

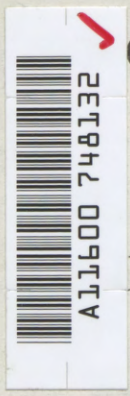
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# FIVE-DAY WEEK FOR POSTMASTERS

GOVERNMENT  
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## HEARING BEFORE THE COMMITTEE ON POSTAL AFFAIRS OF THE COMMITTEE ON OFFICE AND CIVIL SERVICE UNITED STATES SENATE EIGHTY-NINTH CONGRESS

FIRST SESSION

ON

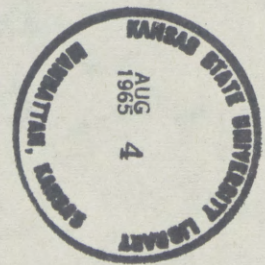
### H.R. 1771 and S. 1668

BILLS TO PROVIDE FOR A 5-DAY WORKWEEK FOR POSTMASTERS

JULY 9, 1965

II

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



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FIVE-DAY WEEK FOR POSTMASTERS

HEARING

SUBCOMMITTEE ON POSTAL AFFAIRS

OF THE

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

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| DANIEL B. BREWSTER, Maryland | HIRAM L. FONG, Hawaii |
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## FIVE-DAY WEEK FOR POSTMASTERS

FRIDAY, JULY 9, 1965

U.S. SENATE,  
SUBCOMMITTEE ON POSTAL AFFAIRS OF THE  
COMMITTEE ON POST OFFICE AND CIVIL SERVICE,  
*Washington, D.C.*

The committee met at 10 a.m., pursuant to call, in room 6202, Senate Office Building, Senator Ralph Yarborough (chairman of the subcommittee) presiding.

Present: Senators Yarborough and Fong.

Also present: William P. Gullidge, staff director and counsel; David Minton, LeGrand A. Rouse II, professional staff members; and Frank Paschal, minority clerk.

Senator YARBOROUGH. The Post Office Subcommittee will come to order. These hearings are convened to take testimony on legislation to provide a 5-day workweek for postmasters. The bills before us are H.R. 1771, which has passed the House of Representatives and has been referred to this subcommittee, and also, S. 1668, which was introduced by the late chairman of this committee, Senator Olin Johnston.

I want to insert in the record here, at the beginning, copies of H.R. 1771 and S. 1668. Following those will appear the official report of the Postmaster General dated May 18, 1965, and the reports of the Civil Service Commission, and the Bureau of the Budget on S. 1668. (The documents referred to are as follows:)

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

AN ACT To establish a five-day workweek for postmasters, and for other purposes

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

(1) striking out "postmasters" in paragraph (3) and inserting in lieu thereof "postmasters in fourth-class post offices"; and

(2) adding immediately following paragraph (5) the following new paragraph:

"(6) To compute the daily rate of basic compensation for postmasters (other than postmasters in fourth-class post offices), the annual rate of compensation shall be divided by 260."

(b) Chapter 45 of title 39, United States Code, is amended by inserting immediately after section 3576 thereof the following new section:

"§ 3577. Workweek of postmasters in post offices of the first, second, and third classes

"(a) The Postmaster General shall schedule postmasters in post offices of the first, second, and third classes to work a five-day week.

“(b) Subsection (a) of this section shall not be held or considered to permit the closing of any post office on any weekday, Monday through Saturday, inclusive.”

(c) The table of contents of chapter 45 of title 39, United States Code, is amended by inserting

“3577. Workweek of postmasters in post offices of the first, second, and third classes.” immediately below

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

SEC. 2. Section 3544(b) of title 39, United States Code, is amended by striking out “fiscal year” and inserting in lieu thereof “calendar year”.

SEC. 3. (a) The first section of this Act shall become effective at the beginning of the first pay period which begins on or after January 1, 1966.

(b) Section 2 of this Act shall become effective at the beginning of the first pay period which begins on or after the date of enactment of this Act.

(c) If the basic salary of a postmaster in a fourth-class post office was adjusted at the beginning of the first pay period which began after January 1, 1965, in accordance with the third sentence of section 3544(b) of title 39, United States Code, prior to the amendment by section 2 of this Act, and if he held such position, on the effective date of section 2 of this Act, his rate of basic compensation shall be adjusted as of such effective date, to that rate of basic compensation to which he would have been entitled if the amendment made by section 2 had been in effect on the date of such adjustment. Any increase in compensation under this subsection shall not be deemed to be an equivalent increase in basic compensation within the meaning of section 3552 of title 39, United States Code.

Passed the House of Representatives June 7, 1965.

Attest:

RALPH R. ROBERTS,  
Clerk.

[S. 1668, 89th Cong., 1st sess.]

A BILL To provide for a five-day workweek for postmasters

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

(1) striking out “postmasters,” in paragraph (3) thereof; and

(2) adding immediately following paragraph (5) thereof the following new paragraph:

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

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

“§ 3577. Postmasters

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

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

“3577. Postmasters.”

immediately following

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

SEC. 4. The amendments made by this Act shall become effective on the first day of the first pay period which begins on or after the date of its enactment.

OFFICE OF THE POSTMASTER GENERAL,  
Washington, D.C., May 18, 1965.

Hon. A. S. MIKE MONRONEY,  
Chairman, Committee on Post Office and Civil Service,  
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your request for a report on S. 1668, a bill to establish a 5-day workweek for postmasters.

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

I fully support and concur in the basic principle contained in S. 1668 of a 5-day or 40-hour workweek for postmasters except, as indicated in the bill, when such a limited workweek would not be in the public interest.

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

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

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

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

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

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

S. 1668 approaches the 5-day workweek from two directions: first, by providing a new divisor by which a day's pay may be calculated for postmasters—260 instead of 312, and second, by adding a new section to the 39 U.S.C. 3577, in which the policy of a 5-day week is expressed. These clarifications and thoughts on both items are presented for your consideration:

1. The 260 base. Using the base of 260 has the advantage of (1) establishing, indirectly, the concept of a 5-day week since 260 is the product of multiplying 52 weeks by 5 whereas 312 is the product of multiplying 52 by 6 and (2) permitting replacement clerks to cover for absent postmasters at a daily salary rate of pay high enough to make that rate monetarily equitable in comparison to the pay of an ordinary clerk. This latter point has been particularly troublesome to clerks who have complained that the hourly rate

they received as "acting" postmaster was often less than their accustomed clerical hourly rate. We oppose this section being applicable to postmasters of fourth-class offices: (1) since their work schedule over any 5 days does not encompass 40 hours a week in most cases and not over 40 hours in any case, and (2) continuing the 312 divisor will provide a base for computing the salary of the leave replacement. This is because the postmaster of a fourth-class office will work and be paid for 6 days a week. His replacement should receive pay for each day he works on the same basis as the postmaster.

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

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

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

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

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

We estimate the annual cost of this legislation to be \$24.5 million. If the fourth class is omitted the cost will be \$18.8 million. This substantial increase in costs would come at a time when the level of appropriations cannot provide for the extra cost, and when the postal deficit is of serious concern to the Department and to the President. Accordingly, the implementation of the provisions of S. 1668 if enacted may take place over a number of years in order to reduce the impact of the change in any single fiscal year.

The Bureau of the Budget advising with respect to the identical bill H.R. 1771 stated that from the standpoint of the administration's program there was no objection to the submission of that report to the committee.

Sincerely yours,

JOHN A. GRONOUSKI,  
Postmaster General.

U.S. CIVIL SERVICE COMMISSION,  
Washington, D.C., June 18, 1965.

Hon. A. S. MIKE MONRONEY,  
Chairman, Committee on Post Office and Civil Service,  
U.S. Senate, New Senate Office Building.

DEAR MR. CHAIRMAN: This is in further reply to your request of April 5, 1965, for the Commission's views and recommendations with respect to S. 1668, a bill "To provide for a 5-day workweek for postmasters."

Most Federal employees, including the majority of those in the Postal Field Service, have enjoyed a 5-day workweek for a number of years. Clearly, the 5-day workweek predominates in the United States, both in Government and

in private employment. In view of this, we believe it would be both logical and fair to extend the 5-day workweek to postmasters.

It is to be noted, however, that the workloads of postmasters of fourth-class offices require less than 40 hours' work in any 5-day period. In light of this, it would be inappropriate to include them within the coverage of S. 1668. Accordingly, we suggest that the bill be modified to exclude postmasters of fourth-class offices.

Subject to the suggested modification, we favor the enactment of S. 1668. 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.*

EXECUTIVE OFFICE OF THE PRESIDENT,  
BUREAU OF THE BUDGET,  
Washington, D.C., June 18, 1965.

HON. A. S. MIKE MONRONEY,  
*Chairman, Committee on Post Office and Civil Service,*  
*U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in reply to the committee's request to the views of the Bureau of the Budget on S. 1668, a bill "To provide for a 5-day workweek for postmasters."

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

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

If amended as proposed by the Postmaster General, the Bureau of the Budget would have no objection to the enactment of S. 1668.

Sincerely yours,

PHILLIP S. HUGHES,  
*Assistant Director for Legislative Reference.*

Senator YARBOROUGH. Postmasters in the second-, third-, and fourth-class offices are generally required to work 6 days a week. Almost all other postal employees are scheduled to work 5 days a week. That does not apply to elected officers in the U.S. Government; the 537 elected officers always work part of each day in the week. I put in an average of 72 hours, and this is not any exaggeration. Not infrequently from 84 to 98 hours a week.

Now, aside from postmasters and elected officials, most other Federal employees are scheduled to work a 5-day, 40-hour week. This principle of the 5-day week has been characteristic of postal employees for 30 years, but it never applied to postmasters.

