

Customer and employee rights when USPS solicits customers to change the mode of mail delivery



NALC is aware of efforts by the Postal Service in various parts of the country to convince customers to agree to change their mode of mail delivery to cluster box or centralized delivery. Both postal customers and letter carriers have rights when these efforts take place. Below is an explanation of employee rights and we have created a fact sheet outlining customers' rights when USPS solicits to change the mode of mail delivery (opposite page). The fact sheet also is available on the NALC website.

Employee rights

Section 667.12 of the *Employee and Labor Relations Manual (ELM)* provides the following in regard to employees engaging in campaigns for or against changes in mail service:

667.12 Engaging in Campaigns for Changes in Mail Service

Employees in active status must not engage in campaigns for or against

changes in mail service. This regulation must not be construed to infringe on the rights to participate in labor organizations.

Letter carriers, as active Postal Service employees, should be aware of this regulation. If letter carriers have questions about what they should or should not participate in, the national business agent's office should be contacted for guidance.

Retired letter carriers may be fully involved in campaigns against changes in mode of mail delivery. Such campaigns may involve educating members of the public on their rights when the Postal Service solicits conversions of mode of mail delivery, including how any solicited change may affect each customer. Retired letter carriers also can be instrumental in forming partnerships with community organizations to help fight reductions in service to postal customers by changing mode of mail delivery. **PR**

Postal Operations Manual: 631.7 Conversion of Mode of Delivery

In this section, conversion refers to changing existing mail delivery to a more economical and efficient mode. The key to converting existing deliveries is identifying those deliveries that are most costly to the Postal Service. Delivery managers can go into any delivery territory where delivery has been established for over 1 year and solicit to convert the mode of delivery if it would be cost beneficial to the Postal Service.

Postmasters may establish a mixed delivery area where in-growth or extensions of service within a block compel a change in modes of delivery for newly constructed or renovated delivery points. This policy applies to both residential and business delivery locations. When a residence is sold, the mode of delivery cannot be changed arbitrarily prior to the new resident moving

in. The existing mode of delivery must be retained absent an agreement otherwise. If an owners' association or property management company represents the property or the community, it may request a change in the mode of delivery on behalf of the community or property. In rental areas, such as apartment complexes and mobile home parks, the owner or manager may request a conversion on behalf of the apartment complex, mobile home park, or other rental property. Approval is at the sole discretion of the Postal Service. Delivery will begin only after the approval of a mail receptacle and its location by the local Postmaster.

Where there is no homeowners' association or other property management company with authority to request a conversion on behalf of the owners,

residents, or the community, customer signatures must be obtained prior to any conversion. In single-family housing areas (including manufactured housing and mobile homes) where the residences and lots are owned, each owner must agree to the conversion in writing. Owners who do not agree must be allowed to retain their current mode of delivery.

When a residence is sold, the mode of delivery cannot be changed arbitrarily prior to the new resident moving in. The existing mode of delivery must be retained absent an agreement otherwise. If an owners' association represents the community, it can direct the mode of delivery for the community. In rental areas, such as apartment complexes and mobile home parks, the owner or manager can approve the conversion.

Customer Rights when the Postal Service Solicits to Change the Mode of Mail Delivery



The Postal Service has recently solicited customers to change the way they receive their mail. For the most part, USPS has solicited customers to change from receiving mail to their home or business door to a centralized location where a number of deliveries are made into a cluster box. The cluster box could be placed anywhere, from a sidewalk to a location at the end of the street. In such cases, customers have to go to the cluster box to retrieve their mail. The Postal Service refers to this as “conversion of mode of delivery.” It is important that postal customers understand their rights and the rules and regulations that govern such changes.

The regulations and restrictions discussed below are contained in an internal Postal Service manual called the Postal Operations Manual (POM). Specifically, they are found in Section 631.7 of the POM. This section is printed on page 10.

- In new developments, delivery must be established for more than one year before the USPS solicits to convert the mode of mail delivery
- Customer signatures must be obtained prior to any conversion of the mode of mail delivery
 - Where residences and lots are owned, property owners must agree to the conversion in writing and those who do not agree must be allowed to retain their current mode of delivery
 - In communities controlled by an owners’ association, it controls the mode of delivery
 - In rental areas, such as apartment complexes or mobile home parks, the owner or manager controls the mode of delivery
- Owners who do not agree in writing **must** be allowed to retain their current mode of delivery
- When a residence is sold, the existing mode of delivery cannot be changed prior to the new resident moving in

These regulations make it very clear that property owners are in control of where they receive their mail.

If property owners wish to retain their existing mode of mail delivery, they have the right to do so.

