

8 Safety and Health

Revision and Reference Note:

Subchapters 810, *Occupational Safety and Health*; 820, *Accidents, Program Evaluations, Safety Inspectors*; 830, *Motor Vehicle and Industrial Safety*; and 860, *Medical Services*, are currently under revision. When they are completed and appropriate advance notice obligations are fulfilled with the management associations and/or the unions, changes will be published in the *Postal Bulletin*, incorporated in the ELM on the Postal Service Corporate Intranet, and included in the next hard copy issue of the ELM.

Many of the changes in 810, 820, and 830 are the result of the recent passage of the Postal Employee Safety Enhancement Act (PESEA). Substantial changes in 860 will describe the Postal Service's National Medical and Occupational Health Program.

Handbook EL-802, *Executive's and Manager's Safety Compliance Guide*, and several memorandums have been distributed that provide policy or procedural changes as a result of PESEA. Listed below are subchapters affected by PESEA, a brief discussion of the major changes that will be made when the ELM is updated, and documents where the latest policy is located. Directives related to Safety can be found on the Postal Service Corporate Intranet, both on the "Policies and Procedures" homepage at <http://blue.usps.gov/cpim> and on the "Human Resources" homepage at <http://blue.usps.gov/hrisp>.

- 810, *Occupational Safety and Health*
 - 811, *Administration*, will include a reference to PESEA and Handbook 802, will provide a vision statement and the Postal Services' guiding principals, and will include a statement on management's commitment, involvement, and accountability with regard to PESEA (refer to Handbook EL-802).
 - 813, *Safety and Health Staff Responsibilities*, will add a section on responsibility for managing Occupational Safety and Health Administration (OSHA) citations and OSHA 200 logs and will add language referencing the use of Safety Toolkits (refer to Handbook EL-802 and October 5, 1998, memorandum from the vice president of Human Resources on interim guidance on PESEA).

- 814, *Employee Rights and Responsibilities*, will include minor changes on structuring of Executive Safety and Health Committees (refer to June 8, 1999, memorandum from the chief operating officer on management's commitment, involvement, and accountability for safety and health).
- 817, *Training and Education*, will add need to stress safety professional training and OSHA compliance training and the requirement for posting OSHA Poster 2203 (refer to Handbook EL-802 and June 7, 1999, memorandum from chief operating officer (COO) on training for safety professionals).
- 820. *Accidents, Program Evaluations, Safety Inspectors*
820 will provide numerous changes to ensure compliance with OSHA recordkeeping requirements (refer to March 1999 memorandum from vice president of Human Resources on OSHA recordkeeping.)
 - 824, *Program Evaluations*, will explain major changes in program evaluations and introduce a new program evaluation guide (refer to Handbook EL-802 and April 9, 1999, memorandum from the vice president of Human Resources on safety and health evaluations).
 - 825, *Safety and Health Inspections*, will reference the Safety Toolkit as an inspection tool (refer to Handbook EL-802).
 - 826, *Announced or Unannounced Inspection of Postal Facilities by OSHA Personnel*, will reflect changes in the procedures dealing with OSHA referrals and inspections as a result of PESEA (refer to Handbook EL-802).
- 830, *Motor Vehicle and Industrial Safety*
Subchapter 830 will include the training for powered industrial trucks (refer to Employee Development Course 52503); the requirement that design and construction must meet OSHA standards and that contractor safety must be ensured through contracting procedures and supervision (refer to Handbook EL-802).

810 Occupational Safety and Health

811 Administration

811.1 Authority

The Postal Service is subject to section 19 of Public Law No. 91-596, the Occupational Safety and Health Act of 1970 (OSHA). This law directs the Postmaster General to establish and maintain an effective, comprehensive occupational safety and health program consistent with the standards of the act.

811.2 Records Retention and Disposition

For retention and disposal instructions for records and forms referenced in subchapters 810-850, refer to the following items in Appendix A:

- a. Item 35 for Accident Report Records.
- b. Item 36 for Safety Investigative Board documents.
- c. Item 38 for Safety Program Evaluations, Inspection Checklists, and other administrative papers.
- d. Item 40 for OSHA Inspection Reports and Letters concerning corrections and violations.
- e. Item 41 for Accident Studies.

811.3 Safety Philosophy

It is the position of the Postal Service that:

- a. Any injury can be prevented. This goal is realistic, not just theoretical. Supervisors or managers having primary responsibility for the well-being of employees must fully accept this principle.
- b. Management, which includes all levels through the initial-level supervisor, is responsible and accountable for the prevention of accidents and control of resultant losses. Just as the line organization is responsible for attaining production levels, ensuring quality of performance, maintaining good employee relations, and operating within cost and budget guidelines, supervisors and managers must likewise accept their share of responsibility for the safety and health of employees.
- c. It is possible to safeguard against all operating exposures which can result in accidents and injuries. It is preferable to eliminate the sources of danger. However, where this is not practical, management must use protective measures such as machine guards, safety devices, personal protective equipment, and administrative actions.
- d. All employees must be trained in proper work procedures and must be educated to work safely and to understand that they are responsible for doing so. Management is responsible for the adequate safety training and education of employees. However, all employees must be

convinced that they are responsible for working safely, and that in doing so, they benefit not only their organization but themselves in a very real way.

- e. It is good business from the standpoint of both efficiency and economy to prevent personal injuries on and off the job. In addition to humanitarian considerations, injuries cost money and reduce efficiency.

811.4 **Safety Policy**

It is the responsibility of management to provide safe and healthful working conditions in all postal-owned and postal-leased installations, educate all employees in safe work practices, and ensure that all employees work safely. Safety is an integral part of all managers' responsibilities.

811.5 **Safety and Health Objectives**

All employees must work together to ensure full compliance with the safety and health program objectives, which are:

- a. Maintaining safe and healthful working conditions.
- b. Adhering to proper operating practices and procedures to prevent injury and illness.
- c. Understanding and observing all safety and health regulations.

811.6 **Private Sector Workplace**

Postal employees who perform postal duties in establishments of private employers are covered by the Postal Service Safety and Health Program. Safe and healthful working conditions must be assured by administrative controls, personal protective equipment, or withdrawal of the employees from the private sector facility, if necessary, to assure they are protected.

812 **Responsibilities**

812.1 **Headquarters**

- 812.11 The Postmaster General is responsible for the establishment and maintenance of an effective, comprehensive occupational safety and health program that provides employment and a place of employment free from recognized hazards that are likely to cause death or serious physical harm.
- 812.12 Officers of the Postal Service are delegated the authority and responsibility to ensure safe and healthful working conditions and practices within their functional areas.
- 812.13 The vice president of Human Resources is the "Designated USPS Safety and Health Official" and is delegated the authority and responsibility to administer and evaluate the safety and health program.

812.2 Area Offices

812.21 Area vice presidents are responsible for reviewing division objectives, goals, plans, and safety performance within their areas of responsibility.

812.22 Area Human Resources managers are responsible for monitoring the field divisions' safety and health performance in conformance with national policy and direction.

812.3 Installation Heads

Area managers, postmasters, plant managers, postmasters, and installation heads are responsible for the operational safety and for the safety performance of employees within their areas of responsibility. This includes the development of accident reduction goals and objectives. They must budget, plan, organize, and control operations to eliminate and prevent operational safety errors and employee performance errors.

812.4 Middle Level Managers

Middle level managers are responsible for the safety and health program planning for their operations. This includes planning accident prevention activities; reviewing accident, injury, and hazard reports; monitoring operational on-the-job safety training; and evaluating supervisory safety performance. Middle level managers coordinate activities, including the followup correction of identified safety deficiencies, with other operational managers to assist in solving safety and health problems.

812.5 Supervisors

First line supervisors are responsible for implementing action plans, monitoring employees' safety performance, and preventing operational safety errors. Specific responsibilities are listed in the Handbook EL-801, *Supervisor's Safety Handbook*.

812.6 Objectives/Action Plans

All managers with specific responsibility for the safety and health of subordinates will have specific fiscal year safety and health objectives, with accompanying action plans for their accomplishment. Action plans must list specific activities which will be taken to reduce accidents and injuries and improve safety awareness.

813 Safety and Health Staff Responsibilities**813.1 Headquarters**

The Office of Safety and Workplace Assistance will assist the vice president of Human Resources in the administration and evaluation of the safety and health program by monitoring and improving the program and related safety and health policies, procedures, and standards. To ensure that safety is integrated into all postal operations, the Office of Safety and Workplace Assistance will provide safety expertise and staff support to other

departments, offices, regions, and divisions, as necessary. The Office of Safety and Workplace Assistance will coordinate and work with other federal agencies, organizations, and professional groups on matters of safety and health.

813.2 **Area Offices**

The area Human Resources manager will assist the area vice president in the implementation of national safety and health policies, programs, and directives. This includes long-term planning and monitoring activities.

The area Human Resources manager represents the processing and distribution plant managers and customer service and sales district managers in the support and management of the safety and health program. Responsibilities include budgeting and scheduling safety and health resources, including professional development of the safety and health staff.

813.3 **Performance Clusters, Districts, Processing and Distribution Centers, and Bulk Mail Centers**

813.31 **Safety Personnel**

Safety personnel are responsible for developing, coordinating, and monitoring activities related to a comprehensive safety and health program. While the specific responsibilities of safety personnel may vary depending on the size of the organization, the number of locations, and the type of operations, the major function is that of a technical advisor and consultant to line management. To support line management, they contribute their experience, knowledge, and judgment to the formation of management's decisions which affect safety and health.

In coordination with the injury compensation and medical staff, and through the analysis of accidents statistics, hazardous condition reports, and related data, safety personnel assist the line organization in solving safety and health problems, interpreting standards and regulations, and making recommendations for improving safety and health. Safety personnel also identify and appraise accident and loss-producing conditions, practices, and trends.

813.32 **Collateral Duty Safety Personnel**

A collateral duty safety person (a manager if possible) must be assigned for those offices in which there are no full-time safety positions. Responsibilities of collateral duty safety personnel are similar to those of full-time safety personnel.

814 Employee Rights and Responsibilities**814.1 Rights**

Employees have the right to:

- a. Become actively involved in the Postal Service's Safety and Health Program and to be provided a safe and healthful work environment.
- b. Report unsafe and unhealthful working conditions.
- c. Consult with management through appropriate employee representatives on safety and health matters, i.e., program effectiveness and participation in inspection activities where permissible.
- d. Participate in the safety and health program without fear of restraint, interference, coercion, discrimination, or reprisal.

814.2 Responsibilities

It is the responsibility of all employees to:

- a. Comply with all safety and health regulations, procedures, and practices, including the use of approved personal protective equipment.
- b. Keep the work area in a safe and healthful condition through proper maintenance of property and equipment and to immediately report safety hazards and unsafe working conditions.
- c. Keep physically and mentally fit to meet the requirements of the job.
- d. Immediately report any accident or injury in which they are involved to their supervisors.
- e. Drive defensively and professionally; extend courtesies in all situations; and obey all state, local, and postal regulations when driving a vehicle owned, leased, or contracted for by the Postal Service.

815 Executive and Management Safety and Health Committees**815.1 Structure and Responsibilities****815.11 National Executive Safety and Health Committee**

(Reserved)

815.12 Area Executive Safety and Health Committees

Regional executive safety and health committees, chaired by area vice presidents, and consisting of district managers, area managers, regional chief postal inspectors, must meet at least quarterly. These committees are responsible for following objectives established by the national headquarters and/or for establishing regional objectives which will achieve national goals. The regional committees will monitor and review field division safety and health program activities and performance.

815.13 District Executive Safety and Health Committees

District executive safety and health committees, chaired by district managers, consisting of plant/BMC managers and field division directors, must meet quarterly. Their primary responsibilities are to establish division objectives, to achieve divisional goals, and to develop action plans to achieve those objectives. When necessary, the committees will develop additional action plans to improve situations not addressed at a higher level. In addition, the committees must continually assess the quantity and quality of safety and health staffing at the plant/BMC level and must monitor the quality and frequency of safety inspections and abatement activities within the division.

815.14 Plant/BMC Management Safety and Health Committees

These committees, chaired by plant/BMC managers, are composed of plant/BMC directors, postmasters of large associate offices, and plant safety, injury compensation, and medical personnel, as appropriate. They meet as often as needed, but at least once every quarter. Primary responsibilities are to implement objectives established at a higher level and to develop additional objectives to improve the local safety and health program. To achieve these objectives, the committees will review and discuss accident and injury trends, accident reports, and local safety inspection reports to identify the major safety and health problems. Based on these identified problems, the committees will develop and implement action plans — with assigned responsibilities — and measure their effectiveness. When objectives are not being met, action plans must be altered accordingly.

815.15 Other Levels

Safety and health management committees need not be established at levels below the plant, but safety and health must be a standard agenda item for regular staff meetings.

815.2 Written Minutes

Written minutes of all management meetings at each organizational level must be prepared and retained for a period of 3 years. A copy of the area, district and plant/BMC minutes must be submitted to the chairperson's immediate manager.

816 Joint Labor-Management Safety and Health Committees**Reference Note:**

For additional material concerning the subject matter found in 816, refer to:

- Article 14 of the collective bargaining agreements.

Joint labor-management safety and health committees must be established and must function in accordance with applicable collective-bargaining agreements.

817 Training and Education

817.1 Management

- 817.11 All supervisors must receive safety and health training. This training will be provided by local offices, districts, and/or Headquarters.
- 817.12 Directors and managers at the plant/BMC level and above will be provided an orientation which discusses their responsibility for:
- Safety performance.
 - Injury compensation.
 - Safety and health program elements.

817.2 Safety and Health Staff

Safety and health personnel must be provided sufficient training to enable them to carry out their basic duties and to fulfill their roles as advisors and consultants to management. To maintain their technical proficiency, safety and health personnel are encouraged to further their safety education at post-secondary educational facilities and to participate in professional safety and health related organizations, including local Field Federal Safety and Health Councils. Specialized training, not available within the Postal Service, may be authorized in accordance with 740.

