

# **FROM A TO ARBITRATION**

**EPISODE 36- A PRELUDE TO THE JSOV**



# JSOV M-1242

## JOINT STATEMENT ON VIOLENCE AND BEHAVIOR IN THE WORKPLACE

## YOU NEED A HISTORY TO PROVE A BEHAVIOR IN A GRIEVANCE

## YOU DO NOT NEED HISTORY WHEN DEALING WITH VIOLENCE IN A GRIEVANCE



### 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



# JSOV M-1243

USPS MANAGEMENT TRIED TO GET  
OUT OF THE ORIGINAL JSOV  
AGREEMENT SHORTLY AFTER IT  
WAS SIGNED

NALC TOOK THIS TO ARBITRATION  
AND WE NOW HAVE 1243 TO BACK  
UP THE FACT THAT THIS IS A  
BINDING AGREEMENT AND NOT  
JUST A STATEMENT

## SECOND JOINT STATEMENT ON VIOLENCE AND BEHAVIOR IN THE WORKPLACE

M-01243

In our Joint Statement of February, we affirmed our belief that dignity, respect and fairness are basic human rights, and we pledged our efforts toward a safer, more harmonious, as well as a more productive workplace. Since then, we have continued to meet regularly and engage in an active dialogue on the issues addressed in that statement. We believe that effective communication and a cooperative spirit are the starting point for the resolution of the problems in our workplace.

It is essential to our efforts that the same discussions and cooperative efforts take place among representatives of management, postal unions, and management organizations at the region, division, and MSC levels, as well as at the national level. To the extent that representatives at those levels have not yet established an ongoing dialogue on these issues, we ask that you do so without further delay. The joint groups should focus on ways to foster safe, harmonious, and productive workplaces and, when a particular problem site is identified, the representatives should work together to eliminate the underlying problems.

In our discussions at the national level on problem sites, we concluded that problems are best addressed, and resolved, at the lowest possible level. Accordingly, if a problem site comes to our attention at the national level, we

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will refer it to the appropriate regional joint group for attention. An intervention will not be initiated at this level unless the regional or local parties are unable to resolve the problems at the site. This problem-solving approach is not intended as a substitute for existing dispute resolution processes, but as an informal, cooperative approach to significant workplace relationship problems wherever they may occur. We can--and must--work together to resolve the factors contributing to disputes in our workplace, and we expect our counterparts at all levels of the organization to work toward that end.

William Mitchell RN Rubin Handelman  
D.C. Nurses Association National Association of Postal Supervisors

William A. Brock James F. Miller  
Federation of Postal Police Officers National Association of Postmasters of the United States

Vincent R. Embratto Joseph A. Allen  
National Association of Letter Carriers National League of Postmasters of the United States

Glenn Berrie William R. Brown Jr.  
National Postal Mail Handlers Union National Rural Letter Carriers' Association

William J. Douglas  
United States Postal Service

# BUILDING HISTORY IN YOUR FILE

A LOT OF THE HISTORY YOU WILL HAVE IN YOUR FILES TO PROVE BAD BEHAVIOR SHOULD BE:

- SURVEYS
- QUESTIONNAIRES
- INVESTIGATION OF BOTH PARTIES
- INVESTIGATION BY MUTUAL PARTIES LIKE A THREAT ASSESSMENT TEAM

BUILDING HISTORY WILL PROVE THAT THE MANAGER CAN NOT LEARN TO CHANGE THEIR BEHAVIOR

# LET'S TAKE THE JSOV APART PIECE BY PIECE

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 USPS HAD STUDIES AND RESEARCH PROJECTS IN MOTION THAT WERE NOT HELPING THE PROBLEM THAT WAS PLAGUING THE SERVICE AND THIS STATES THAT THOSE ARE NOT ENOUGH
- ROYAL OAKS, MICHIGAN WAS THE SITE OF A SHOOTING THAT TOOK PLACE ON NOVEMBER 14, 1991. A FORMER POSTAL WORKER SHOT AND KILLED FOUR POST OFFICE EMPLOYEES BEFORE TURNING THE GUN ON HIMSELF



## MANAGEMENT SAYS THEY WANT TO HAVE A WORKPLACE FREE OF VIOLENCE, BUT WHAT ARE THEY REALLY DOING TO HELP ACHIEVE THAT GOAL?

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, finger pointing, 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.

IS ANY OF THIS HAPPENING IN YOUR OFFICE?

DOES THIS STATEMENT NOT SAY THAT THERE IS NO EXCUSE FOR AND WILL BE NO TOLERANCE OF? DOES IT SAY EXCEPT FOR MANAGEMENT?

