

January 13, 2022
6125 Hilltop Drive
Brookhaven, PA 19015-1306

Via Certified Mail No. [REDACTED]
[REDACTED]

American Postal Workers Union
Clerk Division National Business Agent
[REDACTED]
[REDACTED]

**RE: Duty of Fair Representation of
APWU Clerk Craft Member** [REDACTED]

APWU NBA [REDACTED]:

APWU member [REDACTED] and I (also an APWU member) have asked you repeatedly for a statement concerning USPS management's failure to respond to you with a schedule of [REDACTED] Arbitration in the matter of [REDACTED] and [REDACTED] grievances. We requested you write a statement as to the status of the schedule of her pending arbitration. That statement could either have provided the arbitration date or could have been as simple as "There is no scheduled date as of today." You had earlier agreed to supply this information, as well as the grievances' "moving papers" to [REDACTED] but failed to produce any of the information requested.

You replied to my latest request by phone on Friday January 7, 2022 at approximately 7:00PM EST that someone from APWU Headquarters (whom you refused to identify) had directed you to not write [REDACTED] [REDACTED] an arbitration status update and to have no further contact with

me. You then became belligerent and abruptly hung up on me when I tried to explain the repercussions of your inaction and how “it would come back to *haunt* you and the APWU.”

It’s well understood that APWU is not required to represent members in the EEOC process. Never once were you requested to represent [REDACTED] in her EEOC complaint activity.

In fact, you requested APWU Member [REDACTED] to get input for her arbitration from me (you “needed to talk to me”) on September 8, 2021, **clearly establishing a relationship among grievant, NBA and myself** (see text screenshot Enclosure A). Additionally, you requested my contact information on September 14, 2021, again, **clearly seeking my input and assistance in [REDACTED] arbitration** (see text screenshot Enclosure B).

[REDACTED] and myself (in my role as her official EEOC Non-Attorney Representative), **never** asked for advice, opinion, strategy, or any confidential information and we certainly never asked for or required your representation in her EEOC complaint.

The EEOC requires all Complainants to identify and timely submit information about any grievances they have if represented by a labor union. The statement requested of you was for merely procedural information (a simple schedule) that any grievant should have unfettered access to.

Your refusal to provide time sensitive vital information has harmed APWU Member [REDACTED] in the EEOC process.

I am now asking you again for the status of [REDACTED] arbitration schedule.

Failure to respond to the above request within 15 days will necessitate [REDACTED] filing a charge with the National Labor Relations Board.

Sincerely,

Randall M. Zelznick
APWU – Philadelphia Retiree Chapter Member
6125 Hilltop Drive
Brookhaven, PA 19015-1306
PH: [REDACTED]
Email: RZelznick@aol.com

Enclosures:

- **September 8, 2021 Text Message Screenshot**
- **September 14, 2021 Text Message Screenshot**

CC:

Via Certified U.S. Mail No. [REDACTED]
American Postal Workers Union Headquarters
President Mark Dimondstein
1300 L Street NW
Washington DC 20005

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]