indicate that the Branch will have any problem fulfilling those requirements, and so at this point there is no need for additional dispensation.

I trust that the foregoing addresses your concerns. Thank you for bringing this matter to my attention.

**MARILYN EVANS—MONTGOMERY, AL,
BRANCH 106**

SEPTEMBER 12, 2025 (9908)

This is in reply to your letter, sent September 2, 2025, regarding charges that you intend to bring against an officer of Branch 106 under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches* (CGSFB).

Please be advised that there are no constitutional provisions permit-

ting a member to submit charges against Branch officers directly to the National Union. All charges must first be processed at the Branch level in accordance with the procedures set forth in Article 10 of the CGSFB.

However, it appears that some level of scrutiny by the National Union is warranted. By copy of this letter, I am directing National Business Agent Steve Lassan to provide whatever assistance may be necessary to ensure that if any charges are ultimately filed with the Branch, the charges are investigated properly. In accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I am authorizing Brother Lassan, or his designee, to appoint an independent committee to investigate such charges, if he believes that it is in the best interest of the Branch for him to do so.

I hope that this letter addresses your concerns. This letter should not be read to express any view as to the merits of possible charges or any other issue that may arise during the investigation.

**RICHARD RAY—STATEN ISLAND, NY,
BRANCH 41**

SEPTEMBER 12, 2025 (9909)

This is in reply to your letter, dated August 26, 2025, concerning restrictions on campaign fundraising for union officer elections.

The only rules that NALC has promulgated which may be relevant to your inquiry are set forth in the *NALC Regulations Governing Branch Election Procedures* (RGBEP). The RGBEP booklet is available on NALC's website at: <https://www.nalc.org/union-administration/secretary-treasurer/body/ElectionBook.pdf>.

Consistent with federal law, the RGBEP prohibits the use of union funds and resources to support or oppose candidates in Branch elections. See RGBEP Sections 9.4 and 9.7. This prohibition would apply to the use of union funds or resources to raise funds for a candidate. The regulations also provide that the United States Postal Service may not contribute money or anything of value to the campaign of any candidate. RGBEP Section 9.5.

I hope that the foregoing addresses your concerns.

**BRADFORD LOUIS—SAN FRANCISCO, CA,
BRANCH 214**

SEPTEMBER 15, 2025 (9907)

This is in reply to your email from September 10, 2025, concerning the penalty imposed upon you by motion at Branch 214's last meeting. Specifically, the Branch's motion suspends you for one week, permits you to take sick or annual leave during that one-week suspension, and requires that you attend counseling for anger management and provide documentation that you did so.

While I appreciate your concern, I must advise that it would be inappropriate for me to rule on this matter.

The question of whether the penalty imposed is in conformity with the *NALC Constitution* is properly raised in the context of an appeal to the National Committee on Appeals. However, I can provide the following general guidance.

Article 10, Section 4 of the *Constitution for the Government of Subordinate and Federal Branches* (CGSFB) authorizes the Branch to vote to impose certain penalties on a member who has been found guilty of a charge: expulsion, removal from office, suspension, fine, or reprimand. The validity of a penalty other than those listed in Article 10, Section 4 would have to be determined on a case-by-case basis, in light of the facts presented.

I trust that the foregoing addresses your concerns. This letter should not be read to express any view as to any issue relating to the penalty imposed by Branch 214 in your case.

**WILLIAM TAYLOR—BELLAFTONE, PA,
BRANCH 1495**

SEPTEMBER 16, 2025 (9911)

This is in reply to your letter, received by my office on September 10, 2025, which requests clarification on the meaning of the word "apply" in section 4.11 of the *NALC Regulations Governing Branch Election Procedures* (RGBEP), including whether it includes a member's informal expressions of interest in serving as a 204B.

I can provide the following general guidance. Article 5, Section 2 of the *Constitution for the Government of Subordinate and Federal Branches* (CGSFB) prohibits any member who holds, accepts, or applies for a supervisory position in the Postal Service from serving as an officer or steward for two years following termination of supervisory status. Section 4.11 of the NALC RGBEP repeats this prohibition. The prohibition set forth in Article 5, Section 2 of the CGSFB covers any application for a supervisory position. It is not necessary that a member file a Form 991 or otherwise submit an application in writing. An oral or written expression of interest may constitute an application for a supervisory position, depending on the circumstances. Local practices may be relevant.

It is for the Branch to determine, in the first instance, whether or not a member has in fact applied for a supervisory position. If the Branch concludes that a member's communications with management were tantamount to an application for a supervisory position, then they would be disqualified from running for office.

I trust that the foregoing addresses your concerns.

**BARBARA STICKLER—MISSION VIEJO, CA,
BRANCH 2502**

SEPTEMBER 15, 2025 (9912)

This is in reply to your email, sent September 12, 2025, requesting

dispensation permitting the Branch 2502 Election Committee to correct a printing error on the ballot in its ongoing mail ballot election of officers. According to your email, the section of the ballot for trustee was missing one nominee. You now request dispensation to send out a separate ballot just for the trustee race and to extend the return date for only the trustee race from October 1 to October 8th. Any votes for trustee on the original ballot will not be counted. Information on this change will be sent out in the ballot envelope as well as flyers for the stations and on the website.

Your request is certainly reasonable. Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation.

Thank you for bringing this matter to my attention.

PAIGE BECKSTROM—SPANISH FORK, UT

**UTAH STATE ASSOCIATION OF LETTER
CARRIERS**

SEPTEMBER 18, 2025 (9913)

This is in reply to your email, sent September 16, 2025, concerning the potential applicability of two provisions of the *NALC Constitution* to former officers of the Utah State Association, specifically Article 10 and Article 9, Section 11, paragraph (e) (17).

Article 10 of the *Constitution* authorizes the filing of charges with the NALC Executive Council against "any officer of the [NALC] or a State Association." Such charges may not be brought against a member who is not an officer at the time of the charge, such as a former officer who has since left office.

However, Article 9, Section 11, paragraph (e)(17) of the *Constitution* authorizes the Executive Council "in conjunction with the President . . . to investigate any Branch or member of a Branch who interferes in the work of the organization." Any member of the NALC may be subject to an investigation under this provision.

Please confirm whether you are requesting an investigation of the matter described in your email. This letter should not be read to reflect any view as to the merits of the allegations set forth in your email.

**CATHERINE BODNAR—HIGHLAND, IN,
BRANCH 580**

SEPTEMBER 23, 2025 (9915)

This is in reply to your email, sent September 21, 2025, requesting a ruling regarding the duties assigned to specific Branch officers in the *Constitution for the Government of Subordinate and Federal Branches* (CGSFB). In your email, you state that Branch 580's By-laws assign to the Recording Secretary certain duties which the CGSFB states are to be performed by the Financial Secretary.

Branch By-laws must be consistent with the *Constitution*. Your email

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indicates that the Branch 580 By-laws may be inconsistent with Article 6, Sections 3 and 4 which set forth the duties of the Recording Secretary and Financial Secretary. In these circumstances, an amendment of the Branch's By-laws would be appropriate to bring them into conformity with the CGSFB.

Article 15 of the *NALC Constitution* sets out the procedure by which a Branch may amend its By-laws. As relevant here, Article 15 states: "By-laws of branches may be amended at any regular meeting of the branch, provided the amendment has been submitted in writing at the last previous regular branch meeting, and suitable notification to members shall be made at least ten (10) days before the regular meeting at which the vote is to be taken [and thereafter] must be submitted in duplicate to the Chairperson of the Committee of Laws and shall not become effective until approved by the Committee of Laws as provided in Article 11, Sec. 3, of this *Constitution*."

I trust that the foregoing addresses your concerns. Thank you for bringing this matter to my attention.

CATHERINE BODNAR—HIGHLAND, IN, BRANCH 580

SEPTEMBER 25, 2025 (9914)

This is in reply to your email, sent September 21, 2025, requesting dispensation permitting Branch 580 to honor candidates' oral acceptance of nomination as delegates. You explain that while the Branch By-laws require candidates to accept their nominations in writing before the end of the nominations meeting, the members voted to permit candidates to accept nominations by telling the sergeant-at-arms.

Your request is certainly reasonable, given the circumstances described in your email. Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. In the future, the Branch's nominations process should comply with its By-laws.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

JOSEPH WHITE—IRONTON, OH, BRANCH 140

SEPTEMBER 25, 2025 (9916)

This is in reply to your email, sent September 21, 2025, concerning your inability to appoint three disinterested members to investigate pending charges because of Branch 140's small membership.

Your request for assistance appears to be reasonable in light of the facts presented. Accordingly, by copy of this letter I am authorizing National Business Agent Mark Camilli to appoint a committee consist-

ing of members outside Branch 140 to investigate the charges.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention. This letter should not be read to express any view as to the merits of the pending charges or any related issue.

SHAWN BOYD—FLOWER MOUND, TX, REGION 10

SEPTEMBER 25, 2025 (9917)

This is in reply to your email dated September 22, 2025, regarding a request you have received from the President of Branch 3094 to assist with a potential merger with Branch 1037. According to your email, Branch 3094 does not have monthly meetings, has no by-laws that can be found, and lacks resources for training a proper steward. You also advise that Branch 1037's president is interested in discussing a merger.

In accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I am authorizing you to provide whatever assistance the two Branches may require to effectuate the proposed merger. When the details of the proposed merger are finalized, as provided by Article 2, Section 3 of the *NALC Constitution*, Brother Rodriguez will be required to convene a meeting of the Branch 3094 membership upon thirty days' notice, conduct a vote on the proposed merger, and sign a merger application on behalf of Branch 3094. Please assist Brother Rodriguez in carrying out these responsibilities.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

JAYSON JONES—RALEIGH, NC, BRANCH 459

SEPTEMBER 26, 2025 (9918)

This is in reply to your email, sent September 24, 2025, regarding charges that were filed against multiple members of Branch 459 under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches*. Your email requests that I appoint three disinterested members to serve on the committee that will investigate the charges.

Although I express no view on the merits of the charges or any other issue that may arise during the investigation, I agree that some level of assistance from the National Union may be warranted to ensure that the charges are investigated impartially and in full compliance with Article 10. Accordingly, by copy of this letter I am directing National Business Agent Eddie Davidson to provide whatever assistance may be necessary to ensure that an impartial committee investigates the charges and reports the facts to the Branch. In accordance with my authority under Article 9, Section 1 of the *NALC Con-*

stitution, I am authorizing Brother Davidson, or his designee, to appoint the members of the committee, if he believes that it is in the best interest of the Branch for him to do so. If necessary, the committee may include members from other Branches.

I hope that this letter addresses your concerns. Again, this letter should not be read to express any view as to the merits of the charges.

JAYSON JONES—RALEIGH, NC, BRANCH 459

SEPTEMBER 29, 2025 (9919)

This is in reply to your email, sent September 25, 2025, requesting dispensation to permit Branch 459 to conduct its nominations of delegates for the 2026 National Convention at the next Branch meeting on October 8, 2025. According to your email, the Branch was unable to conduct a timely nominations meeting and may not have sent notice of a nominations meeting in accordance with Article 5.2 of the *NALC Regulations Governing Branch Election Procedures*.

In light of the facts set forth in your email, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 459 dispensation to reschedule its nominations of delegates to the next regular meeting at which it is possible to hold nominations. The Branch must provide appropriate and timely notice of this change to all active and retired members as expeditiously as possible. Please note that Section 6.1 of the *NALC Regulations Governing Branch Election Procedures* requires that the notice be sent out at least ten days before nominations. An election, if necessary, may be scheduled for a later meeting.

Please understand that this dispensation applies only to the 2025 nominations and election of delegates. For future elections, the Branch must comply with the time frames and notice requirements provided by its By-Laws, the *Constitution*, and the *NALC Regulations Governing Branch Election Procedures*.

The Branch must notify all members of this extension and the opportunity for each member of the Branch to be nominated.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

BRADFORD LOUIS—SAN FRANCISCO, CA, BRANCH 214

SEPTEMBER 29, 2025 (9920)

This is in reply to your email to Secretary-Treasurer Nicole Rhine, dated September 25, 2025, requesting dispensation permitting Branch 214 to consider and vote on charges against the Vice Presi-

dent and Secretary-Treasurer at its October meeting. According to your letter, the charges were originally scheduled to be taken up at the August meeting, but the Branch voted to postpone the matter until its September meeting. This one-time postponement is expressly permitted by Article 10, Section 1 of the *Constitution for the Government of Subordinate and Federal Branches*. However, according to your letter, at the September meeting the discussions took too long to allow for voting on the charges.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. The Branch should provide appropriate and timely notice of this change to all the members as expeditiously as possible.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

JAYSON JONES—RALEIGH, NC, BRANCH 459

OCTOBER 1, 2025 (9919)

This is in reply to your email, sent September 29, 2025, requesting modification of an earlier presidential ruling to permit Branch 459 to conduct its nomination of delegates for the 2026 National Convention at the next Branch meeting on October 8, 2025. You now request dispensation to permit Branch 459 to conduct its nomination of delegates at a Branch meeting on January 14, 2026 because the Branch By-laws establish a 45-day notice period that cannot be satisfied before October 8, 2025.

In light of the facts set forth in your email, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested modification of my dispensation. The Branch must provide appropriate and timely notice of this change to all active and retired members as expeditiously as possible. An election, if necessary, may be scheduled for a later meeting.

Please understand that this dispensation applies only to the nominations and election of delegates for the 2026 National Convention. For future elections, the Branch must comply with the time frames and notice requirements provided by its By-Laws, the *Constitution*, and the *NALC Regulations Governing Branch Election Procedures*.

The Branch must notify all members of this extension and the opportunity for each member of the Branch to be nominated.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**OLIVER DOUGLAS—HASTINGS, NE,
BRANCH 390**

OCTOBER 3, 2025 (9921)

This is in reply to your letter, dated August 31, 2025, and received September 15, 2025, requesting the appointment of an election committee to assist with Branch 390's officer elections, which are scheduled to take place on November 12, 2025. You explain that there are an insufficient number of members willing to serve on the election committee.

Your request is certainly reasonable, given the circumstances described in your letter. Therefore, by copy of this letter, I am asking National Business Agent David Teegarden to appoint an election committee and provide the Branch with any additional assistance it requires in connection with its upcoming officer elections.

