

OSHA and the Postal Service

The US Postal Service is unique within the federal government when it comes to the applicability of the *Occupational Safety and Health Act of 1970 (OSH Act)*. This is the law that established the Department of Labor's *Occupational Safety and Health Administration* commonly known as OSHA.

Under the Postal Reorganization Act, the Postal Service was placed under section 19 of the OSH Act. This section really did nothing more than require the Postal Service to establish a safety program to help prevent injuries and accidents to employees, keep records of these injuries/accidents, and report these statistics. This section did not grant OSHA any enforcement authority of safety at the Postal Service.

In 1998, the *Postal Employees Safety Enhancement Act (PESEA)* was passed. This act made the Postal Service subject to Public Law Number 91-596 allowing OSHA to enforce safety standards, both emergency temporary and permanent standards, at postal facilities to include conducting inspections, issuing citations, penalties, and criminal referrals.

With the passage of the PESEA postal employees gained rights other federal employees did not necessarily have such as:

- Be provided required safety equipment such as gloves, harnesses, hard hats, and other personal protective equipment (PPE)
- Protection from toxic chemicals
- Work on machines that were properly guarded/safe
- Receive workplace safety and health training
- Request OSHA inspection of postal facilities and right to speak with the inspector
- Report injury and illnesses and get copies of medical records
- Be subject to the safety standards of OSHA on things like heat illnesses, machine guarding, aisle egress, and more
- Right to file safety complaints directly with OSHA
- Right to do all above without fear of retaliation and recourse if there is retaliation

Here are some statistics from OSHA related to the Postal Service:

- Currently, in fiscal year 2021, there have been 215 complaints filed with OSHA against the Postal Service with 96 citations being issued.
- Those citations included approximately \$1.275 million in fines being issued with the Postal Service paying almost \$193,000 thus far.
- There have been three COVID-19 related inspections in 2021 at the Postal Service that have resulted in \$48,769 in fines.

Falling under OSHA has benefited Postal Employees, given them more rights, and lead to better enforcement of safety rules and regulations. Neither the Postal Service does not get to pick and choose which OSHA implemented safety standards—whether permanent or emergency temporary—are to be followed and enforced. The Postal Service is subject to them all.