

Sample grievance # 1767 (no response/insufficient response)

Issue Statement: Did the Employer violate Contractual provisions, including but not limited to, Articles 3, 14, 15, and 19 of the Collective Bargaining Agreement; the EL-801; and ELM 810; by failing to respond to the grievant's submission of a form 1767 in a timely manner, and by failing to give a satisfactory response to alleviate the hazard defined on the 1767? If so, what is the remedy or what shall be the remedy?

Remedy: Supervisors promptly take corrective action to reports of alleged hazards, unsafe conditions, or unsafe practices submitted on PS Form 1767 in accordance with ELM 824.

824.61 Purpose of PS Form 1767, *Report of Hazard, Unsafe Condition or Practice*

PS Form 1767 is designed to encourage employee participation in the Postal Service Safety and Health Program and to provide prompt action when employees report a hazard. This form provides a channel of communication between employees and management that promotes a **prompt analysis and response** with corrective action to reports of alleged hazards, unsafe conditions, or unsafe practices.

824.62 Availability of Form

Supervisors must maintain a supply of PS Forms 1767 in the workplace in a manner that provides employees with both easy and (if desired) anonymous access.

24.63 Procedures and Responsibilities

824.631 Employee

Any employee, or the representative of any employee, who believes that an unsafe or unhealthful condition exists in the workplace may do any or all of the following:

- a. File a report of the condition on PS Form 1767 with the immediate supervisor and request an inspection of the alleged condition.
- b. If the employee desires anonymity, file PS Form 1767 directly with the installation's safety personnel, who will immediately give the report to the employee's supervisor for necessary action. (In such cases, safety personnel must not disclose the name of the individual making the report.)
- c. Report alleged unsafe conditions to a steward, if one is available, who may then discuss the condition with the employee's supervisor.

Discrimination against an employee for reporting a safety and health hazard is unlawful.

824.632 Supervisor

The immediate supervisor must promptly (within the tour of duty):

- a. **Investigate** the alleged condition.

- b. Initiate **immediate corrective action** or make appropriate recommendations.
- c. Record actions or recommendations on **PS Form 1767**.
- d. Forward the original PS Form 1767 and one copy to the next appropriate level of management (approving official).
- e. **Give the employee a copy** signed by the supervisor as a receipt.
- f. Immediately forward the **third copy to the safety office**. It is the supervisor's responsibility to **monitor the status of the report** at all times until the hazard is abated. If the hazard remains unabated longer than 7 calendar days, the supervisor must **verbally inform the employee** as to abatement status at the end of each 7-day interval.

824.633 Approving Official

The approving official (the responsible manager) must initiate action to eliminate or minimize the hazard. If this results in the submission of a work order, attach the original PS Form 1767 and forward it, through channels, to the manager of Maintenance. If the approving official determines that there are no reasonable grounds to believe such a hazard exists, **the employee must be notified in writing within 15 calendar days**. (Safety personnel must assist in this determination when requested.) If the hazard was abated through actions of the approving official, the **employee must be notified in writing**, and the original PS Form 1767, with a statement of actions taken, must be forwarded to the safety office.

824.634 Safety Personnel and Collateral Duty Facility Safety Coordinators

Safety personnel assigned to plants and FSCs must log and sequentially number all hazard reports received on PS Form 1773, *Report of Hazard Log*, or if the FSC has computer access, Module of the Safety Toolkit. Safety personnel and FSCs must also review all PS Forms 1767 for accuracy, completeness, and follow-up, as necessary. They must routinely provide status reports of PS Form 1773 logs and Safety Toolkit reports at executive and joint Labor Management Safety and Health Committee meetings (or regular staff meetings in facilities with fewer than 50 employees).

824.635 Maintenance

Maintenance must notify the approving official when any PS Form 1767 maintenance-related work order has been completed.

824.636 Installation Head

Installation heads/managers are responsible for responding promptly to hazard reports and ensuring that line supervisors are diligent in correcting hazards. If a hazard report indicates that imminent or serious danger exists, the installation head must take immediate corrective action.