I trust that the foregoing addresses your concerns. Thank you for bringing this matter to my attention.

**STORMY BLOOD—FRUIT HEIGHTS, UT,
BRANCH 111**

OCTOBER 3, 2025 (9922)

This is in reply to your letter, received on September 17, 2025, requesting clarification of the appeal process provided by Article 11, Section 1 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* as it pertains to appeals directed at a decision by the President of a Branch.

As an initial matter, it would be inappropriate for me to comment on any specific allegations set forth in your letter. The following discussion is intended to provide general guidance regarding appeal procedures under Article 11 of the *CGSFB*.

Article 11, Section 1 provides that "an appeal may be taken to the President from the decision of any other officers of the Branch and to the Branch from any decisions of the President, which appeal must be taken at the meeting at which the subject appealed from is under consideration, and before any other business is taken up for action."

There are no particular procedural requirements or standard operating procedures for submitting an appeal to the Branch from a decision by the President. Once an appeal has been submitted, however, both the appellant and the President must be given a fair opportunity to be heard. Ultimately, the members must vote on the appeal at the Branch meeting. Thereafter, an appeal may be taken from the decision of the Branch to the National Committee on Appeals in accordance with the procedures and time limits set forth in Article 11, Section 2.

Article 11, Section 1 does require that an appeal to the Branch "must be taken at the meeting at which the subject appealed from is under consideration, and before any other business is taken up for action."

Thus, an appeal challenging a decision by the President made at a Branch meeting would normally be made at that meeting and resolved before any other business.

Appeals can also challenge decisions by the President which were made between meetings. Such an appeal would normally be made at the first meeting after the decision. Previous rulings have recognized that reading the appeal after the roll call of officers and stewards during a report of communications would be consistent with the requirement that the appeal be acted on "before any other business is taken up for action."

I hope that this letter addresses your concerns, at least in part. This letter should not be read to express any view as to the merits of any appeal.

**HOMER HERNANDEZ—SAN ANTONIO, TX,
BRANCH 421**

OCTOBER 6, 2025 (9929)

This is in reply to your email sent on October 2, 2025, concerning charges brought against you as Branch President. The charges are entirely based on your decision to rule out of order separate charges that had been brought against Brother Gros based on his role as a member of the Dispute Resolution Team (DRT).

In general, Article 10 charges are not the appropriate avenue for challenging procedural decisions taken at a Branch meeting. Such decisions may instead be challenged through the appeal procedure set forth in Article 11 of the *NALC Constitution for the Government of Subordinate and Federal Branches (CGSFB)*.

Under Article 11, Section 1 any decision by a Branch President may be appealed to the members at the Branch meeting at which the subject appealed from is under consideration. The decision of the members may be appealed to the National Committee on Appeals. The procedure for appealing a Branch decision is set forth in Article 11, Section 2.

Accordingly, you may advise the charging party that his present charges are out of order. However, he should also be advised that your rulings are subject to appeal under Article 11 of the *CGSFB*.

I hope that this letter addresses your concerns. This letter should not be read to express any view as to the merits of any appeal.

**PAUL PETERMAN—LAS VEGAS, NV, BRANCH
2502**

OCTOBER 6, 2025 (9930)

This is in reply to your letter, received on September 30, 2025, requesting guidance as to the service of charges under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*.

As an initial matter, it would be inappropriate for me to decide how

Branch 2502 should process the specific charges referenced in your letter. The following discussion is intended to provide general guidance regarding the service of charges under Article 10 of the *CGSFB*.

First, there is no one person responsible for serving charges upon the charged party under Article 10, Section 2 of the *CGSFB*. The requirement of service is an obligation imposed on the Branch and may be discharged by any appropriate representative of the Branch.

Second, the *Constitution* does not provide for a specific means of service of charges. In most circumstances, a certified mailing of the charges would be sufficient.

Finally, Article 10, Section 2 states that the "charges shall be read by the recording secretary at the first regular meeting after service on the member or officer." Therefore, charges should not be read at a Branch meeting until the charged party has been properly served. Once the charged party has been served, the Branch should read the charges at its next regular meeting, even if the charged party will not be present at that meeting.

I hope that this letter addresses your concerns.

**EDWARD FLETCHER—RICHMOND, CA,
BRANCH 111**

OCTOBER 8, 2025 (9931)

This is in reply to your email, dated October 3, 2025, inquiring whether a Branch 1111 shop steward who is a candidate in the Branch's upcoming officer elections is eligible to continue to serve as a steward and to be a candidate. According to your email and the two statements attached, last year the steward/candidate inquired with management about a detail to Labor Relations but was told by management that there were no available openings for him.

Article 5, Section 2 of the *Constitution for the Government of Subordinate and Federal Branches* provides that a member who holds, accepts, or applies for a supervisory position, whether detailed, acting, probationary, or permanently, is not eligible to hold any office in the Branch for a period of two years. The prohibition set forth in Article 5, Section 2 covers any application for a supervisory position. It is not necessary that the member file a Form 991 or otherwise submit an application in writing. A letter or verbal communication indicating a member's interest in a management position may or may not constitute an application for a supervisory position, depending on the member's intent, the specific wording of the statement, local practices, and other relevant circumstances.

Your letter does not provide sufficient information as to the nature of the application process in your installation to permit me to make a definitive ruling with respect to the steward/candidate. In any event, it is for the Branch to determine, in the first instance, whether a member has

in fact applied for a supervisory position. Normally, the Branch should investigate and, if necessary, discuss the situation with management to clarify whether the member's communication with management was considered an application for a supervisory position. If the Branch concludes that in the present case the steward/officer's communications with management were tantamount to an application for a supervisory position, then he will no longer be eligible to be a steward or to be a candidate in the Branch's upcoming officer elections. The Branch's determination is subject to appeal.

I hope that this letter addresses your concerns, at least in part. Thank you for bringing this matter to my attention.

**MICHAEL BRASAEMLE—LAS VEGAS, NV,
BRANCH 2502**

OCTOBER 9, 2025 (9933)

This is in reply to your email of October 8, 2025, following up on your earlier question concerning the eligibility of retirees to serve as branch officers.

As many presidential rulings going back decades have repeatedly affirmed, retired NALC members are regular members and are entitled to hold any office. As an officer, the retired member can carry on all the duties of that office, including negotiations with the Postal Service.

The sole limitation on the rights of retirees is that they shall have "no voice or vote in any matter pertaining to the ratification of a national working agreement, local memorandum of understanding, or proposed work stoppage." See, Article 2, Section 1(a) of the *NALC Constitution*. This language prohibits retiree involvement in the ratification process but does not otherwise bar retiree officers from negotiating LMOUs.

I trust that the foregoing addresses your concerns.

ANGELICA GARCIA—LAREDO, TX, BRANCH 354

OCTOBER 14, 2025 (9932)

This is in reply to your email, dated October 7, 2025, requesting dispensation permitting Branch 354 to reschedule its nominations and election of Branch officers. According to your email, the Branch's notice of nominations erroneously stated that nominations would be held at the Branch's November membership meeting, rather than the October meeting, as required by its By-laws.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation to reschedule its nominations and election of officers. If necessary, the Branch must also provide appropriate and timely notice of an election in December.

Please understand that this dispensation applies only to the 2025 nomination and election of officers.

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For future elections, the Branch must comply with the time frames and notice requirements provided by its By-laws, the *Constitution*, and the *NALC Regulations Governing Branch Election Procedures*.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**CHRIS WILLIAMS—NEWPORT, KY,
BRANCH 374**

OCTOBER 14, 2025 (9938)

This is in reply to your letter, dated October 10, 2025, requesting dispensation permitting Branch 374 to hold its monthly membership meeting on Wednesday October 15, 2025 instead of Tuesday October 14, 2025.

According to your letter, the Branch's bylaws provide that the Branch's monthly membership meetings are to be held on the second Tuesday of each month. At the September 9, 2025 monthly membership meeting, the membership voted to hold its next monthly membership meeting on Wednesday October 15, 2025 rather than Tuesday October 14, 2025 because of the holiday on Monday October 13, 2025. There was concern that members would have difficulty attending a meeting on the evening of October 14, 2025 because of the anticipated heavy mail volume.

Your request is reasonable. In accordance with my authority under Article 9, Section of the *NALC Constitution*, I hereby grant the Branch dispensation to hold its October membership meeting on Wednesday October 15, 2025.

I hope this letter addresses your concerns. Thank you for bringing this matter to my attention.

**DAVID SMITH—WILMINGTON, DE,
BRANCH 191**

OCTOBER 17, 2025 (9939)

This is in reply to your email, sent October 13, 2025, requesting dispensation to permit Branch 191 to conduct its nomination of delegates for the 2026 National Convention at the next Branch meeting on November 12, 2025. According to your email, the Branch timely noticed its delegate election for October 8, 2025, but the Branch's notice was later determined to conflict with Article 5 of the *National Constitution*. You explain that the Branch then sent a revised notice to be published in the October edition of *The Postal Record*, but that the notice may be untimely under Article 5, Section 4 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* and Section 5.1 of the *Regulations Governing Branch Election Procedures (RGBEP)*. According to your email, nominations will take place on November 12 and the election will take place on December 10.

In light of the facts set forth in your email, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 191 dispensation to reschedule its nominations of delegates to its November 12, 2025 meeting. An election, if necessary, may take place on December 10.

Please understand that this dispensation applies only to the 2025 nominations and election of delegates. For future elections, the Branch must comply with the time frames and notice requirements provided by its By-Laws, the *Constitution*, and the *RGBEP*.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**HOMER HERNANDEZ—SAN ANTONIO, TX,
BRANCH 421**

OCTOBER 22, 2025 (9940)

This is in reply to your email, dated October 14, 2025, requesting dispensation permitting Branch 421 to reschedule its election of delegates to the National Convention. According to your email, the Branch was unable to finalize the nominee list in time for an October election.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 421 dispensation to reschedule its election of delegates to the next regular meeting at which it is possible to hold an election. The Branch must provide appropriate and timely notice of this change to all active and retired members as expeditiously as possible.

Please understand that this dispensation applies only to the 2025 election of delegates. For future elections, the Branch must comply with the time frames and notice requirements provided by its By-laws, the *Constitution*, and the *NALC Regulations Governing Branch Election Procedures*.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**SHAUN ARMSTRONG—FREDERICKSBURG,
VA, BRANCH 685**

OCTOBER 22, 2025 (9943)

This is in reply to your letter, received October 10, 2025, requesting guidance as to whether Article 11 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* permits a member to appeal the decision of a Branch to the Committee on Appeals. You explain that a member appealed from the 10-1 decision of the Branch made at its August 5, 2025 meeting.

The answer to your question is that any decision made by a Branch is

subject to appeal. Article 11, Section 1 provides that "any member considering that an injustice has been done them by a decision of the Branch, may appeal in writing to the Committee on Appeals of the National Association." Article 11, Section 2 sets forth the process that must be followed in connection with such an appeal. Accordingly, Article 11 permits a member to appeal the decision of a Branch to the Committee on Appeals. That is so irrespective of the margin of the Branch's challenged decision.

I hope that this letter addresses your concerns. This letter should not be read as expressing any view on the merits of the pending appeal. Thank you for bringing this matter to my attention.

**DANTRELL RHONE—PALATINE, IL,
BRANCH 4268**

OCTOBER 22, 2025 (9944)

This is in reply to your email, dated October 8, 2025, requesting dispensation permitting Branch 4268 to hold nominations for National Convention delegates and State Convention delegates at the Branch's regular meeting on January 14, 2026 and to hold elections for National Convention delegates and State Convention delegates at the Branch's regular meeting on February 11, 2026 with voting to be conducted by mail. According to your email, the Branch has undergone significant changes and restructuring in the past few months and therefore needs additional time to nominate and elect delegates.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 4268 dispensation to conduct its nomination of delegates at its January 14, 2026 regular meeting and its election of delegates at its February 11, 2026 meeting by mail. The Branch must provide appropriate and timely notice of this change to all active and retired members as expeditiously as possible.

Please understand that this dispensation applies only to the 2025 election of delegates. For future elections, the Branch must comply with the time frames and notice requirements provided by its By-laws, the *Constitution*, and the *NALC Regulations Governing Branch Election Procedures*.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**CLANCY GLOVER—CHARLOTTESVILLE, VA,
BRANCH 685**

OCTOBER 22, 2025 (9950)

This is in reply to your letter, sent October 20, 2025, concerning the

ongoing investigation of charges filed against Brother Nightingale under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches*. You now request dispensation extending the time for your committee to make its report to the Branch to the meeting on January 6, 2026.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. The Article 10 Committee may present a written report of its findings at the January 6 Branch Meeting.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**ALLISON LOCKHART—JONESBORO, GA,
BRANCH 73**

OCTOBER 29, 2025 (9949)

This is in reply to your email, sent October 17, 2025, regarding the multiple charges that are pending in Branch 73 under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*.

Article 10, Section 3 of the *CGSFB* provides that the committee to investigate a charge is to be appointed by "[t]he president, or if the president be the person against whom charges are made, the vice president." However, according to your email, while you hold the position of Branch 73's Vice President, you are also running for election to be Branch President against the incumbent, who is the subject of some of the Article 10 charges in question.

These circumstances do indicate that it would be appropriate for you to recuse yourself from appointing the committee. Previous rulings have recognized that if the Vice President cannot appoint the committee, then the next highest ranking officer should do so. If there are no other officers eligible to appoint the committee, then the investigating committee may be appointed by action of the members of the Branch. Specifically, the Branch could nominate and elect members to the committee at a regular or special meeting. Alternatively, the members could vote to select an individual disinterested Branch member to appoint the members of the committee. As a last resort, I have in the past authorized National Business Agents to appoint investigating committees where the Branch has been unable to do so.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention. This letter should not be read to express any view as to the merits of the pending charges or any related issue.

**BRADFORD LOUIS—SAN FRANCISCO, CA,
BRANCH 214**

OCTOBER 29, 2025 (9954)

This is in reply to your email, dated October 23, 2025, requesting dispensation permitting Branch 214 to read your appeal from the Branch's decision to sustain charges brought against you at the Branch's November 5 meeting. According to your email, you submitted your appeal to the Branch's Secretary Treasurer (recorder) on September 21. You explain that the Branch's October meeting ran long and that as a result, your appeal was not read and that the Branch has not submitted a response to your appeal to the NALC Committee on Appeals.

