



## American Postal Workers Union, AFL-CIO

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1300 L Street, NW, Washington, DC 20005

August 12, 2010

**To:** Local Presidents

**Re:** Misinformation by OSHA-Related to Electrical Hazards Work Practice Investigations

Dear Local Presidents:

Recently, it was called to my attention that last month, an “OSHA Regional Administrator,” in responding to a congressional inquiry, incorrectly stated that OSHA and the APWU had discussions regarding the complaints and agreed to conduct a select number of inspections at postal facilities nationwide. Contrary to what was stated in OSHA’s letter, no agreement was reached. Inspections are ongoing and additional complaints are continuing to be processed. The purpose of this memo is to share with you the original letter dated July 9, 2010, that was sent out with incorrect information and the follow-up letter dated July 30, 2010, that the OSHA Regional Administrator sent out correcting her mistake.

Specifically, by letter dated July 9, 2010 (enclosed) Cindy Coe, OSHA Regional Administrator wrote to Congressman Alan Grayson. In paragraph 3 of Ms Coe’s letter, it incorrectly states: “...our National Office contacted the American Postal Workers Union Headquarters to discuss the complaints the area offices were receiving nationwide. The two parties agreed to conduct a select number of inspections of postal facilities nationwide. Other facilities that had complaints were placed on hold pending the completion of the inspections of the selected facilities. Those facilities that the union and OSHA agreed to inspect have been completed.”

The above statements by Ms. Coe were incorrect and in a follow-up letter dated July 30, 2010 (enclosed) to Congressman Alan Grayson, Ms. Coe stated: “*In our earlier response, we stated the OSHA’s National Office and the American Postal Workers Union Headquarters had discussions regarding the complaints and agreed to conduct a select number of inspections at postal facilities nationwide. That statement was incorrect ... and the following information will provide clarity. We apologize for the error.*” Further in paragraph two is an explanation of the discussions between APWU Headquarters and OSHA’s National office: “*The Agency contacted the union to obtain additional information to assist in evaluating the hazards. As of July, the Agency had either opened or completed 50 of the complaint inspections. Of these inspections, citations have been issued in 21 inspections, the rest are under investigation.*”

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It is our understanding that identical letters were sent to various congressional leaders who had made an inquiry regarding OSHA investigations at various post offices.

In Union Solidarity,

  
Greg Bell, Director  
Industrial Relations

Attachments

GB/LB:jm  
AFL-CIO  
OPEIU#2

**U.S. Department of Labor**

Occupational Safety and Health Administration  
61 Forsyth Street, SW, Room 6T50  
Atlanta, Georgia 30303



JUL 9 2010

The Honorable Alan Grayson  
United States House of Representative  
1805 Longworth House Office Building  
Washington, D 20515

Dear Congressman Grayson:

Thank you for your letter dated May 25, 2010, addressed to Dr. David Michaels, Assistant Secretary for the U. S. Department of Labor, Occupational Safety and Health Administration (OSHA). Your letter was forwarded to the OSHA Atlanta Regional Office on June 7, 2010 for appropriate action. In your letter, you requested that a complete investigation of the United States Postal Services Orlando Production and Distribution Center (P&DC) and the Orlando Logistics and Distribution Center (L&DC) be conducted on behalf of your constituent, Mr. Thomas J. Doyle, Director of Safety and Health for the Central Florida Area Local, American Postal Workers Union. Additionally, you had been told that numerous complaints were filed against these two postal facilities and no investigations has been conducted.

As background, our OSHA Tampa Area Office has jurisdiction of the Orlando, Florida area. They have conducted numerous inspections of both the Orlando P&DC and Orlando L&DC facilities. For example, on May 6, 2010, the Tampa Area Office conducted an inspection at the Orlando P&DC (Inspection # 314492364) in response to a complaint that was filed by Mr. Doyle. On February 17, 2010, the Tampa Area Office also received 13 separate complaint forms from Mr. Doyle alleging electrical panel box hazards at the Orlando P&DC facility. Since the complaints alleged the same hazard, the Tampa Area Office treated them as one complaint with 13 different locations throughout the facility and initiated an inspection (Inspection # 314370255). The Compliance Safety and Health Officer (CSHO) who conducted the inspection found that nine (9) of the thirteen (13) panel boxes listed in the complaint were in violation of OSHA standards. The findings from that inspection were issued to the Orlando P&DC on June 17, 2010. During that inspection, Mr. Doyle requested that OSHA conduct a comprehensive inspection. Mr. Doyle was informed that OSHA could not expand the inspection unless certain conditions were met, i.e., notification of other hazards that are located throughout the facility or the facility is on OSHA's targeting list for programmed inspections. Mr. Doyle was also informed that the CSHO would address any hazard that was observed in plain view or brought to her attention by the union


