

# The Philadelphia POSTAL WORKER

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A Member of the APWU Postal Press Association

May/June 2010

## Here's the Deal



**Gwen Ivey,**  
**President**

The Post Office has been around for a very long time. It was established by decree of the Second Continental Congress in Philadelphia on July 26, 1775, under Benjamin Franklin. We have to ask

ourselves, where are we headed in this business now? Are the people running the Postal Service the right people for the job? Do they remember that we are in the business of providing a vital service to every citizen of this great country of ours, regardless of where they live, at a uniform rate? Do they remember that for many, especially those who live in rural areas, that the Post Office is everything to some communities – meeting place, business center, and the very identity of the community? I think they have forgotten what the Post Office is all about.

Now let me talk about the people at USPS Headquarters who, in my opinion, are trying very hard to run the USPS out of existence. The Postmaster General is trying very hard to use the politics of fear to push through the changes he wants. He throws out outlandish monetary numbers saying that if Congress won't let him go to five-day delivery and close or consolidate numerous Post Offices and Processing Plants the Postal Service will lose \$238 billion by 2020.

Outrageous!

The APWU has always contended the \$238 billion number was far fetched and not at all accurate. The union position was validated recently at a hearing by the House Committee on Oversight and Government Reform. While testifying at the committee hearing Postmaster General Potter was asked about the \$238 billion number by Rep. Gerry Connolly (D) VA - their exchange ended with Connolly addressing Potter about the validity of the \$238 billion projection: Connolly: "You'd have to assume for \$238 billion to be real, we do nothing, including you. You've already said you're going to use the authority you have to make reductions totaling \$123 billion. Is that correct?" Potter: "That's correct." Connolly: "So the \$238 billion number is already not real." Potter: "It's a theoretical number."

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## Watt a Shocker

### OSHA Investigation Results in \$217 Thousand in Fines



**Mark Reeves,**  
**Vice**  
**President**

The Occupation Safety and Health Administration (OSHA), on June 3, 2010, issued a citation and notification of penalty to the USPS Philadelphia PA P&DC in the amount of \$ 217,000.00 for both

serious and willful safety violations that were discovered at the processing plant.

On May 26, 2010, OSHA conducted a closing conference at the Philadelphia P&DC attended by President Gwen Ivey and Vice President Mark K. Reeves of the Philadelphia PA Area Local APWU, along with representatives from local management, safety and health, and a consortium of legal representatives for the USPS via teleconference. OSHA compliance officers outlined the findings of their nearly six month investigation into the complaint filed by the Philadelphia PA Area Local 89.

OSHA found that the Postal Service is in violation of several specific safety standards, one serious and five willful violations were cited at the Philadelphia P&DC; employees are

not trained in and familiar with safety-related work practices, the degree of training provided is not determined by the risk to the employees, where exposed live parts are not de-energized, other safety-related work practices are not used to protect employees who could be exposed to electrical hazards, the Postal Service did not provide employees with personal protective equipment (PPE), employees were exposed to the danger of injury to eyes of face from electrical arcs or flashes or from flying objects resulting from electrical explosion do not wear protective equipment for the eyes or face, employees were not provided and did not use insu-

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*The opinions and views expressed in this paper are those of the writer and do not necessarily represent the opinions of the Editor or the Executive Board of this Local.*

Send all communication to the Editor at the above address or via e-mail to [dstevenson@phillyapwu.com](mailto:dstevenson@phillyapwu.com).

Articles must be submitted by the second Thursday of the month. They must be typed. Letters must be signed. Name withheld upon request.

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# Here's the Deal

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Management wants to blame the recession for all of its problems. They blame it for the decline in mail volume; and rely on it to justify all the changes they are making to keep the post office running smoothly. WHAT A BIG FAT LIE. The changes affect us, not them. They are still wasting money increasing their workforce at the Headquarters level while cutting jobs in the field. Their great IDEALS cause the post office to lose millions, potentially billions of dollars. Management is doing everything within their power to reduce our workforce. We are in a fight. The Postal Service is no longer a safe and secure environment to work in. It's up to each and every one of us to join together, and as I always say, fight for our rights, our dignity, and our jobs.

