

Remembering Leo



Manuel L. Peralta Jr.

On March 6, 2014, Buffalo-Western New York Branch 3 letter carrier Leo Sucharski slipped and fell in his post office's parking lot after exiting his vehicle. Upon falling to the ground, he hit the back of his head, was seriously injured and was hospitalized until he passed away three days later.

The Occupational Safety and Health Administration (OSHA) issued a citation to the post office, finding that it had violated 29 CFR Section 1910.22(a)(1): All places of employment, passageways, storerooms or service rooms were not kept clean and orderly or in a sanitary condition. The finding determined that: "The pavement of park-

ing lot was not kept clean and orderly...resulted in 'slip and fall' of [Leo Sucharski]."

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It is our understanding that the USPS employs a contractor to clean up the parking lot after a snowfall. It also was reported that the contractor did not have all the vehicles moved, thereby leading to snow melt and ice-up, which in turn became the hazard that resulted in the loss of Brother Sucharski.

As shop stewards, safety captains and letter carriers who care about the safety of your work environment, I urge you to challenge any unsafe conditions in your workplace by filling out a Form 1767 when you believe that there is a hazard that might harm you.

We have many contractors throughout the country who were hired to perform tasks that would result in safer and/or healthier work environment for our letter carriers. In many circumstances, these contractors perform their services without care for the true purpose of the task. In the above example, the purpose of the contractor's services was to provide a safe surface from which we can perform our duties in the parking lot. The purpose of the contract was not met. The contractor, more interested in earning a

buck, could not be troubled to move the vehicles to make sure the lot was properly cleaned.

Management also failed to ensure that the lot was properly cleaned. When we complained, managers responded to our concerns by quickly stating that they hired the contractor to do the work and that it was not their fault. It is management's fault because management did not make sure it was done right.

OSHA, however, issued the citation, based on management's failure. In addition to the above-cited OSHA regulation, we also know of OSHA's general duty clause. Section 5 of The Occupational Safety and Health (OSH) Act provides that:

(a) Each employer — (1) shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees...

We should be citing this clause in our safety grievances when necessary.

Are you keeping an eye on each other?

Last month I wrote about the winter we are entering and I asked you to especially keep an eye on our newer employees, as they may not have the cold-weather gear necessary to safely make their rounds. You need to make sure that management protects all of our employees, and especially our newer brothers and sisters, from the elements. If our newer employees do not yet have the necessary safety gear, we need to force management to do its job and provide the tools necessary.

The next four years

As I write this month's column, we are preparing for the swearing-in of NALC national officers. The last four years flew by at a pace that I would not have imagined. I want to thank President Rolando and you all for the opportunity I have been given to serve the membership here in DC.

The next four years will be challenging for many reasons, not the least of which is the loss of control in the U.S. Senate. Keep an eye on how the members of the Senate and the House of Representatives are unfriendly toward federal employees, toward the Post Office and toward working men and women. If possible, begin now to prepare yourself for the 2016 elections. Keep track of the debates on the Hill. Keep track of the legislation that comes our way. Keep track so that we can share this information with those in our membership who doubt our concern. We need to vote with our paycheck, our benefits and our job security in mind.