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POSTAL CAREER SUBSTITUTE RATIO

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HEARING
 BEFORE THE
 COMMITTEE ON POSTAL AFFAIRS
 OF THE
 COMMITTEE ON
 OFFICE AND CIVIL SERVICE
 UNITED STATES SENATE
 NINETIETH CONGRESS

SECOND SESSION

ON

H.R. 14934

TO REDUCE FROM FIVE TO FOUR THE RATIO OF REGULAR
 EMPLOYEES TO CAREER SUBSTITUTE EMPLOYEES IN THE
 POSTAL FIELD SERVICE, AND FOR OTHER PURPOSES

APRIL 10, 1968

(11)

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 Committee on Post Office and Civil Service



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HEARING
BEFORE THE
SUBCOMMITTEE ON POSTAL AFFAIRS
OF THE
COMMITTEE ON

POST OFFICE AND CIVIL SERVICE

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POSTAL CAREER SUBSTITUTE RATIO

WEDNESDAY, APRIL 10, 1968

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

The subcommittee met at 10:30 a.m., pursuant to call, in room 6202, New Senate Office Building, Senator Ralph Yarborough (chairman of the subcommittee) presiding.

Present: Senator Yarborough.

Also present: David Minton, general counsel; Frank A. Paschal, minority clerk; and Hugh B. Key II, professional staff member.

Senator YARBOROUGH. The Senate Subcommittee on Postal Affairs will come to order.

This hearing is convened to hear testimony on H.R. 14934, to provide for a reduction in the ratio of regular-to-substitute postal employees from 5-to-1 to 4-to-1. In effect, it means an increase in the number of career substitute positions in the postal service.

Today a post office can have 1 career substitute for every 5 full-time regular employees; under this bill it could have 1 for every 4.

At this point, a copy of H.R. 14934 will be placed in the record. (The text of H.R. 14934 follows:)

[H.R. 14934, 90th Cong., second sess.]

AN ACT To reduce from five to four the ratio of career substitute employees to regular employees in the postal field service, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3302 of title 39, United States Code, is amended—

(1) by striking out, in subsections (b) and (c) thereof, the word "five" and inserting in lieu thereof the word "four"; and

(2) by adding at the end of such section the following new subsections:

"(f) In determining the number of career substitute employees which may be appointed in accordance with this section, the Postmaster General may not include supervisory employees as regular employees.

"(g) The Postmaster General may not appoint, at any first class post office, any person as a temporary substitute employee in any of the categories listed in subsection (b) of this section unless a period of one hundred and twenty days or more has elapsed since he was so employed and such appointment shall not continue for a period greater than one hundred and twenty days, except that the limitations of this subsection do not apply to—

"(1) any category of employees at a post office at which there are less than twenty-five employees;

"(2) employment after November 14 in any year and before January 1 of the immediately following year;

"(3) any category of employees for which there is not available a register of a sufficient number of eligibles; and

"(4) appointments made within the concurrence of the Civil Service Commission for the purpose of providing part-time employment to special groups of persons."

SEC. 2. Effective as of the beginning of the first applicable pay period which began on or after October 1, 1967, the per annum (gross) rate of compensation of the position of Superintendent of Garages (House Office Buildings) under the Architect of the Capitol is \$12,540. Such position is subject to the provisions, pertaining to the Office of the Architect of the Capitol, in section 212 of the Federal Salary Act of 1967 (81 Stat. 634; Public Law 90-206), relating to the implementation of salary comparability policy.

Passed the House of Representatives February 19, 1968.

Senator YARBOROUGH. Our first witness is the distinguished Assistant Postmaster General for Operations, Mr. William M. McMillan.

Please come forward, Mr. McMillan. If you have members of your staff you desire with you, please bring them with you.

We have knowledge of your long familiarity with the Post Office Department.

STATEMENT OF WILLIAM M. McMILLAN, ASSISTANT POSTMASTER GENERAL FOR OPERATIONS, POST OFFICE DEPARTMENT; ACCOMPANIED BY DR. HERBERT BLOCK, DIRECTOR OF PLANNING AND RESEARCH, BUREAU OF PERSONNEL; EDWARD V. DORSEY, DEPUTY ASSISTANT POSTMASTER GENERAL FOR FIELD OPERATIONS, BUREAU OF OPERATIONS; AND ADAM G. WENCHEL, ASSISTANT GENERAL COUNSEL, LEGISLATIVE DIVISION

Mr. McMILLAN. Thank you, Mr. Chairman and members of the committee.

If I may, I would like to introduce my associates. On my extreme left is Dr. Herbert Block, Director of Planning and Research, Bureau of Personnel; next is my Deputy Assistant, Edward Dorsey, for field operations; and on my right is Adam Wenchel, Assistant General Counsel.

It is a pleasure for me to appear before this committee to explain the Department's position on H.R. 14934.

This bill, which passed the House on February 19, 1968, would increase the number of career substitutes we are permitted to employ in relation to the number of regular employees in the postal field service.

This proposed change is designed for the benefit of the merit system in that it increases the number of career opportunities available in the Post Office Department and, correspondingly, reduces the number of noncareer temporary positions.

Before we discuss the implications of H.R. 14934, it is well that we reaffirm at the outset certain principles of our personnel policy as it relates to postal employment. We unequivocally acknowledge that the best postal service is given by our career regulars. These employees are the backbone of the postal service. Their efficiency is higher, their postal knowledge is broader, their interest in service is keener, their turnover is exceptionally low.

Accordingly, Postmaster General O'Brien has directed that we staff our postal installations with the maximum number of regular employees that can be administratively and economically justified.

It was with these thoughts in mind that the Department testified in

favor of paying substitutes overtime after 40 hours in a week, for by such action the economic incentive to use substitutes instead of annual rate regulars was eliminated.

It was because we wanted more annual rate regulars that we testified in behalf of legislation to exempt the Post Office Department from legal limitations on the number of permanent or regular positions we could establish. The substitute overtime bill was enacted as part of Public Law 89-301 in October 1965 and the legislative ceiling on postal employment was dropped when Public Law 89-114 was enacted in August 1965.

The following table showing the growth of career positions gives some indication of our earnest interest to establish new additional regular positions:

FISCAL YEARS 1966, 1967, AND 1968 (TO DATE)

	Annual rate, regulars	Career substitutes
Fiscal year:		
1966.....	28,628	6,239
1967.....	37,205	6,468
1968 (to date).....	15,938	3,076
Total.....	81,771	15,783

This bill, if enacted, will permit us to add substantially to the number of career positions and correspondingly reduce the number of temporary employees on the rolls in first-class post offices. In essence, under current law, the 1-to-5 ratio says that about 16 percent of our career staff shall be career substitutes. The 1-to-4 ratio would raise this to about 20 percent.

In actual practice, because of the legal limitation on employment of career substitutes, and to give the taxpayers the best service within the law, we have been required to employ additional persons as temporary indefinite substitutes. As of March 8, 1968, our last reporting date, this is the relative status of personnel on the rolls:

Regulars	521,246
Career substitutes.....	102,057
Hourly rate regulars.....	5,134
Temporary substitutes.....	68,870

From the temporary substitutes, the following employees who would not be affected by the change in ratio should be subtracted:

Temporary substitutes—3d-class offices.....	16,273
Temporary substitutes—2d-class offices.....	10,328
Postal and seasonal assistants.....	10,928
Total	37,529

This leaves 31,341 temporary substitutes in first-class post offices whose noncareer status is largely due to the current restriction on the number of career substitutes which may be established.

Contrary to the typical meaning of the word "substitute," in the postal service, the word does not mean "to take the place of another." Instead, the term has come to mean those persons employed as additional manpower to cover additional assignments, to undertake part-time jobs, to respond to intermittent calls as workload demands, and to

take the place of absent regulars. Actually, they are an auxiliary force designed to augment the work force as needed.

The first ratio for substitutes was passed in 1935 in order to provide a semblance of order among all the many persons seeking postal employment during the trying days of the depression.

In 1935, the ratio was set at 1-to-12, 1-to-10, or 1-to-8 regulars depending on the size of the office. In 1936, the ratio was changed to 1-to-6 to provide for compensatory time coverage granted by Public Law 275, in August 1935, which established the 5-day week.

In 1955, because of increased sick and annual leave benefits to postal employees, granted prior thereto, a ratio of 1-to-5 was enacted.

To appreciate why the postal service needs auxiliary personnel and to especially appreciate why we need a change in the legal ratio at this time, it is appropriate to view our needs in the context of both operational and legal requirements.

The postal service has a very special, ever-pressing, ever-active Federal function. It is dependent upon and used by every person in the country regardless of economic status or geographical location. Because of the demands, dependence, and service expectation of the Nation with respect to this activity, its very operation is unique as compared to typical governmental or private enterprises.

In its hour-to-hour operation, the postal service is constantly engaged in a battle against time. The movement of mail is a must; and the clock is an ever-present reminder of deliveries to be made, trains and planes to be met, trucks to be dispatched. Mail cannot be backlogged to be worked tomorrow or next Monday. Absences, unless covered by someone else, can only result in delayed mail.

The battle against time is further complicated by an uncontrollable and unpredictable mail volume. Considerable success has been achieved with the scheduling of mail deposits on a cooperative basis. For example, our NIMS efforts have resulted in more first-class mail being deposited before 5 o'clock in the afternoon.

Nevertheless, the fact remains that we must be prepared to cope with mail volumes generated by the public at its own convenience. This demands a unique manpower capability. We cannot gear our total manpower needs to fixed and predetermined patterns of volumes; nor to volumes which can be worked at times suitable to us. Night-work, dawn shift work, Saturday and Sunday work is not something we can eliminate.

In addition to the ever-present and unavoidable peaks and valleys of volume, we must depend on transportation networks which we do not control.

Thus, the two basic criteria for scheduling manpower, (1) controlling input, and (2) timing output, are matters over which individual post offices do not have sufficient control.

To meet this situation with any degree of economy and efficiency, there must be present a system which permits at all times a fluid use of manpower. Any limitation which restricts this flexibility only results in waste and unsatisfactory operations.

Since the enactment of the 1-to-5 ratio in 1955, there have been a number of additional pieces of legislation affecting postal employment but none as dramatic in its impact on manpower utilization as Public Law 89-301, enacted in October 1965.

That law required major changes in the structuring of the work force in almost every post office. Public Law 89-301 was supported by the Department because it at long last brought many of our employment practices into alinement with those generally prevailing among the more progressive firms in the private sector of the economy.