We the union members are one entity that must stand together. A union member is a union brother or sister, we are a family and our fate is tied together. Any non-member does not deserve the protection, wages, benefits or job security of a union contract. If you know a non-member sign them up

and you will receive \$50 for being a union organizer. Please get involved in your local union. Come to the union meeting. Let's back each other; be a morale supporter in these depressing times. Let's stay positive in our lives as well as our work place. Show genuine concern for one another. There is strength in numbers; every dues paying member is the UNION. Union is more than a contract or work issues. Union means togetherness, it means unity. I NEED YOU, WE NEED EACH OTHER.

## Say NO to Five Day Delivery

The position the Postal Service has taken, that it must make drastic changes to its business model in order to survive the current financial crisis, is false. The major cause of USPS financial woes are directly related to the congressionally mandated requirement, under the 2006 Postal Accountability and Enhancement Act, to pre-fund future retiree healthcare obligations to the tune of \$5 billion per year payments for the next 10 years. No

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# General Membership Meeting

**Thursday, June 17, 2010**

**7:30 p.m.**

**864 Main Street  
Darby, PA 19023**

Shuttle Service from Lindbergh  
to the  
Union Hall Available

Light Refreshments Will be Served

No Union Meeting in July or August

Following Meeting: September 16, 2010

# Healthcare Reform Legislation and You



**Stacey  
Franklin,  
Treasurer**

Hello brothers and sisters! In advance of the new federal law extending health insurance coverage for adult children, Blue Cross and Blue Shield announced on April 20, 2010 that the company will

allow the affected young adults to participate in this extension effective June 1, 2010, three months prior to the mandatory date. Healthcare reform legislation was signed into law in March 2010, and the legislation states that under the Affordable Care Act, coverage would be made available to adult children up to age 26 for plan years beginning September 23, 2010. Currently, adult children are removed from their parents insurance at the age of 22. The effective date of the legislation is the first day of the plan year that is six months following the enactment of the law. Federal employees fall under the Federal Employees Health Benefits (FEHB) Program, and the current law governing the FEHB Program prohibits the enactment of the law until January 1, 2011.

The Office of Personnel Management (OPM) reported that they are diligently working with Congress to change the existing law to enable insurance companies to offer extended coverage for federal employees at an earlier date. Under the FEHB, there is an automatic temporary 31 day extension of coverage when a child turns 22 years of age. OPM states that there is one partial solution to this problem; families can decide to continue FEHB coverage for their adult children for up to 36 months through the Temporary Continuation of Coverage (TCC) Program. Adult children can continue their coverage by enrolling as an individual in any FEHB plan, but there is no federal contribution toward the premium and there is an additional two percent administrative charge. However, the policy is not subject to underwriting or pre-existing condition exclusions. If you are interested in the TCC Program because your child will turn 22 prior to January 1, 2011, you only have 60 days from your child's 22<sup>nd</sup> birthday to notify the Human Resources Office. The USPS or your health care provider will not notify you that your child will be dropped from your insurance. To receive additional information about how this change may affect you and your family you can contact your health insurance provider, or to receive more information about the TCC program access OPM's website at ([www.opm.gov/insure/health/tcc/index/asp](http://www.opm.gov/insure/health/tcc/index/asp))

## Student Loans

There have been changes to the student loan process due to the health-care legislation that was passed around the end of March 2010. The legislation's intent is to remove banks and other private lenders from the profitable fed-

eral subsidized student loan programs. Until the legislation was passed there were two federal loan programs; the government made loans directly to students and the Federal Family Education Loan Program which enabled banks and lenders to make loans that the federal government guaranteed or insured. Effective July 1, 2010, the new law will permit the private lenders to continue to make loans, but the federal government will not subsidize the loans.

Supporters of the bill affirm that since the government does not have to provide the banks with unnecessary subsidies, they can now give that money directly to the students in the form of Pell Grants, grants that do not have to be repaid. This new law can reduce the student's tuition expense and minimize the burden for some graduates that have to repay loans upon graduation.

