8 Safety, Health, and Environment

810 Occupational Safety and Health Program

811 General

811.1 Authority

The Postal Service™ is subject to Public Law Number 91–596, the Occupational Safety and Health (OSH) Act of 1970, pursuant to the Postal Employees Safety Enhancement Act (PESEA) of 1998. The OSH Act provides for citations, penalties, and criminal referrals for those employers who fail to comply. The Occupational Safety and Health Administration (OSHA) is responsible for promulgating and enforcing standards and regulations under the OSH Act.

811.2 Principles

811.21 Management Commitment, Involvement, and Accountability

Managers must demonstrate commitment to providing safe and healthful working conditions in all Postal Service-owned and -leased installations, become involved in day-to-day safety performance, and be held accountable for safety performance and compliance with OSHA standards and regulations (see Handbook EL-802, *Executive's and Manager's Safety Compliance Guide).*

811.22 Vision Statement

The Postal Service will become a leader in occupational safety and health for the federal government and private sector by demonstrating a commitment to integrating safe work practices into all of our services. The Postal Service is committed to participation in the OSHA Voluntary Protection Programs (VPP). (See 811.25.) The Postal Service also engages in innovative safety efforts such as the Ergonomic Risk Reduction Program and joint labor-management safety and health committees (see 816).

811.23 Guiding Principles

The guiding principles of the Postal Service are the following:

a. *People* — Employees are our most valued resource. Our employees must be provided a safe and healthful workplace.

b. *Customers* — When our employees work more safely, our performance improves.

c. *Excellence* — We can demonstrate that management and employee attention to working safely is good business.

d. *Integrity* — As a leader in occupational safety and health, we enhance our integrity with our customers, business partners, and the Congress.

e. *Community Responsibilities* — When our employees work safely, our customers are safer, and we lead other employers by example.

811.24 Safety Philosophy

The safety philosophy of the Postal Service is the following:

a. Any occupational injury and illness can be prevented. This goal is realistic, not theoretical. Supervisors and managers have primary responsibility for the well-being of employees and must fully accept this principle.

b. Management, which includes all levels including the first-line 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 that can result in accidents, injuries, and illnesses. It is preferable to eliminate the sources of danger. However, where this is not practical, management must use protective measures. including administrative controls, machine guards, safety devices, and personal protective equipment.

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 are responsible for working safely, and in doing so, they benefit not only their organization but also themselves.

e. It is good business practice in terms of efficiency and economy to prevent personal injuries on and off the job. Injuries cost money, reduce efficiency, and cause human suffering.

811.25 Voluntary Protection Programs

The Postal Service is committed to participation in OSHA VPP. These programs recognize and establish partnerships with businesses and worksites that show excellence in occupational safety and health. The Postal Service is committed to effective employee protection beyond the requirements of OSHA standards. The Postal Service is also committed to developing and implementing systems that effectively identify, evaluate, and control occupational hazards to prevent employee injuries and illnesses. Postal Service VPP implementation and maintenance procedures, based on the latest criteria from OSHA, are available on the Safety Resources Web site.

811.3 Off-site Safety

The Postal Service Safety and Health Program and OSHA standards and regulations cover Postal Service employees who perform Postal Service duties in private employers' establishments and while delivering mail and performing other activities off Postal Service property. To ensure that employees are protected, safe and healthful working conditions must be provided through engineering and administrative controls, personal protective equipment, enforcement of safe work practices, withdrawal of employees from the private sector facility, and, if necessary, curtailment of mail.

811.4 Records Retention and Disposition

811.41 Records Control Schedule

General retention and disposal instructions for the records and forms referenced in 810 through 850 can be found in the appendix, Records Control Schedules. Additional information can be found in the *Administrative Support Manual* (ASM), 89, Records Retention, and in the Electronic Records and Information Management Systems, RIMSWEB (eRIMS) on the Intranet.

811.42 PS Form 8214, Certificate of OSHA, Safety, and Environmental Records Transfer

OSHA requires each establishment to maintain records and produce them when requested. The purpose of PS Form 8214 is to ensure that these required records are transferred when there is a change in establishment or installation head at a Post Office, station, or branch.

812 Management Responsibilities

812.1 Headquarters

812.11 Postmaster General and Chief Executive Officer

The postmaster general is responsible for establishing and maintaining an effective, comprehensive national occupational safety and health program that fully complies with the OSH Act.

812.12 Chief Operating Officer and Executive Vice President

The chief operating officer ensures that area management implements and maintains effective area safety and health programs by, among other activities, monitoring Executive Safety and Health Committee activities during quarterly business reviews.

812.13 Officers

Officers of the Postal Service are delegated the authority and responsibility to ensure safe and healthful working conditions and practices within their functional areas and to ensure compliance with OSHA standards and regulations.

812.14 Vice President of Employee Resource Management

The vice president of Employee Resource Management is delegated the authority and responsibility to administer and evaluate the national safety and health program.

812.2 Area Offices

812.21 Vice President of Area Operations

Vice presidents of Area Operations are responsible for providing effective safety and health programs in their areas and for ensuring compliance with OSHA standards and regulations.

812.22 Area Human Resources Managers

Area Human Resources managers are responsible for monitoring area safety and health programs and performance in conformance with national policy and direction.

812.3 Performance Cluster and District Managers

812.31 District Managers

District managers are responsible for implementing the occupational safety and health programs within their jurisdiction. Additionally, they must develop a performance cluster (PC) accident reduction plan (ARP) using the Safety Toolkit to achieve the corporate objectives of reducing injury, illness, and motor vehicle accidents. Refer to the Safety Resources Web site and the Safety Toolkit for additional information on developing, implementing, and monitoring ARPs.

812.32 Installation Heads and Managers

Installation heads and managers are responsible for employee safety and health, implementation of the occupational safety and health program, and compliance with OSHA standards and regulations, including maintenance of the accident reports, OSHA Log, and Summary of Injuries and Illnesses. They are also responsible for developing, implementing, and monitoring facility ARPs using the Safety Toolkit to achieve the corporate objectives of reducing injury, illness, and motor vehicle accidents. Refer to the Safety Resources site and the Safety Toolkit for additional information on developing, implementing, and monitoring ARPs.

Installation heads are encouraged to attend annual safety and health training.

812.4 Middle-Level Managers

Middle-level managers are responsible for the safety and health program within their operations. This includes responsibility for administering OSHA-mandated written programs, conducting accident prevention activities, training employees, and evaluating the safety performance of supervisors. Middle-level managers coordinate activities, including correction of safety deficiencies, with other operational managers.

Middle-level managers are encouraged to attend annual safety and health training.

812.5 Supervisors' Responsibilities

812.51 General

Supervisors are responsible for identifying and correcting physical hazards, investigating and reporting accidents, administering OSHA-mandated written programs, conducting accident prevention activities, training employees, developing job safety analyses, and enforcing safe work practices.

Supervisors are encouraged to attend annual safety and health training.

812.52 Observation of Work Practices

Supervisors will observe employees' work practices to ensure that they are working safely. Supervisors will document their observations on PS Form 4588, *Observation of Work Practices — Delivery Services,* or PS Form 4589, *Observation of Work Practices — General,* whichever is appropriate. When used correctly, these forms can help the supervisor and the employee to identify and eliminate work practices that could lead to accidents and injuries. Use of these forms also gives the supervisor an opportunity to recognize and reinforce safe work practices.

812.6 Safety and Health Objectives

For each fiscal year, managers at every level in every function must have in their performance plans safety and health objectives tied to corporate safety indicators and their facility-specific ARPs. Annually, Headquarters will issue management policy and procedures for ARPs tailored to address national safety indicators and priorities.

813 Safety and Health Staff Responsibilities

813.1 Headquarters

Safety and Environmental Performance Management (SEPM) assists the vice president of Employee Resource Management to administer and evaluate the safety and health program by monitoring and improving the program and related safety and health policies, procedures, and standards. In conjunction with the General Counsel and other functional organizations, SEPM establishes policies and procedures to manage OSHA compliance activity, including citations, penalties, abatement, negotiated settlements, and judicial procedures.

To ensure that safety is integrated into all Postal Service operations, SEPM provides safety and health expertise and staff support to other Headquarters functional areas and Area offices, as necessary. SEPM provides comments on proposed OSHA regulations to Government Relations and coordinates with other federal agencies, private sector employers, and professional groups on matters of safety and health.

813.2 Area Offices

The area Human Resources manager assists the area vice president in the implementation of national safety and health policies, programs, and directives. This includes responsibility for long-term planning and monitoring activities. Area Human Resources managers, in conjunction with field legal counsels, provide oversight and advice on OSHA compliance activities.

The area Human Resources manager supports the performance clusters in the administration of their safety and health programs and monitors status of the OSHA Log and Summary of Injuries and Illnesses. Responsibilities include budgeting for and scheduling safety and health resources, including professional development of the safety and health staff. Additionally, the area Human Resource function provides technical support for performance cluster safety personnel.

813.3 Performance Clusters

813.31 Safety Personnel

Safety personnel are responsible for developing and monitoring a comprehensive safety and health program for facilities within their geographic boundaries.

While the responsibilities of safety personnel will vary depending on the size of the organization, the number of locations, and the type of operation, their major function is to serve as technical advisors and consultants to line management. To support line management, they contribute their experience, knowledge, and judgment to the formation of decisions that affect safety and health. Safety personnel functions include:

a. Monitoring the status of the OSHA Log and Summary of Injuries and Illnesses for all facilities in the cluster and advising management of deficiencies.

b. Collaborating with management to prepare and administer OSHA-mandated written programs.

c. Assisting line managers, in conjunction with injury compensation and medical personnel, to resolve safety and health problems, interpret policies, standards, and regulations, and provide detailed action plans for management implementation.

d. Analyzing accident, injury, and illness statistics, hazardous condition reports, inspection results, and related data in order to advise management on corrective actions.

e. Identifying and assessing accident- and loss-producing conditions, practices, and trends, and advising management on incorporating effective countermeasures into District/PC and facility-specific ARPs.

f. Conducting safety and health inspections and program evaluations.

In addition, full-time safety personnel assist collateral duty facility safety coordinators with technical advice, OSHA reporting, training, and related issues.

813.32 Collateral Duty Facility Safety Coordinator

In facilities in which there are no full-time safety positions, the installation head or designee is the collateral duty facility safety coordinator (FSC) and performs safety-related duties appropriate to the size and function of the facility. The FSC must be an EAS employee. If there are fewer than 100 workyears of employment (see 824.33) in the facility, the FSC conducts the annual safety and health inspection. He or she performs the inspection under the guidance of the servicing safety office. The FSC also maintains the hazard log (PS Form 1767*, Report of Hazard, Unsafe Condition, or Practice)*

(see 824.634). FSCs must use the Safety Toolkit in the performance of their duties. At a minimum, they must record safety and health inspection deficiencies and abatements, program evaluation findings and corrective actions, employee reports of hazards and corrective actions. They must advise the installation head/manager with development, implementation, and monitoring of countermeasures in the facility ARP.

FSCs must be trained for their duties using Postal Service-approved courses. At a minimum, all FSCs must attend the FSC training course.

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 be provided a safe and healthful work environment.

b. Report unsafe and unhealthful working conditions using PS Form 1767.

c. Consult with management through appropriate employee representatives on safety and health matters such as program effectiveness.

d. Participate in inspection activities where permissible.

e. Participate in the safety and health program without fear of restraint, interference, coercion, discrimination, or reprisal.

814.2 Responsibilities

All employees are responsible for:

a. Complying with all OSHA and Postal Service safety and health regulations, procedures, and practices, including the use of approved personal protective equipment.

b. Keeping the work area in a safe and healthful condition through good housekeeping and proper maintenance of property and equipment.

c. Reporting recognized safety hazards and unsafe working conditions immediately.

d. Performing all duties in a safe manner.

e. Keeping physically and mentally fit to meet the requirements of the job.

f. Reporting to their supervisors immediately any accident or injury in which they are involved, regardless of the extent of injury or damage.

g. Driving defensively and professionally, extending courtesy in all situations, and obeying all state, local, and Postal Service 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 Committee

The area executive safety and health committee — chaired by the area vice president and consisting of district managers, area office managers (as determined by the vice president), and inspectors-in-charge — must meet at least quarterly. The area vice president establishes a system to track and monitor committee activities. The committee is responsible for monitoring area safety and health activities to ensure that Headquarters' goals and objectives for reducing injury and illnesses and motor vehicle accidents are met. The area committee must monitor and review:

a. Safety and health inspections and facilitate prompt abatement of identified hazards.

b. Program evaluation and implementation of safety and health program improvement plans at facilities that do not achieve a score of 3 on their program evaluation.

c. District/PC ARPs to ensure that countermeasures are implemented to reduce motor vehicle accident (MVA) and motor vehicle injury (OSHA II) rates to achieve established targets.

d. Safety and health training and recordkeeping.

e. Joint labor-management safety and health committee activities.

The chief operating officer monitors area executive committee activities during quarterly business reviews.

815.13 Performance Cluster Executive Safety and Health Committees

The performance cluster executive safety and health committee, chaired by the district manager, must meet quarterly. The committee must include plant managers, postmasters of large associate offices, critical enabling managers (e.g., Maintenance, In-Plant Support), and others as determined by the district manager and the committee. Their primary responsibilities are to review:

a. Safety and health inspections and facilitate prompt abatement of identified hazards.

b. Program evaluation and implementation of safety and health program improvement plans at facilities that do not achieve a score of 3 on their program evaluation.

c. District/PC ARPs to ensure countermeasures are implemented to reduce OSHA II and MVA rates to achieve established targets.

d. Safety and health training and recordkeeping.

e. Local joint labor-management safety and health committee activities.

The committee must report to the area on actions taken, and the area vice president must establish a system to track and monitor committee activities.