Your request is certainly reasonable. In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 214 dispensation to read your appeal at its November 5 meeting.

Please note that Article 11, Section 2 of the *Constitution for the Government of Subordinate and Federal Branches* requires the Branch to send both your appeal and the Branch's response to the Committee. In this case, the response may be prepared by the charging party or any officer or member who supported the Branch's decision.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**CHRIS WILLIAMS—NEWPORT, KY,
BRANCH 374**

OCTOBER 29, 2025 (9955)

This is in reply to your letter, dated October 24, 2025, requesting dispensation permitting Branch 374 to change the date of its regular November meeting. According to your email the Branch By-laws require that the Branch meet for business on the second Tuesday of each month. However, the Branch membership passed a motion at its regular monthly meeting on October 15, 2025 to hold the November meeting on November 18, 2025, because the second Tuesday of the month falls on Veterans Day.

Please be advised that, as a general rule, Branches may not cancel or reschedule a Branch meeting by motion. Article 3, Section 1 of the *Constitution for the Government of Subordinate and Federal Branches* requires that Branch meetings be held at the time prescribed by the Branch By-laws. The rescheduling of a meeting to a time not provided in the By-laws generally requires a grant of dispensation from the National President. Accordingly, your request for dispensation is appropriate.

Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 374 dispensation to hold its November meeting on November 18,

2025, so long as timely notice of the new meeting can be provided to all active and retired members of the Branch.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**JERREL KINLOCH—FORT LAUDERDALE, FL,
BRANCH 2550**

OCTOBER 29, 2025 (9958)

This is in reply to your letter, sent October 22, 2025, requesting dispensation permitting Branch 2550 to mail corrected ballots for Delegates to the 2026 National Convention. According to your letter, the original ballot erroneously left off one of the delegate nominees. The corrected ballots will be only for the election of Delegates. The original ballots will be used for the election of officers and stewards.

Your request is certainly reasonable. Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. Please make sure that the new ballots are accompanied by a thorough explanation of the procedures to be followed by members of the Branch in filling out their ballots.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

GRANT COLVIN—EVANSVILLE, IN, BRANCH 377

OCTOBER 31, 2025 (9951)

This is in reply to your email, sent October 20, 2025, regarding the appointment of a committee to investigate charges that were filed against the President of Branch 377 under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*.

Article 10, Section 3 of the *CGSFB* provides that the committee to investigate a charge is to be appointed by "[t]he president, or if the president be the person against whom charges are made, the vice president." However, as previous rulings have recognized, the vice presidents should not appoint the committee if they are likely to be involved in the investigation of charges as a witness or have otherwise been involved in the preparation of the charges.

Based on the limited facts in your email, I have no reason to believe that you, as the Branch's Vice President, are ineligible to appoint the committee. But, if you conclude that you should not do so, the following guidelines would be applicable.

Previous rulings have recognized that if the Vice President cannot appoint the committee, then the next highest-ranking officer should do so. If there are no other officers eligible to appoint the committee, then the investigating committee may be appointed by action of the members of the Branch. Specifically, the Branch could nominate and elect members to the committee at a regular or special meeting. Alternatively, the

members could vote to select an individual disinterested Branch member to appoint the members of the committee. As a last resort, I have in the past authorized National Business Agents to appoint investigating committees where the Branch has been unable to do so.

I hope that this letter addresses your concerns. This letter should not be read to express any view as to the merits of the charges.

ZACH TRUSS—ANNAPOLIS, MD, BRANCH 651

NOVEMBER 4, 2025 (9961)

This is in reply to your email, dated October 30, 2025, requesting dispensation permitting Branch 651 to hold nominations for National Convention delegates and State Convention delegates on a schedule different than that provided in the Branch's by-laws. According to your email, the Branch's by-laws provide for nominations in November and an election in December, but the Branch failed to conduct nominations in November.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 651 dispensation to conduct its nominations of delegates at the next regular meeting at which it is possible to hold nominations and its election of delegates at the next regular meeting thereafter. The Branch must provide appropriate and timely notice of this change to all active and retired members as expeditiously as possible.

Please understand that this dispensation applies only to the 2025 election of delegates. For future elections, the Branch must comply with the time frames and notice requirements provided by its By-laws, the *Constitution*, and the *NALC Regulations Governing Branch Election Procedures*.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**WALTER BROWN—FAYETTEVILLE, NC,
BRANCH 1128**

NOVEMBER 4, 2025 (9962)

This is in reply to your email dated October 31, 2025, requesting a ruling on an apparent dispute over your eligibility to be a candidate for Branch President and to be a convention delegate in Branch 1128.

You report that on October 9, 2025, Branch 1128 held nominations for Branch office and that you were nominated for President and to be a delegate to the national convention. According to your email, after you were nominated, the Election Committee determined you were not in good standing and omitted your name from the ballot. You explain that from March 30, 2025 until October 17, 2025, you were on detail off and on for Region 9 and fell behind on your local dues. You say that while the Branch never sent you a letter

about your dues, you spoke with the Branch Secretary in July 2025, the Secretary said you were \$154.85 in arrears, you paid the arrears, and you have been paying your dues ever since. You ask for a presidential ruling as to your eligibility to be a candidate.

While I appreciate the concerns expressed in your letter, I must advise that it would be inappropriate for me to intervene in this matter or to comment on the specific allegations, particularly since I only have your side of the story before me. However, I can offer the following guidance.

Under Article 7, Section 4 of the *CGSFB*, "[a]ny member failing to pay ... monthly dues within thirty (30) days after the same shall become due, shall forfeit their membership." This requirement applies to members who are not subject to dues check-off (e.g. members on compensation or LWOP, or who work for the NALC as full-time employees). A member who forfeits membership under this provision may not be a candidate for Branch office.

However, forfeiture of membership does not occur automatically. It is the Branch's responsibility to collect dues from members in non-deduct status. Each Branch must determine the due date for payment of dues; bill the members in non-deduct status; and enforce the consequences for non-payment of dues. Absent Branch action, the delinquent member retains full membership rights, including the right to run for Branch office or for national convention delegate.

Moreover, a member who has forfeited membership is entitled to reinstatement under Article 7, Section 5 of the *CGSFB* upon "payment of back ... dues, as well as such reinstatement fee as the Branch may prescribe by reasonable rules, uniformly applied." Under Article 7, Section 5 a member who has paid all back dues would have full membership rights restored, including the right to run for office.

You have the right to challenge the omission of your name from the ballot by initiating a post-election appeal pursuant to Section 21.0-21.45 of the *NALC Regulations Governing Branch Election Procedures (RGBEP)* (for the office of President) and Sections 21.5-21.61 of the *RGBEP* (for national convention delegate).

I hope that this letter addresses your concerns, at least in part. Thank you for bringing this matter to my attention. This letter should not be read to express any view as to the merits of any appeal that you may initiate.

**FRANKLIN LEONARD—MENTOR, OH,
BRANCH 4195**

NOVEMBER 6, 2025 (9967)

This is in reply to your email, sent November 5, 2025, requesting an extension of time to file an appeal to the national Committee on

PRESIDENTIAL RULINGS

Appeals from a decision of Branch 4195, in accordance with Article 11 of the *NALC Constitution for the Government of Subordinate and Federal Branches*. According to your email, the Branch has not yet responded to your request for information that you believe you need to prepare your appeal.

In light of the facts set forth in your email, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant you an extension of 30 days to submit your appeal.

By copy of this letter, I am advising the Branch that it should respond to any outstanding request for information as expeditiously as possible.

Any further questions or requests regarding the appeal should be directed to NALC Vice President James Henry who serves as Chairman of the Committee on Appeals.

I hope that this letter addresses your concerns. This letter should not be read to express any view as to the merits of the appeal or any related issue.

JOSEPH HENSCHEN—PINELLAS PARK, FL, BRANCH 1477

NOVEMBER 6, 2025 (9970)

This is in reply to your email, sent November 12, 2025, which asks whether the wife of a retiree, who is not a NALC member but is a retiree member of the American Postal Workers Union, may be appointed to the Branch's election committee.

As previous rulings have recognized, only members of the NALC, active or retired, may serve on the election committee. It would not be permissible to appoint non-members to the committee itself.

However, if there are not enough members of the committee to supervise the balloting at each polling place, it would be permissible for the Branch to retain any disinterested person for the limited purpose of supervising the balloting. The ballots ultimately must be turned over to the election committee for tallying and to resolve any disputes. Assuming this process does not lead to a claim that the balloting procedure was compromised, there should be no reason why the outcome of the election would be jeopardized.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

BRADFORD LOUIS—SAN FRANCISCO, CA, BRANCH 214

NOVEMBER 13, 2025 (9971)

This is in reply to your email, dated November 10, 2025, requesting dispensation permitting Branch 214 to hold its nominations of delegates

to the 2026 National Convention at the Branch's January 7, 2026 meeting. If necessary, an election will be held at the Branch's meeting on February 4. According to your email, you have scheduled a special notice of nominations and election to be mailed out to all Branch members by no later than November 18, 2025.

Your request is certainly reasonable. In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 214 dispensation to hold its nominations of delegates at its January 7 meeting and an election of delegates at its February 4 meeting.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

SHIRLEY HISE—SUN CITY, AZ, BRANCH 6156

NOVEMBER 13, 2025 (9972)

This is in reply to your email, dated November 10, 2025, requesting dispensation permitting Branch 6156 to change the date of its regular January meeting. According to your letter, the Branch's regular January meeting is scheduled for January 1, 2026. In light of the holiday, you are requesting dispensation to hold the meeting on January 8, 2026.

Your request is certainly appropriate. In accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 6156 dispensation to hold its January meeting on January 8, 2026. Please make sure that timely notice of the new meeting date is provided to all active and retired members of the Branch.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

PHILIP SKIPPER—PENSACOLA, FL, BRANCH 321

NOVEMBER 17, 2025 (9975)

This is in reply to your email, sent November 17, 2025, requesting dispensation permitting Branch 321 to postpone its vote for delegates to the National Convention from its monthly meeting on November 18 to either its regular meeting on December 9 or January 13, 2026. According to your email, the Branch wants to postpone the election until it has completed a review of available hotel rooms and other costs to decide how many paid delegates it will send to the Convention.

It does appear that the postponement of the election is necessary since the Branch is apparently unprepared to conduct it tomorrow. Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution* I hereby grant Branch dispensation to conduct its

nomination of delegates at its meetings on December 9 or January 13. If necessary, an election may be conducted at the meeting after nominations.

However, your email and the attached letter indicate that you may have a misunderstanding of the delegate election process. Articles 4 and 5 of the *NALC Constitution for the Government of Subordinate and Federal Branches* and the *NALC Regulations Governing Branch Election Procedures* require that convention delegates be nominated and elected. Previous presidential rulings have recognized that a Branch must allow its members to nominate and elect delegates to fill all the delegate positions to which the Branch is entitled under Article 4, Section 1 of the *NALC Constitution*. For example, if the Branch is entitled to send 15 delegates to the National Convention, then 15 delegates should be elected.

The Branch does have discretion to decide whether elected delegates will receive Branch funds for attending the Convention. However, elected delegates who do not receive funding have the right to attend the Convention at their own expense.

I hope that this letter addresses your concerns. Please understand that the above dispensation applies only to the nomination and election of delegates to the 2026 National Convention. In the future, the Branch must comply with the time frames and deadlines provided by the *Constitution* and its By-laws.

ROSS THORPE—MOLINE, IL, BRANCH 318

NOVEMBER 20, 2025 (9974)

This is in reply to your email, dated November 15, 2025, requesting guidance about Branch 318's upcoming election. According to your email and the Branch's by-laws you provided, nominations are to take place at the October meeting and elections are to take place at the December meeting. You explain that at the Branch's November meeting, the Branch approved a motion to hold a mail ballot election. You state that the motion should have been ruled out of order because it is contrary to the Branch's by-laws and ask for guidance as to how to proceed. You also ask that I direct the National Business Agent to appoint three disinterested individuals to serve as an election committee and to grant a one-month extension so that the election may be held at the Branch's January 8, 2026 meeting.

As previous rulings have recognized, the Branch may not vote to overrule its own by-laws. If the Branch wishes to change its by-laws, the proper procedure is through a by-laws amendment.

As Branch President, you have

authority to interpret the Branch's by-laws, including by ruling motions, out of order where they contradict the Branch's by-laws and refusing to effectuate approved motions that contradict the Branch's by-laws. Such decisions by you may be appealed to the Branch, and the Branch's decisions may be appealed to NALC's Committee on Appeals.

Because you have concluded that the motion to hold a mail ballot election contradicts the Branch's by-laws, it would be appropriate for you to advise the Branch of such.

I am granting your request for a one-month extension for elections to be held at the January 8, 2026 meeting. I am granting that request so that a new election notice can be issued, and in light of your concerns that two of the three original members of the election committee are no longer serving in that role. By copy of this letter, I am asking National Business Agent Mike Caref to assist the Branch with its upcoming election, including by appointing an election committee if he deems it to be in the best interest of the Branch.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

JUSTIN BAULO—BOARDMAN, OH, BRANCH 385

NOVEMBER 21, 2025 (9976)

This is in reply to your email, dated November 10, 2025, concerning charges brought against you which have resulted in your suspension from Branch 385.

While I appreciate your interest and concerns, I must advise that it would be inappropriate for me to comment on any of the issues raised in your email as I have only your version of events. Article 11, Section 1 of the *NALC Constitution for the Government of Subordinate and Federal Branches (CGSFB)* provides that "any member considering that an injustice has been done him/her by a decision of the Branch, may appeal in writing to the Committee on Appeals of the National Association." Thus, as the charged party, you have the right to appeal the Branch's decision in accordance with the procedures set forth in Article 11 of the *CGSFB*.

Your letter also indicates that you have filed charges under Article 10 of *CGSFB*. Previous rulings have held that during the term of a suspension or expulsion the Branch is not required to act on charges previously filed by the suspended or expelled member. However, if the member appeals to the National Committee on Appeals, and the Committee reverses the suspension or expulsion, the member will have the right to resubmit the charges to the Branch.