817.3 Joint Labor-Management Safety and Health Committee

Each member of a local committee will receive an orientation by the Postal Service which will include:

- Responsibilities of the Committee and its members.
- Basic elements of the Safety and Health Program.
- Identification of hazards and unsafe practices.
- Explanation of reports and statistics to be reviewed and analyzed by the Committee.

817.4 Employees

All employees including casuals and part-time employees must receive a general safety and health orientation and sufficient on-the-job training to enable them to follow safe work practices, to recognize hazards, and to understand the benefits to be gained by following safe work practices. Such training must also include applicable safety rules and regulations, including any local job safety analysis for tasks assigned.

817.5 Refresher Training

Industrial and motor vehicle refresher training programs must be developed and provided as needed. Such programs must be used for correcting improper work practices before an accident results or for improvement training following an accident.

817.6 Special Emphasis Training**Reference Note:**

For additional material concerning the subject matter found in 817.6, refer to:

- Management Instruction EL-810-95-3, *Bloodborne Disease Exposure Control Plans*.
- Management Instruction EL-810-96-1, *Response to Hazardous Materials Releases*.
- Management Instruction EL-810-96-2, *Hazard Communication Programs*.

- 817.61 Special emphasis training programs must be developed and initiated by Headquarters, field divisions, and installation heads, as appropriate, in accordance with 721.22 to reduce the principal causes of accidents and injuries and occupational illnesses.
- 817.62 In installations where employees handle or transport hazardous materials, the installation head will establish a program of promoting safety awareness through communications or training, as appropriate. Such a program must include (but is not limited to) the following elements:
- a. Informational postings or pamphlets, or articles in postal publications such as regional bulletins.
 - b. Distribution of Publication 52, *Acceptance of Hazardous, Restricted, or Perishable Matter*, and Handbook EL-812, *Hazardous Material*, to employees whose duties may require acceptance or handling of hazardous or perishable items. Acceptance personnel must use Tag 44, *Sack Contents Warning*, to appropriately identify all mailbags containing hazardous materials as defined in Pub 52, so that the employee handling the mail is aware that the mailbag contains one or more hazardous materials.
 - c. On-the-job training of employees whose duties may require the handling or transportation of hazardous or perishable items. This training will include, but is not limited to: (1) hazard identification, (2) proper handling of hazardous materials, (3) personal protective equipment availability and its use, (4) cleanup and disposal requirements for hazardous materials.
- 817.63 Supervisors or managers are responsible for ensuring that personal protective equipment is available to employees who are exposed to spills and breakage of hazardous materials.

817.7 New or Additional Equipment/Techniques Training

Training must be provided when new or additional equipment or techniques are introduced which may, if not properly used, adversely affect safe and healthful working conditions.

817.8 Poster 130

Each facility must post *Poster 130* in a conspicuous place. This poster outlines management responsibilities, and employee responsibilities and rights under the Occupational Safety and Health Act. It also provides the name and telephone number of the safety and health designee for the facility where the poster is placed.

818 Safety and Health Program Budgeting

All organizational levels must provide funding to maintain an effective and comprehensive safety and health program. Such budgeted items must include, but are not limited to:

- a. Sufficient personnel to properly implement and administer the program at all levels, including necessary administrative costs such as training, travel, and personal protective equipment.
- b. Abatement of unsafe or unhealthful working conditions related to equipment, operations, facilities, or vehicles.
- c. Safety and health sampling, testing, and diagnostic and analytical tools and equipment, including laboratory analyses, as deemed appropriate.
- d. Any necessary contracts to identify, analyze, or evaluate unsafe or unhealthful working conditions and operations, as deemed appropriate.
- e. Safety awareness and promotional programs.
- f. Technical information documents, books, standards, codes, periodicals, and publications.
- g. Medical supplies and services.

819 Performance and Evaluations

In any evaluation of performance or potential, provisions must be made to include the achievement or failure of managers, supervisors, and/or employees in the performance of their safety and health responsibilities. Evaluations must not be based solely on the number and seriousness of accidents and injuries experienced, but also on how effectively the opportunity for accidents to occur was reduced.

820 Accidents, Program Evaluations, Safety Inspections

821 Accident Investigation, Reporting, and Analysis

821.1 Objectives

Identify circumstances that caused or contributed to an accident so action plans can be developed to prevent similar accidents.

821.2 Investigation

821.21 Managers and supervisors are responsible for investigating all accidents promptly, reporting them accurately, and determining their cause(s). Management should consult with safety personnel when accident causes cannot be readily determined.

821.22 In order to have first-hand knowledge of every accident occurring in their operation, supervisors must make thorough investigations that include at least the following:

- a. Interview employee(s) to determine what caused the accident, why it happened, and what the employee(s) and supervisor feel could have been done to prevent it.
- b. Prompt inspection of the accident site to determine what conditions (equipment, work area, etc.) contributed to the accident.
- c. Interview witnesses and fellow workers.
- d. Examine the most recent Form 1783, *On-the-Job Safety Review Analysis*, for the task involved to determine if changes are required.

821.3 Reporting

821.31 Form 1769, Accident Report

821.311 General Requirements

The manager or supervisor of the employee or operation involved must (a) report all accidents on Form 1769, *Accident Report*, within 24 hours of the date of the accident, the diagnosis of illness, or the date the manager/supervisor was notified of the situation and (b) provide a copy of Form 1769 to the employee in the accident upon written request. Completion of the form is *mandatory*, regardless of tort claim action or the requirements of the Federal Employees' Compensation Act. Information submitted to the Office of Workers' Compensation Programs (OWCP) on Forms CA-1, *Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation*, and CA-2, *Notice of Occupational Disease and Claim for Compensation*, must be identical with that on Form 1769.

821.312 Definitions

For the purposes of this section (821.3) the following definitions apply:

- a. *Fatality*. Any work-related injury or illness which results in death, regardless of the time between the injury and death, or length of illness.

- b. *Lost-workday Case.* Any work-related injury or illness severe enough to render an employee unable to perform any duties on any workday or workdays, consecutive or not, after the day of injury or diagnosis of illness during which the employee would have worked but could not because of the injury.
- c. *Lost-time Limited-duty Case.* Any work-related injury or illness severe enough to cause an employee to be unable to work the number of daily or weekly hours that the employee would normally work on any day after the day of injury or diagnosis of illness and which results in a temporary limited-duty assignment.
- d. *No-lost Workday Case.* Any work-related injury or illness which does not result in a fatality, lost workday, limited-duty, first aid case, or termination or permanent reassignment case.
- e. *No-lost-time, Limited-duty Case.* Any work-related injury or illness which results in a limited-duty assignment but does not reduce the number of hours the employee would normally work.
- f. *First Aid Case.* Any work-related minor injury that receives immediate and one-time treatment. (See Form 1769, *Accident Report*, and Management Instruction EL-540-91-1, *Job-Related First Aid Injuries*, for additional information.)

821.313 **Numbered 1769**

Form 1769 must be numbered (see Form 1769 completion instructions for numbering sequence) and recorded in the Human Resources Information System (HRIS) by the servicing safety office when any of the following situations occur:

- a. A traumatic injury to a postal employee (fatality; lost workday; lost-time limited-duty; no-lost workday; no-lost-time, limited-duty; or first aid injury) if a Form CA-1 has or will be submitted to the Office of Workers' Compensation Programs (OWCP).
- b. An injury or fatality to a nonpostal person on postal premises.
- c. A motor vehicle accident which results in death, injury, or property damage, regardless of costs or who was injured (if anyone) or what property was damaged.
- d. Damage of \$500 or more to postal property or to property of customers or general public regardless of whether an injury was involved.
- e. Fire damage of \$100 or more to postal property.

821.314 **Controverted Claims**

If a traumatic injury is controverted and the OWCP sustains the controversion, the servicing safety office is to be notified in order to amend the HRIS records.

821.315 **Unnumbered 1769**

If none of the situations described in 821.313 occur, prepare the Form 1769 for local safety office use and recordation in HRIS as a nonreportable case. (See 821.316 for exception.)

821.316 Exception: Occupational Illness/Disease

Prepare a 1769 for occupational illness or disease cases, including heart attacks, when a CA-2 or a CA-6, *US Dept of Labor Official Superior's Report of Employee's Death*, is submitted to the OWCP, but **DO NOT ISSUE A REPORTABLE NUMBER**. Retain Form 1769 at the local safety office and record the case in HRIS as pending until the case has been adjudicated by OWCP. If the case is adjudicated in favor of the employee, assign a reportable number for HRIS purposes to the 1769. Do this regardless of the lapse of time between the date of illness and the date of adjudication.

821.317 Changes to 1769 Information

Correct erroneously recorded data by submitting a copy of the 1769, annotated "amended," through the servicing safety office to the HRIS. Circle the items that need to be corrected and enter the correct data.

821.32 Form 1772, Accident Log

Each office, i.e., plant, associate office, station, branch, etc., must maintain an accident log, by fiscal year, of all reported accidents. Enter accident information within 5 working days after receiving Form 1769. Make entries in sequential order and number as necessary.

Exception: Maintenance of station/branch accident logs at the appropriate plant or associate office level is permitted if provisions are made for at least semiannual feedback of data to each station/branch for local management, employee representatives, and employee access.

821.33 1769 Review

821.331 The supervisor's immediate manager reviews each Form 1769 as to its accuracy and application, conducts a followup to ensure that positive action has been taken to prevent similar occurrences, and endorses the report in Item 57.

821.332 The installation head or designee must review the report to see if positive action has been taken or is planned.

821.333 Servicing safety personnel must ensure that accident causes are identified, that the action taken is appropriate, and endorse the report in Item 59.

821.34 Annual Summary of Postal Injuries and Illnesses

821.341 The Postal Service will compile an annual summary of occupational injuries and illnesses of reporting field offices having 100 workyears or more of employment. The summaries will be based on Forms 1769 received at the HRIS.

821.342 Upon request of the Secretary of Labor, the Postal Service will furnish the Department of Labor with a copy of the annual summary no later than 45 calendar days after the end of the fiscal year.

821.343 End-of-the-year summary reports will be supplied annually to all offices with 100 workyears or more of employment in the regular workforce. Copies of this report must be posted for a minimum of 30 consecutive days in a conspicuous place(s) at every facility within the office.

821.4 **Analysis**

821.41 **Purpose**

Accident analysis is vital in accident prevention programs. Reports and statistical analyses are used to identify principal cause factors of accidents and hazardous conditions and serve to prompt management action to reduce or eliminate the factors and conditions.

821.42 **Responsibility**

Plants, P&DCs, BMCs, and other installations must develop methods to identify accident prevention program needs.

821.43 **Elements**

The elements of statistical analysis should include, but are not limited to:

- a. Specific tasks being performed at the time of an accident/injury.
- b. Operation, equipment, tools, and machinery involved.
- c. Specific event that resulted in an accident/injury.
- d. Nature and severity of injury.
- e. Part of body involved.
- f. Faulty equipment or design.
- g. Unsafe condition.
- h. Unsafe acts or practices.
- i. Violation of rules, procedures, or instructions.
- j. Inadequate training or lack of safety rules/procedures.

821.44 **Form 1764, Accident Analysis Summary**

Plants, P&DCs, and BMCs must use Form 1764, or equivalent, to analyze numbered and unnumbered accidents and determine local program needs.

821.5 **Privacy Act Considerations**

821.51 Accident records contain information about individuals. As such, they may be handled and disclosed only in accordance with the Privacy Act and implementing instructions. (See 821.313.)

821.52 An individual's accident records and related correspondence are maintained within the Postal Service as the privacy system entitled USPS 120.035, Personnel Records — Employee Accident Records.

822 **Fatalities/Serious Accidents**

822.1 **Definitions for Reporting and Investigations**

The term serious accident includes:

- a. Any occupational accident which is fatal to one or more employees.
- b. Any occupational accident which results in the hospitalization of three or more employees.

- c. Any occupational illness or disease which results in the death of an employee.
- d. Any postal related accident involving nonpostal persons which results in a fatality or the hospitalization of three or more persons.
- e. Occupational accidents not immediately reportable but which result in the death of an employee or nonpostal person within 6 months of the date of the accident.
- f. Any occupational injury to an employee or nonpostal person involving mutilation, amputation (including major cartilaginous body parts such as ears, nose, etc.), or loss of vision in one or both eyes.
- g. Any occupational accident involving property damage (combined postal and nonpostal) estimated to exceed \$100,000.
- h. Any occupational accident which results in hospitalization due to chemical exposure.

822.2 Preliminary Serious Accident Report

- 822.21 The installation head must report every serious accident to the district manager/postmaster, who must within 8 hours report the accident by telecommunications (FAX) to the area Human Resources manager and the Office of Safety and Workplace Assistance manager. The Headquarters Office of Safety and Workplace Assistance must report the accident within 48 hours to the Office of Federal Agency Safety and Health Programs. At a minimum, the report must include the following information concerning the accident:
- a. Post office or facility — city, state and ZIP Code.
 - b. Name, title, and phone number of installation head. State whether this official is personally acquainted with the situation.
 - c. Brief description of accident including:
 - (1) Date and time of accident/death. Make a supplementary report if a death occurs after the initial report.
 - (2) Accident location.
 - (3) Name, Social Security number, title, age, sex, years of service, and extent of injuries to postal employee(s).
 - (4) Name, age, sex, address, and extent of injuries to nonpostal persons involved.
 - (5) Type of work employee was performing when the accident occurred.
 - (6) Vehicle, equipment, or property damaged (postal or nonpostal). If vehicle, state the make, model, and type. State whether seat belt was used.
 - (7) Probable cause(s) of accident.
 - (8) Police charges, if any and if known.
 - (9) Name, title, and level of supervisor on duty.

- 822.22 The installation head must also advise the appropriate union promptly of any employee fatality and/or serious industrial noncriminal accidents or injuries.

823 **Fatality/Serious Accident Investigation Board**

823.1 **Mandatory Composition**

Job-related fatalities and other serious accidents must be investigated by a management board appointed by the district manager/postmaster. The board must be appointed within 24 hours of the accident and must include:

- a. One plant manager who has no functional relationship to the activity(ies) involved in the accident; this person will serve as chairperson.
- b. One manager from the office who has a functional relationship to the activity(ies) involved in the accident.
- c. The senior safety specialist.
- d. One postal medical officer from the district in which the accident occurred; this person will serve as a consultant.