815.14 Plant Executive Safety and Health Committee

The committee[1], chaired by the plant manager, is composed of plant safety, maintenance, and other enablers as appropriate. The committee meets 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 committee must identify major safety and health problems by reviewing the following:

a. Facility safety and health program evaluations.

b. Accident reports and injury trends.

c. OSHA compliance activity.

d. Local safety inspection reports.

Based on the problems identified, the committee:

a. Advises the plant manager with developing and implementing the plant's ARP.

b. Assists the plant manager to monitor the effectiveness of the plan's countermeasures in reducing OSHA II and MVA rates.

c. Recommends improvements if the countermeasures do not achieve the desired OSHA II and MVA rate-reduction targets.

815.15 Other Levels

Safety and health management committees need not be established below the plant level, 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 3 years.

816 Joint Labor-Management Safety and Health Committees

Reference Note:
For further information, 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.

1. **Plants that require executive safety and health committees are Bulk Mail Centers (BMCs), Processing and Distribution Centers (PDCs), Processing and Distribution Facilities (PDFs), International Service Centers (ISCs), Air Mail Centers/Air Mail Facilities (AMCs/AMFs), and Logistics Distribution Centers (LDCs).*

817 Training and Education

817.1 Management Training and Education

817.11 Postmasters, Managers, and Supervisors

All postmasters, managers, and supervisors must receive safety and health training in accordance with the curriculum established by Safety Performance Management and Employee Development. Local offices, districts, and Headquarters provide this training. Postmasters, managers, and supervisors are encouraged to attend annual safety and health training.

817.12 Executives and Managers

Executives and managers at the plant level and above must be provided an orientation that discusses their responsibility for:

a. Safety and health program commitment, involvement, and accountability.

b. OSHA compliance.

c. Elements contained in a safety and health program evaluation.

d. Accident investigation and reporting.

e. Safety and health training requirements.

f. Accident reduction plans (ARPs).

817.2 Safety and Health Staff Training and Education

817.21 Safety Specialists

All safety staff must obtain a level of expertise in safety training through participation and completion of the core curriculum safety course taught at the National Center for Educational Development (NCED) or as established by Safety Performance Management.

Safety and health personnel must be provided, at least annually, professional training and education 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 pursue professional credentials and advanced education and to participate in professional safety and health-related organizations. Management must give a high priority to supporting these efforts to realize a professional safety staff. Specialized training not available within the Postal Service may be authorized in accordance with 740.

817.22 Facility Safety Coordinators

FSCs must obtain a level of safety expertise commensurate with their responsibilities through the FSC training course and the Safety for Postal Leadership course. Annual attendance of at least 8 hours of safety and health training is required. Management must give FSC training a high priority.

817.3 Joint Labor-Management Safety and Health Committee Orientation

Each member of a local committee must receive an orientation by the Postal Service that includes:

a. Responsibilities of the committee and its members.

b. OSHA compliance.

c. Basic elements of the safety and health program to include safety and health inspections.

d. Identification and analysis of hazards and unsafe practices, including job safety analysis.

e. Explanation of reports and statistics to be reviewed and analyzed by the committee.

To meet the requirements listed above, Safety and Health Committee members must attend the Safety and Health Committee training course (specified in Handbook EL-809T, *Area/Local Joint Labor-Management Safety and Health Committee Training,* and the Safety for Postal Leadership course, 1950102).

817.4 General Safety Orientation for Employees

All employees, including casual 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 site-specific safety rules, specific job safety analyses, required OSHA programs, emergency evacuation procedures, and OSHA rights and responsibilities (see 817.5).

817.5 Training Required by OSHA

Reference Note:

For further information about training required by OSHA, refer to the following Handbook (HBK) and Management Instructions (MIs):

- HBK AS-556, *Asbestos Management Guide.*
- MI EL-810-2001-1 *Personal Protective Equipment and Respiratory Protection Programs.*
- MI EL-810-2000-2*, Bloodborne Disease Exposure Control Plans.*
- MI EL-810-2000-1, *Hearing Conservation Programs.*
- MI EL-810-99-1, *Lead Hazard Management.*
- MI EL-810-98-1, *Asbestos Containing Building Materials Control Program.*
- MI EL-810-2006-1, *Response to Hazardous Materials Releases.*
- MI EL-810-96-2, *Hazard Communication Programs.*
- MI EL-810-93-1, *Confined Space Safety*.

Maintenance Management Orders (MMOs) on safety-related subjects such as lockout/tagout, hazard communication, and personal protective equipment are available on the Maintenance Technical Support Center's Web site: *www.mtsc.usps.gov*.

Additional guidance is available in the Safety Training Matrix located on the Safety Resources Web site. Go to *http://blue.usps.gov*. In the left column, under "Essential Links," click on *Safety Resources.*

817.51 Standard Curriculum

Employee Development, in coordination with Safety Performance Management and other Headquarters functional areas, is responsible for developing, implementing, and keeping current a safety and health training curriculum to comply with OSHA standards and Postal Service policies. Managers and supervisors at all levels must refer to this curriculum and ensure that all affected employees are trained and that training is current and properly recorded.

817.52 Special Emphasis Training Programs

Special emphasis training programs must be developed and initiated by Headquarters, areas, districts, plants, and other offices, as appropriate, to reduce the principal causes of accidents and injuries and occupational illnesses and to ensure compliance with OSHA requirements.

817.53 Training in Handling Hazardous Materials

In installations where employees handle or transport hazardous materials, the installation head must establish a program of promoting safety awareness through communications or training, as appropriate (see MI-EL-810-96-1). Such a program must include, but is not limited to, the following elements:

a. Posting information, pamphlets, or publication of articles in Postal Service publications, such as area bulletins, and use of distributed videos on *Hazwoper Awareness* and *Hazcomm Awareness.*

b. Distributing current Publication 52, *Hazardous, Restricted, and Perishable Mail,* to employees whose duties may require acceptance or dispatch of hazardous, restricted, or perishable items. Distribution of current Handbook EL-812, *Hazardous Materials and Spill Response,* to employees whose duties may include handling of hazardous materials and initial response to spills and leaks (First Responder Awareness Level). Acceptance and dispatch personnel must use Tag 44, *Sack Contents Warning,* to appropriately identify all mailbags containing hazardous materials as defined in Publication 52 so that an employee handling the mail is aware that the mailbag contains one or more hazardous materials.

c. Training in on-the-job awareness for employees whose duties may require the handling or transportation of hazardous, restricted, or perishable items. Training must include, but is not limited to, hazard identification, proper handling of hazardous materials, personal protective equipment availability and use, and cleanup and disposal requirements for hazardous materials. This includes Aviation Mail security hazardous materials training.

817.6 Refresher Training

Motor vehicle, powered industrial truck, asbestos, hazardous materials, and other refresher training programs must be provided and updated as needed per OSHA regulations and Postal Service policies. Such programs must also be used for correcting improper work practices before accidents result and for improving work practices after an accident.

Refresher training requirements are included in the Safety Training Matrix located on the Safety Resources Web site.

817.7 Training in New or Additional Equipment and Techniques

Training must be provided when new or additional equipment or techniques are deployed that may, if not properly used, adversely affect safe and healthful working conditions, OSHA compliance, or both.

817.8 OSHA Job Safety and Health Protection Posters

Each facility must post OSHA Poster 3165, *Job Safety and Health Protection,* in a conspicuous place. This poster outlines management responsibilities and employee responsibilities and rights under the OSH Act. Poster 3165 and the Spanish-language version, 3167, are available from the Material Distribution Center. (OSHA Poster 2203, which is superseded by 3165/3167, may be posted until supplies are exhausted.)

817.9 Training Records

For each employee, records of safety and health training must be maintained to demonstrate compliance with Postal Service policies and OSHA requirements. The records must be retained and available to allow inspection by Postal Service and OSHA officials. All safety training must be recorded on PS Form 2548, *Individual Training Record* (or equivalent), and recorded in the National Training Database.

Note: Documentation of safety talks and safety related on-the-job training must be maintained at the facility level. These records must be available to allow inspection in a timely manner.

818 Safety and Health Program Budgeting

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

a. Personnel and support sufficient to properly implement and administer the program at all levels, including administrative costs for training, computers, travel, communication, and personal protective equipment.

b. Hazard analysis, including industrial hygiene evaluations, sampling, testing, diagnostic and analytical tools and equipment, and laboratory analyses, as deemed appropriate.

c. Contracts to identify, analyze, or evaluate unsafe or unhealthful working conditions and operations, as deemed appropriate.

d. Development and delivery of safety awareness and promotional programs.

e. Technical information documents, software, books, standards, codes, periodicals, and publications.

819 Accountability for Safety and Health Performance, Compliance, and Evaluations

In any evaluation of individual performance or potential, provision must be made to include the achievement or failure of managers, supervisors, or employees in the performance of their safety and health responsibilities, including OSHA compliance. Evaluations must not be based solely on the number and seriousness of accidents, injuries, and illnesses experienced but also on how effectively the safety and health program has been implemented and supported.

820 Reports and Investigations, Program Evaluations, and Inspections

821 Actions in the Event of Accident, Injury, or Illness

821.1 Injury, Illness, and Accident Reporting

821.11 Postal Service and OSHA Reporting and Recordkeeping Requirements

The Postal Service is required by 29 CFR 1904, *Recording and Reporting Occupational Injuries and Illnesses,* to record occupational injuries and illnesses in OSHA Form 300, *Log of Work-Related Injuries and Illnesses,* and to maintain a supplementary record, OSHA Form 301, *Injury and Illness Incident Report.*

The Postal Service maintains an accident reporting process and system, including *Accident Report,* to fulfill these requirements and to meet safety and health program and business needs.

821.12 Postal Service Accident Reports

821.121 General Requirements for Using PS Form 1769, *Accident Report*

The manager or supervisor of the employee or operation involved must:

a. Report all accidents and occupational injuries and illnesses on PS Form 1769 within 24 hours of the date of the accident, the diagnosis of injury or illness, or the notification of the manager or of the situation.

b. Provide a copy of PS Form 1769 to the employee involved upon written request.

Completion of the form is required by Postal Service policy if an accident occurs and by the OSH Act if an occupational injury or illness that is recordable by OSHA definition occurs, regardless of tort claim action or the requirements of the Federal Employees' Compensation Act.

Note: PS Form 1769 definitions are not the same as OSHA's private sector recording requirements. Part 1904.46 contains OSHA's definitions of injuries and illnesses.

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 to the information submitted on PS Form 1769.

821.122 **OSHA Requirements**

In accordance with OSHA Part 1904, an OSHA Form 301 must be completed for each recordable injury or illness. The original OSHA 301 must be maintained along with the OSHA 300 Log for 5 years.

821.123 **Postal System for Accident Reporting**

PS Form 1769 must be recorded in the Postal System for Accident Reporting by the servicing safety office when any one of the following occurs:

a. *Injury or illness of a Postal Service employee.* The appropriate OSHA recordable indicator and Postal Service reportable status are identified in the Safety and Health Subsystem by a safety professional using OSHA recordkeeping guidelines to determine OSHA requirements and PS Form 1769 instructions for Postal Service requirements.

b. *Death of a Postal Service employee on Postal Service premises or on the job.* Form CA-5 or CA-6, US Dept. of Labor Official Superior's Report of Employee's Death, is submitted to the OWCP.

c. *Injury or fatality to a non-Postal Service person on Postal Service premises.* Unless a contractor is involved, this is not an OSHA-recordable event (see OSHA Parts 1904.25, 1904.39–41, and 1904.43–44).

d. *Motor vehicle accident that results in death, injury, or property damage,* regardless of cost, who was injured (if anyone), or what property was damaged.

e. *Damage of $500 or more to Postal Service property or to property of customers or the general public,* regardless of whether an injury was involved.

f. *Fire damage of $100 or more to Postal Service property.*

821.13 Reporting Using PS Form 1769

821.131 **Completing PS Form 1769**

The manager or supervisor of the employee or operation reports all accidents and occupational injuries and illnesses on PS Form 1769 within 24 hours, using the "Narrative" block to record the employee's home address and the full circumstances of the accident (the "who, what, when, where, why, and how" that explain the cause of injury or illness).

Managers and supervisors of the employee or operation are responsible for investigating all accidents and occupational injuries and illnesses quickly and accurately to determine root causes, and they are responsible for completing PS Form 1769.

821.132 **Reviewing PS Form 1769**

Review is conducted as follows:

a. The *supervisor's immediate manager* must review each PS Form 1769 for accuracy and its application (including OSHA recording status), follow up to ensure that action is taken to prevent similar occurrences, and endorse the report (in item 57).

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

c. *Servicing safety personnel* must ensure that accident causes are identified, that the action taken is appropriate, and endorse the report (in item 59).

821.133 **[*Reserved*]**

821.134 **Notifying the Safety Office of Corrections**

Correct erroneously recorded data by submitting a copy of PS Form 1769, annotated "Amended," through the servicing safety office to the Postal Service accident reporting system. Circle the items that need to be corrected and enter the correct data. Make corrections to the OSHA log and summary if necessary.

821.14 Maintaining Logs and Summaries

821.141 **OSHA 300, Log of Work-Related Injuries and Illnesses**

In accordance with 29 CFR 1904, each facility must maintain an OSHA 300 log by calendar year that lists all OSHA-recordable occupational injuries and illnesses. All such injuries and illnesses must be recorded on the log within 7 days of notification.

821.142 **OSHA 300A, Summary of Work-Related Injuries and Illnesses**

Post a copy of OSHA 300A for the period February 1 through April 30 each year in a conspicuous place at every establishment where employees work or report to work.

821.143 **OSHA 301, Injury and Illness Incident Report**

OSHA Form 301 must be filled out for each OSHA-recordable, work-related illness or injury within 7 days of notification (see 821.122).

821.144 **Retention**

Retain OSHA Forms 300, 300A, and 301 and PS Form 1769 for 5 years after the end of the calendar year. See the , Employee and Labor Relations section, items 32 to 43.

821.2 Accident Investigation

821.21 Responsibility

Managers and supervisors are responsible for investigating all accidents promptly, determining their causes, and reporting them accurately in accordance with OSHA and Postal Service regulations. Management should consult with safety personnel when accident causes cannot be readily determined.

