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GOVERNMENT HURRICANE OR SEVERE WEATHER CONDITIONS

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HEARING

BEFORE THE

COMMITTEE ON CIVIL SERVICE

OF THE

COMMITTEE ON

OFFICE AND CIVIL SERVICE

USE OF REPRESENTATIVES

EIGHTY-NINTH CONGRESS

SECOND SESSION

ON

H.R. 11434

A BILL TO REQUIRE THE APPROPRIATE AUTHORITIES
OF FEDERAL EXECUTIVE BRANCH AGENCIES TO EXCUSE
FROM DUTY, WITHOUT LOSS OF PAY OR REDUCTION IN
ANNUAL OR SICK LEAVE, EMPLOYEES UNDER THEIR
RESPECTIVE JURISDICTIONS IN AREAS COVERED BY
OFFICIAL HURRICANE WARNINGS OR WARNINGS OF
OTHER SEVERE WEATHER CONDITIONS

WEDNESDAY, AUGUST 31, 1966

Printed for the use of the Committee on Post Office and Civil Service



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FEDERAL EMPLOYEES' ADMINISTRATIVE LEAVE FOR HURRICANE OR SEVERE WEATHER CONDITIONS

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FEDERAL EMPLOYEES' ADMINISTRATIVE LEAVE FOR HURRICANE OR SEVERE WEATHER CONDITIONS

WEDNESDAY, AUGUST 31, 1966

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

The subcommittee met at 10 a.m., room 346 Cannon House Office Building, Hon. Thaddeus J. Dulski (acting chairman) presiding.

Mr. DULSKI. The subcommittee will be in order.

The subcommittee is meeting this morning to conduct public hearings on H.R. 11434, a bill to require the appropriate authorities of Federal executive branch agencies to excuse from duty, without loss of pay or reduction in annual or sick leave, employees under their respective jurisdictions in areas covered by official hurricane warnings or warnings of other severe weather conditions.

In accordance with usual procedure, and without objection, the bill will be printed in the record at this point.

(The bill follows:)

[H.R. 11434, 89th Cong., 1st sess.]

A BILL To require the appropriate authorities of Federal executive branch agencies to excuse from duty without loss of pay or reduction in annual or sick leave, employees under their respective jurisdictions in areas covered by official hurricane warnings or warnings of other severe weather conditions

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the appropriate authority of each agency in the executive branch of the Government is authorized and directed to excuse from duty, without loss of pay or reduction in annual or sick leave, each employee under his jurisdiction, whose presence is not required for reasons of public safety, emergency services, or the national security, whenever the Weather Bureau, Department of Commerce, has officially issued hurricane warnings or warnings of other severe weather conditions for the area in which such employee is then performing his official duties.

(b) The United States Civil Service Commission shall prescribe uniform regulations which shall govern the administration of this Act.

Mr. DULSKI. H.R. 11434 was introduced by our distinguished colleague, the gentleman from Florida, Mr. Pepper, and I believe the purpose of the bill is very aptly expressed in its title.

Before proceeding with the testimony, I have been asked by Chairman Lindley Beckworth, who could not be here at the beginning of the hearing, to express his very deep interest in this legislation. He strongly supports the bill sponsored by his longtime friend, Mr. Pepper.

Our first witness is the sponsor of this legislation, Representative Claude Pepper.

We will be glad to receive your testimony at this time, Mr. Pepper.

**STATEMENT OF HON. CLAUDE PEPPER, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF FLORIDA**

Mr. PEPPER. Thank you very much, Mr. Chairman. I am honored to appear here before your distinguished subcommittee and appreciate very much your personally coming to chair this hearing on this occasion.

Interestingly enough, this bill which is designed to give protection to the Federal employees in the areas where hurricanes or storms threaten them comes at a time when the press and the radio and TV tell us that there is a hurricane off the coast of Florida which may well be heading to Florida or some other parts of the coast of the United States.

Mr. Chairman, I welcome this opportunity therefore to appear before your distinguished subcommittee in support of my bill, H.R. 11434. May I interpolate, Mr. Chairman, I have been meeting with various groups of Federal employees in my area, in the Greater Miami area, for some time and they have been pressing upon me the necessity for the enactment of this legislation. It was finally because they did present to me the need for it that I prepared and introduced this bill.

This measure is concerned with the personnel procedures to be followed by Federal agencies in areas affected by hurricanes. Its enactment would put an end to existing uncertainties and ambiguities surrounding Federal employee dismissals when a hurricane or other severe weather threatens.

This is a simple bill, but an important one to all Federal employees who live and work in potential hurricane territory.

Mr. Chairman, I am going to prepare for inclusion in the record, if I may later, a letter that has come in to me from Michigan, I believe it is, where people who are in an area often afflicted by tornadoes are writing in support of my bill and saying there should be a law like this to protect themselves also against that kind of prospective injury.

Its substance is contained in its title, which reads:

A bill to require the appropriate authorities of Federal executive branch agencies to excuse from duty, without loss of pay or reduction in annual or sick leave, employees under their respective jurisdictions in areas covered by official hurricane warnings or warnings of other severe weather conditions.

I might add that these provisions would not apply to any employee whose presence is required for reasons of public safety, emergency services, or the national security.

I know that the first thought of many of you who are knowledgeable in the regulations and practices dealing with Federal personnel is that agency heads already have the authority and the responsibility to shut down operations and send employees home if the weather is very bad.

This is true. Under the general heading, "Administrative Dismissals of Employees," the Federal Personnel Manual reads, in part:

The closing of an activity for brief periods is within the administrative authority of an agency. Examples of reasons for closing are: (1) Interruption of normal operations of an establishment by events beyond the control of management or employees, such as emergency conditions due to extreme weather conditions, fires, floods, or serious interruption to public transportation services.

When group dismissals occur by reason of closing an activity or by releasing employees in the public interest, employees affected by these actions are generally excused without charge to leave and without loss of pay.

As we all know, similar regulations published in the Federal Personnel Manual control the closing of Government offices and the dismissal of Federal employees in the Washington area. Such dismissals are based on the judgment of the District Engineer Commissioner and a decision by a designated assistant to the President.

These procedures allow for early staggered closings of agencies when snow, ice, or other severe weather conditions during working hours may create hazardous driving conditions or great traffic congestion. If these weather conditions develop during nonworking hours, the decision of the assistant to the President to shut down operations is immediately released to the radio and television stations and the press so that employees will stay home. Employees are not charged leave under these circumstances, nor are they penalized financially.

If this authority to close Federal Government offices in Washington and in the field as a result of extreme weather conditions already exists, why, then, do we need to enact into law this bill dealing with hurricanes?

The answer is that under this bill the appropriate agency official is not only authorized but directed to excuse employees from duty when the Weather Bureau has issued an official warning about hurricanes or other severe weather.

We will have other witnesses go into this matter further. The kind of warning that we refer to in this bill as fixing the time when the governmental executives are directed to allow the employees who do not come within the exceptions named in the bill to go home means the warning that is given by the local Weather Bureau authority that the hurricane is approaching, that is, it is within the danger area, and when people generally are warned to go home or to get off the streets.

This is the big difference, and a very important difference. The decision would, in effect, be made by those most qualified to make it—the weather experts.

The application of this decision would, under H.R. 11434, be uniform throughout the entire area covered by the official warning. When one Government office shuts down, so would all others. As matters now stand it is quite possible that one agency head might decide that conditions justify dismissal of his employees whereas a mile or so away, where weather elements are identical, another agency head might conclude that things are not quite bad enough to warrant a closing.

May I say, parenthetically, that passage of this bill would in no way affect the existing administrative authority to permit early dismissals or to excuse employees because of bad weather. It is essential to retain this authority because sometimes conditions in which the Weather Bureau has no professional interest, such as the probability of an enormous transportation tieup, must also be considered.

In evaluating this bill, we should keep uppermost in our minds the fact that a hurricane is in a class by itself as a storm. A heavy snow or ice storm may create great discomfort, inconvenience, and hardship, but a hurricane is always a potential killer and sometimes a real killer, while leaving in its wake millions of dollars of property damage and, possibly, thousands of homeless victims.

With this sort of threat hanging over their heads, how much attention to their work can be expected from Federal employees in their offices? They are understandably apprehensive about their

families and concerned about when and how they can get home. Meantime, all they can do is wait while the agency head searches his own conscience and reaches his best, but admittedly inexperienced, conclusion about dismissals.

But more is involved than emotional strain and the natural desire of employees to be with their families under these circumstances. There are some very practical problems to be faced and a lot of work to be done. Somebody must bring the children safely home from school or the playground. Somebody must board up the windows and take all other possible precautionary measures. Somebody must go out for food.

The threat of a hurricane or other extremely severe weather conditions now means an agony of suspense, uncertainty, and anxiety for Federal employees on duty in the path of the storm. This situation is fully as difficult and unfair to the top agency people who must decide what to do.

Both employees and officials should be and can be spared this ordeal. The people at the Weather Bureau are the best qualified to predict the capricious behavior and disruptive potential of hurricanes and other weather phenomena. Whenever weather is the controlling factor, the decision to shut down or keep open Federal facilities should be contingent on their judgment.

Under the provisions of H.R. 11434 this would be the case, and for this reason I believe the bill should be enacted into law.

Mr. Chairman, I have several statements and letters in support of my bill from postal unions from my district and I would like at this point to submit these testimonials for the committee's consideration. They also point out the preparedness that we try to take during the hurricane season. I would also like to submit an editorial from one of the South's leading radio stations, WGBS.

The various communications, Mr. Chairman, to which I refer are as follows:

One is from the National Association of Letter Carriers, Miami, a three-page statement signed by Mr. James F. Dolan, president. That letter is dated August 25, 1966.

Another is from the United Federation of Postal Clerks, AFL-CIO, dated August 29, 1966. It is by Mr. Phillip E. Dooley, vice president of the Atlanta region of the United Federation of Postal Clerks AFL-CIO. It is addressed to me.

Another communication addressed to me is from Mrs. Margaret Carver who is the president of the United Federation of Postal Clerks, AFL-CIO, in the Miami area. I believe she is president of the council, Opa-locka Local 5241, dealing with the same subject.

Another one is by Vice President Lorenza Kennedy, who is vice president of local 65, who is engaged in the Biscayne annex in Miami as a mail handler. I think it is a pertinent letter, dated August 24.

Another letter, dated August 24, is by Mr. Al Walker, secretary of local 65 of the Biscayne annex. It is one of the big mail distribution centers in the Miami area. It is addressed to me.

Another letter, dated August 28, is from Mr. Tony Montanez, vice president, branch 1071, National Association of Letter Carriers, Miami, Fla., which is also addressed to me.

An editorial, dated August 22, 1966, by radio station WGBS. It is one of the major radio stations in the country. The title of the editorial is "Now Is the Time To Take Hurricane Precautions."