I trust that the foregoing is responsive to your inquiry. This letter should not be read to express any view as to the merits of your allegations, any pending or future charges, or any appeal.

**DARRELL HELSLEY—GRAND RAPIDS, MI,
BRANCH 56**

NOVEMBER 21, 2025 (9980)

This is in reply to your letter, dated November 4, 2025, requesting dispensation permitting Branch 56 to change the date of its regular January meeting. According to your letter, the Branch's regular January meeting is scheduled for January 1, 2026. In light of the holiday, you are requesting dispensation to hold the meeting on January 8, 2026 and to install newly elected Branch officers at this meeting.

Your request is certainly appropriate. In accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 56 dispensation to hold its January meeting on January 8, 2026 and to install newly elected Branch officers at this meeting, so long as timely notice of the new meeting date can be provided to all active and retired members of the Branch.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**JOSH MCKERN & STEPHEN DOUR—COUNCIL
BLUFFS, IA, BRANCH 314**

NOVEMBER 24, 2025 (9978)

This is in reply to your letter, dated November 16, 2025, requesting dispensation permitting Branch 314 to postpone its election of convention delegates to February 12, 2026.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. The Branch must provide appropriate and timely notice of this election by mail to all active and retired members as expeditiously as possible.

Please understand that this dispensation applies only to the current Branch 314 election of delegates. For future elections, the Branch must comply with the time frames and notice requirements provided by its By-laws, the *Constitution*, and the *NALC Regulations Governing Branch Election Procedures*.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**BRADFORD LOUIS—SAN FRANCISCO, CA,
BRANCH 214**

NOVEMBER 25, 2025 (9971)

This is in reply to your email, sent November 14, 2025, requesting an additional extension of time permitting Branch 214 to hold its nominations of delegates to the 2026 National Convention at the Branch's meeting on February 4, 2026. If necessary, an election will be held

at the Branch's meeting on March 4. According to your email, this additional time is needed to meet the deadline for the Branch's notice of nominations and election.

At the outset, it may not be necessary to postpone nominations as suggested in your letter. Article 5, Section 4 of the *NALC Constitution for the Government of Subordinate and Federal Branches* and Section 5.1 of the *NALC Regulations Governing Branch Election Procedures* (RGPBEP) require that a notice of nominations and election be sent by mail to each member of the Branch 45 days before the election, not 45 days before nominations. Section 6.1 of the RGPBEP provides that the notice of nominations must be sent out 10 days before the date nominations are held.

Accordingly, it may still be possible for the Branch to mail a timely notice of nominations that will allow it to maintain the schedule provided in my previous dispensation. However, if the Branch cannot provide timely notice to allow nominations to take place at the January meeting, then the Branch may hold its nominations at its February meeting and conduct the election in March.

Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 214 dispensation to hold its nominations of delegates at its February 4 meeting and an election of delegates at its March 4 meeting.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**JOE RIAN—ST. LOUIS PARK, MN, BRANCH 9
NOVEMBER 25, 2025 (9979)**

This is in reply to your letter, dated November 4, 2025 and received November 12, 2025, requesting dispensation permitting Branch 9 to grant delegate rights for the NALC National Convention in August 2026 and the Minnesota State Association of Letter Carriers State Convention in October 2026 to RAA Jason Karnopp and RWCA Samantha Hartwig, who are both members of the Branch. You explain that Brother Karnopp and Sister Hartwig work in the Region 7 NBA's office, do not regularly attend Branch 9 meetings due to the responsibilities of their positions, and overlooked the published Branch 9 deadline for filing letters of intent. You also explain that in the past, Branch 9 sent Brother Karnopp and Sister Hartwig letters of intent, but did not do so this year. You advise that Branch 9 has fewer elected delegates than authorized for both the National Convention and State Convention, and that granting this dispensation would therefore not impinge on any member's right to be a delegate to those conventions.

Unfortunately, the *Constitution* does not permit Branches to simply appoint members to serve as delegates. The *NALC Constitution* and *Regulations Governing Branch Election Procedures* require that

convention delegates be nominated and elected by the Branch that they will represent. It would be inconsistent with this requirement to simply name an individual as a delegate outside the normal nomination process.

The one possible solution would be for me to grant the Branch dispensation to extend the nomination of delegates to allow it to fill any remaining slots. While such an extension is permissible, it would be inappropriate for the extension to apply solely to the two members. Accordingly, the Branch may submit to me a request for dispensation to extend the deadline for nominations for delegates. I caution that if such dispensation were granted, the Branch would be required to notify all members of this extension and the opportunity for each member of the Branch to be nominated. If this process were to result in more nominees than delegate positions, the Branch would then be required to conduct a special election of additional delegates.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**JASMINE SAENZ—WHITTIER, CA,
BRANCH 1100**

NOVEMBER 26, 2025 (9981 & 9983)

This is in reply to your email, dated November 19, 2025. By copy of this letter, I am also responding to Branch President Keisha Lewis' email sent on November 16, 2025.

In your email, you request that I reinstate Article 10 charges you filed against a former Branch 1100 steward, Mirna Jimenez. According to your email, you filed charges against Sister Jimenez on November 13, 2025. At the November Branch meeting, a motion was made from the floor to dismiss the charges, and the members in attendance voted to approve the motion. As a result, a disinterested committee was not appointed to investigate the charges. You contend that the charges met the threshold for investigation under Article 10 and should not have been dismissed without due process.

It would be inappropriate for me to rule on this matter based on the correspondence I have received. The issues presented should be resolved in the context of an appeal to the National Committee on Appeals.

Article 11, Section 2 of the *Constitution for the Government of Subordinate and Federal Branches* (CGSFB) sets out the process whereby a member may appeal from the decision of the Branch. First, the appeal must be in writing and filed with the Recording Secretary of the Branch, together with any written testimony, arguments, and briefs, within 20 days from the date of the Branch meeting at which the decision to be appealed from was made. The Recording Secretary then must submit and read to the Branch, at the next regular meeting following receipt of the appeal,

the notice of intent to appeal and any accompanying documents. The Branch then has 20 days to prepare its reply. The Recording Secretary is responsible for transmitting a copy of the reply to the appellant and for transmitting the appeal, any accompanying documents and reply to the Chairperson of the NALC Committee on Appeals. The Committee has the constitutional authority to resolve the issues presented.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**KENNETH LERCH—ROCKVILLE, MD,
BRANCH 3825**

NOVEMBER 26, 2025 (9982)

This is in reply to your email, dated November 14, 2025, inquiring whether Branch Executive Board members need to be formally nominated before serving as delegates to National and State Association Conventions.

Presidential rulings have long recognized that Branches may provide in their By-laws that certain elected officers shall be delegates to National and State Conventions by virtue of their office. Where the Branch By-laws so provide, the delegates are the individuals who hold the offices specified in the By-laws at the time of the Convention.

According to your letter, the Branch By-laws provide that Executive Board members are automatically entitled to be delegates. Therefore, any Executive Board members who were elected to their positions may automatically serve as convention delegates. It is not necessary that they be separately nominated to serve as a convention delegate.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**WAYNE GILBERT—WARNER ROBINS, GA,
BRANCH 4057**

NOVEMBER 26, 2025 (9986)

This is in reply to your letter, sent November 20, 2025, requesting dispensation permitting Branch 4057 to conduct a special election. According to your letter, the Branch inadvertently failed to hold an election within three years of its last election, as is required by its By-laws. The Branch incorrectly believed that only two years had passed since its previous election cycle.

In light of the circumstances, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 4057 dispensation to hold a special election. The Branch must conduct nominations and hold the election as soon as possible. By copy of this letter, I am authorizing National Business Agent Eddie Davidson, or his designee, to take whatever actions may be necessary to ensure that nominations and an election take place in an expeditious manner.

PRESIDENTIAL RULINGS

This dispensation is only for the current election. In the future, the Branch will be expected to conduct its regular elections in accordance with the provisions of its By-laws.

Please feel free to contact me if you require any additional assistance. Thank you for bringing this matter to my attention.

STORMY BLOOD—FRUIT HEIGHTS, UT, BRANCH 111

DECEMBER 1, 2025 (9984)

This is in reply to your letter, received on November 20, 2025, concerning your appeal of the Branch President's decision to remove your administrative and representative duties as a shop steward. According to your letter, after the Branch voted to sustain your appeal, a member put forward a motion to reconsider and enter on the minutes. The motion to reconsider will be heard at the Branch's next regular meeting.

While I appreciate your concerns, I must advise that there is no basis for any intervention by the National Union at this time. Decisions made by the Branch President must be appealed to the Branch in the first instance. Based on the allegations in your letter, it does not appear that the Branch has rendered a final decision on your appeal.

Once a final decision has been rendered, Article 11, Section 2 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* sets out the process whereby a member may appeal from the decision of the Branch. First, the appeal must be in writing and filed with the Recording Secretary of the Branch, together with any written testimony, arguments, and briefs, within 20 days from the date of the Branch meeting at which the decision to be appealed from was made. The Recording Secretary then must submit and read to the Branch, at the next regular meeting following receipt of the appeal, the notice of intent to appeal and any accompanying documents. The Branch then has 20 days to prepare its reply. The Recording Secretary is responsible for transmitting a copy of the reply to the appellant and for transmitting the appeal, any accompanying documents and reply to the Chairperson of the NALC Committee on Appeals.

Thank you for bringing this matter to my attention. This letter should not be read to express any view as to the merits of any pending appeal or any related issues.

I hope that this letter addresses your concerns at least in part. Thank you for bringing this matter to my attention.

DONAL FERRARO, JR.—MADISON HEIGHTS, MI, BRANCH 3126

DECEMBER 1, 2025 (9985)

This is in reply to your letter, dated November 25, 2025, requesting dispensation to change the dates of Branch 3126's general membership meetings on January 1, 2026 and August 5, 2026 to January 8, 2026 and August 12, 2026, respectively.

Your request is certainly reasonable. Therefore, in light of the facts set forth in your letter and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

STACEY ELLINGSON—ST. LOUIS PARK, MN, BRANCH 9

DECEMBER 1, 2025 (9987)

This is in reply to your letter, dated November 19, 2025, concerning charges you filed under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*. While I appreciate your concerns, I must advise that there is no basis for any intervention by the National Union at this time.

Once a final decision on the charges has been rendered, Article 11, Section 2 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* sets out the process whereby a member may appeal from the decision of the Branch. First, the appeal must be in writing and filed with the Recording Secretary of the Branch, together with any written testimony, arguments, and briefs, within 20 days from the date of the Branch meeting at which the decision to be appealed from was made. The Recording Secretary then must submit and read to the Branch, at the next regular meeting following receipt of the appeal, the notice of intent to appeal and any accompanying documents. The Branch then has 20 days to prepare its reply. The Recording Secretary is responsible for transmitting a copy of the reply to the appellant and for transmitting the appeal, any accompanying documents and reply to the Chairperson of the NALC Committee on Appeals.

Thank you for bringing this matter to my attention. This letter should not be read to express any view as to the merits of any pending charges or any related issues.

KATHY HUNTER—KALAMAZOO, MI, BRANCH 246

DECEMBER 3, 2025 (9989)

This is in reply to your email, sent December 2, 2025, requesting dis-

pensation permitting Branch 246 to conduct its nominations and election a month later than required in the Branch's By-laws. According to your email, and attached letter, the Branch was unable to provide timely notice of nominations to the members.

Your request is certainly appropriate. In light of the circumstances, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. Branch 246 may conduct its scheduled nominations at its meeting on December 3. An election, if necessary, may be scheduled for the Branch's January meeting. According to your email, appropriate notice was already provided to the Branch's members.

This dispensation is only for the current election. In the future, the Branch will be expected to conduct its elections in accordance with the provisions of its By-laws.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

CODY JOHNSON—BISMARCK, ND, BRANCH 957

DECEMBER 5, 2025 (9990)

This is in reply to your email, dated December 2, 2025, requesting dispensation permitting Branch 957 to postpone its election from the December 4, 2025 regular Branch meeting until the January 8, 2026 regular Branch meeting. According to your email, nominations for Branch office took place on November 6, 2025 and an election committee was formed, but due to weather delays ballots were not mailed to members until November 25, 2025. You explain that the instructions given with the ballots provide a deadline of December 31, 2025 for returning ballots, so there would be no need to reissue ballots.

Your request is certainly appropriate. In accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 957 dispensation to hold its election at the January 8, 2026 regular Branch meeting. Please note that this dispensation applies to the 2025 election of Branch officers only.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

CYNTHIA SMITH—ATHENS, GA, BRANCH 588

DECEMBER 5, 2025 (9993)

This is in reply to your email, dated December 3, 2025, requesting dispensation permitting Branch 588 to change the date of its regular January meeting. According to your email, the Branch's regular January meeting is scheduled for January 1, 2026. In light of the holiday, you are

requesting dispensation to hold the meeting on January 8, 2026 and to install newly elected Branch officers at this meeting.

Your request is certainly appropriate. In accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 588 dispensation to hold its January meeting on January 8, 2026 and to install newly elected Branch officers at this meeting. Timely notice of the new meeting date should be provided to all active and retired members of the Branch.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

KEVIN ERNEST—BELLINGHAM, WA, BRANCH 450

DECEMBER 15, 2025 (9994)

This is in reply to your email, dated December 12, 2025, requesting dispensation permitting Branch 450 to cancel its December 11, 2025 Branch meeting due to severe flooding conditions.

In your email, you note that at the December meeting, the Election Committee was to count the ballots from Branch 450's recent officer elections and to report the election results to the membership. You explain that because the Post Office where ballots were returned has been inaccessible due to the flooding, the Election Committee has been unable to retrieve the ballots. You ask for dispensation to conduct the Branch's December business, including the counting of ballots and Election Committee's report, at the Branch's regular January meeting.

Your request is certainly appropriate. In accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 450 dispensation to cancel its regular December meeting and to conduct the business of that meeting, including the counting of ballots and Election Committee's report, at its regular January meeting. Please note that this dispensation applies to the 2025 election of Branch officers only.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

KATHY HUNTER—KALAMAZOO, MI, BRANCH 246

DECEMBER 22, 2025 (9998)

This is in reply to your letter, dated December 9, 2025, requesting dispensation permitting Branch 246 to conduct nominations for Convention delegates at its January general meeting, with any necessary elections to be held at the February general meeting. The letter explains that the Branch forgot to conduct those nominations at its December meeting.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. Please ensure that notice of the new dates is distributed as expeditiously as possible.