The purpose of these bills is to extend the postmasters the same benefit now enjoyed by most other Federal employees.

Our first witness will be the Honorable Richard J. Murphy, Assistant Postmaster General, Bureau of Personnel. He is accompanied by Dr. Herbert Block, director, Compensation Division, and John Swygert, director, Installation Management Division.

**STATEMENT OF RICHARD J. MURPHY, ASSISTANT POSTMASTER GENERAL, BUREAU OF PERSONNEL; ACCOMPANIED BY DR. HERBERT BLOCK, DIRECTOR, COMPENSATION DIVISION; AND JOHN O. SWYGERT, DIRECTOR, INSTALLATION MANAGEMENT DIVISION**

Mr. MURPHY. Thank you very much, Senator Yarborough.

I want to first of all take this opportunity to commend you personally for holding this hearing and for showing such excellent progressive leadership as chairman of this subcommittee, as you did just a few weeks ago when you held a hearing on the Whitten amendment.

Senator YARBOROUGH. We have permission to hold this hearing until noon. If we don't finish, I plan to recess until tomorrow, Saturday morning.

Mr. MURPHY. I want to add to your comment that in addition to the elected officials of the Government, that there are also a few officials in the executive branch to which a 40-hour week does not apply. Especially in the upper echelon but also postal substitutes and certain regulars. However, we are strongly in favor of the 40-hour week for postmasters in second- and third-class offices who have to work in excess of 40 hours a week currently.

On behalf of the Postmaster General and the Post Office Department, we appreciate the opportunity to give you the views of the Department on H.R. 1771 and S. 1668, popularly known as the postmasters' 5-day workweek bills.

Mr. MURPHY. S. 1668 was introduced by our beloved late Senator Olin D. Johnston. H.R. 1771, a companion bill, but with certain modifications, was passed by the House on June 7, 1965.

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

Seen from that perspective one proposition which the Postmaster General has felt needed adjustment for quite some time is the whole question of work hours.

Not so much work hours per se, but work hours in terms of equity, internally, as among and between crafts and categories of employment, and externally in consonance with the theme of comparability which this administration has earnestly fostered.

That is not to say, however, that work hours per se have not been of considerable concern to the Postmaster General. Indeed they have. Postmaster General Gronouski has been deeply concerned that many substitutes regularly work excessive and inefficient overtime hours at straight time pay.

Our long-range hope on this matter is that through the most diligent scheduling and work analysis and through reasonable but vitally necessary increases in manpower allotments we can eventually achieve a normal workweek for virtually all rank-and-file employees of about 40 hours.

Last week Postmaster General Gronouski directed that no employee was to work more than 48 hours a week except for special needs. He also established an absolute work limitation of 56 hours a week for any employee.

This followed action by the Appropriations Committee that would limit any employee to a maximum of 60 hours in 1 week. We have cut that down to a limitation of 56 and the normal expectation of 48.

Senator YARBOROUGH. I want to commend the Postmaster General for his action in that regard. I can say, from serving on the Appropriations Committee, the Postmaster General has been most diligent in attempting to attain these equitable hours.

We have had more difficulties in Congress getting money appropriated to carry out the Postmaster General's reforms, than the Postmaster General has experienced. The Postmaster General has been in front of the Congress on the matter of getting proper working hours.

I was speaking of the management's working hours; that does not apply to a clerk in the post office. If you have ever gone in a major post office and seen these clerks at work, the number of letters they flip in those boxes in a short time, the rare number of errors that occur, and what individual clerks have to memorize—usually over 1,000 systems, I believe.

Mr. MURPHY. Some as many as 5,000.

Senator YARBOROUGH. I don't think there is any quarterback in the country who has to memorize as many plays as do clerks in big city post offices. I think their 40-hour workweek—would in many cases be the same as 80 hours on the management level.

Mr. MURPHY. It has been a matter of tremendous concern to Postmaster General Gronouski that the number of hours of substitute employees, especially clerks, during the past year, has, due to manpower limitations, been running as high as 80 hours a week.

We want to thank you because we know you had a good bit to do in the Appropriations Committee in getting these 8,900 of the 15,000 new positions that the Postmaster General asked for.

Senator YARBOROUGH. The chairman of this subcommittee and Senator Monroney worked most diligently to get the full 15,000 employees. The Post Office and Civil Service Committee recognizes this need.

Mr. MURPHY. We hope to do more work on that next year, and we want to thank you and Senator Monroney for your effort.

The substitutes' long hours and the regular employees frequent overtime work were only part of our total apprehension over work schedules and workload. We have also been quite cognizant of the personal workload requirements of postmasters. However, we have been limited in how much or how rapidly we could proceed to

modernize the work schedules of postmasters because of our very limited budget and the scope of expense involved.

We recognize that salary costs are necessary adjuncts of conducting one of the largest business enterprises in the world. Economics must and will be made in all phases of postal operations, but they should not be made at the expense of decent wages and working conditions for our employees.

Labor is worth its hire. We should not ask our employees to indirectly subsidize the running of the Post Office Department by paying them less than their hire is worth.

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

Unfortunately many persons seem to think of a postmastership as a glamorous sinecure where the pay is big, the number of subordinates and assistants large, and the hours of work required of the postmaster himself small.

Believe me, such a sinecure is purely imaginary. Today being a postmaster, especially of a large office, is an exceedingly demanding and time-consuming task requiring a variety of skills—a job far different from that which existed even 15 years ago.

Postmasters at our larger offices work long hours and every day necessary to carry out their numerous responsibilities as large-scale managers. But their pay is sufficiently more than that of a clerk's or carrier's to make the extra effort monetarily worthwhile.

On the other hand, the postmasterships about which we are especially concerned here, are not in the top, big city category, but those in the small offices who perform almost every chore that needs to be performed in postal affairs.

The group most affected by these bills are postmasters in the second- and third-class offices. Postmasters in the third class are in salary levels PFS-5, 6, and 7; in the second class they are in levels 7, 8, with a small number in PFS-9. Furthermore, the hard core group for whom S. 1668 and H.R. 1771 would really be beneficial are those offices which do not have an assistant postmaster or assistant to the postmaster.

The number of post offices, by classes as of June 30, 1964, were as follows:

First class, 4,359; second class, 6,864; third class, 12,922; and fourth class, 9,895.

I want to say we have preliminary figures for the end of fiscal year 1965. It shows an even further drop in the number of fourth-class offices down to 8,900, and there are minor changes in the second and third classes as well.

Most first-class offices have at least one supervisor under the postmaster, and, if the postmaster properly schedules himself and his assistant, a normal 5-day week can be arranged.

The same is true regarding about 20 percent of the second-class offices. About 5,500 seconds, all of the thirds, and all of the fourths typically have only a clerk to replace the postmaster during his actual absences. Six days of duty for these postmasters is the common requirement.

There are three different approaches to a determination of the proper work schedule for a postmaster. Basic to any approach, however, is a fundamental principle with which I believe we can all agree. That principle is that postmasters as the managers of their installations and as the field representatives of the Department have a continuous responsibility for all patron relations, mail processing, and mail delivery affairs around the clock, 7 days a week.

But the execution of that responsibility does not necessarily demand the actual physical, personal presence of the postmaster 24 hours a day, 7 days a week.

Properly we need to distinguish between those hours when we expect the postmaster to be physically present in his office as apart from those hours of his total responsibility. The approaches to the workweek then, proceed with the understanding that we are speaking only of the workweek schedule of physical presence in the office.

The first approach is to continue the status quo. The traditional argument here is that post offices are open for public service and deliveries are made 6 days a week. Therefore, the postmaster should be scheduled for 6 days a week. We know, however, that most postal employees work either 5 days a week—window clerks, city carriers, mail handlers, vehicle operators, custodial employees, or about 40 hours a week.

Rural carriers have a 6-day schedule but the majority work under 40 hours a week and when their routes become excessive and are classed as "heavy duty," the rural carrier is given a type of overtime (heavy duty compensation).

Under our national agreement with the National Rural Letter Carriers first negotiated in 1963, when a certain number of hours are reached by the rural carrier, he is given relief to enable him to take 1 day off a week or 1 day off every other week.

The common practice in the current economy is, first, the 40-hour week and, second, the scheduling of those 40 hours over 5 days a week. This is the prevailing practice in both industry and the Federal Government. We do not favor continuing the status quo.

The second approach is to attempt to reduce the workweek of postmasters through administrative devices available to the Postmaster General. In practice, this means reviewing with each postmaster the operational schedule required for his office.

Designing such a schedule is not difficult. The difficulty is attempting to effect the schedules within the limited funds and manpower complements available to the Department. Since mid-1963 we have proceeded along the path of administratively alleviating the postmaster's burden.

In addition to providing up to 10 days of leave for attendance at postal conventions, seminars, et cetera, we issued in August 1963, a new directive which permitted postmasters to take a day off during the week if they could keep their offices efficiently operating by rearranging work schedules within their assigned clerical allowances.

Further, they were permitted to take a Saturday off if a special personal reason arose and they obtained approval from their regional director. You can readily see the difficulty in this approach.

In addition to lacking regularity the entire process depends on availability of clerical allowances and funds. This year, the Postmaster General made a modest request of the Appropriations Committee for \$7 million to enable us to begin to move toward the 5-day week in a reasonable and sane fashion, without undue or sudden fiscal impact, providing each postmaster of the second and third class an average of one out of approximately each four Saturdays off, and some a little more than that. This request was disallowed when the appropriations bill for the Post Office Department passed just a few days ago.

It was disallowed by the House; was allowed by the Senate committee, but in conference it was not included.

