



RESOLVE



STEP B DECISION

USPS Step B:	Decision:	RESOLVE
Richard Ketchum	USPS Number:	4G19N-4G-C 2212 6406
NALC Step B:	Grievant:	Class
Jim Ruetze	Branch Grievance Number:	421-0178-22
	Branch:	421
	Installation:	San Antonio
Dispute Resolution Team:	Delivery Unit:	JF Dobie
Rio Grande	State:	TX
District Grieving:	Incident Date:	02/21/2020 & ongoing
Texas 3	Informal Step A Initiated:	No Meeting
	Formal Step A Meeting:	02/10/2022
	Received at Step B:	02/18/2022
	Step B Decision Date:	03/09/2022
	Issue Code:	14.2100
	NALC Subject Code:	504230

ISSUE: Did management violate Articles 14 and/or 19 of the National Agreement by failing to properly respond to safety hazards identified on PS Form 1767? If so, what is the remedy?

DECISION: The Dispute Resolution Team (DRT) mutually agreed to **RESOLVE** this grievance. Evidence in the case file supports violations of Section 824.632 of the Employee and Labor Relations Manual (ELM). Management will comply with ELM 824.632 with respect to the hazards identified in the PS Forms 1767 in the file and in the future. See the DRT Explanation below.

EXPLANATION: Over the course of two years, several PS Forms 1767, *Report of Hazard, Unsafe Condition, or Practice*, have been submitted to management at JF Dobie Station in San Antonio, Texas. The union filed this grievance to protest management's failure to abate the hazards identified in the PS Forms 1767. Unable to achieve a resolution through the Informal or Formal Step A levels of the grievance process, the union appealed the grievance to Step B.

The union at Formal Step A contended management has repeatedly ignored PS Forms 1767 over the past two years. The union requested OSHA be notified immediately. The union further requested the Postal Service do whatever is necessary to fix the safety hazards identified by April 1, 2022. The union also requested management cease and desist from permitting unsafe conditions and from violating Article 14.

Management at Formal Step A contended work orders and "FSSP" notifications to address the issues raised in the various 1767s. Management further contended they have even emailed maintenance to get the problems corrected. Some of these efforts

have been successful, including repairing the toilets that don't need to be replaced, replacing lighting in the carrier cases, getting new keypad door locks installed, replacing stained or broken ceiling tiles, and working on the ceiling fans.

The DRT reviewed the case file and determined some of the hazards identified on the PS Forms 1767 in the file appeared to still exist. This violates Section 824.632 of the ELM which provides, in relevant part:


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 facility safety coordinator.

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. [Emphasis Added]

Based on its review of the case file, the DRT agreed to the decision and remedy above.



Richard Ketchum
USPS Step B Representative



Jim Ruetze
NALC Step B Representative

cc:
LR Manager, Southern Area
NALC Region 10 NBA
District HR Manager
District LR Manager
USPS Formal A Stephen Seale

NALC Branch President
NALC Formal A Homer Hernandez
District Manager
Postmaster
DRT File

Grievance File Contents

PS Form 8190
Request for Formal Step A Meeting - 2 pgs
Union Contentions - 6 pgs
Management Contentions
PS Forms 1767 - 11 pgs

Emails re: Safety Hazards - 4 pgs
Work Orders - 7 pgs
District Instruction re: Form 1767: 2 pgs
Witness Statements - 20 pgs
Photos - 41 pgs