I trust that the foregoing addresses your concerns. Thank you for bringing this matter to my attention.

**DONNA STARNES-EVANVILLE, IN,
BRANCH 377**

DECEMBER 22, 2025 (9999)

This is in reply to your letter, dated December 8, 2025, concerning a tie vote for the position of President at Branch 377. Your letter requests dispensation to conduct a run-off election.

Please be advised that Section 11.31 of the *NALC Regulations Governing Branch Election Procedures* (RGBEP) expressly provides that in the event of a tie vote, a run-off election must be held within 30 days.

I understand that given the holidays the Branch may have difficulty scheduling a run-off election before the 30-day time period has elapsed. Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 377 dispensation to conduct a run-off election as soon as practicable.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

MINDY KIRK-NEW ALBANY, NY, BRANCH 553

DECEMBER 22, 2025 (10000)

This is in reply to your letter, dated November 24, 2025 and received December 16, 2025, seeking to file Article 10 charges against Branch 553 and asking me to take remedial action, including by conducting an investigation into the Branch, imposing a trusteeship on the Branch, transferring responsibilities for representing city letter carriers at the Charlestown Post Office to Branch 367, and directing National Business Agent David Mudd's office to oversee compliance during the transition.

At the outset, it would be entirely inappropriate for me to comment on your specific situation, particularly since I have only your side of the story before me.

Nonetheless, I can offer the following general guidance to you. Article 10 of the *Constitution for the Government of Subordinate and Federal Branches* does not authorize the filing of charges against a Branch with the National Union. Rather, Article 10 provides for charges against members of the Branch who violate the *NALC Constitution* or Branch By-Laws, and against Branch officers who fail or neglect to discharge the duties of their office, or who are guilty of gross misconduct. Such charges must be served upon the charged member or officer, and read

at the first regular Branch meeting following service.

By copy of this letter, I am referring your allegations to Brother Mudd. This letter should not be read to reflect any view as to the merits of your allegations.

I hope that this letter addresses your concerns, at least in part. Thank you for bringing this matter to my attention.

**VENSON ALLEN-MATTAWAN, MI,
BRANCH 246**

DECEMBER 23, 2025 (10002)

This is in reply to your letter requesting dispensation for thirty additional days to investigate and report your findings concerning allegations of wrongdoing by a Branch 246 Steward. According to your letter, the Steward is charged with failing to attend Branch meetings and return Branch property. You state that an extension is necessary because the committee is facing time constraints and some witnesses work in distant offices.

Article 10, Section 1 provides that "the vote regarding [charges] may be continued once, by motion to the following regular Branch meeting." This language allows Branches to entertain and approve a motion to postpone consideration of the charges to the following meeting. Accordingly, the Branch has the authority to postpone consideration of the charges to the February meeting.

Prior rulings have also recognized that circumstances sometimes arise which prevent an investigating committee from completing its investigation within the time frame provided by Article 10, Section 1. The rulings have instructed committees in these circumstances to complete their investigations as soon as possible. Accordingly, if the committee cannot complete its investigation in time for the February meeting, this letter shall constitute dispensation to further extend its time to report to the Branch to the extent necessary.

I trust that the foregoing addresses your concerns. Thank you for bringing this matter to my attention. This letter should not be read to express any view as to the merits of any pending charges or any related issue.

**KARL GRAY & ALLISON LOCKHART-AT-
LANTA, GA, BRANCH 73**

**DECEMBER 30, 2025 (10001 &
10003)**

This is in reply to your letter and email, dated December 15, 2025 and December 22, 2025, respectively, concerning a shop steward election in Branch 73.

While I appreciate your concerns, I must advise that it would be inappropriate for me to intervene in this matter or offer an opinion as to the specific dispute described in your letter, particularly since I only have your side of the story before me. I can provide the following guidance.

First, concerning requirements for electing shop stewards, the question turns on whether stewards sit on the Branch Executive Board. If they do, then stewards must be treated as Branch officers and elected in accordance with the *NALC Regulations Governing Branch Election Procedures* (RGBEP). If the stewards do not sit on the Branch Executive Board, then, as provided in Article 4, Section 5 of the *Constitution for the Government of Subordinate and Federal Branches* (CGSFB), stewards may be elected in individual stations "as the Branch may determine."

Second, disputes over the election of stewards must be resolved, in the first instance, at the Branch level, in accordance with the Branch By-laws. If the Branch held the election in accordance with the RGBEP, then objections to the conduct of an election may be raised in the form of a post-election appeal in accordance with the procedures set forth in Section 21 of the RGBEP. If the Branch, pursuant to its By-laws, did not hold the election pursuant to the RGBEP, then any member who believes that the steward election was conducted improperly may initiate an appeal under Article 11 of the CGSFB and any applicable By-law provisions. Either way, the Branch's resolution of such objections may ultimately be appealed to the National Committee on Appeals.

I trust that the foregoing addresses your concerns, at least in part. This letter should not be read to express any view as to the merits or timeliness of any appeal that you may bring.

FUATAI MATAIA-ASPEN, CO, BRANCH 6202
JANUARY 6, 2026 (10007)

This is in reply to your letter, received December 30, 2025, which states that Branch 6202 has not held any meetings for the last three years and asks that Branch 6202 merge with Branch 913.

You first assert that Branch 6202 has not held any meetings for the last three years. Such a practice would conflict with the Constitution. Article 3, Section 1 of the Constitution for the Government of Subordinate and Federal Branches requires that Branches conduct at least one meeting per month, or at least ten meetings a year. Although previous rulings have recognized that meetings can be cancelled due to unforeseen circumstances, such as a weather emergency, branches may not suspend meetings indefinitely.

Second, the merger process is described in Article 2, Section 3 of the *NALC Constitution*. This procedure includes votes by members of both branches seeking to merge.

By copy of this letter, I am requesting that Brother Dan Versluis or his designee meet with the members of Branch 6202 to discuss all the issues that have been raised. Brother Versluis is authorized to maintain oversight and take whatever actions

he deems necessary to facilitate a merger process.

I trust that the foregoing addresses your concerns. Thank you for bringing this matter to my attention.

**DAVID SHELLABARGER-MUNCIE, IN,
BRANCH 98**

JANUARY 6, 2026 (10008)

This is in reply to your letter, sent December 24, 2025, requesting dispensation permitting Branch 98 to conduct its election of delegates to the National and State Association Conventions at its March general meeting. The letter explains that the Branch failed to elect delegates at its November meeting as required by its by-laws.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. The Branch may conduct nomination of delegates at its March meeting. If necessary, an election may be conducted at the April meeting. Please ensure that appropriate and timely notice of the nomination and election of delegates is provided to all active and retired members.

I trust that the foregoing addresses your concerns. Thank you for bringing this matter to my attention.

JOHN WOOLLEY-DENVER, CO, BRANCH 47
JANUARY 13, 2026 (10004)

This is in reply to your email, dated December 23, 2025, inquiring whether a member of Branch 47 is eligible to serve as a steward. According to your email, the member, who was elected to be a steward for the 2026 term, has applied and was accepted for training to be an agent for the USPS Office of Inspector General (OIG).

Article 5, Section 2 of the *Constitution for the Government of Subordinate and Federal Branches* provides that a member who holds, accepts, or applies for a supervisory position, whether detailed, acting, probationary, or permanently, is not eligible to hold any office in the Branch for a period of two years. The prohibition set forth in Article 5, Section 2 covers any application for a supervisory position.

The determination of whether a particular position is supervisory must be done on a case-by-case basis. A position is generally considered supervisory if the person holding it has the authority to discipline bargaining unit employees or otherwise supervise them in the performance of their duties.

Prior presidential rulings have long recognized that members who serve in or apply for positions in the Postal Inspection Service are supervisory. Because there is no basis for distinguishing between Postal Inspectors and OIG agents, it stands to reason that OIG agents are also supervisors for purposes of Article 5, Section 2.

PRESIDENTIAL RULINGS

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

JONATHAN MEYER—COLORADO SPRINGS, CO, BRANCH 204

JANUARY 15, 2026 (10012)

This is in reply to National Business Agent Dan Versluis's email, dated January 13, 2026, relaying your request for dispensation permitting Branch 204 to hold its installation of officers at its holiday party on January 17, 2026.

Your request is certainly appropriate. In accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 204 dispensation to hold its installation of officers on January 17, 2026. Please note that this dispensation applies to the 2025 election of Branch officers only.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

JESSICA MCILVAINE—JOPLIN, MO, BRANCH 366

JANUARY 30, 2026 (10017)

This is in reply to your email, sent January 23, 2026, concerning the appointment of a committee to investigate charges against the President of Branch 366. You advise that you are unable to appoint a committee of disinterested members to investigate the charges in accordance with Article 10, Section 3 of the *Constitution for the Government of Subordinate and Federal Branches*. You request that the committee be appointed by me or National Business Agent David Teegarden.

Your request is appropriate in light of the circumstances presented. Accordingly, I am directing National Business Agent David Teegarden to provide whatever assistance may be necessary to ensure that an impartial committee is appointed to investigate the charges and report the facts to the Branch. In accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I am authorizing Brother Teegarden, or his designee, to appoint the committee, which may consist of three members from outside the Branch.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

WAYNE GREEN, JR.—WINSTON SALEM, NC, BRANCH 461

FEBRUARY 3, 2026 (10018)

This is in reply to your letter, dated January 27, 2026, concerning a charge that you submitted against Branch 461 Executive Board member Reggie Gentle under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches*

(*CGSFB*). Your letter requests that I assist in the appointment of a committee of three disinterested members to investigate the charge.

Article 10, Section 3 of the *CGSFB* provides that the Branch President is to appoint a committee of three disinterested members to investigate the charges. However, as Branch President, you are an interested party and would also likely be involved in the investigation as a witness. Accordingly, you should not appoint the committee.

The committee should be appointed by the next highest ranking officer who is not likely to be a witness in the investigation. If there are no other officers eligible to appoint the committee, then the investigating committee may be appointed by action of the members of the Branch. Specifically, the Branch could nominate and elect members to the committee at a regular or special meeting. Alternatively, the members could vote to select a disinterested individual Branch member to appoint the members of the committee.

By copy of this letter I am directing National Business Agent Eddie Davidson to provide whatever assistance may be necessary to ensure that an impartial committee is appointed to investigate the charge and report the facts to the Branch. In accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I am authorizing Brother Davidson, or his designee, to appoint the committee, if he believes that it is in the best interest of the Branch for him to do so.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention. This letter should not be read to express any view as to the merits of the pending charges or any related issue.

JOE RIAN—ST. LOUIS PARK, MN, BRANCH 9

FEBRUARY 5, 2026 (10020)

This is in reply to your letter, dated December 26, 2025 and received January 5, 2026, requesting dispensation permitting Branch 9 to extend the deadline for nominations for delegates to the 2026 Minnesota State Association of Letter Carriers State Convention and the NALC National Conventions until March 6, 2026. You explain that the extension would enable Branch 9 to notify all members of the deadline extension through publication in the Branch's newsletter and at an additional two general membership meetings.

In a letter dated November 4, 2025, you had asked for dispensation to permit Branch 9 members RAA Jason Karnopp and RWCA Samantha Harwig to serve as delegates. In a letter dated November 25,

2025, I advised you that delegates must be properly nominated and, if necessary, elected. I further advised you that in order for Brother Karnopp and Sister Hartwig to be nominated, a request for dispensation must be made for another round of nominations.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. Please ensure that all nomination and election procedures comply with Article 5 of the *NALC Constitution*.

I trust the foregoing addresses your concerns. Thank you for bringing this matter to my attention.

QUETCY AVILES—NEWPORT NEWS, VA, BRANCH 609

FEBRUARY 5, 2026 (10023)

This is in reply to your email, sent February 4, 2026, requesting dispensation permitting Branch 609 to postpone its election of Branch officers until its March general meeting. The email explains that due to unforeseen circumstances, the Branch failed to mail out the ballots until fewer than ten days before the election date.

Section 14.2 of the Regulations Governing Branch Election Procedures ("*RGBEP*") requires that ballots be mailed at least twenty days prior to the election date. This requirement applies to all Branches.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. To ensure that the *RGBEP*'s twenty-day requirement is met, the Branch may conduct its election of Branch officers at or after its March meeting. Please also ensure that appropriate and timely notice of the election is provided to all active and retired members.

I trust that the foregoing addresses your concerns. Thank you for bringing this matter to my attention.

DENISE STRONG & DENISE REED—ATLANTA, GA, BRANCH 73

FEBRUARY 10, 2026 (10021)

This is in reply to your letter, dated January 5, 2026, and received January 13, 2026, requesting that a new disinterested committee be appointed to investigate charges filed by Brother Regal Phillips against Branch 73 President Ben Jackson and Branch stewards Stephanie Matthews and Cynthia Minor.

According to your letter, a disinterested committee was appointed to investigate. However, Brother Phillips withdrew the charges before the investigation was completed. The committee, nonetheless, continued

its investigation and read its written report at the December 2025 Branch meeting. The members did not vote on the charges. You now ask that a new disinterested committee be appointed and that the membership have an opportunity to vote on the charges following the new committee's report.

Article 10 of the *Constitution for the Government of Subordinate and Federal Branches* governs the procedures whereby internal charges may be brought against a member or officer, including how those charges are investigated and ultimately adjudicated by the membership. Those procedures are only triggered when there is a live charge. According to your letter, Brother Phillips withdrew his charges prior to the committee's completion of its investigation. Accordingly, there were no charges upon which the membership could have voted at the December meeting. Since there are no active charges currently pending, there is no basis for your request for the appointment of a new committee.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

JIM THIGPEN—JACKSONVILLE, FL, BRANCH 53

FEBRUARY 10, 2026 (10026)

This is in reply to your letter, dated February 4, 2026, regarding charges filed against the former President of Branch 53 under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches* (*CGSFB*). Your letter requests that I authorize the appointment of an outside committee to investigate the charges.