Senator YARBOROUGH. This request met very vigorous opposition in the Appropriations Committee because many members felt that this meant that post offices would be closed on Saturday.

Mr. MURPHY. That, of course, would not be the case. We would keep the post offices open. There is nothing in this bill that would close the post offices.

Senator YARBOROUGH. That was the reason for great opposition. There is increasing complaint all over the country that post offices would be locked up on Saturday and people could not get in for service.

In a recent trip to Texas, an attorney in a county seat told me, "Our post office closes its doors on Saturday. If we have a registered letter or something urgent that needs to be done, we have to get in the car and drive to a city that is big enough to have a post office open, about 100 miles."

That is dragging down the businesses in the small towns. They cannot compete with those in a city that can render that 6-day service.

There is great opposition to closing. That is the reason I think that the \$7 million was ultimately lost in the Appropriations Committee. People fear that means a 5-day week and that people can go to their county post office only 5 days.

If they go to the Federal building, everything is locked up tight. That is the reason for the public opinion you mentioned earlier; the people think that this is a soft job with few hours and easy work.

The inability to find a Federal building open for public service on Saturday is a very detrimental factor all over the country. Some Congressmen and Senators say, "They are locked up and not working now. Why should we vote for more money?"

In all of the reforms of the Postmaster General, I hope availability of these windows to the public will be one thing that is kept in mind as a must for the Post Office Department.

Mr. MURPHY. I want to state there is nothing whatever in this bill that would cause the closing of any post office on Saturday as a result of establishing a 5-day week for postmasters of the first-, second-, and third-class offices.

One of the problems that we have had in trying to put in this reform administratively is the fact we have not had the funds available for clerical replacement, and therefore the only way you could give the postmaster a 5-day week—if you did not have the funds available—would be to close an office on Saturday. We are not in favor of that.

There is nothing in this bill which would allow the closing of an office on Saturday as a result of this.

Senator YARBOROUGH. I favor the postmasters having a 5-day week. I think it is unfair that he does not get as much hourly pay as the clerks and carriers working in the office, when he is the manager, but I don't want to do that at the expense of locking up the post offices.

If you have to lock up the post offices and deny service, I say you would just have to lose pay, because we must furnish the service to the people.

This exact point hit us in the Appropriations Committee as Senator Monroney and I were arguing for this \$7 million. Several Senators said, "If a postmaster resigned tomorrow, we would not have the doors closed. You will have no difficulty getting a replacement." We run into this. Here are some of the practical reasons we have difficulty.

Mr. MURPHY. This problem did come up on the floor of the House. I think Congressman Dulski did reply firmly that there was nothing in this bill that would allow the closing of any office on Saturday as a result of the bill, and I think that is stated in the language of the bill as it actually passed the House.

The third approach is represented by S. 1668 and H.R. 1771. The purpose of these bills, as we view them, is to establish congressional intent as to the normal workweek of postmasters. This intent is identified in two respects: (1) by providing a new divisor by which a day's pay for a postmaster may be calculated—260 instead of 312, and (2) by adding a new section to the United States Code—3577, in which the policy of a 5-day week is expressed. These thoughts on both items are presented for your consideration:

1. The 260 base. Using the base of 260 has the advantage of (a) establishing, indirectly, the concept of a 5-day week since 260 is the product of multiplying 52 weeks by 5 whereas 312 is the product of multiplying 52 by 6, and (b) permitting replacement clerks to cover for absent postmasters at a daily salary rate of pay high enough to make that rate monetarily equitable in comparison to the pay of an ordinary clerk. This latter point has been particularly

troublesome to clerks who have complained that the hourly rate they received as "acting" postmaster was often less than their accustomed clerical hourly rate.

Both Mr. Nilan and Mr. Silvergleid testified on the House side about the concern of their Members that clerks covering for the postmaster, because of the fact that the postmasters rate is divided over 6 days a week instead of 5, that on an hourly basis clerks make less when substituting for the postmaster than they do when they serve as clerks, on an hourly basis. Not overall, but on the hourly rate they do.

We oppose application of this section to postmasters of fourth-class offices. S. 1668 as written would include the fourth-class group whereas H.R. 1771 excludes them. We endorse the approach in H.R. 1771 for these reasons:

(1) The maximum work requirement for any postmaster at a fourth-class office is 40 hours over 6 days a week. Our published regulations regarding these offices list the following hours of required duty:

Revenue units	Hours daily	Minutes	Hours weekly
30 but less than 36 .....	6	40	40
24 but less than 30 .....	6		36
18 but less than 24 .....	5		30
12 but less than 18 .....	4		24
6 but less than 12 .....	3		18
Less than 6 .....	2		12

From the above it is evident that no postmaster of a fourth-class office is required to work more than 40 hours a week over a 5-day basis. Therefore, they would not be working a 40-hour week, and we feel strongly that a 40-hour week goes with a 5-day week, and that we ought not establish a 5-day week unless the people are actually working 40 hours a week.

Senator YARBOROUGH. Mr. Murphy, you said in your testimony, as of June 30, 1964, there were 9,895 fourth-class post offices. How many are there now?

Mr. MURPHY. The preliminary figures I have now are 8,909.

Senator YARBOROUGH. That is a decline of 10 percent in 1 year.

Mr. MURPHY. A decline of almost 1,000 we have had. Many of those have gone up into the third class. They were advanced in class due to the fact we had a new method of crediting revenue in the last pay bill.

Others have been consolidated or closed. I think we had 500 consolidations last year.

Senator YARBOROUGH. When they are consolidated does that mean the town loses its post office stamp?

Mr. MURPHY. I will ask Mr. Swygert to answer that.

Mr. SWYGERT. In most cases, when a fourth-class office is consolidated or discontinued, a substitute service of some kind is provided, such as a rural station or a contract station. When such a unit

is provided in lieu of the post office, we do retain the postmark and the identity of the community from which this fourth-class office was removed. Only in a few cases did we completely remove the identity of the community.

Senator YARBOROUGH. Thank you.

Mr. MURPHY. Second, because the required work hours of a postmaster at a fourth-class office are not too burdensome, a 6-day schedule is not inappropriate. Therefore, there is a need to continue the 312 divisor for this group. Postmasters at fourth-class offices would work and receive pay for 6 days a week and, correspondingly, pay for a person serving for a postmaster absent on leave would be at the postmaster's daily rate.

2. New section 39, United States Code 3577. This new section has as its main purpose the establishment as public policy of the principle of a 5-day week for postmasters. Once again I would urge modification of S. 1668 to exclude the fourth-class group as is now provided in H.R. 1771.

While we can—through the administrative approach discussed earlier in this paper—gradually continue to reduce the work schedules of postmasters to the extent funds are available, we favor enactment of H.R. 1771.

I want to say here, Senator, that we favor the enactment of 1771 with the mandatory date of January 1, 1966, as well.

The tradition of a 6-day week for postmasters is so well established that the Postmaster General and I sincerely believe it would be most appropriate for Congress, in the form of a new law, unequivocally to establish the new policy of a 5-day workweek for postmasters who have a minimum of 40 hours of required postal work to perform over those 5 days.

This would be for presidentially appointed postmasters; first-, second-, and third-class.

Once again, how rapidly the policy might be implemented would depend on the availability of funds. In any event, the policy would be established and its attainment could be projected. We estimate the annual cost of this legislation to be about \$24.5 million. If the fourth-class post offices are omitted, the cost will be about \$18.8 million.

So, the cost of H.R. 1771, as passed by the House, would be \$18.8 million.

Senator YARBOROUGH. In the fourth-class post offices postmasters have no clerks to replace them, do they?

Mr. MURPHY. That is correct, only a leave replacement.

Senator YARBOROUGH. Usually they have a little store and they work a few hours a day, allocated to the post office.

Mr. MURPHY. That is correct, and when a postmaster is sick we do require a replacement for him. In other words, this is someone we would have that would be paid at the rate of the postmaster.

Senator YARBOROUGH. Do you have someone in that community on a list of some kind?

Mr. MURPHY. That is correct. We would have someone to substitute for the postmaster whenever he took annual leave or was on sick leave.

We feel that the reason for excluding fourth-class postmasters—and this has not been well understood—is the fact that we have got to maintain the 40-hour concept with the 5-day week. Postmasters in a small fourth-class office, as I indicated, are never required for an 8-hour day.

Therefore, he would have an hour or two available during the day to go to the barbershop or to perform other personal functions that he would have to perform, whereas if he were working the required 8 hours a day, this would be difficult.

That is the reason that the Department does not favor the inclusion of the fourth-class postmaster. We think this would jeopardize the passage of the bill.

You must also consider the replacement cost that this would mean in terms of fourth-class offices. If we had a 5-day week for a fourth-class office and had to provide a replacement on Saturday, that would increase the cost.

Therefore, the likelihood of their consolidation would accelerate.

Senator YARBOROUGH. Those consolidations are strongly resisted in areas where the people want their community identity.

Mr. MURPHY. That is right.

Senator YARBOROUGH. Mr. Murphy, another problem of the postmasters which I noted in my experience—there is great demand on their time by the community generally, to serve as a judge of the court or to take part in many of the community meetings.

The president of the chamber of commerce, the county judge, the mayor, and the postmaster are the highest ranking county officials and are four of the first to be put on the list for any kind of community meeting.

They start off with those four. The postmaster is invited and if he does not attend these meetings when they are planned for the community, it leads to friction between him and the community and results in criticism of the Federal Government.

He is expected, as generally he is the highest representative of the Federal Government in that town, to go, and he has to come back and work to make up for the time he is out of the office with different community meetings.