The new legislation is projected to save the government \$61 billion over ten years and will also forgive the loans after 20 years of repayment, instead of the current 25 years of repayment. Students with low incomes and large loan balances currently don't have to pay more than 15% of their incomes each month to repay student loans. The new law will lower that amount to 10%. The bill expands the maximum amount of grants, will assist with other college programs, and \$10 billion will be used to reduce the federal budget deficit.

## Youth Summer Information

The School District of Philadelphia is offering a free expanded summer program that includes instruction and enrichment courses titled, Summer Learning And More (SLAM). Students of all ages can participate in the program and there is space for 50,000 students. Children will participate in reading, math, creative writing, art, music, physical education, and other activities. The program runs from June 29<sup>th</sup> - July 28, 2010 and they also offer an extended school year program that ends on August 12, 2010. If you would like to receive more information about this program or other youth programs you can access the City of Philadelphia's website ([www.phila.gov](http://www.phila.gov)) and click on the link for Youth Programs.

Philadelphia Department of Parks & Recreation is offering a summer neighborhood day camp for children ages 5-12 in neighborhoods throughout the city. The program runs from July 6<sup>th</sup> - August 13, 2010. For more information

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# Here's the Deal

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other federal agency or private company bears this burden, not even Congress.

According to National APWU President Bill Burrus, five-day delivery would lead to the demise of the Postal Service. The union feels that five-day delivery would weaken the USPS, erode public confidence in the institution, cause delays in the delivery of bills, payments and medication and make the USPS less relevant, not more efficient.

Five-day delivery could also open the door to privatization, as private couriers would demand the opportunity to fill the void created by no delivery on Saturday. The main concern of the APWU is that we want to protect the right of every citizen, including those without computer access, to continue to receive high-quality mail service. We want to protect the vitality of the USPS for future generations.

Many of the USPS financial problems have been brought on by the poor policies of Postal management. A prime example is giving excessive work sharing discounts to major mailers. These discounts are given to mailers who pre-sort and pre-barcode their mail, but the discounts given to them exceed the costs the USPS avoids, in other words it would be more cost-effective for postal workers to do the work. The APWU has offered to process mail for 10.4 cents per letter – less than the discount offered to major mailers who pre-sort and pre-barcode mail; management has yet to respond to the union's offer.

What we need is for every member to spread the word. Tell your friends and family why five-day delivery is the wrong decision and encourage them to contact their elected officials about it too. When the union calls on you to come out in support at a demonstration, come out in force and make your voice heard. You must be willing to fight for your job, your way of life.

## National APWU Bargaining Committee Appointed

Appointments to the National APWU Rank and File Bargaining Advisory Committee have been made by President Bill Burrus.

It is with great pride that I am able to report that I have been appointed to the National Rank and File Bargaining Advisory Committee by National President Bill Burrus, upon the recommendation of the National Director of Industrial Relations and former Philadelphia Local President Greg Bell. It is truly an honor to serve our membership in this capacity and I look forward to doing the job.

The purpose of the committee, in accordance with the Constitution, shall be to recommend and advise the National Negotiating Team on bargaining demands. The National Negotiating Team has the full authority to negotiate the

terms of any collective bargaining agreement. If the majority of the voting members of the National Rank and File Committee vote against acceptance of a proposed agreement the contract will not be sent out on referendum, and the National Negotiating Team would have to re-open negotiations.

## Primary Election

In the May 18<sup>th</sup>, 2010 Democratic Primary, the APWU- Philadelphia Area Local, along with numerous other APWU Locals, endorsed Joe Sestak for Senate and the awesome news is that our candidate won!

We endorsed Sestak and continue to do so for the general election this November because he is the right man for the job. He has come out opposing station closures and he is in strong opposition to the Postal Service's 5-day delivery proposal. In fact, he is a co-sponsor of House Res. 173 which opposes 5-day delivery.

As a Congressman he fought by our side, and as a Senator he will be an even stronger ally of Postal Labor! Joe Sestak is worthy and deserving of this position based on his ability, work ethic and voting record on behalf of working people. Come this fall we will need to do our part to support and help get Sestak elected, whether it is at phone banks, talking to fellow labor members or talking to family and friends to urge their support for Sestak.