The other one to which I referred a bit ago is from Gordon P. Stoddard, president, Furniture City Postal Union of Grand Rapids, Mich., affiliated with the National Postal Union, who writes me to say that this law should be enacted to protect employees in areas that are threatened by tornadoes. I thought it was very interesting that they heard about it and felt similar protection should be accorded to people who are in the areas that are often hit by tornadoes.

Mr. Chairman, that concludes my statement.

We have some other witnesses here who I feel can give the committee a couple of suggestions on this subject. Again, I wish to thank your committee for making arrangements to accord us this hearing and an opportunity to present this material on relatively short notice as you have been kind enough to do.

Before I conclude, I would like to suggest that on page 2 of my bill an amendment should be added to make it clear that allowing the employees to leave their jobs, and requiring the executive authorities of the Federal Government to permit them to leave their jobs, except in the excepted classes, should permit them to continue absent from their regular employment until the Weather Bureau gives the signal, all-clear.

I have suggested at the end of line 4, strike out the period and add, "until the Weather Bureau announces the all-clear signal." It is just as necessary to have uniformity when the emergency period terminates as it is to have uniformity when the emergency period begins. We have as a practical matter the same confusion and the same difference of policy among Federal executives with respect to when they call the employees back to work once they have been released as we do when we allow them to depart from their employment for their homes. Some of them give the all-clear, will assume now everything is all right and it is safe now for the workers to return, and their notice goes out that they are all expected to come back.

Sometimes that precedes the official declaration of all-clear by the Weather Bureau. We feel that the most expert authority in that field is the Weather Bureau and that that should be the criteria of when the employees are required to return to their duty if they previously have been allowed to depart from their employment.

Thank you again, Mr. Chairman, and I would like to call others who are listed on your program for some questions.

Mr. DULSKI. Before my friend leaves, all of the letters and correspondence that he has referred to here will be included in the record.

(The correspondence follows:)

NATIONAL ASSOCIATION OF LETTER CARRIERS,
TROPICAL BRANCH NO. 1071,
Miami, Fla., August 25, 1966.

HON. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN PEPPER: It has been brought to my attention that your bill, H.R. 11434 which would grant automatic administrative leave for Federal employees in the event of an approaching hurricane is scheduled for a hearing at 10 a.m. on Wednesday, August 31, 1966.

Due to a pressing schedule which was brought about by my absence from this city for 3 weeks, I find it impossible to personally appear before the subcommittee to present our views on this proposed legislation. I am hopeful that someone from our national office will appear in our behalf.

Needless to say this proposed legislation is one of utmost urgency. Our experience over the years has shown that little regard is given to the postal employee when a hurricane is approaching. Everyone is reluctant to make a decision because he is fearful that his superior might have some criticism. The trend among postmasters is to play it by ear and wait until the very last minute before a decision is made. This very act could be the one that will eventually lead to someone's death unless legislation is enacted to correct this situation. While these responsible officials are indoors trying to second-guess the Weather Bureau, our employees are on the street facing all kinds of hazards.

Listed below are several items which point out the necessity of this legislation.

(1) Carriers are delivering mail on bicycles in hurricane force winds and rain with a thin piece of canvas as the only protection for the mail.

(2) Bicycles repeatedly blow over causing serious water damage to the mail or injury to the carrier as he tries to protect the mail.

(3) Due to the high winds and rain, it is impossible for the carrier to look ahead under these conditions. Therefore, the carrier can't see anything in front of him. This has resulted in carriers running into parked cars, fire hydrants, and other fixed objects. Fortunately, we haven't had any incidents where they have run into moving vehicles, but there is always a first time.

(4) Bicycles do not have reflectors nor does the ringear have any protective device which would protect the carrier from oncoming traffic.

(5) Parcel post carriers face similar danger in handling canvas sacks with metal buckles which blow loosely and cause damage to the face and eyes. In addition, they have difficulty controlling a load of parcels on a small handcart and very frequently find themselves chasing packages down the street.

(6) Collectors are forced to pull collection boxes with water above their knees and frequently find the mail floating around inside the boxes. This condition becomes more hazardous as they are also subjected to fallen live wires and potholes in the roads which cannot be seen when there is several feet of water in the streets.

(7) Carriers have been ordered to report to work while the sheriff's department is still pleading with people to stay off the streets unless it is an emergency.

(8) Carriers have been ordered to make delivery of a handful of mail on streets filled with debris, broken glass, and live wires.

(9) Because of the many units in a postal installation, communication between management and employees is dreadfully poor. News media such as television and radio make repeated reports to airline employees and other essential employees and at times when the majority of employees can be reached. The Post Office announcements are very infrequent and come at times when employees have already retired for the night. Those who do not hear the reports are denied administrative leave.

(10) Employees in other Federal, State, and local agencies are excused when official hurricane warnings are posted, but the poor guy out on the street just keeps plugging away as his agency has failed to make suitable provisions for him.

(11) The Post Office Department has failed to establish a criteria as to what wind velocity must be met before curtailing delivery. Postal employees have pleaded with management to sit down and jointly discuss a policy agreeable to all, but the attitude is more on saving a dollar than a life.

In conclusion I would like to state that if this legislation is enacted it will do away with the policy of sweating out each hurricane separately. Once a standard policy is established, we will have better communication and everyone will be able to proceed in an orderly fashion.

I want to take this opportunity to commend the Congressman for proposing this legislation and to thank the subcommittee for their consideration.

Respectfully yours,

JAMES F. DOLAN, *President.*

UNITED FEDERATION OF POSTAL CLERKS, AFL-CIO,
Atlanta, Ga., August 29, 1966.

HON. CLAUDE PEPPER,
*Member of Congress,
House Office Building, Washington, D.C.*

DEAR CONGRESSMAN PEPPER: It is highly commendable that the distinguished Civil Service Committee of the House Committee on Post Office and Civil Service has scheduled a public hearing for 10 a.m., Wednesday, August 31, 1966, on your bill, H.R. 11434, which deals with the release of Federal employees automatically when the hurricane warning flag is raised in any area.

It is significant, I think, that at this very moment, another hurricane (Faith) is hovering off the southeast coast of the United States. The Weather Bureau hasn't any real knowledge of just what direction this "lady" will take. By the same token, the postal clerks of the area in which "she" might decide to hit will have no real knowledge of when "her" arrival will be considered official. This will be left to the determination of the postmasters in the affected area under the present policy of the Post Office Department, not the Weather Bureau. You will forgive me if I say that this is ridiculous.

This could provide for the following set of circumstances, if, let's say, Faith would hit Florida's coast at Fort Lauderdale.

(1) The Weather Bureau could determine the warning flag for hurricane be raised at 10 a.m.

(2) The postmaster at Fort Lauderdale could decide the hurricane was official at 2 p.m.; the postmaster at Miami could decide the official time was 4 p.m.; and the West Palm Beach postmaster could decide it was official at 11 a.m.

(3) Postal clerks, who work around the clock, are attentive to all media of communication and do not know who to believe as to when this "act of God" is official. They are unnecessarily torn between a desire to protect the lives and property of loved ones and their desire to perform their duties officially and responsibly. There appears to be a natural desire on the part of management to "save a few hours" by waiting a longer time than necessary to second-guess the weatherman.

Specific instances on this subject can be provided by the undersigned.

It is time, and long passed, that a law be enacted to provide for the release of employees automatically when the hurricane warning flag is raised in any area.

It would be appreciated if you would cause this statement to be entered in the record of the hearing of August 31, 1966.

Kindest personal regards to you and your family,

Respectfully,

PHILIP E. DOOLEY,
Vice President, Atlanta Region.

UNITED FEDERATION OF POSTAL CLERKS,
LOCAL 5241,
Opa-locka, Fla., August 23, 1966.

HON. CLAUDE PEPPER,
Washington, D.C.

DEAR CONGRESSMAN PEPPER: Thank you for your letter, advising me that the hurricane bill, H.R. 11434 is scheduled for hearing the end of this month.

We appreciate your sincere interest in this matter, and I have written to 10 other Congressmen on this committee urging their support on your bill.

I certainly wish that I could be present on this hearing, but unfortunately circumstances do not permit this opportunity.

I do feel however that this bill is urgently needed for all the country, as it now stands the postmaster is the one who decides whether the weather is still safe for service. Often this is after the Weather Bureau has advised the community to take shelter. Also since Dade County has more than one postmaster, different offices in Dade County have been told of different hours to report after a hurricane, too. Also I do not think it is correct for the mail to be sent out by the mailman until the Weather Bureau states it's safe for travel. It now stands that mail is being delivered often where powerlines are down, making a driving hazard, not only reporting for work, but working outside too soon after.

Thank you for your continued interest.

Sincerely,

MARGARET R. CARVER, *President.*

BISCAYNE ANNEX,
Miami, Fla., August 24, 1966.

HON. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN PEPPER: In reply to your bill, H.R. 11434, to the postal employees in the south Florida area. This is a most urgent and serious bill, because it deals with the life and welfare of our families, property, and our own safety.

All of us in the Miami area know how rough and dangerous a hurricane can be. We, in the Miami area, have a great respect for our postmaster and his staff, they do a great job in handling most of our problems, but delaying the order to dismiss the men until the last moment in order to give the same faithful service to the public that we give during normal working condition, while all the other Federal Agencies have dismissed to prepare for the hurricane. Sometimes our weathermen who rate with the best, miscalculate the direction of the storm. About 2 years ago we were assured that storm wouldn't come ashore, but it did.

The traffic is very bad during an approaching hurricane in Miami, because all of the many boatowners are moving their boats inland. This backs up traffic very badly, with all the drawbridges open.

The members of local 65, National Association of P.O.M.H., members of the mailhandlers craft, and all postal employees of the south Florida area, ask your help in getting this bill through.

Sincerely yours,

LORENZA KENNEDY,
Vice President, Local 65.

BISCAYNE ANNEX,
Miami, Fla., August 24, 1966.

HON. CLAUDE PEPPER,
*House of Representatives,
Washington, D.C.*

DEAR CONGRESSMAN PEPPER: The National Association of P.O.M.H., local 65, of Miami, Fla., which is the exclusive representative of all mailhandlers of the Miami post office, feel that H.R. 11434 is a must if justice is intended for postal employees.

The existing procedure does not allow the postal employees to obey the warning of the Weather Bureau and civil defense. We have to report to work in hazardous weather, endangering our life and the safety of our family. When we are allowed to go home, it is too late—the hurricane is upon us, our homes are unready to cope with the storm and wind that is already in force.

This has been a long overdue injustice. Human life has always been a top priority in this country. So why can't we, the postal employees, get the same benefit the local agencies give their employees.

Yours truly,

AL WALKER, *Secretary.*

EDITORIAL NO. 932, VOICED BY SPENCER E. DANES, PROGRAM MANAGER OF WGBS RADIO STATION, MIAMI, FLA., AUGUST 22, 1966

NOW IS THE TIME TO TAKE HURRICANE PRECAUTIONS

With possible hurricanes just beyond the horizon, it is an appropriate time to remember that the hurricane season is upon us and the wisest course is to be prepared.