823.2 **Optional Composition**

- 823.21 One employee representative from the local safety and health committee, when requested by the appropriate union, will be permitted to accompany the board in its investigation of industrial, noncriminal accidents.
- 823.22 The Office of Safety and Workplace Assistance, Headquarters, may provide investigative assistance when such assistance is determined to be appropriate by the area Human Resources manager.
- 823.23 The area vice president may designate, as deemed necessary, a regional representative to serve on, or to provide consultation to, the Board.

823.3 **Procedures**

823.31 **The Board**

Within 15 days of appointment, the board must submit a report of its findings and recommendations to the district manager, with copies to the area vice president and the installation head.

823.32 **Installation Head**

Within 10 days after receiving the board's report, the installation head must provide a report to the district manager/postmaster, with a copy to the area vice president, describing the corrective actions taken.

823.33 **Division**

The original copy of the investigation board report will be retained at the district safety office. For fatal and catastrophic incidents only, an executive summary will be forwarded to the area Human Resources manager. The summary should include at a minimum, the date/time of the incident, name and location of the installation, personnel information, a brief description of

the incident, causal factors, recommendations, and proposed corrective actions.

- 823.331 When the investigation board report of findings and recommendations indicates national impact items, a complete copy of the board report must be forwarded to the area Human Resources manager for review and consultation with any affected headquarters departments.
- 823.332 Districts must maintain a fatal/serious accident log consistent with 29 CFR 1960.70 and 1960.71. All fatal and serious accident logs are to be reconciled each accounting period with the National Accident Reporting System (NARS).

823.34 **Headquarters**

Upon written request of any member of the National Joint-Labor Management Safety and Health Committee, the vice president of Human Resources will arrange for the release of a copy of the report to that member. However, those portions of the report prohibited from disclosure by law or regulation will not be released.

823.4 **Board Responsibilities**

- 823.41 Board responsibilities are to:
- a. Discover the causes of the accident.
 - b. Make sound recommendations to prevent accident recurrence.
 - c. Review the quality of action taken by supervisors where the accident occurred.
- 823.42 Use the following report format for the board's findings and recommendations:
- a. Detailed description of accident.
 - (1) Employee's relationship (location) to physical surroundings.
 - (2) What was the employee doing when the accident occurred and how was it being done?
 - b. Statements.
 - (1) Statement of employee.
 - (2) Statement of witness(es).
 - (3) Statement(s) of other person(s) interviewed.
 - c. Pertinent findings.
 - (1) Did the employee do, or fail to do, something that contributed to the accident? Include unsafe acts, violation of safety rules (such as not wearing a seat belt), lack of knowledge, or lack of training.
 - (2) What did others involved do, or fail to do, that contributed to the accident?
 - (3) The main reason behind what was done or failed to be done that contributed to the accident.
 - (4) Deficiencies and unsafe or adverse conditions in the work environment that contributed to the accident.

- (5) If applicable, reason for the existence of the deficiencies in the work environment.
 - d. Quality and type of action taken by management after the accident occurred.
 - (1) Immediate supervisor's investigation. (See 821.2 for responsibilities.)
 - (2) Upper level managers (responsibilities include ensuring all other employees involved in similar work are instructed, revising work procedures or practices when required, and ensuring the board's recommendations are implemented when appropriate).
 - e. Actions recommended by the board to prevent future occurrences of similar accidents.
- 823.43 Board responsibilities and actions do not relieve those immediately involved of their responsibility for accident investigation and prevention.

824 Program Evaluations

824.1 Purpose

The basic purpose of program evaluations is to measure the effectiveness of the U.S. Postal Service Safety and Health Program throughout each organizational level. A program evaluation of compliance and implementation of program elements included in this chapter and components of the Safety and Health Program included in other handbooks, manuals, and management instructions must be conducted annually by districts and plants. The evaluating offices will follow up, as necessary, to ensure that deficiencies noted during the evaluations are properly abated.

824.2 Headquarters

Program evaluations will be conducted by Headquarters at various organizational levels when deemed appropriate.

824.3 Districts

Districts must conduct annual evaluations in every plant and BMC in conjunction with the annual inspection conducted by the district safety and health staff. Districts must also conduct self-evaluations of divisional-level programs and of any direct reporting office with 50 or more workyears of employment.

824.4 Processing and Distribution Centers

Safety personnel must conduct annual evaluations in associate offices with a complement of fifty or more employees. When warranted, offices with less than fifty employees may be evaluated.

824.5 Evaluation Report

An evaluation report of findings and recommendations must be sent within 15 days of the evaluation to the installation head of the organization being

evaluated. Within 30 days after receipt of the evaluation report, the installation head must submit a written abatement plan for each program deficiency to the senior official of the organization conducting the evaluation.

824.6 **Annual Summary**

An annual summary based upon OSHA-issued guidelines and covering the Postal Service's Safety and Health Program must be submitted by Headquarters to the Secretary, U.S. Department of Labor. This report is prepared by the Office of Safety and Health.

825 **Safety and Health Inspections**

825.1 **Purpose**

825.11 The basic purpose of an inspection is to detect potential accident causes and thereby reduce the risk of accidents and injuries. Inspection categories are:

- a. General Conditions — housekeeping, lighting, walking, and working surfaces.
- b. Specific Hazards — machinery, equipment, guarding, chemicals, and tools.
- c. Fire Prevention — extinguishers, drills, emergency evacuation teams, and smoking.
- d. Motor Vehicle — training, vehicle condition, and operation.
- e. Work Practices — improper and unnecessary manual lifting, inefficient or dangerous work layouts and procedures, and improper use of equipment.
- f. Industrial hygiene and environmental health.

825.12 Form 1784 Safety and Health Inspection Checklist, will be used while conducting inspections.

825.2 **Area Inspection**

825.21 The area Human Resources manager must ensure that annual inspections are conducted at the main facility of each district and BMC. Such inspection must include all postal facilities at the same location as the main facility but should not include the stations or branches of such main facility unless circumstances justify such inspections.

825.22 Inspection teams will consist of the safety and health personnel and local personnel from safety and health, maintenance, and line management.

825.23 The union representatives from the local safety and health committee may participate in inspections conducted by divisional safety and health personnel provided that the union represents employees at the facility being inspected. The number of union representatives will be determined by appropriate collective-bargaining agreements.

825.3 Offices With One Hundred Workyears or More

- 825.31 This section refers to any facility (BMC, GMF, VMF, station, branch, etc.) with 100 workyears or more of employment in the regular workforce.
- 825.32 A semiannual inspection of all installations with 100 or more workyears of employment in the regular workforce must be conducted by safety personnel. For main facilities of districts, plants, or BMCs, the annual inspection referred to in 825.2 is one of the semiannual inspections referred to in this section. For associate offices, one of the semiannual inspections will be conducted by district/plant safety personnel, and the other will be conducted by safety personnel (full-time or collateral) assigned to that office.
- 825.33 Inspection teams will consist of personnel from safety, maintenance, and line management.
- 825.34 The union representatives from the local safety and health committee may participate in inspections referred to in this section, provided that the union represents employees at the installation and provided that the union representative is domiciled at the installation to be inspected. If that union representative is not domiciled at the installation to be inspected, and if such union represents employees at the installation, (a) at each union's option, representatives from the committee may participate in the inspection at no additional cost to the employer; or (b) such union may designate a representative, domiciled at the installation to be inspected to participate in the inspection. The number of union representatives is determined by appropriate collective-bargaining agreements.

825.4 Offices With Less Than One Hundred Workyears

- 825.41 This section refers to any facility (station, branch, associate office, etc.) with less than 100 workyears of employment in the regular workforce.
- 825.42 An annual inspection of each installation with less than 100 workyears of employment in the regular workforce must be conducted. In associate offices with 50 or more workyears of employment in the regular workforce, inspections must be conducted by district safety personnel, as appropriate, in conjunction with the annual safety and health program evaluation. In associate offices with less than 50 workyears of employment in the regular workforce, inspections must be conducted by collateral-duty safety personnel assigned to that office. In stations or branches of a district main facility with 50 or more workyears of employment in the regular workforce, inspections must be conducted by safety personnel assigned to the district/plant main facility.
- 825.43 Inspection teams will consist of personnel from safety and line management.
- 825.44 One union representative from the local safety and health committee, selected on a rotational basis by the unions, may participate in the annual inspection of each installation with less than 100 workyears of employment in the regular workforce, where such committee exists in the installation being inspected. In those installations that do not have a safety and health committee, the inspectors will afford the opportunity for a bargaining unit employee (from each union that represents employees in that installation) to

accompany them during these inspections. If requested, these bargaining unit employees should be selected on a rotational basis by the various exclusive bargaining representatives in that installation. The number of union representatives is determined by appropriate collective-bargaining agreements.

825.5 **Inspection Procedures**

825.51 **Authority**

825.511 Postal Service safety personnel are authorized:

- a. To conduct inspections without delay.
- b. To have access to all available information relevant to the occupational safety and health of the workplace to be inspected, including Form 1767, *Report of Hazard, Unsafe Condition or Practice*, Form 1769, *Accident Report*, Form 1772, *Accident Log*, and Form 1784A & B, *Safety and Health Inspection Checklist*.
- c. To interview employees privately, if necessary.
- d. To consult with a reasonable number of employees during the inspection if there are no authorized representatives of employees.
- e. To deny the right of accompaniment to any person whose participation interferes with a fair and orderly inspection.

825.512 During the course of an inspection, any employee must be afforded an opportunity to bring to the attention of the inspection team any unsafe or unhealthful working condition which the employee believes exists in the workplace. In order to speak with the head of the inspection team, employees must first request permission from their immediate supervisor. Such requests must not be unreasonably denied.

825.52 **Methods**

Safety personnel conducting inspections must be technically competent to recognize and evaluate hazards of the work environment and to suggest general abatement procedures. All safety personnel must be provided sufficient training and/or experience and the equipment necessary to conduct a thorough inspection of the workplace involved. Safety personnel must conduct environmental sampling and take photographs where necessary.

825.53 **Opening Conference**

Members of the inspection team must conduct an opening conference with the installation head and the union representatives who are to participate on the inspection. The purpose of this conference is to explain the purpose and scope of the inspection and to inform the installation head that the inspection team will, in the course of inspection, consult with employees and managers as the need occurs.

825.54 **Rules**

825.541 Members of inspection teams must comply with all safety and health rules at each installation including the use of protective clothing and equipment. The

conduct of inspections must not result in unreasonable disruption of operations.

825.542 Immediately upon identifying an imminent danger, (see 825.61a. for definition), the inspector must inform the official in charge of the workplace. The official in charge of the workplace must undertake immediate abatement of the dangerous condition and the withdrawal of employees who are not necessary for the abatement. In the event the official in charge of the workplace needs assistance to undertake full abatement, that official will immediately notify, through channels, the district manager, who will provide assistance for the abatement effort. The area Human Resources manager is also to be notified. Safety and health committees and union representatives of the employees affected must be informed of all relevant actions.

825.543 If a serious hazard is identified, the installation head must immediately initiate corrective action.

825.55 **Closing Conference**

At the conclusion of a scheduled inspection, safety personnel must confer with the installation head and the union representative(s) who accompanied the inspection team and advise them of deficiencies disclosed by the inspection. Anyone at the conference may bring to the inspector's attention any pertinent information regarding conditions in the workplace.

825.6 **Deficiencies**

825.61 **Hazard Classifications**

- a. *Imminent Danger.* A situation in which there is a reasonable certainty that a danger exists that could cause death or serious physical harm immediately or before the danger can be eliminated through normal enforcement procedures.
- b. *Serious Danger.* A situation in which there is a substantial probability that death or serious physical harm could result.
- c. *Nonserious Danger.* A situation that does have a direct relationship to job safety and health but probably would not cause death or serious physical harm.

825.62 **Reporting**

List deficiencies on Form 1784-C, *Safety and Health Deficiency Report*. Include the standard or requirement violated, a description of the deficiency, and the classification of hazard, and send the report to the installation head of the facility inspected no later than 10 days after the completion of the closing conference. In addition, send copies of the report to the employee representative(s) who participated in the closing conference and/or the local safety and health committee.

825.63 **Abatement Committee**

825.631 Within 5 days after receipt of Form 1784, an abatement committee must be established and meet to assign priorities and specific abatement dates within

the limits set by the inspection team. The installation head must chair this committee. Committee members must include:

- a. Installation head.
- b. Safety representative.
- c. Maintenance representative.
- d. Mail processing representative.
- e. Customer services representative (when applicable).
- f. Industrial engineers (when applicable).
- g. Procurement officer (when applicable).

825.632 Where practicable, correct deficiencies within 20 days of receipt of the report. When 20-day abatement cannot be made, develop an abatement plan containing the following:

- a. Name of installation.
- b. Location of unsafe condition.
- c. Description of unsafe condition.
- d. Length of time the condition has existed.
- e. Explanation of the circumstances of the delay in abatement.
- f. A Management Action Plan (MAP) which will be used for resolution of the problem.
- g. A summary of steps being taken in the interim to protect employees from being injured by the unsafe or unhealthful working condition. Affected employees must be informed of the provisions of the plan.

825.633 All deficiencies determined to require more than 20 days to correct must be reported immediately, along with the abatement plan, to the district manager.

825.634 All deficiencies determined to require more than 45 days to correct must be reported immediately, along with the abatement plan, through management channels to the area vice president, with copies to the applicable Human Resources Service Center Safety Section and area Human Resources manager

825.635 Once an abatement plan has been submitted as required by 825.632–825.634 above, any changes in the abatement plan require the submission of a new plan in accordance with the provisions of this section.

825.636 When an unsafe or unhealthful working condition requires action by the General Services Administration or another federal lessor agency, the installation head must contact the lessor agency and request corrective action.

825.637 The procedures for correcting unsafe or unhealthful working conditions must include timely reinspection, where practicable, to determine whether the corrective action taken has proven to be effective. Reinspection should be conducted by the same personnel (i.e., full-time or collateral-duty safety personnel or maintenance personnel) who performed the original inspection. Posting of the followup inspection results is not required.