Mr. MURPHY. I think you have a good point here. I did notice that in the debate in the House, when the matter was brought up by Mr. Dulski. The question was raised, "Does this mean we are going to be paying overtime for the time they spend at ceremonial occasions and the time they spend going to Rotary luncheons and chamber of commerce meetings or something like that?"

The fact is: No, we are not going to be paying him more money. That is part of his responsibility. That is why in most communities he is a Presidential appointee. He is expected to perform that service.

So what we are doing here, in requiring a 5-day week, is not to say the postmaster is going to be limited to working 40 hours a week and we will pay him overtime above that—most of them are going to work more than that—but we are just making it possible for him to take Saturdays off.

Senator YARBOROUGH. The postmaster is only the representative of the Post Office Department. But by the people he is regarded as a representative of the Federal Government. They invite him as the highest ranking Federal officer. They do not think of him as just representing the Postmaster General. They think of him as a representative of the Federal Government.

Do you have any questions, Senator Fong?

Senator FONG. Mr. Murphy, are we talking about postmasters of first-class post offices here?

Mr. MURPHY. Not primarily, because they are already taken care of. In every case the first-class postmaster has an assistant postmaster or somebody there that can take over for him on Saturday when he is absent. This will really apply to those second-class offices, about 80 percent of them, that do not have such an assistant; in all third-class offices where an assistant cannot be available or where a postmaster cannot arrange his clerical help to use it on Saturday so as to free him from the office on Saturday.

So first-class postmasters are already covered and are getting the benefit of the—

Senator FONG. Do second- and third-class postmasters work more than 40 hours a week?

Mr. MURPHY. Yes; they do.

Senator FONG. And the fourth-class postmasters do not work more than 40 hours a week?

Mr. MURPHY. None are scheduled to work more than 40 hours, over a 6-day period. The highest category in fourth class would be required to work 6 hours and 40 minutes a day. That is the highest category of postmasters in the fourth class.

Senator FONG. Then, the first-class postmasters have a 5-day week, fourth-class postmasters do not, and they are only on for about 5 or 6 hours a day.

Mr. MURPHY. That is correct.

Senator FONG. This is designed only for second- and third-class postmasters?

Mr. MURPHY. That is right. Around 18,500 postmasters would have direct benefit of this bill.

Senator FONG. You stated that one of the reasons for this is that many of the clerks who substitute for the postmasters do not receive comparable salary—they receive the same salary that they were receiving as clerks, when they substituted for a postmaster. Wouldn't a bill which would require that any clerk serving as postmaster would not receive a reduction in his salary—wouldn't that help in this case?

Mr. MURPHY. He does not actually get a reduction in his absolute salary. He has a reduction in the hourly rate that he is paid on the

day which he is substituting for the postmaster, because the postmaster's rate is divided by 6, because he serves over 6 days a week, whereas a clerk's rate would be divided by 5.

Therefore, he does not actually suffer a reduction in pay as such. He does get less of an hourly rate of pay during the time he is substituting for the postmaster than he would get as a clerk. If this bill passed, this problem would be eliminated in the offices where this is now a thorny problem.

Senator FONG. Is the clerk, when he is substituting for the postmaster, receiving extra compensation?

Mr. MURPHY. Yes, sir. He is receiving extra compensation over and above—

Senator FONG. Then he receives the rate of pay which is paid the postmaster?

Mr. MURPHY. That is correct.

Senator FONG. And the rate of pay paid to the postmaster is less than that paid to the clerk?

Mr. MURPHY. That is correct.

Senator FONG. If we said their rate of pay would be equivalent to the amount they were receiving as clerks, would that take care of the problem?

Mr. MURPHY. Yes, it would, and this bill would do this.

Senator FONG. Now, I notice that the Postmaster General asked for \$7 million and this bill you say would cost around \$18 million?

Mr. MURPHY. \$18.8

Senator FONG. You say that you would try to phase it in over a number of years. Would you elaborate on that?

Mr. MURPHY. Yes, sir. Our original thought was this. We have been trying now, ever since 1963, to my knowledge, to bring this about administratively, and we have taken the avenue of approach to the Appropriations Committee.

We did not feel it required a law. We have been completely unsuccessful in being able to do this. Our initial thought was, we would try to do it on a phased-in basis. We would not try to scare anybody and have any undue fiscal impact in any one year.

We would try to do it in a 3-year period. This attempt has proven to be unsuccessful.

Therefore, in view of this fact, we are now—and I am in a position now—to endorse, on behalf of the administration, the mandatory approach of H.R. 1771 with the January 1 effective date, 1966, with the strong statement that of course we will have to have the funds appropriated by the Congress in order to carry it out.

We have not one bit of room in the current budget in order to bring this about without additional appropriation, but if Congress were to agree that we had to do this as a policy, then we feel we would have a stronger case before the Appropriations Committee for these funds.

We do endorse the mandatory approach now. That is a change in our position from when I appeared on the House side, because at that time we still hoped we would be able to get the money from the Appropriations Committee to do this administratively.

Senator FONG. When you appeared before the House you thought you could get the \$7 million.

Mr. MURPHY. Yes, and Congressman Dulski indicated he would appear before the Senate committee and ask them to do that. He did, and they did. When it got to the conference committee, we lost that in the conference committee, and no funds were appropriated for that purpose in fiscal year 1966.

Senator FONG. Without the \$7 million, you could not work out a gradual phasing in program.

Mr. MURPHY. That is right. This money really is for clerical replacement, to take care of the postmaster on the day he has to be out. If we do not have the money for the clerical replacement, we cannot give the man the day off.

Senator FONG. Postal regulations give the Postmaster General the power to do that, but he does not have the money.

Mr. MURPHY. That is right.

Senator FONG. Money is the problem here?

Mr. MURPHY. Money is the whole issue here.

Senator FONG. Now you are asking us to pass this bill so that the 5-day workweek would be mandatory, and you want it effective as of January 1, 1966?

Mr. MURPHY. The House, in its wisdom, decided that this should be mandatory on the Department, and I am here to concur with the wisdom of the House on behalf of the administration, and say we support that position.

Senator FONG. You are now taking the position—

Senator YARBOROUGH. May I interrupt? I support the position of the Department, but not the fact that the House has any superior wisdom over the Senate.

Mr. MURPHY. Of course, the Senate has not had a chance to act yet, Senator Yarborough.

Senator FONG. So if you received the money, there would be no question that this will take effect January 1, 1966, and all the postmasters in the second- and third-class post offices will have a 5-day week.

Mr. MURPHY. In addition to those who already obtained it in first-class post offices.

Senator FONG. The fact is that the Postmaster General has the power, but because of the lack of funds he cannot implement it?

Mr. MURPHY. He just cannot do it, and he desires to strongly. On at least three occasions we have endorsed this plan. But we have never been able to get the money.

Senator FONG. Now, when you get the money, how is it going to work? You will hire clerks or additional personnel to take the place of the Postmaster?

Mr. MURPHY. Yes, there will be a regular person thereby hired through regular procedures, who will be the normal replacement for the postmaster during the time when the postmaster would be off on Saturday, and he would appear every Saturday and be paid out of

the money that would have been voted by the Congress for replacement purposes, for the postmaster on that Saturday.

Senator FONG. Now, with the implementation, how much shorter a workweek will the postmasters in the second and third classes have?

Mr. MURPHY. They will be required to work a minimum of 40 hours. In other words, we would arrange their schedules so they would be required to put in 40 hours of service, but they would not be required to work on Saturdays. In other words, they would work a 5-day, 40-hour week.

Senator FONG. How many hours are they working now?

Mr. MURPHY. Many work many more than that—44 or 48 hours a week, plus they put in a lot of hours they are not scheduled to work. They could continue to do that, but they would not be required to be in the office on Saturday, and that is the important thing.

Now they are required to be there on Saturday, and they cannot take off on Saturday unless they are granted leave for various purposes, such as attendance at national conventions or seminars or similar circumstances.

Senator FONG. Outside of the postmasters in second- and third-class post offices, all employees are working a 40-hour week. Is that correct?

Mr. MURPHY. That is not completely correct. There are some rural carriers that would work longer than 40 hours a week. However, we provided, under a national agreement, for certain categories of rural carriers to have every Saturday or every other Saturday off, if their required route would require them to work normally more than 48 hours a week. So there are some rural carriers who currently work slightly more than 40 hours a week under certain circumstances, but they get heavy-duty compensation for that purpose.

In addition to that, there are inspectors, for example, that work many more than 40 hours a week. They are not on a 40-hour week. In addition, there are certain regional officials that would work much more than 40 hours a week, and needless to say, the top officials in the Department at 12th and Pennsylvania Avenue work more than a 40-hour week, as do you and Mr. Yarborough and the other members of the committee.

Senator FONG. How would you relate it percentagewise?

Mr. MURPHY. I would say the overwhelming majority of the postal employees, well in excess of 90-some percent, certainly work a 5-day week and are scheduled for a 5-day week, except for the postmasters. I am excluding the postmasters when I say that.

Senator FONG. In first-class post offices, when the postmaster goes off on Saturday, how is the replacement paid?

Mr. MURPHY. He is paid out of funds that we have already appropriated for that purpose. An assistant to the postmaster or the assistant postmaster takes over the job.

In other words, he already has someone in the office that can be scheduled for that day, and he may have another day off during the week. So it does not require any additional money.

The problem arises in those offices—80 percent of the second- and third-class offices—where we have no assistants to the postmaster and

no person scheduled to be there on Saturday. To provide an additional clerk, is why we need the money. That is where the \$18.8 million comes in.

Senator FONG. This replacement for the postmaster in second- and third-class offices, will be paid on a 260-hour basis?