821.22 Method

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

a. Interview employees to determine what caused the accident, why it happened, and what the employees and supervisor think could have been done to prevent it.

b. Promptly inspect the accident site to determine what conditions (such as equipment and work practices) contributed to the accident.

c. Interview witnesses and coworkers.

d. Examine the most recent PS Form 1783, *On-the-job Safety Review/ Analysis,* for the task involved to determine if changes are required. Update as needed and review with all affected employees. If a PS Form 1783 is not on file, determine if one is necessary. If so, prepare one.

821.3 Accident Analysis

821.31 Purpose

Accident analysis is vital for identifying the hazardous conditions, contributing factors, and root causes of accidents.

821.32 Responsibility

Installation heads/managers must use the results of accident analyses to address the causes of accidents, develop specific actions (countermeasures), and enter them into an accident reduction plan (ARP) (see 812.31). The ARP serves as management's primary tool for reducing OSHA injury and illness (OSHA II) and motor vehicle accident (MVA) rates.

821.33 Elements

The process of conducting an accident analysis includes, but is not limited to, investigating the following key factors:

a. Specific tasks being performed at the time of the accident or injury.

b. Operations, equipment, tools, and machinery involved.

c. Specific event that resulted in the accident or injury.

d. Nature and severity of the injury.

e. Part(s) of the body involved.

f. Incidence and nature of the following:

(1) Faulty equipment or design.

(2) Unsafe condition(s).

(3) Unsafe acts or practices.

(4) Violation of rules, procedures, or instructions.

(5) Inadequate training or lack of safety rules or procedures.

821.4 Privacy Act Considerations

Accident records, including the left side of the OSHA log and summary, contain information about individuals. Therefore, they must be handled and disclosed in accordance with the Privacy Act and implementing instructions.

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

822 Supplementary Actions in the Event of Serious Accidents, Including Fatalities

822.1 Reporting Serious Accidents

Certain types of serious accidents need attention at the District, Area, and Headquarters levels. Managers must follow the serious accident reporting (SAR) requirements listed in 822.12 and 822.13.

822.11 Definition of "Serious Accident"

A "serious accident" is defined by the Postal Service as any occupational accident, illness, or disease that:

a. Results in the death of one or more employees.

b. Results in the inpatient[1] hospitalization of one or more employees.

c. Results in the death of an employee or non-Postal Service person within 6 months of the date of the accident (even if it was not immediately reportable).

d. Involves property damage (combined Postal Service and non-Postal Service) estimated to exceed $100,000.

e. Involves mutilation, amputation (including major cartilaginous body parts such as ears, and nose), or loss of vision in one or both eyes to an employee or non-Postal Service person.

f. Results in inpatient* hospitalization due to chemical or biological exposure.

g. Is a Postal Service-related accident, involves non-Postal Service persons, and results in a fatality or the inpatient* hospitalization of one or more persons.

822.12 Reporting Requirements for Installation Heads

The reporting requirements for installation heads are as follows:

a. The installation head must report all serious accidents to the performance cluster district manager by COB the day of the accident.

b. The installation head, after consultation with the servicing safety office, *must report orally* (by telephone or in person) to the nearest OSHA area office within 8 hours the following:

(1) Any accident that is fatal to one or more employees.

Note: Employers must report all fatal heart attacks occurring in the work environment, whether OSHA recordable or not (OSHA § 1904.39(b)(5)).

(2) Any accident that results in in-patient hospitalization of three or more employees.

(3) Any fatality or hospitalization of three or more employees that occurs within 30 days of an accident.

c. The report to OSHA should relate the following information:

(1) Name of the establishment.

(2) Location of the incident.

1. Inpatient hospitalization does not include observation, emergency room, and all other forms of outpatient care.

(3) Time of the incident.

(4) Number of fatalities or hospitalized employees.

(5) Names of any injured employees.

(6) Postal Service contact person and his or her telephone number.

(7) Brief description of the incident.

d. The installation head is not required to report:

(1) Motor vehicle accidents that occur in public streets, except those in construction work zones (OSHA § 1904.39(b)(3)).

(2) Commercial airplane, train, subway, or bus accidents (OSHA § 1904.39(b)(4)).

e. The installation head must provide records within 4 business hours to an OSHA compliance officer who requests them (OSHA § 1904.40(a)).

f. The installation head must promptly report to the appropriate union:

(1) Any employee fatality.

(2) Any serious industrial, noncriminal accident or injury.

822.13 Reporting Requirements for Performance Cluster Managers

A fatality, amputation, mutilation, or OSHA-reportable accident, as defined in 822.12b, must be reported within 8 hours to the area Human Resources manager and Safety and Environmental Performance Management, Headquarters.

822.14 How to Complete Serious Accident Reports

Complete as much as is known in order to submit a timely report. Follow up with additional information if necessary. The report must use the following format:

a. Post office or facility, city, state, and ZIP Code.

b. Name, title, and telephone number of the installation head (state whether the official has personal knowledge of the situation.

c. Brief description of accident, including:

(1) Date and time of accident or death (make a supplementary report if a death occurs after the initial report).

(2) Location.

(3) Name, home address, title, age, sex, years of service, and extent of injuries to Postal Service employee(s).

(4) Name, age, sex, address, and extent of injuries to non-Postal Service persons involved.

(5) Type of work employee was performing when the accident occurred.

(6) Vehicle, equipment, or property damaged, Postal Service or non-Postal Service (state the make, model, and type of vehicle and whether a 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.

822.2 Investigating Serious Accidents

822.21 OSHA Investigations

OSHA may elect to investigate occupational fatalities or serious accidents. If notified by OSHA personnel of their intent to investigate, the servicing safety office will immediately notify the local Area Law Department, Area Manager Human Resources, and Headquarters General Counsel and Safety and Environmental Performance Management.

822.22 Postal Service Serious Accident Investigation Board

822.221 Mandatory Composition

A management board appointed by the performance cluster manager must investigate job-related fatalities and other serious accidents as defined in 822.11. The board must be appointed within 24 hours of the accident and must include:

a. One operations manager who has no functional relationship to the activities involved in the accident; this person will serve as chairperson.

b. One manager from the office who has a functional relationship to the activities involved in the accident.

c. The manager, Safety, or designated safety specialist, as appropriate.

d. One Postal Service medical advisor appointed in consultation with the area medical director.

Exception: Some serious accidents involving customers or Postal Service employees may not warrant a full investigation by a board. Vice presidents of Area Operations may waive investigations of serious accidents if they determine that the purpose of an investigation (see 822.223) is unlikely to be realized because of the circumstances of the accident. If performance cluster managers believe a waiver is justified, they should request a waiver from their vice president of Area Operations. If a waiver is granted, it should be documented and the file treated in accordance with the requirements of 822.225.

822.222 Optional Composition

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.

Safety and Environmental Performance Management, Headquarters, may provide investigative assistance when such assistance is determined to be appropriate by the area Human Resources manager.

The vice president of Area Operations may designate, as deemed necessary, an area-level representative to serve on or to provide consultation to the board.

822.223 Board Responsibilities

Board responsibilities are to:

a. Discover the root 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.

d. Determine if the employee was wearing a seat belt at the time of the motor vehicle accident (see 844.2) and document findings.

Note: Board responsibilities and actions do not relieve those immediately involved of their responsibility for accident investigation and prevention.

822.224 **Board Investigation Report**

The board must use the following format to report findings and recommendations:

a. Detailed description of accident, as follows:
   (1) Employee's relationship (location) to physical surroundings.
   (2) What the employee was doing when the accident occurred and how he or she was doing it.

b. Statements from the following:
   (1) Employee.
   (2) Witness(es).
   (3) Other person(s) interviewed.

c. Photographs of the accident scene.

d. Pertinent findings.
   (1) What the employee did, or failed to do, that contributed to the accident. Include unsafe acts and violations of safety rules, such as not wearing a seat belt (see 844), lack of knowledge, and lack of training.
   (2) What others involved did, or failed to do, that contributed to the accident.
   (3) The main reason for the actions (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, the reason for the deficiencies in the work environment.

e. 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' actions (responsibilities include ensuring that all employees involved in similar work are instructed, revising work procedures or practices when required, and ensuring that the board's recommendations are implemented when appropriate).

f. Actions recommended by the board to prevent future occurrences of similar accidents.

822.225 **Investigation Reporting and Response Requirements**

Investigation reporting and response requirements are as follows:

a. *Board.* Within 15 working 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.

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

c. *District.* The original copy of the investigation board report is retained at district Safety. In addition:

(1) For fatal and catastrophic (OSHA-reportable) incidents only, an executive summary must be forwarded to the area Human Resources manager. The summary should include at a minimum, the date and time of the incident, the name and location of the installation, personnel information, a brief description of the incident, causal factors, recommendations, and proposed corrective actions.

(2) When the investigation board report indicates items with national impact, 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.

d. *Headquarters.* Upon written request of any member of the National Joint Labor-Management Safety and Health Committee, the vice president of Employee Resource Management must 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 must not be released.

823 Program Evaluation

823.1 Purpose

The purpose of routine safety and health program evaluations is to measure the effectiveness of the Postal Service Safety and Health Program at each organizational level, ensure OSHA compliance, and promote a model for effective safety and health programs. A program evaluation must include compliance with the program elements included in this chapter and other Postal Service policy and procedure documents, including handbooks, manuals, and management instructions.

823.2 Responsibilities

823.21 Headquarters

Headquarters defines performance metrics, establishes and interprets program criteria, and assesses overall program performance. Headquarters conducts safety and health program evaluations at various organizational levels when deemed appropriate.

823.22 Areas

Areas conduct safety and health program evaluations at various organizational levels when deemed appropriate or in response to OSHA compliance activity. Vice presidents of Area Operations review performance cluster safety and health program evaluations and monitor performance. In accordance with 810, these evaluations are to be considered in evaluating the individual performance of managers in the area.

823.23 Performance Clusters

Performance clusters must conduct annual safety and health program evaluations. Personnel performing the program evaluation must use the most recent Program Evaluation Guide contained in the Safety Toolkit and enter the program evaluation findings into the Safety Toolkit. If a Headquarters- or area-sponsored program evaluation is conducted during the fiscal year, it fulfills the annual requirement.

Program evaluations are not required at administrative facilities regardless of the workyears of employment in the regular workforce. However, if these sites are going to apply for OSHA's Voluntary Protection Program, a program evaluation is required.

Administrative facilities include stand-alone District Offices, stand-alone Area Offices, and Remote Encoding Centers.

823.231 Performance Cluster and Subordinate Installations With 100 or More Workyears

Annual program evaluations must be conducted by the district safety staff or plant safety specialists.

823.232 Performance Cluster and Subordinate Installations With More Than 50 but Less Than 100 Workyears

Performance cluster and subordinate installations with more than 50 but less than 100 workyears must have annual program evaluations. Usually, they are conducted by the Facility Safety Coordinator (FSC), but the supporting manager, Safety, may elect to conduct the annual program evaluation in some instances. A program evaluation conducted by the supporting Safety Office fulfills the annual evaluation requirement.

823.233 Program Evaluations in Support of the National Performance Assessment

a. District or plant safety specialists must perform all National Performance Assessment (NPA) program evaluations at facilities with 100 or more workyears.

b. District safety specialists or members of trained District or Area teams may perform NPA program evaluations at facilities with 50 to 100 or less than 50 workyears.

c. Safety personnel and FSCs cannot perform NPA program evaluations at their own facilities.

823.3 Program Evaluation Report

The procedure for reporting on a program evaluation includes the following steps:

a. The evaluator(s) will hold an opening and closing conference with the installation head. The lead evaluator will enter the facility program

evaluation record into the Safety Toolkit and use the reports module to produce a draft score sheet for discussion with the installation head at the closing conference. At the closing conference, the lead evaluator will present the findings and allow the installation head to present additional information that may impact the final score. Once the closing conference is completed, the lead evaluator cannot consider any additional information provided by the installation head. The lead evaluator will make any necessary adjustments to the findings and score immediately following the closing conference and provide a copy of the draft score sheet to the installation head.

b. The lead evaluator will finalize the evaluation in the Safety Toolkit within 5 calendar days of completion of the closing conference. Managers, Safety, must send the final report to the postmaster or plant manager, with copies to the appropriate manager, Post Office Operations, or lead plant manager.

c. In the Safety and Health Program Evaluation, a subcategory score of less than three is a serious deficiency. The installation head must address all serious deficiencies by implementing a Safety and Health Program Improvement Plan (SHPIP). In the SHPIP, the installation head must explain each deficiency and the actions taken to eliminate it. Within 30 days of receipt of a program evaluation report, postmasters or plant managers must provide the improvement plan to their manager, Post Office Operations, or their lead plant manager, with copies furnished to the supporting manager, Safety, and Manager, Human Resources, District. Installation heads must use the Safety Toolkit Program Evaluation Module to prepare the SHPIP and generate the improvement plan report.

d. The supporting manager, Safety, will monitor completion of the SHPIPs and report noncompliance through channels to the manager, Post Office Operations, or plant manager at least once a quarter. The Safety Toolkit Program Evaluation Module will generate the noncompliance report.

824 Safety and Health Inspections

824.1 Purpose

The purpose of a safety and health inspection is to target specific operational, facility, or program deficiencies that may cause accidents, injuries, and illnesses, and to foster compliance with OSHA regulations and standards.

824.2 Methods

Safety personnel conducting inspections must be technically competent to recognize and evaluate hazards of the work environment and to suggest specific abatement procedures. They must use inspection checklists contained in the most current Safety Toolkit that reference current OSHA and other applicable regulations, standards, and Postal Service policies.

824.3 Types of Inspections

824.31 Area Oversight and Targeted Inspections

824.311 Oversight

The area Human Resources manager must ensure that safety and health inspections are conducted as required by this section.