825.64 Posting

Immediately upon receipt, that part of the Form 1784-C which applies to the specific unsafe condition must be conspicuously posted at or near the location of such condition until it has been abated, or for 3 working days, whichever is longer. The initial Form 1784-C must be removed and the amended Form 1784-C posted in its place immediately after the abatement committee has established abatement dates. In addition, a notice must be posted if any special procedures are in effect. Where, it is not practicable to post the report at or near each because of the nature of the facility's operations, it is not practicable to post the report at or near each such place, such report must be posted in a prominent place where it will be readily observed by all affected employees. Copies of Form 1784 will be maintained at the safety office.

825.7 Form 1767, Report of Hazard, Unsafe Condition or Practice**825.71 Purpose**

Form 1767, *Report of Hazard, Unsafe Condition or Practice*, is designed to encourage employee participation in the Postal Service Safety and Health Program. This form provides a channel of communication between employees and management that assures a prompt analysis and response with corrective action to reports of alleged hazards, unsafe conditions, or unsafe practices.

825.72 Availability

Maintain a supply of Forms 1767 in the workplace in a manner that provides employees with both easy and (if an employee so chooses) anonymous access.

825.73 Procedures and Responsibilities**825.731 Employee**

Any employee, or the representative of any employee, who believes that an alleged unsafe or unhealthful condition exists in the workplace may do any or all of the following: (a) file a report of the condition on Form 1767 with the immediate supervisor and request an inspection of the alleged condition; (b) if the employee desires anonymity, file Form 1767 directly with the installation's safety personnel who will immediately return the report to the employee's supervisor for necessary action. In such cases, safety personnel must not disclose the name of the individual making the report; and (c) report alleged unsafe conditions to a steward, if one is available, who may then discuss the condition with the employee's supervisor.

825.732 Supervisor

- a. The immediate supervisor will promptly (within the tour of duty):
 - (1) Investigate the alleged condition.
 - (2) Either initiate immediate corrective action or make appropriate recommendations.
 - (3) Record those actions or recommendations on Form 1767.

- (4) Forward the original 1767 and one copy to the next appropriate level of management (approving official).
- (5) Give the employee a copy signed by the supervisor as a receipt.
- (6) Immediately forward the third copy to the Safety Office.
- b. It is the supervisor's responsibility to monitor the status of the report at all times until the hazard is abated. If the hazard remains unabated longer than 7 calendar days, the supervisor must verbally inform the employee as to abatement status at the end of each 7-day interval.

825.733 Approving Official

The approving official must initiate action to eliminate or minimize the hazard. If this results in the submission of a work order, attach the original 1767 and forward, through channels, to the Manager, Maintenance. If the approving official determines that there are no reasonable grounds to believe such a hazard exists, the employee must be so notified in writing within 15 calendar days. (Safety personnel must assist in this determination when requested.) If the hazard was abated through actions of the approving official, the employee must be so notified in writing, and the original 1767, with a statement of actions taken, must be forwarded to the Safety Office.

825.734 Safety Personnel

Safety personnel must log and sequentially number all hazard reports received on Form 1773, *Report of Hazard Log*. Safety personnel must also review all Forms 1767 for accuracy, completeness, and followup, as necessary.

825.735 Maintenance

Maintenance must notify the approving official when any Form 1767 maintenance related work order has been completed.

825.736 Installation Head

If it is determined on the basis of a hazard report that an imminent or serious danger exists, the installation head must take immediate corrective action as outlined in 825.54.

825.737 Tenants in Postal Service Buildings

Maintenance must maintain a log of reports of unsafe or unhealthful conditions submitted by tenants of postal service buildings. Logs must include:

- a. Date of receipt of report.
- b. Building and/or specific area.
- c. Complaint.
- d. Action taken.
- e. Final resolution.

826 **Announced or Unannounced Inspection of Postal Facilities by OSHA Personnel**

826.1 **Purpose**

To provide guidance when compliance/safety and health officers (CSHOs) or compliance safety and health officers industrial hygienists (CSHO-IHs) from the Occupational Safety and Health Administration (OSHA) conduct announced or unannounced inspections or investigations of postal facilities. All such inspectors will be referred to as CSHOs in this part (826).

826.2 **Scope**

These procedures apply to all facilities in which postal employees work. In postal-owned or -leased facilities, it is the responsibility of the Postal Service to assure compliance with OSHA requirements. In leased facilities this responsibility continues to exist regardless of lease arrangements.

826.3 **Authority**

It is postal policy to maintain safe and healthful working conditions and to cooperate fully with OSHA inspectors. Therefore, upon presenting appropriate credentials, CSHOs will be permitted to enter without delay any postal facility for inspection or investigation purposes.

826.4 **Cooperation**

Postal officials are to cooperate fully with OSHA CSHOs. If, during an inspection, the postal official determines that the CSHO may believe that a violation exists because the CSHO does not have complete information about a particular condition, the postal official should attempt to make the CSHO aware of all relevant additional information.

826.5 **Verification of Credentials**

The senior postal official, or designee, is to review all CSHOs' credentials and may request verification from the OSHA area office. If the CSHOs' credentials are in order, entry need not be delayed pending verification.

826.6 **Procedures**

826.61 **Opening Conference**

826.611 OSHA may conduct its inspections without prior notice. CSHOs generally conduct inspections during normal working hours. On arrival at a postal facility, the CSHO should ask to meet with the ranking postal official. The senior postal official must meet promptly with the CSHO.

826.612 The CSHO will hold an opening conference to inform the Postal Service of the purpose, scope, and conduct of the inspection. The senior postal official will attend the opening conference and may invite other postal officials from the facility, as appropriate. If the installation has a full-time safety professional on staff, that person should attend the opening conference. Employee

representatives also should attend the opening conference; union representatives from the local safety and health committee should participate in accordance with 825.34 and 825.44.

- 826.613 The CSHO may provide copies of laws, standards, regulations, and promotional materials. The CSHO is required to furnish to the installation head any copy of an employee's report(s) of unsafe or unhealthful conditions which generated the inspection. If a complainant has asked to remain anonymous, OSHA is bound by regulations to respect that request. In such instances, the CSHO must still provide a list of the unsafe conditions alleged.
- 826.614 The CSHO can be expected to outline the general scope of the inspection, including employee interviews, physical inspection of the workplace, records review, and the taking of photographs or samples. If the CSHO requests the minutes of safety and health committee meetings, they should be made available.
- 826.615 The CSHO should be questioned during the opening conference so that the walkaround inspection can be planned as to route sequence, notifications to production supervisors, technical support, etc. Planning of a route sequence should be considered a guideline only, as the CSHO may investigate any other apparent hazards observed en route to a particular area.
- 826.616 After the opening conference, the senior postal official is to immediately notify, via telephone or in person, the district manager and area Human Resources manager of OSHA's presence and the scope of the inspection.

826.62 **Records Review**

- 826.621 The CSHO is authorized to review all records that are required to be maintained under the OSH Act. Examples of the types of records that can be reviewed include: Form 1772, Accident Log, and Form 1769, Accident Report.
- 826.622 In certain instances, the CSHO may ask to review the medical records of some employees in order to verify compliance with the medical surveillance record-keeping requirement of an OSH standard. If the CSHO wishes to record or copy any medical records, a written access order must be presented.
- 826.623 Access to medical records must be coordinated through the designated medical officer for the facility being inspected.
- If the facility has no medical officer, access to the records should be coordinated through the health unit nurse.
 - If there is no health unit, coordinate requests for records through the field division medical officer.
 - When there is no divisional medical officer, coordinate requests with the Human Resources Service Center medical director.

826.63 **Participation**

826.631 **Management Participation During Inspections**

The senior postal official, or designee, must accompany the CSHO during the walkaround portion of the inspection. If there is a full-time safety professional

at the installation, that person also must accompany the CSHO during the walkaround portion of the inspection. Locations that do not have a full-time safety professional should have a safety professional from the management sectional center or division participate in the inspection, if practicable. Collateral-duty safety personnel should also participate in the inspection. At least two management personnel are to be with the CSHO, whenever possible. Management representatives must not sign any statements or affidavits.

826.632 **Employee Participation During Inspections**

- a. Union representatives from the local safety and health committee must be given the opportunity, in accordance with 825.34 and 825.44, to accompany CSHOs during inspections. The CSHO also may consult with other employees who are not part of the inspection team and may request to interview them in private or with their union representatives during the walkaround.
- b. Employee representatives will be on the clock whenever the inspection is conducted during the employee's regular work schedule. Employees will not be compensated for time spent accompanying CSHOs outside of their work schedule.

826.64 **Methods**

826.641 **Walkaround Inspection**

- a. Normally, the CSHO will limit the inspection to the items listed in the employee's report of unsafe or unhealthful conditions. The scope of the inspection may, however, extend to other areas of the postal installation. During the walkaround inspection, the CSHO will examine each item mentioned in the employee's report of unsafe or unhealthful conditions. The senior postal official, or designee, must take extensive, detailed notes during the walkaround. At this time, the CSHO may take photographs of any apparent violations observed. If a camera is available at the postal installation, the postal official should attempt to duplicate as closely as possible each photograph taken by the CSHO and should specify in the detailed notes what each photograph shows. The CSHO also may use measuring devices or instruments to determine compliance with the OSH Act. The postal official must record the type of instrument used and the readings obtained.
- b. The CSHO can dismiss from the inspection team, at any time, anyone interfering with the orderly conduct of the inspection. If a management representative is dismissed, the occurrence must be thoroughly documented. Another management representative must be immediately named to complete the inspection.

826.642 **Health Sampling**

In order to determine whether a violation of health standards exists, the CSHO may need to obtain samples, including full-shift (8-hour tour) sampling. Such sampling may require the wearing of sampling devices by employees. Postal officials are to cooperate with the CSHO and are to encourage cooperation by employees. The senior postal official must immediately notify the district manager (if appropriate), the area vice president, and the area

Human Resources manager, via telephone or in person, whenever sampling or any other type of industrial hygiene test is conducted or planned.

826.643 Immediate Correction of Hazards

During an inspection, a CSHO may point out conditions which may be considered to be violations of the OSH Act. Reasonable efforts should be made to correct the condition immediately if possible.

826.65 Closing Conference

826.651 After completing the review of records, employee interviews (if necessary), and the walkaround inspection, the CSHO will conduct an exit interview with the senior postal official. If the postal installation has a full-time safety professional, that person must also attend this closing conference. If any safety professionals have been called in from a plant or district, they must also attend the closing conference along with any collateral duty safety personnel. Employee representatives from the walkaround inspection must also attend. The senior postal official, or designee, must take detailed notes on all alleged deficiencies, and may offer clarifying comments or explain extenuating circumstances, as appropriate.

826.652 During this interview, all conditions or practices which the CSHO believes may constitute a safety or health violation(s) will be reviewed. The senior postal official is to inform the CSHO that any report of unsafe or unhealthful working conditions should be sent to the area vice president. If the facility being inspected is an independent installation not reporting to a district, the CSHO should be requested to send the report to that installation head. Following the closing conference, the senior postal official must immediately notify, through channels, the area vice president, that the inspection has been completed and should summarize OSHA's findings. A written report summarizing OSHA's findings must be transmitted, through channels, to the area vice president, within 48 hours of the closing conference.

826.7 Violations

826.71 Report of Unsafe or Unhealthful Working Conditions

826.711 Following an inspection, if violations have been observed, OSHA will issue a Report of Unsafe or Unhealthful Working Conditions. This report will give OSHA's assessment of the severity of the violations, reference the section of the OSHA standard in violation, and specify a date by which each violation must be corrected. Upon receipt of such a report, a copy is to be immediately forwarded, through channels, to the area vice president and the appropriate Human Resources Service Center Safety and Workplace Assistance Section.

826.712 In instances concerning violations that have national implications, the area vice president is to forward the report immediately to the Headquarters Director, Office of Safety and Workplace Assistance. In such cases, the Director, OSH, will coordinate the response back to OSHA.

826.72 Posting Reports of Unsafe or Unhealthful Working Conditions

See 825.64 for posting instructions. A copy of the report should also be given to the employee representatives who participated in the inspection.

826.73 **Abatement**826.731 **Correction of Alleged Violations**

- a. A *Report of Unsafe or Unhealthful Working Conditions* will include a specific date by which each finding of violation must be corrected. The length of the period allowed will vary based on the type of hazard involved, the severity of risk to employees, and OSHA's assessment of the difficulty of correcting the hazard. OSHA may require the Postal Service to confirm that abatement steps have been taken, especially in regard to health hazards. When an extended period of time is needed to correct a hazard, interim protection must be provided for employees, and an abatement plan must be submitted to OSHA by the date shown on the notice for that hazard. The plan should explain how and by what date the hazard will be corrected and what interim protection is being provided. Before being submitted to OSHA, the plan must be coordinated through the area Human Resources manager. The unions must be notified if the proposed abatement plan requires both interim and long-term solutions.
- b. All correction of hazards must be done at the earliest practical date. When the violations have been corrected, the senior postal official of the installation must prepare a letter to the area director of the OSHA office issuing the report, describing in detail the actions taken to correct each violation. This letter with a copy of the *Report of Unsafe or Unhealthful Working Conditions* must be submitted, through channels, to the area vice president, with copies to the area Human Resources manager, and sent to OSHA within 14 calendar days of the established abatement date.

826.732 **Extension of Abatement Date**

Whenever a finding of violation cannot be corrected within the assigned abatement period, an extension of the abatement period must be requested by the installation head. This will require sending OSHA a letter requesting a modification of abatement date; the letter must include an abatement plan. The letter and plan should include the following information:

- a. The specific additional correction time necessary and the reason(s) additional time is needed.
- b. Steps taken to safeguard employees during the abatement period extension.
- c. Actions taken, with dates, showing efforts made to achieve correction.
- d. Certification that the plan was posted and copies provided to the affected employee representatives, including an indication of the date upon which such posting and notification were made. Requests for extensions should be directed to the area director of the OSHA office issuing the report.

