



How To Stay “Out of Trouble”



**Tips
For Avoiding
Workplace Problems
&
Trouble!**



Zoom Into Training!

Presented by Brian J. Wagner * NAPS Past National President

Think About This!

*“My job is not to get you
out of trouble, but to keep you
from getting into trouble.”*

Craig Johnson

NAPS Central Region Vice President



How To Stay *Out of Trouble?*

*Use Workplace Common Sense and
follow Postal Policy*



Your commonsense workplace decision making may be viewed differently by the Postal Service. Stay focused and follow postal policy and rules.

Think About This!



Saturday CuppaJoe

June 15, 2024 | Saturday Morning

*Every EAS employee can be just one **bad decision** away from discipline.*

Robert Wakefield
NAPS Branch 32 President

How To Stay *Out of Trouble?*

What is this Trouble?

Emergency Placement in Off-Duty Non-Pay Status (ELM 651.4)

An employee may be placed in an off-duty nonpay status immediately, but remains on the rolls

Letters of Warning (ELM 651.5)

When warranted by the failure of nondisciplinary corrective measures per ELM 651.3 or by the seriousness of the offense.

Letters of Warning in Lieu of Time-Off Suspensions (ELM 651.6)

Letters of warning in lieu of time-off suspensions may be issued in lieu of either 7-day or 14-day time-off suspension only. Unless required by statute, suspensions of more than 14-days are prohibited except for indefinite suspensions referenced in 651.7.

Adverse Actions (ELM 651.7)

Adverse actions are defined as discharges, suspensions without pay of more than 14 days and/or reductions in grade or pay, because lesser measures have not resulted in the correction of deficiencies in behavior or performance; the gravity of the offense



NAPS Disciplinary Defense Fund (DDF)*

Cases By Infraction

NAPS FY2023

1. Performance – 23
2. Finance -14
3. Falsification – 13
4. Sexual Misconduct – 9
5. Attendance - 9



NAPS FY2024

1. Performance – 35
2. Finance - 29
3. Attendance - 12
4. Falsification - 10
5. Sexual Misconduct - 8
- Violence - 8
6. Theft - 5

* As reported at the 2023 and 2024 NAPS Fall Executive Board Meeting

This is Trouble!

An EAS employee comes to work:

- Impaired due to alcohol (Buzzed/Drunk)
- Impaired from drugs (illegal or legal)
- Impaired by other intoxicants
- Fails to observe safety rules
- Fails to obey a direct order
- Provides reason to be deemed potentially injurious to self or others (*Impaired, disregards safety, mental illnesses, etc.*)
- Disrupts day-to-day postal operations in any other way
- Charged with or indicted for a crime



Emergency Placement in Off-Duty Non-Pay Status (ELM 651.4)

How to Avoid Workplace Trouble and Emergency Placement Issues

Workplace Common Sense

- Do not be impaired at work from alcohol, drugs, or other intoxicant while at work.
- Observe and obey safety rules.
- Obey direct orders.
- Do not display actions deemed potentially injurious to self or others. Seek professional help and/or EAP if necessary.
- Avoid actions or decisions that would be viewed as disrupting day-to-day postal operations in any other way.
(*Very subjective*)
- Do not participate in criminal related activity.



This is Trouble!

Workplace Harassment



Sexual Harassment

Harassment in the Workplace

- Harassment is unwelcome behavior that an individual finds offensive and harmful, and that a reasonable person would consider intimidating, hostile or abusive.
- Such behavior is prohibited by the Postal Service and may also violate federal antidiscrimination laws.
- Workplace harassment may include:
 - offensive or derogatory comments
 - name calling or slurs
 - engaging in negative stereotyping
 - circulating or displaying inappropriate graphic materials
 - engaging in physical or verbal threats
 - intimidation or humiliating actions.
- The offensive behavior could be a one-time occurrence or may occur over a period of time.



This is Trouble! Sexual Harassment

- Sexual harassment is viewed from the perspective of the **victim**, **NOT** from the individual who engaged in the conduct.
- Sexual Harassment is not limited to opposite sex, may be same sex harassment (Male/Male or Female/Female)
- Sexual Harassment is not limited sex.
- Any attempt to establish a relationship that is unacceptable is sexual harassment.





JOINT STATEMENT ON VIOLENCE AND BEHAVIOR IN THE WORKPLACE

We all grieve for the Royal Oak victims, and we sympathize with their families, as we have grieved and sympathized all too often before in similar horrifying circumstances. But grief and sympathy are not enough. Neither are ritualistic expressions of grave concern or the initiation of investigations, studies, or research projects.

The United States Postal Service as an institution and all of us who serve that institution must firmly and unequivocally commit to do everything within our power to prevent further incidents of work-related violence.

This is a time for a candid appraisal of our flaws and not a time for scapegoating, fingerpointing, or procrastination. It is a time for reaffirming the basic right of all employees to a safe and humane working environment. *It is also the time to take action to show that we mean what we say.*

We openly acknowledge that in some places or units there is an unacceptable level of stress in the workplace; that there is no excuse for and will be no tolerance of violence or any threats of violence by anyone at any level of the Postal Service; and that there is no excuse for and will be no tolerance of harassment, intimidation, threats, or bullying by anyone.

We also affirm that every employee at every level of the Postal Service should be treated at all times with dignity, respect, and fairness. The need for the USPS to serve the public efficiently and productively, and the need for all employees to be committed to giving a fair day's work for a fair day's pay, does not justify actions that are abusive or intolerant. *"Making the numbers" is not an excuse for the abuse of anyone.* Those who do not treat others with dignity and respect will not be rewarded or promoted. Those whose unacceptable behavior continues will be removed from their positions.

We obviously cannot ensure that however seriously intentioned our words may be, they will not be treated with winks and nods, or skepticism, by some of our over 700,000 employees. But let there be no mistake that we mean what we say and we will enforce our commitment to a workplace where dignity, respect, and fairness are basic human rights, and where those who do not respect those rights are not tolerated.

Our intention is to make the workroom floor a safer, more harmonious, as well as a more productive workplace. We pledge our efforts to these objectives.


D.C. Nurses Association


Federation of Postal Police Officers



National Association of Letter Carriers



National Postal Mail Handlers Union


United States Postal Service


National Association of Postal Supervisors


National Association of Postmasters of the United States


National League of Postmasters of the United States


National Rural Letter Carriers' Association

Dated: February 14, 1992

PLEASE POST ON BULLETIN BOARDS IN ALL INSTALLATIONS

1992 Joint Statement on Violence and Behavior in the Workplace

NAPS is a signatory to this Memo.

"... every postal employee at every level of the USPS should be treated at all times with dignity, respect and fairness."

This includes EAS -- Report any violations of the Joint Statement to USPS management and your NAPS representative.





DOUG A. TULINO
VICE PRESIDENT, LABOR RELATIONS



December 14, 2016

MANAGERS, HUMAN RESOURCES (AREA)
MANAGERS, LABOR RELATIONS (AREA)

SUBJECT: Joint Statement on Violence and Behavior in the Workplace

This Postal Service remains fully committed to the provisions of the February 14, 1992, Joint Statement on Violence and Behavior in the Workplace. Prevention of work-related violence, harassment, intimidation, threats or bullying by anyone remains as important today as it was the day the Joint Statement was signed. There is no excuse for and there must be no tolerance of any of the behaviors covered by the Joint Statement.

When the union files a grievance asserting violations of the Joint Statement, it is vitally important that all facts and contentions are developed, investigated, and considered at all levels of the grievance process to ensure a proper decision is rendered. Those decisions must be predicated on a thorough understanding of the principles in the Joint Statement as well as our collective bargaining agreements.