It should be recalled that next month is a hex month as far as hurricanes are concerned. Many of Florida's worst big winds struck in September, and preparations should be made now and not at the last moment.

For the benefit of thousands of newcomers to south Florida, it should be pointed out that there is no need to panic about hurricanes. But it is equally true to say that they must be respected, and safeguards are needed to withstand them. Here are a few reminders for the newcomers, who have never experienced a hurricane, as well as the oldtimers, who may have been neglectful so far.

Modern homes meeting present stringent building codes are safe, but it is well to make certain that your house is in good repair and that you have proper materials on hand for boarding up windows and bracing glass doors. Hurricane-force winds can shatter large areas of glass like an explosion and can be extremely hazardous, of course.

This is the time, furthermore, to get some hurricane supplies on your next shopping trip. Stock up with canned foods and be sure the supply is ample enough to last for a few days. Since electric power is frequently cut off, you should have some kind of emergency cooking facilities on hand.

You also should provide for lights of some kind. Candles will do, if used carefully, and you should be sure to have a flashlight on hand, with extra batteries.

A battery-powered transistor radio is an absolute must so that you can follow the course of the hurricane on WGBS.

Those are a few of the precautions to be taken in case a hurricane comes our way. Why not take them now?

MIAMI, FLA., August 28, 1966.

HON. CLAUDE PEPPER,
U.S. Representative,
House of Representatives, Washington, D.C.

DEAR MR. PEPPER: This is in reference to your letter of August 17, 1966. As I have pointed out to you, postal workers in this area are in dire need of a definite hurricane program to enable them to safeguard their property and families in the event of an approaching hurricane. As you know, present law permits local postal agencies to grant administrative leave to Federal employees, giving them the opportunity to prepare their homes and families for a threatened hurricane. However, past experiences have taught us that heads of the postal services in Miami operate at their own discretion, creating confusion and jeopardizing the welfare of employees. Enclosed you will find my views regarding this matter.

The local postal department policies on hurricanes, are antiquated. They are unable to issue definite orders to safeguard employees' well-being. They have compelled employees to return to work while conditions were adverse, while State, county, and other Federal employees were excused from their duties, postal workers continued to perform their duties under hazardous conditions.

This area has been subjected to hurricanes three times in the last 6 years. Donna in 1960, Cleo in 1964, and Betsy in 1965. Sometimes hurricane forces have not been experienced, nevertheless, the weather has been adverse enough to present dangerous conditions. In 1964, while Hurricane Cleo was approaching this area, county, State, and other Federal employees were excused, but postal workers were not, and some of them were unable to make the necessary preparations to secure their property and safeguard their families. Furthermore, they were ordered to return to work the following day while the winds were still dangerous and the debris and live wires presented a safety hazard to every human being. Civil defense agencies and police authorities were advising everyone to stay home, but postal workers were ordered to report for duty.

In conclusion, in other parts of the country, whenever the weather is inclement, postal workers are excused from work, but Miami continues to be an exception to this rule.

I am indeed sorry not to be able to appear in person to give this report, but I am sure you will do everything possible to help us in this matter.

Thank you for your cooperation in this matter, I remain,

TONY MONTANEZ,
Vice President, Branch 1071, National Association of Letter Carriers.

AUGUST 29, 1966.

HON. CLAUDE PEPPER,
House Office Building,
Washington, D.C.

DEAR SIR: Having read H.R. 11434, may I thank you on behalf of all Government employees for your introduction of this bill. We in Michigan fall under the Weather Bureau, Department of Commerce, tornado procedures. Enclosed is an example of departmental view and the Grand Rapids, Mich., post office view. Please note dates of all correspondence: tornado alerts procedure on May 28, 1965, the Grand Rapids, Mich. Postal Union discussed on March 24 with management tornado procedures, an improved tornado procedure was issued April 19, 1966. Note that on May 28, 1965, civil defense authorities confirmed existing policy on notice dated April 19, 1966. The U.S. Corps of Engineers did inspect building and reviewed tornado procedures, note the different procedure.

On May 2, 1966 in reply to union's letter of April 25, 1966, note last sentence, "At that time regulations issued by the Post Office Department will be reviewed." Reply of Chicago regional office to our letter, April 7, 1966, note third and fourth paragraph reference to section 721.921 "Act of God," and Postmasters memorandum dated May 28, 1965. Please note new policy dated April 19, 1966.

In Grand Rapids, Mich., tornado warnings were sounded last year and department stores and factories closed or proceeded to sections of buildings offering

the greatest protection. I firmly believe the basement of the Grand Rapids, Mich., post office is the safest place, not the first or second floor. Yet, business proceeded as usual in our post office. An example of what a 15-minute warning means was Topeka, Kans., this past year.

Your bill will not only instruct agencies to follow Weather Bureau, Department of Commerce, warnings, but I hope be mandatory that they be followed, with the exceptions as stated in your bill.

Sincerely yours,

GORDON P. STODDARD,
President, Furniture City Postal Union.

U.S. POST OFFICE,
Grand Rapids, Mich., May 28, 1965.

To: All supervisors.

From: H. Wayne Parker, postmaster, Grand Rapids, Mich.

Subject: Tornado alerts.

The civil defense authorities have confirmed the existing policy of our post office for procedures during the tornado alerts announced over TV and radio stations.

Because of the construction of our building, employees on duty at the time of weather alerts are as safe on the workroom floors as any other spot on the premises.

A precaution is mentioned where windows are concerned. Venetian blinds should be closed to protect against flying glass.

Under established procedures supervisors are empowered to take the necessary steps in given circumstances.

H. WAYNE PARKER, *Postmaster.*

APRIL 7, 1966.

Mr. DONALD SWANSON,
Regional Director, Chicago Regional Office,
Main Post Office Building, Chicago, Ill.

DEAR MR. SWANSON: At the March 24, 1966, labor-management meeting on the review of tornado procedures in Grand Rapids, Mich. We feel any building having apron walls and approximately 120 feet of windows can't be safe. We know, structurally, this building is sound, but the cinderblock walls and large expanse of glass are not tornado proof, we request your office to rescind the local postmasters order of May 28, 1965, and position taken on March 24, 1966. We ask that more thorough planning be devised in this office.

- (1) When tornado warning is sounded, all substations be authorized to close.
- (2) Main office windows be closed.
- (3) Printed signs be prepared and that they be displayed informing the public why they are closed.
- (4) Supervisor instructed to announce that all employees are to go to the basement for duration of warning.

(5) Employees be assigned duty of helping the blind man to basement (suggest guard or box clerk).

(6) All employees on outside duty be authorized to take cover, keeping in mind protection of the mail, and any employee scheduled for duty be rescheduled or granted leave.

We in Grand Rapids request a complete review of tornado procedures. The basement of this building has been designated a fallout shelter. There are no signs saying the entire Grand Rapids post office is a tornado shelter. I am enclosing an article printed in the Grand Rapids Press on April 3, 1966.

Sincerely yours,

GORDON P. STODDARD,
President, Furniture City Postal Union.

TORNADOES, WHAT THEY ARE AND WHAT TO DO ABOUT THEM

The tornado is a violent local storm with whirling winds of tremendous speed. It is usually recognized as a rotating funnel-shaped cloud which extends toward the ground from the base of a thundercloud. Its color varies from gray to black. All tornadoes have one common characteristic—the rapidly rotating winds that cause them to spin like a top. When nearby, a tornado usually sounds like the roaring of hundreds of airplanes. It is one of the smallest and most dangerous of all storms.

An average of slightly over 200 deaths result from tornadoes each year in the United States. However, the chance of a tornado striking any particular spot is extremely small. The reason for this is that the average tornado path is but 16 miles long and less than one-fourth mile wide.

Tornadoes start to form several thousand feet above the earth's surface and some never reach the ground, or they may touch the ground and rise again. Tornadoes usually occur in connection with thunderstorms, especially those from which hailstones fall to the ground. Tornadoes may form in a series of two or more, in which case there is a large primary tornado and one or more secondary or lesser storms.

Tornado formation requires the presence of layers of air of contrasting temperature, moisture, density and windflow characteristics. Cool dry air from the west or north-west moves over warm, moist surface air. When this occurs and is accompanied by a narrow band of strong winds at intermediate levels, there are complicated energy transformations which can produce a vortex or whirl. It seems probable that a tornado occurs only when there is a precise combination of several rather common but highly variable weather conditions.

Tornadoes occur in many parts of the world and in all of our States, but no place is more favorable for their formation than the central part of the United States. The number of tornadoes normally starts to increase in February through the eastern Gulf States and reaches a peak in March over this area. This increase spreads northward to reach a peak in Iowa and Kansas during May and June. From July until January there is a rapid decline in the number of tornadoes over the country as a whole.

The average number of tornadoes ranges from over 25 per year in one of the Mid-Western States to less than 1 per year in most of the Northeastern and Far Western States. The national average is around 200 a year, over half of which occur in 3 months—April, May, and June.

Tornadoes can occur at any hour of the day or night, but they appear to form most readily in the hours closely following the warmest parts of the day—43 percent of these storms have occurred between the hours of 3 to 7 p.m.; 82 percent have occurred between noon and midnight. The individual hours of 4 to 5 p.m. and 5 to 6 p.m. are those during which the greatest number have been reported. These 2 hours account for 23 percent of the storms.

Destructive effects of the tornado are terrifying and result from both the violent winds and the strong pressure differences over small areas. Buildings can be torn apart and the pieces driven through the air in a dangerous barrage. Walls may collapse or topple outward. The sudden reduction of pressure may have an explosive effect which can cause machinery and other heavy objects to be lifted out of buildings, sometimes being moved for considerable distances.

It is not possible to predict the exact spot where a tornado will develop, just as it is not possible to determine where a bolt of lightning will strike. It is possible, however, to locate areas approximately 20,000 square miles in size where there is a reasonable possibility that tornadoes will occur. Radar is also helpful for this purpose.

Tornado watches for the entire United States are prepared at the Weather Bureau's Severe Local Storm Forecasting Center in Kansas City. Specialists there analyze and interpret a large number of weather charts and diagrams to identify general areas throughout the country where tornadoes can be expected to develop. The watches are coordinated with district forecast offices and are distributed to the public by radio and television stations in and near threatened areas up to 6 hours in advance. In addition, civil defense, Red Cross, State police, sheriffs, and other cooperators relay the forecasts to reach people in threatened areas.

A tornado watch is issued to alert volunteer storm reporters, police, and the public to watch for tornadoes if the sky becomes threatening. People should take any necessary preliminary action so that a place of safety can be reached quickly if a tornado is sighted, or if a warning is issued that a tornado is approaching.

