

# These tragedies were preventable



**Manuel L. Peralta Jr.**

**T**his month's column hurts. It hurts because management's actions or inactions contribute to how we behave and the decisions we make. Below, you will find that management, from the front-line level all the way to the top of this organization, is not interested in hearing the truth of how important it is to train all employees on how to acclimate to the heat or how to protect themselves from the hazard of extreme heat.

**In the summer of 2012, the heartland of America was under siege through a heat wave. The letter carriers delivering mail in that area were also under siege**

by their managers, because they were taking too much time to deliver the mail while they suffered through the heat. On July 23, 2012, John Watzlawick, a letter carrier from Independence, MO, had just returned to duty following a six-week medical absence, without any opportunity to acclimate to the heat at its worst. He barely made it through that day and eventually called his supervisor, who told him there was no help so he would have to continue. The next day John suffered again, called management, was again told there was no help, so he continued until he couldn't. John died on the afternoon of July 24, 2012.

The Occupational Safety and Health Administration (OSHA) conducted an investigation and issued a citation against USPS. The citation was contested by USPS and OSHA defended its actions before a judge from the Occupational Safety and Health Review Commission (OSHRC). The judge issued a scathing decision finding that the culture at the USPS pushed employees to continue working when its managers knew better but wanted to make their numbers. Why? Because their district manager was pushing from the top. The judge offered these words:

...From the very top of the management chain down to the floor supervisor, the message was clear: heat is not an excuse for performance issues. Mr. Behrends, the acting Officer in Charge at the time of the incident...gave sworn testimony that Gail Hendrix and Steve Erbland told him and other managers that heat does not matter and that employees should be able to perform within their expected delivery parameters regardless of the weather...

For further information, see my November 2014 column.

**On June 8, 2018, Daniel Rosenbach, of Branch 361, Lexington, KY, died of a heart attack, which was later proven to be triggered by the extreme heat. He had not received Heat Illness Prevention Training (HIPP), was not given a chance to acclimate to the heat, and he died after being assigned to carry a route by himself for the first time.**

**Just one month later, on July 6, 2018, Tri-Valley, CA Branch 2902 letter carrier Peggy Frank returned to work following a three-month medical absence, walking into a heat wave with the temperature reaching 117 degrees. She was not HIPP trained and she had not been given an opportunity to acclimate to the heat. She died that afternoon, and management attempted to deflect responsibility by chalking it up to other medical issues and her age. Shame on management. Management had been caught falsifying records claiming that Peggy had received the required HIPP training; she had not, as she was on medical leave when the training was conducted. OSHA failed to cite USPS for the falsification, which should have resulted in criminal penalties. Shame on OSHA.**

**The following summer, city carrier assistant Roslyn Westfall died as a result of the heat on June 27, 2019, in St. Louis, MO. She was not acclimated to the heat wave that area was experiencing. Further, she had informed management that she was not feeling well before they forced her to go out and deliver.**

**Two years later, brand new letter carrier Dalvir Bassi of Branch 193, San Jose, CA, who was delivering his route for the first time by himself, died on June 19, 2021. He, too, was not given the necessary HIPP training, nor was he given the chance to acclimate to the heat being experienced in that area.**

**At this point I am angry.**

I am angry that OSHA recently withdrew the citation issued in the death of Peggy Frank in late 2018, instead of defending it before a judge. Had OSHA, under the previous administration, cited the USPS for falsification of training records in the citation issue on the death of Peggy Frank, then we would be at trial before the OSHRC prosecuting the USPS for its falsification of training records.

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## Tragedies (continued)

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We cannot control OSHA, but we can control our actions through the grievance procedure. Enforce the contract. I have been writing about this during the last few years. See my November 2022 column along with others.

### **I am also saddened.**

On June 20, 2023, Dallas, TX, letter carrier Eugene Gates Jr. died. Details are still being investigated, but many signs point to it being heat-related. National Busi-

ness Agent Shawn Boyd and his team, as well as Branch 132 President Kimetra Lewis and her team, are taking all actions possible to investigate and discover the truth. They do so with courage. They do so with care.

This afternoon I spoke with Kimetra, and asked if she would share her words from the funeral for Eugene Gates Jr. that was held on July 1.

Kimetra, the membership thanks you for sharing the following:



### **A resolution in loving memory of Eugene Gates Jr.**

“We, the members of the National Association of Letter Carriers Branch 132 wish to express our gratitude and respect for our beloved brother and friend, Eugene Gates Jr. It is written in the book of Colossians 3:23-24,

“And whatsoever ye do, do it heartily, as to the Lord, and not unto men; Knowing that of the Lord ye shall receive the reward of the inheritance: for ye serve the Lord Christ.”

**Whereas:** Eugene Gates’ commitment to obey the Lord through his work was demonstrated daily as he willingly served as a messenger of vital information. He was recognized by his coworkers and his superiors as the first employee to report for work and the first employee to complete his assignment. Eugene’s compassion for his work was extended to the customers he so faithfully served as a letter carrier at the Lakewood Post Office.

**Whereas:** Eugene Gates throughout his Postal career possessed the quality of kindness. A gift he expressed in many ways in his dealings with his coworkers and his friends. Eugene’s uniqueness made him admired and loved by all he met.

**Whereas:** The death of Eugene Gates was not expected; let it go on the record that his life was not in vain. The loss of Eugene brought attention to the working conditions at the United States Postal Service. His passing alerted the government to demand changes to protect the safety of the letter carriers while they perform their duties of service to the communities throughout the State of Texas. Through the media, the loss of Eugene has brought about public concern for the letter carriers who are not only essential workers; but who are the backbone of the United States Postal Service.

**Whereas:** Eugene Gates’ life displayed the characteristics of humility and meekness, God chose him as a vessel to bring about change. By his sacrifice, letter carriers across the nation will forever honor him.

Therefore, be it further resolved, that we, the members of Branch 132, know the deep loss and sorrow your family is experiencing. We want to share in your sorrow but at the same time we want to recognize that the Lord has called home to His presence a good and faithful servant. And, we know that the Lord was smiling as he welcomed Eugene to his heavenly reward saying, “Eugene, you accepted the assignment and completed the task.”

*This resolution is humbly submitted to the family of Eugene Gates Jr. on the behalf of the members of the National Association of Letter Carriers and was read with heartfelt sympathy by his branch president, Kimetra Lewis, on July 1, 2023.*