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FIVE-DAY WEEK FOR POSTMASTERS

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HEARING

BEFORE THE

COMMITTEE ON POSTAL OPERATIONS

OF THE

COMMITTEE ON

OFFICE AND CIVIL SERVICE

HOUSE OF REPRESENTATIVES

EIGHTY-NINTH CONGRESS

FIRST SESSION

ON

H.R. 1771

A BILL TO ESTABLISH A FIVE-DAY WEEK FOR POSTMASTERS

APRIL 7, 1965

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Committee on Post Office and Civil Service



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FIVE-DAY WEEK FOR POSTMASTERS

WEDNESDAY, APRIL 7, 1965

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON POSTAL OPERATIONS OF THE
COMMITTEE ON POST OFFICE AND CIVIL SERVICE,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10 a.m., in room 346, Cannon House Office Building, Hon. Thaddeus J. Dulski (chairman of the subcommittee) presiding.

Mr. DULSKI. The committee will come to order. We are considering today H.R. 1771, which I sponsored, to provide legislative authority for the Postmaster General to establish a 5-day 40-hour workweek for postmasters.

As a Government, we have been talking for at least the last 30 years about a 40-hour week and time and one-half for overtime for employees in private enterprise. Yet, we continue to expect many of the postal employees, particularly postmasters, to work many hours a week in excess of 40 hours either at straight time rates or with no additional compensation.

I believe the time is long overdue when we should give more than lipservice to the 40-hour workweek. There is no excuse for not taking the pressure of excessive hours of work off of those postmasters who are required to work 6 days a week.

I sponsored a bill in the 88th Congress, H.R. 10734, to accomplish this purpose. Also, I was successful in having provisions for a 5-day, 40-hour week for postmasters included as an amendment to H.R. 8986, the first pay bill which our committee reported out in the 88th Congress. However, this bill failed to pass the House, and the provisions were not included in the second pay bill which became law last year.

Postmasters are not included in the scope of the 40-hour week law. Postal regulations do permit, however, that a postmaster may take time off on Saturday or another day of the week when there is a suspension of business, provided they have made arrangements for proper and efficient postal service. At post offices where there is no assistant postmaster or assistant to the postmaster, postmasters may be authorized to schedule work hours within the authorized allowance to cover their absences on Saturday. The whole difficulty lies in the fact that so many postmasters do not have such an authorized allowance to cover their absence.

This legislation will give the Postmaster General the legislative authority that he needs to schedule postmasters to work a 5-day week except when he determines that a work week in excess of 5 days for the postmaster of a particular post office is necessary to maintain essential postal service in the public interest. Also, the bill will change the method of computing the daily rate for postmaster by

using the divisor of 260 rather than 312. The divisor 260 represents 52 weeks a year of 5 days each, whereas the 312 represents a 52-week year of 6 days each.

(The bill, H.R. 1771, follows:)

[H.R. 1771, 89th Cong., 1st sess.]

A BILL To establish a five-day week for postmasters

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3541(d) of title 39, United States Code, is amended by—

- (1) striking out "postmasters," in paragraph (3) thereof; and
- (2) adding immediately following paragraph (5) thereof the following new paragraph:

"(6) To compute the daily rate of basic compensation for postmasters, the annual rate of compensation shall be divided by 260."

SEC. 2. Chapter 45 of title 39, United States Code, is amended by adding a new section to read as follows:

"§3577. Postmasters

"Postmasters shall be scheduled to work a five-day week except upon determination by the Postmaster General that a workweek in excess of five days for the postmaster of a particular post office is necessary to maintain essential postal service in the public interest. The provisions of this section shall not be applied to require the closing of any post office on any weekday, Monday through Saturday inclusive."

SEC. 3. The table of contents of chapter 45 of title 39, United States Code, is amended by inserting

"3577. Postmasters."

immediately following

"3576. Holiday service of rural carriers and employees assigned to road duty."

MR. DULSKI. We are very happy to have with us the Honorable John C. Kunkel, a Member of Congress from Pennsylvania.

Mr. Congressman, you may proceed.

STATEMENT OF HON. JOHN C. KUNKEL, A REPRESENTATIVE IN THE CONGRESS FROM THE STATE OF PENNSYLVANIA

MR. KUNKEL. Mr. Chairman, I have a very short statement here.

I want to express my support of H.R. 1771 to establish a 5-day workweek for postmasters. Postmasters in my district—and I am sure from many other districts—have expressed interest in this bill, and I must say they have all the arguments on their side.

This policy should be adopted as a matter of elemental fairness. Thousands of postmasters are working 6 days a week and carrying the responsibilities of their office 7 days a week. It cannot be seriously contended that they are being paid for any more than 5 days a week. Assistant Postmaster General William McMillan admitted to an Appropriations Subcommittee just 2 months ago, with regard to postmasters in second- and third-class offices, that "With the exception of some of our rural carriers, this is the only class of employee or official in the postal service who is tied down to 8 hours a day, 6 days a week."

I appreciate the efforts of the Post Office Department to work out this problem administratively. But this has been very difficult to do in the absence of a congressional declaration on this question. I think it is time for the Congress to act, and we can go from there. Certainly this committee recognizes the problem, because you included this legislation in the Federal salary bill in 1963. That was the ill-fated Federal salary bill, as we all remember.

There are a number of very small post offices in my district in south-central Pennsylvania, and the postmasters in these offices are generally at a distinct disadvantage. They seldom have a whole weekend off, and most have trouble even getting a day off to attend to personal affairs. One postmaster I know does close up shop at noon every Saturday. But the whole day is shot for him because he has to return to his office, for an hour and a half late in the afternoon. Another is obliged to return to her office for just a few minutes late every Saturday afternoon, so she is in the same boat. And these people have no one to fill in for them on any regular basis.

I am sure this committee can cite countless other examples of the problem. What they all add up to is the fact that these postmasters deserve a better break and that this bill deserves your favorable consideration. And, of course, as you know, this bill does not provide for any pay increase for these people. Thank you very much.

Mr. DULSKI. Thank you very much, Mr. Kunkel.

Mr. Nix.

Mr. NIX. Mr. Chairman, it is always a pleasure to see the gentleman from Pennsylvania. It is an added pleasure on those many occasions when his views accord with mine.

Mr. KUNKEL. Thank you, Mr. Nix.

Mr. DULSKI. Thank you very much. The next witness is the Honorable Richard J. Murphy, Assistant Postmaster General, Bureau of Personnel.

STATEMENT OF HON. RICHARD J. MURPHY, ASSISTANT POSTMASTER GENERAL, BUREAU OF PERSONNEL; ACCOMPANIED BY DR. HERBERT BLOCK, DIRECTOR, COMPENSATION DIVISION; ADAM G. WENCHEL, ASSOCIATE GENERAL COUNSEL; AND JOHN D. SWYGERT, DIRECTOR, INSTALLATIONS MANAGEMENT DIVISION

Mr. MURPHY. Thank you very much, Mr. Dulski. Mr. McMillan is unable to be with us this morning, so I will handle the full testimony for the Department. Mr. Chairman, Mr. McMillan has expressed his regrets at being unable to be here, and has asked Mr. John Swygert, head of the Installations Management Division, Bureau of Operations, to accompany me here. I also have with me Dr. Herbert Block, head of the Compensation Division of the Bureau of Personnel, and Mr. Adam Wenchel, Associate General Counsel.

Mr. DULSKI. We are happy to have you with us.

Mr. MURPHY. First of all, Mr. Chairman, we want to thank you for holding this hearing.

On behalf of the Postmaster General, I do want to thank you in particular for the opportunity to appear and to give the views of the Department on H.R. 1771, popularly known as the postmaster's 5-day workweek bill.

One of the major tasks with which the Postmaster General is charged is the responsibility of viewing postal personnel management from a total or integrated point of view.

Seen from that perspective, one proposition which the Postmaster General has felt needed adjustment for quite some time, is the whole question of work hours. Not so much work hours per se, but work

hours in terms of equity internally, as among and between crafts and categories and employment, and externally in consonance with the theme of comparability which this administration has earnestly fostered. That is not to say, however, that work hours per se have not been of considerable concern to the Postmaster General. Indeed they have. Postmaster General Gronouski has been deeply concerned that many substitutes regularly work excessive and inefficient overtime hours at straight time pay. Our long-range hope on this matter is that through the most diligent scheduling and work analysis and through reasonable but vitally necessary increases in manpower allotments we can eventually achieve a normal workweek for virtually all rank-and-file employees of about 40 hours. As this committee knows, in our budget request for fiscal 1966 we asked for 15,000 additional positions over and above the number of positions required to handle normal growth of mail volume. Unfortunately, only a tiny fraction of this request was granted by the House during their deliberations this very week. And, as this committee is aware, we endorsed a few days ago, H.R. 6622, sponsored by the chairman, which would exempt the postal field service from the Whitten amendment and permit us to regularize employment of thousands of persons now carried on the rolls as temporaries.

The substitute's long hours and the regular employee's frequent overtime work were only part of our total apprehension over work schedules and workload. We have also been quite cognizant of the personal work requirements of postmasters. However, we have been limited in how much or how rapidly we could proceed to modernize the work schedules of postmasters because of our very limited budget and the scope of expense involved. In testifying before this committee last year on proposed salary increases for postal employees, I said:

But we now recognize that these salary costs are necessary adjuncts of conducting one of the largest business enterprises in the world. Economies must and will be made in all phases of postal operations, but they should not be made at the expense of decent wages for our employees. Labor is worth its hire. We should not ask our employees to indirectly subsidize the running of the Post Office Department by paying them less than their hire is worth.

In effect, what we are doing today by continuing to work many of our postmasters 6 full days a week is to pay them an hourly equivalent wage often less than that paid to clerks in their own offices. This is the situation in which many of our postmasters now live, and the fact that they have continued to produce and perform so well in such a situation is indeed admirable.

Unfortunately, many persons seem to think of a postmastership as glamorous sinecure where the pay is big, the number of subordinates and assistants large, and the hours of work required of the postmaster himself small. Believe me, such a sinecure is purely imaginary. Today, being a postmaster, especially of a large office, is an exceedingly demanding and time-consuming task requiring a variety of skills—a job far different from that which existed even 15 years ago. Postmasters at our larger offices work long hours and every day necessary to carry out their numerous responsibilities as large-scale managers. But their pay is sufficiently more than that of a clerk or carrier to make the extra effort monetarily worthwhile. On the other hand, the postmasterships about which we are especially concerned here,

are not in the top, big-city category, but those in the small offices who perform almost every chore that needs to be performed in postal affairs. The group most affected by this bill, Mr. Chairman, are postmasters in the second- and third-class offices. Postmasters in the third class are in salary levels PFS-5, 6, and 7; in the second class they are in levels 7, 8, with a small number in PFS-9. Furthermore, the hard-core group for whom H.R. 1771 would really be beneficial are those offices which do not have an assistant postmaster or assistant to the postmaster.

The number of post offices, by classes as of June 30, 1964, were as follows: First class, 4,359; second class, 6,864; third class, 12,922; fourth class, 9,895.

Most first-class offices have at least one supervisor under the postmaster and, if the postmaster properly schedules himself and his assistant, a normal 5-day week can be arranged. The same is true regarding approximately 20 percent of the second-class offices. About 5,500 second class, all of the third class, and all of the fourth class typically have only a clerk to replace the postmaster during his actual absences. Six days of duty for these postmasters is the common requirement.