All relevant evidence must be fully developed. Accused management employees should receive full opportunity to respond to allegations against them. The record should include: contentions and statements from the grievant(s), management employee(s), and any other witnesses so the representatives responsible for addressing these types of grievances have the material necessary to make the proper decision.

When there is a grievance filed by the union asserting violations of the Joint Statement, the grievance process is the appropriate forum to ensure that all facts and contentions are developed as stated in paragraph two above. In the event the parties are unable to resolve these types of grievances and the matter is appealed to arbitration, witnesses may be called to render testimony for consideration by an arbitrator.

There is *no* room for tolerating or excusing behavior that violates the principles of the Joint Statement. It is our responsibility to educate our representatives who are responsible for adjudicating grievances associated with violations of the Joint Statement. They must understand the importance of a proper and thorough investigation so outcomes protect the due process rights of all employees and are consistent with the principles of the Joint Statement and the applicable collective bargaining agreement.


Doug A. Tulino

cc: Managers, Labor Relations (Headquarters)

475 L'ENFANT PLAZA SW
WASHINGTON DC 20260-4100
WWW.USPS.COM

Memo on 1992 Joint Statement on Violence and Behavior in the Workplace

Due process for EAS
accused of violation of
the 1992 Joint Statement
by the Unions.



July 1, 2021

Postal Service's Policy on Workplace Harassment

The United States Postal Service® (Postal Service™) is committed to providing a work environment free of harassment based upon race, color, religion, sex (including pregnancy, sexual orientation, and gender identity including transgender status), national origin, age (40 or over), mental or physical disability, genetic information, uniformed (military) service, or in reprisal for an employee's or applicant's complaint about, or opposition to, discrimination or participation in any process or proceeding designed to remedy discrimination. The Postal Service's workplace must be one in which all employees are treated with dignity and respect by supervisors, subordinates, and coworkers. Supervisors and managers will take prompt action to prevent, address, and remedy workplace conduct that is contrary to this policy.

Prohibited Activities

Harassment is unwelcome verbal or physical conduct, which is so severe or pervasive that it interferes with or changes the conditions of one's employment by creating a hostile, intimidating, or abusive working environment. Examples may include, but are not limited to, making offensive or derogatory comments or engaging in physically threatening, intimidating, or humiliating behavior based upon race, color, religion, sex (including pregnancy, sexual orientation, and gender identity including transgender status), national origin, age (40 or over), mental or physical disability, genetic information, past, present, or future uniformed (military) service, or in reprisal for an employee's or applicant's complaint about or opposition to discrimination or participation in any process or proceeding designed to remedy discrimination. These activities are prohibited by the Postal Service's policy and may amount to harassment in violation of federal antidiscrimination laws. Violation of this policy may result in disciplinary action up to and including termination. The Postal Service is committed to providing its employees a safe, productive, and inclusive workplace and will tolerate nothing less.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature such as, but not limited to, making or threatening to make employment decisions based on an employee's submission to, or rejection of, sexual advances or requests for sexual favors; deliberate or repeated unsolicited remarks with a sexual connotation or physical contact of a sexual nature that is unwelcome to the recipient; or behavior that creates a sustained hostile or abusive work environment so severe or pervasive that it unreasonably interferes with or changes the conditions of one's employment.





July 1, 2021

Postal Service's Policy on Workplace Harassment

The United States Postal Service® (Postal Service™) is committed to providing a work environment free of harassment based upon race, color, religion, sex (including pregnancy, sexual orientation, and gender identity including transgender status), national origin, age (40 or over), mental or physical disability, genetic information, uniformed (military) service, or in reprisal for an employee's or applicant's complaint about, or opposition to, discrimination or participation in any process or proceeding designed to remedy discrimination. The Postal Service's workplace must be one in which all employees are treated with dignity and respect by supervisors, subordinates, and coworkers. Supervisors and managers will take prompt action to prevent, address, and remedy workplace conduct that is contrary to this policy.

Prohibited Activities

Harassment is unwelcome verbal or physical conduct, which is so severe or pervasive that it interferes with or changes the conditions of one's employment by creating a hostile, intimidating, or abusive working environment. Examples may include, but are not limited to, making offensive or derogatory comments or engaging in physically threatening, intimidating, or humiliating behavior based upon race, color, religion, sex (including pregnancy, sexual orientation, and gender identity including transgender status), national origin, age (40 or over), mental or physical disability, genetic information, past, present, or future uniformed (military) service, or in reprisal for an employee's or applicant's complaint about or opposition to discrimination or participation in any process or proceeding designed to remedy discrimination. These activities are prohibited by the Postal Service's policy and may amount to harassment in violation of federal antidiscrimination laws. Violation of this policy may result in disciplinary action up to and including termination. The Postal Service is committed to providing its employees a safe, productive, and inclusive workplace and will tolerate nothing less.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature such as, but not limited to, making or threatening to make employment decisions based on an employee's submission to, or rejection of, sexual advances or requests for sexual favors; deliberate or repeated unsolicited remarks with a sexual connotation or physical contact of a sexual nature that is unwelcome to the recipient; or behavior that creates a sustained hostile or abusive work environment so severe or pervasive that it unreasonably interferes with or changes the conditions of one's employment.





Management Responsibility

All managers and supervisors are responsible for preventing harassment and inappropriate behavior that could lead to illegal harassment, and must respond promptly when they learn of any such conduct. Any manager or supervisor who receives a complaint must see that a prompt and thorough investigation is conducted. Investigations of all forms of harassment must be done in

475 L'ENFANT PLAZA SW
WASHINGTON, DC 20260-0010
WWW.USPS.COM

- 2 -

accordance with the "Initial Management Inquiry Process (IMIP)." Materials are available in Publication 552, *Manager's Guide to Understanding, Investigating, and Preventing Harassment*. When harassment or inappropriate conduct is found, managers must take prompt and effective corrective action.

Employees' Rights and Responsibilities

Postal Service employees who believe that they are the victims of harassment prohibited under this policy (i.e., harassment based on race, color, religion, sex (including pregnancy, sexual orientation, and gender identity including transgender status), national origin, age (40 or over), mental or physical disability, genetic information, uniformed (military) service, or in reprisal for an employee's or applicant's complaint about or opposition to discrimination or participation in any process or proceeding designed to remedy discrimination) or who have witnessed such harassment or inappropriate conduct, should bring the situation to the attention of a supervisor, a manager, or the manager of Human Resources. Refer to Publication 553, *Employee's Guide to Understanding, Preventing, and Reporting Harassment* for further information. In accordance with this policy, supervisors, managers, managers of Human Resources, or the next higher level manager (HQ and HQ-field units) are responsible for ensuring that direct and prompt action is taken to investigate and, where appropriate, remedy such misconduct when brought to their attention. The Postal Service will protect the confidentiality of harassment complainants to the fullest extent possible.

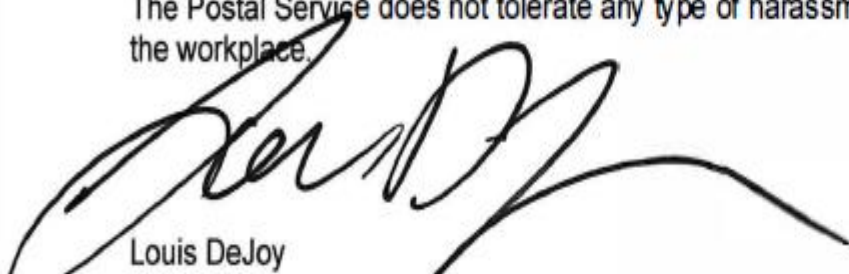


Employment discrimination or reprisal for engaging in an Equal Employment Opportunity (EEO)-protected activity is prohibited. Employees may request pre-complaint counseling through the online Postal Service EEO efile application at <https://efile.usps.com> or in writing by providing their name, Social Security or employee identification number, address, and telephone number to: National EEO Investigative Services Office-EEO Contact Center, Post Office Box 21979, Tampa, FL 33622-1979. In addition, bargaining unit employees may seek relief through the relevant grievance-arbitration procedures, and if applicable, non-bargaining unit employees may use the grievance procedures described in Section 652.4, *Employee and Labor Relations Manual*.

