

March 28, 2012

Mr. Gary Kloepper
Assistant Director, Maintenance Division
American Postal Workers Union, AFL-CIO
1300 L Street, NW
Washington DC 20005-4128

RE: **Q06C-4Q-C 08089435**
Union # **HQTG20082**
Class Action
Washington DC 20260-4100

Dear Gary:

The issue in this dispute concerns the improper creation, handling and utilization of a new electronic PS Form 1769 for reporting accidents which includes confidential and restricted information such as social security numbers and employee medical diagnosis.

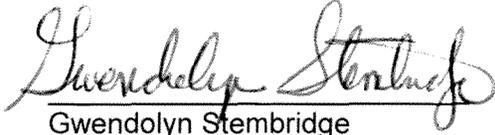
After reviewing this matter, the parties agree to the following:

- Pursuant to the Memorandum of Understanding (found at page 343 of the 2006-2010 National Agreement) between the parties regarding the removal of Social Security References, social security numbers have been removed from the form.
- As it pertains to the e-1769 surrounding this grievance, the e-Accident Report will be obsolete.
- The Postal Service will comply with Article 14 of the National Agreement and other Postal Handbooks and Manuals that require P.S. Form 1769. Such Form will be provided to, but not limited to, the Local, District, and Area Joint Labor Management Safety and Health Committees, as well as Article 14 Section 2 which specifically states in part, "[u]pon written request of the employee involved in an accident, a copy of the P.S. Form 1769 (Accident Report) will be provided."
- The Postal Service will comply with Postal Bulletin 22238 (7-31-08) regarding the proper handling of the PS Form 1769; removal of medical diagnosis. These procedures include encryption prior to emailing and never saving or storing Form 1769 to any portable device such as a thumb drive, flash drive, Blackberry, or laptop.

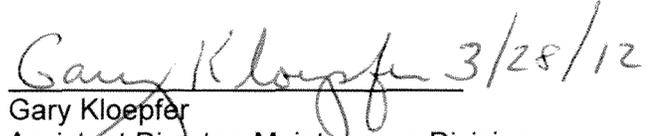
The parties agree that the American Postal Workers Union is settling this grievance without prejudice to its position. The above caption case is resolved and shall be administratively closed.

Accordingly, the parties agree that any case held pending this national dispute will be processed in accordance with Article 15 of the National Agreement. Cases that were scheduled for regional arbitration will be returned to the same stage of arbitration in accordance with the Memorandum of Understanding entitled "Step 4 Procedures".

Sincerely,



Gwendolyn Stembridge
Labor Relations Specialist
Contract Administration (APWU)



Gary Kloepfer
Assistant Director, Maintenance Division
American Postal Worker's Union, AFL-CIO

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE
UNITED STATES POSTAL SERVICE
AND THE
AMERICAN POSTAL WORKERS UNION, AFL-CIO**

Re: Removal of Social Security Number References

The parties agree that the Postal Service intends to strive to remove social security numbers from all bid-related forms (e.g., PS Forms 1717 and 1717A), PS Form 1723, Notice of Assignment, and any other postal form where the social security number is not necessary to the form's processing. In such cases, the Employee Identification Number (EIN) will be substituted.

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE
UNITED STATES POSTAL SERVICE
AND THE
AMERICAN POSTAL WORKERS UNION,
AFL-CIO**

Re: Electronic Access to Information

The parties agree that the Union will be provided all current handbooks, manuals, and published regulations that are on USPS PolicyNet in an electronic format. The parties shall **continue meeting** to determine the best means for providing this information.

In addition, the parties agree that reports currently provided to the union in hard-copy will be transmitted electronically when it is possible to do so.

Forms

PS Form 1769, Accident Report, Is Now Available in Electronic Form

Effective July 31, 2008, you must not use field-developed and field-generated electronic versions of PS Form 1769, *Accident Report*. The electronic version of PS Form 1769 on the United States Postal Service® Intranet (also known as Blue) is the *only* approved version.

Easily Access and Complete the Form Online

PS Form 1769 is now available on the Postal Service™ PolicyNet Web site in an easy-to-use, approved electronic format. With the electronic version, supervisors will be able to complete the form online, encrypt it, send it electronically, and print copies as needed. They will no longer have to fill out the form by hand in triplicate.