Tornado warnings are announcements that a tornado has been sighted. The warnings are made possible through the cooperation of many public-spirited people who promptly notify the nearest Weather Bureau office when a tornado is seen. Warnings are then issued which include the storm's location and direction of movement so that safe shelter can be taken by those in the path of the tornado. Communities are also encouraged to organize their own reporting and warning systems.

TORNADO

SAFETY RULES

TO KNOW WHAT TO DO WHEN A TORNADO IS APPROACHING, MAY MEAN THE DIFFERENCE BETWEEN LIFE OR DEATH !!

I THERE IS NO UNIVERSAL PROTECTION AGAINST TORNADOES EXCEPT UNDERGROUND EXCAVATIONS. When time permits, go to a tornado cellar, cave, or underground excavation which should have an air outlet to help equalize the air pressure. It should be kept fit for use, free from water, gas, or debris, and preferably equipped with pick and shovel.

II If you are in open country :

1. Move at right angles to the tornado's path. Tornadoes usually move ahead at about 25 to 40 miles per hour.
2. If there is no time to escape, lie flat in the nearest depression such as a ditch or ravine.

III If in a city or town :

1. Seek inside shelter, preferably in a strongly reinforced building. STAY AWAY FROM WINDOWS!
2. In homes: The southwest corner of the basement usually offers greatest safety, particularly in frame houses. People in houses without basements can sometimes be protected by taking cover under heavy furniture against inside walls. Doors and windows on the north and east sides of the house may be opened to help reduce damage to the building.
3. Standing against the inside wall on a lower floor of an office building offers some protection.

IV If in schools :

1. In city areas: If school building is of strongly reinforced construction, stay inside, away from windows, remain near an inside wall on the lower floors when possible. AVOID AUDITORIUMS AND GYMNASIUMS with large, poorly-supported roofs!
2. In rural schools that do not have strongly reinforced construction, remove children and teachers to a ravine or ditch if storm shelter is not available.

V If in factories and industrial plants :

On receiving a tornado warning, a lookout should be posted to keep safety officials advised of the tornado's approach. Advance preparation should be made for moving workers to sections of the plant offering the greatest protection.

VI Keep calm! It will not help to get excited. People have been killed by running out into streets and by turning back into the path of a tornado. Even though a warning is issued, chances of a tornado striking one's home or location are very slight. Tornadoes cover such a small zone, as a rule, that relatively only a few places in a warned area are directly affected. You should know about tornadoes though, "just in case". See other side for details.

VII Keep tuned to your radio or television station for latest tornado advisory information. Do not call the Weather Bureau, except to report a tornado, as your individual request may tie up telephone lines urgently needed to receive special reports or to relay advisories to radio and television stations for dissemination to thousands in the critical area.

TORNADO INFORMATION

WHERE TORNADES CAN OCCUR:

Any place in the United States at any time of the year. They happen most frequently in the midwestern, southern and central states from March through September.

HOW OFTEN DO THEY OCCUR:

The records show that the average number of days with tornadoes varies from about 12 per year in parts of the Mid-West to less than one per year in the Northeastern and far Western states.

HOW TO RECOGNIZE A TORNADO:

Usually observed as a funnel-shaped cloud, spinning rapidly, and extending toward the earth from the base of a thundercloud. When close by, it sounds like the roar of hundreds of airplanes.

TORNADO "WEATHER":

Hot, sticky days with southerly winds and a threatening, ominous sky. However, many such days occur without tornadoes.

CLOUDS:

Familiar thunderstorm clouds are present. An hour or two before a tornado, topsy-turvy clouds appear sometimes bulging down instead of up. The clouds often have a greenish-black color.

PRECIPITATION:

Rain, frequently hail, preceding the tornado, with a heavy downpour after it has passed.

TIME OF DAY:

Mostly between 3 and 7 P.M., but they have occurred at all hours.

DIRECTION OF TRAVEL:

In most cases they move from a westerly direction, usually from the southwest.

LENGTH OF PATH:

Usually 10 to 40 miles (the average length is 18 miles), but they may move forward for 300 miles.

WIDTH OF PATH:

The average width is about 400 yards, but they have cut swaths over a mile in width.

SPEED OF TRAVEL:

25 to 40 miles per hour average, but they have varied from 5 to 139 miles per hour.

WIND SPEED:

Estimated as high as 500 miles per hour within the tornado.

CAUSES OF DESTRUCTION:

- (1) Violent winds which uproot trees, destroy buildings, and which create a serious hazard from objects blown through the air.
- (2) Differences in air pressure which can lift automobiles and can cause buildings to collapse.

U.S. POST OFFICE,
Grand Rapids, Mich., April 19, 1966.

To: All employees.

From: H. Wayne Parker, postmaster, Grand Rapids, Mich.

Subject: Tornado procedures.

The U.S. Corps of Engineers has designated the workroom areas of the first and second floor, plus the entire basement, as shelter areas.

In the event the Weather Bureau issues a tornado watch, the employees will be notified and a lookout maintained until the "all clear" has been issued.

In the event of a tornado warning:

- (1) The employees in the workroom areas will remain at their duty stations.
- (2) Employees on the dock will move into the workroom area.

14 ADMINISTRATIVE LEAVE FOR SEVERE WEATHER CONDITIONS

- (3) Office personnel will move to the closest workroom area.
- (4) The lobby will be cleared by window personnel and moved with them to the workroom area. Venetian blinds will be closed to protect against flying glass.
- (5) Station personnel will seek shelter in their basements.
- (6) Carriers will seek shelter in their immediate locality.

Under established procedures supervisors are empowered to take the necessary steps in given circumstances.

H. WAYNE PARKER, *Postmaster.*

APRIL 25, 1966.

Mr. H. WAYNE PARKER,
Postmaster, Grand Rapids, Mich.

DEAR SIR: In review of tornado procedures issued on April 19, 1966, we submit the following questions: (1) By the U.S. Corps of Engineers designating first and second floors as shelter areas, are they certifying that the walls of this building will stand up under winds of 400 to 500 miles per hour? (2) Who will be the lookout, will they have voice contact with first and second floor areas? Will the public be permitted to use the basement?

Is this notice authority for all outside stations and window services to close, when a tornado warning is announced.

Do these procedures follow tornado safety rules as outlined by the United States Department of Commerce Weather Bureau?

Sincerely yours,

GORDON P. STODDARD,
President, Furniture City Postal Union.

MAY 2, 1966.

To: Mr. Gordon P. Stoddard, president, Furniture City Postal Union, Post Office Box 1655, Grand Rapids, Mich.

From: H. Wayne Parker, postmaster, Grand Rapids, Mich.

Subject: Tornado procedures.

Receipt is acknowledged of your inquiry of April 25, 1966, relative to the construction of the Grand Rapids, Mich., post office building and if it will withstand winds "400 to 500 miles per hour."

The construction of the Federal buildings is subject to the engineering division of the U.S. Government and it is suggested that your inquiry on building construction is properly one for your national headquarters to consider.

As to your inquiry on procedures during a tornado, it is a matter of joint interest to all local employee organizations and will so be treated. At that time regulations issued by the Post Office Department will be reviewed.

H. WAYNE PARKER, *Postmaster.*

POST OFFICE DEPARTMENT,
CHICAGO REGIONAL OFFICE,
Chicago, Ill., May 24, 1966.

Mr. GORDON P. STODDARD,
*President, Furniture City Postal Union,
Grand Rapids, Mich.*

DEAR MR. STODDARD: This will refer to your letter dated April 7, 1966, concerning tornado alerts in the Grand Rapids, Mich., post office.

We requested comments from the Director, Engineering and Facilities Division concerning the structure of the building. He has advised that the Grand Rapids post office is structurally sound, but was not designed to withstand the full force of a tornado. However, the building is as safe as any other in town, and safer than any of the employee's homes.

Section 721.921 of the Postal Manual outlines the procedures of relieving employees from duty by reasons of "Act of God," and postmasters are required to follow these instructions.

From the contents of the postmaster's memorandum dated May 28, 1965, addressed to all supervisors, it appears that he has cleared these instructions with the civil defense authorities in your community.

Your continued cooperation in the provision of an efficient postal service to the American public will be appreciated.

Sincerely yours,

NORBERT R. SHARABOIKI,
Special Assistant for Employee Relations.

Mr. DULSKI. Secondly, I want to commend my dear friend from Florida for a very comprehensive and effective statement. I know that any time that he presents any legislation, whether it be in a committee or on the floor, it is well respected by all Members of the House.

Mr. PEPPER. Thank you, Mr. Chairman.

Mr. DULSKI. I would like to ask the distinguished gentleman from Florida about strengthening the language. Counsel has advised me it would be helpful, after the words "other severe", to insert "and inherently dangerous". That would strengthen the language. After the word "severe" add "and inherently dangerous".

Mr. PEPPER. Yes. That is the intent. I think I would be glad to have that substitution, "and inherently dangerous". Not just severe in the sense of being inconvenient or something like that. We have in mind weather conditions that are inherently dangerous. Is that the idea?

Mr. DULSKI. That is right. That is to strengthen the language.

Mr. PEPPER. Yes.

Mr. DULSKI. I just wonder if my colleague would be able to give us any examples of lives of employees being lost during storms.

Mr. PEPPER. I did not hear that.

Mr. DULSKI. Were there any lives lost or severe damage to employees during a hurricane?

Mr. PEPPER. Mr. Chairman, I believe it would be better for these people who are here, some of whom represent the national unions, employees in the area and some of whom are from the area, like Mr. Gold, who can tell about concrete instances, I am sure, where there has been hardship.

This letter that I put in the record from Mr. Dolan spells out a good many instances:

Listed below are several items which point out the necessity of this legislation:

(1) Carriers are delivering mail on bicycles in hurricane force winds and rain with a thin piece of canvas as the only protection for the mail.

(2) Bicycles repeatedly blow over causing serious water damage to the mail or injury to the carrier as he tries to protect the mail.

(3) Due to the high winds and rain, it is impossible for the carrier to look ahead under these conditions. Therefore, the carrier can't see anything in front of him. This has resulted in carriers running into parked cars, fire hydrants, and other fixed objects. Fortunately, we haven't had any incidents where they have run into moving vehicles, but there is always a first time.

(4) Bicycles do not have reflectors nor does the raingear have any protective device which would protect the carrier from oncoming traffic.

(5) Parcel post carriers face similar danger in handling canvas sacks with metal buckles which blow loosely and cause damage to the face and eyes. In addition, they have difficulty controlling a load of parcels on a small handcart and very frequently find themselves chasing packages down the street.

(6) Collectors are forced to pull collection boxes with water above their knees and frequently find the mail floating around inside the boxes. This condition becomes more hazardous as they are also subjected to fallen live wires and potholes in the roads which cannot be seen when there is several feet of water in the streets.

(7) Carriers have been ordered to report to work while the sheriff's department is still pleading with people to stay off the streets unless it is an emergency.