Allegations involving any possible criminal misconduct should, at a minimum, be reported to law enforcement authorities as follows: any physical misconduct relating to workplace harassment (i.e., any physical assault, threat of a physical assault, or stalking) should be reported to the United States Postal Inspection Service® (USPIS®); use of any electronic device, computer, or Internet to transmit threatening or harassing communications, obscene or indecent images and materials, should be reported to the Office of Inspector General (OIG).

Reprisal against employees who raise a claim of harassment, report inappropriate conduct, or provide evidence in any investigation is illegal and can result in disciplinary action, and should be referred to the USPIS or OIG, as appropriate.

The Postal Service does not tolerate any type of harassment, inappropriate conduct, or reprisal in the workplace.



Louis DeJoy



May 1, 2024

Postal Service's Policy on Workplace Harassment

The United States Postal Service® (Postal Service™) is committed to providing a work environment free of harassment based upon race, color, religion, sex (including pregnancy, sexual orientation, and gender identity including transgender status), national origin, age (40 or over), mental or physical disability, genetic information, uniformed (military) service, or in reprisal for previous Equal Employment Opportunity (EEO) activity (an employee's or applicant's complaint about, or opposition to, discrimination or participation in any process or proceeding designed to remedy discrimination) or Uniformed Services Employment and Reemployment Rights Act (USERRA) activity. All employees are expected to treat coworkers with dignity and respect. Supervisors and managers will take prompt action to prevent, address, and remedy workplace conduct that is contrary to this policy. Violation of this Workplace Harassment policy may result in disciplinary action up to and including removal.

Prohibited Harassment

Harassment is unwelcome conduct that demeans or shows hostility or aversion toward an individual or group of individuals because of their race, color, religion, sex (including pregnancy, sexual orientation, and gender identity, including transgender status), national origin, age (40 or over), mental or physical disability, genetic information, political affiliation, marital status, status as a parent, and past, present, or future military service, or in reprisal for EEO or USERRA activity ("Prohibited Harassment"). Examples of harassing conduct may include, but are not limited to, making offensive or derogatory comments, or engaging in physically threatening, intimidating, or humiliating behavior. Such conduct is prohibited by Postal Service policy and may also violate federal antidiscrimination laws when it results in a tangible employment action or becomes so severe or pervasive that it creates a hostile work environment.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors or other conduct of a sexual nature such as, but not limited to making or threatening to make employment decisions based on an employee's submission to, or rejection of, sexual advances or requests for sexual favors; deliberate or repeated unsolicited remarks with a sexual connotation or physical contact of a sexual nature that is unwelcome to the recipient; or behavior that creates a sustained hostile or abusive work environment so severe or pervasive that it unreasonably interferes with or changes the conditions of employment.

The Postal Service does not tolerate workplace harassment, and disciplinary action may result even if the conduct does not constitute Prohibited Harassment or harassment under the law.

Management Responsibility

All managers and supervisors are responsible for preventing harassing conduct and inappropriate behavior that could lead to Prohibited Harassment or illegal harassment and must respond promptly when they learn of any such conduct. Any manager or supervisor who receives a



USPS has established an anti-harassment info line

USPS encourages employees to call the new information line if they feel they have experienced harassment.

The Postal Service has established a toll-free phone number for employees and managers seeking guidance on what actions to take in the event of an incident of alleged harassment.

The toll-free phone number is: 877-521-4272

For more information, USPS encourages employees to review [Publication 553, Employee's Guide to Understanding, Preventing, and Reporting Harassment](#), and/or call the harassment information line.

Supervisors and managers should also review [Publication 552, Manager's Guide to Understanding, Investigating, and Preventing Harassment](#).





Employee's Guide to Understanding, Preventing, and Reporting Harassment

March 2015

USPS Publication 553



Publication 553 provides information about workplace harassment and inappropriate conduct. This is important because the only way to achieve a workplace free of harassment and inappropriate behavior is to make sure everyone knows what it is, what to do if it happens, and how to prevent it. You, as an employee, must do your part. Read and become familiar with this guide and report improper behavior.



Manager's Guide to Understanding, Investigating, and Preventing Harassment

September 2024

This guide provides you — the manager, postmaster, or supervisor — with:

- A definition and examples of workplace harassment, including harassment that is illegal under federal discrimination laws
- Information on costs and effects of harassment in the workplace
- Investigative action you must take when you receive allegations of harassment or become aware of harassing behavior
- Action you must take to stop any harassing behavior found in your inquiry
- The follow-up and appropriate corrective actions you must take
- Tools to identify and prevent harassment in the workplace

USPS Publication 552



Steps for Managers to Address Workplace Harassment

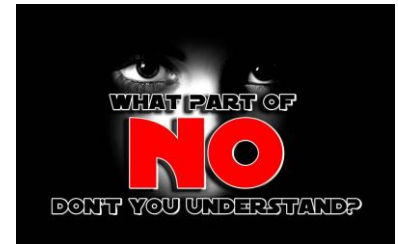
1 Respond Promptly	2 Obtain Information	3 Begin IMIP	4 Evaluate Information	5 Plan of Action	6 Follow Up
<p>If approached with a harassment complaint or situation, schedule a meeting in a private location.</p> <p>It is your and/or local management's responsibility to conduct Steps 1 and 2 of the Initial Management Inquiry process (IMIP).</p> <p>Schedule the meeting as soon as possible, but no later than 10 days from when the harassment was reported.</p> <p>Contact Labor Relations (LR) and request the Steps 1 and 2 intake form or use the form at the end of this publication.</p> <p>Review relevant:</p> <ul style="list-style-type: none"> ■ Information. ■ Policies. ■ Procedures. <p>Listen objectively.</p> <p>Advise on:</p> <ul style="list-style-type: none"> ■ Confidentiality. ■ Responsibility. ■ Rights. <p>Address the sensitivity of the situation during inquiry.</p>	<p>Define:</p> <ul style="list-style-type: none"> ■ Issue. ■ Nature. ■ Scope. <p>Consider:</p> <ul style="list-style-type: none"> ■ Safety issues. ■ Reporting structure. <p>Communicate Employee Assistance Program (EAP) and Equal Employment Opportunity (EEO) options.</p> <p>Inform and confer with Manager, Labor Relations (LR), local district or area office (for Headquarters (HQ) and HQ field units, Manager, HR HQ).</p> <p>Discuss remedies and attempt to resolve the issue.</p> <p>If resolved, complete Steps 1 and 2 intake form and email to Manager LR and keep a copy for your records.</p> <p>If you are unable to resolve the issue, complete the intake form and email to Manager, LR and keep a copy for your records.</p> <p>The Manager LR will determine if an IMIP is warranted and make an entry into the Workplace Environment Tracking System (WETS).</p>	<p>An IMIP must be conducted by a trained employee who has a documented record of completing required Rapid Response to Harassment training or the advanced instructor led IMIP course in their training record.</p> <p>Gather IMIP forms.</p> <p>Arrange separate interviews for all parties involved.</p> <p>Advise on IMIP process.</p> <p>Gather detailed data.</p> <p>Request but do not require a written statement.</p> <p>Establish timelines for follow-up.</p> <p>Review checklist on page 23.</p> <p>If, in the course of this IMIP, you believe that the nature and scope of the complaint warrants outside investigation or that resolution is not feasible, you must refer the complaint to Manager, LR, local district or area office (for HQ and HQ field units, Manager, HR HQ).</p> <p>When the IMIP is completed and the report is written using the IMIP report template, the IMIP report and documents will be sent to the Manager LR, local district or area office (for HQ and HQ field units, Manager, HR HQ).</p>	<p>After receipt of the IMIP, the Manager LR will do the following:</p> <p>Assess credibility of statements.</p> <p>Determine if more information should be gathered.</p> <p>Identify the type of harassment discussed.</p> <p>Evaluate employment status change.</p> <p>Consult with the immediate supervisor(s) of the alleged harasser and harasser to develop a plan of action and determine the appropriate remedy which may include disciplinary action. They may consult with the Law Department.</p> <p>If criminal action has occurred, notify the Postal Inspection Service and local law enforcement.</p> <p>Report to the Office of the Inspector General (OIG) any use of electronic devices, computer, or Internet to transmit harassing communications.</p>	<p>Once the plan of action is determined, the Manager LR will send the appropriate IMIP closeout letter to the immediate supervisor(s) (for HQ and HQ field units, Manager, HR HQ).</p> <p>The immediate supervisor will deliver the determination separately to harasser and harassee.</p> <p>Emphasize:</p> <ul style="list-style-type: none"> ■ Retaliation is illegal. ■ Report future incidents. <p>Resolve issues.</p> <p>Complete and certify actions taken and send the IMIP closeout letter to the Manager, LR.</p> <p>The Manager, LR or Manager HR HQ will add the closeout letter to the report and file the report in a secure file and retain it for 4 years.</p> <p>The Manager, LR, or HR HQ will ensure the completed inquiry is entered into the Workplace Environment Tracking System (WETS).</p>	<p>The immediate supervisor will maintain confidentiality.</p> <p>Convey Postal Service's Zero Tolerance Harassment Policy in:</p> <ul style="list-style-type: none"> ■ Remedial training. ■ Stand-up talks. ■ Staff meetings. <p>Follow-up with those involved to ensure that the remedy is still in effect. Educate yourself and personnel on up-to-date policy.</p> <p>Enforce Postal Service policy.</p> <p>Follow up and monitor the workplace.</p>