The provisions of Public Law 89-301, having the greatest impact on manpower use, are:

1. Provision for each annual rate regular employee of a basic workweek consisting of 5 days of work, each day being at least 8 hours;

2. Prohibition of working an employee more than 12 hours in a day, or extending employment, regardless of hours of work over a longer period than 12 consecutive hours. Actually, this means 11½ hours of work in order to permit a 30-minute lunch period; and

3. Payment of overtime to substitutes for work in excess of 40 hours in a week.

Each one of these legal requirements has caused us to significantly increase our staff, particularly temporary substitutes.

The establishment of the basic workweek of 5 full 8-within-10-hour days for regular employees has had the greatest impact on our manpower utilization.

Prior to the enactment of this law, postmasters were able to work a regular employee for 4 hours on Saturday or Sunday and grant the employee an equal amount of compensatory time during a light work period on a designated day during the following week. By this method, postmasters had great flexibility in manpower utilization.

Now, however, a regular employee cannot be scheduled to work less than 8 hours, and the thousands of assignments of 4 hours' duty on Saturdays and Sundays must be covered by substitute employees, or overtime pay must be authorized to the regular employee for such services.

To reduce to a minimum the number of hours worked at premium pay, the employee complement at a large number of post offices had to be increased.

The Department is already at the allowable maximum of career substitutes to annual-rate regulars based on the ratio of 1-to-5. To add more regular employees, for the primary purpose of allowing more substitutes, would be neither economical nor feasible.

Thus, the Department requires a change in ratio to 1-to-4, which not only would allow the number of substitutes needed to carry out the fractional assignments, but also maintain some flexibility in manpower utilization.

The 12-consecutive-hour restriction affects the employment of substitute employees. Prior to Public Law 89-301, these employees were permitted to work a split shift consisting of a few hours during the morning peak and a few hours during the evening peak in order to meet distribution, delivery, and dispatch deadlines.

This is no longer possible, because it would conflict with the 12-consecutive-hour provision.

For example, before this law was passed, a substitute employee could work from 5:30 a.m. to 8:30 a.m. and then return to duty at 5:30 p.m. and work until 8:30 p.m.

Now an employee who reports for duty at 5:30 a.m. cannot be used after 5:30 p.m., on that day. This limitation on our utilization of employees had to be resolved by increasing the complement of temporary substitute employees to meet mail flow requirements.

Substitutes now receive overtime at the rate of time and one-half for all work performed in excess of 40 hours in a week. While we feel that the judicious use of overtime is, in many cases, the best way of meeting certain workload problems, overtime on a regularly scheduled basis cannot be approved. To preclude or minimize such costs we have added a large number of employees. Because of the 1-to-5 ratio restriction, many of these extra employees could not be appointed as "career" but had to be appointed as "temporaries."

At this point, it is well that we reestablish why we need a substitute or auxiliary force. Just what is so special about the postal service that dictates a need for irregular employment?

Absences

I have already noted that public service requires that absences be covered. An absent letter carrier does not deliver the mail; and absent mail handlers do not load trucks.

Normal absences on approved leave, including regular off days, varies from 23 percent to 32 percent per day. The present ratio of 1-to-5 allows us to cover only 20 percent of these absences by the use of substitutes. What adds to the complications are the other items I cited earlier which restrict our use of any individual substitute; that is, the 12-hour rule and overtime.

Seven-day mail processing, six-day delivery and window service

In large operations, we can generally schedule enough regulars to cover operations. For example, one "floating" regular for every five regular letter carriers will give us 6-day delivery coverage provided everyone is present. But in small or limited operations the difficulty of coverage by regulars is quite obvious.

Part-time activities

In the delivery service alone we have 11,708 multiple-trip delivery routes—these are business routes, many of which do not call for full service on Saturday, and, therefore, are not susceptible to coverage by regulars; 11,793 short-hour collection routes; and 16,251 auxiliary routes—these are routes of less than 8 hours' duration.

We do not pretend that the change in ratio from 1-to-5 to 1-to-4 will solve all of our problems, nor do we suggest that this change alone will completely eliminate the use of temporary employees in the postal service.

We do see this adjustment as one step in many that needs to be taken to make the postal service as fully a career service as possible. We are unhappy with the number of temporaries we are currently forced to have on the rolls.

Moreover, the Subcommittee on the Treasury and Post Office of the Appropriations Committee of the House of Representatives has expressed its concern at the personnel turnover rate. The subcommittee has instructed the Department to review this problem carefully in an effort to stabilize the postal work force and report to the Congress any recommendations which might lead toward that goal.

Our total goal is to stabilize postal employment. One approach is to maximize the number of assignments which require fairly steady employment of 5 days a week over 8 hours a day within a span of 10 hours. This is the area of our major effort.

Our second effort is to identify those less than 8-in-10-hour periods which nonetheless have a continuing regularity. This is part-time regular employment which we believe will be sufficiently attractive to those people looking only for part-time work.

Persons appointed to such positions would be appointed as "hourly rate regulars." Because we do not wish to embark on a new employment technique which will in any way detract from either the career or earning prospects for present employees, we are proceeding in this new program very conservatively.

When we submitted our proposal to the House to change the substitute ratio requirement, we sought a relaxation of a legal restriction which was hindering the postal service. During the course of the progress of the initial bill—H.R. 11060—through the House, some new restrictions on postal management were added.

As a result, the bill that passed the House—H.R. 14934—went beyond our basic request to change the ratio of substitutes to regulars and now contains new features.

The first feature is that supervisory employees are not to be included in the category of regular employees as a basis on which to determine our entitlement to career substitutes positions. We believe the inclusion of supervisors, as part of the total of regular employees, is important for these reasons:

(a) By including approximately 35,000 supervisors, we are able to cover 7,000 more employees under career status. Excluding supervisors from the count will mean that instead of being able to establish 24,000 more career positions, we will be able to establish only about 17,000. In effect, we are denying career status opportunities to 7,000 persons; and

(b) Most postal supervisor positions differ significantly from typical supervisory positions in other types of operations. Absent postal supervisors in many situations must be replaced. When a foreman of carriers or foreman of distribution clerks is absent, frequently a carrier or clerk moves up temporarily as the acting foreman. But when a carrier or clerk moves up, his job, in turn, cannot be left undone—the mail must be delivered and processed. As a result, a substitute is called to cover for the carrier or clerk who is now the acting foreman. Under postal laws, and in accordance with contractual agreements we have with our exclusive employee unions, under specified conditions we pay an employee performing the work of a higher level job as though he was promoted to that higher level job. To give the committee some indication of the frequency and magnitude of situations in which employees move into higher level assignments, I would like to state that payments to employees serving in higher level assignments approximate \$6 million per year.

A second feature of H.R. 14934, with which we reluctantly agreed, places a restriction on our ability to employ temporary substitutes.

Currently, there is no legal maximum time span over which we can hire temporary personnel. H.R. 14934 provides a double limitation: first, at a post office of the first-class having more than 25 employees, no person is to be hired as a temporary for more than 120

days; and second, we cannot reemploy a person who held a temporary appointment until 120 days have elapsed since his last period of employment.

This new restriction may cause some problems here and there, but we are willing to abide by the will of Congress in this regard for it does not impede our mutual long-range goal of attaining a stable, career work force.

In conclusion, H.R. 14934 is one of many steps that would help us improve postal service to the public by improved manpower management. These are the steps we have in mind:

1. Maximize the number of regular positions;
2. Reduce turnover—as indicated in the attached chart at the end of my statement. Turnover is directly related to the type of appointment. As temporary appointments are reduced, turnover is reduced—

Senator YARBOROUGH. Where you say, "As temporary appointments are reduced, turnover is reduced," isn't that in conflict with the position you took further up on that same page, where you say you object to this limitation on your power to hire temporary employees?

Mr. McMILLAN. Mr. Chairman, this is based on the fact that we realize full well that even with this ratio in some areas, on some occasions, we would still have to have temporary employees.

We would prefer that when this occurs, we would be able to keep the temporary long enough for him to become efficient.

Senator YARBOROUGH. You think he has to quit 120 days and then stay off the payroll for 120 days, and that would not give you an opportunity to test his efficiency well enough to determine whether you would want him to be a career employee?

Mr. McMILLAN. If the need for hiring still remains, you work him 120 days and then you hire somebody else for 120 days before you can bring him back. I don't think this is in the best interest. However, if you will note, we did, as I say, reluctantly agree to this, because this is what the committee in the House desired.

Senator YARBOROUGH. I listened to that with care. But when you reach point two, you summarize the statement that the temporaries would result in more turnover and, of course, that wasn't desirable, having constantly a large number of new people who knew nothing about handling the mail.

It takes time to train people in the intricacies of sorting this mail. I think it takes a lot of training in mental discipline as well as learning what they have to learn. I think that learning, aside from the mere accumulation of knowledge, is a certain intellectual discipline that is included with it, to give a man a more disciplined mind than most people have.

Mr. McMILLAN. I agree with you, Mr. Chairman, and I hope the time will come very soon when we will not have to have any temporary employees in any first-class post office in this country.

Senator YARBOROUGH. I think entirely overlooked is the fact that the mind has to kind of reconstitute itself, and it does, in a disciplined and orderly way, to give a person the capability of having this intense application for 8 hours you mentioned in the statement, the intense application and to handle all of this vast amount of work, memorizing all of these combinations and numbers without error.

It takes a high level of capability and a will to do it combined.

Mr. McMILLAN. That is correct, sir.

I would like to point out, Mr. Chairman, that this portion of the bill to which we reluctantly agreed, will actually increase our turnover rate. In those cases where we do have to have temporaries for some reason or another, if we hire one for 120 days, he is then off, and you have to hire another one for 120 days.

So it will actually increase the turnover rate rather than reduce it. It will give us some problems, but we can live with it.

Senator YARBOROUGH. Continue with your statement.

Mr. McMILLAN. Thank you, Mr. Chairman.

3. Reduce the number of temporary positions by obtaining a 1-to-4 ratio in lieu of 1-to-5, thereby permitting employment of more career substitutes and by establishing hourly rate regulars;

4. Improve management capability in scheduling and manpower utilization; and

5. Judicious use of overtime.

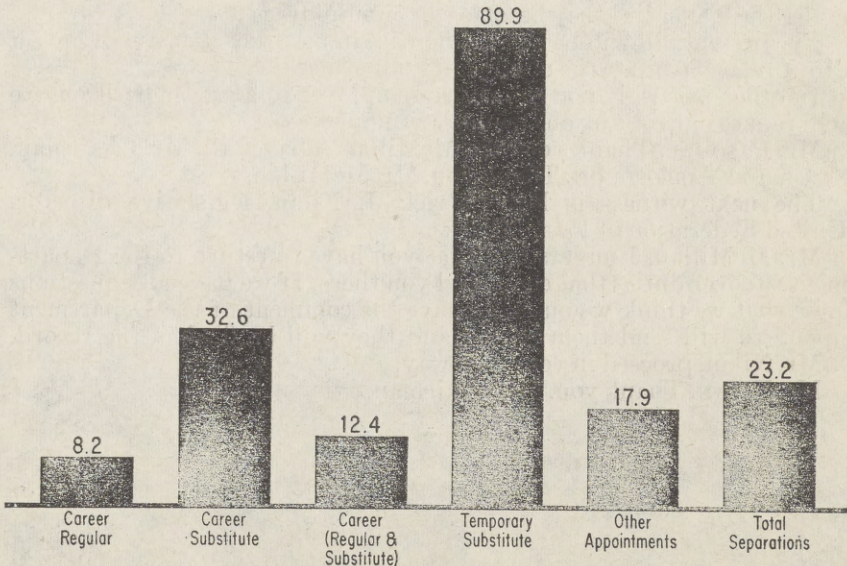
Mr. Chairman, we have two alternatives available to us; one is to continue the present undesirable practice with regard to our use of temporary employees in lieu of career employees, and the second and far better alternative, is to improve the Department's employment practices and service to the public through a well-balanced career force capable of achieving the mission which has been assigned to the Post Office Department.

