

Postal Police Won a Grievance, but They're Unlikely to Patrol

By Eric Katz

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The U.S. Postal Service must throw out its policy limiting its uniformed police force to act only as security guards on agency property, an arbitrator has ruled, but management suggested it will still not expand the officers' roles.

The U.S. Postal Inspection Service, a USPS component and of which the Postal Police Officers are a part, issued a memorandum in August 2020 formally limiting force of several hundred employees to their more limited duty. Absent specific authorization from leadership, PIS said, the officers could not engage in law enforcement activities off postal premises. The PPO Association filed a grievance, suggesting PIS had created a new policy and violated its obligation to negotiate over it.

The union said it had regularly conducted carrier protection and community policing patrols to ensure the safety of letter carriers and other Postal Service personnel. Postal management disagreed, saying it was merely formalizing a longstanding policy that had previously been negotiated and articulated. After the two sides reached an impasse, they brought the matter to Barry Simon, a national arbitrator.

In making its case, the union acknowledged it is up to management's discretion to determine how to utilize its employees. It said management cannot, however, make new policy impacting work duties without bargaining. The Postal Service countered the officers were always limited to security guard-type roles and any other duties were allowed as "limited exceptions" or were inconsistent with management's policy. USPS also argued "the safety of PPOs is enhanced by not placing them in situations for which they are not properly trained or equipped." The union's true motive, management further stated, is to expand its members' duties in order to "obtain increased wages, commensurate with those duties."

Simon concluded that while management and the union had debated the issue previously, the 2020 memo elevated the matter to the level of an official policy for the first time. The internal handbook and statute regulating the postal police largely confines the officers to postal facilities, Simon said, but allows them to engage in law enforcement activities as part of regular duties in situations requiring "mobile patrol." That carve out was not allowed for in the memo, which Simon said should have been handled through a change to the handbook that would require a negotiation. Management cannot simply change the policy by fiat, he added, saying the 2020 memo must be rescinded.

Lawmakers have raised concerns about the sidelining of postal police, saying in letters and a hearing on the topic that it has resulted in a spike in assaults on USPS employees and mail-related theft. In a hearing held by the House Oversight and Reform's panel on Government Operations last year, Rep. Gerry Connolly, D-Va., said robberies of letter carriers had tripled since 2020.

All told, the Postal Inspection Service has more than 2,400 employees. Most of its workforce are postal inspectors, who investigate cases throughout the country and carry firearms, make arrests, execute warrants and serve subpoenas. PIS describes its police officers, meanwhile, as providing "facility security" and performing "other essential protective services."

Postal Police currently has less than 350 officers, which is down 27% since the start of fiscal 2021, according to PPO Association President Frank Albergo. Decades ago, the force was made up of 2,700 officers.

“For decades Postal Police Officers have played a vital public service by protecting postal employees, safeguarding postal assets, and combatting mail theft,” Albergo said. Since the 2020 memo, PIS has “banned all postal police street patrols meant to prevent mail theft and to protect letter carriers.”

In his decision, Simon made clear he was not making any judgment on the law enforcement authority of the PPOs. He similarly declined to specify whether making changes through the proper channels would be “fair, reasonable and equitable.”

“Nothing in this award should be construed as a directive that the [Postal Inspection] Service must deploy PPOs away from Postal Service-controlled real property,” he said.

In a statement, PIS made clear that it was still under no obligation to expand the officers’ roles. It said it disagreed with the decision, but suggested no changes should be anticipated.

“Significantly, the arbitrator made no judgment about the statutory law enforcement authority of Postal Police Officers and expressed no opinion about whether the Inspection Service could limit such authority to postal premises only,” PIS said, adding Simon made it “patently clear” that it was facing a requirement to allow the officers to make patrols.

The agency said it is “reviewing our legal options” and will “continue to utilize our personnel and resources consistent with the appropriate statutory authority, including the relevant limitations.”

Albergo said his union would have to take the Postal Service to court to ensure enforcement of Simon’s award. He added management is refusing to budge because they “backed themselves into a corner” and “don’t want to admit this was a big blunder.”

Morale among his members is “horrible,” he said, noting they are the “only police officers who aren’t allowed to deter crime.”

“We know we can make a difference,” Albergo said, explaining the general sense within the force. “We were out there doing the job and now, all of the sudden, we can’t.”

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