Local supervisor's or manager's responsibility!



If YOU are Accused of Harassment

- If you are told your actions are viewed as harassment (sexual/workplace) **STOP** all unwelcome, bullying, inappropriate conduct immediately.
- Remember: “No” means No!
- If accused of sexual harassment, advise your NAPS representative and manager immediately.



How to Reduce/Avoid Sexual Harassment Trouble

Workplace Common Sense

- Read and follow the PMG's July 1, 2021 Policy on Workplace Harassment.
- Read and adhere to USPS Publication 552 and 553 regarding harassment.
- Avoid touching. Any touching is not acceptable. **“No”** means – **No!**
- Read and follow the PMG's Policy on Sexual Harassment.
- Maintain a business relationship at all times.
- Ask yourself: *Does my actions involve moving the mail?*
- Limit “One-on-One” private encounters with individuals.
- A consensual relationship could later lead to sexual harassment.
- Do not send inappropriate jokes, mails, texts or pictures via phone or computer (personal/USPS) to employees or contractors.



NAPS Disciplinary Defense Fund (DDF)*

Cases By Infraction

NAPS FY2023

1. Performance – 23
2. Finance -14
3. Falsification – 13
4. Sexual Misconduct – 9
5. Attendance - 9



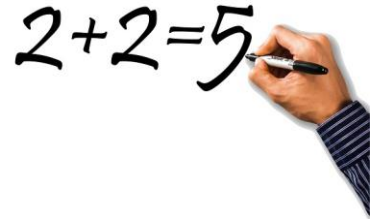
NAPS FY2024

1. Performance – 35
2. Finance - 29
3. Attendance - 12
4. Falsification - 10
5. Sexual Misconduct - 8
- Violence - 8
6. Theft - 5

* As reported at the 2023 and 2024 NAPS Fall Executive Board Meeting

This is Trouble! Falsification!!

- Falsification is the deliberate act of misrepresentation so as to deceive.
- Unintentionally reporting / inputting information incorrectly is **NOT** falsification.
- Report immediately when discovered information was incorrectly and unintentionally entered in error.
- Correct the error and document reason for correction.
- The Postal Service must show intent to mislead or deceive to prove falsification.
- Rule of Thumb: Do not knowingly falsify!



Examples of Falsification with willful intent to mislead and/or deceive!

- Not properly reporting mail volume (inflating unit/carrier volume, not reporting delayed mail)
- Falsifying your own and/or an employee's time.
- Changing or deleting a legitimate TACS clock ring to avoid paying an employee for actual time worked.
- Instructing an employee to work off the clock to avoid paying workhours or overtime.
- Give a craft employee *Comp Time* in lieu of paid work hours to avoid overtime.
- Enhancing USPS travel voucher for personal financial gain.
- Changing employee's postal operations to enhance unit performance.
- Compromising *Scanning Integrity* by changing or recording scanning information that is not reflective of what actually occurred.



How to Avoid Falsification Charges!

Workplace Common Sense

- Report accurately on all reports.
- If mail is delayed – Report it delayed!
- Better to report a “Plan” failure than face falsification charges.
- If carrier is out late – Report it. Take corrective action with the carrier as needed.
- Don’t change employee clock rings (TACS) unless authorized to do so and have a PS Form 1260 to document the entry or entries.
- When required, always use a PS Form 1017 A and 1017 B when disallowing time.
- As EAS Special-Exempt: **DO NOT** take a “No Lunch” to gain T-Time, unless approved by your manager.



How to Avoid Falsification Charges! (continued)

Workplace Common Sense

- Never falsify TACS clock rings to cover up using overtime (OT) or penalty overtime (P-OT).
- If employee worked OT or P-OT -- Pay them. **DO NOT** pay them on another day to protect yourself or the employee.
- **NO COMP TIME!!!! Does NOT exist in USPS Policies.**
- **IMPORTANT:** If you discover you made an incorrect entry, correct it yourself before someone else does. Document reason for correction. Do not believe it will go undiscovered.
- If unable to correct yourself, report error immediately to your manager that information was incorrectly and unintentionally entered or reported and provide correct information.



This is Trouble! Failing to Report T-Time

ELM 434.143 Eligible for FLSA–Exempt EAS Additional Pay

FLSA special exempt employees in EAS–18 positions and below are eligible for EAS additional pay if authorized to work over 8.5 hours on a scheduled day or any hours on a nonscheduled day, even while on a temporary assignment such as to an OIC position. When authorized work

exceeds 8.5 hours on a scheduled day, EAS additional pay is received for the first half hour as well as for the authorized work over 8.5 hours.

Regular FLSA–exempt employees in EAS–23 positions and below positions except postmasters and officers–in–charge are eligible during the designated Christmas period provided they are authorized to work over 8.5 hours on a scheduled day or any hours on a nonscheduled day and the additional hours are spent directly supervising bargaining unit employees in mail processing or delivery functions.



JOSHUA D. COLIN, PhD
CHIEF RETAIL AND DELIVERY OFFICER
AND EXECUTIVE VICE PRESIDENT



July 24, 2023

OFFICERS

SUBJECT: Supervisor Timecard Administration

The Time and Attendance Collection System (TACS) is the primary application for the collection of Postal Service employee time and attendance data. Supervisors are generally categorized as special exempt employees according to the Fair Labor Standards Act. Special exempt employees do not receive overtime but are eligible for extra straight time pay for extra hours worked.

It is critical that leadership ensures the accuracy of their supervisors' recorded workhours. In addition, all supervisors must adhere to their work schedules and record all hours, to include any extra hours worked.

Please ensure that documentation for timecard adjustments and supervisors working extra time is complete and recorded in TACS appropriately.