Mr. Chairman, thank you for allowing me to appear before this committee today to express the Department's view on the legislation which is before you.

(The above-mentioned chart follows:)

TURNOVER-CALENDAR YEAR 1966

RATE OF SEPARATION PER 100 EMPLOYEES
(By Type of Appointment)



Senator YARBOROUGH. Thank you, Mr. McMillan. I will forgo any questions at this time.

I will ask counsel on both sides who have been working on this if they have any questions they desire to propound.

Mr. MINTON. No questions, Mr. Chairman.

Senator YARBOROUGH. Mr. Paschal?

Mr. PASCHAL. Mr. McMillan, I believe it was 1954 or 1955—and I believe it was mentioned in your statement—that the ratio of 5-to-1 was set up. Is that right?

Mr. McMILLAN. That is correct, sir.

Mr. PASCHAL. As I recall, and I happened to have been on the staff at that time, that was put in at a request to hold down the number of substitute employees. Is that right?

Mr. McMILLAN. This was put in, as you remember, Mr. Paschal, in 1955, because of increased annual and sick leave benefits granted to postal employees by Congress.

Mr. PASCHAL. Recently there was passed the so-called Taper bill. I think you made mention of that. The purpose of that, as I recall, was to hold down the number of temporary employees. It was thought it would make them less.

I ask this question only for clarification. Would this bill in any way increase the Taper employees and would it increase the number of substitute employees?

Mr. McMILLAN. The purpose of the bill is entirely separate from that of the so-called Taper bill. This Taper bill was introduced primarily to take care of the qualified temporary employees who had been on the rolls in some instances for 4 or 5 years.

If they can pass suitable examinations or had passed them, it was justice to them, because they had been working faithfully over the years.

We estimate that this might give us 7,000. This will be a direct 1 for 1 replacement. In other words, they are temporary and if they qualify under the Taper bill they become career employees.

The present bill will be just an increase in positions, but it will have a direct relationship to the number of temporaries.

In other words, if you convert an employee to a career position, we will reduce our rolls by one temporary employee.

Mr. PASCHAL. Thank you, Mr. McMillan. That is all, Mr. Chairman.

Senator YARBOROUGH. Thank you, Mr. McMillan.

The next witness is Mr. Patrick J. Nilan, legislative director, United Federation of Postal Clerks.

Mr. McMillan, I understand that you have to return to the Department to cover duties that command you there. If we have any questions arise that we think we ought to have the comment of the Department upon, we will send them to you and they will be filed in the record.

Mr. Nilan, proceed in your own way.

Mr. NILAN. Thank you, Mr. Chairman.

**STATEMENT OF PATRICK J. NILAN, LEGISLATIVE DIRECTOR,
UNITED FEDERATION OF POSTAL CLERKS, AFL-CIO; ACCOMPANIED BY EMMETT ANDREWS, EXECUTIVE AIDE**

Mr. NILAN. Mr. Chairman and members of the committee, for the record, I am Patrick J. Nilan, national legislative director of the United Federation of Postal Clerks, AFL-CIO. I am very pleased to appear before this committee with Emmett Andrews, our executive aide, in regard to the pending legislation, H.R. 14934.

We speak this morning in behalf of the Nation's 319,000 postal clerks for whom we are the exclusive national representative for labor-management relations with the Post Office Department.

Our membership is exclusively in the postal clerk craft and is located in post offices in the 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, and Guam.

H.R. 14934 proposes to change the present 1-substitute-to-5-regular-employees ratio to a new 1-to-4 ratio. Mr. Chairman, the United Federation of Postal Clerks cannot support the proposed legislation. Our organization has historically been on record by national convention action, not only to oppose further increases in career substitute employees in the postal service, but to urge the Congress to eventually eliminate all substitute positions in the postal service, particularly the positions of temporary, part-time, or hourly wage employees.

We would agree, Mr. Chairman, that H.R. 14934, as passed by the House, is an improvement over the original legislation. I say this, Mr. Chairman and members of this distinguished committee, because in our opinion the Post Office Department has either misinterpreted or evaded the language and intent of laws enacted since 1936 as related to substitute complements in the Nation's post offices.

Since that date and to the present, the Post Office Department has been including all supervisory employees up to and including the Assistant Postmaster with the clerical craft complement for determining the number of career substitute clerk employees authorized in individual post offices, based on the existing 1-to-5 ratio.

There has been no reference in title 39, United States Code, section 3303, entitled "Substitute Positions" either in the language or the listing of the various groups of rank-and-file employees to even suggest that supervisory employees may be included in the clerical complement for purposes of determining the number of career substitute employees. The legislation, H.R. 14934, would specifically exclude supervisory employees for purposes of determining substitute complements in post offices, and it is for this reason we state that the final legislation as approved by the other body is an improvement and would make certain the Post Office Department does not continue to ignore section 3303, concerning substitute ratio authorizations.

If the committee desires additional information concerning our position in challenging the statutory authority of the Post Office Department's policy of including supervisors within clerical complements for determining substitute ratios, we would like to refer you

to our testimony of June 28, 1967, before the House Post Office and Civil Service Subcommittee on Postal Operations on H.R. 11060, in which we defined our objections in more detail.¹

However, Mr. Chairman, we still are very much concerned with this or any legislation which would effect an increase in the career substitute complements of post offices at the present time. We know that the continuing implementation of the presort of mail and ZIP code has contributed during the past year to standby or nonworktime in some of our larger post offices.

This situation, plus the almost total elimination of en route mail distribution, and the increasing use of mechanization to work mail could result in the Post Office Department being in a position of having trouble utilizing the services of even the present number of career regular and substitute employees, under the 1-to-5 ratio in post offices throughout the country.

I would like to explain just one of the many unfortunate situations which our membership is finding itself in as a result of continuing changes in postal operations throughout the country. One member of our organization, in a second-class post office in Missouri, advised us that his office formerly had one career regular clerk and one career substitute clerk. However, as a result of mechanization and centralization of mail-handling operations, the regular clerk who had been employed in this position for 23 years has now been relegated to a substitute clerk position.

Now the two career substitutes must divide whatever hours of work are available. Our former career regular clerk with 23 years of dedicated postal service can now only be assured of 2 hours of employment each day, and only when scheduled to report for work.

Another reason for our vital concern with the introduction of any additional substitute employees as a result of a change in the existing 1-to-5 ratio is because of the considerable number of mobile clerks—that is, post office clerks who distribute mail on trains and highway post offices—that have been in the process of being surplussed into post offices of all sizes throughout the country because of the almost complete elimination of railway mail service on trains and highway post offices.

As a matter of fact, we were advised by Assistant Postmaster William McMillan as late as the first of February that there were approximately only 3,400 mobile postal clerks still being employed in the postal transportation system. It is only a year or two ago that there were almost 12,000 mobile employees, efficiently and economically distributing mail on the Nation's RPO and HPO mail facilities.

For example, in the Cincinnati postal region, alone, more than 1,200 career regular and substitute employees have been reassigned from railway post offices into stationary post offices within the past 6 to 8 months. On June 28 of last year, when we testified before the House Post Office and Civil Service Subcommittee on Postal Operations¹ in opposition to changing the existing 1-to-5 substitute ratio, we predicted that within the following 18 to 24 months some 9,000 to 10,000 mobile employees would lose their jobs on railway post offices, and, necessarily, would be reassigned to stationary post offices.

¹ Hearing entitled "Franked Mail—Ratio of Substitute to Regular Postal Employees."

At that time, in June of 1967, there were still approximately 12,000 such mobile employees distributing en route mail in railway mail post offices. Now, not 18 or 24 months later, but only about 9 months later, there are only some 3,400 regular and substitute mobile employees still distributing mail in railway and highway post offices, and the other 8,500 to 9,000 employees have been reassigned into post offices during the comparatively short time of 8 to 9 months.

As a result, Mr. Chairman, we have deep concern that the enactment of any legislation which would substantially increase the number of career substitute employees could and would adversely affect the reassignment rights and hours of employment of approximately 9,000 reassigned career regular and substitute clerks from the mobile service. In many instances, any change in the substitute ratio would eliminate opportunities for them to be assigned to post offices within the general geographical area of their residences, or reduce the amount of work necessary for them to provide a living for their families.

In other words, Mr. Chairman and members of the committee, what I am trying to point out is that at this particular time in the postal service, we are experiencing an era of ever-changing programs, policies, and mail operations, which makes it extremely difficult for the Post Office Department, or anyone else, to predict the many and varied necessities for reassignment of career regulars and substitute employees, both from mobile units and stationary post offices to other post offices throughout the country, in order to permit such employees to maintain jobs and earn livings for their families. We cannot help but believe that the authorization to establish some 23,000 new career substitute positions in the postal service would be detrimental to the best interests of these dedicated employees.

We also object to the legislation, Mr. Chairman, on the basis that we honestly believe the U.S. postal service, in order to provide the most efficient and economical service to the American public should be operated with a stable, knowledgeable, and efficient work force of career full-time employees to the maximum extent possible.

Unfortunately, the Post Office Department, in recent years, is moving in exactly the opposite direction. This is particularly true in the clerical craft, where increasing thousands of temporaries and ever-increasing classifications of temporary employees contribute, in our opinion, to a less efficient postal service, an unstable work force, and certainly have been a most disturbing factor on the morale of career employees in all categories.

I would like to list for the information of the committee the following types of part-time and temporary employee positions existing in the postal service today:

- Career substitute employees;
- Limited temporary employees (89-day temporary employees);
- TAPER or indefinite appointments—without time limitations;
- Seasonal assistants;
- Postal assistants;
- Neighborhood Youth Corps appointments;
- Youth opportunity program;
- Hourly rate regulars; and
- Job opportunity training employees.