There are three different approaches to a determination of the proper work schedule for a postmaster. Basic to any approach, however, is a fundamental principle with which I believe we can all agree. The principle is that postmasters as the managers of their installations and as the field representatives of the Department have a continuous responsibility for all patron relations, mail processing, and mail-delivery affairs around the clock, 7 days a week. But the execution of that responsibility does not necessarily demand the actual physical presence of the postmaster 24 hours a day, 7 days a week. Properly we need to distinguish between those hours when we expect the postmaster to be physically present in his office as apart from those hours of his total responsibility. The approaches to the workweek, then, proceed with the understanding that we are speaking only of the workweek schedule of physical presence in the office.

The first approach is to continue the status quo. The traditionalist argument here is that post offices are open for public service and deliveries are made 6 days a week. Therefore, the postmaster should be scheduled for 6 days a week. We know, however, that most postal employees work either 5 days a week—window clerks, city carriers, mail handlers, vehicle operators, custodial employees—or about 40 hours a week. Rural carriers have a 6-day schedule but the majority work under 40 hours a week and when their routes become excessive and are classed as "heavy duty," the rural carrier is given a type of overtime (heavy-duty compensation). Under our national agreement with the National Rural Letter Carriers' Association, first negotiated in 1963, when a certain number of hours are reached by the rural carrier, he is given relief to enable him to take 1 day off a week or 1 day off every other week, depending upon how many hours he actually would be required to work. The common practice in the current economy is a 5-day, 40-hour week. This is the prevailing practice in both industry and the Federal Government. We do not favor continuing the status quo.

The second approach is to attempt to reduce the workweek of postmasters through administrative devices available to the Post-

master General. In practice, this means reviewing with each postmaster the operational schedule required for his office. Designing such a schedule is not difficult. The difficulty is in attempting to effect the schedules within the limited funds and manpower complements available to the Department. Since mid-1963 we have proceeded along the path of administratively alleviating the postmaster's burden. In addition to providing up to 10 days' leave for attendance at postal conventions, seminars, and so forth, we issued in August 1963 a new directive which permitted postmasters to take a day off during the week if they could keep their offices efficiently operating by rearranging the work schedules of their assigned clerical allowances. Further, they were permitted to take a Saturday off if a special personal reason arose and they obtained prior approval from their regional director. You can readily see the difficulty of this approach. In addition to lacking regularity, the entire process depends on availability of clerical allowances and funds which up until this year had not been specifically included in our budget request for this purpose. This year, the Postmaster General made a modest request of the Appropriations Committee for \$7 million to enable us to begin to move toward the 5-day workweek in a reasonable and sane fashion, without undue or sudden fiscal impact, providing each postmaster of the second and third class an average of one out of approximately each four Saturdays off, and a few a little more than that. Regrettably even this modest request was disallowed by the Appropriations Committee and the House just a few days ago.

The third approach is represented by H.R. 1771. The purpose of H.R. 1771, as we view it, is to establish congressional intent as to the normal workweek of postmasters. This intent is identified in two respects: (1) by providing a new divisor by which a day's pay for a postmaster may be calculated—260 instead of 312, and (2) by adding a new section to the United States Code, 3577, in which the policy of a 5-day week is expressed. These thoughts on both items are presented for your consideration:

(1) The 260 base: Using the base of 260 has the advantage of (a) establishing, indirectly, the concept of a 5-day week since 260 is the product of multiplying 52 weeks by 5 whereas 312 is the product of multiplying 52 by 6; and (b) permitting replacement clerks to cover for absent postmasters at a daily salary rate of pay high enough to make that rate monetarily equitable in comparison to the pay of the ordinary clerk. This latter point has been particularly troublesome to clerks who have complained that the hourly rate they received as acting postmaster was often less than their accustomed clerical hourly rate. We oppose this section being applicable to postmasters of fourth-class offices: (1) since their work schedule over any 5 days does not encompass 40 hours a week, and (2) continuing the 312 divisor will provide a base for computing the salary of the leave replacement. Postmasters at fourth-class offices would work and receive pay for 6 days a week. Correspondingly, a person serving for the absent postmaster should be paid at the postmaster's daily rate. In addition, the 312 divisor should remain for those postmasters who, in the public interest, will be employed on a 6-day schedule. And I will have a little more to say about that later.

(2) New section 39, United States Code, 3577: This new section has as its main purpose the establishment as public policy of the principle

of a 5-day week for postmasters. In addition to the proviso now in the proposed section relating to the employment of a postmaster for more than 5 days a week in the public interest, I submit for your consideration these additional modifications:

(a) A preamble to the section which recognizes that postmasters as managers of independent Federal installations have a continuing responsibility for the effective operations and security of their installations around the clock; i.e., 7 days a week, 24 hours a day, and that material which follows relative to a 5-day week pertains to those duties when the postmaster's actual physical presence in his office is expected.

(b) Since postal installations operate 7 days a week, basic to the implementation of a 5-day week, particularly in our small second- and third-class offices, is the availability of appropriated funds to permit the employment of clerical assistance and postmaster relief. The bill, therefore, should contain a proviso as to availability of funds, especially in view of the action taken by the House and by the Appropriations Committee just a few days ago.

The principle of a 5-day workweek is meaningful only in terms of a corresponding requirement of a minimum number of hours of work to be performed during these 5 days. Accordingly, the bill should indicate that the 5-day workweek would be applicable in instances where there was sufficient work of a regularly scheduled nature to require the postmaster's physical presence in his office for at least 40 hours. This would result in the exclusion of postmasters at fourth-class post offices.

(d) This section will result in the employment of some postmasters on a 5-day week and some on a 6-day week. That is, when it is ultimately effective the first-, second-, and third-class offices would be on a 5-day workweek and fourth-class offices would be on a 6-day week. In order to provide equity as between these two groups, I recommend that the bill provide for taking leave over 5 or 6 days a week, depending on the postmaster's schedule. And this has been one of the trouble points, I might say here, Mr. Chairman, the inability of our postmasters in the very small offices where they do not have clerical assistants that they can reallocate to take a Saturday off and charge it to annual leave. They have not been able to do this. Therefore, I think if the bill were to include this provision it would greatly alleviate the situation of those postmasters who we would have to schedule for a 6-day week.

While we can through the administrative approach discussed earlier in this paper continue to gradually reduce the work schedules of postmasters to the extent funds are available, we favor the enactment of H.R. 1771, with our suggested modifications. The tradition of a 6-day week for postmasters, Mr. Chairman, is so well established that I sincerely believe it would be most appropriate for Congress in the form of a new law to unequivocally establish the new policy of a 5-day workweek for postmasters. Once again, how rapidly the policy might be implemented would depend on the availability of funds. And I might say here, Mr. Chairman, that we are going to do everything possible to try to restore on the Senate side the \$7 million requested by the Postmaster General for this purpose in fiscal year 1966, which was disallowed by the House. In any case, our ability to be able to effectuate this policy will, of course, depend on the amount of money given us by the Appropriations Committee and the Congress.

In any event, the policy would be established and its attainment could be projected when fully effective. We estimate the annual cost of this legislation as written to be about \$24.5 million. If the fourth-class post offices are omitted, the cost will be about \$18.8 million.

We certainly want to thank you, Mr. Chairman, for your interest in the welfare of the postmasters and the Post Office Department, and for the opportunity to appear here this morning.

With your permission, sir, I would ask that the report from the Postmaster General be included in the record, and I believe also the Bureau of the Budget has sent a report to the chairman on this matter. We would ask also that this be included in the record. Thank you very much, Mr. Dulski.

MR. DULSKI. Those will be included in the record, if there is no objection.

(The documents referred to follow:)

OFFICE OF THE POSTMASTER GENERAL,
Washington, D.C., April 6, 1965.

HON. TOM MURRAY,
Chairman, Committee on Post Office and Civil Service,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your request for a report on H.R. 1771, a bill to establish a 5-day workweek for postmasters.

This bill proposes to set the workweek of postmasters at 5 days and base the daily rate of compensation on the annual rate of compensation as divided by 260. It would also permit the Postmaster General to extend the workweek to more than 5 days if necessary to maintain postal service in the public interest.

I fully support and concur in the basic principle contained in H.R. 1771 of a 5-day or 40-hour workweek for postmasters except, as indicated in the bill, when such a limited workweek would not be in the public interest.

Our support of this principle is wholly in consonance with other programs this administration has been actively pursuing to reorient the Postal Establishment along progressive and sound personnel practices. Recently we testified before a subcommittee of your committee in favor of exempting the Post Office Department from the personnel ceilings imposed by the Whitten amendment. The purpose in that instance was to permit the Post Office Department to employ sufficient permanent career employees rather than to resort to the use of insecure temporaries. In addition, we now have under consideration by the Congress our request to increase our manpower complement to reduce the incidence of inefficient, excess overtime and to return thousands of our employees from a 50-, 60-, or 70-hour workweek to a sensible 40-hour workweek.

For the postmasters, we have also actively pursued many ways to improve their status:

1. All postmasters are granted up to 10 days per year for purposes of attendance at postmasters conventions, meetings, and seminars and certain national officers receive in excess of that.

2. Through our recommendations last year, Congress adopted a new concept to be used as one of the factors in ranking postmaster positions to the various salary levels—the "revenue unit" concept and the inclusion of money order fees as revenue. Congress approved that change in Public Law 88-426 and as a result during the January 1965 review 2,192 postmasters were changed to higher salary levels and classes.

3. Recognizing the need to provide many postmasters with relief on Saturdays we revised our administrative regulations in August 1963 to permit a large number of postmasters to take Saturdays off where they could rearrange the clerical allowance assigned to their office or in the absence of sufficient allowance to take Saturdays off for special reasons.

4. In our budget request for fiscal 1966 we requested an additional \$7 million to provide replacements for postmasters of second- and third-class offices for Saturday absences on the basis of one Saturday in four. These, of course, would be for Saturdays in addition to those now taken during vacation leaves. This was disallowed by the appropriations subcommittee of the House.

H.R. 1771 approaches the 5-day workweek from two directions: first, by providing a new divisor by which a day's pay may be calculated for postmasters—260 instead of 312, and second, by adding a new section to the 39 U.S.C. 3577, in which the policy of a 5-day week is expressed. These clarifications and thoughts on both items are presented for your consideration:

1. The 260 base: Using the base of 260 has the advantage of (1) establishing, indirectly, the concept of a 5-day week since 260 is the product of multiplying 52 weeks by 5 whereas 312 is the product of multiplying 52 by 6 and (2) permitting replacement clerks to cover for absent postmasters at a daily salary rate of pay high enough to make that rate monetarily equitable in comparison to the pay of an ordinary clerk. This latter point has been particularly troublesome to clerks who have complained that the hourly rate they received as "acting" postmaster was often less than their accustomed clerical hourly rate. We oppose this section being applicable to postmasters of fourth-class offices: (1) since their work schedule over any 5 days does not encompass 40 hours a week in most cases and not over 40 hours in any case, and (2) continuing the 312 divisor will provide a base for computing the salary of the leave replacement. This is because the postmaster of a fourth-class office will work and be paid for 6 days a week. His replacement should receive pay for each day he works on the same basis as the postmaster.

2. New section 39 U.S.C. 3577. This new section has as its main purpose the establishment as public policy of the principle of a 5-day week for postmasters. In addition to the proviso now in the proposed section relating to the employment of a postmaster for more than 5 days a week in the public interest, I submit for your consideration these additional modifications:

(a) A preamble to the section which recognizes that postmasters as managers of independent Federal installations have a continuing responsibility for the effective operation and security of their installations around the clock; i.e., 7 days a week, 24 hours a day, and that material which follows relative to a 5-day week pertains to those duty hours when the postmaster's actual physical presence in his office is expected.

