

Workers Were Denied Right To Make Informed Decisions During Anthrax Crisis, Burrus Tells House Panel

Testifying today before the House Subcommittee on National Security, Emerging Threats, and International Relations, APWU President William Burrus denounced the handling of anthrax contamination at the Wallingford (CT) postal facility in 2001. The Postal Service's failure to notify workers and the union about the level of contamination, and OSHA's failure to require it to do so were "inexcusable," Burrus said. "Postal workers were denied the fundamental right to make informed decisions about their health and safety."

Following the death of Otilie Lundgren, a 94-year old resident of nearby Oxford, testing of the Southern Connecticut P&DC revealed the presence of approximately three million anthrax spores. There is no question that this amount was sufficient to cause death, Burrus said, but contamination was described as being in "trace amounts."

"The evidence is clear that discussions were held among various agencies, including the Postal Service, the Centers for Disease Control, and the Connecticut Department of Health, regarding who would assume responsibility for notifying employees," Burrus said.

A GAO report requested by Sen. Joe Lieberman (D-CT) "went to great lengths to analyze documents that set forth the responsibilities of the agencies involved." The report, issued in April 2003, notes that "the Postal Service requested, and the investigation team agreed, that the USPS would be the sole party responsible for communicating test results and other information to the workers."

"Yet the Postal Service failed to notify employees and the union of the quantitative sample results," he said. "The

Postal Service's failure to report the results of the Wallingford sampling was compounded by its failure to properly respond to a January 2002 request from the local union president for documents detailing exposure," Burrus added, and by OSHA's failure to enforce the standard that requires employers to provide such data within 15 days of a request.

While union requests for information were being denied, "the Postal Service knew the results, CDC knew the results, and the Connecticut Department of Public Health knew the results," Burrus said. "Those most directly concerned – the employees – did *not* know. Employees were not informed, despite repeated requests for information by the local union."

"Yet the GAO report concludes that, given the circumstances, the failure to report the results is understandable."

"We vehemently disagree. OSHA's failure to uphold its standard to protect postal workers, and the Postal Service's continued refusal to provide anthrax-exposure data, is simply inexcusable."

"Mr. Chairman, Committee members," Burrus concluded, "I respectfully submit that the events surrounding the Wallingford anthrax contamination are *not* 'understandable.' Not to me and not to the workers I represent."

Burrus testified in a panel that also featured Tom Day, the USPS Vice President for Engineering; Kenneth Martinez, Captain, Centers for Disease Control; Dr. James Hadler, Connecticut State Epidemiologist; and R. Davis Layne, Deputy Assistant Secretary, OSHA.

COLA UPdate

An increase in the Consumer Price Index in April means that if the adjustment were made based on the midpoint in the six-month measuring period, the fourth Cost-Of-Living Adjustment under the National Agreement would give employees an annual raise of \$332.

The adjustment, which is subject to fluctuation in the next three months of accounting, would amount to a 16-cent

per hour increase, which works out to \$12.80 per pay period. The fourth COLA will be based on the July 2003 index point.

Any increase will be effective as of Sept. 6 (pay period 20-2003) and will be reflected in Sept. 26 paychecks.

Pay scales can be seen at www.apwu.org.

Postal Press Editors' Conference

The APWU National Postal Press Association will hold its national editors' conference July 31 to Aug. 2 at the Hyatt Regency in Milwaukee.

Conference workshops will cover topics such as working with the mainstream media, Web sites, legal issues, and editing and producing union newsletters. A pre-conference session on Wednesday, July 30, will focus on helping participants to develop strategies for getting out the union's message.

The editors' conference will close Saturday, Aug. 2,

with a general session and an awards banquet.

Conference guestroom rates at the Hyatt are \$119 per day for single or double occupancy, with a tax rate of 14.6 percent. To reserve a room, call 800-233-1234. Be sure to specify that you are with the Postal Press Association.

For more information about the conference, contact PPA President Tony Carobine at 906-774-9599. More information and a registration form are available at www.apwu-nppa.org/03conf.html.

Commission Hires Consultants To Query Workers About Pay Survey on Bargaining Issues 'Totally Inappropriate'

Less than two weeks after holding a public field hearing on "collective bargaining and the dispute-resolution process," the President's Commission on the U.S. Postal Service has hired several private consulting firms to study collective bargaining issues.

