

Workplace solicitations

NALC Headquarters has received a number of complaints from our members and branch officers regarding employees receiving insurance solicitations addressed to their workplace.

The Freedom of Information Act (FOIA) provides that upon written request from any person, a federal agency must release any agency record unless that record falls within one of the nine statutory exemptions and three exclusions. FOIA binds only federal agencies and covers only records in the possession and control of federal agencies. See AS-353, Section 4-5, Records Which May Be Withheld From Disclosure, for the nine statutory exemptions under which records or portions of records may be withheld from public disclosure.

Postal FOIA regulations are in Handbook AS-353. Chapter 4 of the AS-353 contains the Postal Service's procedures for the public's access to records maintained by the Postal Service, unless the records are exempt from disclosure. Chapter 5 contains the procedures for responding to requests for employee information.

Sections 5.2.b.1 and 5.2.b.3 of the AS-353 provide that the Postal Service, upon written request, may disclose:

(1) **Employment Data** The following data is considered public information: the name, job title, grade, current salary, duty station, and dates of employment of any current or former Postal Service employee.

(3) **Employee Listings** On written request, the Postal Service provides, to the extent required by law, a listing of employees working at a particular Postal Service facility (but not their home addresses or Social Security numbers).

Now you know how you are receiving solicitation mail addressed to you at your workplace. Once mail is received at your workplace, Section 271.64 of the ASM controls employee personal mail guidelines. Section 271.641 states:

Employees must not receive personal mail at their place of employment. Mail that is addressed to an employee at any postal facility's address is generally considered to be addressed to and intended for the Postal Service, rather than the employee. This mail may be opened by the Postal Service, without the employee's knowledge or consent, after it is delivered to that facility. Mail that

is addressed to an employee at a postal facility's address and that is known or appears to be intended for the employee personally may be refused, but must not be opened.

There are exceptions that can be found in Section 271.642 of the ASM, which state:

a. Official Postal Service mail or circulars and other mail or circulars that appear to relate to postal employment (such as mail or circulars from the employee unions or from postal uniform vendors) and are intended for individual employees must be delivered without being opened.

b. In the case of an apparent emergency, the Postal Service must accept delivery of personal mail addressed to an employee, and the head of the facility (or designee) must attempt to deliver the mail to the employee.

Solicitations mailed to your workplace that are not related to your postal employment are controlled by 39 CFR 232.1.h and h.2, Conduct on Postal Property, which states:

(h) Soliciting, electioneering, collecting debts, vending, and advertising. (1) Soliciting alms and contributions, campaigning for election to any public office, collecting private debts, soliciting and vending for commercial purposes (including, but not limited to, the vending of newspapers and other publications), displaying or distributing commercial advertising, collecting signatures on petitions, polls, or surveys (except as otherwise authorized by Postal Service regulations), are prohibited.

(2) Solicitations and other actions which are prohibited by paragraph (h)(1) of this section when conducted on Postal Service property should not be directed by mail or telephone to postal employees on Postal Service property. The Postal Service will not accept or distribute mail or accept telephone calls directed to its employees which are believed to be contrary to paragraph (h)(1) of this section.

Postal Service policy and federal regulations prohibit any form of commercial activity on postal property. If you have received mail at your workplace and it does not appear related to your postal employment, please contact your local union official to see if a grievance case exists. ☒