Actually, Mr. Chairman, and members of the committee, we find it difficult, if not impossible, to understand why the Post Office Department at this time is requesting the enactment of this legislation proposing an increase of approximately 23,000 in the number of career postal substitute employees.

Within only the past few months, it has been demonstrated conclusively, to us, that the answer to a good mail service is not additional part-time employees, but rather a postal service operated—particularly in the larger cities—by full-time career regular employees.

The Post Office Department has introduced new personnel programs in a number of the larger cities throughout the country, which have substantially reduced or eliminated temporary and/or career substitute employees in great numbers consistent with these changed and enlightened personnel practices.

At this time, Mr. Chairman, and members of the committee, we would like to refer you to one of these post offices where operational and personnel changes document our position for a full-time career regular employee postal service and oppose any increase in existing substitute employee ratio.

The April issue of our Union Postal Clerk and Postal Transport Journal included a documented report entitled "The Atlanta Experiment" and discusses the important question which is, "Can a large post office operate efficiently without substitute employees?"

I have included this magazine reprint at the end of this statement as exhibit A.

Mr. Andrews has prepared a résumé of the article. With your permission, I would like to ask Mr. Andrews to read the résumé into the record at this point.

Senator YARBOROUGH. That will be fine.

STATEMENT OF EMMETT ANDREWS, EXECUTIVE AIDE, UNITED FEDERATION OF POSTAL CLERKS, AFL-CIO

Mr. ANDREWS. Mr. Chairman, these thoughts should be interjected, I believe, into this particular proposed legislation.

The Atlanta project is successful and reveals that especially in large post offices 8-hour regular positions can be established economically. While actual statistics on the Atlanta project have not been made available, there are important factors evident that have not only been stressed by the UFPC but desired by the Post Office Department.

It has reduced the number of employee personnel turnover because you can hire permanently 8-hour people considerably easier than having them identified with the term "substitute" indicating only part-time employment.

The regular employee policy has in 1 year actually reduced by approximately 12 percent the number of clerks in the Atlanta Post Office.

It has insured the smoothest Christmas operation they ever had, as well as the most efficient and productive Christmas record.

It established a high morale of clerks with the reduction of constantly moving people because of turnover and reduced favoritism usually given new employees in many instances.

The success of the Atlanta project after 1 year's operation should substantiate our perennial UFPC position that the post office can operate more economically and efficiently with a regular career force than the constant programs of the post office to create more additional part-time employees. Today in the largest 50 post offices it was reported in 1967 by post office statistics that they had a turnover of almost 100 percent in temporaries, 35 percent in career subs, and only 12 percent in career regulars.

The Department statistics revealed an 8.2-percent turnover in career regulars.

These statistics would certainly indicate the advantage of reducing personnel turnover by having only regular clerks in these larger offices. It is ridiculous to assume that any potential postal employee can subsist on less than 8 hours per day, and 40 hours per week in the 50 largest U.S. cities today, under present pay schedules.

It is a true fact that any personnel developed by the Post Office Department on a less than 8-hour-per-day, or 40-hour-per-week basis only increases personnel turnover and increases costs considerably to the Post Office Department.

The Honorable Congressman Steed of the House Subcommittee on Appropriations has indicated that it takes 49 pieces of paper to employ and remove an employee even for a short time, as a preliminary cost factor. This is why we continually stress that we have to reduce personnel turnover and why this program is so successful at the present time.

The United Federation of Postal Clerks now urges the rejection of an increase of the substitutes as proposed by this bill, and further urges the opposite proven theory to reduce substitute hiring to the minimum which we believe would correct many of the postal problems encountered today.

We cannot trust the statements of the Post Office Department that this bill would reduce temporaries or any other form of substitutes. We were assured that when the ratios of substitutes was increased from 1-to-6 to 1-to-5, in 1959, and I might add that was not for the 40-hour workweek which was basically proposed in 1934, that temporaries would be almost eliminated. Yet, last year, there were as many temporaries as career substitutes.

Let us move forward to modern employment practices, career 8-hour-per-day, and 40-hour-per-week personnel, instead of going backward to increase substitute hire, which does not provide better jobs to attract personnel into the Post Office.

Substitute hire is a medieval and costly hiring practice that should be changed and eliminated now. If present Post Office management cannot realize the favorable effects of career regulars, we suggest that they cannot adapt themselves to modern-day methods of employment.

It can be further stated that with the propaganda that we have been exposed to about mechanization and automation, that certainly some mechanization and automation of modern-day thinking could be injected into the same people who are projecting this particular bill as the salvation of the Post Office Department to this Congress.

Congress would be wise in their judgment to reject this particular legislation because, as we have submitted to you, this is not going

forward, but rather going backward, and only enlarging a problem that is far beyond what it should be at the present time.

Thank you, Mr. Chairman.

Mr. NILAN. Mr. Chairman, I would also like to point out in support of Mr. Andrews' statement, the Post Office Department's interest in reducing the turnover in the postal service. Certainly it is our interest, too, as dedicated postal employees. However, we suggest that with the Department's own figures of about a 90-percent turnover in temporaries and the information I received late last year that in the career substitute clerk classification of employees, that approximately 35 percent of career substitutes were being replaced each year as compared to 12 percent in the career regular force.

Again, this supports our position that the emphasis should be on establishing 8-hour-a-day, 5-day-a-week regular positions to the maximum extent possible. If the Post Office Department is experiencing budgetary problems—and they are, there is no question about it—certainly their main thrust should be in the area of securing funds to establish regular 8-hour-a-day, 5-day-a-week positions in lieu of both substitute and temporary positions.

Senator YARBOROUGH. I wonder if the Post Office Department has had a real survey made by an industrial management firm of the actual monetary savings or losses, either way, by having these permanent regular employees vis-a-vis the permanent so-called substitutes. I am impressed by the fact that you say there is a 35-percent turnover in the substitutes even though they have career status, and a 12-percent turnover in the regular full-time employees.

Mr. NILAN. This is in the clerk craft; yes, sir.

Senator YARBOROUGH. Since it takes time to train people, and you have a lower efficiency quotient until people are trained and become thoroughly efficient in the job, you will certainly have problems there.

Of course, the Post Office Department, like every branch of the Government, has been ordered to cut their budget. They have been ordered by the executive department and by the legislative department. I, personally, think those orders are very unwise. I voted against them. But my views do not prevail.

I wonder if there has been a real survey made. I know they have a position and you have a position. But this is not exact. It is an estimate.

Has anybody tried to gage this in terms of man-hours and output per hour, what it would do?

Mr. NILAN. We have been unable, of course, to get any information from the Department on which we could even come to some reasonable conclusions on it. I am sure the Post Office Department would have this information, if they would make it available.

But I would like to suggest, Mr. Chairman, that your committee may consider, for example, having a review made of the Atlanta installation, which is certainly a prime example of how the career work force can operate.

Senator YARBOROUGH. I will instruct the staff to get from the Post Office Department a report on the Atlanta operation and what they found about overall economy. I assume the reason for their pushing this legislation is the budget problem pushing them so hard.

They feel that they will get more service for less dollars this way. But when you count the competency of the full-time, regular employee, and his capacity for output, unless you have a real hardnosed survey, I am not certain they are winning.

Mr. NILAN. Mr. Chairman, as you know, we have great confidence in the Congress—the Senate, particularly—and the staff of the Senate committee. I am confident that your staff could develop objectively a résumé of some of these cost factors, assuming, again, time would permit.

I would like to also point out in our own State of Texas, in San Antonio, the Department has tried this project similar to Atlanta. Unfortunately, we have been advised by people in San Antonio that the postal management down there had not been enthused about the program when it was initiated, but in spite of that they have developed statistics and data which has resulted in today, I believe, approximately 30 career substitute clerks being employed, with a correspondingly larger number of regular clerks. They presently have 100 postal assistants down there that they would like to hang on to, although they do acknowledge that perhaps additional regulars could be authorized in San Antonio and would liquidate these employees.

In Buffalo, N.Y., a similar program was initiated last year. We understand that they are well on their way to eliminating not just temporaries but also career substitutes—working with a full-time, regular force as in Atlanta.

Nashville, Tenn., is also trying this program out.

Our position, as Mr. Andrews mentioned, is that in the largest 50 post offices throughout the country, certainly it would appear reasonable that a career regular force that is stabilized, that does not have tremendous turnover, could result in a much better operation of the postal service.

We have heard also—and I believe the Department would verify this—that it costs the Post Office Department anywhere from \$500 to \$800 to process and train a new substitute employee.

Senator YARBOROUGH. That sounds to me like a pretty modest estimate, when you consider not only training but the efficiency that comes with the work.

Mr. NILAN. That is right. This would be the minimum required for any one employee. When you are talking, as we are here, of a 35-percent turnover in the career substitute work force out of some 50,000, this means the turnover numerically as well as the financial cost is tremendous.

Again, this is one of the reasons that we are suggesting that the present legislation be set aside until some of these things can be analyzed.

Senator YARBOROUGH. I direct the staff to inquire of the Post Office Department the result of their experimentations at San Antonio, Tex., and Buffalo, N.Y.

Mr. NILAN. Now, I would like to continue with my statement, Mr. Chairman.

We certainly hope, Mr. Chairman, and members of the committee, that the excellent operation in Atlanta, as indicated by this statement, supports the contention that a better mail service is provided by increased regular positions, a reduction—actually elimination—rather

than an increase in career substitute positions, and elimination of temporary and part-time employee positions.

We also question the Post Office Department's legislative proposal, particularly in the clerical craft, to provide a sharp increase in the number of career substitute employees since we were advised only last year that the Post Office Department had introduced an entirely new employment study program within the entire Wichita, Kans., postal region with eight of the largest post offices in this region included in this new and progressive employment program.

The Post Office Department introduced this program which we also believe fully substantiates the position of the United Federation of Postal Clerks in opposing any increase in career substitute employees and also propose the elimination of temporary and part-time positions.

We understand that this Post Office Department program is essentially concerned with improved scheduling of employees in post offices. We understand that post offices in Omaha and Lincoln, Nebr.; Oklahoma City and Tulsa, Okla.; Topeka, Shawnee-Mission, Wichita, and Kansas City, Kans.; were designated last year as "pilot" post offices where new scheduling and operational programs would be activated.

Our national officers have been told that it is the Post Office Department's intention, in these post offices, to (1) eliminate all temporary employees; (2) reduce the career quota of substitutes to the lowest possible number; (3) establish the maximum number of Monday through Friday basic workweeks for employees in these post offices; and (4) use career substitute employees and a judicial amount of overtime to cover weekend assignments and peak mailing periods.

Mr. Chairman, we heartily endorse this Post Office Department program, as it would appear most consistent with a vastly improved postal service, and a much more efficient utilization of career regular employees, with a minimum number of career substitute employees.