THIS LANGUAGE IS VERY CLEAR AND ALL SHOP STEWARDS SHOULD BE HOLDING THEIR LOCAL MANAGERS FEET OVER THE FIRE AND MAKING SURE THAT THEY UPHOLD THIS LANGUAGE ON THE WORKROOM FLOOR

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.*

M-39 115 IS THE PARTNER OF THIS FIRST STATEMENT

MANAGEMENT WILL ALWAYS MAKE THE EXCUSE THAT THE CARRIERS ARE LAZY AND DO NOT WANT TO BE MANAGED AND NOW THAT THEY ARE CRACKING DOWN ON THE OVERTIME THE CARRIERS ARE NOT HAPPY

THIS LANGUAGE IS PART OF THE JCAM AND SHOULD BE UPHELD AT ALL TIMES BY BOTH MANAGEMENT AND THE UNION

IF THERE IS A MANAGER WHO KEEPS VIOLATING THE M-39 115/JSOV SHOP STEWARDS NEED TO FILE EACH AND EVERY TIME, OVER AND OVER, TO BUILD UP A HISTORY OF CONTINUOUS BEHAVIOR FOR THAT LAST SENTENCE



WHEN MANAGEMENT IS LEFT TO MANAGE THEIR OWN, WE WILL USUALLY GET WINKS AND NODS AND ASSURANCES

DON'T WORRY, WE WILL TAKE CARE OF IT, WE GOT IT.

MOST OF THE MAJOR UNIONS HAVE SIGNED THIS AGREEMENT, INCLUDING MANAGEMENT. WE ARE ALL IN FULL AGREEMENT THAT THIS LANGUAGE WILL BE UPHELD AND WILL NOT BE TOLERATED IF THERE IS A FAILURE TO DO SO

THIS AGREEMENT DOES NOT SAY, WE WILL ENFORCE OUR COMMITMENT TO A WORKPLACE FREE OF VIOLENCE. THIS DOESN'T JUST PERTAIN TO THAT. IT SAYS DIGNITY, RESPECT AND FAIRNESS EVERY MINUTE OF EVERY DAY ON THAT WORKROOM FLOOR. THAT IS WHAT MANAGEMENT IS SUPPOSED TO UPHOLD

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.

- IS YOUR WORKROOM FLOOR HARMONIOUS? WHAT IS THE REASON IT ISN'T?
- EVERYONE SIGNED THIS DOCUMENT AND STATED THAT THEY WILL UPHOLD IT. SO WHY IS THE WORKROOM FLOOR NOT A HARMONIOUS, SAFE AND MORE PRODUCTIVE WORKPLACE?
- SHOP STEWARDS NEED TO FILE ON THIS. EACH AND EVERY TIME ANYTHING IN THIS DOCUMENT IS VIOLATED. YOU MAY NOT GET RESULTS THE FIRST TRY OR EVEN THE SECOND, BUT THIS IS BEHAVIOR THAT NEEDS TO BE CORRECTED AND THE ONLY WAY TO DO IT IS TO FILE THAT GRIEVANCE STATING WE ARE NOT EXCEPTING ANYTHING LESS THAN THIS

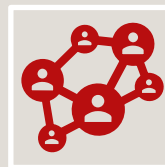
THIS PROBLEM-SOLVING APPROACH IS NOT INTENDED AS A SUBSTITUTE FOR THE EXISTING DISPUTE RESOLUTION PROCESSES, BUT AS AN INFORMAL, COOPERATIVE APPROACH TO SIGNIFICANT WORKPLACE RELATIONSHIP PROBLEMS WHEREVER THEY MAY OCCUR. WE CAN--AND MUST--WORK TOGETHER TO RESOLVE THE FACTORS CONTRIBUTING TO DISPUTES IN OUR WORKPLACE, AND WE EXPECT OUR COUNTERPARTS AT ALL LEVELS OF THE ORGANIZATION TO WORK TOWARD THAT END.



NOT AS WIDELY KNOWN AS THE ORIGINAL JSOV, BUT AFTER THE FIRST JSOV WAS SIGNED POSTAL MANAGEMENT TRIED TO GET OUT OF THE AGREEMENT BY STATING THAT IT WAS NOT TO BE PART OF THE CONTRACT AND THAT IT WAS JUST A STATEMENT



THE LANGUAGE OF THE SECOND JSOV IS JUST TO REITERATE AND UPHOLD THE FACT THAT THE FIRST JSOV IS A BINDING DOCUMENT AND THAT IT WAS A JOINT RESPONSIBILITY



IT ALSO ADDED LANGUAGE THAT THERE WILL BE JOINT RESOLUTION TEAMS THAT WORK TOGETHER TO CREATE HARMONIOUS WORKING ENVIRONMENTS AND TO RESOLVE ISSUES AT THE LOWEST LEVEL



# MESSAGE TO SHOP STEWARDS

- DON'T BACK DOWN, EVER
- DON'T BACK UP
- STAND YOUR GROUND
- THEY WILL COME AFTER YOU FOR GOING AFTER THEM
- THEY WILL COME AFTER YOUR CARRIERS
- THEY WILL TRY TO TURN YOUR CARRIERS AGAINST YOU
- DO NOT TOLERATE MANAGERS WHO ARE BULLIES