(b) Since postal installations operate 6 days a week, basic to the implementation of a 5-day week particularly in our small second- and third-class offices is the availability of appropriated funds to permit the employment of clerical assistance and postmaster relief. The bill, therefore, should contain a proviso as to availability of funds.

(c) The principle of a 5-day workweek is meaningful only in terms of a corresponding requirement of a minimum number of hours of work to be performed during these 5 days. Accordingly, the bill should indicate that the 5-day workweek would be applicable in instances where there was sufficient work of a regular scheduled nature to require the postmaster's physical presence in his office of at least 40 hours. This would result in the exclusion of postmasters at fourth-class offices.

(d) This, with the above modification, will result in the employment of some postmasters on a 5-day week and some on a 6-day week. In order to provide equity as between these two groups I recommend that the bill provide for taking leave over 5 or 6 days a week depending on the postmaster's schedule.

We estimate the annual cost of this legislation to be \$24.5 million. If the fourth class is omitted the cost will be \$18.8 million. This substantial increase in costs would come at a time when the level of appropriations cannot provide for the extra cost, and when the postal deficit is of serious concern to the Department and to the President. Accordingly, the implementation of the provisions of H.R. 1771 if enacted may take place over a number of years in order to reduce the impact of the change in any single fiscal year.

The Bureau of the Budget has advised that from the standpoint of the administration's program there is no objection to the submission of this report to the committee.

Sincerely yours,

JOHN A. GRONOUSKI,
Postmaster General.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., April 7, 1965.

Hon. TOM MURRAY,
*Chairman, Committee on Post Office and Civil Service, House of Representatives,
Cannon House Office Building, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in reply to your request for the views of the Bureau of the Budget on H.R. 1771, a bill to establish a 5-day week for postmasters.

The Post Office Department supports the establishment of a 5-day workweek for postmasters and has been taking steps in that direction. In August 1963, the Department revised its administrative regulation to provide postmasters a 5-day week where this could be accomplished by rearranging the schedules of available personnel. The President's 1966 budget contained \$7 million for leave replacements as a first step toward providing a 5-day workweek for those postmasters in small second- and third-class post offices where the operation is virtually a one-man operation. If this bill is enacted, the Bureau of the Budget would recommend that transition to a 5-day workweek be scheduled over a number of years.

The Postmaster General, in a report he is submitting to your committee, recommends several amendments to the bill, the most important of which would retain fourth-class postmasters on a 6-day week because a 5-day schedule would not provide a 40-hour workweek. This office strongly supports the view of the Postmaster General that the bill should provide for a 5-day workweek only in instances where that will result in a 40-hour workweek.

If amended as proposed by the Postmaster General, the Bureau of the Budget would have no objection to the enactment of H.R. 1771.

Sincerely yours,

(Signed) Phillip S. Hughes,
PHILLIP S. HUGHES,

Assistant Director for Legislative Reference.

MR. DULSKI. Mr. Murphy, you seem to agree with the idea of a 40-hour week but have not been able to bring it about because of the lack of funds. I understand that the bill would not cost more than \$18 million, excluding the fourth-class post offices.

This is overdue, and we are going to do our utmost to make sure Congress provides the funds. But on a \$7 million basis you are just going to scratch the surface. How can the \$7 million take care of the second- and third-class post offices?

MR. MURPHY. There would have to be some criteria established, Mr. Chairman, administratively, by the Postmaster General in order to effect this over a few-year period, which is what we projected in our budget, rather than have any undue fiscal impact from any 1 year.

As you pointed out, if you were to include the second- and third-class offices, it would amount to about \$18.8 million. Rather than take that in one lump sum at the same year in which we are trying to do something about the terrific overtime problem that we have in the postal service, plus many other operating problems that we face in the service, we tried to spread it over a period of a few years and to phase it in gradually, recognizing, as you quite correctly point out, that the whole concept of a 6-day week for the managerial people out in the field is really an outmoded concept. It is our hope and desire to be able to modernize and to bring our concepts into line with modern-day practices. It is for that reason that the Postmaster General fully endorsed the principle of the 5-day week.

But we would envision—and we did envision when we came before the Appropriations Committee this time—that we would phase this program in over about a 3- or 4-year period, and we think that the Congress would grant us this modest request of \$7 million which we asked for this time.

We could probably take care of providing at least one out of every four Saturdays off, and in many cases one out of every three Saturdays off, for the postmasters in the second- and third-class offices, plus provide leave in certain emergency situations when the postmaster has a good reason to be off on Saturday and cannot charge it to annual leave.

In the meantime, we are also asking for another feature in this bill, which I think will take care of a lot of this problem in the transition period. We are suggesting that you include some wording here which would enable the postmaster to take off a Saturday or a sixth day if he is scheduled for 6 days and charge it to annual leave. Currently he cannot do that if it is on a Saturday because of the administration of the leave law, and the fact that the postmaster is paid over a base of 312 days.

Therefore, what we are suggesting here is that during this transition period you enable us, by providing language in the bill, to give the Postmaster General the authority to grant a Saturday off to a postmaster who is scheduled for 6 days a week if he wishes to charge it on annual leave, on top of those days when we would give him a day off to the ability that we have appropriations available.

Mr. DULSKI. Than you very much.

Mr. JOHNSON.

Mr. JOHNSON. Just this one question. I know you have made a strong statement here that the House the other day denied you the \$7 million. I realize your Post Office appropriation bill has passed the House, but was there an affirmative action taken on the floor of the House to defeat an amendment to restore the \$7 million? I, as a Member of the House, do not remember having specifically voted against your \$7 million.

Mr. MURPHY. No, Congressman; you are quite right. I do not recall any specific amendment on this subject before the House. However, if you will allow me to read from the report on the appropriations bill, the appropriate section that disallowed this in the Appropriations Committee report—

Mr. JOHNSON. Just a minute, Mr. Murphy. My only question is that the \$7 million was deleted by the Appropriations Committee.

Mr. MURPHY. That is correct.

Mr. JOHNSON. It was not specifically deleted by an amendment on the floor of the House.

Mr. MURPHY. That is correct, sir.

Mr. JOHNSON. So if any of us in the House did not go along on the \$7 million, it just means that no amendment was offered on the floor restoring the \$7 million.

Mr. MURPHY. That is correct, plus the fact, sir, that the language in the report specifically refers to the \$7 million the Postmaster General had asked for this purpose. It says:

The committee is of the opinion that the programs to replace postmasters at second- and third-class offices at a cost of \$7 million might be accomplished by other means which would be less expensive to the Department.

This was in the language of the report. Frankly, neither I nor the Postmaster General are aware of any other means that we can possibly use other than this modest phasing in, which we thought was in itself a modest request.

Mr. JOHNSON. Do you know of any so-called "other means"? Do you know what the committee had in mind by the so-called "other means"?

Mr. MURPHY. No, sir; I am afraid I am unable to respond to that.

Mr. JOHNSON. That is just loose language.

Mr. DULSKI. Will the gentleman yield?

Mr. JOHNSON. Yes.

Mr. DULSKI. Mr. Johnson, I feel the Appropriations Committee always say you can economize. They say you can cut corners some place. This is the usual language that is being used—we have got to start economizing, and this is the opportunity to start. This is where the sharp knife came in.

Mr. JOHNSON. You say you hope to get the \$7 million restored in the Senate. Is Senator Johnston back on Capitol Hill?

Mr. MURPHY. I believe the Senator has gone to South Carolina for his second operation, Congressman. It is our hope that he will return well and safe as soon as possible.

Mr. JOHNSON. He is one of the postmasters' best friends in the U.S. Senate right now, and he is ill.

Mr. MURPHY. He certainly is a great friend of the postmasters, but I think the postmasters have several other friends on the committee. We certainly in the Department would do our very best to try to present the case again. Perhaps we were at fault and did not do it explicitly enough or good enough last time. I do not know, but we certainly tried our level best, and we are going to try our level best again. We have to be somewhat limited in what we can say about it, because if one says too much about it you are accused of using threats or using language which is not appropriate or what have you. Frankly, we are betwixt and between. We are baffled when it comes to knowing exactly how to handle this problem.

On the one hand, we have committees that are looking into aspects of our operation, morale and what have you, and on the other hand we attempt to correct these things by requests of the Appropriations Committee and these requests are denied. So it is a little difficult for us sometimes to know exactly how to proceed.

Mr. JOHNSON. I have no more questions.

Mr. DULSKI. Is it true that there was no specific appropriation item on the \$7 million?

Mr. MURPHY. That is correct, Congressman Dulski. The \$7 million itself would come out of the operations appropriation, but if the operations appropriation was cut, as it was, by \$35 million, and we are so tight as we are now with our current budget, with certain employees working 80 hours a week in the Post Office Department, it escapes me as to where we will get the funds to provide the replacements unless we specifically get it restored in the Senate.

Mr. DULSKI. I just wanted to have the record show, Mr. Murphy, that if the \$7 million was to be restored it would go to operating appropriation. It would not be specific. We cannot make a specific identification that this is for the postmasters, but I can assure you I will testify before the Senate committee, and I will welcome any member of our subcommittee to help me in this drive to restore this \$7 million.

Mr. HENDERSON. Mr. Murphy, if this bill when enacted would make the 5-day week for postmasters mandatory, the Department

would be required to adopt that program regardless of funds being available, would it not?

Mr. MURPHY. Yes, Congressman Henderson. Should the bill be made mandatory upon the Department, we would, of course, be required to do this. On the other hand, if we do not have the funds we cannot really carry it out.

Mr. HENDERSON. My next question is: Would that not be the strongest basis that we could provide you for supplemental appropriations to cover this cost that was put on you by the mandatory enactment by the Congress?

Mr. MURPHY. Our hope, Congressman Henderson, was that by favoring the passage of this bill, that if this bill were to pass, the intent of the Congress would be crystal clear as to how they wished the scheduling of the postmasters to be handled. It was also our hope that we would be able to phase this in over a few years' period, about \$7 million a year. If we could do this, this would not have any undue fiscal impact during any one year and would enable us to handle some of these other very pressing matters that are now before our Department, which you are very well acquainted with, such as the overtime problem in the Department.

Mr. HENDERSON. I agree that this would be the easy way if everybody agreed to do it, but my thinking in the light of the action of the Appropriations Committee, or the subcommittee and Appropriations Committee, most recently, is that if we had the mandatory law and it was required of you that this would be the strongest basis that Congress had in enacting the law to come back in the supplemental appropriation for whatever the cost is at that time. You would be in a position to say, "You voted this on us, and certainly you have a strong obligation to give us the necessary money."

I can appreciate the very difficult situation that you are in, and I am afraid you might be in that situation even if we enacted a bill, Mr. Chairman, that was not mandatory that it be done. The Appropriations Committee could still say, "We have control, and this will not be implemented until we provide the money." So we have not accomplished our objective unless we do give consideration to mandatory enactment.

Mr. MURPHY. One thought I would have, Congressman Henderson, in regard to your comments is that if the committee were to proceed along that line I think it would be the hope of the Department that the committee would give consideration to phasing it over a period of years if it were mandatory.

Mr. HENDERSON. Would you favor in phasing over classes of postmasters, first, second, and third, making it mandatory perhaps for first-class post offices at a given time and second-class post offices at the next fiscal year, and third-class post offices in the third?