Mr. Chairman, we would also like to refer, as a witness before the House committee did on June 27th of last year, to the statement by Assistant Postmaster General Ralph W. Nicholson—Bureau of Finance and Administration—when he appeared before the House Subcommittee on Appropriations in February of last year. Mr. Nicholson had the following to say, and I quote:

The average substitute today is working about 28 hours, or a little over 28 hours a week. His take-home pay is for about 28 hours a week or a little over. Prior to the passage of Public Law 89-301, the average substitute worked more than 40 hours. If he did work 40 hours then and 28 hours now, he has about a 30 percent reduction in his take-home pay. The average substitute employee worked 2076 hours a year in 1965, before Public Law 89-301, but worked only 1492 hours a year in 1966, after Public Law 89-301.

Mr. Chairman and members of the committee, based on this authoritative statement by Assistant Postmaster General Nicholson on the totally inadequate number of hours and pay the substitute is receiving throughout the Nation's post offices, we would certainly suggest that any increase in the number of substitute employees would substantially and further reduce the number of hours of employment for such substitutes, and neither the substitute employees presently on the Post Office rolls, nor the new 23,000 substitute employees which would result from changing the substitute ratio law, would be able to work a

sufficient number of hours or have a sufficient amount of take-home pay to provide a living for their families, or for them to remain in the postal service as dedicated career employees.

Again, assuming Mr. Nicholson's statement is correct, we are at a loss to understand why the Post Office Department has recommended the 23,000 additional career substitute positions which would result from changing existing ratio relationship between substitute employees and career regular employees.

Mr. Chairman, the Congress last year enacted legislation permitting the Post Office Department to convert potentially 6,000 Taper and other temporary employees to career status, as provided in Public Law 90-105. This means that the Post Office Department has been granted an increase of approximately 6,000 career substitute employees as a result of this conversion law.

Mr. Chairman, we are confident that the average dedicated postal supervisors, in practically all of the Nation's post offices and would prefer to be alert, imaginative, and efficient management representatives, both in scheduling the maximum number of regular employees and the minimum number of career substitute employees without temporary employees, and, as a result, move today's mail in a most businesslike and efficient manner.

However, it would appear to us that with the tremendous number of temporary substitute employees presently on the rolls, and the proposed increase in the number of career substitute employees that postal supervisors would as a result be encouraged to provide a sort of lazy, inefficient, and costly supervisor and management technique in moving the U.S. mail.

Postal management constantly insists that it must have "flexibility" in an effort to substantiate the tremendous number of temporary and other part-time employees presently utilized in the Nation's post offices. We suggest, Mr. Chairman, that the word "flexibility" with all it stands for, is outdated, unwarranted, and has been overrated in defense of part-time substitute employees.

If I may, Mr. Chairman, I would like to refer to a statement made by Assistant Postmaster General Richard J. Murphy before the House Post Office and Civil Service Postal Operations Subcommittee on June 27, 1967. We concur wholeheartedly with Mr. Murphy's strong support for the employment of career regulars in the U.S. Postal Service. Certainly, we agree that these employees are, as Mr. Murphy suggests, "the backbone of the postal service—their efficiency is higher—their postal knowledge is broader—their interest in service is keener * * *"

However, Mr. Murphy also points out that the substitute ratio to regular employees originally in 1935 was one substitute to 12 regulars, 1-to-10 and 1-to-8 regulars, depending on the size of the office concerned. A year later, the ratio of substitutes to regulars was changed to 1-to-6; and in 1955, the substitute ratio was again changed to one substitute to each five regulars. Now, the Post Office Department wants a further increase in the number of career substitute employees by reducing this ratio to 1-to-4.

We suggest, Mr. Chairman, that if this is done in the not-too-distant future, the Post Office Department will again suggest the ratio be further changed to even one substitute to each three regular employees, and this we are opposed to.

Mr. Chairman and members of the committee, we appreciate very much the opportunity to present this statement concerning the pending legislation. Before we conclude, we would like to make a number of suggestions for amending the legislation which we sincerely believe would directly result in improved personnel practices within the postal service; more efficient and responsible scheduling of employees; and would provide a vastly improved mail service which the citizens of this country, this great country of ours so richly deserve:

(1) Specifically restrict the Post Office Department from including supervisor positions within the clerical complements for establishing the number of career substitutes authorized in each post office under existing law as provided in H.R. 14934;

(2) The appropriate sections of title 39, United States Code be amended to eliminate the position of "hourly rate regular employee" as referred to in section 3573 of title 39;

(3) Amend the appropriate sections of title 39 to provide that career substitute employees be paid at the overtime rate for all hours of work performed after 8 hours a day, as well as the present statutory provisions for payment of overtime after 40 hours in one week; and

(4) Write into law the requirement that the present substitute ratio of one substitute to each five regular employees also include all categories of temporary substitute employees and not just the career substitutes.

Mr. Chairman, in spite of Public Law 89-301, we presently have hundreds of thousands of postal clerks in this Nation's post offices who are working 9, 10, or 11 hours a day without getting 1 hour of overtime. As a matter of fact, they may get their entire 40-hour work-week within 4 days and then they are left off the balance of the week in order to avoid the payment of overtime.

These are the career skilled substitutes that the Department insists must be maintained. So, again, there is a contradiction. Certainly, in this day of enlightened management-labor relations in the private sector, I can't believe that any employee, or very few, are required to work 10, 11 or 11½ hours a day at straight time, regardless of their classification.

This is an area where the postal service is 30 years behind the practice in private industry.

I would like to refer to several other amendments.

On page 2, for example, line 14, of the bill before you: "Employment after November 14 in any year and before January 1 of the immediately following year," Mr. Chairman, we cannot understand exactly what this means.

Senator YARBOROUGH. That is the temporary Christmas employees.

Mr. NILAN. This is what we understood to be intended. However, since this is an exception to the limitations of temporary hire, we would have to assume that this would permit the Department, for any employees who were employed during this period, to continue them on indefinitely as temporaries since they are exempted from that subsection which limits their employment to 12 days.

Senator YARBOROUGH. I think that the way it is worded that anybody who is hired after November 14 and before January 1, the date of hiring alone would give them if they hired them in that month and a

half period, it would allow them to keep them as temporary substitutes.

Mr. NILAN. Yes, sir.

Senator YARBOROUGH. That can be amended.

Do you object, if there is a proper limitation, to having authority to employ just temporary Christmas help?

Mr. NILAN. Not during that particular period. We would prefer December 1, of course, because we feel this is the Christmas period. I can well remember a few years back where no Christmas temporaries were hired until the middle of December or the first part of December. Now they have moved this back to the middle of November.

Senator YARBOROUGH. I begin to receive Christmas cards now before I have bought any to mail out. Some people do mail early.

Mr. NILAN. Right, sir; they do mail early.

Senator YARBOROUGH. I wouldn't quibble with the Department over the 14th of November.

Mr. NILAN. We don't object to it as long as the committee would change the language to specifically provide that such employees could not be employed after December 31, for example, or earlier than November 14, and could not have their employment continued on indefinitely.

As I mentioned earlier, we would also like to have the final subsection 4 also stricken from the legislation, which would permit the exclusion of part-time employment for special groups of persons because, again, it simply increases the number of part-time or temporary employees.

Mr. Chairman and members of the committee, in conclusion, the United Federation of Postal Clerks urges this committee to give consideration to restoring the U.S. postal service as an employer of the maximum number of career regular employees and the minimum number of career substitute employees, as well as completely eliminating, or placing effective restrictions on the number of temporary employees that may be utilized in the postal service.

We regret that we cannot support the pending legislation as presently written and being considered by this committee.

Thank you for your time and patience in hearing the views of our organization.

Mr. Andrews and I shall be happy to respond to any questions the committee may desire to ask, and cooperate in every other way possible.

(Exhibit A referred to, follows:)

EXHIBIT A

THE ATLANTA EXPERIMENT: CAN A LARGE OFFICE OPERATE EFFICIENTLY WITHOUT SUBSTITUTES?

The Federation has for a long number of years maintained that with efficient scheduling of personnel, large post offices can be efficiently operated without the use of substitutes (career or temporary) and without the use of short-hour people.

What appears to be conclusive proof of our contention results from a pilot study made at Atlanta, Georgia; and the following information supplied by Past President Nick Najour of Local 32, explains the details of the pilot project.

The postmaster, supervisory officials, and the officers and members of Local 32 are to be congratulated on their efforts in this area.

"The Atlanta Post Office was fortunate in being selected to test a pilot operation on converting all personnel to regular which entailed the elimination of

temporary employes and the conversion of career substitutes to regular wherever possible. This philosophy has been followed by the management of the Atlanta postal operation for some time and, together with the employee organizations, the undertaking of this test was a joint effort. This is the key to any success the Atlanta postal operation has had in the "all regular" program.

One year ago, the Atlanta postal operation required the services of 2,566 clerks. Of these 2,566 clerks, 1,930 were regular employees. Also, on the rolls one year ago in the Atlanta Post Office were 412 career substitute clerks and 224 temporary substitute clerks. With the inauguration of the test program, immediate steps were taken to determine all points where eight within ten positions could be authorized. The local organization felt that an eight within nine limitation could be established and this was later implemented in the final staffing criteria.

Representatives from the Post Office Department headed by Mr. Jim Wolf conducted, with local personnel, the mail volume recordings on representative days to determine exactly when mail volume was received and when the work load was available. As a result of this test, it was determined that the possibilities of an "all regular" program in Atlanta was very good. The staffing criteria was compiled and left with local management for implementation on a "phase in" basis.

"At first, the schedule for completion of the program was July 1, 1967; however, the final conclusion was not made in the clerical force until September as local management insisted on a gradual conversion. As a result of this program, the Atlanta Post Office now has no substitute clerks and all clerical employes are now employed as regular employes on their first day of service. This has, although local management does not publicize this information, enabled the local post office to reduce the total work force considerably and the service now being rendered by this post office is the best we have ever experienced.

"During the recent Christmas period, less than one dozen clerks were not qualified on at least one scheme. This experience and stability contributed to one of the smoothest Christmases in history of the postal service in Atlanta.

"This program has also reduced the bidding and re-bidding, the constant conversion of temporaries to career substitutes and then to regular status. The turnover between job assignments has almost been eliminated since the only way position vacancies occur is when employes retire or leave the service for other reasons. From all indications, our productivity has increased and we are processing more and more mail with fewer people. The benefits as far as employe morale are concerned are too numerous to elaborate.

"This proposal has all but eliminated any favored treatment that previously was given to "special interest" substitutes as all new employes are assigned to regular positions, in almost all cases to Tour 1, thereby enabling qualified senior people to have total access to the preferred assignments. All positions are now filled by bid and no preferred assignments are occupied as has been the practice in the past by favored substitutes.

