

When management ignores a hazard



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Last month my column addressed the improper use of information against you. The emphasis was to make sure that your employer does not use stale or expunged records against you in support of discipline.

As a follow-up to that column, this month I want to address what happens when you have an accident or injury and discover that you were not the first to be involved in the event causing the accident or injury.

Imagine, if you will, the following series of events.

You load your vehicle, return your hamper to its assigned location, use the facilities, then get into your vehicle to drive away.

The parking lot is behind the post office, as is common throughout the country. You fasten your seat belt, start the engine and drive down the alley at the side of the building. When you get near the street, you slow down to make sure you see the traffic before proceeding. Your view to the left is obstructed by a large bush that has not been trimmed in a long time. You can't see what traffic is coming, so you're apprehensive, but you have to nudge forward to see if it is safe to pull out. You move forward another few inches, hoping it's even safe to look, when a passing vehicle clips the front end of your vehicle. *Crap!*

Your mind is flooded with the idea that you are going to be admonished and blamed, and that management is going to treat you like %\$@#. You notice that for whatever reason, the driver of the other vehicle did not stop. You park and secure the vehicle, then call your supervisor to tell them you are out front, that you were just involved in an accident and that you need to know what you should do. Well, no one answers the phone. Not a surprise.

You walk down the same alley you used moments ago, enter the rear of the building and find your supervisor in the break room telling jokes to another supervisor, which explains why no supervisor answered the phone. You break up the party by asking for instructions, and you become the victim of a tirade. Management does what it thinks is necessary for an investigation and it instructs you to turn over your keys, as you will not be allowed to drive until re-training. You feel dejected, get your belongings and leave, since you were told that there were no non-driving duties available for you, although you know better.

You call your branch president, who is at the union hall, and are invited to come by to talk about what happened.

The following morning, you report to work and notice that your president is out front taking pictures of the bushes from your view as a driver, wanting to preserve the evidence that will be used to protect your interests in the event that action is later taken against you. The president follows you into the building and waits until you clock in and go to your route to advise you that you will be meeting with the union in the investigation of the event.

Your president used to carry mail at your office while also serving as a steward and the union's designee on the safety committee. Prior experience guides your president to request copies of all accident reports dealing with the same hazard that obstructed your view, discovering a number of accidents at the same spot. Taking a close look at the reports leads to the conclusion that this is an anticipated hazard that should have been prevented had management done its job.

Next the president interviews the NALC's safety committee designee, finding out that management does not want to take the time to review the accident reports during the meetings, although it is a required task of the installation safety committee. This information is later confirmed by the postmaster, who suggests that it is a waste of time. Bingo!

A number of days later, following input and guidance from labor relations, management issues you a letter of warning charging you with inattention and failure to prevent an accident. You stay calm, because your president had warned you of this possibility.

In its information request, the union requests copies of all the minutes of the safety committee to match up with the accidents that were earlier discovered. The employer provides what it has, noting that there were no references to reviews of the accidents experienced.

The union raises the failure of management to comply with the requirements of the *Handbook EL-809*, which would have pointed to the hazard causing the accidents in this location. The employer recognizes its failure and agrees to rescind the discipline, as the postmaster does not want to be outed over management's failure to adhere to its responsibilities on the safety committee and true root cause accident investigation.

As a refresher to this subject, please review my May 2013, March 2014 and May 2015 Safety and Health columns, available on my safety page.

Keep them honest and keep an eye on each other.