Mr. MURPHY. It could be handled a number of ways. That particular way you suggest, sir, most first-class postmasters right now can take advantage of this. Our big problem—

Mr. HENDERSON. Suppose we make it mandatory on the second-class postmasters January 1 or July 1 of this year?

Mr. MURPHY. That would cover, sir, approximately 80 percent of the 6,864 offices.

Mr. HENDERSON. Would it be 80 percent of the cost?

Mr. MURPHY. No, sir; it would not be 80 percent of the cost, because the vast majority of the cost here occurs in the third-class offices, which have 12,922 offices. I do have a figure here. Mr. Swygert provided me with the cost figures here. The cost of providing for a 5-day week for all second-class offices where they do not have replacement now would be \$6,308,000.

Mr. HENDERSON. Your \$7 million request would just about enable you to cover that.

Mr. MURPHY. Just about enable us to bite off in essence all the second class. The third class would cost us \$12,439,000, approximately. And then if it were applied to the fourth class—and we do not advocate that—it would cost us about \$5,732,000. So that roughly it comes to \$24,479,000 as the total cost of the bill. Those are the best figures we can estimate, Mr. Henderson.

Mr. HENDERSON. Thank you, Mr. Chairman.

Mr. DULSKI. Thank you very much.

Mr. HENDERSON. One further question. If we decided to make it mandatory, would you favor making it mandatory by step first of the second class and then the second step for the third-class post offices?

Mr. MURPHY. I am having a little huddle here, because the way we had planned it, Congressman, was to try to provide the benefits for any money which we received equally to all postmasters who were currently in need. In other words, if you do it by class of office, this leaves one whole class completely left out until we can get around to getting the additional funds. On the other hand, if you were to take the funds and to say let us give every postmaster who currently is tied to the desk on Saturday one out of every three Saturdays off, and then allow him to take any other Saturday off that he wants to by allowing him to charge it to annual leave, which does not cost the Department additional money but which does give him the privilege of taking Saturday off, I think this would greatly alleviate it until we could get to the position where we were fully at a 5-day week, which we hope would be as speedily as possible.

Mr. HENDERSON. Mr. Chairman, may I respond to that? I do not want to put the witness on the spot, but may I say that I think once you buy the principle here I like to keep as much pressure on as I can to get it fully implemented, and I feel the best way to do it is give it to the second-class postmasters and then the third-class postmasters will scream to us and Congress, but if we provide a stopgap measure where they are taking the one Saturday on their own they are not going to keep the same pressure on Members of Congress, and particularly the Appropriations Committee. Mr. Chairman, that is all I have.

Mr. DULSKI. I agree, and in my judgment we should try to make sure we include all postmasters now.

Thank you again, Mr. Murphy. We appreciate your coming.

Mr. MURPHY. Thank you, Mr. Chairman, for the opportunity.

Mr. DULSKI. The next witness is Mr. David R. Trevithick, president of the National Association of Postmasters, accompanied by Mr. James O'Toole, legislative chairman, and Mr. John Snyder, executive director. We are very happy to have you with us.

STATEMENT OF DAVID R. TREVITHICK, PRESIDENT, NATIONAL ASSOCIATION OF POSTMASTERS; ACCOMPANIED BY JAMES L. O'TOOLE, LEGISLATIVE CHAIRMAN, AND JOHN P. SNYDER, EXECUTIVE DIRECTOR

Mr. TREVITHICK. Mr. Chairman and members of the committee, my name is David R. Trevithick. I am here today in two roles—first as president of NAPUS and second as postmaster at Salt Lake City, Utah. My associates also are wearing two hats on this occasion. Mr. John P. Snyder is both postmaster at Oconomowoc, Wis., and executive director of our NAPUS Washington office; Mr. James L. O'Toole is postmaster at Sharon, Pa., and chairman of our NAPUS committee on legislation. All of us appreciate very much the opportunity you have given us to make a brief statement about H.R. 1711, a bill to establish a 5-day workweek for postmasters.

We believe that the Congress should give most sympathetic consideration to Representative Dulski's proposal that postmasters be placed on a 5-day workweek. The basic logic and justice in the plan are attested to by the fact that the great majority of Federal agency heads have for years enjoyed this kind of schedule. Bulletin No. 1422, pages 27 and 28, released by the Bureau of Labor Statistics, indicates that office managers at all salary levels have their compensation based on a workweek of 40 hours or less.

Prior to the Ramspeck-O'Mahoney Act of 1938, postmasters were appointed for definite terms, usually 4 years. A change in the national administration generally meant a complete change in postmasterships. Postmasters at that time were not compelled to perform the many and varied duties which are commonplace to the position today under civil service. The postmaster who left the service in 1950 would not recognize the post office of 1965.

The postmaster's position is, in fact, quite different from what it appears to be at face value. A complete list of our official duties and responsibilities these days would amaze everyone in this room. We are expected to be experts in the field of public relations, community leaders, cost analysts, mediators in employee-management relations, interpreters of contracts, agreements, and voluminous regulations. And we are expected to be available on a 24-hour basis for any emergency which might arise. And I should like to emphasize that particularly.

At National Association of Postmasters conventions held annually during the past 3 years at Pittsburgh, Honolulu, and New York City, our delegates have adopted resolutions directing their officers to work for legislation which would grant a 5-day week to all postmasters. As you can easily understand, we were therefore delighted to have Representative Dulski introduce such legislation in the 88th Congress as an amendment to the salary bill. Unfortunately, this amendment was eventually eliminated to hold down the overall cost of the measure to which it was attached. The members of our association have in large number expressed their appreciation for Representative Dulski's new bill, H.R. 1771, which he has graciously introduced in our behalf and in support of which these remarks are offered.

We are fully aware of sections 843 and 844 of the Postal Manual, which give postmasters authority to adjust weekend service and which

attempt to provide a reasonable workweek through administrative action. These sections are readily adaptable to most first-class and some large second-class offices at which there is adequate supervision to replace the postmaster without additional cost to the Government. All other offices are confronted with the problem of replacement. Thus, the great majority of postmasters remain on the job far in excess of the normal workweek of 40 hours.

The files at our headquarters here in Washington contain considerable documentation on cases in which postmasterships have been refused or abandoned because of the present need for the incumbent's being tied to his job for 6 or 7 days a week. Some postmasters have resolved the problem by transferring to rural carrier positions and have thus increased their earnings and decreased their hours on the job. In this connection, a Missouri postmaster wrote us that two rural carriers in his office with several years less postal experience than he, were making \$4.50 and \$4.71 per hour, respectively, while his rate was \$3.28 on a 6-day-per-week basis.

A Minnesota postmaster wrote that his rural carrier worked 6 hours daily as against the postmaster's 8 hours, but the carrier receives \$600 per year more in compensation and has his Saturdays off. Postmasters in level 5, step 6, average 3 cents per hour more than a level 2 clerk, step 6. If the postmaster works additional hours, his hourly rate diminishes to a point where he is actually earning less than his clerk.

We know of instances similar to those described above in most of the States, and we have recently had occasion to refer to files on pay situations prejudicial to the postmasters involved in Texas, Ohio, Louisiana, Arizona, Nebraska, California, West Virginia, New York, Virginia, New Jersey, Kansas, North Carolina, and Iowa.

Please let us refer you for a moment to the attached chart. In the November and December issues of our national publication, the Postmasters Gazette, we sought information from our members on the number of hours they worked each week. We had 516 responses from offices of the first class, 1,511 from offices of the second class, 2,925 from offices of the third class, and 351 from offices of the fourth class. The statistical analysis of postmasters' workweek herewith is the result of those responses. I am not going to presume on your time to make any specific references to it now, unless you have questions that relate to it later.

(The chart referred to faces this page:)

We feel compelled to express the disappointment of our membership with relation to page 14 of the Treasury, Post Office, and Executive Office appropriation bill, 1966, wherein the committee members stated:

The program to replace postmasters at second- and third-class offices at a cost of \$7 million might be accomplished by other means which would be less expensive.

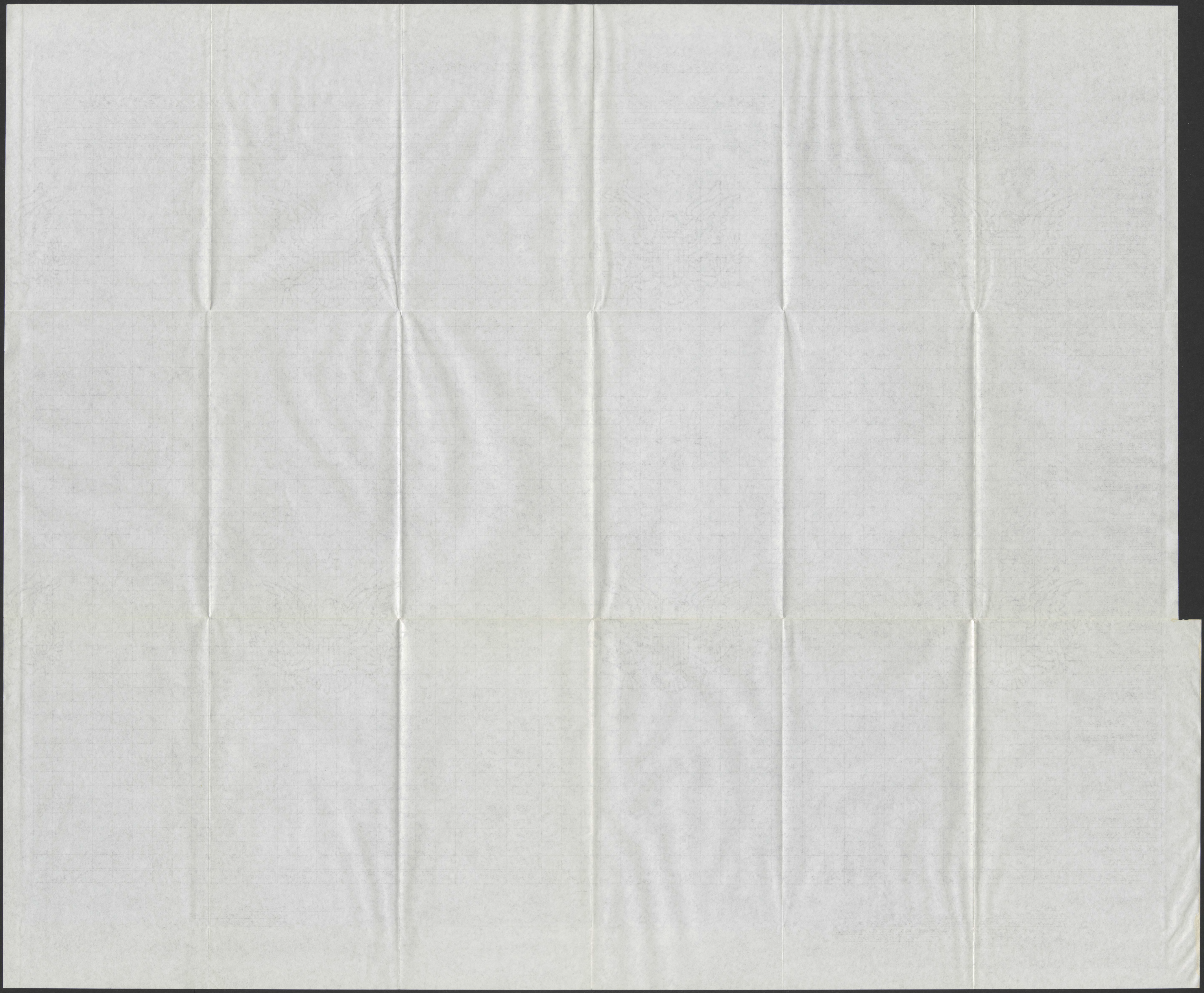
Members of Congress are well aware of the postmaster's situation with respect to the 6-day workweek under which he has served for many years. No other agency in the Federal service has the 6-day workweek requirement for its managers. As the Association of Postmasters we feel that positive action must be taken through legislation during the 89th session of Congress.

