

Discipline does not work



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violate rules that have developed in our National Agreement, or further, may be in violation of the rules put forth by OSHA.

I have previously addressed accident investigation and

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emphasized the importance of getting all the necessary facts, not for the purpose of issuing discipline, but rather to determine what led to the accident, so as to learn and teach others how to avoid the same.

In a memo dated April 7, 1980, Senior Assistant Postmaster General, Labor Relations Group, addressed safety related discipline, explaining as follows:

This will reemphasize the need for careful attention to situations in which disciplinary action for safety rule violation is considered. While Article XVI of the National Agreement clearly makes discipline for such a cause appropriate, we must be mindful of the requirements of the Federal Employees' Compensation Act and our own policies which prohibit taking action discouraging the reporting of an accident or the filing of a claim for compensable injury with the Office of Workers' Compensation Programs.

In addition to the above concept, OSHA has weighed in on the subject of discipline issued to employees. As per

Safety training is something that we should all embrace. Article 14 of the National Agreement provides as follows:

It is the responsibility of management to provide safe working conditions in all present and future installations and **to develop a safe working force.**

How does management develop a safe workforce?

Presently, management's style on the front line is through threat and intimidation, although I am sure that there are a few success stories in the field where this inappropriate method of training is not used. It works only when they are watching. Further, the discipline issued may

my column last November, by memo dated March 12, 2012, the Deputy Assistant Secretary of OSHA wrote on the subject of “Disincentive Policies and Practices,” commenting as follows:

Reporting a work-related injury or illness is a core employee right, and retaliating against a worker for reporting an injury or illness is illegal discrimination under section 11(c).... If employees do not feel free to report injuries or illnesses, the employer's entire workforce is put at risk. Employers do not learn of and correct dangerous conditions that have resulted in injuries, and injured employees may not receive the proper medical attention, or the workers' compensation benefits to which they are entitled. Ensuring that employees can report injuries or illnesses without fear of retaliation is therefore crucial to protecting worker safety and health.

How, then, should we be developing a safe working force?

I say “we,” as it is in all of our interests to maximize the proper messaging on safety. What might that entail, you ask?

First: Let us work together in finding the causes of accidents (or near misses) and injuries. Let us fully discover what the root causes were and truly understand what caused the event. Union and management should be working on this together.

Second: Based on the information that we acquired, we should jointly develop a message to teach others how an accident (or near miss)/injury occurred so as to alert our craft on the hazards in our workplace, on the way to and from or in the delivery of our routes.

Third: We need to make sure that the safety message is well presented with our best efforts. We need to make sure that the persons (union and management) making the presentation on the subject are effective in communicating what they have learned and that all of our craft gets the same message.

Fourth: We have to develop credibility. Discipline and threats of discipline do not contribute to a safer work environment or workforce, nor do they contribute to a credible safety message. They only create fear. They prevent the reporting of an injury or accident. They prevent us from learning from every single incident because the incident was not reported.

Fifth: We must insist that management respect the safety messages that we give. If not, we must grieve it. If we don't, we allow management to destroy any credibility that we may have jointly developed.

Article 14 requires that management develop a safe workforce and that the union help management live up to that responsibility.

Discipline does not work. We need to work on a solution together.