Our people are our greatest asset and together we will provide an engaging workplace that supports appropriate pay for actual hours worked.

Thank you for your continued support.

E-SIGNED by Joshua D Colin
on 2023-07-24 16:03:26 CDT

Joshua D. Colin, Ph.D.

July 24, 2023
USPS Policy for
Additional Straight Time
Pay (T-Time)

DO NOT
Falsify Anyone's
Time –
Including yours!





Supervisor Timecard Administration

AUDIT REPORT

Report Number 22-128-R23 | February 16, 2023





OIG Audit Report: February 16, 2023

Background The Time and Attendance Collection System (TACS) is the primary application for collection of Postal Service employee time and attendance data. As of September 2021, the Postal Service had 653,167 employees, including more than 17,000 supervisors, who were compensated based on time entered in TACS. Supervisors are generally categorized as special exempt employees according to the Fair Labor Standards Act. Special exempt employees do not receive overtime but are eligible for extra straight time pay for extra hours worked.

What We Found Opportunities exist for the Postal Service to improve the accuracy of supervisors' recorded workhours. We found issues with incomplete documentation for timecard adjustments and supervisors who worked extra time that was not recorded in TACS. Specifically, managers did not always properly document adjustments made to supervisor timecards. Also, while most supervisors stated they had recorded all their hours, 43 percent of the supervisors we interviewed stated that they worked extra time that they had not recorded.

Additional Straight Time Pay (T-Time) Issues

Workplace Common Sense Approaches

- No TACS time card? Complete PS Form 1260 or PS Form 1261 to document EAS work hours over 8.5 in a day or all hours worked on NSD.
- On Automatic Clock Rings? If working over 8.5 hours in a day or on NSD swipe time badge, or complete PS Form 1260, PS Form 1261.
- Monitor pay stub to confirm T-Time paid. If not paid, contact Manager about missing T-Time. If not resolved contact NAPS immediately to file a Grievance.
- If called to work NSD it is T-Time for 8 hours. There are no part-day NS days for EAS unless EAS volunteers to leave early. Document early leave on PS Form 3971.
- NSD should not be changed by USPS Management to avoid paying T-Time. That is an Involuntary Reassignment. Contact NAPS for help. This includes if NSD falls on holiday to avoid paying T-Time.



Additional Straight Time Pay (T-Time) Issues

Workplace Common Sense Approaches

- If management orders “No T-Time”, but EAS is also instructed to stay until last carrier is back to close office after working 8.5 hours. Conflicting orders. Seek clarification from Manager to either leave in 8 hours or pay T-Time.
- If no clarification from Manager, judgment call by EAS is to error on the side of service to customers and safety of employee. Notify Manager via email you are working to close and will incur T-Time. Stay and close operation and submit workhours to include T-Time. If T-Time is denied contact NAPS to file grievance.
- Special-Exempt do NOT have to be supervising two or more employees to receive T-Time. All time worked, including doing paperwork, route inspections, attending meetings, travel to return to work after 8.5 hours.
- **DO NOT** work off the clock as non-exempt or special-exempt EAS. Issues regarding safety, accidents and misuse of USPS equipment.



NAPS Disciplinary Defense Fund (DDF)*

Cases By Infraction

NAPS FY2023

1. Performance – 23
2. Finance -14
3. Falsification – 13
4. Sexual Misconduct – 9
5. Attendance - 9



NAPS FY2024

1. Performance – 35
2. Finance - 29
3. Attendance - 12
4. Falsification - 10
5. Sexual Misconduct - 8
- Violence - 8
6. Theft - 5

* As reported at the 2023 and 2024 NAPS Fall Executive Board Meeting

T-R-O-U-B-L-E! EAS Attendance!

ELM 665.41 Requirement of Regular Attendance

Employees are required to be regular in attendance. Failure to be regular in attendance may result in disciplinary action, including removal from the Postal Service.



This is T-R-O-U-B-L-E! EAS Attendance!

- An EAS employee can be disciplined for failure to maintain satisfactory attendance.
- Abuse of Sick Leave (SL): Working a part-time job while on USPS SL and/or workman's compensation.
- The presumption: if an employee is sick and unable to do their postal job. they are unable to do another job outside the USPS.
Even if the other work schedule does not overlap the postal schedule that is not a reasonable defense. (*See ELM 513.312*)



ELM 513.312 Restriction

An employee who is in sick leave status may not engage in any gainful employment unless prior approval has been granted by appropriate authority (see ELM 662 Federal Standards of Ethical Conduct).



How to Reduce/Avoid Attendance or Leave Issues

Workplace Common Sense Approaches

- Monitor own annual leave (AL) and sick leave (SL) balances. If not deducted, inform your manager in writing of the error.
- Do not working a 2nd job when on sick leave or OWCP rolls
- Avoid or minimize Absent Without Leave (AWOL) charges:
 - Request leave (SL or EAL) and approval in advance.
 - Have acceptable documentation available to show USPS incapacitation.
 - Provide documentation to support unscheduled Emergency Annual Leave (EAL) request.
 - Incarceration: Being in jail is not a defense for AWOL. Request leave immediately.



How to Reduce/Avoid Attendance or Leave Issues

Workplace Common Sense Approaches

Continued

- Seek approval for Family Medical Leave Act (FLMA) related matters.
- Request Advance Sick Leave (SL): The USPS has the right to deny even if administratively acceptable evidence/documentation has been submitted.
- Utilize the *USPS Enterprise Leave Request Application* (eLRA) to request unscheduled leave. Non-bargaining unit employees have used eLRA for several years.
- **Suggestion:** Every time you have a doctor's appointment, may want to get a doctor's note/documentation. Your boss may never ask for it, best to have it that one time USPS requests documentation or seeks discipline in the future for not maintaining your attendance.
- Keep in my mind that the key to staying out of trouble for attendance is **communication** with your boss. **Over-communication** could be best.



NAPS Disciplinary Defense Fund (DDF)*

Cases By Infraction

NAPS FY2023

1. Performance – 23
2. Finance -14
3. Falsification – 13
4. Sexual Misconduct – 9
5. Attendance - 9



NAPS FY2024

1. Performance – 35
2. Finance - 29
3. Attendance - 12
4. Falsification - 10
5. Sexual Misconduct - 8
- Violence - 8
6. Theft - 5

* As reported at the 2023 and 2024 NAPS Fall Executive Board Meeting

This is Trouble! Performance Issues

Examples

- Incomplete Data and Untimely Reporting
- Failure to Scan: Collection boxes, parcels, P.O. Box Up-time
- Inefficiency: Carriers out late making deliveries
- Unresolved Customer 360 (C360) issues
- Wait-Time-In-Line (WTIL) Failures
- Failure to report and/or investigate accidents
- Financial audits not conducted or not on schedule
- Stamp audit shortage/overage not properly documented or reported
- Failure to verify stamp stock shipments
- Failure to provide required Safety Talks
- Failure to do carrier street supervision as instructed
- Failure to report delayed mail – *Over reporting delayed mail?*



Performance Related Issues

What Workplace Common Sense **Should** USPS Consider

- Was EAS employee was aware of what was expected of them by postal leadership?
- Did EAS employee's performance previously discussed as unsatisfactory and required improvement.
- Were the measuring tools used by USPS to determine poor performance and accurate and reasonable reflection of performance.
- Did manager follow *ELM 651.3 Nondisciplinary Corrective Measures*?



Defense Against Performance Charges

- Was EAS employee on notice of what was expected of their performance?
- Was USPS using the correct measuring tool to gauge employee's performance as satisfactory or unsatisfactory?
- Was performance failure beyond EAS employee's control?
- Was lack of training a factor resulting in poor performance?
- Was unsatisfactory performance based on a higher-level detail assignment?
- Did manager adhere to *ELM 651.3 Nondisciplinary Corrective Measures*?