STATISTICAL ANALYSIS OF POSTMASTERS WORKWEEK

[illegible]

NOTE:~
NUMBER OF POST OFFICES IN EACH STATE
TAKEN FROM POD PUBLICATION #26. TOTALS
WILL NOT NECESSARILY AGREE AS TERRITORIES
SUCH AS VIRGIN ISLANDS ETC. NOT INCLUDED
2-14-65 ~ REED

PREPARED BY ~, ROGER T. GILBERT
- NATIONAL SEC. TREAS.
FEB. 14, 1965



This is not a device to secure a pay increase for postmasters. It is an effort to obtain a reasonable workweek for postmasters in our smaller offices. The postmaster is a public servant and recognizes his duty to give the best postal service possible. If perchance a clerk should be ill and there is no replacement for the postmaster—and this does happen, I can assure you—the postmaster will work additional hours to expedite delivery of mail without requesting additional compensation.

There would be very few postmasters who were not willing to give freely some extra time as circumstances might require in behalf of an efficient postal operation, and in behalf of an economical one, too, I might add. Placing the postmaster on a 5-day week would not mean that he would adhere to a strict 5-day schedule. This, of course, would just be permissible. It would however, be of great satisfaction to the postmaster to know that he could take a day off each week if he so desired and if the circumstances of his office would so permit.

Our membership would appreciate your favorable reaction to H.R. 1771, and they would want us to express their thanks along with ours for your kind reception here today.

Mr. DULSKI. Thank you very much for a fine statement. You are a postmaster in a very large post office?

Mr. TREVITHICK. Yes.

Mr. DULSKI. So there is no problem about you taking a day off. You have an assistant postmaster that could take over. So we have a double standard in the Post Office Department. At the large post offices, where the salary is much greater, postmasters only work 5 days a week. At a small post office, where the salary is much less, they still have to work 6 days.

As I said last year, and as I repeated this year when I introduced this legislation, I feel it is far overdue. Of course, we realize the position of the Post Office Department. They have been cooperative in many of these matters. I assure you that we are going to continue to bring justice to the postmasters in the second and third and fourth class. Mr. Johnson?

Mr. JOHNSON. I agree with the chairman. I think what you are trying to do here is laudatory and is probably long overdue. I am just wondering if the bill passes and you are placed on a 5-day workweek—and that is where you are—why will it be necessary to appropriate \$24.5 million for this? Is it that the postal system will have to hire somebody extra to work on Saturday if you, the postmaster, are not there on Saturday? Is that the idea?

Mr. TREVITHICK. This would be so in the smaller offices where there is not someone else to take the postmaster's place, as Representative Dulski has pointed out. I think this is a tremendously important point. There is discrimination now in view of the fact that I as a postmaster in a large office do not have to work on Saturday, and I do not unless the business of my office requires it. But the \$24.5 million roughly would be required to hire replacement services in the second- and third-class offices mainly, where the postmaster would be off.

Mr. JOHNSON. On Saturday?

Mr. TREVITHICK. On Saturday.

Mr. JOHNSON. And if a postmaster is getting say \$8,000 a year right now, he would continue to get \$8,000 a year, but he would only have to work 5 days a week instead of 6?

Mr. TREVITHICK. That is so.

Mr. JOHNSON. That would be the net effect of the bill.

Mr. TREVITHICK. Yes.

Mr. JOHNSON. This extra person who would work on Saturday in these post offices other than the second class, what type of person would that have to be? Would a clerk be deputed as the postmaster for Saturday, or does every post office have what you call an assistant postmaster who would be qualified to take care of the money and be in custody of the stamps, and so forth?

Mr. TREVITHICK. This would be a clerk—a substitute clerk, probably. I do not know what percentage of second-class post offices have assistant postmasters. Of course, the first-class offices do, but a good percentage of the second-class post offices do not have assistant postmasters. It would be a clerk, sir, who would replace him.

Mr. JOHNSON. Now, again, your particular office, where you do not have to work on Saturday unless you want to, come Saturday and you handle large sums of money in this post office and there is a huge liability on you as postmaster for the security of the stamps and everything: Who is the responsible officer then on Saturday in your post office when you are not there?

Mr. TREVITHICK. At my post office we do not have an assistant postmaster but two divisional heads. We have a director of operations for mail handling and a director of postal installation services, for the sort of thing you are talking about. The director of installation services would be responsible in my absence.

Mr. JOHNSON. Is that by office regulation or is that by law?

Mr. TREVITHICK. Well, of course, the law makes me responsible as postmaster; and then I in turn delegate the responsibility to him.

Mr. JOHNSON. Would we need legislation in case the Dulski bill passes to make it legal for a postmaster to deputize a person as postmaster on Saturday, so there is a continuation of the responsibility of the postmaster for the conduct of the office on Saturday?

Mr. TREVITHICK. This would be automatically provided for, sir.

Mr. DULSKI. Will the gentleman yield? Title, 39, United States Code, section 3316, now permits the designation of a person to act in the absence of the postmaster.

Mr. TREVITHICK. The "Postal Manual," I would say, sir, would make that provision.

Mr. DULSKI. Following the same thought Mr. Johnson has just spoken about, this refers mostly to a post office having three or four clerks, and then if the postmaster takes a day off, or gets sick, the clerk takes over; is that not right?

Mr. TREVITHICK. Yes.

Mr. DULSKI. So he has the responsibility.

Mr. TREVITHICK. Responsibility is built into the system now and is provided for in the "Manual."

Mr. HENDERSON. In your post office when you take the day off, does the person who takes the responsibility and fills your position get a higher rate of pay than you receive?

Mr. TREVITHICK. No; he does not, sir.

Mr. HENDERSON. This bill would provide for that in the second- and third-class post offices?

Mr. TREVITHICK. No; it would not provide for a higher rate of pay.

Mr. HENDERSON. Would it provide the postmaster's rate of pay?

Mr. TREVITHICK. Your question is: Would this provide the postmaster's rate of pay for the clerk?

Mr. HENDERSON. Yes; who served in his absence. The Dulski bill does that; does it not?

Mr. TREVITHICK. The general provision is that the pay of the postmaster shall be provided when a clerk substitutes for a postmaster and performs the duties of a postmaster. "Dick" would have to say what exceptions there would be to that.

Mr. MURPHY. As it now obtains, whenever a clerk takes over for a postmaster and acts as postmaster, he gets the hourly rate of the postmaster's pay, and that is the reason I pointed out in my testimony that under this bill this would have the beneficial effect of enabling the clerk to get a higher hourly rate of pay on those days on which he is the acting postmaster; because, as it is now, he actually gets in many cases an hourly rate of pay that is less than his hourly rate as a clerk because the postmaster's salary, being slightly more than that of a clerk, is divided over a 6-day base rather than a 5-day base. Therefore, you come out with a slightly smaller amount.

Mr. HENDERSON. This does not happen now when the assistant postmaster takes over for a postmaster?

Mr. TREVITHICK. Now that does not because that is provided in the job description.

Mr. HENDERSON. Does it happen in your office? I understood you to say that you do not have an assistant postmaster but you have two in charge of divisions. Does it apply in your case?

Mr. TREVITHICK. No; it does not, and the reason there, sir, is that the job descriptions of those two positions provide that they shall assume my duties in my absence and at my direction.

Mr. HENDERSON. Does not this requirement that would go into effect on the passage of this legislation tremendously increase the cost of putting this bill into implementation?

Mr. TREVITHICK. Well, yes; the cost for full application has been calculated at around \$24 million.

Mr. HENDERSON. Do you have an idea of how much of that would be required, because you pay the clerk serving on that extra day at the postmaster's rate?

Mr. TREVITHICK. Well, I presume the whole of it; yes, the whole of it.

Mr. HENDERSON. Mr. Chairman, I am just thinking a bit, but I wonder if maybe this is not what the Appropriations Committee had in mind with this somewhat strange language they used the other day.

One further question of this witness. The Department in their testimony recommended that the bill exclude fourth-class postmasters, since their work schedule in 5 days does not encompass a 40-hour week. Would you favor such an amendment?

Mr. TREVITHICK. I missed part of your question, sir.

Mr. HENDERSON. I understood in the Department's testimony they recommended that the bill be amended to exclude fourth-class postmasters, since their work schedule over any 5 days does not encompass 40 hours a week. Do you favor such an amendment?

Mr. TREVITHICK. Well, I do not think that the postmasters in the offices of the fourth class would be affected by this situation in the same way as those in the second and third class. My associates remind me, sir, that there are a good many postmasters in offices

of the fourth class who are working fewer than 8 hours a day now and fewer than 40 hours a week, so of course their situation would not be covered by this, or this would not be applicable to those situations.

MR. HENDERSON. I understood Mr. Murphy's testimony—and I am quoting the statement: "We oppose this section being applicable to postmasters of fourth-class offices (1) since their work schedule over any 5 days does not encompass 40 hours a week." I wondered what your position would be on an amendment that would clarify or would agree with the Department's position on that.

MR. TREVITHICK. Definitely we would support such an amendment. In fact the bill as now drafted would give the Postmaster General authority to exempt a postmaster at a particular post office from the 5-day week when he determines such action to be necessary.

MR. HENDERSON. I am glad to have the gentleman representing the postmasters respond as he did.

MR. JOHNSON. One more question. In your statement you say that placing the postmasters on a 5-day week would not mean that he would adhere to a strict 5-day schedule. Well, now, if this bill passes is it not true that somebody other than the postmaster would be designated as the acting postmaster for the day, and so that an additional payday for that one person would be incurred if this passes, so that if the postmaster does come around on Saturday there will be somebody there who will be getting the postmaster's salary?

Supposing that the postmaster, let us say in my hometown—we have four or five employees—elects to work on Saturday. Would there be a saving on Saturday in that extra clerk who would be the acting postmaster, or not?

MR. TREVITHICK. This person substituting for the postmaster on that day would be the postmaster to all intents and purposes.

MR. JOHNSON. Would it not also mean that on Saturday all over the Nation that an extra person on Saturday, where they are open 6 days, would be the acting postmaster, and there would be a provision for an extra employee on Saturday even though the postmaster elects to come in on Saturday? There will be that extra person always there on Saturday, is that not right?

MR. TREVITHICK. No; I would not say so. Our assumption would be that if there were work enough there to require the postmaster's presence that he would be present, and that he would be absent only if the office would permit his being absent without prejudice to the service.

MR. JOHNSON. Your testimony leaves an inference here that if a postmaster wants to work 6 days a week he can, and then that would mean that extra person would not be on the job. The postmaster in effect would continue to work 6 days a week. But I do not believe that is what would happen. If the legislation passes, every Saturday there will be an extra person there substituting for that postmaster whether the postmaster shows up or not, is that not true?

MR. TREVITHICK. No; that is not the way we contemplate the situation.

MR. DULSKI. Will the gentleman yield? The way the bill is drawn, the postmaster will be scheduled on a 260-day basis instead of 312. Then on Saturday the clerk has to come in. The clerk is coming in, and he must be paid for at least 2 hours if he just stays there for 1 hour or so. He gets paid for 2 hours. But every Saturday a clerk will be designated to come in for the postmaster.

