



# National Association of Letter Carriers

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## Statement from President Fredric V. Rolando

As the situation surrounding the outbreak of the coronavirus (COVID-19) continues to evolve, NALC has been working around the clock with allies in both parties to secure financial appropriations for the Postal Service similar to that being proposed by Congress for the airlines and other hard-hit industries, to deal with the huge loss of mail volume we're experiencing as our economy is shutdown to fight the Covid-19 pandemic.

Unfortunately, negotiations between the House, Senate and administration have been unsuccessful in obtaining an appropriation for USPS in stimulus efforts. However, it appears this morning the parties may be approving an additional \$10 billion in borrowing authority in this stimulus package. Please check the NALC website for final details in the future. We will continue to fight this battle to secure the long-term viability of the Postal Service as its services are needed more than ever. Right now we are delivering notices for the decennial census, CDC pamphlets for households, and a large volume of e-commerce products at a time when retail options are limited. Soon we will likely handle the distribution of Treasury stimulus checks, home virus testing kits and a surge of absentee ballots later this year. We will keep you posted.

However, the main focus of this communication concerns the health and safety of letter carriers. NALC continues to have constant communication with Postmaster General (PMG) Megan Brennan and other management officials regarding the Postal Service's overall efforts related to the outbreak and specific issues related to letter carriers. Previously, I asked letter carriers to communicate with their NALC branch officers or national business agent if they see problems in their office with lack of cleaning, shortage of sanitizing supplies, standup talks not being conducted, or any instruction that conflicts with the guidance being provided by the Centers for Disease Control and Prevention (CDC). We have received many reports regarding these issues, and we are currently working on each of them with USPS officials.

It is extremely important that issues in each office are promptly reported so they can be addressed. Each NBA office is reaching out to each branch to gather this information. USPS has committed to provide daily supplies necessary for postal employees to clean frequently touched items in the office as well as provide necessary supplies for letter carriers to use to clean steering wheels and other frequently touched surfaces in postal vehicles. They have also committed to provide supplies for use while on the street, such as hand sanitizer and cleaning supplies to maintain cleanliness on surfaces in the vehicle and on other surfaces we encounter on the street. They have also committed to provide masks and nitrile gloves for any employee that requests them. We have received almost 3,000 reports from all over the country regarding these issues. In some places, all of these things are being done. However, in too many places they are not. These reports allow us to communicate the shortfalls with USPS on a daily basis so they can ship the products to the areas that need them the most as they receive them.

In the places where there are not enough supplies, or none at all, it is generally due to the overall shortage of these items throughout the country. USPS has been working to acquire more items, even authorizing local managers to purchase them if they could be found. USPS has also told us that letter carriers will soon be authorized to use their credit card (normally used to purchase fuel for postal vehicles) to purchase necessary supplies where available. Today, the Postal Service informed me it received a large shipment of hand sanitizer yesterday (March 23, 2020), and those items have already been sent out to the field to fill orders. Another large shipment is due to arrive tomorrow (March 25, 2020). Those items will also be distributed to the field immediately.

Letter carriers should also take action locally regarding these types of issues. 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 their supervisors. It also outlines what management is required to do to investigate

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and take corrective action to abate the hazard. 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.

All facilities should be adequately cleaned at least daily. Such cleanings should include sanitizing their case ledge, time clocks, scanners, vehicles, and all frequently touched surfaces. If this is not being performed by maintenance personnel then USPS should be providing letter carriers with the supplies to do it and protect themselves. If this is not being done and any letter carrier feels that it is unsafe to work at a case, in a vehicle or any other place, a report of the condition should be completed on PS Form 1767 with their immediate supervisor and request an inspection of the alleged condition. If the employee desires anonymity, they 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 keep the reporting employee's identity anonymous. Letter carriers may also report the alleged unsafe condition to a steward, 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 PS Form 1767 and one copy to the next appropriate level of management. It is also required that the employee receive a copy signed by the supervisor 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.

