

Looking in the rearview mirror



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As I write this month's column, we are reviewing NALC Disaster Relief Foundation grant requests for damage suffered by our letter carriers in the path of Hurricane Helene. Cleanup was taking place and the devastation was tremendous.

Sadly, before anyone was able to catch their breath, Hurricane Milton formed, built up and hit Florida. These two storms resulted in a few inquiries relating to preparedness.

Go to [osha.gov](https://www.osha.gov), then type in "emergency preparedness" in the search. The list includes OSHA's emergency preparedness page ([osha.gov/emergency-preparedness](https://www.osha.gov/emergency-preparedness)), which identifies many employer responsibilities,

including "Impacts of Climate Change in the Workplace:"

Events resulting from climate change are enhancing the severity of hazards to the health of workers. Rising greenhouse gas concentrations result in changing temperatures, and other extreme weather events which could affect workers' health and safety.

Among the consequences are:

- Increased risk of heat injuries and illnesses during periods of higher than average temperatures.
- More frequent and damaging extreme weather events, such as: hurricanes, flooding, droughts, wildfires, severe thunderstorms, including tornadoes, snowstorms and blizzards
- Vector-borne diseases such as viruses, bacteria and protozoa (e.g., Zika and West Nile).
- Water-borne illnesses from extreme weather events such as hurricanes and flooding (e.g., E. coli and Salmonella).
- Clean-up work from extreme weather events.

How to protect workers:

- Employers should train employees on the hazards resulting from extreme weather events.
- Utilize a method to evaluate new or changing workplace hazards, such as a Job Hazard Analysis (JHA).
- Ensure that any protective measures such as respirators and personal protective equipment (PPE) are suitable and available for hazards.
- Train employees on proper usage and limitations of PPE.

Tie this information to Article 14 - Safety And Health, which requires as follows:

It is the responsibility of management to provide safe working conditions in all present and future installations and to develop a safe working force. The Union will cooperate with and assist management to live up to this responsibility...

I have often shared that it is rare to see a management responsibility identified in our contract followed by a commitment that the union has an obligation to assist management to live up to this responsibility. Management bears the responsibility of training us, and we bear the responsibility of making them live up to that commitment.

Additionally, reference Chapter 810 of the *Employee and Labor Relations Manual (ELM)*, which includes the following:

811.1 Authority

The Postal Service™ is subject to Public Law Number 91-596, the Occupational Safety and Health (OSH) Act of 1970, pursuant to the Postal Employees Safety Enhancement Act (PESEA) of 1998. The OSH Act provides for citations, penalties, and criminal referrals for those employers who fail to comply. The Occupational Safety and Health Administration (OSHA) is responsible for promulgating and enforcing standards and regulations under the OSH Act.

Arguing these two references together, we need to assert that OSHA, acting as the designated expert of the federal government on the subject of workplace safety, is empowered to make recommendations to protect workers from death or serious injury. OSHA cannot enforce agreements that we have bargained with the USPS.

The USPS, however, under Public Law Number 91-596, has been put under authority of OSHA and must follow their recommendations (based on our Article 14 contractual commitments). OSHA cannot enforce a recommendation, but we should enforce their expert opinion based on the contract and the above language of the *ELM*.

So, what do we do with this information? This should be discussed at each installation safety committee. We need to look into the rearview mirror to determine what was overlooked in our emergency planning.

I received a call earlier in the year on how management reacted to a tornado. They attempted to force the carrier to continue working even though civic leaders had instructed to get to shelter.

This is only one example of the things that we see in the rearview mirror, which we should talk about until we come up with a way to make work safer. Like Monday morning quarterbacking, we should look at each potential danger and determine what should have been done and then breathe life into those suggestions before it costs another life.

Keep an eye on each other and keep each other informed on what your local safety committee needs to address.