representative or an employee. Mr. Doyle brought forth no additional hazards nor did employees; therefore, OSHA did not have a reason for expanding the inspection.

In November of 2009, OSHA offices all across the country began receiving complaints from different union locals of the American Postal Workers Union alleging electrical hazards, arc flashes, and lock-out/tag-out issues at United States Postal facilities nationwide. Since all of the complaints had the same allegations, our OSHA National Office contacted the American Postal Workers Union Headquarters to discuss the complaints the area offices were receiving nationwide. The two parties agreed to conduct a select number of inspections of postal facilities nationwide. The other facilities that had complaints were placed on hold pending the completion of the inspections of the selected facilities. Those facilities that the union and OSHA agreed to inspect have been completed. The findings from those inspections have been evaluated and citations/penalties issued where appropriate. Other complaints alleging electrical hazards are being held nationwide, pending the outcome of corporate-wide settlement agreement with USPS and OSHA.

Currently, the Tampa Area Office has an open inspection regarding a complaint that Mr. Doyle filed related to unsafe hazardous conditions at the Orlando P & DC facility. This complaint, which contains eleven items, is being inspected and the findings will be provided to your constituent, Mr. Doyle at the completion of the inspection. We can assure you that our Tampa Area Office will conduct a thorough and complete inspection, address each complaint item, and work with USPS on taking corrective action where appropriate.

Thank you again for your letter. If you have additional questions, please call Benjamin Ross, Assistant Regional Administrator for Enforcement Programs at (404)562-2300.

Sincerely,

  
CINDY A. COE  
Regional Administrator

**U.S. Department of Labor**

Occupational Safety and Health Administration  
61 Forsyth Street, SW, Room 6T50  
Atlanta, Georgia 30303



JUL 30 2010

The Honorable Alan Grayson  
United States House of Representative  
1805 Longworth House Office Building  
Washington, DC 20515


Dear Congressman Grayson:

On July 9, 2010, the Occupational Safety and Health Administration (OSHA) Atlanta Regional Office sent you a letter in response to one of your constituents, Mr. Thomas Doyle, director of Safety and Health for the Central Florida Area Local, American Postal Workers Union. In his letter to you, Mr. Doyle requested that a complete investigation of the United States Postal Services, Orlando Production and Distribution Center (P&DC) and the Orlando Logistics and Distribution Center (L&DC) be conducted in response to complaints that have been filed. In our earlier response, we stated that OSHA's National Office and the American Postal Workers Union Headquarters had discussions regarding the complaints and agreed to conduct a select number of inspections at postal facilities nationwide. That statement was incorrect as it pertains to Mr. Doyle's request and the following information will provide clarity. We apologize for the error.

In November of 2009, OSHA offices all across the country began receiving complaints from different union locals of the American Postal Workers Union alleging electrical hazards, arc flashes, and lock-out/tag-out issues at the United States Postal facilities. The Agency contacted the union to obtain additional information to assist in evaluating the hazards. As of July, the Agency had either opened or completed 50 of the complaint inspections. Of these inspections, citations have been issued in 21 inspections, the rest are under investigation to include the complaints filed at the Orlando facilities. Specifically, OSHA opened complaint inspections on May 6<sup>th</sup>; June 17<sup>th</sup>; and July 7<sup>th</sup>, 2010, in response to complaint concerns at postal facilities in the Orlando area. OSHA is beginning settlement negotiations with the Postal Service and will be exploring the opportunity for a corporate wide agreement.

If you have questions, please call Benjamin Ross, Assistant Regional Administrator for Enforcement Programs at (404)562-2300.

Sincerely,

  
CINDY A. COE  
Regional Administrator