Mr. MURPHY. 260-day basis. Yes, that is correct for second- and third-class offices. We would divide their salaries by 260 in order to get their daily rate, instead of by 312 which is the divisor we currently use.

Senator FONG. I have no further questions.

Mr. GULLEDGE. In your prepared statement you say :

Postmasters at fourth-class offices would work and receive pay for 6 days a week and, correspondingly, pay for a person serving for a postmaster absent on leave would be at the postmaster's daily rate.

Would you elaborate on that?

Mr. MURPHY. For fourth-class postmasters we would not propose to change the divisor, because we would continue them on a 6-day basis. This does not pose a problem with the clerks, because in these offices, you do not have any clerk that normally would be serving in the office with the postmaster. It is a one-man office.

Therefore, this problem that arises in a two-man office, for example, whereby a clerk would substitute for a postmaster and get a lesser hourly rate, would not really arise in this particular case. So we would continue fourth-class postmasters—if you were to go along with what the House did in H.R. 1771—we would continue them on a 6-day week basis and continue to divide by 312 to get the daily rate.

For the other postmasters we would divide by 260, and when a clerk replaced a postmaster, he would get a daily rate of pay using the divisor of 260. Annual salary divided by 260 equals daily rate.

Mr. GULLEDGE. On page 2, lines 17 through 19 in the House-passed measure it says :

The amendment to the pay bill of last year, for fourth-class postmasters substituted calendar year in place of fiscal year.

I think it might be well to explain that for the record.

Mr. MURPHY. The law requires the Post Office Department to reevaluate the job of postmaster every year on January 1. Whenever we reevaluate these jobs, based on revenue and other items; some jobs go up and some go down. There is a change in pay category. Under the law as now written we have to use the last fiscal year as the base salary, in order to determine the correct step for the next year for the postmaster.

By using the last fiscal year, sometimes the postmaster does not get advantage of the pay increase that may have been voted, for example, between June 30 and December 30, of the preceding year, or he may not get the advantage of any step increases which may have accrued to him during that time.

So in order to help the postmaster retain whatever part of the step increase may have been voted in that interval of 6 months, we proposed the substitution of "calendar year" for "fiscal year" in the language of the law.

This would have the advantage of assisting some 100 postmasters at a minimum cost of \$35,000 and would assist all postmasters in the future, whenever we come around to make a redetermination, as to what the proper class of office is.

Mr. GULLEDGE. In addition, I believe this problem was referred to the General Accounting Office and it had also recommended this approach.

Mr. MURPHY. That is correct, Mr. Gullledge. We did refer a case along these lines to the General Accounting Office. Mr. Weitzel, I believe, did write a letter to us in which he implied this approach.

Senator YARBOROUGH. Are there any further questions?

(No response.)

Senator YARBOROUGH. Thank you very much, Mr. Murphy and those accompanying you.

Mr. MURPHY. Thank you for the opportunity and your time.

Senator YARBOROUGH. I think your testimony has been very valuable in pointing out that this will not result in the closing of post offices on Saturday. There has been some apprehension about this that has hurt us in the Appropriations Committee in our effort to get the \$7 million.

It caused some opposition to the bill. This clarification ought to remove any lingering opposition to the bill.

Mr. MURPHY. Nor does this result in any increase in salary for any postmaster. That point has come up in debate, as to whether this would result in increasing any postmaster's salary. It would not. The money here is used for clerk replacement.

Senator YARBOROUGH. In other words, he does not get more money. He just gets another day off to go spend what he has got.

Mr. MURPHY. That is right.

Senator YARBOROUGH. The next witness is James L. O'Toole, legislative chairman of the National Association of Postmasters, accompanied by John P. Snyder, executive director.

You may proceed.

**STATEMENT OF JAMES L. O'TOOLE, LEGISLATIVE CHAIRMAN, NATIONAL ASSOCIATION OF POSTMASTERS; ACCOMPANIED BY JOHN P. SNYDER, EXECUTIVE DIRECTOR**

Mr. O'TOOLE. Mr. Chairman and members of the committee, my name is James L. O'Toole. I am the postmaster at Sharon, Pa., and also the legislative chairman of the National Association of Postmasters of the United States, hereinafter referred to as NAPUS.

I am accompanied by John P. Snyder, postmaster at Oconomowoc, Wis., who is currently serving as the executive director of NAPUS. We regret the fact that our distinguished president, David R. Trevithick, had a prior commitment in Omaha, Nebr., and could not be present.

It is with a deep sense of appreciation that we appear before this committee today to submit a statement in support of H.R. 1771, a bill to establish a 5-day workweek for postmasters.

In presenting our views on any legislation having a direct bearing on the welfare of our 33,000 postmasters, we would be remiss if we did not pay tribute to one of the staunchest supporters Federal employees ever had, our departed friend, Senator Olin D. Johnston.

It was most ironic that on the day before departing for his beloved South Carolina for the last time, Senator Johnston introduced in the Senate S. 1668, a companion bill to H.R. 1771. Senator Johnston's parting words to a group of our NAPUS officers on March 31, 1965, were, "I want to personally present a 5-day workweek bill for the postmasters of this Nation. The bill is long overdue."

We are most grateful to Senator Johnston and to you, distinguished Members of the Senate, for the kind consideration you have demonstrated on behalf of postmasters throughout the years.

As a matter of record we wish to state that Representative Thaddeus J. Dulski, of New York, presented H.R. 1771, the postmasters bill, to the subcommittee of which he is chairman in the House of Representatives.

The measure passed without a dissenting vote. The result was similar when the bill was presented to the full committee. Subsequent to such success before these two groups, Representative Dulski decided to request of John McCormack, Speaker of the House, a suspension of the rules. The suspension was granted, and the postmasters bill was unanimously passed in the House of Representatives on June 7, 1965.

In October, November, and December of 1964, the officers of NAPUS conducted a nationwide poll of over 6,000 postmasters with regard to the number of hours each was compelled to work weekly. Our secretary-treasurer, Roger T. Gilbert, made a statistical analysis of all returns. A chart demonstrating the results of this analysis appears in the minutes of the hearing conducted on H.R. 1771 by the Subcommittee on Postal Operations of the Committee on Post Office and Civil Service for the House of Representatives on April 7, 1965.

Copies of said hearing are hereby distributed with this statement for your personal information.

I might say here, Senator Fong, we do have Hawaii listed here as a group who responded to this. I think they will give you some information as to the number of hours some of your constituents work.

Senator FONG. I have talked to many of the postmasters of second- and third-class post offices concerning this matter.

Mr. O'TOOLE. We call your attention to the fact, Mr. Chairman, that in Texas we had 24 postmasters in offices of the first class who indicated they averaged from 44 to 54 hours on postal duties each week; 65 second-class postmasters averaged from 43 to 56 hours; 115 of the third class averaged 43 to 56 hours with 33 of this number working 7 days weekly; 11 postmasters from fourth-class offices indicated they exceeded a 40-hour workweek. Similar situations exist throughout the United States.

Generally speaking, the postmasters' position is quite different from what it appears to be on face value. Postmasters are expected to be experts in the field of public relations; community leaders; cost ana-

lyst; mediators in employee-management relations; and interpreters of contracts, agreements, and voluminous regulations.

We soothe those who are sad and laugh with those who are light of heart. We are loved when all goes well, and we are damned when the mail is delayed. We are on the alert 24 hours daily for any emergency which may arise.

I might state here I know of no postmaster in our association who would not be willing to work 70 or 90 hours a week if the need should arise.

The files at our headquarters here in Washington contain considerable documentation on cases in which postmasterships have been refused or abandoned because of the present need for the incumbent's being tied to his job for 6 or 7 days a week.

Some postmasters have resolved the problem by transferring to rural carrier positions and have thus increased their earnings and decreased their hours on the job. In this connection, a Missouri postmaster wrote us that two rural carriers in his office with several years less postal experience than he were making \$4.50 and \$4.71 per hour, respectively, while his rate was \$3.28 on a 6-day-per-week basis.

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

The legislative committee of NAPUS is comprised of 600 members consisting of at least 1 postmaster in each congressional district in the United States. In a poll of the Senate, which was concluded by the committee members on July 2, 1965, 73 Senators indicated they were in favor of a 5-day workweek for postmasters.

We respectfully request that S. 1668, as was introduced by Senator Olin D. Johnston on April 1, 1965, be modified to correspond with the adjustments now existing in H.R. 1771, as amended.

Our efforts to have legislation passed which would permit a 5-day workweek for postmasters is not a "roundabout way" to secure a pay increase for postmasters. It is an effort to obtain a reasonable workweek for postmasters in our smaller offices.

The postmaster is a public servant and recognizes his duty to conduct the best postal service possible. If the need arises, the postmaster will work additional hours to expedite delivery of the mail without additional compensation.

Placing the postmaster on a 5-day week wouldn't mean that he would adhere to a strict 5-day schedule. It would, however, be of great satisfaction to the postmaster to know that he could take a day off each week if he so desired.

On May 19, 1965, the Post Office Department reported favorably on behalf of S. 1668. The Civil Service Commission indicated on June 21, 1965, that it favored enactment with modifications to exclude postmasters of fourth-class offices. On June 18, 1965, the Bureau of the

Budget reported no objection to the legislation but did suggest amendments.

Our membership would appreciate your favorable reaction to the 5-day workweek for postmasters. On behalf of all NAPUS officers and members we wish to express our sincere thanks for your kind reception here today.

Senator YARBOROUGH. Mr. O'Toole, how many members have you in the National Association of Postmasters?

Mr. O'TOOLE. 33,000 members.