824.312 Area Inspections

The area Human Resources function must conduct area inspections of plants or other installations as necessary to ensure effective safety and health programs. Inspection teams should consist of area and local safety and health, maintenance, and line management personnel.

Union representatives from the local safety and health committee may participate in inspections conducted by area 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.

824.32 Performance Cluster and Subordinate Installations With 100 or More Workyears

824.321 Requirement

District and plant safety personnel must conduct a semiannual inspection of all installations with 100 or more workyears of employment in the regular workforce and enter their inspection findings into the Safety Toolkit. If Headquarters or the area conducts an inspection, it serves as one semiannual inspection.

824.322 Teams

Inspection teams consist of personnel from Safety, Maintenance, In-Plant Support, and line management.

Union representatives from the local safety and health committee may participate in inspections referred to in this section, provided that (a) the union represents employees at the installation, and (b) 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 that union represents employees at the installation, at the union's option (a) representatives from the committee may participate in the inspection at no additional cost to the employer; or (b) the 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.

824.33 Performance Cluster and Subordinate Installations With Less Than 100 Workyears

824.331 Requirement

Collateral duty FSCs must conduct an annual inspection of each installation with less than 100 workyears of employment in the regular workforce. The FSC will conduct the inspection using instructions and an approved inspection checklist located in the Safety Toolkit or on the Safety Resources Page. FSCs must enter inspection findings into the Safety Toolkit if they have access to a Postal Service computer. District safety personnel provide

technical assistance and support as necessary. In addition, district safety personnel must visit facilities as necessary to verify results of inspections by the FSC and provide assistance. If district safety personnel perform an inspection, it serves as the annual inspection.

824.332 Teams

Inspection teams consist of the collateral duty FSC and at least one supervisor.

Union representatives from the local safety and health committee may participate in the annual inspection of each installation with less than 100 workyears of employment in the regular workforce where the committee exists in the installation being inspected. In installations that do not have a safety and health committee, inspectors give a bargaining unit employee (from each union that represents employees in that installation) the opportunity to accompany them during these inspections. If the unions request it, the bargaining unit employees should be selected on a rotating basis by the exclusive bargaining representatives in that installation. The number of union representatives is determined by appropriate collective bargaining agreements.

824.4 Conduct of the Inspections

824.41 Authority

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 PS Form 1767, *Report of Hazard, Unsafe Condition, or Practice;* PS Form 1769, *Accident Report;* PS Form 1772, *Accident Log;* OSHA Form 300; OSHA citations or other correspondence; training records; and all checklist and deficiency reports.

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.

824.42 Inspection Procedures

824.421 Opening Conference

Members of the inspection team must conduct an opening conference with the installation head and the union representatives who are to participate in 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.

824.422 Inspection Rules

Safety inspections must be conducted according to the following rules:

a. The responsible manager must ensure that the team, led by the senior safety professional (or collateral duty FSC) assigned, has adequate participation and resources to accomplish a meaningful inspection.

b. 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.

c. Representatives of Maintenance, In-Plant Support, Operations, and others designated by management as appropriate, must participate.

d. 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 that 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 supervisors. Such requests must not be unreasonably denied.

e. Safety personnel must arrange for or conduct industrial hygiene evaluations and sampling and take photographs where necessary.

824.423 **Imminent Hazard Abatement**

If imminent danger is identified, the inspector must immediately 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. If the official in charge needs assistance to undertake full abatement, he or she must immediately notify, through channels, the district manager, who provides 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.

824.424 **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.

824.425 **Documentation and Reporting**

The team leader must enter inspection findings into the Safety Toolkit, generate the inspection report, and give the inspection report to the installation head/manager no later than 5 days after completion of the closing conference. In addition, the team leader sends copies of the report to the employee representative(s) who participated in the closing conference and/or to the local safety and health committee.

824.426 **Notification**

Immediately upon receipt of the deficiency report the installation head must post a notice in a prominent place where it will be readily observed by employees stating that the inspection has been received and is available for viewing in a convenient location, such as the safety office. The notice must indicate, as applicable, that deficiencies were found and describe any

special procedures that are in place. The notice shall remain in place for 3 working days or until all items have been abated, whichever is longer. Copies of all inspections and reports will be maintained in the Safety Toolkit.

824.5 Deficiency and Hazard Abatement

824.51 Hazard Classifications

Safety hazards are classified as follows:

a. *Imminent danger* — A situation in which there is a reasonable certainty of danger that could cause death or serious physical harm immediately or before the danger can be eliminated through normal abatement 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 has a direct relationship to job safety and health but probably will not cause death or serious physical harm.

824.52 Hazard Abatement Committee

Within 5 working days after receipt of the inspection report, a hazard 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/manager must chair this committee. **(Note:** Postmasters or others who serve as installation heads for detached units may designate a chair for those detached unit abatement committees only.) Committee members must include:

a. Installation head (or designee as noted above).

b. Safety representative (collateral duty FSC if appropriate).

c. Maintenance representative.

Additionally, Mail Processing, Customer Services, Industrial Engineering, Purchasing, and other personnel must attend when their functional areas are involved.

824.53 Abatement

824.531 Within 20 Days

Where feasible, correct deficiencies within 20 days of receipt of the inspection report.

824.532 More Than 20 and Fewer Than 45 Days

All deficiencies that are not corrected within 20 days must be reported immediately, along with a Hazard Abatement Plan (HAP) to the district manager with copies furnished to the manager, Post Office Operations, or the lead plant manager; the supporting manager, Safety; and manager, Human Resources, District. The HAP must contain the following:

a. Name of the installation.

b. Location of the unsafe condition.

c. Description of the 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) that 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.

The Safety Toolkit provides a HAP template and reports. This template must be used to develop the inspection-specific Hazard Abatement Plan.

824.533 **More Than 45 Days**

All deficiencies that are not corrected within 45 days must be reported immediately, along with the HAP through management channels to the vice president of Area Operations, with copies to the area Human Resources manager and the area manager, Safety.

824.534 **Changes**

Once the HAP has been submitted, any changes in the plan require the submission of a new plan in accordance with the provisions of this section.

Once the HAP is created in the Safety Toolkit it is automatically updated as deficiencies are corrected. Managers with access to the Safety Toolkit can view the updated HAP by logging on to the Safety Toolkit.

824.535 **Submission of Abatement Record**

Within 5 days of abatement, a copy of the abatement record, signed by the installation head/manager, must be sent to the safety professional in charge of the inspection.

When deficiencies are corrected (hazards abated) the FSC or supervisor/manager responsible for the abatement must enter the abatement date for the deficiency in the Safety Toolkit. For facilities that do not have access to Postal Service computers, the installation head/manager must provide a copy of the abatement record to the supporting manager, Safety, within 5 days of completion of the abatement action.

When deficiency correction requires action by the General Services Administration or another federal lessor agency, the installation head/manager must contact the lessor agency and request corrective action. This does not, however, relieve management from the obligation to protect employees by implementing effective interim controls.

824.54 Reinspection and Follow-up

The procedures for correcting a deficiency must include a process to check (through spot checks and reinspections as appropriate) whether the corrective action taken has proven to be effective.

Spot checks and reinspections should be conducted by the same personnel (i.e., full-time safety personnel or FSCs) who performed the original inspection. Posting of the follow-up inspection results is not required.)

The area vice president may designate an Area-sponsored reinspection following submission of a HAP to the Area.

824.6 Investigating Employee Reports of Hazard, Unsafe Condition, or Practice

824.61 Purpose of PS Form 1767, Report of Hazard, Unsafe Condition or Practice

PS Form 1767 is designed to encourage employee participation in the Postal Service Safety and Health Program and to provide prompt action when employees report a hazard. This form provides a channel of communication between employees and management that promotes a prompt analysis and response with corrective action to reports of alleged hazards, unsafe conditions, or unsafe practices.

824.62 Availability of Form

Supervisors must maintain a supply of PS Forms 1767 in the workplace in a manner that provides employees with both easy and (if desired) anonymous access.

824.63 Procedures and Responsibilities

824.631 Employee

Any employee, or the representative of any employee, who believes that an unsafe or unhealthful condition exists in the workplace may do any or all of the following:

a. File a report of the condition on PS Form 1767 with the immediate supervisor and request an inspection of the alleged condition.

b. If the employee desires anonymity, file PS Form 1767 directly with the installation's safety personnel, who will immediately give 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.)

c. Report alleged unsafe conditions to a steward, if one is available, who may then discuss the condition with the employee's supervisor.

Discrimination against an employee for reporting a safety and health hazard is unlawful.

824.632 Supervisor

The immediate supervisor must promptly (within the tour of duty):

a. Investigate the alleged condition.

b. Initiate immediate corrective action or make appropriate recommendations.

c. Record actions or recommendations on PS Form 1767.

d. Forward the original PS Form 1767 and one copy to the next appropriate level of management (approving official).

e. Give the employee a copy signed by the supervisor as a receipt.

f. Immediately forward the third copy to the safety office.

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.

824.633 **Approving Official**

The approving official (the responsible manager) must initiate action to eliminate or minimize the hazard. If this results in the submission of a work order, attach the original PS Form 1767 and forward it, through channels, to the manager of Maintenance. If the approving official determines that there are no reasonable grounds to believe such a hazard exists, the employee must be 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 notified in writing, and the original PS Form 1767, with a statement of actions taken, must be forwarded to the safety office.

824.634 **Safety Personnel and Collateral Duty Facility Safety Coordinators**

Safety personnel assigned to plants and FSCs must log and sequentially number all hazard reports received on PS Form 1773, *Report of Hazard Log,* or if the FSC has computer access, enter the reports into the Hazard Log Module of the Safety Toolkit. Safety personnel and FSCs must also review all PS Forms 1767 for accuracy, completeness, and follow-up, as necessary. They must routinely provide status reports of PS Form 1773 logs and Safety Toolkit reports at executive and joint Labor-Management Safety and Health Committee meetings (or regular staff meetings in facilities with fewer than 50 employees).

824.635 **Maintenance**

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

824.636 **Installation Head**

Installation heads/managers are responsible for responding promptly to hazard reports and ensuring that line supervisors are diligent in correcting hazards. If a hazard report indicates that imminent or serious danger exists, the installation head must take immediate corrective action.

825 OSHA Inspections

Reference Note:
For additional material concerning OSHA inspections refer to:
- Handbook EL-802, *Executive's and Manager's Safety Compliance Guide.*
- The OSHA publications summarized and referred to therein.

825.1 Purpose

The purpose of 825 is to provide general guidance when compliance safety and health officers (CSHOs) or compliance safety and health officers industrial hygienists (CSHO-IHs) from OSHA conduct announced or unannounced inspections or investigations of Postal Service facilities. All such inspectors are referred to as CSHOs in 825.

825.2 Scope

These procedures apply to all facilities in which Postal Service employees work. In Postal Service-owned or -leased facilities, it is the responsibility of the Postal Service to ensure compliance with OSHA requirements. In leased

facilities, this responsibility continues to exist regardless of lease arrangements.

825.3 Authority

It is Postal Service policy to maintain safe and healthful working conditions and to cooperate fully with OSHA inspectors. As an employer subject to private sector enforcement, it is Postal Service policy to ensure that inspections are conducted in a reasonable manner.

825.4 Procedures

825.41 Arrival of Inspectors and Verification of Credentials

OSHA may conduct its inspections without prior notice. CSHOs generally conduct inspections during normal working hours but may arrive on any tour. On arrival at a Postal Service facility, the CSHO should ask to meet with the ranking Postal Service official. The senior Postal Service official must meet promptly with the CSHO.

The senior Postal Service official, or designee, must review all CSHOs' credentials and may request verification from the OSHA area office.

Once the CSHO has presented appropriate credentials, the senior Postal Service official must immediately notify, by telephone or in person, the district manager and area Human Resources manager (or their designees) of OSHA's presence and the scope of the inspection and request that a safety professional come to the facility immediately for the inspection.

825.42 Consent to Entry and Cooperation

The CSHO must be informed that he or she will be permitted to enter any Postal Service facility for inspection or investigation purposes without delay once a safety representative reaches the site or area, or once the area Human Resources manager or designee agrees that the inspection may proceed without such attendance.

The CSHO should be informed that a request for a representative has been made, that the Postal Service request is not intended to delay or interfere with the inspection, but to ensure that the Postal Service participates in a professional manner, and that the presence of the representative will expedite completion of the inspection. Postal Service officials must cooperate fully with OSHA CSHOs.

During an inspection, if the Postal Service official determines that the CSHO believes that a violation exists because the CSHO does not have complete information about a particular condition, the Postal Service official (subject to advice from the safety professional) should attempt to make the CSHO aware of all relevant additional information.

825.43 Opening Conference

825.431 Initiation

The CSHO holds an opening conference to inform the Postal Service of the purpose, scope, and conduct of the inspection. If the CSHO does not offer to conduct the conference, one should be requested.

825.432 **Attendance**

The opening conference must be attended by a safety professional unless the district Human Resources manager or designee says to proceed. The senior Postal Service official attends the opening conference and may invite other Postal Service officials from the facility, as appropriate. Employee representatives also should attend the opening conference; union representatives from the local safety and health committee should participate in accordance and 824.3 and 825.3.

825.433 **Provision of Materials**

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 that 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 provide a list of the unsafe conditions alleged.

825.434 **Outline of Scope**

The CSHO can be expected to outline the proposed general scope of the inspection, including employee interviews, physical inspection of the workplace, records review, and the taking of photographs or samples.

825.435 **Plan of Route Sequence**

The CSHO should be questioned during the opening conference so that the walk-around inspection can be planned as to route sequence, notifications to production supervisors, and technical support. Planning of a route sequence should be considered a guideline only, as the CSHO may investigate any other apparent hazards observed in plain view while en route to a particular area.

825.44 Records Review

825.441 **Safety Records**

It is the policy of the Postal Service to require that the CSHO present all requests for documents in writing to the person designated by the Postal Service as the one at the facility to receive such requests during the inspection. It is also Postal Service policy to respond as quickly as possible to such requests. All documents provided at the request of CHSO are recorded on a documentation log. 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 the OSHA log and summary and PS Form 1769 when it is used to record injuries and illnesses.