Protect Sensitive Information Before You Send the Form

PS Form 1769 contains personally-identifiable, sensitive data elements (e.g., Social Security numbers). The form must be encrypted before you e-mail it. Never save or store PS Form 1769 to any portable media device such as a thumb drive, flash drive, BlackBerry, or laptop.

The electronic version of PS Form 1769 is the same as the paper version it replaces with the following exceptions.

Updated Instructions

A tab, "Submission Instructions," has been added to the approved electronic form. Updated submission instructions include the following:

1. Review PS Form 1769 and OSHA 301, *Injury and Illness Incident Report*, online for accuracy and completeness.
2. Save the data to your computer.
3. Print a copy of PS Form 1769 and OSHA 301.
4. Sign PS Form 1769 in Block 56.
5. Place the signed PS Form 1769 and OSHA 301 with local OSHA recordkeeping files. Maintain for 5 years.
6. Use WinZip to encrypt PS Form 1769 (see the instructions in the next section), and then send an e-mail copy of the PS Form 1769, OSHA 301, and appropriate *Job Safety Analysis* (where required) to the servicing safety office, and your next higher level manager. In your message, include a phone number where you can be reached in case safety office personnel need to speak with you.
7. If your PS Form 1769 was not completed and sent to the servicing safety office within 3 calendar days from the date of the accident, explain the reason for the delay in your message.

8. After printing a copy of PS Form 1769, senders and recipients must delete all of the following:

- a. Electronic versions stored on their computers.
- b. E-mail transmissions from the "Sent" and "Trash" folders.
- c. Any copies in their BlackBerrys.

WinZip E-mail Encryption Instructions

1. Using *My Computer* or *Windows Explorer*, select the files or folders you want to encrypt and send by e-mail.
2. Position the mouse pointer over the file or folder, click the right mouse button and select *WinZip*, and then *Zip and E-mail Plus* from the shortcut menu. The *WinZip - Zip and E-Mail Plus* dialog box appears.
3. Use the name of the file or folder you selected for your zip file name or select a different name by clicking the *Use this name* field and entering the desired file name.
4. Select the *Encrypt Zip File* box; click *OK*. The *Encrypt* dialog box appears.
5. Type your password in the *Encrypt* dialog box; re-enter your password for confirmation.
6. Select 128-bit AES encryption; click *OK*.
7. Your file or folder is now encrypted; the Outlook compose message window appears with the encrypted file or folder as an attachment.
8. Add recipients, subject, and message.
9. Click *Send*.
10. Send a separate e-mail with the password to the recipients.

Privacy Act Statement

The following privacy statement is added to the instructions to comply with federal policy requirements for using Web-based tools to collect information:

Your information will be used to record an accident. Collection is authorized by 39 U.S.C. 401, 410, 1001, and 1005. Providing the information is mandatory; failure to do so may result in disciplinary action. We may only disclose your information as follows: in relevant legal proceedings; to law enforcement when the USPS or requesting agency becomes aware of a violation of law; to a congressional office at your request; to entities or individuals under contract with USPS; to entities authorized to perform audits; to labor organizations as required by law; to federal, state, local or foreign government agencies regarding personnel matters; to the

Equal Employment Opportunity Commission; and to the Merit Systems Protection Board or Office of Special Counsel.

Accident Report

The accident report section has the following changes:

- *Item 57* — the next higher-level manager is not required to sign the electronic version, but will receive a copy of the form.
- *Vehicle diagram* — a supervisor who completes an electronic version of the accident report is not required to submit a diagram because a diagram of the accident is required on PS Form 1700, *Accident Investigation Worksheet*. (Completion of PS Form 1700 is required when investigating and documenting a motor vehicle accident.)

Viewing and Completing PS Form 1769 Online

PS Form 1769 is available on the Postal Service PolicyNet Web site. To access it:

- Go to <http://blue.usps.gov>.
- Under "Essential Links" in the left-hand column, click *Forms*.

(The direct URL for the Forms Web site is <http://blue.usps.gov/formmgmt/forms.htm>.)

— *Safety and Environmental Performance Management, Employee Resource Management, 7-31-08*