(8) Carriers have been ordered to make delivery of a handful of mail on streets filled with debris, broken glass and live wires.

(9) Because of the many units in a postal installation, communication between management and employees is dreadfully poor. News media such as television and radio make repeated reports to airline employees and other essential employees and at times when the majority of employees can be reached. The post office announcements are very infrequent and come at times when employees have al-

ready retired for the night. Those who do not hear the reports are denied administrative leave.

(10) Employees in other Federal, State, and local agencies are excused when official hurricane warnings are posted, but the poor guy out on the street just keeps plugging away as his agency has failed to make suitable provisions for him.

(11) The Post Office Department has failed to establish a criteria as to what wind velocity must be met before curtailing delivery. Postal employees have pleaded with management to sit down and jointly discuss a policy agreeable to all, but the attitude is more on saving a dollar than a life.

Those are the views and I think that you will find some helpful information from these other witnesses, I am sure.

Mr. DULSKI. Thank you very much.

Mr. PEPPER. Thank you very much.

Mr. DULSKI. Our next witness is Mr. Glenn Stahl, Director of the Bureau of Programs and Standards, U.S. Civil Service Commission. You may proceed, Mr. Stahl.

STATEMENT OF O. GLENN STAHL, DIRECTOR, BUREAU OF PROGRAMS AND STANDARDS, U.S. CIVIL SERVICE COMMISSION

Mr. STAHL. Thank you, sir. I am pleased to have the opportunity to represent Chairman Macy and the Civil Service Commission on this legislative matter this morning. There was a letter of August 16 addressed to the chairman of the Post Office and Civil Service Committee from Chairman Macy with reference to H.R. 11434 which I would like to ask be introduced into the record.

Mr. DULSKI. It is so ordered.

(The letter follows:)

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C., August 16, 1966.

HON. TOM MURRAY,
Chairman, Committee on Post Office and Civil Service, House of Representatives,
Room 345, Cannon House Office Building.

DEAR MR. CHAIRMAN: This is in further response to your request for the Commission's views on H.R. 11434, a bill "To require the appropriate authorities of Federal executive branch agencies to excuse from duty, without loss of pay or reduction in annual or sick leave, employees under their respective jurisdictions in areas covered by official hurricane warnings or warnings of other severe weather conditions."

The Commission objects to the proposal that agencies in the executive branch be required to excuse from duty without loss of pay or reduction in annual or sick leave all employees not required for reasons of public safety or emergency services when the Weather Bureau issues hurricane or other severe weather condition warnings.

The Commission objects first to the provision that makes it mandatory for appropriate authorities in agencies to excuse employees without loss of pay or reduction in annual or sick leave; agencies are presently authorized to do this when conditions warrant it. Another objection is to the requirement that this course of action be taken following all such Weather Bureau forecasts.

An official of the Weather Bureau has stated that accuracy of hurricane forecasts is subject to an error of about 50 miles and 12 to 24 hours. This relatively high degree of accuracy of forecasts depends on the proximity of the hurricane, and the initial warning may be revised many times before the hurricane actually reaches land. Thus the problem is raised as to which forecast—the initial one or the final one—would authorize and direct agencies to act.

In forecasting other types of severe weather, such as heavy snow or tornadoes, the Weather Bureau says it is forecasting conditions that are likely to develop in an area. Unlike the forecast of a hurricane, which is a prediction of the direction it is likely to travel, other kinds of forecasts are predictions of conditions not yet in being and consequently quite unreliable.

The Commission therefore believes that existing authority—for example, the authority under Commission regulations to excuse wage board employees without

loss of pay or reduction in annual or sick leave when actual conditions warrant it—is entirely sufficient. Various decisions of the Comptroller General control dismissal of employees on a per annum basis and are generally consistent with our regulations governing dismissals for wage board employees. Further, this present authority is much less likely to result in unnecessary dismissal of employees.

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

By direction of the Commission:

Sincerely yours,

JOHN W. MACY, Jr., *Chairman.*

Mr. STAHL. The position of the Civil Service Commission on this issue, Mr. Chairman, is a very simple one. In the first place we feel that there is adequate authority for administrative release of employees in case of natural disasters, storms, and the like and in even many other varieties of circumstances. This has been done for quite a few years.

Second, we object to the mandatory provision that would attempt to treat all Federal agencies and all Federal employees exactly alike as if their circumstances were all alike. First of all, with respect to the matter of the authority, our feeling is that the authority is entirely adequate and there have been excusings of employees regularly for years for these purposes.

To my knowledge, the Civil Service Commission has not received any complaints that any employees have been hurt or killed or suffered any property losses as a result of not being dismissed in time at any location in the country. This does not mean that this has not happened. I am just saying that nothing has been reported to us.

The absence of any such information, to be sure, helps influence the judgment of the Commission. My understanding is that when Hurricane Betsy hit Miami last September, most employees were dismissed about 2 o'clock and none any later than 4 o'clock. The storm did not hit until that night. I think practically all employees were off the next day without charge to leave.

If there were any exceptions to that, and we recognize exceptions can occur, I am not sure they would have been cured by having some mandatory provision in the law, because the chances are that some supervisor did not get the word.

It is also possible he would not get the word if there were mandatory provisions in the law. As a matter of fact, under the present authority, all kinds of conditions may make it reasonable for an administrator to release employees. Local transportation services may break down which force an employee to be late for work or not get to work at all. He can be excused. Such conditions as releasing employees to vote or make blood donations or provide emergency rescue work have long been appropriate circumstances justifying the release of employees. This has been going on for years. All employees in the Washington area were excused some years ago, about 10 or 12 years ago, when a hurricane came through Washington. They were excused early in the afternoon.

The other aspect of the mandatory feature is this: We think it is very difficult to try to regulate, by statute, things that are as variable and as varying as weather conditions. For example, the Weather Bureau, we are told, gives many warnings about hurricanes or about tornadoes. They can be somewhat more definite about hurricanes than they can about tornadoes. Tornadoes are quite erratic. Hur-

ricanes give some prediction of their paths, as much as several days in advance, but even they change their paths.

The question comes up as to which warning: the first warning, the second warning, the third warning, the fourth warning, which one is it that would trigger and require the administrator to release employees? We foresee this possibility with respect to such warnings as tornado warnings, an administrator would question whether he was not required to dismiss employees if the Weather Bureau said there were tornadoes in the area and yet no tornado ever came, or came close to, an area. Employees might be let off for a day for no good reason.

We also think that there are a lot of differences among Federal agencies. In Hurricane Betsy I am told that some employees in the Federal Aviation Agency, the men who man the control towers at airports, were not excused as early as some employees in other agencies last September. The reason for that was perfectly good. It was simply that there was still some prospect that some planes might attempt to land at the Miami Airport. Consequently, they had to keep a nucleus of people on duty whereas otherwise they might well have been excused as early as other employees.

A Federal hospital, an air traffic control tower, or a Federal prison, or a post office are all quite different and to try to blanket this all under one law that makes it mandatory rather than permissive, we think, would be unwise. As I say, our judgment is partially influenced by the fact that we have heard of no great problems.

Last year, after Hurricane Betsy, Mr. John Griner, president of the American Federation of Government Employees, did ask us to look into a matter where he thought that some employees had been treated badly because they were apparently charged annual leave or were not excused without charge to leave as he thought they should have been. This was all worked out afterward and the thing was corrected, to our knowledge, to his satisfaction and to the employees' satisfaction. Requiring every agency head with the exceptions noted in the bill, to release employees whenever the Weather Bureau gives a warning, we think, would be most unwise and most unworkable and we are doubtful that it would achieve the objective any better than the present permissive authority on the books.

If you have any questions, sir, I will be glad to attempt to answer them.

Mr. DULSKI. Do you have a copy of the bill?

Mr. STAHL. Yes, sir.

Mr. DULSKI. On page 2, I am advised by counsel, after the word "issued" we could insert "warnings of imminent danger of hurricanes or other inherently dangerous weather conditions". That would be additional clarifying language.

Mr. STAHL. You would add after the word "issued", "warnings"——

Mr. DULSKI. "Warnings of imminent danger."

Mr. STAHL. Yes, sir. I think that that would probably work in the right direction. We are still fearful of anything that appears to treat all employees alike, when you require an agency manager to treat them all alike when their situation is different. This language will still require interpretation. It will require quick judgment. It will require interpretation of the phrase "public safety." I am not sure we are really achieving anything here by adding another law in this detail on the books, which we think could more properly be handled by regulation.

We are quite prepared, if it can be shown that our regulations are inadequate, to reconsider those. So far as I see, we have not found that anybody suffered.

Mr. DULSKI. You make the statement that all employees should be treated alike. Is there not a differential in the scale of payments to employees in Alaska and Hawaii?

Mr. STAHL. I am not sure I understand. With respect to their pay?

Mr. DULSKI. They receive additional compensation, 15 percent, to cover the extra cost of living. All employees want to be treated alike. I want to bring out the example that employees in Alaska and Hawaii are receiving a 15 percent additional pay.

Mr. STAHL. That is correct. They do receive this cost-of-living allowance—25 percent in Alaska, 15 percent in Hawaii, and 5 percent in Puerto Rico and the Virgin Islands.

Mr. DULSKI. We appreciate the statement of the Civil Service Commission. I am sure that we are looking for the best interests of all concerned. I think this is somewhat like the need for a fire department. We have it there and hope we do not have to use it.

Thank you very much.

Mr. STAHL. Thank you, sir.

Mr. DULSKI. Our next witness is Mr. Patrick J. Nilan, legislative director, United Federation of Postal Clerks, accompanied by Mr. Stanley Gold, legislative representative, Dade County Council of Postal Employees, Miami, Fla.

STATEMENT OF PATRICK J. NILAN, LEGISLATIVE DIRECTOR, UNITED FEDERATION OF POSTAL CLERKS

Mr. NILAN. Mr. Chairman and members of the subcommittee, the United Federation of Postal Clerks welcomes this opportunity to present this statement as the exclusive national representative of the Nation's 265,000 postal clerks under the terms of our national agreement with the Post Office Department.

For the record, I am Patrick J. Nilan, legislative director of our AFL-CIO postal clerks' union. I am accompanied this morning by Stanley Gold, executive vice president of our Miami, Fla., local 172. Mr. Gold is appearing, however, as legislative representative of the Dade County Council of Postal Employees, AFL-CIO, Miami, Fla., and will present his own statement at the conclusion of my testimony.

I wonder for a minute, before I continue with my prepared statement, if I might refer to the legislation that is being considered by this distinguished subcommittee and to the remarks of the previous speaker to be sure we understand the intention of the legislation and perhaps also the position of the previous witness. We are very much impressed by the concern of Mr. Stahl representing the Civil Service Commission that uniformity be an important consideration here among all of the various Government services.

If I read Mr. Pepper's very excellent bill correctly, it specifically provides that for those employees, and I quote:

Whose presence is not required for reasons of public safety, emergency services, or the national security * * *.