825.442 **Medical Records**

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. Access to medical records must be coordinated through the senior area medical director.

If the CSHO wishes to record or copy any medical records, a written access order in the form set forth in the OSHA *Field Information Reference Manual* must be provided.

825.45 Participation

825.451 Management Participation During Inspections

The safety professional, or designee, must accompany the CSHO during the walk-around portion of the inspection. The collateral duty FSC should also participate in the inspection. Representatives of Operations, In-Plant Support, and Maintenance must be with the CSHO whenever possible.

Management representatives, including managers and supervisors, must not sign any statements, affidavits, or notes.

825.452 Interviews of Management and Supervisory Personnel

Postal Service policy is:

a. To cooperate with CSHO requests for interviews with representatives of management, including supervisors and staff. Management should work with the CSHO to schedule such interviews so as not to interfere with mail processing. Subject to this consideration, management employees should be made available for interviews as soon as possible.

b. To have a representative of the Postal Service present for the entire interview. The representative may be an employee from Human Resources or Safety, a counsel, or a senior official or his or her designee.

c. Not to consent to the audio or video taping or other recording of interviews with representatives of management. The only exception is if OSHA issues an investigatory subpoena requiring a witness to appear for a formal, sworn, recorded interview. In such cases, the representative of management must be represented by counsel.

d. Not to allow representatives of management to sign statements, affidavits, notes, or other documents prepared by OSHA during interviews.

825.453 Employee Participation During Inspections

Union representatives from the local safety and health committee must be given the opportunity, in accordance with 824.3, to accompany CSHOs during inspections.

CSHOs also may consult with other nonsupervisory employees who are not part of the inspection team and may request to interview them in private or with their union representatives during the walk around. The CSHO may be permitted to talk with employees at their workstations for no more than 5 minutes. If further conversation is desired, the Postal Service walk-around representative should offer to make the employee available for a scheduled interview by the CSHO. Management should work with the CSHO to schedule such interviews so as not to interfere with production. Subject to this consideration, employees should be made available for interviews as soon as reasonably possible.

Employee representatives are on the clock whenever the inspection is conducted during the employee's regular work schedule. Employees are not compensated for time spent accompanying CSHOs outside of their work schedule.

825.46 Methods

825.461 Walk-Around Inspection

There are several types of inspections (see Handbook EL-802) that may involve detailed inspection of all areas and a thorough records review.

Normally, in an inspection triggered by a complaint, the CSHO limits the inspection to the items listed in the employee's report. The scope of the inspection may, however, extend to other areas of the Postal Service installation. During the walk-around inspection, the CSHO examines each item mentioned in the employee's report.

The CSHO may take photographs of or videotape any conditions observed. The Postal Service must duplicate as closely as possible each photograph or videotape taken by the CSHO and should specify in the detailed notes what each photograph shows. If necessary, as a less preferred but acceptable alternative, before the inspection begins, a written agreement may be reached with the CSHO that at the conclusion of the inspection, OSHA will promptly provide the Postal Service with copies of all the photos or videotapes that it has taken of the observed conditions.

The CSHO may use measuring devices or instruments to determine compliance with the OSH Act. The safety professional or designee must record the type of instrument used and the readings obtained, and take duplicate measurements using Postal Service instruments.

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.

825.462 Health Sampling

In order to determine whether a violation of health standards exists, the CSHO may collect samples, including full-shift (8-hour tour) sampling. Such sampling may require the wearing of sampling devices by employees. Postal Service officials are to cooperate with the CSHO and are to encourage cooperation by employees.

If the CSHO desires to conduct such monitoring, the Postal Service representative must request a delay until the Postal Service brings to the site an industrial hygienist or other person qualified to perform parallel monitoring. When such requests are made, the senior Postal Service official must immediately notify the district manager, area manager, Safety, and district manager, Safety, by telephone. Every effort must be made to bring the Postal Service hygienist to the site as soon as possible.

When OSHA conducts health sampling, the Postal Service must take duplicate samples and send the samples to an accredited laboratory for analysis. Proper chain-of-custody procedures established by the laboratory must be followed. Sample results must be retained locally and transmitted to the district Safety and area Human Resources.

825.47 Immediate Correction of Imminent Dangers or Other Violations

During an inspection, a CSHO may point out conditions that may be considered to be imminent dangers under the OSH Act. Immediate efforts

are to be made to evaluate the condition. If it appears that such a danger is present, the corrections are to be made immediately, if possible, or to remove the exposed employees from the zone of danger. Whenever feasible, correct other potential violations or hazards pointed out by the CSHO during the visit.

825.48 Closing Conference

After completing the review of records, employee interviews (if necessary), and the walk-around inspection, the CSHO ordinarily will conduct an exit conference with the senior Postal Service official and other team members. If the CSHO does not offer to conduct the conference, one should be requested. If the Postal Service 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 the collateral duty FSC. Employee representatives from the walk-around inspection must also attend.

During this conference, all conditions or practices that the CSHO believes may constitute safety or health violations should be reviewed. Efforts should be made to have the CSHO explain in as much detail as possible what violations he or she believes have been observed, and what citations, if any, he or she intends to recommend for issuance to the area director.

825.49 Post Conference Internal Communications

Following the closing conference, the senior Postal Service official must immediately notify the area vice president that the inspection has been completed.

It is policy and direction of the General Counsel that following the closing conference, the installation head must prepare a memorandum for and directed to the General Counsel summarizing OSHA's findings and any other pertinent information concerning the inspection. This report must be considered privileged and confidential as attorney-client communications and attorney-work product. The report must be prepared and transmitted to the servicing area General Counsel within 48 hours of the closing conference. Copies of the report are to be sent only to the area Human Resources manager and the manager of Safety Performance Management at Headquarters. No other copies are to be distributed.

825.5 Citations

825.51 Issuance and Posting

Following an inspection, if violations have been observed, OSHA may issue citations alleging violations and stating a proposed penalty and proposed abatement date (OSHA Form 2, *Citation and Notification of Penalty).*

Upon receipt of a citation, notify area and Headquarters General Counsel and Safety Performance Management. A copy must be faxed immediately to Safety Performance Management, Headquarters, and the vice president of Area Operations. The citations must be forwarded to the district Safety and Health manager immediately (COB that day) and entered into the national citation management tracking system by area-designated persons, who will update each entry promptly until the citation is resolved and closed.

In accordance with the instructions that accompany the citations, copies of the citations are to be posted in the affected facility at the locations where important announcements are customarily posted for employees. The citations are to remain posted until they are finally resolved.

825.52 Abatement

A citation includes a proposed date by which each alleged violative condition must be corrected. The length of the period allowed varies based on the type of hazard involved, the severity of the risk to employees, and OSHA's assessment of the difficulty of correcting the hazard.

It is the policy of the Postal Service to abate violative conditions promptly. Whether a condition constitutes a violation, and whether a proposed penalty, abatement date, and means of abatement are reasonable, however, are matters to be resolved with OSHA once the citation has been reviewed by Headquarters Safety Performance Management and the Headquarters General Counsel.

825.53 Informal Conference

To assist in determining whether to contest or resolve a citation, the installation head (in concert with the Headquarters, area, and district safety representatives) must request an informal conference with the OSHA area director who issued the citation. Informal conferences are managed by area or Headquarters Safety Performance Management, and attended by field legal counsel or Headquarters legal counsel as deemed appropriate by Headquarters.

825.54 Citation Management and Procedure for Paying Fines

Citations must be managed in accordance with instructions from the Headquarters General Counsel and Safety and Environmental Performance Management. (See Handbook EL-802 and OSHA publications therein about citations and required actions.)

825.6 Performance Cluster File of OSHA Inspections

The performance cluster file of OSHA inspections is the official record of OSHA compliance activity. However, the citation management tracking system must be kept current to assist in tracking and managing citations and to provide a database of OSHA compliance activity nationwide.

The district Human Resources manager, or designee, must maintain a file on each OSHA inspection. The file must 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 citations (OSHA Form 2) and accompanying materials.

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 and documentation submitted to OSHA.

f. Document log, if documents were provided to the CSHO.

All items listed above in the OSHA inspection file must be retained as stated in the , Records Control Schedule, items 32 to 43.

830 Motor Vehicle and Industrial Safety

831 Motor Vehicle Safety

831.1 Objective

The objective of the Motor Vehicle Safety Program is to comply with applicable U.S. Department of Transportation regulations; require safe driving; and reduce potential losses, human suffering, and property damage, while maintaining the efficient delivery and collection of mail.

The following handbooks provide policy and procedures for implementing an effective motor vehicle safety program:

- EL-801, *Supervisor's Safety Handbook.*
- EL-804, *Safe Driver Program.*
- EL-814, *Postal Employee's Guide to Safety.*
- PO-701, *Fleet Management.*

831.2 Vehicle Maintenance

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

831.3 Driver Selection, Training, and Supervision

831.31 Driver Selection

Postal Service personnel responsible for hiring, testing, supervising, and providing medical services must ensure that only qualified applicants are hired and retained in driving positions. The determination of *qualified* is outlined in Handbook EL-312, *Employment and Placement.*

831.32 Driver Training

The goal of all types of driver training is to develop and maintain safe drivers. The careful selection of personnel to act as driving instructors is essential to ensure proper attitude, enthusiasm, interest, and understanding of the subject matter. Additional information and policy requirements can be found in Handbooks EL-804 and EL-312.

831.33 Driver Supervision

831.331 Supervisors' Responsibilities

Supervisors must ensure that the drivers under their supervision drive safely, practice defensive driving, practice personal safety, obey all state and local traffic laws and Postal Service driving policies, and extend courtesy in all situations.

831.332 **Drivers' Responsibilities**

Drivers must drive safely and defensively, practice personal safety, obey all state and local traffic laws and Postal Service driving policies, and extend courtesy in all situations.

831.4 Accident Analysis

Managers and supervisors must analyze driver observations, route layout, and vehicle accident data to determine potential hazards, contributing factors, and the root causes of accidents. They must also develop and implement countermeasures designed to prevent motor vehicle accidents at their installations

832 Powered Industrial Truck Safety

Employees authorized to operate powered industrial trucks (PITs) must be given operator training in accordance with Occupational Safety and Health Administration (OSHA) standard 1910.178, Powered Industrial Trucks. Before operating PITs, employees must be evaluated and certified. They must follow the operating rules and regulations outlined in Postal Service handbooks, OSHA 1910.178, and the manufacturer's operating instructions.

832.1 Objective

The objective of the PIT Safety Porgram is to comply with OSHA 1910.178 and to promote safe PIT operation to reduce potential losses, human suffering, and property damage while maintaining the efficient distribution of mail.

The following handbooks provide policy and procedures for implementing an effective PIT Safety Program:

- EL-801, *Supervisor's Safety Handbook.*
- EL-803, *Maintenance Employee's Guide to Safety.*
- EL-804, *Safe Driver Program.*
- EL-814, *Postal Employee's Guide to Safety.*
- PO-701, *Fleet Management.*

832.2 PIT Maintenance

All installation heads and managers having PITs under their control must develop and administer maintenance procedures that conform to the requirements of OSHA 1910.178.

832.3 Operator Selection, Training, and Responsibilities

832.31 Operator Selection

Postal Service personnel responsbile for hiring and providing medical services must ensure that only qualified applicants are hired and retained as PIT operators.

832.32 Operator Training

The goal of PIT operator training is to develop and maintain safe operators. PIT training will meet the requirements of OSHA 1910.178.

832.33 Operators' Responsibilities

Operators must follow Postal Service policy and procedures and OSHA 1910.178, and operate PITs safely and professionally.

832.4 Supervisors' Responsibilities

Supervisors must ensure that the PIT operators they supervise operate PITs safely and follow Postal Service policies and procedures.

832.5 Accident Analysis

Managers and supervisors must analyze operator observations, routes of travel, and PIT accident data to determine potential hazards, contributing factors, and the root causes of accidents. They must also develop and implement countermeasures designed to prevent PIT accidents at their installations.

833 Safety and Health in Design, Procurement, and Construction

833.1 Standards, Ergonomics, and Engineering

OSHA and applicable consensus safety and health standards, ergonomic considerations, and sound safety and fire protection engineering techniques must be used to plan, build, design, construct, modify, repair, and procure new equipment, vehicles, and facilities. Consideration must be given to employee work environment, equipment, tools, supplies used, and the material on which work is performed.

Purchasing, delivery, and engineering personnel must consult safety personnel to ensure that safety engineering, health protection, and ergonomic considerations are integrated into all activities of the Postal Service.

Managers responsible for purchasing, design, and construction are accountable for compliance with OSHA standards and applicable fire protection and building codes.

833.2 Supplemental Standards

When deemed necessary, the Postal Service may adopt more stringent, alternate, or supplemental standards. The Secretary of Labor must approve the adoption of alternate or supplemental OSHA standards. Therefore, Safety and Environmental Performance Management, Headquarters, must coordinate all such requests with the Department of Labor.

833.3 Supplier (Contractor) Safety

Installation heads, purchasing, contracting officers, and other managers are responsible and accountable for ensuring that all suppliers and contractors working on Postal Service property follow OSHA regulations and Postal Service safety and health policies. All suppliers must conform to OSHA regulations, and a Postal Service representative is to be assigned to monitor supplier activities as appropriate. Such monitoring includes coordinating with supplier safety "competent persons" and/or safety representatives. The process of evaluating and selecting suppliers must include review of a

supplier's safety and health record, written programs, training, and OSHA compliance activity, as apporpirate to the scope of the contracted work and in accordance with existing purchasing policy. See Handbook EL-800, *Managing Contract Safety and Health Compliance.*

840 Safety Awareness Programs

841 Program Promotion

841.1 Objectives

The purpose of the Safety Awareness Program 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

Districts, plants, 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.

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.

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

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.

