

Outside insurance companies and their solicitations



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In solidarity, the delegates 134 years ago at NALC’s second national convention passed a resolution to form the United States Letter Carriers Mutual Benefit Association (MBA). The MBA is a fraternal benefit society serving NALC members and their families. This solidarity seems to be wavering and needs to be restored if the MBA and NALC are to be successful in their future endeavors. MBA has protected letter carriers and their families for decades and will continue to do so. With low cost, easily accessible insurance options, the MBA and letter carriers can only benefit from improved solidarity and increased participation.

Recently a letter was mailed by the NALC to all branch presidents regarding Article 8 of the *MBA Constitution and General Laws of the MBA*. This provision of the *Constitution* applies to all members of the NALC.

Article 8 of the *MBA Constitution* states:

No state association or Branch of the NALC, or officer or member of the NALC, shall take any action or make any statement whose purpose is to undermine the MBA, encourage a rival to it, or bring about a violation of its legal or contractual obligations.

The MBA sells a variety of products to NALC members and their families, including term and whole life insurance, hospital confinement insurance, and annuities. Additionally, MBA offers short-term disability insurance to active carriers who are members of the NALC.

While there are insurance products sold by other companies that MBA does not offer, these companies most likely also sell the same or variations of products offered by the MBA. This would make them a rival of the MBA. Even if the salesperson limits the scope of their pitch to only products that are not offered by the MBA, the branch allowing access to their membership is an endorsement of that company. Once insurance companies gain access to potential clients, they can offer all types of insurance products, even those that are offered by the MBA.

While our *Constitution* does not apply to the Postal Service, their own manuals and federal law do apply to USPS. It is the obligation of local Postal Service management to prohibit solicitations on postal premises.

Solicitations of this type on Postal Service property are prohibited by *Postal Operations Manual (POM)* 124.54 a., which states:

a. Soliciting alms and contributions, campaigning for election to any public office, collecting private debts, commercial and nonprofit soliciting and vending (including, but not limited to, the vending of newspapers and other publications), the display or distribution of commercial advertising and soliciting of signatures on petitions, polls, or surveys on postal premises (except as authorized by 39 CFR part 259) or impeding the access to or egress from Post Offices are prohibited. This prohibition does not apply to the following:

1. Commercial or nonprofit activities performed under contract with the Postal Service or pursuant to the provisions of the Randolph-Sheppard Act.
2. Posting notices on bulletin boards as authorized by 39 CFR 243.2(a).
3. The solicitation of Postal Service and other federal military and civilian personnel for contributions by recognized agencies as authorized by the Manual on Fund Raising Within the Federal Service, issued by the Chairman of the United States Civil Service Commission under Executive Order 10927, March 13, 1961.

The three exclusions regarding solicitations are not applicable to these outside insurance companies. The first exclusion cites the Randolph-Sheppard Act, which allows licensed blind persons to operate vending facilities on any federal property. The second exclusion is covered by Article 22 (Bulletin Boards) of the National Agreement. The third exclusion allows for fundraising through the Combined Federal Campaign.

The prohibition against solicitations conducted on postal property is also referenced in the U.S. Code of Federal Regulations, specifically at 39 CFR 232.1 (h)(1), and can also be found on USPS Poster 7, *Rules and Regulations Governing Conduct on Postal Service Property*, which must be posted on postal property for all those entering to view. Poster 7 is a mandatory posting required by the *POM* Section 125.342.

More often, letter carriers are solicited by mail at their employing office. This type of solicitation also is prohibited and should not be allowed by local management. *POM* 124.54 c. states:

c. Solicitations and other actions that are prohibited by 124.54a when conducted on Postal Service property should not be directed by mail or telephone to postal employees on Postal Service property. The Postal Service will not accept or distribute mail or accept telephone calls directed to its employees when such contacts are believed to be contrary to 124.54a.

Again, this prohibition comes directly from federal law, at 39 CFR 232.1 (h)(2).

If these solicitations are happening in your location, please notify your national business agent’s office.

For more information about any of the MBA products, call the MBA at 202-638-4318 Monday through Friday, 8 a.m. to 3:30 p.m., Eastern time.