650 Nonbargaining Disciplinary, Grievance, and Appeal Procedures ELM 651 Disciplinary and Emergency Procedures

Very Important

ELM 651.3 Nondisciplinary Corrective Measures

Accountable managers/supervisors are responsible for the direct day-to-day performance management of subordinates. The accountable manager/supervisor monitors subordinates' performance and provides appropriate resources, coaching, and feedback to the subordinates. The manager/supervisor is responsible for leading the employee to a higher level of achievement. Performance improvement should be a shared concern and effort between manager and employee. Early dialogue and guidance are critical to achieving positive results and continuance of an effective manager/employee relationship.



What Can EAS Do to Avoid Performance Charges?

Workplace Common Sense Approaches

- Request in writing, training for all new USPS Programs that being implemented to which you will be held accountable.
- Request in writing, financial training before being issued and accepting stamp stock accountability. **Avoid a Debt Collection issue, too!**
- Verify receipt of all stamp stock and record immediately in system.
- Witness stock returned to Stamp Distribution Center (SDC).



- Report accurately (Reports & Accidents) If possible, notify appropriate leadership when there will be a delay in reporting.
- **Always:** Communicate with your manager before a problem arises. (*i.e., Additional hours needed, late arriving mail, requiring overtime, lack of personnel, accidents, etc.*) *Be and stay Proactive!*

This is Trouble!

Insubordination & Failure to Follow Instructions

Insubordination: The USPS must prove willful and intentional refusal to obey a legitimate order.

Insubordination?



Failure to follow Instructions?

- Failure to Follow Instructions: The USPS only needs to prove an instruction was given and you did not follow it.

USPS Employee and Labor Relations Manual

Workplace Common Sense – Follow Postal Policy

ELM 665.15 Obedience to Orders

Employees must obey the instructions of their supervisors. If an employee has reason to question the propriety of a supervisor's order, the individual must nevertheless carry out the order and may immediately file a *protest* in writing to the official in charge of the installation or may appeal through official channels.





How to Avoid Charges of Insubordination & Failure to Follow Instructions!

- Because you believe an order is improper, **do not** disobey a legitimate order. Obey the order now and grieve it later.
- For example: Comply fully if you are instructed “no penalty overtime”. Even if it results in a violation of Article 8 of the National Agreement.
- Better to defend an Article 8 grievance than face disciplinary charges for “failure to follow instructions”.
- If necessary, inform your manager in writing, that complying with the order (directive) may most likely result in grievances.
- If an order is confusing, seek clarification. Best to get clarification in writing.



ELM 665.15 Obedience to Orders

When given what is believed to be questionable order:

If given an order that employee believes, if followed, will jeopardize their health, safety, violate documented medical or physical restrictions or is proven illegal, employee should notify person issuing the order of their concern(s) and reason(s) why question the propriety of the order and cannot follow such an order. Employee should contact their NAPS representative and immediately file a protest under ELM 665.15. If order is illegal, contact the USPS OIG Hotline to report the illegal order to get it officially on the record.

NAPS Representative and member should be prepared with documentation and a written defense to appeal any discipline if issued by USPS for employee's refusal comply with an order because questioned the propriety of a supervisor's order.



USPS Employee and Labor Relations Manual

This is Trouble! Failure to Cooperate in an Investigation

ELM 665.3 Cooperation in Investigations

Employees must cooperate in any postal investigation,

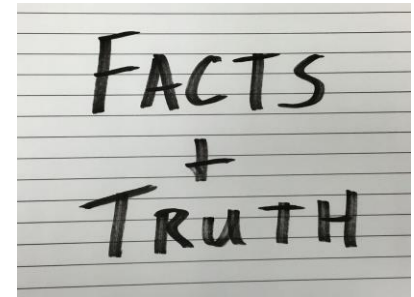
- *Investigative Interview (I & I)*
- *Office of the Inspector General (OIG) investigations.*



Investigative Interview (I&I) or OIG Investigation

How the member acts and responds matters!

- **Do Not** go in alone – Bring NAPS Representative (ELM 651.2)
- NAPS Rep and member **should** talk prior to I&I. Discuss pending issue, handling questions, and taking a necessary break (code word) to stop and confer during I&I
- Be professional – Not Defensive – **Take NOTES!!!**
- Ask the reason for the I&I (*Attendance, delayed mail, credit card misuse, scanning integrity, sexual harassment, etc.*)
- Ask what are the charges
- Keep answers short & factual
- **DO NOT** speculate or elaborate
- If you don't recall – state you don't recall
- Ask for information that might help you remember
- Tell the truth – **DO NOT LIE!**



NAPS Disciplinary Defense Fund (DDF)*

Cases By Infraction

NAPS FY2023

1. Performance – 23
2. Finance -14
3. Falsification – 13
4. Sexual Misconduct – 9
5. Attendance - 9



NAPS FY2024

1. Performance – 35
2. Finance - 29
3. Attendance - 12
4. Falsification - 10
5. Sexual Misconduct - 8
- Violence - 8**
6. Theft - 5

* As reported at the 2023 and 2024 NAPS Fall Executive Board Meeting

This is Trouble!

Threats and Assaults

- A threat or an assault against another is a serious charge.
- Threats or assaults can be verbal or physical.

Avoid at all costs!



AVOID THREATS AND ASSAULTS

Workplace Common Sense

Avoid emotional confrontations (i.e.)

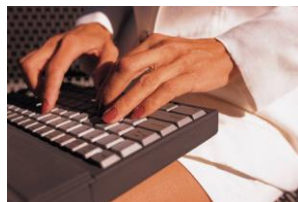
- Employee vs. Supervisor
- Union Steward vs. Station Manager
- Customer vs. Postmaster
- Keep dialogue to business matters and professional at all times.
- **NEVER** make or imply a threat, even jokingly.
- **NEVER** touch another employee or customer, including brushing up against anyone.
- Avoid acts and/or gestures of aggression
(fighting, raised fists or hand towards another, pointing a finger, etc.)
- Stay Calm. Don't yell, scream or rant!
- Don't be provoked into an incident. Walk Away!
- Do not physically defend your ground. Walk away. Call Police!



This is Trouble!

Misuse or Unauthorized Removal of Government Property or Equipment

- Checking or sending personal emails, selling items on eBay, booking family vacations, downloading jokes, etc. from USPS computers.
- Using USPS computers/phones to view or print sexually explicit material.
- Removing government property from USPS premises for personal use, even with manager's permission.



This is Trouble! Misuse of USPS Credit Card

- Using USPS/Government credit card for personal use, including allowing family members access.
- When the employee receives their USPS issued credit Card, he/she signs an agreement, including acknowledgment for *government use only*.
- It is very difficult, if possible, to overturn a misuse or unauthorized use of a USPS credit card removal case.
- In many cases, the employee has a financial situation that leads them to misuse the government credit card.
- If aware that using a USPS credit card without proper authorization, will lead to a possible removal, why use it?
- Other federal agencies impose similar removal penalties for initial misuse as does the USPS.



This is Trouble!

Misuse or Unauthorized Removal of Government Property or Equipment

Misuse of Postal Computer Logins & Passwords

Sharing USPS logins/passwords to:

- Complete USPS Reports for another EAS employee including the Boss (i.e. Manager/Postmaster)
- Entering or issuing Stamp Stock on behalf of the accountable employee
- Modifying TACS clock rings of self or others for personal financial gain:
 - T-Time
 - Night Differential
 - Higher Level



How to Avoid Falsification Charges!