Your request is appropriate. Accordingly, by copy of this letter I am authorizing National Business Agent Eddie Davidson to appoint a committee to investigate the charges. The committee may consist of members outside of Branch 53 if Brother Davidson concludes that that is in the best interest of the Branch.

I hope that this letter addresses your concerns. This letter should not be read to express any view as to the merits of the charge or any related issue.

MATTHEW POOLE—NORTHFIELD, NJ, BRANCH 370

FEBRUARY 11, 2026 (10024)

This is in reply to your email, dated February 5, 2026, seeking guidance as to the appropriate response when a member or group of members submits written correspondence to a Branch president requesting action, clarification or representation. Specifically, you ask whether the response should

be made directly to the individual member(s) who submitted the correspondence, to the membership as a whole, or both, and about the appropriate timeframe for furnishing such a response.

I certainly appreciate your concerns. Branches should be responsive to all legitimate member inquiries. However, there are no specific guidelines that I can suggest. There are no provisions in the *Constitution* and there are no NALC regulations that address Branch correspondence.

The Branch is free to adopt policies governing correspondence. In the absence of any Branch policies addressing this issue, it would be appropriate for you to use your judgment as to the appropriate audience and timing for your response. The President has the authority to assign correspondence from members to subordinate officers for response. Of course, you may always seek advice and guidance from your National Business Agent.

I hope that this letter addresses your concerns, at least in part. Thank you for bringing this matter to my attention.

**SHAWN BOYD—FLOWER MOUND, TX,
REGION 10**

FEBRUARY 17, 2026 (10030)

This is in reply to your email, received February 12, 2026, requesting dispensation on behalf of Branch 4377 to delay its installation of officers and meeting. You advise that the incoming Vice President is unable to attend the currently scheduled installation ceremony and membership meeting because of a death in the family.

Article 5, Section 6 of the *Constitution for the Government of Subordinate and Federal Branches* requires that elected officers be installed "at the first or second meeting of the Branch following their election." The installation starts the new term of office for elected officers. It is unclear from your message how many Branch meetings have elapsed since the election of officers. If the proposed delay would move the installation from the first to the second Branch meeting following the election, no dispensation is required.

If the proposed delay would push the installation beyond the second meeting following the election, such a delay would improperly extend the terms of the former officers beyond constitutional limits. I would recommend instead that the Branch conduct an informal swearing-in of the new officers at its currently scheduled membership meeting. If the incoming Vice President is not present, he can be sworn in as Vice President once he returns. The Branch could still conduct a more formal installation ceremony at a subsequent membership meeting. Dispensation from me would not be necessary.

Thank you for bringing this matter to my attention.

CORY CARTER—WEST FARGO, ND

**NORTH DAKOTA STATE ASSOCIATION OF
LETTER CARRIERS**

FEBRUARY 25, 2026 (10009)

This is in reply to your message, sent on January 6, 2025, concerning the eligibility of a retired member of Branch 411 to serve as the Director of Retirees of the North Dakota State Association of Letter Carriers (NDSALC). You note that the retired member currently lives in Bismarck, North Dakota.

Article 2, Section 2 of the National *Constitution* provides that all NALC members shall be "affiliated with a Subordinate Branch and with the State Association, if one exists, in the State in which their branch shall have jurisdiction..."

Because Branch 411 is located in California, members of Branch 411, including retired members, are considered members of the California State Association. This is true even if they are currently residing in a different state.

Article 8, Section 8(a) of the *Constitution* for the Government of State Associations provides that each state association shall establish "a retired member as Director of Retirees". Since the individual in question is not now a member of the NDSALC he is not eligible to serve as the Director of Retirees of the NDSALC.

Article 2, Section 3 of the *Constitution for the Government of Subordinate and Federal Branches* provides that a retired member who moves to another city may apply to transfer their membership to the Branch located in such city. In this case, the retired member of Branch 411 could apply to transfer his membership to Branch 457 if he wishes. He would then become a member of the NDSALC and would be eligible to serve as the Director of Retirees of the NDSALC.

I hope this addresses your concerns at least in part. Thank you for bringing this matter to my attention.

**MICHAEL RIVERA—SAN DIEGO, CA,
BRANCH 70**

MARCH 2, 2026 (10031)

This is in reply to your email, sent February 17, 2026, concerning charges against you under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches* (CGSFB).

While I appreciate that you have substantial concerns, it would be inappropriate for me to rule on the validity of the charges at this point in the process. However, as a general matter, election appeals under Section 21 of the *NALC Regulations Governing Branch Election Procedures* are not confidential documents. Please note that I am providing a copy of this letter to the Branch 70 Election Committee.

A committee will have to be appointed to investigate the charges and

report to the Branch as provided by Article 10, Section 3 of the CGSFB. Any particular actions taken by the Branch may be appealed to the National Committee on Appeals pursuant to Article 11, Section 2 of the CGSFB.

Further, it is the responsibility of the Election Committee to rule on the issues raised by the election appeal. The Committee's decision may be appealed to the Branch Executive Board. Thereafter, the matter will be subject to appeal to the Branch and to the National Committee on Appeals.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention. This letter should be read to express any view as to the merits of the pending charges or any related issue.

TY GARRETT—RICHMOND, IN, BRANCH 271

MARCH 2, 2026 (10033)

This is in reply to your letter, dated January 21, 2026, regarding charges filed under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches* (CGSFB). Your letter requests that I authorize the appointment of an outside committee to investigate the charges.

Your request is appropriate. Accordingly, by copy of this letter I am authorizing National Business Agent David Mudd to appoint a committee, which may consist of members outside of Branch 271, to investigate the charges.

I hope that this letter addresses your concerns. This letter should not be read to express any view as to the merits of the charges or any related issue.

**MARILYN EVANS—MONTGOMERY, AL,
BRANCH 106**

MARCH 2, 2026 (10034)

This is in reply to your letter, dated January 27, 2026 and received February 3, 2026, asking the National Union to conduct an investigation of charges against two Branch 106 officers under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches*. According to your letter, Article 10 charges were brought against both officers, but you do not believe the charges were properly handled.

It is unclear from your letter if a committee to investigate the charges was ever appointed or, if so, whether the committee completed an investigation and reported to the Branch for a vote on the charges. Accordingly, by copy of this letter, I am authorizing National Business Agent Steve Lassan, or his designee, to take whatever actions may be necessary to ensure that proper Article 10 procedures are followed in this case. Brother Lassan, or his designee, is authorized to appoint an impartial committee to investigate the charges, if they conclude that such action is necessary.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**MONICA REAM—SCOTTSBLUFF, NE,
BRANCH 1836**

MARCH 2, 2026 (10035)

This is in reply to your letter, dated January 13, 2026, requesting dispensation permitting Branch 1836 to conduct a special election. According to your letter, Branch 1836 has only held one election in the last 14 years, failed to hold elections this past fall, and has no currently elected Vice President, Secretary, or Treasurer.

Your request is certainly appropriate. In light of the circumstances, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. Branch 1836 may conduct nominations and, if necessary, a special election for all officer positions. The Branch must make the necessary arrangements as expeditiously as possible.

By copy of this letter, I am directing National Business Agent David Teegarden to monitor this situation and to provide the Branch with whatever assistance it may need to ensure that the current election and future elections are conducted in accordance with the *NALC Constitution* and the *NALC Regulations Governing Branch Election Procedures*.

The dispensation is only for the current election. In the future, the Branch will be expected to conduct its regular elections in accordance with the provisions of its By-laws.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

JOHN WOOLLEY—DENVER, CO, BRANCH 47

MARCH 2, 2026 (10045)

This is in reply to your letter, received February 10, 2026, requesting dispensation permitting Branch 47 to hold its May Branch meeting on May 12 instead of the currently scheduled date of May 19. According to your letter, the current meeting date conflicts with the 2026 Colorado State Association of Letter Carriers Convention.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**BRENDA KING—PORT ANGELES, WA,
BRANCH 1906**

MARCH 2, 2026 (10048)

This is in reply to your email, sent February 20, 2026, requesting dispensation permitting Branch 1906 to conduct a special election for its delegates to the National and State Conventions. According to your email, the Branch did not have a quorum at its November 2025 Branch meeting, when the Branch was scheduled to elect delegates. The Branch has now voted to seek dispensation to hold a special election.

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In light of the circumstances, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 1906 dispensation to hold a special election. The Branch must conduct nominations and hold the election as soon as possible. By copy of this letter, I am authorizing National Business Agent Nick Vafiades, or his designee, to take whatever actions may be necessary to ensure that nominations and an election take place in an expeditious manner.

This dispensation is only for the current election. In the future, the Branch will be expected to conduct its regular elections in accordance with the provisions of its By-laws.

Please feel free to contact me if you require any additional assistance. Thank you for bringing this matter to my attention.

**PAUL PETERMAN—LAS VEGAS, NV,
BRANCH 2502**

MARCH 3, 2026 (10049)

This is in reply to your email, sent on February 25, 2026, regarding charges filed under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*.

Article 10, Section 3 of the *CGSFB* provides that after an investigating committee presents its findings to the Branch, "the Branch then shall decide, by simple majority vote, the issue of whether or not the facts, as found by the committee, sustain the charge."

According to your email, the committee that investigated the charges presented its report at Branch 2502's General Meeting on January 7. The committee was then dismissed. At that point, no one made a motion to sustain or deny the charges. After a period of silence, the Branch made the motion to move on to other business, which was seconded and voted on to do so. You now request that I grant dispensation to allow the Branch to read the charges at the March 4, 2026 general meeting, re-read the committee's report, and to hold a vote on the charges, and if necessary, hold a vote on the penalty.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. The Branch may read the charges at its March 4, 2026 general meeting, re-read the committee's report, and then hold a vote on the charges, and if necessary, hold a vote on the penalty. In accordance with Article 10, Section 10 of the *CGSFB*, the Branch must provide the charged party with an opportunity to defend themselves before the Branch im-

mediately before the vote is taken. Following the vote, the Branch's actions may be appealed to the National Committee on Appeals under Article 11 of the *CGSFB*.

I trust the foregoing addresses your concerns. This letter should not be read to express any views as to any issue pertaining to the charges or any appeal.

**BREONNA JACKSON—MONTGOMERY, AL,
BRANCH 106**

MARCH 10, 2026 (10053)

This is in reply to the Article 10 charges levied against Branch 106's President, which were received by my office on February 17, 2026. Article 10 charges must be processed at the local level. There is no basis for any intervention by the National Union at this time.

By copy of this letter, I am authorizing NBA Lassar, or his designee, to take whatever actions may be necessary to assist the Branch in ensuring that proper Article 10 procedures are followed, including by assisting the Branch in appointing an impartial committee, if the Branch deems such assistance necessary.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**SHAWN BOYD—FLOWER MOUND, TX,
REGION 10**

MARCH 12, 2026 (10056)

This is in reply to your email, dated March 10, 2026, regarding Branch 569's request for assistance with a vote on a potential merger with Branch 4065. Your letter states that Branch 569 President Alex Townley has requested your assistance because the Branch has struggled to function effectively, regularly fails to have a quorum for branch meetings, and does not have a full slate of officers. Sister Townley has expressed interest in resigning from her position but is staying on to assist with any mergervote.

In accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I am authorizing you to provide whatever assistance the Branch may require to effectuate the proposed merger. When the details of the proposed merger are finalized, as provided by Article 2, Section 3 of the *NALC Constitution*, Sister Townley will be required to convene a meeting of the Branch 569 membership upon thirty days' notice, conduct a vote on the proposed merger, and sign a merger application on behalf of Branch 569. Please assist Sister Townley in carrying out these responsibilities.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**TENISHA HART—MELROSE PARK, IL,
BRANCH 2183**

MARCH 16, 2026 (10068)

This is in reply to your message, dated March 12, 2026, requesting dispensation permitting Branch 2183 to re-open the nominations and election of delegates to the 2026 National Convention to allow for the election of additional alternate delegates. According to your message, the Branch only elected one alternate delegate and is concerned that some of its regular delegates will be unable to attend the 2026 Convention.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. The Branch must provide appropriate and timely notice to the members as expeditiously as possible. Please understand that this dispensation applies only to the nomination and election of alternate delegates to the 2026 National Convention. For future elections, the Branch must comply with the time frames and notice requirements provided by its By-laws, the *Constitution*, and the *NALC Regulations Governing Branch Election Procedures*.

I hope that this letter addresses your concerns.

JAMES BROWN—DAYTON, OH, BRANCH 182
MARCH 25, 2026 (10055)

This is in reply to your letter, dated March 9, 2026. Your letter seeks clarification over the proper interpretation of the Branch 182 By-laws regarding the proper procedure to approve a dues deduction.

While I appreciate your concerns, it would be entirely inappropriate for me to comment on the specific issues described in your letter. As National President, it is my responsibility to interpret the *NALC Constitution*. The issue described in your letter depends on the interpretation and application of the relevant Branch By-law language. Such interpretations must be made, and any disputes resolved, in the first instance, at the Branch level.

As Branch President, you have the authority to rule on the meaning of the Branch By-laws. However, your ruling may be appealed to the Branch under Article 11, Section 1 of the *NALC Constitution for the Government of Subordinate and Federal Branches (CGSFB)*. The Branch's decision may be appealed to the National Committee on Appeals pursuant to Article 11, Section 2 of the *CGSFB*.

I trust that the foregoing addresses your concerns, at least in part. Thank you for bringing this matter to my attention.

**MICHAEL WAHLQUIST—SALT LAKE CITY, UT,
BRANCH 111**

MARCH 25, 2026 (10069)

This is in reply to your letter, dated March 2, 2026 and received on March 10, 2026, requesting a presidential ruling as to whether a shop steward the Branch voted to suspend for 18 months could be present at the Branch meeting where Article 10 charges the steward had filed would be heard and voted upon. You also ask whether, if the steward is allowed to attend the meeting, she is entitled to speak during the penalty phase of the charges and make motions.

Presidential rulings have consistently recognized that suspended members may not attend union meetings. Accordingly, the steward is not entitled to attend the meeting in question.

Presidential rulings have also recognized that during the term of a suspension, the Branch is not required to act on charges previously filed by the suspended member. Accordingly, it would be appropriate for the Branch to table the charges brought by the suspended steward until she has served the period of her suspension.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

TIM PATE—SCOTTSBLUFF, NE, BRANCH 1836
MARCH 25, 2026 (10075)

By letter dated January 13, 2026, Branch 1836 requested dispensation to conduct a special election. I granted that request. You now request, by email sent March 12, 2026, dispensation to elect delegates during the same special election as Branch officers.