826.733 **Informal Conference**

If Postal Service officials disagree with any alleged violations in the *Report of Unsafe or Unhealthful Working Conditions* or with the abatement dates, they may request an informal conference with OSHA's area director. The district manager may request such an informal conference only after the dissenting

position(s) has been thoroughly evaluated. The district Human Resources manager must be notified immediately of any informal conferences. Provisions must be made for appropriate safety representatives to attend. OSHA's area director has the authority to withdraw violations, change the severity ratings of violations, or modify abatement dates if Postal Service officials can present valid reasons for the area director to do so. OSHA may elect to invite the employee representatives to the informal conference.

826.8 **Reinspection**

In order to assure that deficiencies have been corrected, OSHA may conduct a reinspection. This is usually done when violations were found which OSHA classifies as serious or when OSHA has not received a letter, within 14 days following the abatement date, detailing how each violation was corrected. Reinspections are to be handled in the same manner as initial inspections.

826.9 **District File of OSHA Inspections**

The district Human Resources manager or designee, is to maintain a file on each OSHA inspection. The file is to include the following:

- a. A copy of any employee complaint letter or list of complaint items if the complainant wished to remain anonymous.
- b. *Any Report of Unsafe or Unhealthful Working Conditions.*
- c. The names of all CSHOs, management officials and employees' representatives participating in the inspection.
- d. Notes and other documentation, such as photographs, made by local management.
- e. All correspondence relative to correction of hazards, abatement plans, and procedures.

830 Motor Vehicle and Industrial Safety

831 Motor Vehicle Safety

831.1 Objective

The objective of the motor vehicle safety program is to reduce the amount of property damage and human suffering caused by vehicle accidents while maintaining an efficient delivery and collection system.

831.2 Vehicle Maintenance

All installation heads having motor vehicles under their control must develop and administer controls necessary to ensure that the provisions outlined in Handbook PO-701, *Fleet Management*, are followed.

831.3 Driver Selection, Training, and Supervision

831.31 Driver Selection

Postal personnel responsible for hiring, road testing, supervising, and providing medical services must ensure that only qualified applicants are hired and/or retained for driving positions. The determination of "qualified" must be based upon:

- a. Past driving record.
- b. The ability to avoid accidents, traffic violations, vehicle abuse, schedule delays, and discourtesy, as demonstrated in the initial road test.
- c. Physical fitness as outlined in Handbook EL-806, *Health and Medical Service*.
- d. Requirements specified in Handbook EL-827, *Driver Selection, Training, Testing, and Licensing*.

831.32 Driver Training

Initial driver training, periodic driver improvement training, and special emphasis training must be designed to develop and maintain a professional, defensive driving workforce. (Defensive driving is defined by the National Safety Council as "driving to prevent accidents in spite of the incorrect actions of others and adverse conditions.") Such training must regularly be reinforced by the first line supervisor. The careful selection of personnel to act as driving instructors is essential to assure proper attitude, enthusiasm, interest, and understanding of the subject matter.

831.33 Driver Supervision

831.331 Supervisory Responsibility

Special responsibility for safe motor vehicle operations, as outlined in Handbook EL-801, *Supervisor's Safety Handbook*, must be followed. To enforce a high standard of professional driving performance, supervisors must complete Form 4584, *Observation of Driving Practices*, semiannually, and at other times deemed appropriate, for each driver under their direct

supervision. Supervisors must familiarize themselves with defensive driving techniques so that they know what the common driving errors are, how they can be detected, and how they can be prevented.

831.332 **Driver Responsibility**

Drivers must obey traffic laws, drive defensively and professionally, and extend courtesy in all situations. Specific driving responsibilities are outlined in Handbook PO-701 and in Handbook EL-801.

831.4 **Accident Analysis**

Managers and safety personnel must analyze accident data to determine the hazards of vehicle operations and the primary causes of vehicle accidents and develop action plans to eliminate them.

832 **Industrial Powered Equipment**

Employees authorized to operate industrial powered equipment must be provided operator training. They must follow the operating rules and regulations outlined in Handbook EL-801 and/or manufacturer's operating instructions.

833 **Industrial Safety**

833.1 **Standards, Ergonomics, and Engineering**

Safety standards, ergonomic considerations, and sound safety and fire protection engineering techniques must be used in planning, building, design, construction, modification, repair, procurement, development of new equipment, and facility layouts. This includes employee work environment, equipment, tools, supplies used, and the material on which work is performed. Specifically, safety personnel must interact with procurement and engineering personnel to ensure that safety engineering and ergonomic principles are integrated into all activities of the Postal Service. Management must ensure compliance with all occupational safety and health standards affecting the Postal Service.

833.2 **Supplemental Standards**

When deemed necessary, the Postal Service may adopt more stringent, alternate, or supplemental standards. However, these alternate or supplemental standards must be approved by the Secretary of Labor. The Office of Safety and Health, Headquarters, will coordinate all such requests with the Department of Labor.

833.3 **Joint Operations of Federal Agencies/Private Sectors**

Where postal employees engage in joint operations and report to work at other federal agencies, the standards of the host agency apply. Similarly, when other federal or state employees work at postal facilities, standards adopted by the Postal Service apply. When private sector employees work at postal facilities, private sector laws apply.

840 Safety Awareness Programs

841 Program Promotion

841.1 Objectives

The purpose is to promote interest, increase safety awareness, and gain acceptance of safe work practices. The aim is to secure maximum employee participation through the effective use of media and individual or group recognition. The cooperation of the local safety and health committee in the promotion of safety is to be encouraged.

841.2 Local Needs

Effective promotional programs must be based on a thorough study of local needs. Accurate planning and analysis are essential to achieve program objectives.

841.3 Media

Performance clusters, P&DCs, and other installations should procure or develop and distribute posters, publications, films, bulletins, pamphlets, newsletters, displays, etc., based on current and projected accident trends. The display of safety posters distributed by Headquarters must be kept current. Budgeting for safety promotional needs must be included in program planning. Individual safety contests, awards, and incentive programs must be approved before implementation, in accordance with 638.

842 National Safety Awards and Contests

842.1 Participation

All eligible installations must participate in the National Safety Council's Safe Driver Award Program. Additionally, all eligible installations should participate in:

- a. The National Safety Council's National Fleet Safety Contest.
- b. The National Safety Council's Injury Prevention Contest.
- c. The Annual Fire Prevention Contest.

842.2 Safe Driver Award Program

842.21 Recognition

The National Safety Council Safe Driver Award is the recognized trademark of professional drivers who have proved their skill in avoiding traffic accidents.

842.22 Performance

- 842.221 The award plan is more than a means of rewarding drivers with good safety records. The guidelines in the National Safety Council Safe Driver Award

Rules establish what is expected of professional drivers in the way of safety performance: the ability to operate a motor vehicle without having a preventable (by National Safety Council definition) accident.

- 842.222 These guidelines constitute a yardstick by which drivers can measure their own performance and by which supervisors can measure the performance of individual drivers. When this standard of performance is clearly understood by both drivers and supervisors, it becomes a logical, fair, and workable basis for effective safety supervision. These rules are not intended as the yardstick of disciplinary action.

842.23 **Participation**

Postal installations having one or more postal employees operating postal-owned, hired, leased, contract, or private vehicles in conducting postal business must participate in the Safe Driver Award Program. All postal personnel operating motor vehicles on official business are eligible to participate in the Safe Driver Award Program under the rules for administering the National Safety Council's Safe Driver Award Plan (Postal Service edition). Contractors, contractor's personnel, supervisors, and personnel who drive sporadically or only during seasonal periods, holidays, vacations, etc., are excluded.

842.24 **Preventability**

After a vehicle accident, a determination must be made by a designated postal official or the Safe Driver Award Committee as to whether the accident was considered preventable for the purpose of evaluating eligibility for the National Safety Council Safe Driver Award.

842.25 **Safe Driver Award Committee**

842.251 **Establishment**

Installations having five or more employees with driving duties must establish a committee composed of the following:

- a. Overall supervisor of activity or service.
- b. Local safety representative.
- c. Installation driver having the longest accident-free period (may be limited to drivers at stations or branches, or drivers within a craft if this facilitates functioning of the committee).
- d. A fourth ad hoc member is to be added to the committee whenever the committee is evaluating an accident involving a driver from a craft other than that of the permanent craft committee member.

842.252 **Small Installations**

In small installations with fewer than five drivers, the postal official in charge will perform the duties of the committee.

842.253 **Purpose**

The committee evaluates accident causes for educational purposes to prevent future occurrences of similar accidents. The committee must not develop punitive or disciplinary measures.

842.254 Duties

Using the National Safety Council Safe Driver Award Rules as the only guide, the committee must meet to:

- a. Review each accident report and related material.
- b. Determine if drivers continue to be eligible for safe driving awards during the current year.
- c. Record decisions on Form 1768, *Safe Driver Award Committee Decision*. Before a committee decision is rendered, the overall supervisor of activity or service must discuss the facts with the driver involved.
- d. Provide the driver with a full explanation of the committee's decision, including applicable safe driver award rules for future compliance and appeal rights. This must be done within 14 calendar days following an accident.

842.255 Appeals/Review

When the local Safe Driver Award Committee is unable to decide whether or not an accident is preventable, or when the committee has a tie vote, or when the driver appeals the committee's decision, the case must be submitted to the Headquarters Office of Safety and Health for review and decision.

842.26 Privacy Act Considerations

842.261 Safe driver award records contain information about individuals. As such, they may be handled and disclosed only in accordance with the Privacy Act and its implementing instructions.

842.262 An individual's award records and related correspondence are maintained within the Postal Service as the privacy system entitled USPS 120.170, Personnel Records — Safe Driver Award Records.

843 Safety Incentive Programs**843.1 Concept**

Safe working conditions and appropriate safety equipment are not always enough to prevent on-the-job accidents. Effective safety programs also need employee participation, team effort, and sustained safety consciousness. Safety incentive programs can motivate employee involvement and safety consciousness through awards or contests which incorporate the use of recognition and rewards.

843.2 Selected Programs

Increased safety incentive may be accomplished with programs that recognize driver-of-the-month or -year, safety-captain-of-the-month or -year, best safety slogan, fewest violations during safety inspections, demonstrated safety consciousness, best accident record, million-mile awards, etc. Creative development of new and interesting programs designed to capture and stimulate interest should be encouraged. Sharing of ideas through

cooperative exchange with other agencies or local private industry is encouraged.

843.3 **Administration**

The installation head or designee will conduct, control, and be responsible for approved driver and industrial safety incentive programs. See 620 for implementation procedures.

843.4 **Presentation Ceremonies**

Whenever possible, installation heads should provide publicity and an appropriate ceremony for each incentive award.

844 **Seatbelt Use Incentive**

844.1 **Policy**

\$10,000 will be paid to the estate of any postal employee who, while in a pay-duty status, sustains fatal injuries as the result of a job-related motor vehicle accident while wearing seat belts.

844.2 **Determination**

It is the responsibility of the investigation board, as described in 823.4, to determine and document whether or not an employee was wearing a seat belt at the time of the accident. Such determinations are based on, but not limited to, postal and/or police accident investigative reports, autopsy reports, and/or interviews with witnesses, ambulance attendants, police, or attending medical/hospital personnel. For purposes of this incentive program, where a determination and documentation cannot be made or is conflicting, it will be assumed that the employee *was* wearing a seat belt.

844.3 **Payment**

Upon receipt of the board's final investigative report, the area vice president will notify the area Human Resources manager, via memorandum, that payment should be made to the employee's estate. Included with the memorandum is a copy of the board's investigative report summary. The area Human Resources manager will request payment from the Minneapolis Postal Data Center and transmit the check to the division manager for disbursement to the employee's estate.

850 Fire Prevention and Control

851 Responsibilities

851.1 Installation Heads

Installation heads are responsible for implementing a fire safety program for the protection of people, mail, and postal property. This program must include (but is not limited to) training, education, inspection, enforcement, drills, emergency evacuation teams, emergency action plans, and fire prevention plans as required in this subchapter and in accordance with 29 CFR 1910, Subpart L.

851.2 Managers

Managers/supervisors are responsible for the safety of their operations and employees. They must be constantly on the alert for fire hazards and take immediate corrective action for any unsafe practice or condition. If immediate corrective measures are beyond their capabilities, managers must take immediate interim precautions to assure the safety of employees and the protection of the workplace. Conditions that cannot be corrected immediately must be reported to a higher authority for corrective action. Managers must ensure that proper housekeeping practices are maintained and that all employees are trained in the evacuation and emergency procedures of the installation, including building emergency alarm systems.

852 Procedures

852.1 Inspections

Quarterly fire inspections must be conducted in all postal-owned and postal-leased installations. Fire inspections must be documented on Form 1784, *Safety and Health Inspection Checklist*, and may be scheduled to coincide with semiannual or annual safety inspections. These inspections must be conducted by qualified managers and supervisors that have been trained by safety and/or fire protection personnel. Training must include the conduct of inspections, identification of unsafe practices causing fires, and the methods of eliminating or correcting hazards. The installation head is encouraged to seek assistance from local fire officials and permit them to conduct fire inspections and prefire planning programs. Local authorities must be notified immediately upon discovery of fire hazards that are not under postal jurisdiction, but which affect postal personnel, mail, or property.

852.2 Corrective Action

Deficiencies identified in Forms 1784 must be reviewed by the Abatement Committee and corrected as outlined in 825.63.

852.3 Emergency Action Plan

- 852.31 Each postal facility having more than 10 employees on the rolls must maintain an emergency action plan. Safety personnel may provide advice and technical assistance, where needed, in the development of such plans. The plan must include designated actions which management and employees are to take to ensure the safety of employees and the protection of property from fire and other emergencies.
- 852.32 Include the following elements, as a minimum, in the Emergency Action Plan:
- a. Emergency escape procedures, graphic illustrations of emergency escape route assignments, and location of fire alarms and extinguishers.
 - b. Specific procedures to be followed by employees who remain to operate or shut down critical building systems before they evacuate.
 - c. Procedures to account for all employees after emergency evacuation has been completed.
 - d. Details of any special assignments.
 - e. The preferred means of reporting fires and other emergencies based upon local procedures and requirements.
 - f. Names or regular job titles of persons or departments who can be contacted for further information or explanation of duties under the plan.
- 852.33 Post parts a and f of this plan in a prominent location.

