



April 12, 2010

Mr. Michael Foster  
Assistant Director, MVS Division  
American Postal Workers  
Union (APWU), AFL-CIO  
1300 L Street NW  
Washington, DC 20005-4128

Certified Mail Tracking Number:  
7099 3400 0009 0516 2995

Dear Mike:

I am writing in response to your October 21, 2009, letter and as follow-up to your conversations with Patrick Devine of my staff, held as recently as of April 5, regarding insulin dependent employees operating Commercial Motor Vehicles (CMVs) weighing over 26,001 pounds gross weight and requiring a Commercial Drivers License (CDL).

You inquire about Postal Service policy governing such employees, referencing our January 31, 2008, settlement agreement which indicates that these drivers are not automatically disqualified from driving. You express in your letter that you are receiving "reports" that such drivers are being disqualified even after providing medical documentation clearing them to operate CMVs.

As you are aware, the determination as to whether any such driver is able to drive these vehicles is made on a case-by-case basis. This approach is consistent with the agreed-upon terms of the settlement agreement you cite. Where circumstances warrant, consistent with the case-by-case approach, if a review of the medical documentation submitted indicates a risk in allowing the driver to operate the CMV, an evaluation may be made to determine whether periodic medical monitoring will help remedy the risk.

Regarding your receipt of "reports" of drivers being disqualified even after submitting medical documentation, an investigation into the matter reveals only a single incident involving a driver in St. Paul, Minnesota. In that matter, the local APWU has filed a grievance, which is now at Step 3.

If you have any further questions or concerns, please contact Patrick M. Devine at (202) 268-5421.

Sincerely,

A handwritten signature in black ink that reads "John W. Dockins".

John W. Dockins  
Manager  
Contract Administration (APWU)





## American Postal Workers Union, AFL-CIO

1300 L Street, NW, Washington, DC 20005

October 21, 2009

**Michael O. Foster**  
Assistant Director,  
MVS Division  
1300 L Street, NW  
Washington, DC 20005  
(202) 842-4240 (Office)  
(202) 842-8517 (Fax)

**SENT CERTIFIED MAIL – RETURN RECEIPT (7007 2560 0003 2183 3472) &  
(Via e-mail)**

John Dockins, Manager  
Contract Administration  
US Postal Service  
475 L'Enfant Plaza, SW  
Washington, DC 20260

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Northeast Region Coordinator

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Southern Region Coordinator

Omar M. Gonzalez  
Western Region Coordinator

RE: USPS Policy for Insulin Dependent Employees Operating  
Commercial Motor Vehicles (CMV)

Dear John:

This correspondence is regarding the USPS Policy for insulin dependent employees operating Commercial Motor Vehicles (CMV) weighing over 26,001 pounds gross weight and requiring a Commercial Drivers License (CDL).

The Union is requesting the current written policies or instructions to the field that governs insulin dependent employees operating CMVs.

On January 31, 2008 we agreed upon a pre-arbitration settlement concerning the automatic disqualification of Insulin dependent drivers but are now receiving reports that employees are being disqualified from driving even, upon presenting documentation from Board Certified endocrinologist that it is safe for the employee to operate a CMV.

Please provide the written policies and any instructions to the field on this subject.

Sincerely,

Michael O. Foster  
Assistant Director  
Motor Vehicle Service Division

MOF/rr  
opeiu#2, afl-cio

encl: January 31, 2008 Pre-Arb Settlement

Mr. Michael O. Foster, Assistant Director  
American Postal Workers  
Union, AFL-CIO  
1300 L Street, NW  
Washington, DC 20005-4128

RE: Q00V-4Q-C05069239  
Washington, DC 20260-4100


Dear Mr. Foster:


Recently, we met to discuss the above-referenced case which is currently pending arbitration at the national level.

The issue presented pertains to the policy of disallowing insulin controlled diabetics with a valid Commercial Driver's license from operating a postal commercial motor vehicle, which weighs 26,001 pounds or greater.

Effective immediately, insulin dependent diabetic drivers who possess a valid Commercial Drivers License (CDL) are not longer automatically disqualified from operating vehicles 26,001 pounds and above. Instead, such drivers must now undergo an individual medical assessment to determine if they are qualified to operate a postal commercial motor vehicle.

Please sign and return the enclosed copy of this decision as your acknowledgment of the agreement to close Case Q00V-4Q-C05069239 in its entirety and remove it from the pending national arbitration list.

  
\_\_\_\_\_  
John W. Dockins  
Manager  
Contract Administration (APWU)  
USPS

  
\_\_\_\_\_  
Michael O. Foster  
Assistant Director, Motor Vehicle Division  
American Postal Workers Union,  
AFL-CIO

Date: 1-31-08