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). Eligibility for participation is without regard to race, color, religion, national origin, sex, age, or physical or mental disability. Contractors, contract 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 Rules

For details on administering the National Safety Council's Safe Driver Award Program, see the latest Postal Service version of Safe Driver Award Rules.

842.26 Privacy Act Considerations

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. 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 injuries. 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 that incorporate the use of recognition and rewards. Incentive programs must not be used to encourage

nonreporting of accidents, injuries, or illness. Individual safety contests, awards, and incentive programs must be approved before implementation, in accordance with 620, Contests.

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 conducts, controls, and is responsible for approved driver and industrial safety incentive programs (see 620 for implementation procedures).

843.4 Presentation Ceremonies

Installation heads must provide publicity and an appropriate ceremony for each incentive award.

844 Seatbelt Use Incentive

844.1 Policy

The amount of $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, provided he or she is wearing the lap belt and shoulder belt when required and is not in violation of the traffic laws and postal policy at the time of the accident.

844.2 Determination

It is the responsibility of the investigation board, to determine and document whether or not an employee was wearing a seat belt at the time of the accident and that no traffic law was being violated by the postal driver. 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 and 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 and was in compliance with the law.

844.3 Payment

Upon receipt of the board's final investigative report, the area vice president notifies 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 requests payment from the Eagan

Accounting Service Center and transmits the check to the division manager for disbursement to the employee's estate. A copy of the request for payment is to be forwarded to Safety Performance Management, Headquarters, and is part of the serious accident file.

850 Emergency Action Plans and Fire Prevention and Control

851 General Responsibilities

851.1 Installation Heads

Installation heads are responsible for implementing emergency action plans and a fire safety program for the protection of people, mail, and Postal Service property. This is required by 29 CFR 1910, Subparts E and L. This program must include (but is not limited to) training, education, inspection, enforcement, drills, emergency evacuation teams, written emergency action plans, written standard operating procedures for hazardous materials releases, and fire prevention plans as required in this subchapter. As an independent establishment of the executive branch of the federal government, the Postal Service must also conform to the National Response Plan (NRP) and the National Incident Management System (NIMS) established by the Department of Homeland Security. Plans and procedures required by OSHA and described in this subchapter will be integrated into or coordinated with the NRP and NIMS as appropriate by the Office of Emergency Preparedness.

851.2 Managers and Supervisors

Managers and supervisors must be constantly alert for fire hazards or other emergency situations and take immediate action to correct unsafe practices and conditions. If an immediate corrective measures is beyond his or her capability, the manager must take short-term precautions to ensure the safety of employees and protection of the workplace. Conditions that cannot be corrected immediately must be reported to a higher authority for corrective action. Managers must ensure that marked aisles and exits are maintained and clear and that all employees are trained in the evacuation and emergency procedures of the installation, including emergency alarm systems. Supervisors or managers are responsible for ensuring that personal protective equipment is available to employees who respond to spills and breakage involving hazardous materials.

852 Emergency Action Plan

852.1 Responsibility

Each Postal Service facility with more than 10 employees on the rolls must maintain an emergency action plan (EAP) in writing. If there are 10 or fewer employees, the plan may be communicated verbally. Safety personnel and/or collateral duty facility safety coordinators (FSCs) may provide advice and

technical assistance, where needed, in the development of such plans. The plan must include actions specifically designated for management and for employees to take to ensure employee safety and protection of property from fire and other emergencies (e.g., tornadoes, earthquakes, and hazardous materials (HAZMAT) spills). Management Instruction EL-810-96-1, *Hazardous Materials and Emergency Response,* provides guidelines for setting up standard operating procedures (SOPs) for releases and describes the relationship of the SOP to the EAP.

852.2 Content

The EAP must include the following elements (at a minimum):

a. Procedures for emergency evacuation, including the type of evacuation, exit routes, and illustrations of those routes; shelters; and location of fire alarms and extinguishers. Shelter in place procedures must also be documented, if applicable.

b. Procedures for employees who remain to operate or shut down critical building systems before they evacuate.

c. Procedures to account for all employees after emergency evacuation (or shelter in place) has been completed.

d. Procedures and details for special assignments.

e. Procedures for reporting fires and other emergencies based on local 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.

852.3 Posting

Post items a and f (listed in 852.2) of the EAP in a prominent location.

853 Emergency Evacuation Teams and Drills

853.1 Emergency Evacuation Teams

853.11 Organization

In installations having 10,000 square feet or more, an emergency evacuation team (EET) of Postal Service employees must be maintained on each work tour. EETs may be maintained in smaller installations when warranted by the type of operations conducted. If available, EET members should be selected from volunteers. Every Postal Service installation with an organized EET must prepare and maintain a written policy statement that establishes the EET and describes (a) its basic organizational structure; (b) the type, amount, and frequency of training members will receive; (c) number of members; and (d) functions the EET will perform at the facility. This statement may be a part of the fire prevention plan.

853.12 Size

The size of a facility's EET will depend on the amount of fire-extinguishing and control equipment, the number of exits, and the number of employees on duty. A schedule must be developed to ensure the availability of the EET.

853.13 Duties of Emergency Evacuation Teams

The organizational statement must clearly indicate that at no time will a Postal Service EET fight any fire beyond the incipient stage or respond to HAZMAT emergencies. For Postal Service purposes, an incipient fire is one in the initial or beginning stages that can be controlled, contained, or extinguished by portable fire extinguishers without the need for personal protective clothing or self-contained breathing apparatus (SCBA). The use of SCBA requires a level of skill and training not usually expected of Postal Service employees. Other EET duties 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 the 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 of the building) as directed by the local fire department.

h. Maintaining perimeter security to prevent reentry until officially instructed to permit it.

i. Accounting for all employees after emergency evacuation has been completed.

j. Assisting the fire department to maintain crowd control.

853.14 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.* The EET leader appoints an assistant EET leader.

c. *EET Members.* Members are appointed as needed to cover all tours, with an alternate for each member. The alternate and regular should have different days off. The leader ensures that all members are physically capable of performing the duties that may be assigned to them during training or actual emergencies. Employees with known heart disease, epilepsy, or chronic obstructive pulmonary diseases must 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 disabilities are permitted to be EET members; however, their

job assignments must be governed by their ability to perform specific tasks.

853.15 Training

Members are required to complete initial basic level and annual refresher training. Training and education must be provided to members and alternates before they are expected to perform EET activities. To the extent feasible, Safety and fire department personnel should assist in establishing the EET and training its members. EET leaders and training instructors must receive more comprehensive training and education than other members. Such training may be available from state firefighting academies and local fire departments. Training for all members must be on the clock and must cover:

a. Coordination of team activities.

b. Performance of specific EET duties for each member and alternate.

c. Familiarization with all fire-extinguishing equipment.

d. Familiarization with fire alarm systems and fire and other emergency reporting.

e. Classification of fires and the equipment used for each type.

f. Stopping fires from spreading along conveyor belts and between work levels.

g. Performance of first aid and rescue procedures.

h. Conducting EET drills at least once a year to ensure efficiency.

i. Familiarization with the facility incidental release (HAZMAT) SOP (First Responder Awareness Level).

j. Familiarization with procedures for special situations (e.g., tornado sheltering and earthquakes) where applicable.

853.16 Exposure

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

853.17 Special Hazards

The leader must inform EET members and alternates about special hazards to which they may be exposed during fire or other emergencies, such as storage and use of flammable liquids and gases, toxic chemicals, radioactive sources, and water reactive substances. In addition, EET leaders must inform team members of any changes that occur in relation to the special hazards. The EET leader must develop written procedures that describe actions to be taken in situations involving the special hazards. The procedures must be made available for inspection by EET members and must be included in the training and education program (see facility written hazard communication program).

853.18 Installations Without Emergency Evacuation Teams (Less Than 10,000 Square Feet)

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. Evacuation of personnel including injured or handicapped employees promptly.

c. Accounting for all employees after emergency evacuation has been completed.

d. Securing of mail, monies, receipts, and accountable and valuable papers.

e. Use of fire extinguishers.

853.2 Drills

At least one emergency evacuation must be conducted annually on each work tour. Sheltering drills are appropriate in locations prone to tornadoes or earthquakes. The importance of fire drill training must be impressed upon all Postal Service employees. In conducting fire drills, the following objectives must be met:

a. Prompt sounding of alarms and notification of fire department, police, or other emergency services.

b. Orderly evacuation in minimum time.

c. Proper securing of mail, monies, receipts, and valuable papers.

d. Correct performance of EAP assignments by designated EET members and alternates.

854 Fire Prevention Plan

854.1 Responsibility

Each installation head managing a Postal Service facility with more than 10,000 square feet must maintain a written fire prevention plan (FPP). Installation heads managing smaller facilities may maintain written FPPs when warranted by the operations conducted. Safety personnel and/or collateral duty FSCs may provide advice and technical assistance, where needed, in the development of such plans.

854.2 Content

The FPP must include the following elements (at a minimum):

a. A list of the following:

(1) Significant workplace fire hazards.

(2) Handling, storage, and control procedures.

(3) Ignition sources (e.g., welding, electrical equipment, and heaters).

(4) Types of fire protection equipment or systems available to contain, extinguish, and control fires.

b. Names or regular job titles of personnel responsible for maintaining the equipment used to prevent or control fires.

c. Names or regular job titles of personnel responsible for control of fuel-source hazards.

d. Procedures to control the accumulation of flammable and combustible waste materials and residues so that they do not cause fires.

854.3 Employee Training

854.31 General

Employees must be instructed by their immediate supervisor in the following procedures at least once a year and any time there is a change in the plan or their role:

a. Evacuation and emergency procedures of the installation.

b. 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. Observance of smoking rules.

e. HAZMAT incidental release SOP using Handbook EL-812, *Hazardous Materials and Spill Response.*

854.32 Training for the Emergency Action Plan and Fire Prevention Plan

854.321 Emergency Action Plan

To maintain the EAP, a sufficient number of employees must be designated and trained to (a) assist with the execution of a safe and orderly emergency evacuation, and (b) deal with incidental and emergency releases of HAZMAT in the mail and elsewhere. This pool of employees must be kept current. See MI EL-810-96-1, *Response to Hazardous Materials Releases.*

854.322 Fire Prevention Plan

To maintain the FPP, the immediate supervisor must inform all employees of the fire hazards in the work area to which they may be exposed.

854.323 Orientation

The immediate supervisor must orient all newly assigned employees to those parts of the EAP and FPP that the employees must know to protect themselves in an emergency.

854.324 Review

The written plans must be kept at the workplace and be made available for employee review. The EAP and FPP must be reviewed with each employee of the installation:

a. Annually.

b. Whenever there is a change in employee responsibilities or designated actions under the plans.

c. Whenever the plans are revised.

855 Fire Inspections

855.1 Responsibility

Managers and supervisors that have been trained by safety and/or fire protection personnel must conduct fire inspections. Training must include instruction on how to conduct inspections, identify unsafe practices that cause fires, and eliminate or correct hazards. The installation head is encouraged to seek assistance from local fire officials and permit them to conduct fire inspections and prefire planning programs.

855.2 Frequency

Fire inspections must be conducted in all Postal Service-owned and Postal Service-leased installations. Semiannual inspections are required in all installations with less than 100 workyears of employment in the regular workforce. Quarterly fire inspections are required in all installations with more than 100 workyears of employment in the regular workforce and in vehicle maintenance facilities.

855.3 Procedures

Fire inspections may be scheduled to coincide with semiannual or annual safety inspections. They must be documented using the fire inspection checklists that are published periodically and available in the Safety Toolkit.

855.4 Corrective Action

Deficiencies identified in safety checklists must be reviewed by the hazard abatement committee and corrected.

Local authorities must be notified immediately upon discovery of fire hazards that are not under Postal Service jurisdiction, but that affect Postal Service personnel, mail, or property.

856 Alarm Systems and Extinguishers

856.1 Alarm Systems

Every Postal Service facility must have an established employee alarm system that complies with OSHA Standard 29 CFR 1910.165 and that includes:

a. Procedures for informing each employee of the preferred means of reporting emergencies, such as manual pull-box alarms, horns, 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, emergency messages must have priority over nonemergency messages.

b. Procedures for sounding emergency alarms in the workplace. For those installations with 10 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. An alarm device must:

(1) Give a warning that provides sufficient reaction time for safe escape of employees from the workplace, the immediate work area, or both.

(2) Be in compliance with applicable alarm requirements in Handbooks RE-4, *Standards for Facility Accessibility;* AS-503, *Standard Design Criteria;* and MS-56, *Fire Prevention and Control,* to include audible and visible signals.

(3) Have 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 (e.g., vibrating pagers) may be used to alert employees who would not be able to recognize the audible or visual alarms.)

(4) Give a distinctive and recognizable signal to evacuate the work area or to perform actions designated under the EAP (such as shelter in place). If the employee alarm system is also used for alerting EET members or for other purposes, a different signal must be used for each purpose.

c. Procedures for maintaining and testing employee alarm systems in compliance with appropriate NFPA and OSHA standards.

856.2 Extinguisher

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

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

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

857 Vehicle Protection

Fire extinguishers and emergency warning kits are to be placed in vehicles in accordance with Handbook PO-701, *Fleet Management.*

858 Codes, Standards, and Ordinances

Compliance with Postal Service standards, OSHA standards, NFPA codes, national building codes, and state and local fire codes is required. Managers must refer matters concerning prevention, extinguishment, and control that are not covered by municipal or other regulations to higher authority for resolution.

860 Medical and Occupational Health Services

861 Scope

861.1 Program Overview

The Postal Service is committed to a comprehensive National Medical and Occupational Health Program consisting of administrative functions, wellness initiatives, and other medically related activities designed to address the health and safety of employees in the workplace.

861.2 Mission

The mission of the National Medical and Occupational Health Program is to reinforce the relationship between health, productivity, and the achievement of the Postal Service's business goals. This is accomplished through the development of quality programs and policies designed to promote and maintain employee health and to help ensure a safe, healthful work environment.