Workplace Common Sense

- **ALWAYS** – Protecting your USPS login and password information from others is your responsibility.
- **NEVER**, have USPS login and password written down for someone to find and use it.
- **NEVER**, use another employee's USPS computer login or password to do any postal work or do any personal business over the USPS computer. Employee's permission does not negate violating USPS policy. Past office practice does not negate violating USPS policy.
- **NEVER**, give your USPS computer login or password to allow another employee, including your manager. If given a direct order by boss per ELM 665.15, follow order, immediately contact NAPS representative, file protest under 665.15, and immediately change USPS password.



Tips to Avoid Misuse or Unauthorized Removal of Government Property or Equipment

Workplace Common Sense

- Follow USPS policy on personal use of postal computers.
(See Management Instruction (MI) EL-660-2005-5 issued April 25, 2000)
- Only use of USPS computers/phones for official business.
- Do not check or send personal emails, post on Facebook, book family vacations, download jokes, view sexually explicit material, etc. from USPS computers/phones.
- Never use a government issued credit card for personal use, and this includes family members. Paying off the personal charges on your government credit card is **NOT** a defense.
- Need to emphasize to members **NOT** to misuse before they do. Otherwise, not only will they lose their USPS credit card, but their USPS JOB -- too!
- Never remove government property from USPS premises for personal use, even with manager's permission. Reimbursing USPS for the property is immaterial and **NOT** a defense.
- Never use a postal vehicle (admin car, etc.) for personal use. Follow USPS policy for taking postal vehicle home overnight.





THE POSTAL SUPERVISOR

JUNE 9, 2000
VOLUME 91
NUMBER 11

USPS limits personal use of office equipment

Supervisors and managers would do well to familiarize themselves with Management Instruction (MI) EL-660-2000-5, issued April 25. The MI, which is printed here, also may be found on the NAPS bulletin board:

Limited Personal Use of Government Office Equipment

This management instruction provides postal policy and procedures concerning employees' limited use of office equipment, including information technology, for personal reasons and purposes.

Limited Personal Use Policy

Management at each Postal Service employment installation may permit employees to make limited personal use of postal office equipment, including information technology.

Definition

Limited personal use of postal office equipment, including information technology, means occasional use for personal reasons:

- that is of limited duration, length or size, and that does not interfere with the transaction of official Postal Service business; and
- that results in only minimal, if any, additional expense to the Postal Service, and/or minimal wear and tear on postal office equipment, and/or has only a small-to-moderate transmission impact, and/or requires only small amounts of consumable office products (such as ink, paper, toner, computer memory, etc.).

Some examples of limited personal use include: making a few photocopies; making occasional, short telephone calls

that result in little or no cost; sending an occasional, short facsimile; or, sending a brief e-mail message.

Limitations

Limited personal use of postal office equipment must not:

- reduce employee productivity or interfere with official postal business;
- be for the purpose of maintaining or promoting a personal or private business;
- include "Push" technology or continuous data streams;
- be for any illegal purpose, including, but not limited to, gaining unauthorized access to other systems or the dissemination of any discriminatory or hate materials or speech;
- include chain letters or other unauthorized mass mailings;
- be in relation to sexually explicit or sexually oriented materials;
- refer or relate to illegal gambling, illegal weapons and/or terrorist activities;
- be for the purpose of fund-raising, endorsing any product or service, lobbying, or participating in any prohibited partisan political activity; or
- result in the disclosure of any postal information that is not otherwise public.

Office Equipment

The office equipment governed by this policy includes, but is not limited to: personal computers; printers and modems; computer software (including Web browsers); telephones; facsimile machines; photocopiers; consumable office products; and office supplies.

Limitation on Privacy

Employees have neither a right to, nor any expectation of, privacy while using postal office equipment at any time. By using postal office equipment for per-

sonal reasons or purposes, employees imply their consent to the disclosure of the contents of any files or information maintained or passed through that equipment and the monitoring and/or recording of such use, at any time, with or without cause.

Sanctions for Misuse

Use of postal office equipment in violation or excess of the limited personal use permitted by this policy may result in limitations on future use, administrative action, criminal penalty, and/or personal financial liability. ■



Inside this issue

- 3 NAPS Quarterly Financial Report
- 4 SPAC Contributions
- 5 NAPS Executive Board
- 6 New Members
- 8 Legislative Update

This is Trouble!

Gambling and Selling on Postal Premises Includes parking lots

- Office Lottery Pools
- Super Bowl Boards
- Fantasy Football for \$\$\$\$
- Buying raffle or 50/50 chances at work to support non-profits
- Gambling while on duty by soliciting customers
- Do not conduct personal business for profit or solicit to raise money for yourself, others or non-profits (*cookies, popcorn, candy bars, subscriptions, make-up, time-shares, etc.*)



How to Avoid!

Selling & Gambling on Postal Premises

Workplace Common Sense

Don't Gamble on losing your USPS job!



Gambling is illegal at USPS.

- **DO NOT Gamble**
- **DO NOT encourage!**
- **DO NOT turn a blind-eye!**
- **STOP immediately!**
- **REPORT immediately!**



Selling and Soliciting on Postal Premises

Seek guidance from USPS Labor Relations or Law Department. Error on the side of caution – Best not to start.

This is Trouble!

CONFLICT OF INTEREST STATUTE 18 USC § 208

Under this statute, an employee may not:

Participate “personally and substantially” in any “particular matter” that would have a “direct and predictable effect” on their financial interests, or those imputed (credited) to them.



This is Trouble!

CONFLICT OF INTEREST STATUTE: 18 USC § 208

Examples

- EAS supervisor borrows a substantial amount of money from a craft employee in the office -- interest free.
- EAS supervisor loans a substantial amount of money to a craft employee at a reasonable interest rate.
- **DO NOT** loan money to employees at work.



This is Trouble!

Concealed Carry Weapon (CCW) License To Carry (LTC) on Postal Premises

- Know the law and weapons policy and Postings at USPS Facilities.
 - Title 18, United States Code, Section 930
 - Title 39, Code of Federal Regulations, Section 232.1.
- State law may provide for CCW or LTC. Does not apply to USPS.
- Postal Service is federal property (owned or leased) including parking lots. State CCW or LTC laws do not apply to the Postal Service
- Laws and postal policy prohibiting the carrying or possession of CCW or LTC (*weapons, including hunting weapons in or onto postal property, even if left locked in trunk of vehicle*) is **NOT** unconstitutional.



USPS LINK Article

USPS wants everyone to know its policy regarding firearms on postal property. Employee safety is a top priority for the organization

A recent Florida district court decision is being misreported or may be misinterpreted as holding that the Postal Service's ban on carrying firearms — either openly or concealed, or storing them on USPS property — is unconstitutional.

In fact, the case dealt with a different federal statute and does not involve the Postal Service's regulation. Therefore, it does not change the organization's policy.

Employees are reminded that carrying or storing firearms, other dangerous or deadly weapons, or explosives — either openly or concealed — on USPS property is prohibited and can result in discipline up to and including removal from the Postal Service, as well as potential prosecution. This prohibition includes storing firearms in vehicles that are parked on postal property.

Jan. 18, 2024 at 11:45 a.m. ET | Updated
Jan. 25, 2024 at 5:28 p.m. ET



Concealed Carry Weapon (CCW) and License To Carry (LTC)

Workplace Common Sense

- **DO NOT** bring weapons, including hunting weapons in postal facilities or onto postal property, even if left locked in vehicle.

Possession of Firearms and Other Dangerous Weapons on Postal Service Property Is Prohibited by Law

Possessing a firearm or other dangerous weapon in a federal facility for other than official purposes, causing such a weapon to be present, or attempting to do so are punishable by a fine, imprisonment for up to 1 year, or both. If the prohibited weapon is intended to be used to commit a crime, the penalty is an increased fine, imprisonment for up to 5 years, or both. See Title 18, *United States Code*, Section 930.

