The brutal summer behind us



Manuel L. Peralta Ir. **n** April of 2013 and again in November of 2014, my column focused on the death of John Watzlawick, who died on July 24, 2012, as a result of the heat in Independence, MO. OSHA had issued a citation, which the USPS challenged, leading to a hearing before the Occupational Safety and Health Review Commission (OSHRC), which upheld the citation.

The USPS appealed the ruling to the 8th Circuit Court of Appeals seeking to overturn the OSHRC ruling. Concurrent with the early phases of the appeal, the USPS approached the NALC to bargain about issues rooted in the OSHA citation and the OSHRC ruling. This

bargain ultimately led to M-1860, a memorandum (not an interpretive settlement) that you can find on the Materials Reference System page of the NALC website at nalc.org/ workplace-issues/resources/materials-reference-system.

"Educate yourself so that you don't become a statistic while management makes its numbers."

The USPS is of the opinion that this document is only applicable to the Independence, MO, post office; however, it ignores the carefully selected verbiage found in the document as follows:

...While this agreement applies solely to the Independence, Missouri, Post Office, including its stations and branches, the parties recognize that heat abatement is an essential element of on-the-job safety for city letter carriers in all locations where city letter carriers are exposed to excessive heat... (Emphasis added.)

OK, so why did some managers refuse to protect you from the effects of the brutal heat that you experienced this past summer? They are more interested in making their budgets than they are in training you to work safely, because the end result would take additional time (money) to deliver routes. The cost of safety is too high for those managers.

On May 12, a CCA, who has since resigned, was hospitalized because of dehydration. Management attempted to defend itself to OSHA by stating that it encourages employ-

ees to "take extra breaks in shaded areas." During summer's brutal heat, did management encourage you to take extra breaks to cool off?

On May 22, a career letter carrier was hospitalized as a result of heat illness for a period of four days, and then almost two months later, the USPS issued her a letter of warning for failing to work in a safe manner. According to the letter of warning, she had failed to keep herself properly hydrated. A grievance and an OSHA Whistleblowers complaint were filed. The discipline was thrown out.

On June 10, a letter carrier called in, advising his supervisor that the heat was making him sick, to which the supervisor responded: "The heat is worse in other parts of the world, and how hot do you think it is in Afghanistan?" He then instructed the carrier to keep going. Upper management took some action, but as I write this, OSHA is conducting a formal investigation. On the same day in a neighboring state, another employee suffered heat exhaustion, severe dehydration and other issues. Her supervisor sent her home then contacted 911 to have an ambulance go to her home. Why?

On July 15, a letter carrier called his supervisor to report that he was vomiting and cramping due to the heat. The supervisor did not immediately call 911, causing a onehour delay in providing medical attention that resulted in hospitalization. Two months later, this employee has not returned to work.

On July 29, during a 105-degree heat index day, a carrier tried to call his supervisor, but was unable to speak. A customer took the phone to speak to the supervisor, who first asked how much mail does he have left? The customer told the supervisor that she would take the carrier to the hospital. The supervisor told her not to and that he would go to the route to take him. The supervisor then picked up the carrier, delayed taking him to the hospital, and instead took him to the office to get paperwork while leaving the injured carrier in a hot vehicle. The customer provided a statement to make sure that the union had proof of what happened that day.

The above are but a few stories that should shock us all. As of this writing, this year there have been 23 heatrelated illnesses reported to me, the majority of which were serious and required hospitalization. Please let us know when you are aware of a heat illness event in your office. Go to the NALC website's Safety page, press the red button and read the information available. Educate yourself so that you don't become a statistic while management makes its numbers. Take this issue up at your safety (or labor management) meetings so that you can jointly develop a plan to have in place before next year's heat waves.

Keep an eye on each other.