

VIOLENCE IN THE WORKPLACE

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Charlie Withers, in his book, “The Tainted Eagle —The Truth Behind the Tragedy”, wrote a personal account of the tragic events of November 14, 1991, at the Royal Oak, Michigan, post office. In that book, he wrote that, at the time of the events, the “*environment was so tense, it is hard to describe the hatred that was felt against management due to the way they mentally bullied the workforce.*” He went on to note that, two years after this tragic event, “Nothing has changed.” Brother Withers’ account from 34 years ago, remains present in many postal facilities today.

Wind the clock forwards nearly 30 years to the date of the tragic events of Royal Oak, a similar tragedy occurred in Memphis, TN where an employee (with 2 years of service) entered his post office and took the lives of his supervisor, postmaster, and himself. The difference in this tragedy versus the one of 1991 is that the same labor organization protested through the Grievance and Arbitration Procedures of the National Agreement that the Postal Service had failed to take steps to address the systemic behavior and abuse of power that had gone unchecked in that district. The case was heard before Arbitrator Soileau who rendered an unprecedented decision as follows:

- Managers were immediately removed from their managerial positions, with an order that they may not under any circumstance supervise or manage any city letter carriers;
- District Manager was immediately removed from his current managerial position, with an order that the Manager may not under any circumstance supervise or manage any city letter carrier;
- USPS ordered to reimburse NALC for all costs in investigating the Oct 12, 2021 incident, as well as all costs in prosecution the case through the entire Article 15 process, payable within 30 of the USPS receiving an invoice from NALC;
- The Parties shall create the Memphis Installation Conflict Resolution Committee consisting of 6

individuals (USPS 3 members at least 1 member from the Area level and NALC 3 members, at least 1 from the Regional office) to assemble within 10 days. The Chairperson is Professor Selina J. Shultz Esq;

- The Committee shall meet twice a month for a minimum time period of 4 hours or as further directed by the Chairperson;
- The USPS shall pay all costs associated with the attendance of all committee members at all meetings, including travel and other ordinary expenses;
- USPS ordered to Cease and Desist from violating the Joint Statement on Violence and Behavior in the Workplace, Postal Service’s Policy on Workplace Harassment, and the Soileau Workplace Safety Violence Summary;

The Joint Statement on Workplace Violence and the Zero Tolerance Policy are not “new” and they have been reissued over the years. The USPS has even established a toll-free phone number — (877) 521-4272 — for employees and managers seeking guidance on what actions to take in the event of an incident of alleged harassment. Another resource is Publication 552 — Manager’s Guide to Understanding, Investigating, and Preventing Harassment. This publication details the steps each Manager must take when they receive a complaint alleging harassment. In particular, Publication 552 states: “*Investigative actions you (management) must take when you receive allegations of harassment or become aware of harassing behavior*”, “*Action you must to take to stop any harassing behavior found in your investigation*”, and “*The follow up and appropriate corrective action you must take*”. Lastly, this publication mandates that management must “*Identify and stop workplace behavior that could constitute harassment*” and “*Respond promptly and appropriately to those who comes forward with complaints of harassing conduct.*” These requirements reinforce the basic principle that when management fails to act, that failure defeats the purpose of the Postal Policy on Workplace Harassment.