

Postal worker silenced by union official, management for exposing safety hazards

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The National Labor Relations Board (NLRB) upheld a decision in June in favor of driver David Covarrubias, a 36-year veteran of the Postal Service, who was silenced in 2021 by both management and the union for posting flyers encouraging other employees to inform him of their safety concerns. Management invoked a national policy prohibiting employees from “collecting signatures on petitions, polls, or surveys,” which could punish violations with up to 30-days imprisonment. The Board has ordered the Postal Service to rescind or revise the rule’s ban on collecting signatures.

According to the ruling, Covarrubias, a member of the American Postal Workers Union (APWU), had posted flyers on breakroom bulletin boards depicting a cartoon dog in a burning room saying, “That’s Okay, Things Are Going To Be Okay,” followed by a message asking, “Is this how you feel when you tell your supervisor about a safety issue and it is never addressed? Me too.”

The flyer listed nine safety issues in the Merrifield, Virginia facility—which operates 24 hours a day with more than 1,000 employees—and other regional facilities. On the fliers was a message reading, “Below are some of the many hazardous conditions I see as I go about my day as an MVS driver. I am attempting to work with management to address them. When they don’t, it is our right and responsibility to escalate the complaint to OSHA and/or file a S/H grievance. Don’t put your safety at risk. If you are suffering with an issue that has not been addressed, send me an e-mail and I’ll try to help.”

In addition to posting the flyers, Covarrubias filed a Postal Form 1767s to report each issue and emailed another driver asking him to post copies of the flyer in other breakrooms. That worker forwarded the email to union craft director Michael Shaw, who then forwarded

it to another union official and the Postal Service’s labor relations representative, Harrold Stephenson.

The case makes no note of Shaw attempting to contact Covarrubias or take action on the safety issues, and within two days of the flyers’ posting Shaw had torn them down from the union bulletin board.

Noticing that the flyers had been removed, Covarrubias posted them again, this time on the community bulletin board.

After the second posting, a fellow employee, Michael Wickert, a driver who served as the facility safety captain, notified management, claiming that the flyers undermined safety because Covarrubias was supposedly turning other employees against him. Covarrubias’ supervisor then took down the flyers.

Shortly after, Covarrubias was called into a meeting with his supervisor and the facility’s transportation manager and told he was not allowed to post the flyers on the bulletin boards, claiming that Covarrubias “can not solicit employee [sic] or the craft in this manner.”

The case exposes a Postal Service management willing to violate workers’ basic rights to silence opposition to unsafe working conditions. This has been a common pattern at USPS. Earlier this year maintenance technician Alex Azevedo was removed from postal property by police after demanding management clean up human excrement that had been smeared on mail-sorting equipment. In 2025 maintenance mechanic Steven Linell Smith won a hostile work environment case after years of racial discrimination and abuse.

In May, an NLRB judge found that the Postal Service had illegally disciplined two Florida workers under overbroad conduct rules: rural carrier Kellman Kirkconnell for a TikTok video about pay changes under the RRECS route evaluation formula, and mail

handler Keren Williams for photographing an overflowing sorting machine as a safety hazard. Management moved to fire both workers, and the union settled for suspensions.

These cases reflect a Postal Service indifferent to the lives and well-being of its employees. In just the past year Russell Scruggs Jr., Nick Acker, Keywan Glenn and many others have died or been seriously injured on the job, with little to no comment, let alone action, from the APWU. These deaths are the product of years of restructuring under the Postal Service's Delivering for America plan, with widespread attacks on working conditions. Now Postmaster General David Steiner is preparing the deepest cuts in USPS history, including 30,000 to 35,000 fewer workers within four years, to begin after the New Year.

The case is also an exposure of the APWU bureaucracy's pro-management orientation. An APWU bureaucrat was the first to tear down Covarrubias' flyers and report him to management.

The Postal Service's defense attempted to argue that the union had waived any objections to the anti-solicitation rule by agreeing to make it part of the Collective Bargaining Agreement under Article 19, which allows for the USPS to unilaterally set the conditions of the employee handbook as long as they do not conflict with the contents of the collective bargaining agreement.

It further argued that Article 14 of the contract had established "Guidelines for Area/Local Joint Labor-Management Safety and Health Committees" and that the contract language only allowed union representatives from these committees to represent other employees in safety complaints.

In short, the Postal Service's entire defense rested on the position that the union had agreed to restrict the rights of workers to solicitation and to serve as the sole body through which such issues could be mediated. It was the union's own contract, routing safety complaints through joint labor-management committees, that management held up to justify silencing a worker who had organized his coworkers.

The judge and the NLRB rejected this argument, ruling that the union contract did not explicitly prohibit Covarrubias' actions and that a union cannot negotiate away the fundamental rights of an employee to choose his or her bargaining representative.

According to the ruling, "a union may bargain away its members' economic rights, but it may not surrender rights that impair the employees' choice of their bargaining representative," adding that even if the contract had clearly waived those rights, "such a waiver would unlawfully impact employees' statutory right to solicit representation or, in Covarrubias' case, solicit support of his coworkers in addressing safety issues in the workplace."

The immediate effect of the ruling is that the USPS must rescind or revise the rule's ban on collecting signatures nationwide and notify employees electronically.

The NLRB sided with Covarrubias and articulated a fundamental right of rank-and-file workers to organize themselves. But the NLRB is an institution of the capitalist state, not a neutral arena, and it is now in the hands of the same administration sending armed guards into the plants. Trump fired board member Gwynne Wilcox in January 2025, the Supreme Court gutted removal protections for independent agencies in June, and on October 19 it refused to hear Wilcox's appeal. Board members now serve at Trump's pleasure. Ultimately the rights of workers to fair pay, decent working conditions and the right to organize must be fought for and won by the working class itself.

This fight has been taken up by postal workers across the country to build the Postal Workers Rank-and-File Committee, which recently organized committees in St. Paul, Minnesota and Pennsylvania. We encourage every postal worker to join this movement and fight to build rank-and-file committees in every workplace.



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