852.4 Fire Prevention Plan

- 852.41 Each installation head managing a postal facility with more than 10,000 square feet must maintain a written fire prevention plan. Installation heads managing smaller facilities may maintain written fire prevention plans when warranted by the type of operations conducted. Safety personnel may provide advice and technical assistance, where needed, in the development of such plans.
- 852.42 Include the following elements, as a minimum, in the Fire Prevention Plan:
- a. A list of the significant, potential workplace fire hazards; handling, storage, and control procedures; potential ignition sources (such as welding, smoking, electrical equipment, and heaters); and the type of fire protection equipment or system present which can contain, extinguish, or control fires.
 - b. Names or regular job titles of personnel responsible for maintenance of equipment installed to prevent or control fires.
 - c. Names or regular job titles of personnel responsible for control of fuel-source hazards.
 - d. Procedures to be used to control the accumulation of flammable and combustible waste materials and waste residues so that they do not contribute to a fire emergency.

852.5 Employee Training**852.51 General**

Employees must be instructed by their immediate supervisor in:

- a. The evacuation and emergency procedures of the installation.
- b. The use of fire-extinguishing equipment. (Employees whose work station is in, or adjacent to, high-hazard operations must be trained in the use of appropriate fire-extinguishing equipment for that specific operation.)
- c. Good housekeeping practices.
- d. The observance of smoking rules.

852.52 Emergency Action Plan and Fire Prevention Plan Training

852.521 Before implementing the emergency action plan, a sufficient number of employees will be designated and trained to assist in the execution of a safe and orderly emergency evacuation.

852.522 Before implementing the fire prevention plan, the immediate supervisor must inform all employees of the fire hazards in the work area to which they may be exposed.

852.523 The emergency action and fire prevention plans will be reviewed with each employee of the installation at the following times:

- a. When the plans are first developed.
- b. Whenever there is a change in employee responsibilities or designated actions under the plans.
- c. Whenever the plans are revised or, annually, if there has been no revision during the year.

852.524 The immediate supervisor must review with all newly assigned employees those parts of the plans which the employees must know to protect themselves in the event of an emergency.

852.525 The written plans must be kept at the workplace and be made available for employee review.

853 Alarm Systems and Extinguishers**853.1 Alarm Systems**

853.11 Every postal facility must have an established employee alarm system that complies with OSHA Standard 29 CFR 1910, paragraph 165 and that includes:

- a. A warning which provides sufficient reaction time for safe escape of employees from the workplace, or the immediate work area, or both.
- b. The capability of being heard or seen above ambient noise or light levels by all employees in the affected areas of the workplace. Tactile devices may be used to alert employees who would not be able to recognize the audible or visual alarms.

- c. A distinctive and recognizable signal to evacuate the work area or to perform actions designated under the emergency action plan.
 - d. Procedures for informing each employee of the preferred means of reporting emergencies, such as manual pull-box alarms, public address systems, radio, or telephones. The installation head must have emergency telephone numbers posted near telephones, on employee bulletin boards, and at other conspicuous locations where telephones serve as a means of reporting emergencies. Where a communication system also serves as the employee alarm system, all emergency messages must have priority over all nonemergency messages.
 - e. Procedures for sounding emergency alarms in the workplace. For those installations with ten or fewer employees in a particular workplace, direct voice communication is an acceptable procedure for sounding the alarm provided all employees can hear the alarm. Such workplaces need not have a backup system.
 - f. Maintenance and testing of employee alarm systems in compliance with appropriate NFPA and OSHA standards.
- 853.12 If the employee alarm system is also used for alerting emergency evacuation team members or for other purposes, a distinctive signal for each purpose must be used.

853.2 Extinguishers

- 853.21 The number, type, location, maintenance, and inspection of fire-extinguisher equipment and systems must be in accordance with Handbook MS-56, Fire Prevention and Control, and 29 CFR 1910.157–1910.163 as required.

Exception: The maximum travel distance to any portable fire extinguisher must not exceed 50 feet.

- 853.22 Fire-fighting equipment that is in damaged or unserviceable condition must be removed from service and replaced immediately.

854 Emergency Evacuation Teams and Drills

854.1 Emergency Evacuation Teams

854.11 Organization

In installations having 10,000 square feet or more, an emergency evacuation team (EET) of postal employees must be maintained on each work tour. EETs may be maintained in smaller installations when warranted by the type of operations conducted. All postal installations having an organized EET must prepare and maintain a written policy statement which establishes the existence of EETs; its basic organizational structure; the type, amount, and frequency of training to be provided EET members; the expected number of members in the EET; and the functions that the EET is to perform at the facility. This statement may be a part of the fire prevention plan.

854.12 Size

The size of the EET depends on the amount of fire-extinguishing and control equipment, the number of exits, and the number of employees on duty. A prearranged schedule must be developed to ensure the availability of the EET.

854.13 Duties of EETs

The organizational statement must clearly indicate that at no time will postal EETs stand and fight any fire beyond the incipient stage. For USPS purposes, an incipient fire is one in the initial or beginning stages which can be controlled, contained, or extinguished by portable fire extinguishers, Class II stand pipe, or small hose systems, without the need for personal protective clothing or self-contained breathing apparatus (SCBA). The use of SCBA requires a higher level of skill and training not usually expected of postal employees. Other duties of the EETs include, but are not limited to:

- a. Stopping conveyor belts.
- b. Closing doors to rooms and covers at dump holes and conveyor openings.
- c. Directing the fire department to location of fire.
- d. Evacuating injured and handicapped personnel.
- e. Inspecting the fire site with the fire department to determine that the fire is completely extinguished and that no possibility of rekindling exists.
- f. Moving vans from loading docks.
- g. Shutting down all electrical power to the building or sections as directed by the municipal fire department.
- h. Maintaining perimeter security to prevent reentry until officially instructed to permit same.
- i. Assisting the fire department in maintaining crowd control.

854.14 Membership

Building maintenance employees and security personnel should form the nucleus of the EET. Additional personnel may be assigned to assure adequate coverage on all tours. The assigned members are:

- a. *EET Leader.* The installation head is responsible for appointing the EET Leader who should normally be the superintendent for building maintenance or someone in a similar position. The EET Leader must establish a procedure to provide quarterly review of the program to ensure operational efficiency.
- b. *Assistant EET Leader.* Appointed by the EET Leader.
- c. *EET members.* Appointed as needed to cover all tours, with an alternate for each member. The EET Leader will ensure that all persons selected as members of the EET are physically capable of performing the duties which may be assigned to them during training or actual emergencies. Employees with known heart disease, epilepsy, or chronic obstructive pulmonary diseases will not be permitted to participate in any EET activity, unless they present a certificate of

fitness from their personal physician stating that they are physically capable of performing such duties. Employees with physical handicaps are permitted to be EET members; however, their job assignments will be governed by their ability to perform specific tasks.

854.15 **Training**

Members are required to complete an initial basic level of training and quarterly programs of refresher training. Such training and education must be provided to members before they are expected to perform any EET emergency evacuation team activity. Safety and fire department personnel should assist in the establishment and training of the EET. EET leaders and training instructors must be provided training and education which is more comprehensive than that provided to the general membership of the EET. Such training is available from state fire-fighting academies and local fire departments. Training for all members must be on the clock and must cover:

- a. Teamwork coordination.
- b. Specific EET duties for each member and alternate.
- c. Familiarization with all fire-extinguishing equipment.
- d. Fire alarm systems, fire and other emergency reporting.
- e. Classifications of fires and the equipment used on each.
- f. Stopping fire along conveyor belts and between work levels.
- g. First aid and rescue procedures.
- h. Conducting EET drills. (EET drills must be conducted at least annually to assure efficiency.)

854.16 **Exposure**

At no time should EET members perform a task which exceeds their level of skill, ability, or training, or expose themselves or other employees to unnecessary dangers and risks.

854.17 **Special Hazards**

The EET Leader must inform EET members about special hazards such as storage and use of flammable liquids and gases, toxic chemicals, radioactive sources, and water reactive substances to which they may be exposed during fire or other emergencies. The EET members also must be advised of any changes that occur in relation to the special hazards. The EET Leader must develop and make available for inspection by EET members written procedures that describe the actions to be taken in situations involving the special hazards and must include these in the training and education program. (See Hazard Communication Program.)

854.18 **Installations Without EETs**

In installations that do not have EETs, the installation head is responsible for ensuring that supervisors or employees are assigned the following functions in case of fire or other emergency:

- a. Notification of fire department, police, ambulance or other emergency services.

- b. Prompt evacuation of personnel including injured or handicapped employees.
- c. Security of mail, monies, receipts, and accountable and valuable papers.
- d. Use of fire extinguishers.

854.2 **Drills**

At least one emergency evacuation must be conducted annually on each work tour. The importance of fire drill training must be impressed upon all postal employees. In conducting fire drills, the following objectives must be met:

- a. Sounding of alarms and prompt notification of fire department, police or other emergency services.
- b. Orderly evacuation in minimum time.
- c. Security of mail, monies, receipts, and valuable papers.
- d. Emergency plan assignments by designated EET members.

855 **Vehicle Protection**

Fire extinguishers and emergency warning kits are to be placed on vehicles in accordance with Handbook M-52, *Fleet Management*, 217.21 and 217.22.

856 **Codes, Standards, and Ordinances**

Compliance with USPS standards, OSHA standards, National Fire Protection Codes (NFPA), National Building Codes, and state and local fire codes is required. Managers must refer matters concerning fire prevention, extinguishment, and control, which are not covered by municipal or other regulations, to higher authority for resolution.

860 Medical Services

Revision Note:

Subchapter 860 is currently under revision. When it is completed and appropriate advance notice obligations are fulfilled with the management associations and/or the unions, changes will be published in the *Postal Bulletin*, incorporated in the ELM on the Postal Service Corporate Intranet, and included in the next hard copy issue of the ELM.

861 Scope

861.1 Program Overview

The U.S. Postal Service is committed to establishing a comprehensive occupational medical program consisting of preventive and remedial care designed to deal constructively with health and safety of employees as they relate to the workplace. The program's medical services include:

- a. A concerted effort in preventive measures.
- b. Care of acute injury or illness.
- c. Disability rehabilitation.
- d. Evaluation for continuous vocational placement.
- e. Coordination with the Employee Assistance Program (EAP) in the identification and diagnosis of substance abuse (drugs and alcohol) including counseling and referral of employees to local community federally approved drug or alcohol treatment agencies/centers when appropriate.

861.2 Approach

The program establishes an overall and uniform approach throughout the Postal Service with respect to occupational health services and health related programs.

862 Policies and Objectives

862.1 Policy

It is the policy of the Postal Service to provide and maintain work environments that are conducive to and promote the good health and safety of all employees. To furnish the highest quality treatment for employees, postal facilities will be staffed with licensed physicians and/or registered nurses and such other professional medical personnel as is appropriate.

862.2 Objective

To ensure a safe and healthful workplace by providing the highest standards of occupational medical care, advice, and treatment. These services will include, but will not be limited to, the following activities:

- a. Conducting preemployment medical examinations.
- b. Evaluating medical records of applicants and employees.
- c. Treating employee injuries and illnesses.
- d. Conducting fitness-for-duty examinations.
- e. Providing recommendations regarding physical capabilities, limitations, accommodation, and rehabilitation of handicapped employees or applicants.
- f. Providing immunization services and participating in community health programs such as: blood pressure, glaucoma, and diabetes surveys, and blood bank programs.
- g. Providing preventive medical programs in health counseling, education, and training.
- h. Helping to prevent injuries and conserve sick leave.
- i. Collecting epidemiologic data to detect statistical trends in occupational illness or injury.

862.3 Medical Facilities**862.31 Medical Unit**

A medical unit is a unit in a postal facility staffed with a medical officer(s) and nurse(s) who provide medical services within that facility and other offices in the assigned geographic area.

862.32 Health Unit

A health unit is a unit in a postal facility staffed with one or more nurses who provide medical services within that facility.

863 Staffing and Functional Responsibilities**863.1 General**

- 863.11 Field Division General Managers/Postmasters implement the Medical Program and are responsible for ensuring adequate medical staffing at medical and health units. The Field Division medical officer reports to the Field Director, Human Resources. If no medical officer exists in an MSC, the medical officer of the Field Division will provide functional guidance.
- 863.12 Division boundaries must be observed and maintained in the assignment of a medical officer for the administration of the medical program.

863.2 Staffing**863.21 General**

The USPS medical staffing consists of a National Medical Director, Service Center Medical Directors, Medical Officers (full-time and part-time), contract physicians, head nurses, and nurses. Licensed technicians are authorized as needed for X rays, physiotherapy, and laboratory functions. See Handbook EL-311, *Personnel Operations*, Chapter 3.

Note: The identifier EL-311 is the new identifier for chapters 1–5 of Handbook P-11.

863.22 Qualifications

All physicians must have a current unlimited license to practice medicine in a state, the District of Columbia, the Commonwealth of Puerto Rico, or a territory of the United States. All nurses must have a current RN certification.

863.3 Administrative and Functional Responsibilities**863.31 Medical Directors**

863.311 The National Medical Director (a) plans and develops national policy for the medical program, (b) provides guidance to the Service Center Medical Directors, and (c) evaluates division medical programs. The National Medical Director is administratively responsible to the Director, Office of Safety and Health.

863.312 Service Center Medical Directors provide functional assistance to division medical officers.

863.32 Medical Officers**863.321 Reporting Responsibility**

Field Division medical officers are administratively responsible to the Field Director, Human Resources. Medical officers in MSCs within a field division are administratively responsible to the Director of E&LR and receive functional guidance from the Field Division Medical Officer.

863.322 Premises

Generally, full-time and part-time medical officers' work must be performed on postal premises or under the direction of the Postal Service.

863.323 Work Schedules

As specified in 661.42, "... An employee may not engage in outside employment or other activity which will interfere with the duties and responsibilities of Postal Service employment...." Consequently, work schedule requirements appear below.