Letter carriers should put the responsibility of correcting these types of situations on their supervisors – it is their responsibility. If the situation is not corrected, we should be asking those supervisors what they would like us to do until it is resolved. If you are given other duties that are safe to perform while the hazard you reported is being corrected, you should follow that instruction. If you are instructed to work in the unsafe condition prior to it being corrected, immediately ask to speak to your shop steward. If your steward is not available, ask to contact a branch officer or NBA. Letter carriers should always insist on being provided a workplace that is as safe as possible, but the importance of cleanliness and sanitization is even more heightened as we work through this very tough time. The Postal Service has stated "Employees who do not feel safe working in the facility may be allowed to take emergency annual leave or leave without pay, to the extent feasible. The Postal Service will follow a liberal leave usage policy for employees." If you choose to take leave or leave without pay in this circumstance, please inform your shop steward or branch officer so any possible violation(s) of the collective bargaining agreement or applicable MOUs can be investigated.

In the past week, USPS headquarters has distributed several additional mandatory stand-up talks to be given in every post office across the nation. Such topics include guidance on social gatherings, customer interaction for carriers, keeping your vehicle clean, and the new customer signature capture process. These standup talks are posted on the safety and health page of NALC's website.

We worked with USPS to establish alternate delivery instructions to eliminate customer contact for mail that requires customer signatures. To reduce health risks associated with this, USPS has temporarily modified customer signature capture procedures for the Mobile Delivery Device (MDD) sign-on-glass feature, PS Form 3811 (Domestic Return Receipt), PS Form 3849 (We ReDeliver for You), and any hard-copy receipt items usually signed by customers. The following process now applies to all letter carriers:

- Avoid ringing the doorbell when possible. Knock on the customer's door. Avoid areas that may be frequently touched when knocking.
- While maintaining a safe, appropriate distance, request the customer's first initial and last name.
  - Using the MDD, scan the mail piece barcode, select Delivered and answer the prompted questions. Enter the customer's first initial and last name when prompted for name.
  - When prompted for the customer to sign the MDD's screen, employees are to print their own initials (not a signature), route number and notate C19 on the screen in lieu of the customer's signature.
  - For Return Receipts and other hard copy items, enter the customer's first initial and last name in the Signature box of the form.
- For PS Forms 3811 and 3849, employees are to print their own initials (not a signature), route number and notate C19 in the "Received by" or "Printed Name" section, dependent on the form. With the PS Form 3849, scan the completed form following the normal process to finalize the delivery.
- For increased safety, politely ask the customer to step back a safe distance or close the screen door/door so you may leave the item in the mail receptacle or appropriate location by the customer door.
- If there is no response, follow the normal Notice Left process.
- If there are delivery points on your route where social distancing recommendations are difficult to follow, please advise your supervisor so alternative delivery methods can be explored.

In addition to this new signature capture process, letter carriers should practice Centers for Disease Control and Prevention (CDC) recommended social distancing from customers.

In the past week, NALC and USPS have agreed upon several memorandums of understanding or agreement due to the COVID-19 pandemic. Each of these agreements are available on the NALC website on the Materials Reference System (MRS) page. As I previously reported, memorandum of understanding (MOU) with USPS (M-01910) allows career letter carriers to use sick leave for dependent care to care for a child as the result of a closed daycare, school or the unavailability of the child's primary caregiver due to the COVID-19 pandemic. Also, an MOU (M-01911) with USPS gives city carrier assistants an additional 80 hours of paid leave to use (since CCAs do not earn sick leave) in connection with certain reasons resulting from the COVID-19 pandemic. Since then, NALC and USPS entered into two more agreements.

NALC and the Postal Service agreed to a temporary time limit extension on Step B and arbitration appeals on March 20, 2020 (M-01912). The parties agree that time limits for appealing grievances to Step B of the grievance-arbitration procedure and appeals to arbitration will be extended for a period of 30 days beyond those specified in the National Agreement. This time limit extension only applies to grievances that would have been timely filed or appealed on or after the signature date of this agreement. The agreement expires on April 19, 2020, however the parties will revisit this issue immediately prior to that date to determine if an extension is appropriate.