Mr. JOHNSON. Even if the postmaster shows up?

Mr. DULSKI. Only when the postmaster is not scheduled and a clerk is designated for that particular day.

Mr. JOHNSON. Who would get that extra salary?

Mr. DULSKI. The replacement. Any further questions?

Mr. JOHNSON. No. I just cleared up the point.

Mr. DULSKI. I think that was a very good point. Thank you very much. We appreciate very much your coming down here.

Our next witness is Mr. Henry J. Stoffer, president of the National League of Postmasters. Will you introduce your guest?

STATEMENT OF HENRY J. STOFFER, PRESIDENT, NATIONAL LEAGUE OF POSTMASTERS; ACCOMPANIED BY HENRY H. WOMACK, POSTMASTER, CATRON, MO.

Mr. STOFFER. Mr. Chairman and members of the committee, my name is Henry J. Stoffer, postmaster at Sheffield, Iowa, and president of the National League of Postmasters of the United States. I am accompanied today by the vice president, Henry H. Womack, postmaster at Catron, Mo.

On behalf of the National League of Postmasters, both Mr. Womack and I want to express our sincere gratitude for this opportunity to be heard, and to wholeheartedly endorse H.R. 1771. We are equally grateful, Mr. Chairman, that you have introduced this legislation. H.R. 1771 is probably the most desired legislation for postmasters since being placed under civil service in 1938.

Postmasters, to the best of our knowledge, are the only Federal employees required to work a 6-day week at the present time. While my Federal service commenced as recent as 1949, I cannot recall any other Federal employee being required to work 6 or more days per week. Over the years, new regulations have provided some relief for postmasters whose staff was sufficient to cover his absence. As recent as 1963, regulations were amended to liberalize absences on Saturdays. In order to qualify, however, postmasters were required to seek approval from their regional director, and had to cover their absence within the current man-hour allowance. It was not uncommon to make the request, arrange hours to cover the absence, and then have the hours reduced. After several complaints, many of these injustices have been corrected. So, under the present regulations, we now find that nearly all postmasters in offices of the first class can be absent on Saturdays. Most postmasters in offices of second class can be absent, and approximately one-half of the postmasters in offices of the third class may, under ideal conditions, absent themselves on many Saturdays.

Despite the liberalized regulations, we still find more than 15,000 postmasters who must work on Saturdays, and many postmasters because of their dedicated interest in serving their communities report for duty on the seventh day of every week. Of this 15,000 nearly 10,000 are from fourth-class offices, some of which are scheduled for only 2 hours' service per day. Replacement costs would be at a minimum. Of the remaining postmasters in other offices not permitted to be absent on Saturdays, the majority are from offices of third class and are in pay levels 5 and 6. Of these postmasters, it would be safe to estimate, many of them close their offices on Saturday

afternoons. Replacement would be needed only for the final receipt and dispatch of mail late in the day.

It is impossible for us to determine the exact cost of this legislation. However, within the present regulations, it would appear that many postmasters in level 6, and most all others above level 6, can now be absent on Saturdays within present allowances. If there is a cost to the enactment of H.R. 1771, it would seem to be less than one-half of the current expense for authorized absences of the nearly 19,000 in higher levels now benefiting from present regulations.

There are many advantages for postmasters and the postal service in the proposed legislation before you, some of which are:

A. In offices that have no allowances presently, other than replacement for leave, a substitute may not in some cases be employed for several months. As a result, this replacement cannot be fully qualified to render the proper service demanded. One day off each week for the postmaster would require the services of the substitute employee and assure the patrons of competent service. A fourth-class post office must provide all the services found in any other post office. It is unfair to expect a substitute who may work only a few days each year to replace a person who can sell stamps, issue money orders, rent boxes, rate parcels, register letters, insure mail, issue c.o.d.'s, case and dispatch mail, maintain records, and remit funds properly. In addition, this person, without 1 hour per year for training, may also be called on to sell duck stamps, revenue stamps, furnish burial flags, dispense forms, or provide the many other services offered at post offices for other Federal agencies. We contend that 1 day of employment each week would permit this employee to maintain a close contact with changes, and permit accurate and efficient service when called upon.

B. While postmasters cannot be charged for annual or sick leave on Saturday, nonetheless it is difficult to have an absence approved. If he is required to take a son or daughter to a nearby city to visit a doctor or dentist on their day out of school, he must request authority to be absent. He cannot attend a funeral without a request to be absent. In smaller communities, postmasters with insufficient clerical allowances must make appointments to visit a barber and use his lunch period for this purpose. There is no end to the list of hardships and injustices for a person who is required to work 6 days every week, and then rely on one substitute, and at the same time seek regional approval for his absences. Any other small business in a small town can call a friend or relative to watch the shop for short periods, or may close the door for a brief period. The customers generally permit this. The post office is different, as most customers consider themselves part owners. If we were to close our door occasionally for personal conveniences, letters of complaint would flow to your offices.

C. Now comes the matter of equality. Circumstances may vary only slightly between offices. One postmaster may be absent because of a favorable clerical allowance and another with a less favorable or no clerical allowance must work on Saturday. A condition such as this is difficult to explain or justify in any business and certainly is no different among postmasters. In addition to the equality between postmasters, we must then point out the difference in work schedules of our postal employees, and yes, of all Federal employees. Under

present conditions, it is not uncommon for a postmaster to be the lowest paid employee in his office, based on hours of duty required.

D. Many labor unions are now seeking a workweek of less than 40 hours. Under present conditions, most employees in Government or in private industry receive overtime pay for hours in excess of 40 per week. Postmasters have never received overtime pay, or compensatory time, nor do we seek it now.

E. Postmasters are managers. Under the direction of the Postmaster General and the regional director, we represent the Post Office Department in every community. We are not seeking a specific work schedule, nor shall we. Our total request is to obtain a 5-day workweek on the same basis as our present 6- or 7-day workweek. We fully recognize our responsibilities as managers, knowing we are on call 24 hours per day, 7 days each week. In the event of any unusual circumstances or emergencies, postmasters will respond with the same devotion for their post office as in the past. If the one replacement was unable to serve on a given Saturday, I know the postmaster would happily serve the public without concern for overtime or other gratuity. I am certain also that during the weeks preceding Christmas, our members will serve this demanding period without regard to the number of hours in a day or days in the week. We are proud to serve in our managerial position, and will at no time seek legislation that would prevent us from the proper and efficient operation of the facilities entrusted to our care.

The injustice this bill seeks to correct centers on the postmaster in the smaller post offices, including the one-man or, of course, one-woman post offices. These dedicated postal experts must know and be able to perform every known postal service, from janitor service to selling stamps, 6 days every week. We feel immediate relief is needed. On Saturday, the one day in the week when his family is free from educational and religious obligations, he too should be free to provide the attention his family deserves, and thus be in step with all other Federal employees.

If there was justification for a 40-hour week for other Federal employees—and we know there is—then certainly there is justification for a 5-day week for postmasters. The hardships imposed on our members by present regulations has caused this request to head the list of resolutions of our State and National conventions for many years.

Passage of H.R. 1771 would not increase the present salaries of postmasters.

In conclusion, Mr. Chairman, we feel the passage of H.R. 1771 will increase morale, enhance the dignity of the position, and instill more dedication to a point that will far outweigh any costs of this important and humane legislation.

Thank you for your time and consideration. While we have many members from the larger post offices not directly affected, our members from small offices, facing as they do the very serious problem of making a living and being good postmasters on a few thousand dollars a year, with virtually no free time during the normal working hours, find your interest especially heart warming. You will earn their deep gratitude by your favorable and expeditious action on this measure. Thank you.

Mr. DULSKI. Thank you very much. In your statement you say that only 15,000 offices are involved. According to the testimony by the Post Office Department, there are 34,040 offices, so you are eliminating almost 19,000 offices that are not involved.

Mr. STOFFER. Yes, sir; that is correct.

Mr. DULSKI. Does the \$24 million that is involved in the entire bill include the fourth-class offices?

Mr. STOFFER. It seemed to me the Post Office Department was saying it would cost \$6.3 million for second class, and where they got the figure—of course, they have it, but it seems to me that under present regulations there would be very few postmasters in second-class offices who are not now entitled to a Saturday off anytime they want it.

Mr. DULSKI. They would not be included in this \$6.3 million?

Mr. STOFFER. I do not see how they should be. I do not see how there could be this kind of cost, but I would be interested in seeing the figures. I cannot conceive of a postmaster in a second-class office working under the present regulations, and that is why I say there is no cost there now.

Mr. DULSKI. That is why I was rather interested in your testimony, because you exclude 19,000. The cost in the second class is \$6.3 million, and most of your testimony referred to third and fourth, where the bulk of these are involved.

Mr. STOFFER. The fourth class must be included, because they have no clerical allowance whatever except for replacement.

I might add here, Mr. Chairman, that our vice president, Mr. Womack, is from a small third-class office, but he did have at the time this new regulation went into effect 18 hours per week clerk hire, so within that authorized allowance he simply adjusted his hours of his clerk and absorbed the extra workload himself.

Mr. DULSKI. So are you of the same opinion that the \$24 million that the Post Office Department has spoken about in this testimony includes clerk hire?

Mr. STOFFER. I am not sure I understand the chairman's question.

Mr. DULSKI. Well, the total cost of this legislation is approximately \$24.8 million. In your testimony you said that there are only 15,000 involved that do not have clerk hire.

Mr. STOFFER. That do not have sufficient clerk hire to absent themselves.

Mr. DULSKI. To cover the cost. Now, as I understand it from your testimony, does that \$24.8 million exclude any moneys that you would say would be in the third and fourth classes?

Mr. STOFFER. It must be a total cost for the three classes involved. I do not know where the Department got these figures, sir, but they list them as second, third, and fourth. They have already apparently eliminated first class.

Mr. MURPHY. We do not include, Mr. Chairman, the cost of replacement for any first-class offices in the figures we gave. It applies only to second, third, and fourth by the breakdown which I gave. Mr. Chairman, I will be very happy to supply the computation of how we arrived at these costs.

Mr. DULSKI. I would appreciate that.

(The computation referred to follows:)

Estimated cost of H.R. 1771

As of July 1, 1964	2d-class post offices	3d-class post offices	4th-class post offices	Total
Number of offices.....	6,850	12,965	9,788	29,603
Estimated number of supervisors ¹	1,397			1,397
Post offices affected.....	5,453	12,965	9,788	28,206
Weekly replacement.....	² 312	³ 286	52	
Annual replacement.....	1,701,336	3,707,990	508,976	
Average rate.....	⁴ \$2.93	⁴ \$2.65	⁵ \$10.13	
Cost at base rate.....	\$4,984,914	\$9,826,174	\$5,155,927	\$19,967,015
Higher level replacement differential.....	\$379,800	\$631,697		\$1,011,497
Total cost of 1-day replacement.....	\$5,364,714	\$10,457,871	\$5,155,927	\$20,978,512
Additional leave replacement cost due to 260 divisor in lieu of 312 divisor.....	\$943,290	\$1,981,701	\$576,000	\$3,500,991
Total cost of bill.....	\$6,308,004	\$12,439,572	\$5,731,927	\$24,479,503
Total cost exclusive of 4th class.....	\$6,308,004	\$12,439,572		\$18,747,576

¹ Based on previous computation which was based on actual count of supervisors in 2d-class offices.

² 1 day per week, 52 weeks, at 6 hours per day.