APWU members can best advance their interests and the interests of the entire labor movement by supporting and voting for Joe Sestak in November. □



photo by Drew Stevenson

National Director of Industrial Relations and former Local President Greg Bell poses with the Philadelphia PA Area Local Delegation to the Pennsylvania Postal Workers Union Convention.

# Lawsuit Settled on Medical Records



**Gene Chieffo,**  
**Director of**  
**Industrial**  
**Relations**

The APWU and the NALC have entered into a settlement agreement with the Postal Service and the USPS Office of Inspector General (OIG) that imposes significant new restrictions on OIG

agents and postal inspectors when they seek to obtain confidential medical information about employees from the employees' doctors. The joint law suit was filed in an effort to stop coercion when investigators seek information and imposes tougher restrictions on OIG agents and Postal Inspectors when they try to access an employee's restricted medical information.

The restrictions imposed by this settlement should prevent OIG agents from intimidating and coercing doctors and other providers who would otherwise choose to maintain the confidentiality of sensitive information even more significantly. The settlement will ensure that union advocates can prevent the Postal Service from using improperly obtained information as evidence against employees in arbitration cases as well.

## Background

The APWU and NALC filed a joint lawsuit against the Postal Service and OIG in January 2008 in federal court in New York City, seeking to stop OIG agents from obtaining confidential medical information about employees without their knowledge or consent during the course of investigations of alleged workers compensation or sick leave fraud.

The settlement agreement, which goes into effect 60 days after execution, recognizes that under federal law OIG agents and Postal Inspectors may, under certain circumstances, seek to obtain relevant information from an employee's health care provider without the employee's consent as part of a legitimate investigation of suspected fraud or other misconduct. However, the agreement requires OIG agents and Postal Inspectors, before interviewing an employee's health care provider, to give the health care provider a form letter, negotiated by the parties, that explicitly states that the health care provider "is not required to speak" about the employee's health information to the agent or inspector.

The letter also tells the health care provider that he or she "may take as much time as necessary" to decide whether to discuss the employee's health information and may consult with whomever he or she chooses, other than the employee, in making that decision. The letter also requires the agent or inspector to identify, in writing, the specific information sought and to provide a written explanation of how that information is relevant and material to a legitimate law enforcement investigation.

The settlement further provides that any in-

formation obtained from a health care provider without complying with the stated requirements may not be used by the Postal Service for any purpose, including discipline or discharge of the employee, and will not be admissible as evidence in any arbitration involving the discharge or discipline of the employee. □

## Healthcare Reform Legislation and You

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visit ([www.phila.gov/recreation](http://www.phila.gov/recreation))

The Philadelphia Housing Authority (PHA) offers summer employment for children ages 14 - 21 years old who will work with the Summer Food Program. The Summer Food Service Program is operated at more than 25 PHA sites in the city and provides breakfast and lunch to children ages 5 -18 years old. For more details about employment call (215) 684-1196. Additionally, the Philadelphia Youth Network - WorkReady, provides job placement to Philadelphia youths ages 14-21, enabling them to gain work experience, work-readiness skills, and serve their community while earning a salary. Participants work 120 hours over a period of 6 weeks. For more information call the WorkReady Philadelphia Youth Hotline at (215) 502-3742 or you can apply directly online at [www.summerapp.workreadyphila.org](http://www.summerapp.workreadyphila.org).

If you are a resident of New Jersey and are interested in finding summer camp information, visit [www.kidscamps.com/camps/new-jersey-day-camps.html](http://www.kidscamps.com/camps/new-jersey-day-camps.html). If you are a resident of Delaware and interested in viewing summer camp information, please feel free to visit [www.mysummercamps.com/camps/delaware-summer-camps.html](http://www.mysummercamps.com/camps/delaware-summer-camps.html). Residents of Philadelphia and the surrounding areas seeking summer camp information can visit [www.mysummercamps.com/camps/pennsylvania-summer-camps.html](http://www.mysummercamps.com/camps/pennsylvania-summer-camps.html). Have a safe and healthy summer! In solidarity! □

# Proposed Constitutional Changes

The following proposed changes to the Philadelphia PA Area Local Constitution will be voted on at the June General Membership Meeting. It will take a 2/3 majority vote of members present at the meeting to pass the proposed changes.