Senator YARBOROUGH. With your legislative committee of 600 members, that is the largest legislative committee I am acquainted with, and at least 1 in each of the 435 congressional districts in the United States—I would say you have a good working legislative committee.

You have carried some of the post office officials over into your own personal organization. I think it shows the postmasters have organizational know-how. I think this is a very helpful statement. I have no questions on it.

Senator FONG. Mr. O'Toole, you heard the testimony of Mr. Murphy relative to fourth-class postmasters. He said he recommended H.R. 1771, and you said that you want H.R. 1771 to be passed; is that correct?

Mr. O'TOOLE. That is correct.

Senator FONG. That would eliminate the fourth-class postmaster; is that correct?

Mr. O'TOOLE. That is correct.

Senator FONG. You agree with the recommendation made by the Postmaster General, that fourth-class postmasters be eliminated?

Mr. O'TOOLE. Senator, we originally supported S. 1668 which included the fourth-class postmaster. However, after consulting with Members of both the House and Senate Post Office Committees and knowing the feelings of the Civil Service Commission, the Bureau of the Budget and the Post Office Department, we ask that H.R. 1771 be considered in view of the fact that postmasters of most fourth-class offices work far less than 40 hours per week and are limited to 40 hours of work per week.

Senator FONG. Do you agree with Mr. Murphy that this bill actually does not apply to first-class postmasters because they are already taken care of?

Mr. O'TOOLE. To a great extent, that is correct.

Senator FONG. So it will take care of the 19,000 second- and third-class postmasters?

Mr. O'TOOLE. That is our greatest need, in that particular group.

Senator YARBOROUGH. Are there any further questions?

Mr. PASCAL. Just for the record, did I understand you to say that this bill in no way included the first-class postmasters?

Mr. O'TOOLE. No; what I was indicating there is at the present time, in my own case, for example, I have a medium-sized first-class post office. I can take a Saturday off and be replaced without additional cost to the Government, due to the fact I have an assistant postmaster.

So this bill is going to encompass the first-, second-, and third-class post offices, but the cost will not be taken into consideration to any great extent, as far as the first-class postmasters are concerned, because under the present situation they can take their Saturdays off.

Senator FONG. You are taking your Saturdays off. Is that by regulation?

Mr. O'TOOLE. It is sort of an unwritten regulation. Now I think a year or so ago we had an appropriation administratively—I think there is \$6 million in the budget, for the postmasters to take a Saturday off, if it was done without any great additional cost to the Government.

Senator FONG. So therefore those in the first-class post offices are taking advantage of that because they do have assistants to take care of the work?

Mr. O'TOOLE. That is correct. I would not say it is "taking advantage of," because there are many of us that work many Saturdays and do not take them off anyway despite the fact we did have authorization.

Mr. PASCHAL. I had a specific reference to page 2 of the House bill which we are talking about, which states, "The Postmaster General shall schedule postmasters in first, second, and third classes." I just wondered, for the record, if it should intimate that first-class postmasters are not included?

Mr. O'TOOLE. We are not going to exclude them, but the costs will fall mainly with the groups of second- and third-class post offices. As I explained to Senator Fong, presently the costs are too great for the absence of the first-class postmasters when they take a Saturday off, but from the dollar point, it will be used more in the second- and third-class post offices.

Senator FONG. In every first-class post office, is there an assistant postmaster?

Mr. O'TOOLE. I think so. Either that or an assistant to the postmaster.

Senator YARBOROUGH. This question probably should have been directed to Mr. Murphy, but in the interest of time I did not. I notice that in the House report on H.R. 1771, that as of July 1, 1964, of the 6,850 second-class post offices there were 1,397 that had a supervisor.

I assume where there is a supervisor working in an office you have no problem there for having an available replacement; is that correct?

Mr. O'TOOLE. That is correct.

Senator YARBOROUGH. There are some 5,500 that have no supervisors. Would you have to have clerks to serve in that capacity; is that correct?

Mr. O'TOOLE. That is correct.

Senator YARBOROUGH. Are there any further questions?

(No response.)

Senator YARBOROUGH. Thank you very much.

The next witness is Henry J. Stoffer, president, National League of Postmasters.

Proceed in your own way, Mr. Stoffer.

**STATEMENT OF HENRY J. STOFFER, PRESIDENT, NATIONAL LEAGUE OF POSTMASTERS OF THE UNITED STATES**

Mr. STOFFER. Mr. Chairman and members of the committee, my name is Henry J. Stoffer. I am postmaster at Sheffield, Iowa, and president of the National League of Postmasters.

On behalf of the members of the National League of Postmasters, I want to express our sincere gratitude for this opportunity to present our views, and to wholeheartedly endorse S. 1668. Passage of S. 1668 in present form would certainly be a tribute and a lasting memorial to its author, the late Senator Olin D. Johnston.

This committee need not be reminded of the great affection postmasters felt for Mr. Johnston. Our national board conferred with Mr. Johnston and other committee members frequently, and he was always anxious to see legislation passed as stated in S. 1668. This legislation is without doubt the most desired since postmasters were included under civil service in 1938.

Postmasters, to the best of my knowledge, are the only Federal employees required to work a 6-day week at the present time. While my Federal service commenced as recent as 1949, I cannot recall any other Federal employee being required to work 6 or more days per week.

Over the years, new regulations have provided some relief for postmasters whose staff was sufficient to cover his absence. As recent as 1963, regulations were amended to liberalize absence on Saturdays.

In order to qualify, however, postmasters were required to seek approval from their regional director, and had to cover their absence within current man-hour allowances. It was not uncommon to make the request, arrange hours to cover the absence and then have hours reduced.

After several complaints, many of these injustices have been corrected. So, under the present regulations, we now find that nearly all postmasters in offices of the first class can be absent on most Saturdays. Most postmasters in offices of second class can be absent, and approximately one-half of the postmasters in offices of the third class, may under ideal conditions absent themselves on many Saturdays.

Despite the liberalized regulations, we still find more than 15,000 postmasters who must work on Saturdays, and many postmasters because of their dedicated interest in serving their communities report for duty on the seventh day of every week.

Of this 15,000 nearly 10,000 are from fourth-class offices, some of which are scheduled for only 2 hours service per day.

Replacement costs would be at a minimum. Of the remaining postmasters in other offices not permitted to be absent on Saturdays the majority are from offices of third class, and are in pay levels 5 and 6. Of these postmasters, it would be safe to estimate, many of them close their offices on Saturday afternoons.

Saturday afternoon replacement would be needed only for the final receipt and dispatch of mail late in the day.

It is impossible for us to determine the exact cost of this legislation. However, within the present regulations, it would appear that many

postmasters in level 6, and most all others above level 6, can now be absent on many Saturdays within present allowances.

If there is a cost to the enactment of S. 1668, it would seem to be less than one-half of the current expense for authorized absences of the nearly 19,000 in higher levels now benefiting from present regulations.

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

A. In offices that have no allowances presently, other than replacement for leave, a substitute may not in some cases, be employed for several months. As a result this replacement cannot be fully qualified to render the proper service demanded.

One day off each week, for the postmaster, would require the services of the substitute employee and assure the patrons of competent service, during other absences. A fourth-class post office must provide all the services found in any other post office. It is unfair to expect a substitute who may work only a few days each year to replace a person who can sell stamps, issue money orders, rent boxes, rate parcels, register letters, insure mail, issue c.o.d.'s, case and dispatch mail, maintain records, and remit funds properly.

In addition, this person, without 1 hour per year for training, may also be called on to sell migratory bird stamps, revenue stamps, furnish burial flags, dispense forms, or provide the many other services offered at post offices for other Federal agencies.

We contend that 1 day of employment each week would permit this employee to maintain a close contact with changes, and permit accurate and efficient service when called upon.

Senator YARBOROUGH. Mr. Stoffer, does the Post Office have printed, to your knowledge, any pamphlet which shows the duties required of the postmaster?

I don't mean all of the duties in the mail service, but all of these items you mentioned, such as selling migratory bird stamps, revenue stamps, furnishing burial flags, and the other items you mentioned. Is there one place where all those are listed, in one regulation?

Mr. STOFFER. There is not a required list, because if you do not have an attorney or some legal firm in your city, possibly you would not need revenue stamps. If you were in an area where there was no good duck hunting, you probably would not handle migratory bird stamps. Those are not mandatory.

It is usually based on location.

Senator FONG. You say you furnish burial flags.

Mr. STOFFER. They are placed in the office; depending on the size and number of undertakers in the city or town, as to how many. When the undertaker presents a death certificate for a veteran and proves he is a veteran, we submit this to the Veterans' Administration, and in turn have this one flag replenished.

Senator FONG. In other other words, you give the flag to the veteran.

Mr. STOFFER. We give it to the undertaker for the purposes of the funeral.

Senator YARBOROUGH. And you keep that stock on hand?

Mr. STOFFER. Yes.

While postmasters cannot and should not be charged for annual or sick leave on Saturday, nonetheless it is difficult to have an absence approved. If he is required to take a son or daughter to a nearby city to visit a doctor or dentist on their day out of school, he must request authority to be absent. He cannot attend a funeral without a request to be absent. In smaller communities, postmasters with insufficient clerical allowances must make appointments to visit a barber and use his lunch period or annual leave for this purpose.

There is no end to the list of hardships and injustices for a person who is required to work 6 days every week, and then rely on one substitute, and at the same time seek regional approval for his absences.

Any other small business in a small town can call a friend or relative to watch the shop for short periods, or may close the door for a brief period. The customers would permit this. The post office is different, as most customers consider themselves part owners. If we were to close our door, occasionally, for personal conveniences, letters of complaint would flow to your offices.