Certainly this gives the Commission and the agency heads considerable latitude on the type of employee that would be released. Also

if I may, Mr. Chairman, the final section of Mr. Pepper's bill provides on page 2, section (b):

The United States Civil Service Commission shall prescribe uniform regulations which shall govern the administration of this Act.

Again, the Civil Service Commission would have not only the authority but the responsibility to see that consistent and uniform regulations were applied. I believe that taking the language of the legislation with the concern of the previous witness, that certainly many of the problems which he may be concerned with we find probably would not come about.

Again, another reason why we support the legislation.

If I may return to my statement, Mr. Chairman.

The United Federation of Postal Clerks enthusiastically supports H.R. 11434 as introduced by Representative Claude Pepper and commends the committee for scheduling hearings on this legislation. The objective of this legislation is very important to the safety and well-being of not only our postal clerk membership and their families, but to thousands of other Federal employees.

The pending legislation, H.R. 11434 proposes to—

require the appropriate authorities of Federal executive branch agencies to excuse from duty, without loss of pay or reduction in annual or sick leave, employees under their respective jurisdictions in areas covered by official hurricane warnings or warnings of other severe weather conditions.

At the present time Federal officials are authorized to grant such administrative leave when severe weather conditions exist; however, the United Federation of Postal Clerks wholeheartedly concurs with Representative Claude Pepper when he states that—

such leave should be automatic when the Weather Bureau warns of an approaching hurricane.

Representative Pepper further recommends—

employees should be able to remain home or go home immediately to take the necessary steps to protect their families and property, and there should be no bureaucratic delay while agency heads try to second-guess the U.S. Weather Bureau on what a dangerous storm is going to do.

Mr. Chairman, we are reminded of that old adage, "Consistency thou art a virtue." We recognize the wisdom of this quotation, but frankly the way far too many postmasters and other postal officials interpret this simple passage would indicate the opposite is true, namely, "Inconsistency thou art a virtue."

The rank and file membership of our union and officers in post offices have frustrating and often bitter experiences with the inconsistent, arbitrary, and rarely satisfactory administrative leave policies of postmasters and the Post Office Department.

Postal clerks and their families in some States of this great country of ours are regularly visited by hurricanes, often devastating and with tremendous damage, loss of personal property and danger to life and limb. These loyal and hardworking postal clerks have certainly experienced these frustrations and lack of fair, reasonable, and protective application of present administrative leave practices by postmasters.

Certainly, our membership in the great State of Florida, home of Representative Claude Pepper, sponsor of this legislation; Louisiana, and other Gulf States, and the Carolinas, are rightly concerned with

the present leave inequities and endorse H.R. 11434 as does our AFL-CIO postal clerk union to protect the lives and property of our people.

The Post Office Department, in part 721.921 of the Postal Manual presents interesting but contradictory policy definitions for relieving employees from duty when "acts of God" occur. The Department acknowledges that "acts of God involve community disasters such as fire, floods, or storms." However, in our opinion this part of the manual actually and in effect, discourages local postmasters from implementing this section of the Postal Manual equitably among all employees by restricting reasonable and timely release of employees consistent with adverse and threatening weather conditions, such as U.S. Weather Bureau hurricane warnings.

Many postmasters are reluctant to ever grant administrative leave under the "act of God" provision in the Postal Manual. Others who do grant a minimum amount of such leave, usually at the very last possible moment, do so without any consistent policy or in the best interests of all employees. In either case, controversy, frustration, and severely dented morale results and creates a discontented and unhappy group of postal employees.

Our postal clerks work around the clock, 24 hours a day, and, as all citizens, are responsive to all media of communication, radio, television, and so forth. When public announcements are transmitted over these media by the U.S. Weather Bureau, public safety officials, and others, warning all persons to return home, stay off the streets, protect their property, and prepare for an expected hurricane, our postal clerks do not know who to believe as to when this "act of God" condition is official.

Our loyal postal clerks are often torn between a desire to protect the lives and property of their loved ones and themselves and their dedicated desire to perform their postal duties efficiently and responsibly. All too often, local postmasters seem more concerned to save a few hours and second-guess the U.S. Weather Bureau than demonstrate the same dedication to family, life, and job that the postal clerk does so ably.

Postmasters are supposed to know postal business, but certainly are not qualified or competent weather forecasters by any stretch of anyone's imagination. H.R. 11434 would permit postmasters to continue operating post offices but relieve them of any need to be expert weather forecasters. They are not being paid to perform both services.

Mr. Chairman, I have purposely testified on the more general aspects of existing administrative leave policies in the postal service, the inconsistent and controversial implementation of such leave practices and our complete support of H.R. 11434. This bill is a reasonable legislative proposal to establish consistency, equity, and responsibility in protecting postal clerks, other Federal employees, their families, and property under the severe weather conditions outlined in the proposed legislation.

My colleague, Stanley Gold, will present testimony more concerned with the specific impact of severe hurricane warnings on scheduling, releasing, and granting leave to postal employees. We believe H.R. 11434 would be extremely helpful in resolving the problems experienced by the postal employees Stanley Gold speaks for here today.

Before I conclude, Mr. Chairman, we would like to concur and would like to recommend that the subcommittee amend the pending legislation with a section providing that postal and Federal employees be continued in a paid leave status as defined by the bill until the U.S. Weather Bureau rescinds the hurricane or other severe weather warning in the area concerned. H.R. 11434, as written, provides for the original releasing of employees from work under the conditions defined, but has no protection for an employee directed by a postmaster to return to work when existing weather conditions may continue to be dangerous to life or property.

Departing from the statement for a moment, we would like to also state that we regret very much the obvious necessity for the enactment of such legislation as H.R. 11434 into law, but in our opinion such a law is absolutely necessary to judiciously, reasonably, and equitably protect Federal employees under the conditions outlined in the bill as well as the Federal and postal services.

Thank you, Mr. Chairman, and members of the subcommittee, for this opportunity to present the views and recommendations of the United Federation of Postal Clerks in support of H.R. 11434. We urge your early approval, as well as that of the Congress, to enact the legislation into law.

Mr. DULSKI. Thank you very much, Mr. Nilan, for a very fine statement. You have touched all the points to clear up any doubt that this legislation is necessary.

Mr. PEPPER, would you like to join me here? I would be very happy to have you here with me.

Mr. PEPPER. Thank you very much, Mr. Chairman. I am very comfortable here. I may have to go to a Rules Committee meeting. If I leave, you understand they have called me.

Mr. DULSKI. As I say, you are most welcome.

Mr. PEPPER. Thank you very much.

Mr. DULSKI. Proceed, Mr. Gold.

STATEMENT OF STANLEY GOLD, LEGISLATIVE REPRESENTATIVE, DADE COUNTY COUNCIL OF POSTAL EMPLOYEES, MIAMI, FLA.

Mr. GOLD. Mr. Chairman, my name is Stanley Gold, legislative representative of the Dade County Council of Postal Employees. Our council represents all 11 AFL-CIO postal locals in Dade County, Fla., including the National Association of Letter Carriers, United Federation of Postal Clerks, National Association of Special Delivery Messengers, National Federation of Post Office Motor Vehicle Employees and the National Association of Mailhandlers representing about 5,000 postal employees in Dade County. I was chosen by the council to appear before this subcommittee to speak on our good friend Congressman Claude Pepper's bill, H.R. 11434. I am also executive vice president of Local 172, United Federation of Postal Clerks, Miami, Fla.

With great frequency, hurricane winds do affect the peninsula of Florida, disrupting all normal functions of our area, and this includes the mail service.

Preceding a hurricane, we do receive progressive warnings from the Weather Bureau, starting with gale warnings, then hurricane alert and then as the hurricane approaches, the hurricane alert is changed to

hurricane warning. At this time the Weather Bureau notifies the public by radio and TV to take all possible precautions for life and property. At this point it is left up to the discretion of the local postmaster as to when administrative leave should be given to postal employees. Many times the postmasters in the south Florida area have varied the hour which administrative leave would be given.

The following report is an example of the use of discretion by postmasters during Hurricane Betsy which hit Florida in September 1965.

Between 12 noon and 3 p.m. on Tuesday, September 7, 1965, announcements over television and radio told people in south Florida to keep off the streets for their own safety. These broadcasts were made direct from the Weather Bureau in Miami, and 50- and 60-mile-an-hour winds were blowing at the time. Nearly all the larger companies and businesses announced by 1 p.m., over radio and TV, that they would be closed and employees on the afternoon shifts should not report to work. Even the post office in Miami announced, "No more mail will be picked up after 3:30 p.m." I guess it was too dangerous for trucks to remain outside. However, the afternoon mail delivery by carriers on bikes or with handcarts continued. I was informed the West Palm Beach postmaster declared administrative leave at 3 p.m. for his employees. Hollywood postmaster declared it at 4:30 p.m. Hialeah and Opa-locka postmasters declared it at 5 p.m. and the Miami postmaster declared 6 p.m. as the time authorized for administrative leave to begin.

The Miami postmaster claimed he got his advice from the Weather Bureau. The employees and everyone else got the advice from the radio and TV reports as early as 12 noon that day. "Hurricane is coming, stay off the streets, take all precautions for the storm," plus the fact they could tell by the high winds in the early afternoon that the storm was near. I am sure the radio and television announcers also got their information from the Weather Bureau.

Employees that were scheduled to report before 5:30 p.m. decided for the best interest of their families and their own lives that they shouldn't report to work; none of these employees were given administrative leave for that day. Management claims that anyone who was in a leave status at the time administrative leave was given remains in that status and does not get administrative leave.

Some employees did not ask for any leave because they naturally assumed that administrative leave would be granted, but they were placed in an annual leave status by management because the post office wanted them to be in a pay status.

I would like to explain this. There were employees who called up the post office and asked permission to be off. At that time the operators had instructions to tell them they were allowed to take annual leave and some of the employees either took the annual leave, thinking that they were going to get administrative leave later, or some of the employees said, "I will just take the day off hoping I will get administrative leave."

These employees that did not take any leave were given annual leave and once they get annual leave they cannot get administrative leave for the rest of the day.

Employees filed grievances about not getting administrative leave for that day. We won some cases where employees already at work were told to go home early by supervisory personnel; and these

employees were granted administrative leave for the unworked time, but they had to file grievances to get it.

After many delays as to how the grievances were to be handled, management finally decided that the region, under article IX, paragraph S of the national agreement, would hold a local hearing. The region had one hearing officer flown down from Atlanta, Ga., to Miami by jet. He was paid \$16 a day extra for living expenses for 3 days. The hearing committee was made of three people. There was a total of 14 hearings. I represented 10 of them for the United Federation of Postal Clerks and 4 were represented by the National Postal Union. Two full days were spent on these cases plus transportation for the hearing officer, or about \$700 total cost for the post office.