³ 1 day per week, 52 weeks, at 5½ hours per day.

⁴ Average per hour.

⁵ Average per day.

Mr. STOFFER. Mr. Chairman, may I ask the Assistant Postmaster General whether all second-class offices are included in this report?

Mr. MURPHY. No; we include 20 percent of the second-class offices which already have an assistant that can take over. Eighty percent of the second class are affected, and all the third class.

Mr. STOFFER. Based on 52 Saturdays a year?

Mr. MURPHY. That is correct.

Mr. STOFFER. Mr. Chairman, I submit now that any postmaster in a second-class office, regardless of size, can be off at least 6 Saturdays a year on annual and convention leave, so 52 is inaccurate there. There is more than 80 percent of the postmasters who are now off on Saturdays, without any cost to the Government, simply because they are willing and want the Saturday so badly that they would absorb this additional workload. I am a second-class office myself. I do not know how it can be done.

Mr. DULSKI. Do you have clerk hire in your office?

Mr. STOFFER. Yes, sir. I have one regular clerk and 2 hours a day substitute time, and it is just a matter of counting. I would schedule my regular clerk on Tuesday through Saturday and compensate him of the following Monday, so he would get a Monday weekend and I would get a Saturday and Sunday. Mine is a very small second-class office, by the way.

Mr. DULSKI. Mr. Johnson.

Mr. JOHNSON. No questions.

Mr. DULSKI. Mr. Henderson.

Mr. HENDERSON. Mr. Stoffer, what would be your position with regard to the recommendation of the Department that the bill exclude fourth-class postmasters, since their work schedule of 5 days does not encompass a 40-hour week?

Mr. STOFFER. Mr. Henderson, my opinion on that is that it should by all means include the fourth-class offices. You are tied down 6 days. We are talking about a 6-day schedule. A postmaster in a

small fourth-class office must report the first thing in the morning when he receives his mail, and then he must again report late in the afternoon to dispatch that mail, so he is tied down 6 days. He can devote no more time to his family than a postmaster in a second-class office.

Mr. HENDERSON. Your position is not the same as the witness preceding you on this proposal?

Mr. STOFFER. No, sir; it is not.

Mr. HENDERSON. I certainly appreciate the argument that you have made. Certainly if you have to go out of town it requires a day. This argument with regard to the fourth-class postmaster is a valid one. But, for example, the argument that you have made that you have to make a special appointment to get a haircut—a fourth-class postmaster does not have that specific problem.

Mr. STOFFER. Third class does, because so many of the offices do not have a barber in that particular point. This is a point that I should have included. They have to go to a nearby town to have this particular service rendered.

Mr. HENDERSON. In your fourth-class office for that sort of time off, even though they have to be there early in the morning and afternoon, they could get some time.

Mr. STOFFER. Depending somewhat on their schedule, sir. Some of the fourth-class offices are very busy. Some have rural routes, some as many as two rural routes.

Mr. HENDERSON. Do you know of any fourth-class postmasters working 40 hours a week?

Mr. STOFFER. Yes, sir.

Mr. HENDERSON. For what reason?

Mr. STOFFER. Well, the demand of the workload. In other words, in a third-class office it is not a bit difficult to get clerical hire if you have one rural route or two, but in a fourth-class office they do not get any help at all. They are just not allowed clerk hire, and many do have rural routes.

Mr. HENDERSON. They are not required to be in the office over 40 hours a week.

Mr. STOFFER. Yes, partly because of the service they wish to render. I am not saying they are required to work more than 40. I say they in many cases do, and that is why we certainly want to include the fourth-class postmasters in this bill.

Mr. HENDERSON. Your response is that they are not required to be there, that they may be there on their own?

Mr. STOFFER. Yes, sir. The same is true of Sunday service. We have many postmasters who work every Sunday because they do not know how to shut it off. The Department never required them to work it, but you do not work all the time by Department requirements. You have a civil and local responsibility you must adhere to.

Mr. HENDERSON. Can you tell me how passage of this bill is going to relieve those postmasters who want to be there and who, for example, do work on Sunday? If they are so compelled now to do this as a community service—certainly it is commendable but how is the passage of the bill going to make it different? If he decides he does not want to be there, he is going to face the same problem.

Mr. STOFFER. If the bill passes, then the Department will be required to give them some relief. We know many of them have no

relief, so if it is a matter of Sunday and civil responsibilities they do it regardless.

Mr. HENDERSON. You mean the fourth-class postmaster should then get substitute hire to work on Sunday?

Mr. STOFFER. On Saturday at least. I am sure if it came down to cost to the Department we would find some remedy for the Sunday problem.

Mr. HENDERSON. I am sorry. I did not quite hear you.

Mr. STOFFER. If it came down to a point of cost to the Post Office Department, we would find some very fast remedy for the Sunday situation. In other words, it is all done gratis now. The postmaster just does it. Maybe it is a Sunday paper that comes out. I have a friend back home who never misses a Sunday. It only requires about 20 minutes work, but it does require his presence down there because the citizens demand it. They have had it for 20 years.

Mr. HENDERSON. You are not suggesting the Post Office Department on passage of this bill is going to pay him for that 20 minutes.

Mr. STOFFER. I would doubt if they would, but they might find it difficult to demand the postmaster be there.

Mr. HENDERSON. I think it is clear what you think the intent of Congress is going to be on the passage of this legislation. Thank you, Mr. Chairman.

Mr. DULSKI. Thank you very much, sir.

The next witness is Mr. Patrick J. Nilan, representing Mr. Hallbeck, president of the United Federation of Postal Clerks.

STATEMENT OF PATRICK J. NILAN, LEGISLATIVE REPRESENTATIVE, UNITED FEDERATION OF POSTAL CLERKS; ACCOMPANIED BY JOSEPH THOMAS, DIRECTOR OF ORGANIZATION, JOSEPH SILVESTRI, EXECUTIVE AID, AND MRS. VICTOR REIMAN, NATIONAL PRESIDENT, WOMEN'S AUXILIARY

Mr. NILAN. Mr. Chairman and members of the committee, Mr. Hallbeck asked me to express his regrets at not being able to be with us this morning, but he did have some other organization work that did have to be taken care of.

For the record, my name is Patrick J. Nilan, and I am national legislative director of the United Federation of Postal Clerks, AFL-CIO, with headquarters at 817 14th Street NW., Washington, D.C.

We appear today in support of H.R. 1771, introduced by the distinguished chairman of this committee, to establish a 5-day week for postmasters. We support this legislation as a trade labor union on the basis that historically and traditionally the 5-day workweek has long been an integral part of our American way of life.

Almost 30 years ago, on August 14, 1935, Members of the 74th Congress enacted Public Law 275, to fix the hours of duty of postal employees and in effect at that time established a 5-day workweek for most postal employees, with the notable exception of postmasters.

Mr. Chairman and members of this committee, we submit that certainly now, 30 years later, it is most appropriate to establish a 5-day workweek for postmasters consistent with the American custom and employment standards, and as proposed in H.R. 1771.

The United Federation of Postal Clerks also supports this legislation on the basis that we believe it would remove a substantial number of

inequities presently being experienced by our own membership, particularly in comparatively smaller first-, second-, and third-class post offices and would help improve service to patrons.

As a result of previous salary laws and subsequent interpretations by the Post Office Department, many of our members, particularly substitute clerks, in these smaller post offices are being paid smaller amounts of money per hour when working as replacements for postmasters than when employed on much lower classified clerical duties. Our regular clerks in such post offices often receive only the same amount of salary when relieving a postmaster as they do when they are performing their normal duties.

These unusual and certainly unjustified pay inequities result from the present 6-day workweek for postmasters compared to the 5-day workweek for postal clerks and the resulting difference in daily and hourly pay rates. A postmaster's annual salary is presently divided by 312 days (6 days $\times$ 52 weeks) to arrive at his daily pay rate. The regular clerk's daily pay rate is arrived at by dividing his annual salary by 260 days, and the substitute clerk's daily rate is obtained by multiplying his hourly rate by 8 hours a day.

As an example of this undesirable pay compensation for a substitute clerk acting as postmaster when a postmaster is on leave in a third-class post office—and I might add, Mr. Chairman, that the particular postmaster referred to in this instance would be a level 6, step 3, postmaster with 3 years of service, an annual salary of \$6,115, and an hourly rate of \$2.45. We should have included that in our statement, but I would like to introduce it for the record in this instance. A level 6 postmaster, step 3, we are using for comparison purposes. The career substitute clerk is in salary level PFS-2, step 11, and has more than 21 years of postal service, with an hourly pay rate of \$2.81. When acting as postmaster and performing considerably higher level work and having the complete authority and responsibility for operating the post office, he actually receives 36 cents an hour less, or \$2.45 per hour, than when performing level 2 substitute clerk work.

Similarly, another example of existing pay inequities occurs when a regular annual rate clerk is involved. Such a clerk is in salary level PFS-4, step 9, at \$6,320 per annum with 17 years of postal service and a daily rate (divided by 260 days) of \$24.31. This regular clerk relieves in the absence of a postmaster in salary level PFS-8, step 2, at \$6,870 per annum, with 2 years' postal experience and a daily pay rate (divided by 312 hours) of \$22.02.

So you note here there is a difference of \$2.29 between the regular clerk's daily rate and the postmasters' daily rate. The clerk in this instance neither receives any additional compensation for assuming the higher level—that is, level 4 to level 8—authority, duties, and responsibilities of acting as a postmaster. He is guaranteed his actual daily salary consistent with existing law.

These controversial pay inequities are the direct result of the postmaster's salary being based on a 6-day workweek and our clerk's salary on a 5-day workweek. Naturally, our clerks are most reluctant, as well as most unhappy, to relieve a postmaster in his absence and then often receive a substantially less hourly pay rate, if a substitute, and in many instances no additional pay if a regular clerk.

In spite of this reluctance and unhappiness by our regular and substitute clerk members to perform higher level postmaster replace-

ment duties at the same or lesser hourly clerk pay rate they have no choice but to replace postmaster absences when ordered to do so, subject to charges of insubordination and disciplinary action if they should refuse.

Information available to our organization indicates that enactment into law of a 5-day workweek for postmasters could reasonably be expected to eliminate these higher level replacement pay inequities in all 13,702 third-class post offices, approximately 50 percent, or 3,400, of the Nation's 6,808 second-class post offices, and a number of smaller first-class post offices.

I might add, Mr. Chairman, we are very pleased that the Post Office Department and the National Association of Postmasters share our concern in regard to this replacement pay of our people.

We support the principle of a 5-day workweek for postmasters as proposed in H.R. 1771, and respectfully request this distinguished committee to report the bill favorably to the U.S. House of Representatives with any amendments which the committee in its wisdom may consider necessary, it make certain that the pay inequities presented in this statement are corrected through enactment of H.R. 1771, establishing a 5-day workweek for postmasters.

Mr. Chairman, we thank you and the members of the committee for the opportunity to be heard on this legislation.

Mr. DULSKI. Thank you very much, Mr. Nilan. Your statement is very explicit. I know the great concern you have because the organization you represent supplies the clerks which assume the additional responsibility at a lower rate of salary. I agree with your sentiments.

Mr. NILAN. Thank you, sir.

Mr. DULSKI. Mr. Johnson.

Mr. JOHNSON. No questions.

Mr. HENDERSON. Mr. Nilan, if the bill before us were not enacted, would it be your position that the inequities in pay that you have pointed out should be perhaps corrected by other legislation?