In light of the facts presented, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. The Branch must provide appropriate and timely notice of this change by mail to all active and retired members as expeditiously as possible.

Please note that this dispensation applies only to the election of delegates for the 2026 NALC National Convention.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**LORINDA SCHROEDER—FLINT, MI,
BRANCH 256**

MARCH 25, 2026 (10076)

This is in reply to your letter, sent on March 18, 2026, advising that you cancelled Branch 256's regular meeting, which had been scheduled for February 4, 2026, because of health

and safety concerns due to the presence of strong chemical odors within the meeting facility. This was clearly an appropriate decision for you to make as Branch President.

As a general rule, Article 3, Section 1 of the *Constitution for the Government of Subordinate and Federal Branches* requires that Branch meetings be held at the time prescribed by the Branch By-laws. However, previous rulings have recognized that meetings can be cancelled due to unforeseen circumstances, such as a weather emergency. The rulings have also recognized that the *Constitution* does not require the Branch to make up meetings which were not held due to unforeseen circumstances nor must the Branch seek dispensation for the cancellation.

I hope that this letter addresses your concerns.

**TENISHA HART—MELROSE PARK, IL,
BRANCH 2183**

MARCH 25, 2026 (10078)

This is in reply to your message, dated March 19, 2026, clarifying your previous request for dispensation to permit Branch 2183 to reopen the nominations and election of delegates to the 2026 National Convention to allow for the election of additional alternate delegates. According to your most recent message, the Branch elected two alternate delegates to attend the 2026 Convention. You express interest in being nominated as a third delegate, explaining that if you were to be elected, your expenses would be paid by the Illinois State Association and Branch 2183 would not incur any additional financial cost.

Under Article 4, Section 1 of the *NALC Constitution*, Branches with more than 20 members are entitled to one delegate and one vote for each 20 members, or fraction thereof. Article 4, Section 4 of the *NALC Constitution* provides for the election of alternate delegates in the same number as there are delegates elected. Based on the National Union's records, Branch 2183 is entitled to 9 delegates. Accordingly, your request to elect additional alternate delegates is consistent with the *Constitution*.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. The Branch must provide appropriate and timely notice to the members as expeditiously as possible. Please understand that this dispensation applies only to the nomination and election of alternate delegates to the 2026 National Convention. For future elections, the Branch must comply with the time frames and notice requirements provided by its By-laws, the *Constitution*, and the *NALC Regulations Governing Branch Election Procedures*.

I hope that this letter addresses your concerns.

**MARI THOMSON—PINE VALLEY, CA,
BRANCH 70**

MARCH 27, 2026 (10079)

This is in reply to your email, dated March 24, 2026. You asked whether charges can be filed regarding statements made by a member in an election appeal, which is currently pending.

While I appreciate your concerns, I must advise that it would be entirely inappropriate for me to comment on your allegations at this time. I have no first-hand knowledge of the facts, and I only have your side of the story before me. Charges must be investigated and resolved at the branch level in accordance with the procedures set forth in Article 10 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*.

Your argument that the charge, on its face, fails to allege a violation of the *NALC Constitution*, or is otherwise inconsistent with the election appeal process, may be presented to the investigating committee and to the members of the Branch as part of a defense to the charges. If necessary, these issues can be raised in an appeal to the National Committee on Appeals under Article 11 of the *CGSFB*.

I trust that the foregoing addresses your concerns, at least in part. This letter should not be read to express any view as to any issue pertaining to pending charges.

**STORMY BLOOD—FRUIT HEIGHTS, UT,
BRANCH 111**

APRIL 3, 2026 (10077)

This is in reply to your letter, sent March 13, 2026, requesting 1) the immediate restoration of your duties as Steward based on your Article 11 appeal, 2) the dismissal of the Article 10 charges brought against you, 3) and a new investigation of your charges against Branch President Wahlquist. Your letter asserts that since my last ruling, dated November 25, 2025, the Branch failed to properly process charges that you and Brother Wahlquist filed against each other. Your letter also asserts that the Branch failed to follow proper procedures for processing your Article 11 appeal of the removal of your Steward duties.

While I appreciate your concerns, I must advise that it would be inappropriate for me to comment on the specific factual issues raised in your letter. Moreover, there remains no basis for any intervention by the National Union at this time. Decisions made by the Branch President must be appealed to the Branch in the first instance, after which they may be appealed to the National Committee of Appeals in accordance with the procedures provided by Article 11, Section 2 of the *CGSFB*. If the Branch made a final decision on your appeal at its March meeting, you may appeal that decision to the National Committee on Appeals within twenty

days from the date of the Branch meeting.

There is likewise no basis for intervention by the National Union concerning the Article 10 charges. If the Branch has rendered a final decision on the Article 10 charges brought by you or Brother Wahlquist, you may appeal its decision to the National Committee of Appeals.

I hope that this letter addresses your concerns, at least in part. This letter should not be read to express any view as to the merits of any charges or appeal.

SHIRLEY HISE—SUN CITY, AZ, BRANCH 6156
APRIL 3, 2026 (10086)

This is in reply to your letter, dated March 11, 2026, requesting dispensation permitting Branch 6156 to hold its August Branch meeting on August 13 instead of the currently scheduled date of August 6. According to your letter, the current meeting date conflicts with the National Convention.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

**CHRISTOPHER JOHNSON—HAMPTON, VA,
BRANCH 609**

APRIL 6, 2026 (10089)

This is in response to your email dated April 1, 2026, regarding the 2026 election of officers for Branch 609. According to your message, the election was originally scheduled to take place at the Branch's February meeting; however, due to questions concerning candidate eligibility, dispensation was granted to hold the election in March.

At that time, elections were conducted for the only two contested positions—President and Vice President—while all other positions were elected by acclamation. The race for President resulted in a tie vote, and a winner was declared in the race for Vice President. An appeal has been filed by the opposing candidate in the race for Vice President. You have expressed concerns that no plan has been set for the installation of elected officers and that notice of ballot preparation for a runoff election has not been provided.

Article 5, Section 6 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* requires that the installation of Branch officers take place at the first or second meeting of the Branch following their election. The pendency of a post-election appeal should not impact the timing of an installation. Consistent with federal law and Department of Labor regulations, presidential rulings have consistently held that the outcome of a Branch election is presumed to be valid, pending the completion of the

appeal process. This means the winners of the election, as determined by the ballots received and counted by the Election Committee, must be installed in accordance with Article 5, Section 6 of the *CGSFB*, even if an appeal is still pending, or a new election is ordered. Installation of the Branch 609 officers, whether elected by acclamation or a contested ballot, should be scheduled as expeditiously as possible. This includes the winner of the race for Vice President, who should assume the duties of the President pending the results of the runoff election and the installation of the President.

Additionally, as you note in your letter, Section 11.31 of the *NALC Regulations Governing Branch Election Procedures (RGBEP)* provides that, in the event of a tie vote, the Branch should conduct a runoff election within thirty days of the original election. A runoff election should proceed even if a post-election appeal remains pending. As the election for President that resulted in a tie took place in March, the runoff election should be scheduled to take place in April. The Branch must provide appropriate and timely notice to the members as expeditiously as possible.

I hope that this letter addresses your concerns.

**TENISHA ADAMS—ROCKFORD, IL,
BRANCH 245**

APRIL 20, 2026 (10096)

This is in reply to your email, sent April 10, 2026, concerning a dispute between Branch 245 and Branch President Lawrence Steward. According to your email, Brother Steward was found guilty of charges under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*. Apparently, he has refused to comply with a motion passed by Branch 245 which suspended him from his elected office based on those charges.

At the outset, I cannot make any ruling on this matter, based solely on your email, particularly as I only have your side of the story before me. I can, however, provide the following guidance.

Article 10 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* provides a detailed procedure for processing charges culminating in a Branch vote on guilt or innocence, and then a separate Branch vote on the issue of penalty. Once this vote is taken, it is binding on the parties and the Branch. The only means for overturning the vote provided by the *Constitution* is an appeal to the National Committee on Appeals under Article 11 of the *CGSFB*.

In addition, if a penalty is approved by the members, it would go into effect immediately. The imposition of penalty is not delayed pending exhaustion of the charged party's appeal rights. If the members vote to suspend an officer, the officer would

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be barred from exercising any official authority during the term of the suspension.

In this case, Brother Steward would be barred from serving as President until the terms of his reinstatement are satisfied in accordance with the motion adopted by the Branch or, alternatively, until such time as the suspension is overturned by the Committee on Appeals. As noted above, Brother Steward is entitled to appeal the Branch's actions to the Committee on Appeals which has the authority to resolve all outstanding issues related to this dispute.

I hope that this letter addresses your concerns. Once again, this letter should not be read to express any view as to the merits of any pending appeal or dispute.

MICHAEL RIVERA—SAN DIEGO, CA, BRANCH 70

APRIL 20, 2026 (10098)

This is in reply to your email, sent April 13, 2026, which requests that the National Union investigate Branch 70 and place it in trusteeship.

While I appreciate your concerns, I must advise that your allegations against the leadership of Branch 70 do not rise to the level that we would consider invoking the trusteeship provisions set forth in Article 18 of the *NALC Constitution*. Each of your issues must be addressed through the specific appeal procedures provided in the *Constitution*.

You first allege that improper charges have been brought against you and Sister Mari Thomson, both members of Branch 70. You also allege that the Branch improperly dismissed charges you had brought against Branch President Ricardo Guzman.

Charges must be investigated and resolved at the branch level in accordance with the procedures set forth in Article 10 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*. Article 11 of the *CGSFB* then provides that "any member considering that an injustice has been done him/her by a decision of the Branch, may appeal in writing to the Committee on Appeals of the National Association."

Your arguments that the charges were brought to retaliate against you and Sister Thomson for exercising your right to file election appeals or that you were denied your right under Article 10, Section 3 to defend yourself "immediately before the vote is taken," may all be raised in an appeal to the National Committee on Appeals under Article 11 of the *CGSFB*. Likewise, your argument that members not in good standing are permitted to file charges may also be raised in such an appeal.

Second, you allege that Branch President Ricardo Guzman denied certain Branch members their democratic right to deliberate when he called a particular motion out of order. If a member believes that a Branch President's decision is contrary to the *Constitution* or the Branch By-laws, they may challenge that decision by appealing to the members of the Branch under Article 11 of the *CGSFB*. The decision of the Branch may then be appealed to the National Committee on Appeals.

I hope that this letter addresses your concerns, at least in part. This letter should not be read to express any view as to any issue pertaining to pending charges or appeals.

BY-LAW COMMITTEE—WOBURN, MA, BRANCH 34

APRIL 27, 2026 (10100)

This is in reply to your letter, dated April 7, 2026, requesting dispensation permitting Branch 34 to allow a shortened term for its next elected officers to conform with a planned by-law amendment. According to your letter, Branch 34 is seeking to change the dates of its election of officers from March to November starting with its election in March of 2028. Rather than installing officers on April 1, officers would be installed on January 1. This would result in a shortened term for officers elected in March 2028 since their terms would end on December 31, 2030 instead of March 31, 2031.

Your request is certainly appropriate. In light of the circumstances, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. Once the by-law amendment is adopted by the Branch, it should be transmitted to the Committee on Laws for review and final approval.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

REGINE MARSHALL—HAMPTON, VA, BRANCH 609

APRIL 28, 2026 (10102)

This is in reply to your letter, received April 21, 2026, which requests that the National Union intervene in your pending appeal and take other actions to address your concerns.

You first allege that your shop steward duties were removed by the Branch President after you refused to participate in what you considered to be election interference. You express concern about the status of five grievances you were handling prior to the removal of your duties. You also allege that after you attended advanced steward training in Febru-

ary, you asked the Branch President about your training pay and were told that payment was conditioned on you submitting a written apology to the Branch President and Executive Board. You advise that you have filed an appeal under Article 11 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* and that your appeal is pending at the Branch level. You also allege that you intend to file charges under Article 10 of the *CGSFB* against the Branch President.

While I appreciate your concerns, I must advise that it would be entirely inappropriate for me to comment on your allegations at this time, particularly as I only have your side of the story before me. Charges must be investigated and resolved at the branch level in accordance with the procedures set forth in Article 10. Article 11 then provides that "any member considering that an injustice has been done him/her by a decision of the Branch, may appeal in writing to the Committee on Appeals of the National Association."

Your arguments regarding your removal from your steward position and the withholding of training pay may be raised in an appeal under Article 11 of the *CGSFB*. Indeed, according to your letter you have already initiated an appeal from the Branch President's decision, and it is pending before the Branch. To the extent that you disagree with the decision of the Branch, that decision may then be appealed to the National Committee on Appeals.

By copy of this letter, I am authorizing NBA Preston, or his designee, to take whatever actions may be necessary to assist the Branch in ensuring that constitutional procedures are followed and that pending grievances are properly handled.

I trust that the foregoing addresses your concerns, at least in part. This letter should not be read to express any view as to any issue pertaining to pending charges or appeals.

JARETT SIMS—LOUISVILLE, KY, BRANCH 14
APRIL 28, 2026 (10103)

This is in reply to your email, sent April 24, 2026, which seeks clarification as to whether a Branch President may waive dues, at least in part, for members who are apparently working for the national union. According to your email, these Branch 14 members are not paying the full amount of active carrier dues pursuant to a determination by the previous Branch President.

While I appreciate your concerns, I must advise that I cannot resolve this issue with respect to the individuals in question, based on the limited information set forth in your letter. I can advise you as to the rel-

evant constitutional principles which the Branch must apply to the particular facts presented.

Generally speaking, officers and members of NALC Branches remain obligated to pay their Branch dues when they work for the National Union. However, Article 7, Section 3(b) of the *Constitution for the Government of Subordinate and Federal Branches* allows Branches to exempt any member from dues payments under reasonable rules uniformly applied for a stated period of time. Thus, for example, a Branch could adopt a policy providing that members will be exempt from dues payments while working for the National Union.