THESE CHANGES WILL TAKE EFFECT ONCE THEY ARE PASSED

## PROPOSED CONSTITUTIONAL CHANGE TO ARTICLE XIII – Meetings

### PRESENT LANGUAGE

ARTICLE XIII – Meetings

Section 1.

This Local union shall meet on the third Thursday of each month, except July, August and December, at such time and place as the Executive Board may decide. Fifty (50) members present shall constitute a quorum. A meeting date, time and place may be changed at a membership meeting and/or by the Executive Board by a majority vote of the members.

### PROPOSED LANGUAGE

ARTICLE XIII – Meetings

Section 1.

This Local union shall meet on the third Thursday of each month, except July, August and December, at such time and place as the Executive Board may decide. **Thirty (30) member** present shall constitute a quorum. A meeting date, time and place may be changed at a membership meeting and/or by the Executive Board by a majority vote of the members.

## PROPOSED CONSTITUTIONAL CHANGE TO ARTICLE VII, SECTION 2 - VICE PRESIDENT

### PRESENT LANGUAGE

Article VII, Section 2, Vice President

The Vice President shall work under the direction of the President. The Vice President shall perform the duties of the President in case of his/her absence or inability to attend to the duties of his/her office. He/She shall be chairman of the Organization Committee and Safety and Health Committee under the direction of the President. He/She shall, under the direction of the President, coordinate this Local's Research and Education Programs. He/She shall direct the Craft Directors of this Local in regard to organizing. He/She shall coordinate the safety and health programs of the Craft Directors and represent the Local at the quarterly Labor Management Safety and Health Meetings. He/She shall be a representative of this Local at Labor Management Meetings and a member of the Local Negotiating Team. He/She shall work with the Director of Industrial Relations in the processing of grievances. He/She will, in the absence of the President, or Treasurer, countersign all checks drawn by this Local. He/She shall be a full-time officer. He/She shall be paid for his/her lost time, plus \$6,500.00 per annum and all necessary official Union expenses.

### PROPOSED LANGUAGE

Article VII, Section 2, Vice President

The Vice President shall work under the direction of the President. The Vice President shall perform the duties of the President in case of his/her absence or inability to attend to the duties of his/her office. He/She shall be chairman of the Organization Committee and Safety and Health Committee under the direction of the President. He/She shall, under the direction of the President, coordinate this Local's Research and Education Programs. He/She shall direct the Craft Directors of this Local in regard to organizing. He/She shall coordinate the safety and health programs of the Craft Directors and represent the Local at the quarterly Labor Management Safety and Health Meetings. He/She shall be a representative of this Local at Labor Management Meetings and a member of the Local Negotiating Team. He/She shall work with the Director of Industrial Relations in the processing of grievances. He/She will, in the absence of the President, or Treasurer, countersign all checks drawn by this Local. **He/She shall be a part-time officer.** He/She shall be paid for his/her lost time, plus \$6,500.00 per annum and all necessary official Union expenses.

## PROPOSED CONSTITUTIONAL CHANGE TO ARTICLE VII, SECTION 5 - TREASURER

PRESENT LANGUAGE

## Article VII, Section 5. Treasurer

The Treasurer shall work under the direction of the President. The Treasurer shall perform the duties of the Vice President in case of his/her absence or inability to attend to the duties of his/her office. The Treasurer shall receive and deposit all monies of this Local and give receipt for the same to the President. He/She shall administer the Manual Dues Collection Program, maintaining a list of all official collectors. He/She shall maintain an up-to-date mailing list. He/ She shall keep a correct account between the Union and its members, notifying members when not in good standing. He/She shall maintain an up-to-date record of all Annual Leave used by the full-time officers and office staff. He/She shall compute payments due for the Accident Benefit Association and verify refund of per capita from the National Office. His/Her records shall determine the member's good standing. He/She shall pay all bills sanctioned by the Local Union upon presentation of the voucher signed by the President. He/She shall prepare all vouchers authorizing disbursement of monies from the Local Treasury for approval by the President. He/She shall keep a regular and systematic book of accounts and shall be ready to submit to an examination of same whenever desired by the Trustees. He/She shall submit the books of the organization to an attested public accountant, who has been approved by the Executive Board, at the close of each fiscal year and a report of the accounting shall be verified by the Trustees. A summarized financial statement will be published in the Local's newspaper the month following receipt of the certified public accountant's report. He/She shall keep account of Social Security records of all officers. He/She shall submit a quarterly list of manual dues members along with per capita to the National Office. He/She shall be responsible for filing all tax returns that are due and payable for this Local. He/ She shall, at the close of his/her term of office turn over to his/her successor all monies, books, papers and documents belonging to the Local Union. He/She shall be a full-time officer. He/She shall be paid for his/her lost time, plus \$6,500 per annum and all necessary official Union expenses.