- a. *Full-Time Medical Officer.* A medical officer who is employed as a full-time physician is usually scheduled to work a minimum of 8 hours per day, 5 days per week.
- b. *Part-Time Medical Officer.* A medical officer who is employed as a part-time physician is usually scheduled to work a minimum of 20 hours

per week. Except for occasional changes in the workload, this minimum should be observed. Consideration should be given by local management to the use of contract physician services if their requirements are generally less than 20 hours per week. Management and the part-time medical officer will establish a mutually agreeable work schedule, normally 4 hours a day, 5 days a week.

863.324 Duties

Medical officers perform the following duties:

- a. Manage professional services in the medical unit.
- b. Provide treatment of employees.
- c. Conduct physical examinations and review examinations performed by other physicians outside the Postal Service.
- d. Issue standing orders for all the nursing staff in their area of responsibility and where no medical officer is in place.
- e. Visit all health units in their assigned area at least every 6 months.
- f. Establish medical records.
- g. Make rounds on the workroom floor at regular intervals; evaluate working conditions to identify and recommend solutions to potential health and safety problems.
- h. Monitor the medical status of employees returned to duty through the rehabilitation program at intervals of 2–4 weeks as indicated.
- i. Coordinate with EAP relative to the identification and diagnosis of substance abuse (drugs and alcohol).
- j. Maintain a list of approved drug rehabilitation centers. Counsel and refer employees to drug or alcohol treatment agencies/centers in coordination with EAP personnel.
- k. Review all serious job-related injuries and fatalities to help determine if a medical condition contributed to the injury or fatality. (See 823.11 and 823.21.)
- l. Work with the employee relations staff and coordinate medical activity with safety and injury compensation staffs.
- m. Participate in management meetings, particularly those related to safety and health activities.
- n. Serve as consultant/expert witness in administrative appeal proceedings, as required.
- o. Medically assess reconsiderations of nonveterans and CPS disabled veterans' (30 percent or more disabled) appeals that go to the Office of Personnel Management.

863.33 Contract Physician

A currently licensed physician, under agreement with USPS, designated to perform specified medical services on a fee basis in areas:

- a. Where there is no coverage by a postal medical officer;
- b. Where the medical officer is on annual or sick leave; or

863.34

- c. In areas distant from the medical unit for emergencies, i.e., serious injuries or dog bites.

863.34 **Nurses**

Nurses are administratively responsible to the head nurse, if applicable, or to the Manager, Safety and Health Services in a Field Division office. Nurses in an MSC, associate office, or BMC report administratively to the head nurse, if applicable, or to the Sectional Center Director, E&LR, or to the Director of Support in a BMC. Functional direction is provided by a medical officer. The following duties are performed by nurses:

- a. Provide professional nursing care to employees.
- b. Administer medications at the direction of a physician.
- c. Assist medical officer in conducting examinations.
- d. Maintain medical records.
- e. Counsel and refer employees to EAP personnel and other health related programs. (See Handbook EL-806, *Health and Medical Service*, for additional functional responsibilities and duties.)
- f. Additional duties for head nurse are stated in the job description for occupational health nurses.

864 **Physical Examinations**

864.1 **Preemployment**

- 864.11 It is mandatory that all applicants for career, temporary, or casual employment have a medical examination before placement and for conversion to positions with different physical requirements than their present positions. See Handbook EL-311, part 322, for exceptions and scheduling procedures.

Note: The P-11 identifier has been changed to EL-311.

864.2 **Examining Physicians**

864.21 **USPS**

Postal medical officers perform the examination at a USPS medical unit within reasonable commuting distance from the applicant's home or at the postal installation where employment is sought.

864.22 **Other**

Use of a private physician by an applicant will be at no expense to USPS. All preemployment medical examinations performed by private physicians are reviewed by a conveniently located USPS medical officer or a contract physician. When neither are available, a USPS nurse may review the examination report for completeness.

864.23 **Determination of Suitability**

See Handbook EL-311, 324.

864.3 Fitness for Duty (See Handbook EL-311, 343)

- 864.31 A fitness-for-duty examination is required in determining whether an employee is able to perform the duties of the position because of medical reasons, i.e., disability, occupational/nonoccupational injury, or illness.
- 864.32 Management can order fitness-for-duty examinations at any time and repeat, as necessary, to safeguard the employee or coworker. Specific reasons for the fitness-for-duty should be stated by the referring official.
- 864.33 A specific test or consultation may be required in the judgment of the examining medical officer. The indications will be documented as part of the report.
- 864.34 In cases of occupational injury or illness, the Division/MSJ Injury Compensation Control office may request an examination in the course of monitoring an injury compensation case. (See 547.3.)

864.4 Return to Duty After Extended Illness or Injury

- 864.41 Employees returning to duty after 21 days or more of absence due to illness or serious injury require medical certification. Employees must submit medical evidence of their ability to return to work, with or without limitations. A medical officer or contract physician evaluates the medical report and makes a medical assessment to assist management in employee placement to jobs where they can perform effectively and safely.
- 864.42 In cases of occupational illness or injury, the employee will be returned to work upon certification from the treating physician, and the medical report will be reviewed by a medical officer or contract physician as soon as possible thereafter.

865 Emergencies

(See EL-806, Health and Medical Service, Chapter 1.)

865.1 Requirement

All medical and health units must be prepared to deal with emergencies and to provide medical assistance as required.

865.2 Treatment

The procedures for handling medical emergencies on postal premises where medical health units are located are listed below in priority sequence. For those facilities that do not have medical health units, go directly from step a. to step d., skipping steps b. and c.

- a. Provide necessary first aid treatment.
- b. Notify the medical/health unit.
- c. Evaluation by nurse/doctor to determine severity of injury/illness.
- d. Notify security.
- e. Transport to hospital by most appropriate means if required.

865.3

- f. In non-work-related cases, the employee's physician is consulted after control of the emergency and before any other arrangements are made. If the physician is not available, transport employee to the nearest hospital or hospital of choice.
- g. Notification of next of kin by the postmaster, personnel officer, or senior official in charge.

865.3 **Posting**

Instructions to be followed in an emergency must be posted in medical/health units and on bulletin boards at appropriate places throughout the facility.

866 **Rehabilitation After Work-Related Injury/Illness**

Through coordination with the injury compensation program, every effort will be made to return the employee with a work-related injury/illness to some duty by:

- a. Assessing the physical ability of an employee so that the employee can return to the workforce as a productive individual and recommending assignments in which the pace and physical requirements minimize risk of reinjury.
- b. Consulting with the treating physician to effectively monitor, at regular intervals, the capabilities of employees with work-related injury or illness. Also consulting when necessary with the appropriate specialists to resolve differences of opinion between the treating physician and the postal medical officer.

867 **General Procedures**

867.1 **Agreements**

867.11 **Special**

The National Medical Director is responsible for the medical specifications of contracts requiring periodic physical examinations for a special category of employees (e.g., PCES) as required by management.

867.12 **Medical Surveys**

Exposure to toxic substances is identified and quantified by the senior safety specialist, or safety officer. The Field Division Medical Officer negotiates the surveillance. Such surveys must be coordinated with the Service Center Medical Director. The Field Division Director, Human Resources, implements appropriate action and notifies the Regional Director, Human Resources.

867.13 **Physician Contract**

867.131 **Initiating Medical Agreements**

The following are the procedures for initiating medical agreements with contract physicians/clinics:

- a. The area Medical Officer recommends and renews all agreements with contract physicians/clinics using Form 7314, *Medical Agreement*.
- b. Management review of the contract is conducted by the area Human Resources manager. The area Medical Officer approves the agreement as the contracting officer.

Note: The area Medical Director will act for the district Medical Officer where there is none in place.

- c. A copy of the contract is kept by the Field Division, Medical Officer and copies furnished to the contractor, Field Director, Human Resources, the local installation head, and the Service Center Medical Director.

Note: Part-time nurses who are covered under the USPS-NPPN Agreement must not be confused with nurses who are contracted using Form 7314. Contracts for nursing services must not violate provisions of the USPS-NPPN Agreement, Article 7.02. Medical services for on-the-job injuries or illnesses must comply with the provisions in ELM 543. Medical services for customer-related accidents must comply with Handbook M-19, *Accident Investigation — Tort Claims*, 253.2.

867.132 **Certification for Payment of Invoices**

As invoices are received from the physician(s), clinics, or nurses, the district Medical Officer or designee will execute the following procedures before submitting invoices for payment processing:

- a. Verify that the specific services have been rendered and that the invoices are accurate.
- b. Review invoices to detect any inconsistencies such as double billing for the same service under a new invoice.
- c. Certify an invoice(s) by either stamping, typing, or handwriting on the *original invoice* the following information: (1) signature and title of the certifying official, (2) name of postal facility, (3) finance number, and (4) date that the services were rendered. A sampling of the stamp reads: "I certify that the goods or services have been received and the invoice is correct and proper for payment."

867.133 **Payment — Statement of Account Offices**

The payment procedures are as follows:

- a. Forward certified invoices to the installation finance section for payment in accordance with local procedures and recording on Form 1555, *Statement of Account* (SOA).
- b. Forward copies of paid invoices to Field Division Medical Officers or designees for their files.
- c. Record payment for non-job-related medical services, i.e., routine medical examinations, nursing services, and first aid treatment that is not related to the on-the-job injury or illness on the SOA using AIC 578.

- d. Record payment for job-related medical services, i.e., office visits, X-rays, lab work, pharmaceutical bills, and fitness-for-duty examinations that are required because of an on-the-job injury or illness on the SOA using AIC 577.
- e. Payment for medical services for *customers involved in accidents* on or with Postal Service property is made only for the initial visit. Record these payments on the SOA using AIC 597.

867.134 **Payment — Non-Statement of Account Offices**

For those postal installations that do not have a Statement of Account, the following payment procedures apply:

- a. Forward certified invoices to the installation finance section for recording and subsequent forwarding to the San Mateo Postal Data Center (94497-9133).
- b. The certifying official will send copies of invoices to Field Division, Medical Officers or designees for their files.
- c. Payment for non-job-related medical services, i.e., routine medical examinations, nursing services, and first aid treatment that is not related to an on-the-job injury or illness will be paid charging General Ledger Account (GLA) 52428.
- d. Payment for medical services that are job-related, i.e., office visits, X rays, lab work, pharmaceutical bills, and fitness-for-duty examinations that are required because of an on-the-job injury or illness will be paid using GLA 52427.
- e. Payment for medical services for *customers involved in accidents* on or with Postal Service property is made only for the initial visit. This will be paid using GLA 55216.

Note: AICs 578, 577, and 597 will automatically crosswalk to five-digit expense accounts 52428, 52427, and 55216, respectively, in the General Ledger.

Example: A sample payment log used for recording payment information follows:

Medical Payment Control Log — Calendar Year		
Name:		
Address:		
City:		
State:		
ZIP + 4:		
Social Security Number:		
Invoice Amount	Date Paid	Total Year to Date

867.14 **Health Agreements**

These agreements are negotiated between the USPS and other federal agencies to provide medical services to those agencies at USPS facilities. The division medical officer and facility manager are responsible for approving such agreements.

867.2 **Malpractice**

Malpractice insurance is not available for postal medical personnel. Representation in civil or criminal proceedings will be provided in accordance with 667.2.

867.3 **Preservation of Privacy**

Preservation of the privacy of medical records is a direct responsibility of the medical officer/nurse. (See Handbook EL-806, Chapter 2.) In facilities where no medical personnel are assigned, the medical officer will arrange with the installation head to properly secure the medical records. Where there is no medical officer, the Service Center Medical Director will perform this function.

867.4 **Medical Training (See 740)**

867.41 The USPS authorizes training for employees to upgrade or maintain proficiency in their current positions.

867.42 Continuing medical education is encouraged by:

- a. Attendance at seminars and medical meetings to improve the professional skills of medical officers and nurses in occupational medicine.
- b. CPR (training with annual recertification) is required for all medical personnel. This training will be at Postal Service expense.

867.43 Requests for medical training by medical personnel are to be submitted through the employee's supervisor to the appropriate approving official at the installation.

867.5 **Conflict of Interest**

867.51 Full-time medical personnel must not accept any postal employee as a private patient. Medical personnel are defined as physicians, nurses, and other professional personnel. This rule applies to new patients and does not affect physician/patient relationships that were in existence prior to the issuance of this subchapter. The exception is where an existing private relationship creates an actual conflict of interest as defined in 661.42, in which case the relationship must be terminated.

867.52 Postal medical officers who are treating postal employees in the scope of their duties may not refer employees to their private practice or a relative. Relative is defined in Handbook EL-311, 312.323.

867.53 Part-time and contract medical personnel may treat postal employees privately within the bounds of the general ethical conduct standard (661.42) which provides that outside employment may not interfere with the duties and

867.54

responsibilities of Postal Service employment. Specifically, part-time or contract medical personnel may not:

- a. Coerce, solicit, or inhibit an employee from the free choice of physician in the treatment of an occupational injury or illness.
- b. Serve as the private physician to, or treat in private practice, postal employees sustaining occupational injuries or illness unless the physician is the physician of choice. Any treatment of an employee for an occupational injury or disease by a part-time or contract physician will, in all cases, be considered to be performed within the scope of the physician's postal duties or pursuant to the terms of any contract with the Postal Service.
- c. Continue to treat postal employees for a non-job-related injury or illness when the employee initially sought treatment while the physician, nurse, etc., was acting in an official capacity with the Postal Service.

867.54 The provisions described in 867.53 are also applicable to medical clinics or other similar facilities under contract with the Postal Service.

870 Employee Assistance Program

871 Introduction

871.1 Purpose

871.11 General

The Employee Assistance Program (EAP) is a formal, nondisciplinary program designed to assist employees and their immediate families in recovering from alcoholism and drug abuse and in dealing with other problems — mental, emotional, familial, marital, financial, legal, and other — that may adversely affect both an employee's job performance and personal life. Assistance is provided through consultation, evaluation, counseling, and/or referral to community resources and treatment facilities.

