

Is safety a real priority?



Manuel L. Peralta Jr.

In my January column, I suggested a New Year's resolution for management and one for you.

Since I wrote that piece, a number of events have been brought to my attention that have concerned me, so here goes.

In early January, we were faced with a cold spell that could not be ignored. We requested copies of any cold safety messages pushed out from USPS headquarters. We received the message in a letter dated Jan. 19 and forwarded it on to your national business agent, asking that they pass it on to your branches. The information, as provided, addressed dealing with snow and black ice, dressing for the cold,

walking in winter weather, and protecting yourself from cold stress and frostbite.

The Occupational Safety and Health Administration's website has a search engine that will provide you with access to their information on cold-weather safety. It includes "moderate to severe symptoms of hypothermia," which are:

- As the body temperature continues to fall, symptoms will worsen and shivering will stop.
- The worker may lose coordination and fumble with items in the hand, become confused and disoriented.
- He or she may be unable to walk or stand, pupils become dilated, pulse and breathing become slowed, and loss of consciousness can occur. A person could die if help is not received immediately.

Recognizing the importance of the above warning, USPS headquarters issued its cold-safety message recommending that when an employee recognizes symptoms of hypothermia or frostbite, the individual should move to a warm area to assist in increasing the body temperature.

The message was intended for you. So why am I writing about it now?

On Jan. 5-6, two separate letter carriers were unable to complete delivery of all the mail assigned to them. They explained to their supervisors that they were faced with extreme cold, made a safety determination and returned to the office when they could not deliver any more mail because of the unsafe weather. They used their judgment based on their experience, as well as how they felt out in the extreme cold. The wind chill factor dipped to 3 degrees and reached a maximum of 12 degrees on these two days.

Management issued discipline, suggesting that the employees were defiant because management has the right to issue instructions and employees have an obligation to follow them. Period.

The Occupational Safety and Health Act includes a "General Duty Clause," which states:

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; (2) shall comply with occupational safety and health standards promulgated under this Act.

One of the charge letters admits that the office was short-staffed, but that in the morning, during its "Plan 5" meeting, all carriers were informed that they had to case and carry their routes as well as a pivot in spite of the extreme cold weather.

On paper, USPS headquarters sent most of the right message, but once it left Washington, DC, it was translated or ignored by most of the managers in the affected area. You see, if safety was a real core value, it would not be balanced against cost.

In 1978, National Arbitrator Howard Gamser issued an award addressing the use of equipment to transport mail from the letter carrier case to the vehicle. On Page 11 of his award (C#3287), he opined:

...In concluding its argument the Service stated, 'This case requires a balancing of two important considerations—the need to maintain a safe working environment and the Postal Service's right and obligation to operate in whatever manner it deems to be most reasonable and practical.'

He continues by summarizing:

Article XIV of the Agreement, as well as applicable statutory proscriptions, impose an unequivocal obligation upon management to provide safe working conditions. That is a primary obligation to which need to operate with optimum efficiency and economy must give way... (Emphasis added.)

So says our grievance procedure's Supreme Court.

Instead of ordering these carriers back out into the extreme cold, management should have worked with these employees to seek a safe way to get the mail delivered without putting them in harm's way and pitting their personal safety against management's instructions.

If they really *care*, they will work with us to find the right solution.

Keep an eye on each other.