The program's services include but are not limited to the following activities:

a. Providing preventive medical programs in health counseling, education, and training.

b. Managing the care of acutely ill or injured employees.

c. Determining medical ability of applicants and employees to perform the functions of the job.

d. Managing applicant and employee drug and alcohol testing programs.

e. Managing compliance with the regulatory requirements of the Department of Transportation, Office of Workers' Compensation Programs, Occupational Safety and Health Administration, and other entities for which program compliance is required.

f. Managing the medical records of applicants and employees.

g. Providing recommendations regarding physical capabilities, limitations, accommodation, and rehabilitation of disabled employees or applicants.

h. Providing immunization services and participating in community health programs such as blood pressure, glaucoma, and diabetes assessments and blood bank programs.

i. Assisting in the prevention of job-related injuries and illness.

j. Collecting and analyzing epidemiologic data to detect statistical trends in occupational illness or injury.

861.3 Approach

The National Medical and Occupational Health Program presents a uniform approach throughout the Postal Service with respect to occupational health services and health-related activities.

862 Policies

862.1 General 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 medical treatment for employees, many postal facilities have on-site health services offices staffed by postal occupational health nurses. These facilities, as well as facilities without on-site health services offices, are further supported by community-based contract medical facilities and providers.

862.2 Medical and Occupational Health Program Facilities

862.21 District Administrative Office

A Medical and Occupational Health Program administrative office is an office staffed with one or more occupational health nurse administrators and support staff as needed. The role of this office is to administer the Medical and Occupational Health Program at the district level.

862.22 District Health Services Office

A Medical and Occupational Health Program health services office is a service office in a postal facility staffed with one or more career postal occupational health nurses who provide medical and medically related services within that facility. This office is managed by the occupational health nurse administrator who also has the responsibility for administering the National Medical and Occupational Health Program for the district.

862.23 Area Administrative Office

The Medical and Occupational Health Program area administrative office is responsible for the administration of the Medical and Occupational Health Program for the area. The office consists of the senior area medical director, the associate area medical directors, the area occupational health nurse administrator, and support staff.

863 Staffing and Functional Responsibilities

863.1 General

Senior and associate area medical directors and area and district occupational health nurse administrators implement and manage the Medical and Occupational Health Program and are responsible for ensuring the highest level of service performance and for ensuring adequate medical staffing within their respective locales.

863.2 Staffing

863.21 General

The Postal Service medical staffing consists of a national medical director, senior area medical directors, associate area medical directors, area and district occupational health nurse administrators, staff occupational health nurses, and community-based contract medical facilities, physicians, nurses, and consultants.

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 registered nurse (RN) certification and certification in cardio-pulmonary resuscitation (CPR). The full description of qualifications and requirements is found in the standard position descriptions.

863.3 Administrative and Functional Responsibilities

863.31 National Medical Director

The national medical director:

a. Plans and develops policy for the National Medical and Occupational Health program.

b. Provides guidance to the area Human Resources managers and area medical directors.

c. Evaluates the performance of all aspects of the National Medical and Occupational Health Program.

The national medical director is administratively responsible to the manager of Health and Resource Management.

863.32 Area Medical Directors

Senior area medical directors and associate area medical directors provide functional guidance in matters of policy and program requirements to district medical personnel and to postal management. They are also responsible for management of complex cases and issues.

863.33 Postal Physicians

863.331 Duty Assignments

Full-time and part-time postal physicians' work must be performed on postal premises and under the direction of the Postal Service.

863.332 Work Schedules

As specified in 5 CFR 2635 (see ELM 662.1), an employee may not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official government duties and responsibilities. Work schedule requirements are as follows:

a. Full-time postal physicians or medical directors are usually scheduled to work a minimum of 8 hours per day, 5 days per week.

b. Part-time postal physicians or medical directors are 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 postal physician should establish a mutually agreeable work schedule.

863.333 Duties

Postal physicians perform the following duties:

a. Manage professional medical and medically related services in the health services office.

b. Provide treatment of employees who have been injured or who have become ill.

c. Conduct physical examinations and review examinations performed by other physicians outside the Postal Service.

d. In conjunction with the area medical director, issue standing orders for all the health services office nursing staff within their area of responsibility.

e. Visit all health services offices in their assigned area at least every 3 months.

f. Establish and act as custodian for all employee medical records within their area of responsibility.

g. Make rounds on the workroom floor at regular intervals and 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 to 4 weeks or as indicated.

i. Review all serious job-related injuries and fatalities to help determine if the employee's medical condition contributed to the injury or fatality (see 822.2).

j. Work with the Human Resources staff and coordinate medical activity with safety and injury compensation staffs.

k. Participate in management meetings, particularly those related to health, safety, and injury compensation.

l. Serve as consultant or expert witness in administrative appeal proceedings, as required.

m. In conjunction with an occupational health nurse administrator, medically assess reconsiderations of nonveterans and CPS disabled (30 percent or more) veterans' appeals.

863.34 Contract Physicians

Currently licensed physicians, under agreement with the Postal Service, are designated to perform specified medical services on a fee-for-service basis:

a. Where there is no coverage by a postal physician.

b. Where the postal physician is on leave.

863.35 Occupational Health Nurse Administrators

The occupational health nurse administrators are responsible for the administration of the National Medical and Occupational Health Program within their assigned locales. The duties include but are not limited to:

a. Providing administrative and policy guidance to local management.

b. Managing all aspects of health services office activity, including supervision of the staff occupational health nurses.

c. Designing and implementing programs of preventive health education.

d. Managing medical contract services and monitoring the quality of work provided by the contractors.

e. Providing guidance to injury compensation specialists in work-related injury cases.

f. Ensuring that resources are available for obtaining emergency medical care.

g. Serving as medical record custodian for assigned locales.

h. Generating qualitative and quantitative statistics and data.

i. Providing statistical analysis of data relating to all elements of the National Medical and Occupational Health Program.

j. Ensuring compliance with the regulatory requirements of the Department of Transportation, Office of Workers' Compensation Programs, Occupational Safety and Health Administration, and other entities for which program compliance is required.

k. Providing emergency care as needed.

863.36 Health Services Office Staff Nurses

Health services office occupational health nurses are functionally and administratively responsible to the district occupational health nurse administrator and to the district Human Resources manager. The duties of the occupational health nurses include but are not limited to:

a. Providing professional nursing care to employees.

b. Administering medications at the direction of a physician.

c. Assisting postal physician in conducting examinations.

d. Maintaining medical records.

e. Counseling and referring employees to health-related programs.

(See Handbook EL-806, *Health and Medical Service,* and the standard position description for additional functional responsibilities and duties.)

864 Medical Assessments and Examinations

864.1 Applicant Medical Assessments and Employee Examinations

It is mandatory that all applicants for career, temporary, or casual employment undergo a medical assessment before job placement. Employees who are converted to positions with different physical requirements than their present positions must first undergo medical assessments that may include the performance of a focused physical examination addressing those particular physical requirements. (See Handbook EL-312, section 57, for exceptions and scheduling procedures.)

Postal or contract physicians perform applicant examinations, when indicated, at a Postal Service health services office within reasonable commuting distance from the applicant's home or at the postal installation where employment is sought.

864.2 Determination of Suitability

See Handbook EL-312, chapter 5.

864.3 Fitness for Duty

See the corresponding management instruction for the specific procedures for fitness-for-duty examinations.

864.31 Purpose

The purpose of the Postal Service fitness-for-duty examination is to ascertain whether or not the employee is medically capable of meeting the requirements of his or her job.

864.32 Requesting Examination

Management can order fitness-for-duty examinations at any time and repeat them, as necessary, to safeguard the employee or coworker. Specific reasons for the fitness-for-duty should be stated by the requesting official.

In cases of occupational injury or illness, the district injury compensation control office may request an examination in the course of monitoring an injury compensation case (see 545.44).

864.33 Tests and Consultation

A specific medical test or consultation may be required in the judgment of the examining physician before rendering a decision on fitness for duty. The indications are documented as part of the report.

865 Return to Duty After Absence for Medical Reasons

865.1 Clearance Required: All Bargaining Unit Employees and Those Nonbargaining Unit Employees Returning From Non-FMLA Absences

The decision to clear an employee to return to work rests with management. Management can require employees who have been absent due to an illness, injury, outpatient medical procedure (surgical), or hospitalization to submit documentation (as set forth in 865.3) in order to clear their return to work when management has a reasonable belief, based upon reliable and objective information, that:

a. The employee may not be able to perform the essential functions of his/her position; or

b. The employee may pose a direct threat to the health or safety of him/herself or others due to that medical condition.

In making the decision whether to require documentation in order to clear the employee’s return to work, management must consider the essential functions of the employee's job, the nature of the medical condition or procedure involved, and any other reliable and objective information in order to make an individualized assessment whether there is a reason to require the return-to-work documentation.

When management is considering requesting return-to-work documentation, management should also seek guidance from the occupational health nurse administrator, occupational health nurse, and/or Postal Service physician

regarding the return-to-work decision. After consideration of the medical information, the employee's working conditions, and any other pertinent information, management is to make the decision to clear the employee's return. Medical personnel consult with management but do not have authority to clear the employee to return to duty.

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 Postal Service physician as soon as possible thereafter.

865.2 Nonbargaining Unit Employees Returning After FMLA Absence

To return to work from an FMLA-covered absence because of their own incapacitation, nonbargaining unit employees must provide a statement from their health care provider that they are able to return to work. This statement should also address the employee's ability to perform the essential functions of his or her position, with or without limitations (see 515.54). When employees take intermittent or reduced schedule leave, management can request a return-to-work clearance for such absences up to once every 30 days if reasonable safety concerns exist regarding the employee's ability to perform his or her duties due to the medical condition in issue.

865.3 Documentation Required

Medical clearances pursuant to 865.1 must be detailed medical documentation and not simply a statement that an employee may return to work. There must be sufficient information to make a determination that the employee can perform the essential functions of his/her job, and do so without posing a significant risk of substantial harm to oneself or others. In addition, the documentation must note whether there are any medical restrictions or limitations on the employee's ability to perform his/her job, and any symptoms that could create a job hazard for the employee or other employees. The occupational health nurse administrator, occupational health nurse, or Postal Service physician evaluates the medical report and, when required, assists placing employees in jobs where they can perform effectively and safely.

865.4 Assignments

Installation heads may temporarily assign any employee returning to duty to a modified work assignment during the employee's rehabilitation/recovery period consistent with operational needs and obligations under any applicable collective bargaining agreement or federal law.

865.5 Fitness-for-Duty Examinations

If, after review of the documentation required in 865.3, the Postal Service physician questions whether an employee can perform the essential functions of his/her position, or whether he/she poses a direct threat to the health or safety of him/herself or others, the physician may require the employee to undergo a fitness-for-duty examination.

866 Medical Emergencies

See also Handbook EL-806, *Health and Medical Service*, chapter 1.

866.1 Requirement

All heath services offices must be prepared to respond to emergencies and to provide medical assistance as required.

866.2 Emergency Procedures

The recommended procedures for handling medical emergencies on postal premises are as follows:

a. Notify the health services office.

b. Notify security or other designee, who calls 911.

c. Evaluate (nurse or doctor) to determine severity of injury or illness.

d. Provide necessary first aid treatment.

e. Notify postmaster, personnel officer, or senior official in charge.

f. Transport the employee to hospital by most appropriate means if required.

g. In non-work-related cases, consult the employee's physician after control of the emergency and before any other arrangements are made. If the physician is not available, transport the employee to the nearest hospital or hospital of choice.

866.3 Posting Emergency Procedures

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

867 Rehabilitation After Work-Related Injury or Illness

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

a. Assessing the physical ability of an employee so that the employee can return to the workforce as a productive individual.

b. Recommending assignments in which the pace and physical requirements minimize risk of reinjury.

c. Consulting with the treating physician's professional medical staff to monitor, at regular intervals, the capabilities of employees with work-related injury or illness.

d. Consulting when necessary with the appropriate specialists to resolve differences of opinion between the treating physician and the postal physician.

868 General Procedures

868.1 Agreements

868.11 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, postal inspectors) as required by management.

868.12 Medical Surveillance and Surveys

Exposure to toxic substances is identified and quantified by the district Human Resources manager, Safety, or senior safety specialist. The district occupational health nurse administrator or area medical director negotiates the surveillance. Such surveys must be coordinated with the senior area medical director. The district Human Resources manager implements appropriate action and notifies the area Human Resources manager.

868.13 Contract Medical Agreement

868.131 Initiating Medical Agreements

The following are the procedures for initiating medical agreements with contract physicians, clinics, or other health care providers:

a. The district occupational health nurse administrator or area medical director recommends and renews all agreements using PS Form 7314, *Medical Agreement.*

b. Management review of the contract is conducted by the district Human Resources manager. The area medical director approves the agreement as the contracting officer.

c. A copy of the contract is kept by the district occupational health nurse administrator and area medical director, and copies are furnished to the contractor and to the district Human Resources manager.

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

868.132 Certification for Payment of Invoices

As invoices are received for contracted services, the district occupational health nurse administrator or area medical director or designee executes 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 (billing twice for the same service on separate invoices).

c. Certify invoices by either stamping, typing, or handwriting on each *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 sample stamp reads: "I certify that the goods or services have been received and the invoice is correct and proper for payment."

868.133 **Payment — Statement of Account Offices**

The payment procedures are as follows:

a. Forward certified invoices to the installation finance office for payment in accordance with local procedures and recording on PS Form 1555, *Statement of Account* (SOA).

b. Forward copies of paid invoices to the district occupational health nurse administrator or designees for their files.

c. Record payment for non-job-related medical services (such as routine medical examinations, nursing services, and first aid treatment that is not related to an on-the-job injury or illness) on the SOA using AIC 578.

d. Record payment for job-related medical services (such as 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. Note that payment for medical services for *customers involved in accidents* on or with Postal Service property is made only for the initial visit and record these payments on the SOA using AIC 597.

