

JOHN E. POTTER
VICE PRESIDENT, LABOR RELATIONS



April 21, 1998

VICE PRESIDENTS, AREA OPERATIONS

SUBJECT: Informational Picketing

The American Postal Workers' Union (APWU) has disclosed plans to conduct a nationwide picket on May 27, 1998, to protest the Postal Service's decision to subcontract priority mail processing. In anticipation of this activity, Headquarters Labor Relations with input from the General Counsel and the Inspection Service, has outlined some issues that you should be aware of when faced with picketing at your facilities.

- It is lawful for Postal Service employees to engage in peaceful informational picketing on public property.
- Picketing may take place on public sidewalks outside the Postal Service facility. Picketing cannot take place in the interior of Postal Service buildings such as the lobby area.
- Pickets may not block public entrances or exits, or be situated in such a way as to prevent individuals from using the Postal Facility.
- Picketing should be peaceful. If there is violence on the picket line, local police should be called to handle any disturbance. If individuals responsible for violent or disruptive activity are identified as Postal Service employees, they may be subject to disciplinary action as well as any criminal activity instituted by municipal authorities.
- Employees participating in informational picketing may not be disciplined for wearing their postal uniform while picketing.
- While Postal Service employees may engage in lawful informational picketing, it cannot be "on-the-clock." Rather, postal employees must use annual leave or off-duty hours to engage in picketing. The determination whether to grant an individual annual leave should be guided by the same principles that managers use in granting normal annual leave requests. The fact that the employee indicates he or she needs annual leave to picket should not influence a manager's decision to grant or deny an annual leave request.

- **Postal Service management should not attempt to engage picketing employees in a debate as to the merits of the unions' actions. Similarly, Postal Service management should not discuss the merits of the unions' activities with employees who choose not to engage in informational picketing. Postal Service management should avoid any activity which may be perceived as harassment of picketing employees or any other activity which could conceivably have the possibility of interfering with the lawful picketing.**
- **Inasmuch as informational picketing is lawful, Postal Service management should not engage in any actions subsequent to the unions' picketing activity which could be interpreted as retribution against those employees who chose to engage in informational picketing activities who were nonscheduled, off-the-clock or on approved annual or approved leave without pay status. Similarly, management should not "reward" those employees who chose not to engage in informational picketing activities. Violation of this guidance could result in unfair labor practice charges being filed against the Postal Service.**
- **Postal Service management should not engage in surveillance activities as they relate to lawful informational picketing.**

If you have any further questions concerning specific picketing issues, please contact your labor relations or local field counsel representative for further guidance.


John E. Potter

cc: Mr. Coughlin
Mr. Henderson
Ms. Elcano
Mr. Hunter
Mr. Kappler
Mr. Barranca
Mr. Kelly
Mr. Pajunas
Managing Counsels, Field Legal Office
Managers, Human Resources (Area)
Managers, Human Resources (District)