"Local management and the local organizations have found no need for the four hour regulars and the success of this operation is attributed to the efforts of management and the employe organizations to make this program work. No employes have been arbitrarily displaced from their assignments in this period of transition through the insistence of local management that this be a 'phase in' conversion."

Senator YARBOROUGH. Due to the fact that we have a number of other witnesses, I will forego questions that come to my mind at this time. The staff will be in communication with you.

Mr. NILAN. We will be happy to respond to any questions.

Senator YARBOROUGH. On page 13, why do you specifically point out this supervisor position?

Why is the employment of temporary supervisors, career supervisors, more disadvantageous than clerks?

Mr. NILAN. Mr. Chairman, we didn't mean to leave that impression with you. We simply wanted to reiterate that we do not feel supervisor positions should be included within the clerical complement for purposes of defining the number of substitute employes to be hired.

Senator YARBOROUGH. One other question occurred to me, and one I feel I should ask, in spite of the lateness of the hour.

I refer to the statement of Mr. McMillan, that, due to the handling of the mail the Post Office Department cannot control the time at which people mail, and you do have two peak periods. These substitute career employees they would like to call on them for some hours at one period of the day and then call upon them for more hours. If you are a regular career clerk, it is not possible to split that 8 hours up, is it? That is 8 hours straight through?

Mr. NILAN. That is right.

Senator YARBOROUGH. A permanent career clerk does not work for 4 hours in the morning and 4 hours after 6 o'clock at night?

Mr. NILAN. I am pleased you asked that question because I do want to respond.

Mr. McMillan, of course, is referring only to the smallest post offices, where he is talking about 2 hours of employment in the morning and 2 hours in the evening. There is no question about it. If you move into any large second- and first-class post offices, it is obviously not a problem. In the bill, itself, it provides that offices with less than 25 employees are excluded from the use of temporaries.

The Post Office Department today is using temporary employees in these smaller offices because of the problem of a couple hours in the morning or a couple of hours in the evening. But our testimony is directed to the overwhelming number of substitute and regular employees in the larger post offices.

Let me just say this, Mr. Chairman: I have been very familiar with the NIMS program of the Post Office Department, particularly when I was president of my local in Minneapolis, a few years back. That is the National Improved Mail Service. That was to convince large mailers to bring their mail in early in the day.

All I can say is I am absolutely convinced that if the Post Office Department would place the same emphasis on NIMS to get the mail in earlier, and have a smoother flow of mail, as they have done to implement the ZIP code program, today we would have a smoother flow of mail in all the larger post offices throughout the country. I think it is unfortunate that they have not placed the same emphasis to bring mail into the post offices earlier as they have on the introduction of Mr. ZIP in the postal service.

Senator YARBOROUGH. Thank you. That does bring up other questions, but we have other witnesses.

Mr. NILAN. It is always a pleasure to appear before you.

Senator YARBOROUGH. I know the staff on both sides have questions, but we want to hear the other witnesses. The questions will be presented in written form.

The next witness is Mr. Jerome Keating, president of the National Association of Letter Carriers.

STATEMENT OF JEROME J. KEATING, PRESIDENT, NATIONAL ASSOCIATION OF LETTER CARRIERS; ACCOMPANIED BY JAMES H. RADEMACHER, VICE PRESIDENT

Mr. KEATING. Thank you. I am accompanied this morning by Vice President James H. Rademacher. I don't have a formal statement, but I do have a number of remarks I would like to make.

We are in favor of this bill. We believe that it is necessary to control the number of temporary employees in the postal service. We have agreed, and will go along with, the change in the ratio for that purpose.

I do want to correct some statements, or amplify statements made by previous witnesses.

On page 3, I note that Assistant Postmaster General McMillan gives a history of the ratio law. Actually, this ratio was brought about because of the fact that postmasters throughout the country hired too many substitutes. At one time there was no limitation whatsoever on the number of substitutes. So they hired as many as they wanted to. We made a study back in 1962 relative to the number of substitutes that they had in various post offices. We found in some offices that they had twice as many substitutes as they had regulars.

For some reason or another, postal supervision by and large seems to like to have a lot more people than they have to use. There is no other institution that uses substitutes to the extent that the Post Office Department does. It is a system that has long been established.

In 1935 when the ratio law was first passed, it came as a result of demands by the organizations that there should be a limitation of the number of substitutes to the number of regulars. Prior to that time, we had very few temporaries in the postal service, practically none, except in the remote areas. In the larger cities there were no temporaries used. However, the first quota law provided 1-to-10, 1-to-12, and 1-to-8. The 1-to-10 applied to the larger cities. It was decided according to the size of the city.

When that went into operation, the Post Office Department contended that they couldn't operate without more substitutes. They brought in a lot of temporaries. Following that, in 1937 we sought and secured, because of the overwhelming number of temporaries, an amendment that changed the ratio to 1-to-6. When that was done, the temporaries immediately were let go from the postal service. We didn't have any temporary problem again until World War II came along. When World War II came along and the men went into the service, the people who were hired to take their place were given a temporary appointment, not a regular appointment. They came off the register, as far as they could get them off the register, but they were only given a temporary appointment.

After the war, when the men came back and took their jobs again, as many of them did, the Civil Service Commission was overwhelmed with examinations and they couldn't give them fast enough. So they continued to hire temporaries. Later on they gave the authority to the Post Office Department to conduct their own examinations. That should have eliminated the temporaries, but it didn't quite do it.

In the meantime, a situation had built up where you had temporaries, such as was described in the bill where they had a lot of service. They had become pretty well trained and they were reluctant to let them go. We have had legislation on two occasions and Executive orders on two occasions to give these men permanent positions. But this temporary situation has been a troublesome one. There are offices where they overemploy the number of temporaries. There is no excuse for using the number of substitutes that they do use.

The House Appropriations Subcommittee has been very critical of the turnover in the postal service. There were 140,000 people who left the postal service last year—140,000 people—which is a tremendous turnover. That was brought out in the appropriation hearings.

Senator YARBOROUGH. That is 140,000 out of 700,000?

Mr. KEATING. That is right. That 140,000—and it is a matter of record—is due to the hiring of temporary employees. A man comes in and he is given a job. He doesn't have the other rights and privileges. He is told that he can be let go at any time. So he looks around. He just takes that job on a temporary basis. He is looking around for another job. We think that is bad for the service. We think they ought to appoint regular carriers.

Mr. McMillan speaks of the necessity of having flexibility. They have overdone the flexibility. If there is one vacancy, they want to have two or three men there. They would just as soon have a few left over.

As Mr. Nilan pointed out, when the law was passed providing overtime for substitutes, the Department followed a policy of practically no overtime for substitutes. In some places we have come across situations where a substitute worked 33 hours, and there is a route vacant, but the supervisor won't put him on because if he works 8 hours he will have 41 hours. He will be over 40 hours and they have to give him overtime.

I think these practices are absurd. I think they ought to give the regular carrier substitutes overtime when necessary.

We believe that with the additional amount allowed of allowing 1-to-4 rather than 1-to-5, that there is no necessity for hiring temporaries.

We ask that the amendment be put in limiting temporaries because you have a situation building up where these fellows work several years and then people don't want to let them go. We have had a situation where a postmaster has a temporary who has worked 3 or 4 years, so he is not anxious to create a new route. He is not anxious to put on a regular man where he could because of Joe Doaks who thinks he is entitled to a job. I think he is, too. But I think he has been hired improperly in the first place. So they defer asking for the regular complement and resist it. They go so far as resisting it.

We asked for 90 days and they came up with 120 days. If a man works for 120 days, we think they ought to let the temporary man go, and if they have to hire another one, not hire the same man. We used to have a 30-day limitation. So they work a temporary 30 days and they leave him off one night and hire him the next morning. So the 30-day limitation was of little or no value. That is why there is a period in between.

There is a lot more I could say, but I think that sums it up generally.

With reference to the bill itself, there are two sections that we are much concerned about. I think section 2 on page 2, paragraph G: "Employment after November 14 in any year and before January 1 of the immediately following year," is a little vague. The purpose of that is that if they have a good man working in July and it comes around to Christmastime, they ought to be able to pick him up for a couple of weeks at Christmas. I think they ought to say that. This says "shall not continue for a period greater than 120 days, except the limitations of this subsection do not apply to employment after November 14 in

any year and before January 1 of the immediately following year.”

That means that anybody who is hired between November 14 and January 1 does not have the 4-month limitation apply to him. I don't think that is the purpose of the law. People have to interpret it.

I discussed this with the Department people this morning and they say, “That is what it means.” What it means is what it says in print. The interpretation of any one of us is only an opinion. Different people will be making different interpretations. If we have a different interpretation now, there are going to be different interpretations when the law is enacted. We think that the language ought to be clear and explicit. We don't think this language is clear and explicit.

Senator YARBOROUGH. If you hire a Christmas temporary substitute you couldn't hire him again for Valentine Day. If you hired him for Valentine Day, you couldn't hire him for Mother's Day.

Mr. KEATING. On the Christmas temporaries, we think it ought to be specified that they can be employed during the Christmas period.

Senator YARBOROUGH. And not have any influence on the other employment periods?

Mr. KEATING. Not on the other, if they are just for the Christmas period. But I think it ought to be spelled out that way.

I am very much disturbed with section 4, or paragraph 4: “Appointments made with the concurrence of the Civil Service Commission for the purpose of providing part-time employment to special groups of persons.” We have had several of those special groups of persons. Every one of them probably has an excellent purpose. You have your summer students. You have people employed for poverty reasons and things of that sort. These are all good social welfare provisions. But we think that the hiring of people to work in the post offices ought to be done because of what they can do in the postal service rather than for social welfare. I believe in stretching things a little bit to take care of people as much as you can, but I don't believe—and I think this ought to be done by Congress—I don't think this broad authority should be given to the Civil Service Commission.

I think that it will completely break down the purpose of the limitations. I don't think they will apply, if this general authority is given to the Civil Service Commission.

I think this paragraph ought to come out completely. We have special categories now like the part-time regulars. The part-time regulars are those who work some place else. Well, they are moonlighters, so to speak. But we have all of these little odds and ends of employees who are put in. I think perhaps it ought to be spelled out that in any limitation or any quota the part-time regulars ought to be included as part of the regular quota, that they shouldn't be something apart. It is not clear whether they are or are not included.

Senator YARBOROUGH. Mr. Keating, of course the committee is not going to meet on this bill before the Easter recess, so I want to invite you, if you care to, you and Mr. Rademacher and the rest of your staff, if you want to think this over, to write us a written recommendation on each specific provision in the act, or the amendments recommended by Mr. Nilan. We will be glad to have that in writing from you.