868.134 **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 office for recording and subsequent forwarding to the San Mateo Postal Data Center (94497-9133).

b. Send copies of invoices (certifying official) to the occupational health nurse administrator or area medical director or designees for their files.

c. Charge payment for non-job-related medical services (such as routine medical examinations, nursing services, and first aid treatment that is not related to an on-the-job injury or illness) to General Ledger Account (GLA) 52428.

d. Charge payment for medical services that are job-related (such as 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) to GLA 52427.

e. Charge payment for medical services for *customers involved in accidents* on or with Postal Service property (only for the initial visit) to GLA 55216.

Note: AICs 578, 577, and 597 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

868.14 Health Agreements

Health agreements are negotiated between the Postal Service and other federal agencies to provide medical services to those agencies at Postal Service facilities. The occupational health nurse administrator and facility manager are responsible for approving such agreements.

868.2 Malpractice

Malpractice insurance is not available for postal medical personnel. Representation in civil or criminal proceedings is provided in accordance with 668.1.

868.3 Preservation of Privacy

Preservation of the privacy of medical records is a direct responsibility of the postal physician or nurse (see Management Instruction EL-860-98-2, *Employee Medical Records).* In facilities where no medical personnel are assigned, the district occupational health nurse administrator arranges with the installation head to properly secure the medical records.

868.4 Medical Training

See 740.

868.41 Continuation of Training

The Postal Service authorizes training for employees to upgrade or maintain proficiency in their current positions. Continuing medical education by the following is encouraged:

a. Attendance at seminars and medical meetings to improve the professional skills of occupational health nurse administrators, occupational health nurses, and medical directors.

b. CPR training (with annual recertification) is required for all medical personnel, at Postal Service expense.

868.42 Requests for Training

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

868.5 Conflict of Interest

868.51 Full-time Medical Personnel

The following provisions apply for full-time personnel:

a. 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 (see 662.1), in which case the relationship must be terminated.

b. Postal physicians who are treating postal employees in the scope of their duties may not refer employees to their private practice or that of a relative.

868.52 Part-Time and Contract Medical Personnel

The following provisions apply for part-time personnel:

Part-time and contract medical personnel may treat postal employees privately within the bounds of the general ethical conduct standard (see 662.1) that provides that outside employment may not interfere with the duties and 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 is, in all cases, 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 for up to two visits. If treatment of the medical condition goes beyond two visits, and if the injured employee selects the contract physician as "physician of choice," the contract physician then becomes the employee's physician and subject to OWCP's regulations rather than those of 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.

868.53 Contract Medical Facilities and Providers

The provisions described in 868.52 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, voluntary, non-disciplinary program designed to assist employees and their immediate families in their efforts to resolve personal issues that may impact adversely on work performance, personal well-being, or both. Issues may include, but are not limited to: (a) substance abuse; (b) mental health issues such as depression, anxiety, and stress; and (c) issues that involve family, marital, financial, and legal concerns. Assistance is provided through consultation, evaluation, counseling, and referral to community resources and treatment facilities.

871.12 Substance Abuse, Dependence, and Other Addictions

Substance abuse, dependence, and other addictions 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 its collective bargaining agreements to provide a program for employees with these problems. EAP is not intended to alter or amend any of the rights or responsibilities of the Postal Service or its employees.

871.2 Definitions

Special terms used in this subchapter include the following:

a. *EAP counselor* — external EAP counselors must have: (1) a master's or doctorate degree from an accredited college or university recognized by the relevant professional association in a clinical mental health field; and (2) a current state license or state certification to practice as a mental health practitioner. External EAP counselors must also meet any other requirements of the relevant interagency agreement or contract.

Note: These requirements do not uniformly apply to the Joint Committee Employee Assistance Programs using internal counselors (see Occupation Codes 01804018, 01804019, and 01804020).

b. *External EAP service provider* — an individual or group external to the Postal Service that provides EAP services through an interagency agreement or on a contractual basis.

c. *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 Service employee who live in the household.

d. *Internal EAP* — an employee assistance program whose counselors are employed by the Postal Service.

e. *Management referral* — the referral of an employee to EAP by a supervisor or manager because the manager notices behavior that may indicate work performance issues or personal problems.

f. *Other addictions* — not addiction to drugs or alcohol, but addictive behaviors that may include excessive gambling, eating, and Internet use as well as hypersexuality.

g. *Other problems* — problems such as depression, anxiety, gambling, and stress as well as emotional, family, marital, financial, and legal problems.

h. *Self-initiated referral* — an employee's voluntary referral of him- or herself for assistance from EAP, made by directly contacting an EAP counselor.

i. *Substance abuse* — the excessive use of a substance, especially alcohol or a drug, that results in recurring negative life consequences, such as (1) interpersonal conflicts; (2) failure to meet work, family, or school responsibilities; or (3) legal problems.

j. *Substance dependence* — commonly referred to as an addiction, it is characterized by: (1) a need for increasing amounts of a substance to maintain desired effects; (2) withdrawal symptoms if drug-taking stops; and (3) preoccupation with activities related to substance use.

871.3 Policy

871.31 Job Security

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

871.32 Limits to Protection

Although an employee's voluntary participation in EAP counseling 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, or conduct. 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 874.4. EAP records may not be placed in an employee's official personnel folder (OPF).

871.34 Reasonable Access

The contractor providing counseling must endeavor to provide confidential counseling facilities within a reasonable driving distance from the employee's work site or home, in accordance with the following guidelines:

a. The Postal Service will provide office space and furnishings for those sites that require counselors to be in postal locations.

b. Providing ready accessibility to face-to-face EAP counseling is desirable, but may not always be possible. Counselors may offer

telephone counseling or request that the employee travel to the counselor's office.

c. Reasonable hours and days, including coverage of all three tours, will be set by mutual agreement between the EAP consultant and the Human Resources manager.

d. Counselors may adjust their schedules to respond to crisis situations and to meet other needs, such as providing information sessions and visiting facilities.

871.35 Scheduling

The following guidelines apply to scheduling and whether EAP sessions take place on or off the clock:

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

b. Subsequent consultations are on the employee's own time.

c. If a reasonable period of time has elapsed since a management referral or a previously disclosed self-referral, the manager or supervisor may, on a case-by-case basis, approve an additional on-the-clock session.

d. To receive pay for an on-the-clock session, the employee must authorize the EAP provider to disclose his or her attendance to management.

872 Program Elements

872.1 Education

EAP counselors and subcontract counselors must provide information, training, or both periodically for all Postal Service employees to inform them about EAP services and the kinds of personal problems that can affect job performance or conduct.

872.2 Problem Identification, Referrals, and Evaluation

872.21 Patterns of Behavior and Work Performance Problems

Certain patterns of behavior and/or work performance can be indicative of problems affecting an employee. 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. These problems may include depression, anxiety, gambling, emotional stress, and marital problems as well as substance abuse, dependence, or other addictions.

872.22 Referrals to EAP

872.221 Management Referrals

If a supervisor or manager observes any of the patterns 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 the employee to the EAP.

Since participation is voluntary, the employee has the option to refuse the referral and **cannot be disciplined** for noncompliance.

Exception: If an employee has signed a Last Chance or Settlement Agreement that requires EAP participation, the employee **can be disciplined** for noncompliance under the terms of the agreement.

872.222 Referrals From Others

Fellow employees, union representatives, management association representatives, medical personnel, family members, or judicial and social service agencies may refer employees to the EAP. However, if any of these suggest or recommend that the employee seek EAP assistance, participation is always voluntary.

872.223 Self-Referrals

Employees who want help with any personal problem or concern are encouraged to seek assistance directly by personally contacting the EAP.

872.224 EAP Response

The following requirements apply:

a. EAP counselors must accept all referrals.

b. 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.

c. Face-to-face and telephone appointments for urgent situations must be made consistent with need, regardless of the counselor's regularly scheduled hours.

d. Crisis counseling must be available by telephone 24 hours a day, 365 days a year.

872.23 Problem Evaluation

EAP counseling staff provide assessment services and arrange counseling for employees or family members or refer them to appropriate treatment resources.

872.3 Recovery Counseling and Resources

872.31 EAP Counseling Units

EAP units are staffed by EAP professionals trained to counsel and provide referral services to individuals who seek their assistance. Postal Service EAP units are not equipped to provide detoxification or drug rehabilitation assistance, but they can make referrals to outside programs and treatment facilities for these problems. To provide convenient, ready access to EAP counseling services for all Postal Service employees and their family members, a network of similarly qualified and capable affiliate counselors is available to provide EAP counseling services at other locations.

872.32 Residential and Community Resources

EAP counseling service providers:

a. Maintain information about a variety of outside programs, treatment facilities, and resources available to employees and family members.

b. Provide assistance with initial arrangements and appointments.

The cost of these programs or treatment facilities is borne by the employee or by the employee's health insurance (pursuant to terms of the policy). In cases for which hospitalization or detoxification is recommended, the employee is responsible for requesting sick leave, leave without pay, annual leave, or advanced sick leave.

872.4 Follow-Up

872.41 Progress

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

872.42 Discontinuance of Participation

Whether an employee opts to continue or discontinue participation in EAP counseling, he or she is 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 may, *upon the employee's request and authorization,* monitor the course of rehabilitation and assist in any contemplated return to work.

872.5 Program Evaluation

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.

873 Reinstatement of Recovered Employees

873.1 Policy

873.11 Consideration of Request

Managers should give serious consideration to a request for reinstatement from a recovered employee because the experience gained during previous postal employment could be a valuable asset to the Postal Service.

873.12 Consideration of Other Factors

In reviewing reinstatement requests, local management must consider the following factors:

a. The former employee's Postal Service work history.

b. The nature of the charges that led to removal or resignation.

c. The eligibility factors set forth in 873.2 and in Handbook EL-312, *Employment and Placement.*

873.13 Exceptions to Consideration for Reinstatement

When a former employee's record reflects a criminal conviction or pending criminal charges, the procedures outlined in Handbook EL-312, Chapter 5, Suitability, must be followed. In addition, exceptions to reinstatement

consideration are made when an employee has been removed from the Postal Service for any of the following reasons:

a. Theft of mail or Postal Service property.

b. Possession or sale of drugs while on duty.

c. Fraud against the Postal Service.

d. Assaults or threats against Postal Service personnel.

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 continuing to successfully participate in a course of care or activity based on an EAP counselor's recommendation.

873.22 Management Responsibilities

Prior approval must be obtained before employing a former Postal Service or federal employee who:

a. Was removed from the Postal Service or other federal employment for cause; or

b. Resigned after being notified that charges proposing removal would be, or had been, issued.

Approval must be obtained from the district manager of Human Resources, the area manager of Human Resources, or the vice president of Employee Resource Management. For further information, see the Handbook EL-312, *Employment and Placement,* section on Handling Removals From Postal Service or Other Federal Employment.

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 Restricted Information

Restricted information is information with limitations on its access within the Postal Service and its disclosure outside the Postal Service consistent with the following federal laws:

a. The Privacy Act of 1974, as amended.

b. The Health Insurance Portability and Accountability Act (HIPAA) of 1996.

c. The Public Health Service Act of 1944, as amended (see 874.4).

874.2 Policy

Information about EAP counseling participants is *restricted information,* which must be held in confidence and is subject to disclosure only as described in 874.4 and pursuant to the provisions of the federal laws listed in 874.1.

874.3 Custodians of Records

874.31 Postal Service Providers

When EAP services are provided by Postal Service employee counselors, counseling records are maintained by the counselor within the Privacy Act system of records, USPS 120.140, Personnel Records — Employee Assistance Program (EAP) Records. These records are subject to Postal Service policy and regulations, as follows:

a. Provisions of the Privacy Act as set forth in:

(1) Title 39 CFR 266, Privacy of Information.

(2) Handbook AS-353, *Guide to Privacy, the Freedom of Information Act, and Records Management* (including the appendix, Privacy Act System of Records).

b. Provisions of HIPAA regarding access, disclosure, amendment, and maintenance of records.

874.32 Private Providers

When EAP services are provided through an interagency agreement or a private vendor, the following requirements apply:

a. Each EAP counseling service provider is responsible for maintaining records on participants.

b. These counseling records are the property of the primary provider and maintained in a system of records.

c. 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.

d. The primary provider agrees to assert any privilege allowed by law and to defend vigorously Postal Service and employee rights to confidentiality.

874.4 Disclosure

874.41 General

874.411 Usual Recipients

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

a. To medical personnel to the extent necessary to meet a bona fide medical emergency involving the EAP participant.

b. To qualified personnel, with the express written authorization of the vice president of Employee Resource Management, for purposes of conducting scientific research or program audits or evaluation.

However, under no circumstances may any *personally identifiable information* be disclosed in the resulting evaluation, research, or audit reports.

c. To a court, under the following circumstances:

(1) When authorized by a court order upon showing of good cause, such as when necessary to protect against an existing threat to life or threat of bodily injury, or in connection with the investigation or prosecution of a crime.

(2) In litigation or an administrative proceeding when authorized by the trier of fact, when the EAP participant offers testimony or other evidence pertaining to the content of his or her EAP participation. Counsel should be contacted for assistance in evaluating the court order and in determining the extent to which information must be released.

d. To any person when the EAP participant gives prior written consent to disclose information. This consent specifies the nature and scope of the topics to be released, to whom information is to be released, the purpose of the disclosure, and the date on which the consent terminates.

e. To a person in any situation in which the EAP counselor has a duty to warn.

f. 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 of 39 CFR 266.6.

874.412 **Limitation of Disclosure**

In all cases cited in 874.411, 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**

EAP counseling records or personnel may not be used to initiate or substantiate any criminal charges against an EAP 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 employee who is 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 occur in which information must be reported as required by state law; for example, mandatory reporting of child abuse and/or neglect (elder/spouse abuse in some states).

c. For a disclosure that may be required by elements of the criminal justice system because they have referred employees who are EAP participants.

880 Smoking

881 Definition

Smoking is defined as having a lighted or activated electronic 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 interagency fleet management system vehicles.