

USPS obligations for safety

During the COVID-19 pandemic, many letter carriers have expressed concerns regarding safety while performing their duties. Safety in the workplace is always important, not just during this extraordinary situation. Letter carriers' occupational safety and health is protected by Article 14 of the National Agreement, and carriers should insist on having a workplace that is as safe as possible. This article will explain these protections, management's responsibilities, the procedures to report work-related safety issues and related contractual rights.

Article 14 of the National Agreement states in part:

14.1 Section 1. Responsibilities

It is the responsibility of management to provide safe working conditions in all present and future installations and to develop a safe working force. The Union will cooperate with and assist management to live up to this responsibility.

14.2 Section 2. Cooperation

The Employer and the Union insist on the observance of safe rules and safe procedures by employees and insist on correction of unsafe conditions. Mechanization, vehicles and vehicle equipment, and the workplace must be maintained in a safe and sanitary condition, including adequate occupational health and environmental conditions. The Employer shall make available at each installation forms to be used by employees in reporting unsafe and unhealthful conditions. If an employee believes he/she is being required to work under unsafe conditions, such employee may:

- (a) notify such employee's supervisor who will immediately investigate the condition and take corrective action if necessary;
- (b) notify such employee's steward, if available, who may discuss the alleged unsafe condition with such employee's supervisor;
- (c) file a grievance at Formal Step A of the grievance procedure within fourteen (14) days of notifying such employee's supervisor if no corrective action is taken during the employee's tour; and/or;
- (d) make a written report to the Union representative from the local Safety and Health Committee who may discuss the report with such employee's supervisor.

Section 824.6 of the *Employee and Labor Relations Manual (ELM)* outlines the procedures for employees to report hazards and unsafe conditions or practices to his or her supervisors. PS Form 1767, Report of Hazard, Unsafe Condition or Practice, should be used by any employee, or their union representative, who believes that an unsafe or unhealthful condition exists in the workplace.

824.6 Investigating Employee Reports of Hazard, Unsafe Condition, or Practice

PS Form 1767 is designed to encourage employee participation in the Postal Service safety and health program and to provide prompt action when employees report a hazard. This form provides a channel of communication between employees and management that promotes a prompt analysis and response with corrective action to reports of alleged hazards, unsafe conditions, or unsafe practices.

The *ELM* directs supervisors to ensure that an adequate supply of PS Forms 1767 is readily available for employees to report when unsafe conditions exist.

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824.62 Availability of Form

Supervisors must maintain a supply of PS Forms 1767 in the workplace in a manner that provides employees with both easy and (if desired) anonymous access.

Section 824.63 of the *ELM* discusses employee responsibilities for reporting hazards.

824.631 Employee

Any employee, or the representative of any employee, who believes that an unsafe or unhealthful condition exists in the workplace may do any or all of the following:

- a. File a report of the condition on PS Form 1767 with the immediate supervisor and request an inspection of the alleged condition.
- b. If the employee desires anonymity, file PS Form 1767 directly with the installation's safety personnel, who will immediately give the report to the employee's supervisor for necessary action. (In such cases, safety personnel must not disclose the name of the individual making the report.)
- c. Report alleged unsafe conditions to a steward, if one is available, who may then discuss the condition with the employee's supervisor.

Discrimination against an employee for reporting a safety and health hazard is unlawful.

Safety obligations (continued)

Section 824.63 of the *ELM* also outlines what management is required to do to investigate and take corrective action to abate the hazard.

824.632 Supervisor

The immediate supervisor must promptly (within the tour of duty):

- Investigate the alleged condition.
- Initiate immediate corrective action or make appropriate recommendations.
- Record actions or recommendations on PS Form 1767.
- Forward the original PS Form 1767 and one copy to the next appropriate level of management (approving official).

If any letter carrier feels that it is unsafe to work at a case, in a vehicle, on the route or any other place, a PS Form 1767 should be completed to report the unsafe condition. This form is then submitted to the employee's immediate supervisor to initiate an investigation into the alleged unsafe condition. If the employee desires anonymity, he or she may file PS Form 1767 directly with the installation's safety personnel, who is required to immediately give the report to the employee's supervisor for necessary action and to keep the reporting employee's identity anonymous. Letter carriers also may report the alleged unsafe condition to a steward or local branch officer, who may then discuss the condition with the employee's supervisor.

The immediate supervisor must promptly (within the tour of duty) investigate the alleged condition, initiate immediate corrective action or make appropriate recommendations, record his or her actions or recommendations on PS Form 1767, and forward the original of the form and one copy to the next appropriate level of management. The supervisor is also required to provide the employee with a signed copy of the form as a receipt. The third copy of the form must be immediately forwarded to the facility safety coordinator. It is always the supervisor's responsibility to monitor the status of the report until the hazard is corrected. If the hazard is not abated within the first week, the supervisor must also verbally inform the employee of the abatement status at the end of each seven-day interval.

Supervisors have the responsibility of correcting safety hazards. If a safety hazard prevents a letter carrier from performing his or her duties, the letter carrier should ask his or her supervisor for instructions regarding how the work should be performed until the issue is resolved. If the safety issue persists after proper reporting and abatement procedures have been followed, or if management fails to address the hazard according to *ELM* requirements, letter carriers should speak to their shop steward or branch officer. Safety is always essential for all postal employees, not just during the COVID-19 pandemic.

Contract Administration Unit

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UNITED STATES POSTAL SERVICE®		Report of Hazard, Unsafe Condition or Practice		Hazard Control Number (Assigned by Safety Officer)	
I. EMPLOYEE'S ACTION					
Area (Specify Work Location)					
Describe hazard, unsafe condition or practice. Recommend corrective action.					
Employee	Signature	Date and Tour			
II. SUPERVISOR'S ACTION					
Recommend or describe action taken to eliminate the hazard, unsafe condition or practice. (If corrective action has been taken, indicate the date of abatement.)					
Supervisor	Signature	Date			
III. APPROVING OFFICIAL'S ACTION (Check One and Complete)					
The following corrective action was taken to eliminate the hazard, unsafe condition or practice (Indicate date of abatement):					
A work order has been submitted to the manager, plant maintenance to effect the following change:					
There are no reasonable grounds to determine such a hazard exists. This decision is based upon:					
Approving Official	Signature	Date	Date for Employee Notified		
IV. MAINTENANCE ACTION (Complete if Necessary)					
Maintenance Supervisor	Signature	Date	Date Hazard Abated		
PS Form 1767, February 2014 PSN 7530-01-000-8422 WHITE - Local Safety Office (After Abatement) PINK - Local Safety Office (Before Abatement) YELLOW - Approving Official BLUE - Employee					