871.12 Alcohol or Drug Abuse

Recognizing that alcohol and drug abuse are serious health problems that can adversely affect an employee's job performance and personal life, the EAP continues the Postal Service's obligation under the various collective-bargaining agreements to provide a program for employees afflicted with these problems. The program is not intended to alter or amend any of the rights or responsibilities of postal employees or of the Postal Service itself.

871.2 Definitions

Special terms used in this subchapter include the following:

- a. *Alcoholism* — a complex disease characterized by the uncontrolled use of alcohol.
- b. *Drug abuse* — an improper or illegal use of or dependency on drugs.
- c. *Employee and workplace intervention analyst (EWIA)* — a postal employee with at least a master's degree in psychology, counseling, or other discipline related to human behavior. (See Occupation Code 0301-5363 for a complete description of duties and responsibilities.)
- d. *External EAP service provider* — an individual or group external to the Postal Service providing EAP services through an interagency agreement or on a contractual basis.
- e. *Family member* — any legal dependent of the employee, or anyone living in the employee's household, with the exception of tenants or employees of the postal employee who live in the household.
- f. *Internal EAP* — employee assistance services provided by employees of the Postal Service.
- g. *Other problems* — include, but are not limited to, gambling, stress, and emotional, family, marital, financial, and legal problems.
- h. *Self-initiated referral* — an employee's voluntary referral of him- or herself for assistance from the EAP, made by directly contacting an

EAP counselor. An employee's first visit to the EAP may be on the clock, provided the manager receives advance notice and concurs. Subsequent consultations are on the employee's own time.

- i. *Written referral* — a manager's and/or supervisor's referral of an employee to the EAP based on job performance, attendance, or conduct issues. This type of referral is in writing, and the counselor receives a referral memo addressed to the EAP.

871.3 **Policy**

871.31 **Job Security**

Participation in the EAP is voluntary and will not jeopardize the employee's job security or promotional opportunities.

871.32 **Limits to Protection**

Although the employee's voluntary participation in EAP counseling for alcoholism or drug abuse should be given favorable consideration in disciplinary action, participation in EAP does not limit management's right to proceed with any contemplated disciplinary action for failure to meet acceptable standards of work performance, attendance, and/or conduct. Further, participation in EAP does not shield an employee from discipline or from prosecution for criminal activities.

871.33 **Confidentiality**

Inquiries regarding participation in EAP counseling are confidential, pursuant to the provisions of ELM 874.4.

871.34 **Reasonable Access**

The contractor must endeavor to provide confidential counseling facilities within a reasonable driving distance from the employee's work site or home. While it is desirable to provide ready accessibility to face-to-face EAP counseling, areas exist where it is not possible to do so. Counselors may offer telephone counseling or request that the client travel to the counselor's office. Counselors must be on duty at the EAP office during specified hours and days, including coverage of all three tours, as mutually agreeable between the employee and workplace intervention analyst (EWIA) and the counselor. Counselors may adjust their schedules to respond to crisis situations.

871.35 **Scheduling**

An employee's first visit to EAP is on the clock, whether the visit is initiated by management, the union representative, or the employee concerned, unless the employee prefers to visit the EAP unit on his or her own time. Subsequent consultations are on the employee's own time.

872 Program Elements

872.1 Education

EAP counselors and/or subcontract counselors must provide seminars periodically for all Postal Service employees so that they may become aware of the EAP services as well as the various personal problems that can affect job performance or conduct. The EAP counselor in collaboration with the employee and workplace intervention analyst (EWIA) determines where and when to provide these sessions.

872.2 Problem Identification, Referrals, and Evaluation

872.21 Patterns of Behavior and Work Performance Problems

It is generally recognized that certain patterns of behavior and/or work performance problems can be indicative of difficulties affecting the employee. These problems may include gambling, substance abuse, emotional stress, or marital problems. Deterioration in attendance, appearance, conduct, ability, or any combination of these factors may signal that the employee is experiencing a personal problem that may affect his or her job performance.

872.22 Referrals to EAP

872.221 Management Referrals

If a supervisor or manager observes such characteristics as listed in 872.21, or has some other reason to believe that the EAP could provide needed assistance to an employee, he or she may refer an employee to EAP in writing using the EAP referral form. The supervisor or manager should not attempt to diagnose the perceived problem. The employee has the option to refuse the referral, and the employee cannot be disciplined for noncompliance.

Exception: In instances when there is a Last Chance Agreement, or when the employee has signed a settlement agreement agreeing to participate in the EAP, the employee can be disciplined for noncompliance within the terms of the signed agreement. Regulations do not permit any EAP documentation to be placed in an employee's official personnel file (OPF).

872.222 Referrals From Others

Employees may be referred to EAP by fellow employees, union representatives, management association representatives, medical personnel, family members, or judicial or social service agencies.

872.223 Self-Referrals

Employees who desire assistance with a substance abuse or other personal problem are encouraged to seek such assistance directly by personally contacting the EAP service provider responsible for their installation.

872.224 EAP Response

The EAP counselor must accept all referrals. Face-to-face or telephone interview appointments must be available within a reasonable period from the time the request is made by the employee or family member. Face-to-face

and telephone appointments for urgent situations must be made consistent with need, regardless of the counselor's regularly scheduled hours. Crisis counseling must be available by telephone 24 hours per day, 365 days per year.

872.23 **Problem Evaluation**

EAP counseling staff provide evaluation services and arrange counseling for employees or family members or refer them to appropriate treatment providers. In cases subject to Department of Transportation (DOT) regulations, the Postal Service medical personnel should ensure that any appropriate or necessary medical examinations and evaluations are done and then monitor counseling and referrals to recovery programs with EAP counseling personnel.

872.3 **Recovery Counseling and Resources**

872.31 **EAP Counseling Units**

EAP units are staffed by EAP counseling professionals trained to counsel and provide referral services to individuals who seek their assistance. Postal EAP units are not equipped to provide detoxification or drug rehabilitation assistance, but they do make use of referral programs and other treatment facilities for these problems.

872.32 **Residential and Community Resources**

A wide variety of other outside programs and treatment facilities are available to be recommended to employees and family members. EAP counseling service providers maintain a current list of community programs and resources, and assist with initial arrangements and appointments. The cost of any such programs or treatment facilities is borne by the employee if it is not covered by the employee's health insurance. In cases for which hospitalization or detoxification is recommended, requests for sick leave, leave without pay, annual leave, or advanced sick leave are the responsibility of the employee.

872.4 **Follow-Up**

872.41 **Progress**

If a manager or a supervisor has referred an employee to EAP counseling as a result of a job performance problem, that manager or supervisor should continue to monitor the employee's job performance.

872.42 **Discontinuance of Participation**

Whether an employee opts to continue or discontinue participation in the EAP counseling, he or she is still responsible for maintaining prescribed job performance standards.

872.43 **Return to Work**

If an employee is on leave from the Postal Service to participate in an outside rehabilitative program for mental health or substance abuse issues, the EAP

counselor monitors the course of rehabilitation and assists in any contemplated return to work. After such leave, Postal Service medical personnel or a contract physician must examine the employee and make a recommendation to management regarding his or her ability to return to work. The decision to return the employee to duty rests with the installation head.

872.5 **Program Evaluation**

872.51 **General**

The EAP must be evaluated annually or more often, as needed. The purpose of these evaluations is to measure the efficiency and effectiveness of the program and to ensure that it is operating within established policy.

872.52 **District Reviews**

Evaluation teams for district reviews are initiated by the employee and workplace intervention analyst (EWIA), utilizing prescribed evaluation procedures.

872.53 **Subcontract Provider Reviews**

Responsibility for evaluation of subcontract EAP providers' credentials and offices rests with the employee and workplace intervention analyst, who utilizes established evaluation procedures.

873 **Reinstatement of Recovered Employees**

873.1 **Policy**

873.11 **Consideration of Request**

Requests for reinstatement from recovered employees should be given serious consideration, recognizing that the experience gained in former postal employment is a potentially valuable asset.

873.12 **Consideration of Other Factors**

In reviewing such reinstatement requests, local management must consider the former employee's postal work history and the nature of the charges that led to removal or resignation, as well as the eligibility factors set forth in 873.2 and those contained in Handbook EL-311, *Personnel Operations*. Exceptions to reinstatement consideration are made whenever the employee has been investigated for violations of the law, such as theft of mail or postal property, assaults or threats, fraud, or possession and/or sale of drugs on property or on duty.

873.2 Eligibility**873.21 Procedures**

Reinstatement of an individual whose removal or resignation from the Postal Service is related to alcoholism, dependency on drugs, or other problems, may be considered when the individual:

- a. Submits a written request for reinstatement, accompanied by a signed authorization to release information, indicating the employee's written consent to a waiver of federal regulations on confidentiality restrictions.
- b. Is willing to accept reinstatement on the basis of continued participation in the EAP if deemed necessary by the EAP counselor.

873.22 Management Responsibilities

The employing official must obtain certain prior approvals when removals for cause are involved as outlined in ELM 323.23. For procedural requirements regarding reinstatement, see Handbook EL-311.

873.3 Compliance With Agreements

If a former bargaining-unit employee is reinstated to a bargaining-unit position, employing officials must comply with all relevant provisions of applicable collective-bargaining agreements in determining the employee's seniority and other contractual rights.

874 EAP Counseling Records**874.1 Policy**

Information about EAP counseling participants must be held in confidence. As restricted information, it may be disclosed only as shown in 874.4.

874.2 Definition of Restricted Information

Restricted information is information that has limitations placed upon both its access within the Postal Service and disclosure outside the Postal Service consistent with the Privacy Act and Public Health Service Act.

874.3 Custodians of Records**874.31 Postal Service Providers**

When EAP services are provided by Postal Service employee counselors, counseling records are maintained within the Privacy Act system of records, USPS 120.140, Personnel Records — Employee Assistance Program (EAP) Records. They are therefore subject to Postal Service access, disclosure, amendment, and records maintenance regulations and policy implementing the Privacy Act (39 CFR 266, ASM 353, and ASM Appendix).

874.32 Private Providers

When EAP services are provided through an interagency agreement or a private vendor, each EAP counseling service provider is responsible for

maintaining records concerning participants. These counseling records are the property of the primary provider and maintained in a system of records. The primary provider must maintain policies and procedures for safeguarding the confidentiality of client data and files and may be liable under the law for improper release of such information. The primary provider agrees to assert any privilege allowed by law and to defend vigorously Postal Service rights to confidentiality.

874.4 **Disclosure**

874.41 **General**

874.411 **Usual Recipients**

Information identifying program participants, whether or not such information is recorded, may be disclosed as follows:

- a. To medical personnel outside the Postal Service to the extent necessary to meet a *bona fide* medical emergency involving the participant.
- b. To the supervisor and/or manager for purposes of advising as to whether or not the employee appeared for any on-the-clock interview.
- c. To qualified personnel with the express written authorization of the vice president of Human Resources, for purposes of conducting scientific research or program audits or evaluation. However, under no circumstances may any identifying information be disclosed in the resulting evaluation, research, or audit reports.
- d. When authorized by a court order upon showing of good cause, such as when necessary to protect against an existing threat to life or of bodily injury, or in connection with the investigation or prosecution of a crime. In addition, in litigation or an administrative proceeding when authorized by the trier of fact, when the employee offers testimony or other evidence pertaining to the content of his or her EAP participation. Counsel should be contacted for assistance in both evaluating the order and in determining the extent to which information must be released.
- e. To any person with the prior written consent of the program participant.
- f. In any situation where the counselor has a "duty to warn."
- g. To an expert, consultant, or other individual who is under contract to the Postal Service to fulfill an agency function, but only to the extent necessary to fulfill that function, and in accordance with the Privacy Act restrictions as listed under 39 CFR 266.6.

874.412 **Limitation of Disclosure**

In all cases above, only information that is absolutely necessary to satisfy the recipient's business or medical need is to be disclosed.

874.42 **Criminal Activity**

874.421 **EAP Records**

No EAP counseling records or personnel may be used to initiate or substantiate any criminal charges against a program participant or to conduct

any investigation of a participant, except as authorized by a court order for good cause.

874.422 Limitation of Confidentiality

If an EAP counseling participant reveals the commission or intended commission of serious criminal activity, the EAP counselor is not prohibited from disclosing that information so long as the employee is not identified as an EAP counseling program participant. Confidentiality does not apply in any of the following cases:

- a. A crime is committed on EAP premises or against EAP counselor personnel or a threat to commit such a crime is made.
- b. Incidents of child abuse and/or neglect (elder abuse in some states) occur.
- c. Disclosure is required to elements of the criminal justice system that have referred patients.

875 Employee and Workplace Intervention Analysts

875.1 Introduction

Employee and workplace intervention analysts ensure that the EAP is effectively administered and meeting employee and management needs. Using organizational development intervention strategies, the employee and workplace intervention analyst may make recommendations to resolve workplace climate issues and improve work environments.

875.2 Disclosure Policy

Employee and workplace intervention analysts using organizational intervention strategies to effect workplace climate and culture changes are bound by regulations according to ELM 314.52–55. Employee and workplace intervention analysts must also adhere to Freedom of Information Act and Privacy Act restrictions as listed in ASM 352–353 and Appendix and to the Professional Organizational Development Code of Ethics.

875.3 Program Elements

875.31 Problem Identification

Employee and workplace intervention analysts conduct organizational interventions, workplace climate assessments, conflict resolutions and/or threat assessments which may identify work climate and culture problems (see 871.2c).

875.32 Problem Evaluation

In conducting organizational interventions, the employee and workplace intervention analysts must make recommendations to the appropriate leadership team to enable resolution of organizational concerns.

880 Smoking

881 Definition

Smoking is defined as having a lighted cigar, cigarette, pipe, or other smoking material.

882 Policy

882.1 Buildings

Smoking is strictly prohibited in all buildings or office space (including service lobbies) owned or leased by the U.S. Postal Service. There will be no indoor smoking permitted by any occupant of such space. Local managers, with input from employee representatives, may decide whether or not to permit smoking in designated outdoor locations on Postal Service property.

882.2 Vehicles

Smoking is prohibited in any General Services Administration (GSA) interagency fleet management system (IFMS) vehicles.