NALC and the Postal Service also agreed to an MOU (M-01913) on March 23, 2020, instituting the use of Employee and Labor Relations Manual (ELM) Section 432.53, City Letter Carriers (7:01 Rule). A full-time city letter carrier who actually works more than 7 hours but less than 8 hours of a regular scheduled day will, upon his/her request, be officially excused from the completion of the 8-hour tour and still credited with 8 hours of work time for pay purposes. Any hours not worked between the seventh and eighth hour of a regular scheduled day pursuant to ELM 432.53 are included in an employee's regular rate of pay pursuant to ELM 443.212.g. The agreement lasts for 60 days, however the parties will revisit this issue immediately prior to its expiration to determine if an extension is appropriate.

Also recently added to the MRS page of the NALC website is a letter (M-01914) from Postal Service Vice President, Labor Relations Doug Tulino to the management in the field regarding recent agreements, leave policy and approval of requests for changes of schedule due to childcare needs related to the COVID-19 pandemic. The letter states that in addition to allowing Sick Leave for Dependent Care, for the next 60-day period, managers and supervisors should allow liberal changes of schedule in recognition of the disruption caused by the COVID-19 pandemic. To the extent operationally practicable, managers and supervisors should accommodate employees who submit PS Form 3189, *Request for Temporary Schedule Change for Personal Convenience* as a result of childcare issues caused by daycare closures, school (Pre-K through Grade 12) closures, or the unavailability of a child's primary caregiver as a result of the COVID-19 pandemic. Managers and supervisors should also allow liberal sick leave usage for employees and liberal annual and leave without pay (LWOP) usage to the extent operationally feasible during this time period. If an employee requests leave for reasons related to COVID-19, such leave should be treated as scheduled (as opposed to unscheduled) leave. Leave taken for COVID-19 related reasons between February 29, 2020, and May 17, 2020, may not be cited in discipline for failing to maintain an assigned schedule under ELM 511.43.

We are still working on addressing the issue of newly converted employees to career status not having accumulated leave to deal with the issues caused by the COVID-19 pandemic. We are also working on staggering starting times for letter carriers to better accommodate the need for social distancing. There are other fast-developing issues that we continue to discuss with USPS. I hope to have agreements in place on these and other issues soon.

As the number of confirmed positive coronavirus cases have increased throughout the general public, so too have been the number of postal employees who have tested positive. So far, 51 USPS employees have tested positive for COVID-19, nearly 2000 are in quarantine, and about 150 have returned to work from quarantine. About half of the postal employees are quarantined by order of public health officials and half have chosen to self-quarantine.

When an employee tests positive, we have seen a consistent series of steps take place. First, the healthcare provider reports it to the CDC, who then confirms the positive test. The CDC then forwards the information to the appropriate public health officials in that area to investigate and instruct affected people on what action should be taken to protect the public health. In these situations, public health officials have evaluated those employees' activities and interactions with others and determined which employees and others should enter a quarantine period. Eligible employees identified by public health officials are being paid administrative leave for the quarantine period. In the event you are contacted by a local public health official and identified as someone who may have had contact with an individual who has tested positive for coronavirus, please immediately inform your supervisor and local NALC branch officer as a means to protect your coworkers and community.

When there is a suspected positive test or exposure to the coronavirus in an office, but has not yet been confirmed by the CDC or addressed by public health officials, the question is what should other employees do? If you reasonably believe you have been exposed, at work or at any other location, you may choose to self-quarantine and use sick leave for the quarantine period. In this case, you should immediately contact your healthcare provider, follow the instructions you receive, and stay home until you are cleared to return to work.

In many cities and states, government authorities have identified groups of people that should self-quarantine, such as individuals over a certain age. While the Postal Service is considered mission critical and not subject to state and local directives, employees that choose to self-quarantine in these circumstances may use sick leave for the quarantine period.

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I am again asking for your help spreading the information in this statement to your fellow employees. Making sure all letter carriers have this information is very important. I also ask you to communicate issues in your office to your shop steward, branch officers or your NBA's office.

Following the CDC's recommendations is important for everyone, but particularly for mission-critical public servants like us that are out working every day. Please do everything you can to protect yourself, your family, your coworkers, and your customers.

Thank you again for your dedicated service to your customers and each other. Again, if you have any questions or issues to report, please contact a branch officer or your national business agent.