No person on U.S. Postal Service® property may carry or store firearms, explosives, or other dangerous or deadly weapons, either openly or concealed, except for official purposes. See Title 39, *Code of Federal Regulations*, Section 232.1.

Except for employees authorized by the chief postal inspector or the inspector general, USPS® employees are prohibited from possessing, carrying, or storing firearms while on duty, either on or off USPS property, and at any time on or within USPS property. See *Administrative Support Manual*, Section 276.22.



Report all firearms violations immediately to the United States Postal Inspection Service®.

Title 18, United States Code, Section 930. No person on U.S. Postal Service® property may carry or store firearms, explosives, or other dangerous or deadly weapons, either openly or concealed, except for official purposes. See Title 39, Code of Federal Regulations, Section 232.1.



Could this be Trouble? Social Media



May 15, 2015

MEMORANDUM FOR ALL EMPLOYEES

SUBJECT: Social Media

Employees responding to Postal Service customers' comments or complaints on social media have become a growing and potentially serious concern in our district. We have seen cases where postal employees post, tweet, blog and use other forms of social media to make a point or respond to customer complaints. While we appreciate our employees' loyalty to the Postal Service and understand that customer comments can be upsetting, we must respond cautiously so that we do not damage the Postal Service brand.

The Administrative Service Manual (ASM) section 363 contains postal policy regarding social media and employees' responsible use. Make sure you know and understand the repercussions that can occur by improper use of social media as related to the Postal Service.

Here's what the policy states:

363 Social Media

363.1 Policy

For the purpose of this policy, "social media" is defined as any form of online publishing or discussion, including but not limited to: Blogs, Wikis, YouTube, Podcasts, Social Networking – Social sites (such as Facebook Myspace, and LinkedIn), Twitter/Microblogs, and Web 2.0.

Whether Postal Service employees choose to participate in social media on their own time is their decision. However, when using social media in a personal capacity, employees may not speak for or act on behalf of the Postal Service.

All uses of social media related to the conduct of official postal business require management consent. Contractors and consultants are prohibited from representing the Postal Service in the use of any social media tool. While contractors may create content on behalf of the Postal Service, only Postal Service employees may identify themselves as Postal Service spokespersons and post information relating to the conduct of official postal business.

363.2 Responsible Use of Social Media

The following rules and regulations apply to Postal Service employees who use social media in their official capacity to communicate with the public or Postal Service employees.

- a. The web is not anonymous. Generally, everything that you post is accessible to anyone with a browser. Assume that everything you post can be traced back to the Postal Service and to you personally. While some web sites have a restricted content feature, keep in mind that external content is NOT as secure as content that resides on the Postal Service's Intranet. Everything you publish will reflect on the Postal Service's brand and reputation.
- b. All proprietary information and information covered by the Privacy Act are off limits. Do not post Postal Service information that has not already been made available publicly by the Postal Service. Posting material or online discussion of information related to Postal Service revenue forecasts, personnel matters, future products, unannounced pricing decisions, undisclosed financial results, or similar matters is prohibited and might result in legal action against you and/or the Postal Service. It is your responsibility to respect and protect the Postal Service's confidential information by not commenting on these topics. When in doubt about what discussion topics or comments are appropriate, please contact your immediate supervisor, Corporate Communications, or the Office of the General Counsel for guidance.
- c. Refer any media inquiries to Corporate Communications. If your blog or other social media application receives a media inquiry about the Postal Service or its products, services, or employees, you must call Corporate Communications before responding at 202-268-2155.
- d. Be respectful. Whether in the actual or virtual world, your interactions and discourse should be respectful. The Postal Service Standard of Conduct states, "Employees are expected to maintain harmonious working

Workplace Common Sense

Social Media

- “X” formerly Twitter, Facebook, Instagram, YouTube, Blogs, LinkedIn, etc.
- Free speech vs. USPS Code of Conduct & Loyalty?
- Be cautious what you post on social media about the USPS and your work relationship at the Postal Service. Read and Understand USPS Social Media Memo – Follow Policy.



660 Conduct

661 Statutory Provisions

Understand USPS ELM 660 Conduct

Workplace Common Sense

661.1 Laws Referenced in This Manual

The laws mentioned in this manual are listed for information only. Nothing in this manual constitutes an interpretation or construction of these laws which might be construed as binding the United States Postal Service or the United States.

Failure to mention a statute does not excuse any person from complying with the statute.

661.2 Application to Postal Employees

In addition to the statutes listed in Title 5, Code of Federal Regulations (CFR), Part 2635.901–902, the following statutes and regulations are applicable to all employees in the Postal Service.

- a. Prohibition against proscribed political activities (Title 5, United States Code (U.S.C.), subchapter III of chapter 73, and 18 U.S.C. 602, 603, 607, and 608).
- b. Prohibition against appointing or promoting a relative, or advocating such an appointment or promotion (5 U.S.C. 3110).
- c. Prohibition against disloyalty and striking (5 U.S.C. 7311; 18 U.S.C. 1918).
- d. Prohibition against bribery, graft, and conflicts of interest (18 U.S.C. 201, 203, 205, 208, and 209).
- e. Prohibition against acting as the agent for a foreign principal registered under the Foreign Agents Registration Act (18 U.S.C. 219).
- f. Prohibition against unauthorized taking or use of documents relating to claims against or by the government (18 U.S.C. 285).
- g. Prohibition against postal employees becoming interested in any contract for carrying the mail (18 U.S.C. 440).
- h. Prohibition against counterfeiting and forging transportation requests (18 U.S.C. 508).
- i. Prohibition against deprivation of employment or other benefit for political activity (18 U.S.C. 601).
- j. Prohibition against:
 1. Embezzlement of government money or property (18 U.S.C. 641).
 2. Failing to account for public money (18 U.S.C. 643).
 3. Embezzlement of money or property of another person in the possession of an employee by reason of his or her employment (18 U.S.C. 641).
- k. Prohibition against:
 1. Disclosure of classified information (18 U.S.C. 798).
 2. Disclosure of confidential information (18 U.S.C. 1905).
- l. Prohibition against fraud or false statements in a government matter (18 U.S.C. 1001).
- m. Prohibition against participation in lottery enterprises (18 U.S.C. 1303).
- n. Prohibition against carriage of mail contrary to law (18 U.S.C. 1693).
- o. Prohibition against desertion of mail (18 U.S.C. 1700).
- p. Prohibition against obstruction of correspondence (18 U.S.C. 1702).
- q. Prohibition against delay or destruction of mail or newspapers (18 U.S.C. 1703).
- r. Prohibition against theft of property (18 U.S.C. 1707).
- s. Prohibition against theft of mail (18 U.S.C. 1709).
- t. Prohibition against theft of newspapers (18 U.S.C. 1710).
- u. Prohibition against misappropriation of Postal Service funds (18 U.S.C. 1711).
- v. Prohibition against falsification of postal returns (18 U.S.C. 1712).
- w. Prohibition against improper issuance of money orders (18 U.S.C. 1713).



Today's Takeaway!



- Examples referenced in this training are not absolute.
- Stay focused and adhere to official postal policies and rules.
 - Avoid “Gaming” the postal system for personal gain.
- Make common sense workplace decisions in accordance with postal policy and appropriate instructions. Seek postal leadership guidance.
 - Avoid rationalizing a decision which violates postal policy or law for the good of the USPS or customer.
- Per ELM 665.15, follow questionable orders, then *protest* order (with exceptions that violates health, safety, and legal - supported by documentation)
- There is no guarantee that USPS disciplinary charges won’t occur during your EAS postal career.
 - An EAS employee can be one **bad decision** away from postal discipline.
- NAPS’s job is to keep you from getting into trouble.
- **NAPS’s job is to represent members who are in disciplinary trouble!**



Thank You!



Questions?