C. Now comes the matter of equality. Circumstances may vary slightly between offices. One postmaster may be absent because of a favorable clerical allowance and another with a less favorable or no clerical allowance must work on Saturday. A condition such as this is difficult to explain or justify in any business, and certainly is no different among the postmasters.

In addition to the equality between postmasters, we must then point out the difference in work schedules of our postal employees, and yes, of all Federal employees. Under present conditions, it is not uncommon for a postmaster to be the lowest paid employee in his office, based on hours of duty required.

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

E. Postmasters are managers. Under the direction of the Postmaster General and the regional director, we represent the Post Office Department in every community. We are not seeking a specific work schedule, nor shall we. Our total request is to obtain a 5-day workweek on the same basis as our present 6- or 7-day workweek.

We fully recognize our responsibilities as managers, knowing we are on call 24 hours per day, 7 days each week. In the event of any unusual circumstances or emergencies, postmasters will respond with the same devotion for their post office as in the past.

If the one replacement was unable to serve on a given Saturday, I know the postmaster would happily serve the public without concern for overtime or other gratuity. I am certain also, that during the weeks preceding Christmas, our members will serve this demanding period without regard to the number of hours in a day or days in the week. We are proud to serve in our managerial position, and will at no time seek legislation that would prevent us from the proper and efficient operations of the facilities entrusted to our care.

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

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

On April 7, 1965, it was my pleasure to present these views, in much the same form as above, to the House subcommittee on behalf of a companion bill, H.R. 1771, sponsored by Congressman Dulski. The bill was written identical to S. 1668, "To establish a 5-day workweek for postmasters." However, when the bill was reported out of the full committee on May 6, 1965, postmasters in fourth-class offices were excluded. The bill was then passed in the House of Representatives on June 7, 1965.

Though we had no reason to believe postmasters from fourth-class offices would be excluded, we must accept part of the responsibility for this great injustice. We had an opportunity to present a strong case for these dedicated public servants in fourth-class offices, and failed. We have no intention of failing them today.

Presently, under existing law, we are forced to live with an outdated system of classifying post offices. The difference in class has no great significance until the distinction is made from third to fourth, or from fourth to third.

The difference in the other classes first to second, second to third, or third to second, and second to first, has no substantial bearing on the duties or the pay of the postmaster. However, if a postmaster is relegated from third class to fourth class, and the loss of a sale of a 1-cent postage stamp can cause his relegation, he would not only receive less pay, but would then be tied to his office for 6 days every week, according to the exclusion now in H.R. 1771.

Imagine the plight of a level 5 postmaster in a third-class post office with a rural carrier, the day he is notified that his office is being relegated to fourth class. He would immediately face the loss of at least \$1,575 in annual pay, and if he is not included in S. 1668, he will be required to work 52 days more each year to earn it.

To add to this injustice, if his rural carrier had an average route, which is 60 miles, that subordinate employee who would rarely work in the afternoon, would receive at least \$2,100 plus allowances more per year than his boss. Yes, a 1-penny sale can create such drastic and unjust conditions.

We recognize generally that receipts affect the duties and responsibilities of postmasters, but feel very strongly that the present pay

provisions more than define these differences. Certainly the loss of revenue, 1 cent, should not eliminate a postmaster from a 5-day week, in addition to the loss in pay.

Postmasters in our smallest fourth-class offices earn as little as \$1,313 per year. There is no justification in this modern day, to demand their services 6 days every week, for at least two different times each day. Being tied down 6 days every week has no more appeal simply because of one of your former mailers had diverted his postage purchases to a larger office due to mechanization.

If a postmaster in level 5 is to be treated the same as a postmaster in level 8, in this regard, as we agree they should, then surely the postmaster in a fourth-class office should receive consideration the same as a level 5. After all, there would be much less difference between level 5 and fourth class in revenue, yet little or no difference in the actual duties.

In view of the dates mentioned earlier, with regard to H.R. 1771, it seems somewhat strange that the postal manual was changed on May 17, 1965, adjusting the hours of duty required at fourth-class offices.

As a result of this change, we find our postmasters in the largest fourth-class office scheduled 6 hours and 40 minutes per day. Never, have we seen such an irregular time schedule. Multiplication quickly shows a last minute design of a 40-hour week within 6 days. The substantial difference in pay did not seem adequate. We must now resort to odd hours and odd minutes to develop this exact work schedule.

A member in Utah reports he is 50 miles from the nearest paved highway and 90 miles to the nearest shopping center. How is he to find relaxation for his family when he must be there in the morning and dispatch mail in the evening?

Here is a prime example of the need for a free Saturday every week. Another member from Wyoming is, according to the new change in the postal manual, a 5-hour-per-day postmaster. Yet, within this 5 hours he receives mail at 9 a.m., 11:30 a.m., 4:30 p.m., and dispatches his mail at 5 p.m.

How far away can he get during his "free" time? A Vermont member, just relegated to fourth class, terms the exclusion of fourth class from the 5-day week "double jeopardy," and suggests an opinion from the Attorney General, should the bill become law.

These are but a mere sampling of the many letters we have received from our members in fourth-class offices. It should be remembered that the vast majority of these postmasters live in our rural communities that rarely enjoy the convenience of a complete shopping area or medical facility.

Most of them must take 4 hours of sick leave to have a medical or dental examination, while many of us can have this done in 30 minutes by walking across the street. There are many who must take annual leave to have their autos repaired, or to attend a school picnic. In every case, a replacement must be called in, so leave in one form or another is mandatory. They know no hours, and are

among the very best in Government for providing their patrons the type service we can all be proud of.

The present salary range adequately distinguishes the difference in sales of the office, and the duties of the postmaster. We are hopeful that this fairminded committee will see that further injustices are not imposed on these important Government representatives in rural America.

Passage of S. 1668, to include all postmasters as intended by its great author, would not increase the present salaries of postmasters.

In conclusion, Mr. Chairman, we are sure the passage of S. 1668 will increase morale, enhance postmaster dignity, and instill dedication to more than offset any costs of this important and humane legislation.

Thank you for your time and consideration. While we have many members from the larger post offices not directly affected, our members from the smaller offices—facing as they do the very serious problem of making a living and being good postmasters, at salaries as low as \$26 per week, find your interest especially heartwarming. You will earn their deep gratitude by your favorable and expeditious action on this measure to establish a 5-day workweek for all postmasters.

Thank you.

Senator YARBOROUGH. Mr. Stoffer, this is a very interesting statement on behalf of postmasters in fourth-class offices. How many post offices in the last year were relegated from third to fourth class or advanced from fourth to third class?

Mr. STOFFER. I would not have the figures on hand. I could furnish it for you, but I do not have it with me. There were more that went up than went down.

Senator YARBOROUGH. If you can get that information, you can file it for the record.

Mr. STOFFER. Last year we could report money order fees so that pulled quite a number up and quite a few less went down, than in the past years.

Senator YARBOROUGH. Give us the figures for the past 2 fiscal years. I am sure you can get them.

(Subsequently the following information was submitted:)

NATIONAL LEAGUE OF POSTMASTERS  
OF THE UNITED STATES,  
Washington, D.C., July 12, 1965.

Hon. RALPH W. YARBOROUGH,  
U.S. Senator, Washington, D.C.

DEAR SENATOR YARBOROUGH: Thank you for the very kind reception shown me on July 9, during my appearance before your subcommittee.

To comply with your request, the following information is furnished regarding the relegation of postmasters from third to fourth class annually. The 1965 figures are not yet available.

*Post offices relegated from 3d to 4th class*

1964-----	89
1963-----	85
1962-----	72
1961-----	50
1960-----	98

*Post offices advanced from 4th to 3d class*

1964-----	218
1963-----	241
1962-----	306
1961-----	235
1960-----	219

I am taking the liberty of furnishing a copy of this letter to Mr. Gulledge. Thank you again for the many courtesies extended, and for your interest in a 5-day workweek for postmasters.

Sincerely,

HENRY J. STOFFER, *President.*

Senator YARBOROUGH. Senator Fong?

Senator FONG. The salary differential has already made a difference—

Mr. STOFFER. You can do this by 1 penny loss in sales, because there has to be a divisor—he not only loses \$1,575 a year, but he would have to work another day, 52 weeks a year, to do it.

Senator YARBOROUGH. Are there any questions by the staff?

(No response.)

Senator YARBOROUGH. What is the revenue figure at which a post office goes up from fourth to third class?

Mr. STOFFER. Thirty-six revenue units and each unit is \$60.06, I believe. I do not have the exact figures. Something like \$2,100.

Senator YARBOROUGH. Thank you very much.

The next witness is Mr. Daniel Jaspan, legislative representative of the National Association of Postal Supervisors.

You may proceed in your own way. We are glad to see you here again.

**STATEMENT OF DANIEL JASPAN, LEGISLATIVE REPRESENTATIVE,  
NATIONAL ASSOCIATION OF POSTAL SUPERVISORS**

Mr. JASPAN. I don't have a prepared statement. What I have to say will be brief.

For the record, my name is Daniel Jaspan. I am the legislative representative of the National Association of Postal Supervisors, with more than 28,000 members in all 50 States, and also Puerto Rico.

We are interested in this bill primarily for two reasons. In the first place, we believe that no postal employee should work more than 48 hours a week. That should be the limitation for the workweek, for the number of hours they get paid.

We wholly endorse a bill which would permit the postmasters to be on a 40-hour workweek. We think that that is long overdue since all of the other employees, including supervisors, generally work on a 40-hour week.

Our second reason for endorsing the bill is a little more selfish. We have members who are assistants to the postmasters, which is a supervisory position, level 5. In many cases they work for postmasters when the postmasters are off on a Saturday.

