

RIGHTS IN HAZARDOUS WEATHER/UNSAFE CONDITIONS

YOUR MOST BASIC AND IMPORTANT RIGHT IS TO A SAFE WORK ENVIRONMENT!

Generally speaking, management has a right to manage and we have a responsibility to follow their instructions. This is true even when the carrier believes the instruction to be in direct violation of the contract. This is often referred to as the “obey now, grieve later” rule, and almost always is the correct reaction to an instruction. However, there are two cases in which a carrier can respectfully inform management that they will not follow their order. One, if the instruction, were it to be followed, would result in you committing a crime, or two, if you believe that you would then be in imminent harm or danger if you followed the instruction.

The following outlines what to do in the event of the imminent harm or danger scenario:

“Imminent” means that it’s more likely to happen than not, or impending. It’s a matter of when it will happen, not if it will happen. In these situations, the circumstances are such that you strongly believe if you were to follow the instruction that you would be injured.

When you are given such an instruction, you must:

Immediately and respectfully tell your supervisor or manager that you believe you must decline the instruction, as you believe that to follow it would lead to your imminent harm or danger. Be explicit about what unsafe conditions will exist if the instruction is followed. (*It is very helpful to make sure you have a credible witness to this conversation)

If you believe it is possible, offer to modify the instruction to eliminate the unsafe condition. If they are unwilling to modify the instruction, then request and complete a PS form 1767 (hazardous condition report) and submit it to your supervisor.

When possible, complete other USPS forms (PS Form 1571, mail curtailment form, PS Form 3971, request for leave form)

DO NOT LET EMOTIONS ESCALATE THE TONE OR CONTENT OF YOUR ACTIONS.

Take notes immediately to document the circumstances of the situation. Note what is said and who is saying it, especially as it relates to the instruction you are given.

Inform other carriers of their right to decline such an order. Make sure to highlight the point of being respectful. Try to ensure that the situation does not get volatile and that carriers don’t feel threatened by the debate itself. Use a witness, but take it off the floor if possible.

Call the Branch office for advice and instructions on how to proceed.