

KATHERINE S. ATTRIDGE  
VICE PRESIDENT, LABOR RELATIONS



January 4, 2022

Mr. Mark Dimondstein  
President  
American Postal Workers Union, AFL-CIO  
1300 L Street, NW  
Washington, DC 20005-4128

Dear Mr. Dimondstein:

Pursuant to Sections 6 and 16 of the Occupational Safety and Health Act of 1970 and the implementing rules contained in 29 C.F.R. 1905 and 1904.38, the United States Postal Service (Postal Service) plans to request a temporary variance from the Occupational Safety and Health Administration's (OSHA) "COVID-19 Vaccination and Testing; Emergency Temporary Standard" (ETS) (hereinafter "Temporary Variance Application"). The Postal Service also plans to request an Interim Order allowing the Postal Service to use alternate means of protection, on a temporary basis, until OSHA renders a final decision on its Variance Application. Those alternate means of protection would be the Postal Service's existing COVID-19 mitigation policies and protocols.

Enclosed with this letter is a copy of the Variance Application and request for Interim Order that will be filed with OSHA this week. This document will also be posted on the Postal Service's COVID-19 webpage on the Blue and LiteBlue pages. Please be aware that any affected employee may request a hearing with the Assistant Secretary for Occupational Safety and Health to be heard on the Postal Service's Temporary Variance Application. The rules for requesting a hearing can be found in OSHA regulation 29 C.F.R. 1905.15(a). In sum, any request for a hearing must contain a concise statement of facts showing how the employee would be affected by the relief applied for; a "specification of any statement or representation in the application which is denied, and a concise summary of the evidence that would be adduced in support of each denial; and any views or arguments on any issue of fact or law presented." Additional information regarding OSHA's variance program can be found on their website at <https://www.osha.gov/variance-program>.

Given the significant challenges that our nation's supply chains are already experiencing, we are seeking temporary relief from the ETS and maintenance of the status quo on an interim basis to avoid the additional potential substantial harm that would be engendered if the ability of the Postal Service to deliver mail and packages is significantly negatively impacted. We are further seeking this temporary relief to allow the Postal Service to adopt policies and procedures that comply with the ETS' requirements while adhering to our other legal obligations. At the same time, we will continue to enforce the existing extensive COVID-19 mitigation program developed and deployed by the Postal Service to protect our employees and customers nationwide against the effects of COVID-19.

Sincerely,

A handwritten signature in black ink that reads "Katherine S. Attridge".

Katherine S. Attridge

Enclosure