Mr. NILAN. Well, as we understand the bill, Congressman, we would like to believe that the legislation as proposed would correct these inequities by establishing the 40-hour week for the postmasters. That would be a normal result.

Mr. HENDERSON. If that were not done, I am very much impressed by your statement that these small post office substitute clerks would be paid small amounts of money per hour working as replacements for postmasters than when employed on much lower classified clerical duties. If we could enact or report out a bill that would just correct that one situation, would it be your recommendation that that be done? I am going on the assumption that this bill were not passed by Congress.

Mr. NILAN. Well, certainly we are in favor of the bill as it is presented and hope it would correct these inequities, but of course if, as you suggest the possibility, this legislation might not be enacted by the Congress, we would continue our efforts and request legislation to make this adjustment.

Mr. HENDERSON. Is not a part of the cost of this bill, therefore, attributable to these inequities that you have pointed out?

Mr. NILAN. You are absolutely correct.

Mr. HENDERSON. Do you have an idea of how much that cost is, so that we could define it as we go to the floor?

Mr. NILAN. Well, sir, at the moment we do not, unfortunately, have that type of information available to us. We do feel, of course, that in many instances where these inequities are presently existing it is a question of adjusting the hourly rate for an employee. In these two instances I pointed out here, it would be 45 cents an hour in one instance. In other words, the employee is presently performing this replacement service, so it would not be an 8-hour replacement or \$20 a day or \$25. This would be basically the difference. The hourly difference would be comparatively less. But without having the figures that the Post Office Department could make available to you, it would be difficult for us to give you a knowledgeable suggestion in this area.

Mr. HENDERSON. Mr. Chairman, I might say if we proceed to consideration of the legislation we might distinguish this cost. It would be very helpful, I think, on the floor to point out that that portion that we can specifically distinguish is not as a result of a 5-day workweek for postmasters but as a result of inequities that now exist.

Mr. Nilan, secondly, I would like to propose a hypothetical question. Suppose that we reported out the bill for the 5-day workweek with corrections of these specific inequities here with regard to lower per-hour pay for the substitutes but did not decide to include in there the postmasters while they were working in that position. What would be the position of your association at that time?

Mr. NILAN. If I follow you correctly, you are considering the possibility of legislation which would permit the replacement—the substitute clerk in this instance—to have his hourly rate projected up on a comparable basis with the postmaster's rate based on a 40-hour week; is this correct?

Mr. HENDERSON. I think that is right.

Mr. NILAN. Of course, this problem is our immediate concern.

Mr. HENDERSON. What I am trying to get at here is that if we were to amend the bill to provide for the 5-day workweek and also provide that any employees who were working for the postmaster, rather than to receive the postmaster's pay, would receive not less than the pay he would have received if he were working in his position.

Mr. NILAN. This, of course, would be an improvement, but I would hope that the members of the committee and the Congress in their wisdom would recognize that if we are asking a level 4 clerk or substitute to replace a postmaster and accept the full responsibility and duties of the position we certainly do feel the principle that the Congress has previously adopted of equal pay for equal work, so called, that the employee would be entitled to the additional compensation for the duties that he would have to perform.

Mr. HENDERSON. My last question is: Those clerks who are now doing this work are not now paid, are they?

Mr. NILAN. Are not being paid the difference. The regular clerk is guaranteed his annual rate, so he does not lose anything even though in effect he is making more money per hour than the postmaster, which is an inequity. The substitute clerk referred to here actually receives less money per hour.

Mr. HENDERSON. Therefore, we have a cost in this bill as it is presented that would not be directly attributable to giving those postmasters who would be given the day off—not directly attributable

to paying the substitutes or clerks that would assume these responsibilities?

Mr. NILAN. That is right, sir. And, of course, the problem that we have been confronted with is because of the Salary Reform Act of 1962. We felt for the last 4 years that the Congress might make this adjustment. This is an exception in the existing law. It is one of those things that we just missed out on in the legislation.

Mr. HENDERSON. We are talking about doing this in steps and we have various ways of doing it. One thing we could do is certainly correct this inequity that is so glaring: that a clerk working for the postmaster receives less than he would get if he were working as a clerk.

Mr. DULSKI. I think he will never get less. If he receives \$3.25 and the postmaster receives \$3.05, he is guaranteed his \$3.05.

Mr. NILAN. The regular clerk is; the substitute clerk is not, because our hourly rate is based on the 40-hour week, if you want to call it that, and oftentimes, as in this instance, it may be a substitute clerk with 15 or 17 years of service. They progress up in the pay steps. So when you have a postmaster in step 2, 3, 4, or 5, comparatively the substitute clerk cannot get even his normal pay rate because, under the existing law, it is considered a promotion from his existing pay level to the supposedly higher level, level 6. It is one of these inequities in the law that has not been corrected.

Mr. HENDERSON. What I am trying to get into the record, is for our fuller understanding and consideration of what the price tag is on each of these things that we could do, we could correct that one specific inequity, making the Department absorb it or get appropriations, and we would have that much money out. We could likewise pass a bill that would require the present clerks that are working for the postmasters to get the postmaster's salary. This would take another cost out of this bill.

The real point that I am making—and I think that it is important for us as we go to the floor to explain to the Members—is that the cost of giving the postmasters who do not now have it a 5-day workweek is not \$24 million, but that cost is thus and so, and by correcting these other inequities we are then arriving at the \$24 million cost. If we decide not to put the fourth-class post office and postmaster in, we have another figure. I think that we in the committee and members of the Congress need to distinguish this and not tie it to the tail of the bill that would provide the 5-day workweek for those postmasters who do not get it as a cost for doing that one thing. Thank you very much.

Mr. NILAN. I might just add, if I may, Congressman, that we like to believe that the Congress never intended when they enacted these original laws that an employee would ever get less money when he is holding a higher level position; such as, a postmaster. We certainly do not believe any Congressman would ever suggest that but it was one of these things that was in the law and subsequent interpretations applied the unfortunate inequities that are there.

Mr. HENDERSON. I do not want anybody to misinterpret me. I am very much in favor of your bill, and I think the cost of the bill, certainly in the light of these matters that have been brought out, is more reasonable than one would first think. But I would say that if we cannot enact H.R. 1771 as it is now written I think we ought to make a great effort to correct this glaring inequity here. Certainly we could give consideration to the proposal by the clerks for a higher

pay. I think we need to establish a clear policy and clearly present in our report and argument on the floor just what the cost of the bill is. Thank you very much.

Mr. DULSKI. Thank you, sir; we appreciate your testimony.

We have only one more witness, Mr. David Silvergleid, representing the National Postal Union.

**STATEMENT OF DAVID SILVERGLEID, SECRETARY-TREASURER,
NATIONAL POSTAL UNION**

Mr. SILVERGLEID. Mr. Chairman, I certainly appreciate this opportunity to make an oral statement.

I want to endorse the principles of H.R. 1771. We are fully in accord. Frankly, our union is very much concerned about the entire pattern of our Government's practices and procedures with respect to the workweek of postal employees. The chairman of the subcommittee is well aware of this, because he has introduced legislation, as have other members of the committee, which would tend to correct the unusual situation of many of our substitute people working at straight time rates between 8 and 12 or more hours a day.

I was happy to hear the Assistant Postmaster General refer to the Postmaster General's position now which appears to be that he would like to correct that condition himself.

We have also the obnoxious condition of our regular people, working Saturdays, Sundays, and holidays and not receiving the customary time and one-half or double pay for overtime given in private industry. We would like that condition corrected as we go along, too.

We believe that postmasters are employees the same as all other postal employees, and they should be put on the 5-day week basis. I was frankly not impressed when I heard Mr. Murphy refer to some sort of permission or authorization which would enable him to give these people annual leave on a Saturday. Now, the Department has always maintained that annual leave should be used for rest and relaxation and, if a postmaster is going to be compelled to dissipate his annual leave on a daily basis 1 day a week, he certainly is not going to get the proper benefit of his annual leave, and I do not think it should be considered.

I remember, Mr. Chairman, quite a ways back to 1928, when we were employed 48 hours a week, and then 44 hours was imposed and subsequently a 40-hour week. I can remember to this day the howls that went up from the Post Office Department that they would not be able to operate and that it would require considerable time to turn over to a lower workweek. This did not prove to be so.

I gather that the bill as written now provides for an intent of Congress. Might I suggest that the subcommittee give consideration to a mandatory provision which would also, I believe, assist materially, as Congressman Henderson pointed out, in getting an appropriation from the Congress for the necessary moneys required.

Mr. Chairman, I want to thank you very much for this opportunity.

Mr. DULSKI. Thank you very much.

We are in receipt of a letter from our colleague from North Carolina, Congressman Alton Lennon, with an enclosure. Without objection, it will be inserted at this point in the record.

(The letter and enclosure follows:)

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April 22, 1965.

Hon. TOM MURRAY,
*Chairman, Post Office and Civil Service Committee,
House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: Pursuant to telephone conversation with a member of your committee staff, I enclose the letter I received from Mr. Niel W. Walton, postmaster at Ash, N.C., concerning H.R. 1771. I will appreciate your including this well-written letter in the hearing record of this bill.

Mr. Walton's letter is one of the best expressed statements with respect to a bill that I have seen. He brings out the difficulties under which he must work, even to taking annual leave to get a haircut. I want you and your committee to have the benefit of his well-expressed views on this bill.

With kindest regards and best wishes, I am,

Most sincerely,

ALTON LENNON.

U.S. POST OFFICE,
Ash, N.C., April 20, 1965.

Hon. ALTON LENNON,
*House of Representatives
Washington, D.C.*

DEAR SIR: I understand there will soon be a bill known as the Dulski bill (H.R. 1771) brought before a House subcommittee for the purpose of establishing a 5-day workweek for postmasters. I would like to give you my idea of what this bill, if passed by the Congress, would mean to me and 18,500 other small postmasters.

In small offices of the Ash caliber we are not allowed an assistant except in the absence of the postmaster. In offices of communities that are thickly settled, and in small towns, even though their total receipts are not any more in some cases than they are in mine, clerk help is allowed. Those postmasters can get out for a few minutes to run to the bank or go to the nearest dry goods store to buy a shirt. In cases similar to mine the majority of postal business channels through the rural route; this eliminates any use of a second person being on the job except on special occasions such as around Christmas, periodic route inspections, etc.

I have actually taken annual leave in order to get a haircut. Last Thursday I took the day, which was charged to my leave time, to mow the grass and catch up a few overdue jobs around the house. So you can see why the little post office in the rural section has a disadvantage.

It is true that window service on Saturdays is not scheduled for more than 4 hours, but we at the small rural offices have to be on the job Saturday afternoon to meet the carrier and process the mail for dispatch; as well as dispatch any outgoing mail late that afternoon, as well as the other 5 days. The above conditions have made me willing, if necessary, to relinquish a good part of my vacation time in order to help this plan be enacted into law.

I hope you will take these thoughts into consideration if and when you have the opportunity to voice your opinion on the Dulski bill.

Your prompt attention to my building needs was greatly appreciated. The Department is trying to locate another ready-standing building for me, but I do not know of a suitable one. It is my hope for the community that they will see fit to build a new one since Ash has never had one. We are centrally located in a vast community of small farmers, and it would be a great honor if a new office could be constructed as it would add pride and prestige to this section of Brunswick County.

Thank you for your continued interest.

Yours truly,

NEIL W. WALTON.

Mr. DULSKI. The subcommittee is now adjourned.

(Whereupon, at 12:05 p.m., Wednesday, April 7, 1965, the subcommittee adjourned.)