When the assistant to the postmaster works for the postmaster, he receives less money per day or per hour than his regular rate of pay, just as Mr. Murphy mentioned happens to the clerks.

For example, we have assistants to the postmaster who are in level 5, step 10. Their full day of pay is \$26.77 at their regular rate. If they work for a postmaster, who is level 7, step 4, that would be the pay they would get if they were to work for the postmaster.

Their salary would be \$23.46 for that day compared with \$26.77, the regular salary, which is a difference of \$3.31 less than they would make by working for the postmaster at a higher level job.

We think that is a condition that should not be allowed to exist. We get letters often from our members to whom this happens every time they work for a postmaster. They think they are working at a higher level job, but they receive less money per hour per day for a higher level job.

Senator YARBOROUGH. That would be true of more than the 1,300 supervisors who are in second-class post offices?

Mr. JASPAN. Generally it is the ones who are assistants to the postmasters.

Senator FONG. That is only when they work extra?

Mr. JASPAN. That is when they work for the postmaster on the sixth day.

Senator FONG. If they work the regular 40-hour week and substitute for the postmaster, they would not lose that?

Mr. JASPAN. They would get their regular rate of pay when they worked 40 hours a week, but it is when they work extra that they are getting less than the regular rate of pay.

So there is a major interest in this bill. Also, I was wondering, Mr. Chairman; since everything is charged against the Post Office Department, whether it would be possible to have a section of this bill that the money should be appropriated to carry out the intent of Congress if the bill is passed.

It seems to me that has been attached to some bills so they won't have to go into their regular appropriation for that amount of money, particularly when they first start. That is just a suggestion.

Senator YARBOROUGH. You heard Mr. Murphy request that this be mandatory as of January 1, 1966.

Mr. JASPAN. But they still would not have the additional money for the post office to take care of what they want, plus the postmaster's 5-day week.

Senator YARBOROUGH. You might be thinking of a supplemental appropriation in that regard?

Mr. JASPAN. That is what I was hoping; that it be mentioned that it be appropriated to carry out the intent of Congress if this is passed.

Of course, we are also interested in our members, many of whom work many more than 40 hours a week and receive compensatory time at the proper time. We hope you will consider us when it comes to overtime payment for anything over 40 hours per week.

Just one more thing. I was very interested in your statement that you work 72 hours a week. I remember when you first came here you used to do that in 4 days. I was wondering how you cut down the number of hours you work.

Senator YARBOROUGH. I slowed up. I am working only 12 hours a day now. On weekends when I go to Texas, which is generally every other weekend, I work 24 hours days.

Mr. JASPAN. I just hope you will also be able to prevail on some of your members to reduce our workweek to 40 hours, too.

Senator YARBOROUGH. Thank you, Mr. Jaspán.

Senator FONG. Can we include Senators in this bill?

Mr. JASPAN. I think it would be a good idea, especially with the hours most of you put in.

We appreciate the opportunity of appearing before you.

Senator YARBOROUGH. Thank you for your contribution here, Mr. Jaspán.

Are there any further questions by the staff?

Mr. MINTON. I would like to clear up this question of substituting for the postmaster. If the postmaster takes a 3-week vacation and you substitute for him, what rate of pay do you get?

Mr. JASPAN. The way it works out, the way I understand it is, that they are supposed to be paid the postmaster's rate of pay, which is a smaller amount of money, but they cannot be paid less than their own salary.

In some cases it would be less than their own salary for the 5 days, and the sixth day makes up the difference. But they are paid at the postmaster's rate, with one exception. They cannot be paid less than what their regular salary would be.

Now, in some cases when they substitute for the postmaster, if they work a 5-day week for him, at the present time they could be receiving less theoretically than their own rate of pay, but the law does provide that they cannot get less, so they would get their own rate of pay.

Mr. MINTON. But not necessarily more?

Mr. JASPAN. That is right. They would not get more. I am talking about the assistants to the postmasters. The assistant postmaster—part of his job description is that he is to fill in for the postmaster in his absence, so he gets his own rate of pay.

But the assistants to the postmaster, who are always two levels or sometimes three levels below postmasters, would receive a lower hourly pay for working at the higher level.

Mr. MINTON. But they make it up?

Mr. JASPAN. They provide that he will not receive less than his regular pay. It is very confusing because theoretically he is working at a higher level and receiving more money, but when he gets his check that is not reflected. Of course, with a 40-hour workweek, based on 260 days a year, this condition would be overcome, so that the assistants too would actually receive more money for working at a higher level, the same as a clerk will.

Senator YARBOROUGH. In other words, you oppose getting a promotion and receiving less pay.

Mr. JASPAN. We have had objection from some of our people because of getting less money when they filled in for a higher level.

Senator YARBOROUGH. I know of a case where a postmaster resigned in a city of 7,000. A very capable veteran replaced him. The new

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Now, in some cases when they substitute for the postmaster, if they work a 5-day week for him, at the present time they could be receiving less theoretically than their own rate of pay, but the law does provide that they cannot get less, so they would get their own rate of pay.

Mr. MINTON. But not necessarily more?

Mr. JASPAN. That is right. They would not get more. I am talking about the assistants to the postmasters. The assistant postmaster—part of his job description is that he is to fill in for the postmaster in his absence, so he gets his own rate of pay.

But the assistants to the postmaster, who are always two levels or sometimes three levels below postmasters, would receive a lower hourly pay for working at the higher level.

Mr. MINTON. But they make it up?

Mr. JASPAN. They provide that he will not receive less than his regular pay. It is very confusing because theoretically he is working at a higher level and receiving more money, but when he gets his check that is not reflected. Of course, with a 40-hour workweek, based on 260 days a year, this condition would be overcome, so that the assistants too would actually receive more money for working at a higher level, the same as a clerk will.

Senator YARBOROUGH. In other words, you oppose getting a promotion and receiving less pay.

Mr. JASPAN. We have had objection from some of our people because of getting less money when they filled in for a higher level.

Senator YARBOROUGH. I know of a case where a postmaster resigned in a city of 7,000. A very capable veteran replaced him. The new

would get more money. There are many instances where substitutes get less money replacing the postmaster on 1 day's employment than they would if they would have worked as a substitute clerk.

I feel it is important to point this out so there is no misunderstanding about it.

Senator YARBOROUGH. In these cases of the absence of the postmaster and the filling in by a supervisor or clerk; doesn't this require a very meticulous bookkeeping system?

Mr. NILAN. That is right.

Senator YARBOROUGH. You have to keep a set of books. Do you keep a set of books at all times in the second- and third-class post offices to show when the postmaster is absent and who is filling in?

Mr. NILAN. I have to maintain the records for that day. But it is most important—most important part of it is that if a substitute clerk or regular clerk is replacing a postmaster for a day's absence, he has complete responsibility for that post office during that day.

If there are any errors, if there were any financial transactions where error was involved, if there was wrongful accounting, or if he provided wrongful information to the patrons, he is the responsible representative of the postmaster and the responsibility, we feel, should be comparative with the pay he receives. In many, many instances he receives considerably less dollars than he would if he had been working as a substitute clerk.

I believe the statement itself is self-explanatory as far as the comparison we used for the committee, and we did provide similar testimony before the House subcommittee, and it is a part of the hearing report which you have available to you.

So I would like to just conclude our remarks by stating that while we are appearing before this distinguished committee on both H.R. 1771 and S. 1668, the reason that we are, in effect, supporting either bill is that we believe that the Senate, in its wisdom, will make a decision as to whether the fourth class postmaster should be included in the final legislative draft.

Frankly, we have few if any members in fourth class post offices who are not completely familiar with the problems that are there, and we do feel that the Senate, in its wisdom, based on the recommendations of the Department and other representations that are more familiar and knowledgeable; we feel this is a decision for the committee to make.

We have no particular feelings on either bill other than we are interested to see that our substitutes and regular clerks receive equitable pay when replacing postmasters on a leave basis.

Senator YARBOROUGH. The first paragraph on page 4 reads:

In spite of this reluctance and unhappiness by our regular and substitute clerk members to perform higher level postmaster replacement duties at the same or lesser hourly clerk pay rate, they have no choice but to replace postmaster absences when ordered to do so, subject to charges of insubordination and disciplinary action if they should refuse.

This is not a case of the clerks wanting to see the postmaster leave so they can get to be acting postmaster?

Mr. NILAN. No, sir. That is certainly not the case. This causes many, many grievances, where our people will complain that they do not want to have the responsibilities of the postmastership and then receive less money. They have no desire to do so, but they have no choice.

The postmaster gives them an order as of Monday, "You will replace me for the next 3 days," and they have to accept the responsibility. If they don't, it could possibly mean separation from the service. They have no choice at all.

Senator YARBOROUGH. The old jingle, "When the cat is away, the mice do play," has no bearing here.

Mr. NILAN. Absolutely none here.

Senator YARBOROUGH. Are there any further questions?

(No response.)

Senator YARBOROUGH. The next witness is Mr. David Silvergleid, secretary of the National Postal Union.

Mr. GULLEDGE. He has requested permission to submit his statement for the record. He is necessarily absent.

Senator YARBOROUGH. That request is granted.

Are there any further questions?

(No response.)

Senator YARBOROUGH. If not, then we will leave this record open until 5 o'clock next Monday, July 12, for the filing of additional statements or additional information. If any organization or person has information they desire to place in the record, or any letters or communications of support or opposition, file them before 5 p.m. Monday.

Thank you all for your cooperation and for your very informative statements.

(Whereupon, at 11:45 a.m., the hearing was adjourned.)