Mr. KEATING. We will be happy to do that.

Senator YARBOROUGH. This isn't to cut you off now. This is just to say, if we don't get exactly in mind what you recommend, and you have

stated it pretty well so it will be in the record, if there is something that occurs to you later, we would welcome your opinions in writing.

Mr. KEATING. Generally, we favor the principle of this legislation.

Senator YARBOROUGH. You think it has to be, what you would call, cleaned up.

Mr. KEATING. That is right, or shored up a little bit.

Senator YARBOROUGH. Shored up would be better, yes.

Mr. RADEMACHER. Mr. Chairman, if I might briefly add something. Right now there is an urgency to the legislation because all of the branches of the National Association of Letter Carriers are currently involved in negotiations. They are having a very serious stumbling block placed in their way on the matter of annual leave. This year postmasters are insisting that some of the younger men with families take their leave as early as March and as late as October. They are doing this because of the alleged shortage of manpower.

This legislation would create the possibility of appointment of additional carrier substitutes who could handle this annual leave load in the summer months. So you have an urgency here.

At the same time that we are requesting enactment of this legislation, we want to be realistic and recommend that two very important subjects be placed in the committee's report on this bill. One would be that the number of temporary employees decrease with the increase in the number of career employees on the basis of enactment of the bill.

In other words, this legislation should not be a "go" light for the administration to hire new workers. All that we hope it would do would be to replace the category of temporary workers with career workers.

Senator YARBOROUGH. In other words, you don't want this to be an old WPA Act from the depression days.

Mr. RADEMACHER. No, sir.

Another thing involved that we would urge the committee to stress would be that the Department be required to make as many regular appointments as possible, depending upon the volume of mail. What is happening, where they are not making the regular appointments, is you have the turnover taking place and you have a temporary employee who is not gaining any seniority, who does not have any retirement credit, all he can see is a hopeless task and he therefore leaves. By insisting that the Department make as many career regular positions as possible, you are accomplishing many objectives.

Senator YARBOROUGH. If you make him a part-time regular career he is getting seniority status?

Mr. RADEMACHER. You make him a career substitute and then he is heading toward a career regular appointment, with seniority and credit under the Retirement Act, where today he is not.

Senator YARBOROUGH. That is an incentive to stay, of course, until he becomes a permanent regular career employee.

Mr. RADEMACHER. That is right, sir.

Senator YARBOROUGH. Thank you.

Gentlemen, we would welcome any further recommendations.

The staff may have a question or two, but I will ask them to withhold them. We do have another witness.

I think you have made very many interesting points. That is an interesting point you made that the regulations requiring the young men

with families to take their vacations in March, or in April, or in the fall after school opens. I think that is very bad. If they want to have a vacation with their families, they need time for that, if possible, when the children are out of school. I know that is going to work a great hardship on many families.

We even have Senators trying to change the Senate rules, as difficult as it is to change them, so that there will be a recess in the summer, so that they might have some opportunity to visit with their families. The average age of the average Senator is slightly in excess of that of the average letter carrier in the postal service. Consequently, the letter carriers have younger families.

Thank you very much.

Mr. RADEMACHER. Thank you, sir.

Mr. KEATING. Thank you.

Senator YARBOROUGH. Mr. Silvergleid, secretary-treasurer, National Postal Union.

STATEMENT OF DAVID SILVERGLEID, ACTING PRESIDENT, NATIONAL POSTAL UNION; ACCOMPANIED BY BEN SUFIAN, EXECUTIVE VICE PRESIDENT

Mr. SILVERGLEID. Thank you, Mr. Chairman.

With the permission of the Chairman, I would like to submit the statement and attachments for the record, and merely make a very brief statement in connection with the National Postal Union's views on H.R. 14934.

My name is David Silvergleid. I am presently the acting president of the National Postal Union. With me is Ben Sufian, our executive vice president.

Mr. SILVERGLEID. Mr. Chairman, we are opposed to the bill because despite the admitted acute need for additional manpower in various postal installations throughout the country, this is simply another avoidance of the basic problem, and an effort by the administration to obtain still more "flexibility." The real question, in our opinion, is not whether there should be a quota of 1-to-6, 1-to-5, or 1-to-4, or any other quota with respect to substitutes and career regulars, but whether or not the Government should continue to sanction the use by the Post Office Department of what we used to call "coolie" labor; employees who can be worked less than 8 hours a day and employees who can be worked more than 8 hours a day and not paid at a premium rate for such service.

I am submitting the statement for the record, but I would just like to make one or two comments or highlights.

Frankly, we do not believe that this bill could be amended so that it would be palatable to National Postal Union. We feel that the answer is, and always has been—and this is part of our policy since we organized—that substitution as it exists today in the Post Office Department should be completely eliminated. We believe very strongly that particularly in our medium-size and larger post offices there should be a strict policy of only regular employees, so that there would be no resort, as there is presently, to the use of cheap labor who can only be guaranteed 2 hours a day.

Mr. Chairman, the basic approach to a quota was because substitutes—career substitutes—were not earning a sufficient income during certain periods in our history, and it was necessary to establish that ceiling on career substitutes so that those employed might be guaranteed at least a living wage. To reduce that from 5-to-4 would certainly not solve the problem.

Incidentally, I am very much concerned about that provision in the bill, in the proposed legislation, which establishes the ceiling on the hiring of temporary employees, creating a situation where they can be employed for 4 months at a time and then an interval of 4 months elapses before they can be rehired. I am concerned, Mr. Chairman, because in my opinion this gives the position of temporary employment a dignity and respectability that it never had and does not have today under any provision of any statute.

As I understand it, an agency has an inherent right in carrying out its mission to hire whatever people it needs. But there is no law that permits the Post Office Department or any other agency to hire what we call temporary workers.

This bill, in its present form, would not only give that position respectability but if we analyze it it would enable the Post Office Department to hire as many 120-day people as they see fit at any given time, with the only limitation that they can't rehire them until another 120-day period elapses.

(Mr. Silvergleid's complete statement and attachments follow :)

PREPARED STATEMENT OF DAVID SILVERGLEID, ACTING PRESIDENT, NATIONAL
POSTAL UNION

My name is David Silvergleid, and I am Acting President of National Postal Union, located at 425-13th Street, Northwest, Washington, D.C. We represent over 65,000 postal employees, organized in excess of 500 local affiliates in 50 states, including Puerto Rico and the District of Columbia. I am accompanied by our Executive Vice-President, Ben Sufian.

Mr. Chairman and members of the Committee, National Postal Union is opposed to passage of H.R. 14934 "to reduce from five to four the ratio of career substitutes to regular employees in the Postal Field Service." We are opposed to it because despite the admitted acute need for **additional manpower in various** postal installations throughout the country, this is simply another avoidance of the basic problem, and an effort by the Administration to obtain still more "flexibility." The Achilles' heel of the shortage of manpower will not be solved by a change in the "Higgin's Ratio" because this does not speak to the real question. The real question is the insistence on the part of the Government on arrogating to itself the right to not only maintain, but to extend the use of employees at less than eight hours work a day. The concept was based on a cheap labor approach from its very inception, and the insistence of the Department on retaining this philosophy in 1968 is clearly anti-labor. It has long since become illegal for any comparable outside corporation to have such a category of employees, whom the Department continues to have a right to use in excess of eight hours a day at straight time. Indeed, it is only since passage of Public Law 89-301 that substitutes in the Postal Field Service even become eligible for overtime after 40 hours a week.

Changing the ratio would simply obscure the issue because so long as the Post Office Department is permitted to hire and utilize temporary employees, it will make no fundamental difference what ratio of career substitutes to regulars is established. It can be argued that if there are to be less than eight hour a day employees, it is better to have career employees than temporaries. This, however, is simply a surrender to the completely outmoded concept which we have just pinpointed.

For the last 50 years the category of substitute postal employees has, in practice, been almost a subhuman specie in a relative sense from the standpoint of working conditions. Up until passage of Public Law 89-301 two years ago, they

could be used as little or as much in any 24-hour period as the whim of local management dictated, and as a matter of fact, they can still legally be used seven days a week, 52 weeks a year. They are truly the expendables of the postal service. For the first six months while on probation, they are subject to summary dismissal should they cause the displeasure of any supervisor. They have the most irregular and undesirable hours. They are frequently required to work every single Saturday, Sunday, and legal holiday. They are normally given the dirtiest and least desirable work assignments, and in the clerk category, they are required in addition to spend many hours of their own time learning difficult distribution schemes which they may not even use. In the mailhandler, and especially the clerk category, they are thrown from division to division, from section to section. They can never be certain at what time they will be required to report the next day, or when they will terminate their tour. The entire category of substitute is a constant source of instability, grievances, and problems of every kind.

The Post Office Department takes a very businesslike approach. It says that it is desirable from the standpoint of expediting mail to have large numbers of substitutes for short periods of employment coinciding with mail peak receipts. Projected logically, it means, for example, that the New York, New York, Post Office which presently has slightly under 3,000 temporary substitute clerks, should have 30,000 concentrated in three or four organized "peak" periods during the day of several hours each, with a skeleton force of regulars. That it has not come to this is no fault of the Department, but only because it is simply not feasible for a number of practical reasons beyond its control.

We again emphasize that it is not the ratio of career substitutes to regulars that is the real problem, but the failure of Government to yield its special prerogatives in having such a category, and especially the right of the Post Office Department to hire an unlimited number of temporaries without regard to the number of substitutes. For years the Department has used temporary substitutes, indefinite temporary substitutes, Seasonal Assistants, some of whom have never been on a Civil Service register. Under various regulations promulgated by the Civil Service Commission, the Post Office Department can appoint such temporaries for a period "not to exceed" 30 days (so-called "emergencies"), 89 days, and "up to one year."

More recently the Department has established the position of Level Three "Postal Assistant," combining the basic duties of both clerk and carrier who are used up to 20 hours a week. Appointees are college students and need take no test. There are only two simple requirements: (a) that they maintain a minimum academic standing, and (b) that there be a "need." We have no quarrel with the concept as such, except to point out that the Department on the one hand presses for "efficiency," etc., and on the other hand becomes the political catch basin for projects which, however commendable from a community point of view, undermine basic stability and the status of regulars who are the backbone of the postal service.

I take the liberty of attaching a copy of a communication to the Postmaster General dated March 2, 1966 setting forth our views with reference to the establishment of this position. I believe that a perusal will point up the never-never land in which the Department has been for many years in terms of a proper recruitment program, and why it must continue to face insuperable difficulties from the standpoint of attracting and retaining desirable personnel.