The consulting projects include analyses of alternatives to the current collective bargaining process, incentive compensation programs, and the grievance procedure. The report on collective bargaining by University of Illinois law professor Michael LeRoy has already been posted on the Commission's Web site.

APWU President William Burrus protested the projects in a letter to Commission Co-Chairmen James A. Johnson and Harry J. Pearce, noting that "the Commission will not subject the resulting papers to the scrutiny of a public hearing."

Consultants bring their own biases to the questions they consider, Burrus noted, and the lack of balance in considering these reports "will undermine the credibility of their conclusions."

The human resources consulting firm Watson Wyatt & Co. plans to conduct "focus groups" with USPS employees to gauge their feelings about an incentive compensation program. Chris Hamilton, a representative of the consulting firm, said they were hired last week and have to present their report next week. They plan to interview groups of eight-to-10 clerks, drivers, mail handlers, or supervisors.

President Burrus was adamant in his rejection of such an endeavor. "The commission is seeking to pierce our bargaining process by asking questions about one component

of contract negotiations," he told Hamilton. "To go directly to our members to discuss wages is totally inappropriate."

"The APWU speaks on behalf of its members," Burrus pointed out. "That is our legal right. We have an internal democratic process. We hold elections and conventions where our members express and insist upon their demands. The Commission should not attempt to replace our democratically elected representatives with employees of their own choosing."

"During contract negotiations the union and management have the opportunity to consider such programs if we desire – subject to the collective bargaining process."

In a related matter, the APWU requested the commission hold a hearing on the rate-setting process. In a letter to the commission dated May 1, Burrus told the presidential panel that several important aspects of the process have not been given adequate consideration and "warrant the concentrated attention of the Commission during a dedicated day of hearings."

"The Commission should hold a hearing," Burrus wrote, "at which it will receive testimony on (1) the mechanics of the rate-setting process; (2) the history of postal rates in relation to the Postal Service's financial health, operational changes, and ability to meet service standards; (3) the appropriate criteria or parameters for rate-setting; and (4) the likely future course of postal rates."

The Commission did not formally respond to the APWU letter. Two days of hearings are set for Washington on May 28 and 29. The agenda for those hearings has not been announced.

USPS – and APWU – Still Waiting To Hear About Early Outs Offer

The APWU and the Postal Service are still waiting to hear from the U.S. Office of Personnel Management (OPM) about the USPS request to offer early retirement opportunities to postal workers.

The USPS request, required under the contract extension that APWU members approved in December, was made Jan. 23. In its letter to OPM, the Postal Service asked for authority to offer voluntary early retirement to APWU-represented employees "during the period of April 1 through Sept. 30."

In late March, the union learned that because OPM was waiting for new regulations governing the authority of federal agencies to offer early retirement and buyouts, no early outs offer would be made by April 1. USPS officials said they had been informed that early retirement offers "cannot be approved until the new regulations are printed in the *Federal Register*."

OPM later told the union that it expected the new regulations to be published in late April. During a May 9 meeting with postal officials the union was informed that the new regulations had been drafted and were awaiting approval by the OPM director. Once the director approves them, however, they will be sent to the director of the Office of Management and Budget for further review and approval.

The contract extension requires management to offer voluntary early retirement to *all eligible* APWU-represented employees, regardless of their duty assignment or geographical location.

The union has requested that postal management initiate a review of the number of employees who are interested in early retirement, so that when the regulations are issued postal officials will have a reasonable estimate of the number of employees who will be eligible.

National Presidents' Conference

The Pennsylvania Postal Workers Union will be the Eastern Region's host for the National Presidents' Conference June 21 to 23 in Grantville, PA, at the Grantville Holiday Inn.

Pennsylvania State President LeRoy Moyer is the event contact person at 877-700-8240. Room reservations can be made by calling 717-469-0661.

Officers are encouraged to submit items for discussion to: NPC Agenda Items, J.N. "Jim" Alexander, Chair-

man, PO Box 4004, Medford, OR 97501.

Agenda items also can be faxed to 541-826-9427 or e-mailed to jimsturn@internetcds.com.

To register for the NPC, please complete the form available at www.ppwu.org and send it as soon as possible to LeRoy Moyer, President, PPWU, PO Box 22122, Lehigh Valley, PA 18002. Please include a check or money order for \$50 payable to: The Presidents' Conference.