Out of the 14 cases the employees lost 8 of them. We appealed these eight to Washington. The region appealed all 14 cases including those that we had won. After many months the Post Office Department decided the postmaster was right, and we lost all of the 14 cases. The Post Office Department felt that the postmaster has the right to decide when to give administrative leave.

It was estimated that the Post Office Department spent over \$700 in management officials, office and other expenses on the handling of these cases. These 14 employees would have received a total of about \$350 if they had won their cases. The Department thus spent about \$700 trying to save about \$350.

Even though there were 14 hearing cases there were many hundreds of other employees involved, but they waited for the outcome of these cases.

Local 81, United Federation of Postal Clerks at Pittsburgh, Pa., and local 190 of Newark, N.J., in recent years had cases involving administrative leave where hearings were held involving as many as 200 employees.

I therefore close my statement by asking you on behalf of the Dade County Council of Postal Employees to support H.R. 11434, the hurricane pay bill, which will eliminate or cut down on the erratic and often unfair and apparently discriminatory way some postmasters grant administrative leave.

Mr. DULSKI. Thank you very much, Mr. Gold, for an on-the-spot report. Letters of testimony of this nature help the subcommittee a great deal, as you were there.

Would this legislation eliminate any of the doubt, so that there would be no need for questioning whether administrative leave or regular leave is to be charged?

Mr. GOLD. I believe when the Weather Bureau announces a hurricane warning, which means that the hurricane is here—and that is the time they usually announce it—they announce the time, 1 o'clock advisory or the 2 o'clock advisory, they announce the next weather report when they change it to the hurricane warning at that time. Administrative leave should start at that hour because many postmasters think because they can go outside and because this is only a 50- or a 60-mile-an-hour wind blowing outside it is still safe, and they will try to prolong the given administrative leave and hope that the winds will slow down.

The Weather Bureau knows when they call the warning that it is not going to slow down, but it is going to hit harder.

Mr. DULSKI. Thank you very much.

Mr. NILAN. Mr. Chairman, may I offer one closing comment?

Mr. DULSKI. Yes.

Mr. NILAN. I wanted to hold this until after Mr. Gold testified. The previous witness, Mr. Stahl, also pointed out, if I recall correctly, that the Civil Service Commission has had very few representations by employees that felt they had been unfairly treated under the administrative leave provisions. I would like to make it perfectly clear for the record that our organization has had a tremendous number of these complaints. We process them with the Post Office Department and not the Civil Service Commission under the terms of our national agreement with the Department.

I say to Mr. Stahl that in most instances, and I say practically all of them, the Post Office Department arbitrarily rules against us and none of our people get administrative leave. However, if the Civil Service Commission is also interested in being advised of these cases, I can assure the Commission that from now on our organization will be very happy to submit the hundreds that come in to us each year in this regard so that they will have evidence in their files as to the inequities of the way the administrative leave provisions are being administered, at least by the Post Office Department.

Mr. DULSKI. Thank you very much.

Mr. NILAN. Thank you, Mr. Chairman.

Mr. DULSKI. Our next witness is Mr. James H. Rademacher, vice president of the National Association of Letter Carriers. Mr. Rademacher, we welcome you before this subcommittee and you may proceed.

STATEMENT OF JAMES H. RADEMACHER, VICE PRESIDENT, NATIONAL ASSOCIATION OF LETTER CARRIERS, AFL-CIO

Mr. RADEMACHER. Thank you, Mr. Chairman.

My name is James H. Rademacher. I am vice president of the National Association of Letter Carriers, representing the Nation's letter carriers with 185,000 members in our organization.

At the outset we want to wholeheartedly congratulate Congressman Claude Pepper, of Florida, for his imaginative and keen interest in this very serious problem, and while we are applauding Representatives of Congress we want to also applaud this subcommittee, which has performed an unusual deed here in recognizing a bill of a Member who is not on the subcommittee. Because of the fact that the bill is so important to postal workers and Federal employees alike, this subcommittee has seen fit to hold hearings and we hasten to thank those responsible, including the great Congressman from New York, Mr. Dulski.

We are in full support of H.R. 11434. I do not have a prepared statement. I merely wish to express the views of our organization briefly, and I will tell you what I mean by "briefly" when I tell you at this very moment the Postmaster General is affixing his signature to an agreement with seven postal organizations and I should be there, so I shall be brief.

There is a good deal of confusion in the postal service, particularly concerning the interpretation of current regulations relative to the pending legislation. Congressman Pepper's bill emphasizes hurri-

canes but also deals in other serious weather conditions, and that is the part I would like to underscore here. Being from the great State of Florida where there is the constant concern about hurricanes, it is no wonder that Congressman Pepper has seen fit to introduce this bill, but I am certain from the correspondence he mentioned to you that he is hearing from around the country regarding other weather conditions which prevent employees from reporting for work.

Postal regulations are vague, and I might, with your permission, read them into the record so there will be a record of them. This is in part 721.921 of the Postal Manual, "Acts of God":

Employees who are scheduled to report and are prevented from reporting by an "Act of God" and employees who report and are prevented from working by such an act will be excused without charge to annual leave or loss of pay, for the time involved but not to exceed 1 day. Employees on annual leave, sick leave, or leave without pay and on compensatory time remain in such status. Postmasters and other appropriate local postal officials are responsible for determining whether absences from duty allegedly due to "Acts of God" were as a matter of fact due to such cause or whether the employee or employees in question might with reasonable diligence have reported for duty.

And then the regulation concludes with this statement:

The situation must be general rather than personal in scope and must prevent groups of employees from working or reporting to work.

What they are saying here is that there might be a storm that might prevent some employees from reporting for work, and unless all employees are prevented from reporting for work no employees may be given administrative leave.

I have a few examples which are extremely important for this case. One of them is in the city of Roanoke, Va.; another is in Annandale, Va.; and we also have some in Florida.

In the cases in Virginia, which were resolved satisfactorily only after going through the Post Office Department 6 months after the complaint originated—

MR. DULSKI. Excuse me. Will you suspend for a moment, Mr. Rademacher? We have an important message.

(Very short recess.)

MR. DULSKI. I am sorry. Go right ahead.

MR. RADEMACHER. That is quite all right, Mr. Chairman.

In the cities I mentioned there were problems on account of the snowstorm which occurred on January 29, 30, and 31. A ridiculous situation occurred in Annandale where the postmaster telephoned six employees and said, "We can't get to the post office. The trucks can't even get there. Don't report for work." He could not reach the other six employees, who stayed at home because of their inability to get to the post office, and because of the fact he could not reach them and they stayed home they were denied administrative leave. Six months later the Post Office Department ruled they should be all treated alike and they were paid, but that was 6 months later.

At Jacksonville, Fla., the postmaster used television and radio to announce to the employees they were not to report because of Hurricane Betsy. For the first day, September 9, they received administrative leave, but because they followed instructions and stayed home due to Hurricane Betsy they were denied administrative leave for September 10 and charged annual leave. Subsequently, after many investigations which cost considerable in time and dollars, they did receive administrative leave and were paid but the substitutes were

told, "Since you could not work anyway you will get only 2 hours' pay." They were only paid for 2 hours instead of a full day's pay because they were not able to perform their duties because of an "act of God."

Last fall at Daytona Beach, Fla., during Hurricane Betsy, we had a letter carrier who was driving a mailster. He knew it was dangerous but he was compelled to continue to deliver mail and the mailster was blown down and he was hospitalized for several weeks because he followed instructions.

I would like to give you a summary of what has happened, the lengthy delays in responding to the grievances, so the committee will understand what Congressman Pepper had in mind in introducing this legislation.

In Jenkintown, Pa., there was a severe storm on January 29 and 5 employees of that office of 20 people were unable to report to work because of the fact that the roads were so clogged with snow it was impossible for them to do so. They supplied statements from the road commissioners that not even the snowplows got through. Yet the postmaster denied administrative leave to people who lived 20 to 25 miles away and there was no way for them to get to the post office unless they were able to fly, and of course they could not do that. That was January 29. The employees requested a hearing, which they had a right to do, and on March 18 a hearing was held. On March 24 the hearing committee met to decide what to do. On March 28 the postmaster notified the men that the hearing was against them and he was denying the pay. On May 6 the group of aggrieved employees met with the regional director in Philadelphia. On June 16, 6 weeks later, they received his decision that they could not be paid. On August 30, yesterday, I presented their case before the board of appeals where it is at this moment. All we are asking is that 5 employees who were not paid because they could not possibly, under any circumstances, report for work be paid. A total of \$125 was involved plus an untold amount of value in morale to know the Government was protecting its employees. It has already cost the Government \$800 in manpower and time and paperwork since January 29 and we are still awaiting a decision, and I don't know how much more will be involved before a final decision is reached.

If Congressman Pepper's bill becomes law, people in similar circumstances will be treated as human beings and properly compensated when they cannot possibly report for work.

Mr. Stahl has said the Commission wants to be fair. The Commission is not aware of all these grievances. Many employees feel they cannot be paid and they leave it there. Mr. Stahl says we ought to be fair to Government employees and I think so too. I do not know of any Government employees who came to work on January 31 in Washington, D.C., but across the bridge employees were told if they stayed home they could not be paid because of a ridiculous regulation that says the situation must be general and not personal in scope. It was nothing personal that kept people off the streets that day. It was an "act of God."

These are some of the things we are concerned about. And we are very happy this legislation has been brought to a head. In the end, if we are not successful in having it enacted, perhaps the committee will be forceful enough to have the Department amend their regula-

tions, which they can do, and insist on more fair treatment to employees who made every possible effort and then are told because 75 percent could make it the rest cannot be paid.

Mr. Chairman, we have great faith in this committee. You have always treated Federal and postal employees fairly and we know you will continue in that attitude of being fair whether it is a bill that is insignificant to the entire problem of Government as H.R. 11434 might be. We have great faith in the committee that they will come up with some answers to this very serious problem.

Mr. DULSKI. Thank you very much, Mr. Rademacher. You have brought out many points not known by the committee. I am sure there is a human problem involved in which organizations such as yours play a vital role by protecting the rights of the employees. The subcommittee will give careful attention to all the testimony presented this morning.

Mr. RADEMACHER. Thank you.

Mr. DULSKI. Our next witness is Mr. Sidney A. Goodman, president of the National Postal Union. Mr. Goodman, we welcome you before the subcommittee and you may proceed.

STATEMENT OF SIDNEY A. GOODMAN, PRESIDENT, NATIONAL POSTAL UNION

Mr. GOODMAN. Mr. Chairman, my name is Sidney A. Goodman. I am president of the National Postal Union, an industrial union consisting of 60,000 postal employees.

I deeply appreciate this opportunity to express our views with regard to the legislation under consideration, H.R. 11434. May I say we wholeheartedly support this legislation but would suggest certain amendments in the interest of all concerned.