Currently the Department has a "pilot experiment" going in five postal installations dealing with yet another attempt to increase "flexibility." This involves establishment of the position of a so-called "Hourly Rate Regular." Regular Appointees would come off a regular Civil Service register, and would have all the "protection" and benefits afforded eight-hour regulars. The catch is that they would be regularly scheduled for less than eight hours a day, again affirming the Department's insistence on retaining special privileges as an employer. We take the liberty of attaching a copy of a communication to the Postmaster General dated January 20, 1967, reflecting our views on this subject. We urge your consideration of it. And **STILL** the Department asks for more "flexibility."

Mr. Chairman and members of the Committee, the proposal before you is not an answer. It is simply an attempt to avoid facing up to the basic issue as previously commented upon. It will not relieve the basic problem, but will complicate it further. I urge your opposition to it.

The only truly proper answer is to put an end to the right of the Department to hire any temporaries and eliminating the substitute category in its entirety, with a proportionate increase in the number of regulars.

Thank you very much, Mr. Chairman, for the opportunity of presenting our views on this issue.

ENCLOSURES :

MARCH 2, 1966.

HON. LAWRENCE F. O'BRIEN,
Postmaster General,
Washington, D.C.

DEAR MR. O'BRIEN: Your General Release #36, dated February 26, 1966, concerned the "immediate recruitment of approximately 10,000 'needy and deserving' students to help post offices all over the nation move the mails more rapidly during rush hours". It authorized establishment of a new position of Postal Assistant, PFS-3 at \$2.37 an hour.

National Postal Union appreciates and supports the desire of the Administration and the Department to encourage and aid needy students as such. However, we wish to strongly protest the action taken because it is one more fundamental change in policy being taken in haste, without an opportunity for proper evaluation and consultation, and because it will increase instability among personnel, cause disruption, create problems and resentment, and tend to undermine the status of career, full-time postal employees.

This new type of employment must increasingly lessen the attraction of full-time employment with the Post Office Department made through normal Civil Service registers at a time when the Department has been compelled to initiate extraordinary measures in an effort to overcome the difficulties presently being faced in obtaining additional thousands of needed new employees. In the last 10 years, beginning with the establishment of the category of part-time temporary substitutes, we have seen the status of the full-time career employee whittled away at steadily. We have Christmas Assistants, Seasonal Assistants, "N.T.E." 30-day "emergency" appointments, 89-day appointees, "Indefinite Temporary Substitutes" "Schedule A" appointments, "Part Timers" (four hours a day), and now a 16-hour-a-week employee. This new position is being authorized and utilized with a total disregard for its impact on the morale of full-time career employees, who must continue to feel downgraded at the spectacle of having phases of their basic functions parceled out to non-Civil Service employees, appointed without written examinations of any kind. These newest postal assistants are being hastily appointed with a degree of discretion given to Department representatives, that undermines Civil Service standards.

The haste is particularly indecent in view of the following:

1) Authority for these appointments was granted by the Civil Service Commission on date of December 17, 1965, but after two months, there is not even a temporary job description and instead, the duties of SP 1-20 (Seasonal Assistant, PFS-3) will be utilized "pending issuance of a new Standard Position;

2) The announcement states flatly that there will be no "examination";

3) Rate of pay will be Step One of Level Three, \$2.37 per hour, but the temporary job description would, in practice, undoubtedly open the way toward the attempted use of this employee for work normally performed by a Distribution Clerk, (KP-12, PFS-4), or a City or Special Carrier, or Special Delivery Messenger, (KP-11, PFS-4). In practice, the use of Postal Assistants is bound to create confusion, resentment, and problems of every kind. It would introduce the atmosphere of the Christmas rush every day of the week where such employees are utilized. It is in our opinion essentially a cheap labor device, using a "progressive" approach.

The use of Postal Assistants will increase instability, and there will inevitably be a never-ending turnover of personnel in this title. It is bound to complicate major and serious problems attendant on present efforts to establish a proper foundation for the concept of the Administration work week. Why should a person seek to take an open, written competitive examination for postal employment, and to make it a full-time life career when there are so many "flexible" approaches which offer "shortcuts"? As against rigid work schedules for full-time regulars, the Postal Assistants can have virtually any hours and will undoubtedly have work schedules which, at least in part, will have advantages over the work schedules of regular senior career employees. They will not have schemes, but be used in "simple" distribution. They will, if the job description of SP 1-20 prevails, not have "routes", but assist in "delivery of mail", etc. This

is a hybrid position in our opinion, an ill-concealed product of expediency, whose political overtones are inescapable and which callously ignores the effect on full-time career employees.

The Department's instructions to Regional Directors state in part, "It is expected that use of these employees will be of significant benefit to the postal service, in that it will reduce the need for temporary substitutes". How, by increasing their number—because the Postal Assistants will in fact be nothing more or less than temporary substitutes.

We urge that all plans to employ Postal Assistants, PFS-3 be abandoned. Thank you for your consideration.

Sincerely yours,

SIDNEY A. GOODMAN, *President.*

NATIONAL POSTAL UNION,
Washington, D.C., January 20, 1967.

HON. LAWRENCE F. O'BRIEN,
Postmaster General,
Post Office Department, Washington, D.C.

DEAR MR. O'BRIEN: On July 12, 1966, we wrote the Department expressing our opposition to the establishment of the position of "Hourly Rate Regular," then a pilot program. While taking cognizance of problems caused by the acute shortage of manpower, the "Higgins Ratio," etc., we nevertheless made clear our firm opposition then to "the establishment of any new position which is either noncareer or less than full time," etc.

On the basis of a proposed "Regional Letter" recently provided us, it appears that the Department intends to authorize and expedite appointments to this new position. We restate our total opposition. In our opinion, the projected program is fraught with the most adverse and serious implications for the future of the postal service and its employees.

It is true that we have long had part-time temporary substitute clerks. They were, however, temporaries. Now the Department would not only extend this to other major categories, but establish such positions as avowed official policy on a permanent basis. In recent years, programs involving summer employment, continuing use of temporaries, creation of the position of Postal Assistant, etc., have steadily undermined the status of regular employees, the real backbone of the postal service. This is true irrespective of any merits these programs may have had in connection with relieving the acute shortage of personnel, or the community aspects, and without going into possible political implications.

Still chanting "improved service" and "lower costs", the Department now moves toward the crowning indignity. Clearly the employment of the overwhelming majority of appointees under this program would be of short duration which means building in mass instability on a permanent basis.

It would undoubtedly be considered a "good" part-time job, but those appointed would clearly be oriented exclusively toward a future outside the post office. What type of employee could be expected to be interested in career service in the postal service once this job is available? Why should anyone seek "normal" career substitute positions with all the hardships involved, when this job will be available, and what about its effects on these employees? The ultimate overall impact on the future of the postal service, in our opinion, must be disastrous. This position will create innumerable grievances, mass dissatisfactions, and problems of every kind. If the Department continues to pursue this penny-wise and pound foolish course, it can easily be on the philosophical basis of "after us the deluge."

We urge in the strongest possible terms and truly in the best interest of the service that the program be canceled in its entirety.

Sincerely,

SIDNEY A. GOODMAN, *President.*

Senator YARBOROUGH. Do you think this bill, then, rather than limit the number of temporary employees, would encourage the employment of more?

Mr. SILVERGLEID. Mr. Chairman, I say this from my own personal experience with the Post Office Department. I have absolutely no doubt but that they would take advantage of the situation and hire as many

temporaries as they thought they could use, under proper conditions. There is no ceiling on the number they can hire. This is pretty evident. Whether they hire them during a Christmas period or any other holiday period is immaterial. They still have the sanction to continue to hire them. Frankly, we would be in complete concurrence with that right to hire if there were no such position as a career substitute.

If every employee who passed the civil service examination was given a civil service appointment, was given the necessary security in a regular appointment rather than a career substitute appointment, where he has absolutely no guarantee of a living wage or of any other privileges that go with regular employment, that would be something else.

It might be apropos to note, Mr. Chairman, when the Assistant Postmaster General of the Bureau of Personnel, Richard Murphy, testified on the original legislation before the House Post Office and Civil Service Committee during June 1967, he stated that the Postmaster General had made a commitment, and it was based to some extent on passage of this legislation, that all temporaries would be eliminated by the end of 1967. Needless to say, Mr. Chairman, the testimony of Mr. McMillan today, with the figures he presented to the committee, indicates that commitment has certainly fallen very, very far short of its mark. My colleague can attest to his tenure in the Brooklyn, N.Y., Post Office between the years of 1960 and 1965 when he entered into an agreement with management not to fill the 1-to-5 quota because the substitutes were not earning enough money to constitute a living wage. They had the option to bring in up to 1-to-5 but they agreed not to do it, so that the career substitute in Brooklyn, N.Y., might be given a better opportunity to earn enough money.

We give the Department the privilege of bringing in 1-to-4, Mr. Chairman, and what guarantee is there that any career substitute will get 8 hours a day? There is no legal guarantee. There is no statutory guarantee. We certainly will not feel that any moral commitment can be binding on anybody.

Mr. Chairman, I certainly appreciate this opportunity. I didn't want to overstay our welcome here this morning. Maybe I got carried away a bit. This is a substitute that has been very deep in the hearts of all postal workers for many, many years. We think substitution is medieval. It is a practice that should have been discontinued many, many years ago. We are hopeful we will be around to see the day when there won't be any career substitutes, but everybody will have a regular guaranteed position.

Senator YARBOROUGH. Mr. Silvergleid, I regret that we have had to stop our hearing without asking the witnesses the questions that we normally do, the searching questions.

You know the urgency of pre-Easter. We wanted to finish these hearings before Easter so that we would be in a position to get the hearing printed and begin consideration of the bill after the Easter session. We wanted to hear from all organizations desiring to be heard.

Your positions are different. Very many of these laws that affect the status of postal workers find the different unions in unanimity of positions for it. We find one here against it, except it be amended, one for it and one against it in toto. It presents an interesting situation.

We would like to develop those issues but time does not permit that today.

Does the staff have any questions?

Mr. SILVERGLEID. I might suggest that the staff appears to be chafing at the bit, Senator. It is pretty tough on them.

Mr. MINTON. It is tough to try to write a bill to make all of you happy.

Senator YARBOROUGH. They have a tough job.

I want to call the attention of the staff to the difficulties under which the hearings have been held. That puts an additional burden on the staff to come up with the other questions we may want to ask.

This hearing is concluded. The record will be left open until Monday, April 22, for the filing of additional statements.

If any members of the staff have questions to be propounded to the Department or the others who testified, I want those questions propounded to the Department or to the other witnesses long enough prior to the 22d. The Congress will reconvene on the 17th. That will give time to get additional questions and answers before we close the record on the 22d.

Thank all of you for your cooperation in pushing this hearing through to conclusion today.

(Whereupon, at 12:20 p.m., the committee was recessed subject to call.)