PROPOSED LANGUAGE

## Article VII, Section 5. Treasurer

The Treasurer shall work under the direction of the President. The Treasurer shall perform the duties of the Vice President in case of his/her absence or inability to attend to the duties of his/her office. The Treasurer shall receive and deposit all monies of this Local and give receipt for the same to the President. He/She shall administer the Manual Dues Collection Program, maintaining a list of all official collectors. He/She shall maintain an up-to-date mailing list. He/ She shall keep a correct account between the Union and its members, notifying members when not in good standing. He/She shall maintain an up-to-date record of all Annual Leave used by the full-time officers and office staff. He/She shall compute payments due for the Accident Benefit Association and verify refund of per capita from the National Office. His/Her records shall determine the member's good standing. He/She shall pay all bills sanctioned by the Local Union upon presentation of the voucher signed by the President. He/She shall prepare all vouchers authorizing disbursement of monies from the Local Treasury for approval by the President. He/She shall keep a regular and systematic book of accounts and shall be ready to submit to an examination of same whenever desired by the Trustees. He/She shall submit the books of the organization to an attested public accountant, who has been approved by the Executive Board, at the close of each fiscal year and a report of the accounting shall be verified by the Trustees. A summarized financial statement will be published in the Local's newspaper the month following receipt of the certified public accountant's report. He/She shall keep account of Social Security records of all officers. He/She shall submit a quarterly list of manual dues members along with per capita to the National Office. He/She shall be responsible for filing all tax returns that are due and payable for this Local. He/ She shall, at the close of his/her term of office turn over to his/her successor all monies, books, papers and documents belonging to the Local Union. **He/She shall be a part-time officer.** He/She shall be paid for his/her lost time, plus \$6,500 per annum and all necessary official Union expenses. □

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# Watt a Shocker

## OSHA Investigation Results in \$217 Thousand in Fines

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lated tools or voltage regulated tools.

The APWU remains committed to the safety of our members in the workplace and will continue to remain ever vigilant in our efforts to secure a safer workplace for all.

### A National Safety Problem

In a news article posted on the National APWU's web site dated May 11, 2010, it was stated that the USPS was cited for a third set of safety violations in one week and fines now total nearly one million dollars. Issuing its third set of citations in less than a week, the Occupational Safety and Health Administration (OSHA) charged the USPS with five counts of willful safety violations in Bedford Park, IL on May 5.

The Postal Service willfully exposed employees to hazards associated with live electrical parts OSHA said. Postal workers were found working on live machinery with more than 480 volts of electricity without being provided nonconductive head protection, voltage-rated gloves, flame resistant clothing or face shields to prevent injury from electric arcs. In addition, employees were not properly trained to work on machines.

OSHA issued the Postal Service \$210,000 in fines for

knowingly exposing employees to the risk of electric shock. The most recent citations follow OSHA fines of more than \$500,000 dollars in Providence, RI and more than \$200,000 in Denver, CO for similar electrical safety violations.

The history behind the recent news of OSHA issuing citations and fines to the U.S. Postal Service for "willful" safety violations stems from the efforts of the American Postal Workers Union to seek compliance with OSHA Subpart S - Electrical Standards in postal facilities throughout the country.

In October 2009, hundreds of APWU locals across the country filed formal complaints with OSHA in a nationally coordinated effort, seeking compliance from the Postal Service on this issue. The APWU takes the safety and health of our members extremely serious and will continue to hold management accountable for all safety violations. □