Firstly, it might be said that in the context of the gross compensation concept and the omnibus bills the Congress has been concerned about, that this looms as a relatively minor item. Yet this legislation is particularly noteworthy because it is the first time to my knowledge that we have a bill before us that bears directly on the question of morale, which is being sapped in the post offices today, and attempts to eliminate inequities which have been a chronic source of irritation to all postal employees over this country.

An earlier witness quoted from the Postal Manual, 721.921, "Acts of God," and, very frankly, we have found that while usually postmasters find an infinite number of interpretations and applications of a particular provision, this one undoubtedly has resulted in the weirdest judgments we have ever seen in our grievance experience.

We know, for example, where there is a serious disruption in transportation because of an act of God, we can find a postmaster in one area that does not hesitate to grant a leave of 8 hours, while another 3 or 4 miles away, the conditions being the same, summarily denies such request. It might be argued it is impossible to assure absolute uniformity in administrative judgments. That may be true, but the arbitrary way in which this judgment and discretion is applied obviously requires correction.

Again I refer to Hurricane Betsy, September 7, 8, and 9. We also were involved in a number of appeals to the board of appeals. Mr. Dunlap, the postmaster at Miami, summarily decreed that no em-

ployee scheduled to report before 6 p.m. on those days could receive administrative leave because of an act of God. This was because of the predictions of the Weather Bureau. This is an example of the conflict between departments of the Government. The Weather Bureau gave repeated warnings by noon, but Mr. Dunlap said there was no hurricane warning before 6 p.m.

Mr. Chairman, we think it is time to bring a measure of reason and equity in the application of this provision. We would note that in all probability most agencies do not have this problem, with the exception of the Post Office Department, the Forest Service, the Veterans' Administration, Customs and Immigration. Other agencies probably do not have field service that operates 7 days a week. So while it is a minor thing in itself, it is a major source of complaints.

Firstly, in practice the decision of a postmaster is very difficult to overcome. He merely summarily decides he will not pay and that is the end of it. In practice there is very little consideration of the individual merits. They all tend to merge into one administrative decision, which is totally unfair. It is possible in a given metropolitan area to have one part of the city entirely cut off while the place of work is accessible to those employees residing in other sections. Frequently this fact is ignored. I was involved in 400 appeals in the city of New York in connection with administrative leave because of a snowstorm that occurred on December 13, 1961. Between that period and the following May we considered 400 cases. Fortunately, the director of personnel of New York City, Mr. Henry Roginski—and I think he deserves commendation—took a human approach. He took every individual case and with a map of the city of New York showing the subway system and other transportation systems he considered each case. As a result, 150 of the 400 were approved. The total cost to the Department actually was in excess of the amount involved in the leaves granted. The point was, we got individual consideration, but this rarely happens.

We had a flood of the Mississippi River last fall in the St. Paul-Minneapolis area. Our experience here was relatively good. The postmaster in St. Paul-Minneapolis made reasonable judgments. But here, again, we were fortunate because the requests might have been summarily denied even though our employees were working with hip boots on in St. Paul and in fact it was entirely cut off for 36 hours and all mail had to be received via Minneapolis.

So we say it is time to do something very definite about it rather than leave it to the whims and impulses of 25,000 or 30,000 individual postmasters.

We suggest, firstly, that wherever there is a denial of administrative leave the onus should be placed on the postmaster and he should be required to give to the employee at least a detailed statement as to why, in his particular case, the leave is being denied. Again I remind you that no such thing is done. It is a summary judgment given with no consideration to individual requests.

Secondly, we would suggest the following change in language in the bill as it appears. It could be made in the introduction. I would suggest in the first paragraph, the fourth line, which begins "respective jurisdictions" we insert "when unable to report for scheduled duty"; and then continue, "in areas covered by official hurricane warnings or warnings of other severe weather conditions," and add, "or because of fire, flood, or serious interruption of public transportation."

We suggest this would be a more comprehensive and rational approach, because while in one section a hurricane may be the only basis for an administrative leave, in another area it is snowstorms and in another area it is floods. So we suggest this language would be more suitable for general application in a country the size of the United States.

Again I would emphasize that this legislation has a significance far beyond its actual cost. It sounds like a gripe and perhaps in a sense it is, but may I assure this subcommittee that no complaints have been more insistent, more annoying, and more irritating to the employees. Nothing is more irritating to an employee than being denied something that another employee is getting. Some employees are philosophical and they do not even bother. There must be untold thousands of employees who unquestionably were entitled to leave and did not bother because of the Department's cynical approach. Other employees are alert and press it before the board of review. We should not place a premium on a postal employee being aggressive. It is a question of equity and it is apparent on the basis of our experience that it requires appropriate legislation to assure uniformity in the application of regulations of the Postal Manual.

So we request and urge that the subcommittee give this very serious consideration because we think it will do itself and the postal service a great service in rectifying the inequities and confusion that have been in existence for many years.

Mr. Chairman, we urge very strongly that the subcommittee act early and favorably on this legislation, with the suggested amendment.

Thank you very much, Mr. Chairman.

Mr. DULSKI. Thank you, Mr. Goodman. I commend you on the fine statement you have made without prepared testimony. You dealt with the human element and brought out many examples that are uppermost in your mind because of the experience you have had. These will play a very important role in the decision of this subcommittee.

Mr. GOODMAN. Thank you.

Mr. DULSKI. Our text witness is Mr. John A. McCart, operations director, Government Employees' Council of the AFL-CIO. Mr. McCart, we welcome you before the subcommittee, and you may proceed.

STATEMENT OF JOHN A. McCART, OPERATIONS DIRECTOR, GOVERNMENT EMPLOYEES' COUNCIL

Mr. McCART. Mr. Chairman and members of the subcommittee, the council and its 32 AFL-CIO unions representing Federal employees in postal, classified, and wage board job categories join in endorsing H.R. 11434, introduced by the distinguished House Member from Florida, Representative Claude Pepper.

We appreciate your subcommittee's interest in the legislation to the point of arranging a hearing on it.

The fundamental effect of the pending bill will be to eliminate the present confusion and inconsistency which exist when Federal employees of different agencies in the same locality experiencing the same emergency weather conditions are subjected to varying treatment by agency heads.

Present Civil Service Commission regulations empower agency officials to exercise discretion in excusing employees from duty when dangerous weather conditions occur. As a result, all employees do not receive the same consideration, not only among the various agencies, but even within the same agency. H.R. 11434 corrects this situation by requiring that employees be excused when the Weather Bureau verifies that weather conditions are serious and hazardous. Of course, the bill provides that essential Government services involving public safety, emergencies, or national security be maintained.

The Civil Service Commission maintains that existing authority is adequate to cope with all such emergencies. We know that present regulations have resulted in inequities to employees and that the effective solution can be found only in the enactment of a statute. While insisting that present rules are sufficient, the Commission proposes no alternative for resolving the injustice experienced by employees who find it totally impossible to report for work because of bad weather.

Lack of uniformity, the Commission contends, would follow passage of the bill because varying conditions could not be predicted with accuracy. However, the bill authorizes the Commission to promulgate uniform regulations consistent with the intent of the legislation.

As we all know, hurricanes can cause loss of life and serious damage to property and interruption in public services. When warnings of such occurrences are pending, employees are anxious about their families. From the practical standpoint, their work is affected by such anxiety. In addition, their services are often needed at home to transport their families, secure their homes against the oncoming storm, purchase food and supplies, and other essential chores.

It has been suggested that H.R. 11434 be revised to include "inherently dangerous weather conditions." We believe this is a desirable amendment.

One basic fact is evident. Under present regulations, all employees are not receiving equitable consideration. The evidence presented to the subcommittee by our affiliated unions fully substantiates this contention. The only solution we can envision is enactment of legislation, such as H.R. 11434.

The council urges early, favorable action by the subcommittee.

We appreciate the opportunity of commenting on this significant proposal.

Mr. DULSKI. Thank you, Mr. McCart, for your testimony and for your suggested amendments.

Mr. McCART. Thank you.

Mr. DULSKI. There being no further witnesses, the subcommittee stands adjourned subject to call of the Chair.

(Thereupon, at 11:30 a.m., on Wednesday, August 31, 1966, the subcommittee adjourned subject to the call of the Chair.)

(After conclusion of the public hearings, the chairman of the subcommittee verbally requested the views of the Postmaster General on H.R. 11434. The report of the Postmaster General follows:)

THE POSTMASTER GENERAL,
Washington, D.C., September 29, 1966.

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

DEAR MR. CHAIRMAN: This is in response to your request for our views with respect to H.R. 11434, a bill to "require the appropriate authorities of Federal executive branch agencies to excuse from duty, without loss of pay or reduction in annual or sick leave, employees under their respective jurisdictions in areas covered by official hurricane warnings or warnings of other severe weather conditions."

The Post Office Department opposes the enactment of H.R. 11434 since the intent of this bill has been for many years an accomplished fact pursuant to administrative practices consistent with current law. And we would oppose any measure which would provide release time or excuse time from duty upon the initial Weather Bureau warnings.

The purpose of the Weather Bureau hurricane warning is to give at least 12 to 24 hours' prior notice that the hurricane will occur. The area covered by the initial warning is normally subject to about 50 miles' variance. Thus, in many instances, the provisions of this bill would grant employees time off with pay from 12 to 24 hours in advance of the hurricane strike and in areas that might be as far as 50 miles away. This would unnecessarily cripple the postal service in the warning area, and subject this Department to severe public criticism concerning releasing employees from duty in places where all other activities were carried on in the normal manner. Moreover, we envisage utter confusion in attempting to determine with exactness the postal installations which would be covered by Weather Bureau warnings.

Our practice is to release employees from duty in all danger areas in sufficient time for them to reach desired locations safely. After the hurricane, we also excuse employees from duty without loss of pay or charge to leave until the appropriate authorities give clearance for safe travel in the storm area. As the legislation would, we do not now require our postmasters to wait for a Weather Bureau warning where the local conditions dictate earlier dismissal action. For example, there are times when extremely high tides precede hurricanes and inundate roads and endanger bridge constructions. On these occasions, postmasters would be expected to give timely consideration and action in keeping with the safety of their personnel.

In critical areas, key postmasters have developed a direct contact with the Weather Bureau, thereby enabling them to follow the progress, direction, and extent of each storm or hurricane closely. For example, our postmaster in Miami, Fla., is a member of the Federal Executive Council's Committee established to coordinate the timing of release from duty of Federal employees in the Dade County area. As a member of this committee, the postmaster meets with specialists in the Weather Bureau's National Hurricane Center and keeps closely informed as to the progress of a hurricane's path and magnitude. The postmaster in turn disseminates this information to our regional office and other postmasters in the critical area in order that they, too, might keep current with the path, magnitude, and timing of the hurricane.

We have been advised by the Bureau of the Budget that from the standpoint of the administration's program there is no objection to the presentation of this report to the committee.

Sincerely yours,

LAWRENCE F. O'BRIEN.