In the situation described in your email, the Branch must determine whether a dues exemption was previously created by action of the Branch, e.g. by enactment of a By-law provision or adoption of a resolution or policy. Absent previous Branch authorization, the Branch President would not have the authority to waive dues unilaterally.

It is the responsibility of the Branch to apply the above guidelines to individual situations based on the particular fact circumstances. The Branch's decision is subject to appeal.

I trust that the foregoing addresses your concerns.

JENETTE LITVIK & LESLIE HAMMETT—HENDERSON, NV, BRANCH 2502

MAY 1, 2026 (10097)

This is in reply to your letter, received on March 31, 2026, regarding an appeal of charges filed under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*. According to your letter, the Branch failed to follow proper procedures regarding those charges at its March 4 meeting, as the Charged Branch member was not present and the Branch Secretary did not read out your entire appeal until compelled to do so. You state that the appeal and response have now been sent to the National Committee on Appeals.

While I appreciate your concerns, I must advise that any intervention by the National Union on this matter at this time would be inappropriate. Your appeal has already been submitted to the National Committee on Appeals, which has the authority under the *NALC Constitution* to determine your appeal's validity along with the issues raised in your letter. Please note that I am forwarding a copy of your letter and this response to Vice President James Henry who serves as Chairman of the Committee on Appeals. You are free to raise the Branch's March 4 actions with the National Committee on Appeals,

either through your existing appeal or under a separate appeal filed following the procedures of Article 11 of the CGSFB.

I hope that this letter addresses your concerns, at least in part. This letter should not be read to express any views as to any issue pertaining to the charges or any appeal.

**MARI THOMPSON—PINE VALLEY, CA,
BRANCH 70**

MAY 1, 2026 (10105)

This is in response to your email dated April 29, 2026, regarding your request to access minutes and/or recordings of certain branch membership meetings and proceedings. At the outset, the dispute described in your email is an internal Branch matter. It would be inappropriate for me to comment on the specifics of this matter, particularly since I only have your side of the story before me. However, I can offer the following guidance with respect to the constitutional principles that apply to this situation.

Previous presidential rulings have held that the minutes of Branch meetings should be reasonably accessible for review by all members on an equal basis. However, there are no constitutional provisions or prior rulings which require that the Branch must generally provide copies of minutes to members upon request. Accordingly, the Branch may adopt any reasonable policy to address this issue as it sees fit.

A denial of a request to examine minutes may be appealed under Article 11 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*. Accordingly, in the situation described in your letter, your alleged denial of access to either the minutes themselves or the recordings used to create the minutes may be appealed to the Branch under CGSFB Article 11, Section 1.

Any issues pertaining to pending or future appeals to the National Committee on Appeals should be addressed to, and may be resolved by, the Committee.

I hope that this letter addresses your concerns.

**BRIAN PROHASKA—MENTOR, OH,
BRANCH 4195**

MAY 1, 2026 (10106)

This is in reply to your email to Executive Vice President Paul Barner, dated April 30, 2026, requesting dispensation permitting Branch 4195 to hold special nominations and election of delegates to the 2026 National Convention. According to your email, the Branch failed to conduct nominations and election of convention delegates during its most recent officer elections. You propose holding nominations at the Branch's upcoming May meeting and a vote, if necessary, at its June meeting.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section

1 of the *NALC Constitution*, I hereby grant the requested dispensation. The Branch must provide appropriate and timely notice to the members as expeditiously as possible. Please understand that this dispensation applies only to the nomination and election of delegates to the 2026 National Convention. For future elections, the Branch must comply with the time frames and notice requirements provided by its By-laws, the *Constitution*, and the *NALC Regulations Governing Branch Election Procedures*.

I hope that this letter addresses your concerns.

**MICHAEL RIVERA—SAN DIEGO, CA,
BRANCH 70**

MAY 4, 2026 (10104)

This is in reply to your email, sent April 27, 2026, concerning the rights of suspended members. According to your email, you filed charges against Branch President Ricardo Guzman shortly before you were suspended. You ask whether those charges remain valid, as well as whether you can file additional charges while suspended.

Previous rulings have held that during the term of a suspension under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*, the Branch is not required to act on charges previously filed by the suspended or expelled member. A suspended member also may not file new charges against other members until the term of the suspension has ended. If the member appeals to the National Committee on Appeals, and the Committee reverses the suspension or expulsion, the member will have the right to resubmit the charges to the Branch.

You also ask whether a suspended member can attend Branch meetings or the National Convention or serve as an unpaid delegate. Generally speaking, during the term of a suspension, suspended members are precluded from participating in union affairs. As a result, they may not attend union meetings or fill any paid or unpaid positions within the union. Suspended members are not eligible to serve as delegates during the period of their suspension or to attend or participate in the National Convention. Eligibility would be restored if the suspension is overturned on appeal.

A suspended member can nevertheless appeal an adverse decision from the National Committee on Appeals to the National Convention. To perfect such appeal, the aggrieved member must, no later than sixty (60) days prior to the National Convention, file with the Committee on Appeals, by registered mail, a notice of appeal, together with a full written statement of the reasons why the appeal should be granted. The member's physical presence at the National Convention is not required to preserve such an appeal. The

suspended member may attend and participate in the portion of the National Convention addressing their appeals, but may not attend or otherwise participate in any other session of the National Convention.

By copy of this letter, I am referring your request to expedite your appeals to the National Committee on Appeals.

I trust that the foregoing addresses your concerns, at least in part. Thank you for bringing this matter to my attention.

**ANTOINE VAUGHN—BALTIMORE, MD,
BRANCH 176**

MAY 5, 2026 (10101)

This letter concerns the charges that have been submitted against you, as President of Branch 176, and the Executive Vice President, and Vice President of the Branch, under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*. By copy of this letter, I am also replying to a letter from Branch 176 member William Kellogg, dated April 8, 2026, concerning this matter.

I have concluded that the National Union should assume responsibility for appointing a committee of three disinterested members to investigate the charges and that the committee should consist of members of other Branches. Therefore, in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby appoint the following members to serve as a committee to investigate the charges at issue:

Christine Strasser (Br. 38)

Bruce Stallworth (Br. 924)

Fred Ranalli (Br. 258)

The time limits for the completion of the committee's report and its presentation to the Branch, as provided in Article 10, Section 1 of the CGSFB, may be extended to the extent necessary to ensure that the investigation is conducted in accordance with the procedures set forth in Article 10.

This letter should not be read to express any view as to the merits of the pending charges or any related issue.

**BRUCE DIDRIKSEN—NEW YORK, NY,
REGION 15**

MAY 21, 2026 (10115)

This is in reply to your email, sent May 11, 2026, concerning the authority of a Branch President to remove the Branch's Vice President. According to your email, the President of Branch 2876 asserts that because Article 6, Section 1 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* authorizes the Branch President to "relieve any steward" of their duties, and because the Vice President would serve as Chief Steward in the Branch President's absence, the Branch President can therefore remove the Vice President from office.

Please be advised that the Branch President's interpretation of the CGS-

FB's provisions is incorrect. As previous rulings have consistently recognized, a Branch President may not summarily remove another Branch officer. The appropriate procedure for removing an officer is to initiate charges under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*.

The concerns described in your email are addressed by the *Constitution*. First, Article 6, Section 1 of the CGSFB specifically provides that the Branch President has "general supervisory powers over the Branch," including the power to "see that officers perform their duties." Accordingly, the Branch President does have the authority to issue instructions to the Vice President with respect to the performance of their duties.

Article 6, Section 2 of the CGSFB does state that the Vice President "shall preside in the absence of the President." However, it does not follow that the Vice President assumes the full authority of the presidency whenever the President is absent. Rather, Article 6, Section 2 only provides for the Vice President to assume the office of President "in case of death, resignation, disqualification, [or] refusal or neglect of the President to discharge the duties of his/her office." By contrast, a Branch President who is only temporarily absent retains full supervisory authority over the Branch, which includes their status as Chief Steward.

Moreover, a subordinate officer who fails to comply with directions from the Branch President could be subject to charges under Article 10 of the CGSFB. As previous rulings have recognized, the President would have the authority to temporarily reassign the duties of the non-complying officer to another officer or member pending the disposition of any charges.

I hope that this letter addresses the Branch President's concerns. Thank you for bringing this matter to my attention.

**SHAWN BOYD—FLOWER MOUND, TX,
REGION 10**

MAY 21, 2026 (10116)

This is in reply to your email, dated May 11, 2026, requesting authorization to facilitate a possible merger between Branch 5695 and Branch 1757.

Your request is certainly reasonable. In light of the facts set forth in your email, you are authorized to take the requested action. Any merger vote must be conducted in accordance with the procedures provided in Article 2, Section 3 of the *NALC Constitution*.

Thank you for bringing this matter to my attention.

**SHAWN BOYD—FLOWER MOUND, TX,
REGION 10**

MAY 21, 2026 (10117)

This is in reply to your email, dated May 11, 2026, requesting

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authorization to assist Branch 823 with conducting a special election of stewards for the Taos, New Mexico installation. You ask for authorization for yourself or a member of your staff to oversee this process.

Your request is certainly reasonable. In light of the facts set forth in your email, you are authorized to take the requested action.

I hope that this letter addresses your concerns.

CRYSTAL MCARTHUR—SPANAWAY, WA, BRANCH 130

MAY 21, 2026 (10118)

Your email to Executive Vice President Paul Barner, sent May 15, 2026, has been referred to me for reply insofar as your email raises issues involving the interpretation of the *NALC Constitution*. Your email concerns a letter you have received from the President of Branch 130, dated May 7, 2026. According to the President's letter, the Branch office has received charges against you and requests your removal as a shop steward. You now ask whether the allegations against you, as described in the President's letter, are sufficient to constitute charges under Article 10 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)*. The letter states that charges were filed against you which request your removal as a shop steward.

While I appreciate your concerns, I must advise that it would be inappropriate for me to rule on the validity of the charges at issue, particularly given the limited information in your email. However, I can provide the following guidance with respect to procedural questions.

At the outset, Article 10, Section 2 of the *CGSFB* requires that the actual charges be served on the charged party before they are read at a Branch meeting and before an investigating committee is appointed. It is not clear from your email that you have been served with the actual charges. A letter from the Branch

President summarizing the allegations is not sufficient to begin the Article 10 process.

Under Article 10, Section 1 of the *CGSFB*, a charge against a member of the Branch must allege that the charged party has violated the *Constitution* or the Branch By-laws. Article 10, Section 2 states: "Charges must be made in writing, specifying the offense, failure, neglect, or misconduct so as to fully apprise the member or officer of the nature thereof." While specificity is required, this does not mean that charges are invalid unless stated in exhaustive detail. However, it is up to the investigating committee and the Branch to apply the above-stated principles to the facts of this case.

I hope that this letter addresses your concerns. This letter should not be read to express any view as to the merits of the specific charge described in your email or any related issue.

KIRBY FRANKLIN—PROSPECT PARK, PA, BRANCH 725

MAY 27, 2026 (10109)

This is in reply to your email, sent May 6, 2026, in which you request guidance regarding two issues.

The first issue concerns the process by which members may offer proposed resolutions and constitutional amendments for consideration by their Branch. You claim that the President of Branch 725 improperly prevented a resolution and proposed amendment that you had submitted from being considered at a Branch meeting.

At the outset, while I appreciate your concerns, it would be inappropriate for me to comment on your specific allegations, particularly since I only have your side of the story before me. I can offer the following general guidance.

The *NALC Constitution* does not contain any provisions which specifically address how members may offer proposed resolutions or amendments at Branch meetings. Branches

have the discretion to set the agenda of meetings, consistent with their by-laws. If a Branch does not have by-laws governing how business is addressed at meetings, regular meetings should take place in accordance with established practice.

Members attending meetings are certainly entitled to make motions from the floor. The officer or member who is chairing the meeting may rule the motion out of order. Any such decision may then be appealed to the members in attendance in accordance with the procedures set forth in Article 11 of the *NALC Constitution for the Government of Subordinate and Federal Branches*. A decision to overturn the ruling of the presiding officers would allow the members in attendance to decide whether to debate and vote on the proposed resolution or amendment.

Your second question involves an allegation that the Branch hall and union time during a Branch Executive Board meeting was used to raise money for a union candidate. Once again, it would not be appropriate for me to comment on your specific allegations. I can advise that federal law strictly prohibits the use of union funds or resources to promote the candidacy of any person in a union officer election. Using the union hall to raise funds for a candidate could give rise to a violation, depending on the specific circumstances. Allegations of misuse of union resources may be addressed in accordance with the procedures for post-election appeals.

I hope that this letter, at least in part, addresses your concerns.

SHAWN BOYD—FLOWER MOUND, TX, REGION 10

MAY 28, 2026 (10119)

This is in reply to your email, dated May 19, 2026, requesting dispensation to assign a Regional Administrative Assistant to oversee and conduct the following on behalf of Alamogordo Branch 3994. According to your email, at the May 2026

Branch meeting, the Branch President, Vice President, and Treasurer all resigned from their positions effective immediately. You state that the Branch will need assistance setting up branch meetings to allow for nominations and elections of officers and stewards in accordance with Branch 3994 by-laws and the *NALC Constitution*, as well as with processing grievances.

In light of the facts set forth in your letter, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant the requested dispensation. You or your designee may provide whatever assistance Branch 3994 may require until it has elected new officers.

I hope that this letter addresses your concerns. Thank you for bringing this matter to my attention.

JOANN HERTEL—ARVADA, CO, BRANCH 4405

MAY 28, 2026 (10120)

This is in reply to your email message, sent May 20, 2026, which requests a dispensation from a requirement in your bylaws that Branch 4405 meet for business on the third Wednesday of each month. According to your email, the Colorado State Association of Letter Carriers Convention fell on May 20, 2026, the third Wednesday of this month, and took place in Grand Junction, Colorado, more than four hours from Arvada, Colorado. You propose instead holding your membership meeting on May 27, 2026, the fourth Wednesday of the month.

In light of the circumstances set forth in your email, and in accordance with my authority under Article 9, Section 1 of the *NALC Constitution*, I hereby grant Branch 4405 dispensation to hold its May meeting on May 27, 2026, so long as timely notice of the new meeting can be provided to all active and retired members of the Branch.

I trust that the foregoing addresses your concerns. Thank you for bringing this matter to my attention.