

Management Instruction

Date	July 30, 2004
Effective	July 30, 2004
Number	PO-530-2004-2
Obsoletes	PO-530-91-8
Unit	Postal Inspection Service and Network Operations Management


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Screening Highway Transportation Contract Employees

This management instruction (MI) revises standard operating procedures for screening highway transportation suppliers and their employees to determine their eligibility to access the U.S. Mail™ and mail processing facilities.

11 Policy

111 General

As part of its strategy to optimize transportation and distribution networks, as set forth in its Transformation Plan, the Postal Service™ entrusts highway transportation contract employees to handle mail and operate vehicles on its behalf. Postal Service policy requires that all such contract employees be screened to determine their eligibility as drivers and to allow them access to the mail and mail-processing facilities.

112 Scope

This instruction applies to all Postal Service highway transportation suppliers and their employees, including part-time employees, whose duties and responsibilities involve driving vehicles or require access to Postal Service facilities or to the mail.

12 Authority

121 Responsibilities

The administrative official for the contract is responsible for obtaining screening information from highway transportation suppliers on contract employees and for verifying their eligibility.

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The Postal Inspection Service is responsible for reviewing screening information on contract employees, as verified by administrative officials, and determining if access to the mail and Postal Service facilities should be granted.

The Appeal Review Committee is responsible for considering appeals to Postal Inspection Service determinations to deny contract employees access to the mail and Postal Service facilities, or to drive motor vehicles.

Once the Postal Inspection Service approves the initial application for access, the contracting officer is responsible for determining whether access to the mail and facilities should be denied, based on the administrative official's recommendation.

The manager, Surface Transportation CMC, Headquarters, is responsible for considering appeals made by contracting officers to deny contract employees access to the mail and facilities.

122 Requirements

Highway transportation suppliers and contract employees who transport mail, or are allowed access to Postal Service operational areas, must receive non-sensitive clearances. Pending clearance, a temporary photo ID badge, PS Form 5139, *Non-Postal Service Temporary Employee*, allows such access. Once clearance is obtained, a photo ID badge, PS Form 5140, *Non-Postal Service Contract Employee*, allows access.

13 Supplier Responsibilities

At contract award and thereafter, when new employees perform under a contract — before they begin contract service — the supplier must identify to the administrative official all individuals who require access to Postal Service facilities or the mail, or authority to drive. The administrative official provides the following forms to the contract employee or supplier, and the supplier must ensure that the forms are completed as specified below and submitted to the administrative official:

1. PS Form 2025, *Contract Personnel Questionnaire* (two original forms).
 - a. Each item must be addressed.
 - b. Residence (item 15) and employment (item 16) must be provided for the past five years. No gaps are allowed. Periods of unemployment must be listed. Information should be provided in a month/year format.
 - c. “Yes” answers to questions 21a – 21e and 22 require explanation. The date, place, court location, charge, and disposition must be provided on the attached sheet.

- d. The applicant must read the “Warning” and sign and date the form under “Certification.” The supplier or representative must sign and date the form below the applicant’s signature.
2. PS Form 2181-C, *Authorization and Release — Background Investigation* (one original form).

Applicants must give their complete residential address, including city, state, and ZIP+4®. The form must be signed and dated by the applicant within 1 year of submission to the administrative official.
 3. Form FD 258, *Fingerprint Card* (two original cards).
 - a. Fingerprints should be taken by an experienced provider, and the card must be signed and dated by the fingerprint taker.
 - b. Prints must be taken using black ink only.
 - c. Ink must be distributed evenly on the inking slab.
 - d. Impressions must be recorded in order.
 - e. Notations of amputations or deformities must be made in the individual finger block.
 - f. If a physical condition makes it impossible to obtain perfect impressions, documentation must be attached to the card explaining the circumstances.
 - g. The “Reason Fingerprinted” block must include the Postal Service contract number.
 - h. The “Employer” and “Address” blocks must include the name and address of the supplier, not the applicant.
 4. Current Driving Record (one original form).

Contract employees with driving responsibilities must submit a current driving record to the administrative official. A 5-year driving record must be provided, except in states that issue only 3-year driving records. The driving record must be dated no more than 30 days before the date it is submitted to the administrative official.
 5. Passport-size photos for inclusion on PS Forms 5139 and 5140 (two full-face color photos, 1¼ inches x 1¼ inches).

Note: The supplier is responsible for recovering and returning ID badges to the Postal Service when an employee is separated.

131 Disqualifying Factors

131.1 Access to the U.S. Mail and Postal Service Facilities

Applicants will not be allowed access to Postal Service facilities or the mail under the following circumstances:

1. If they are the subject of an outstanding warrant.

2. If they have been convicted of illegally using, possessing, selling, or transferring controlled substances within the past 5 years.
3. If they have been convicted of a felony criminal charge within the past 5 years.
4. If they have been convicted of offenses involving dishonesty, moral turpitude, financial gain, or assault within the past 5 years.
5. If they are on parole, probation, or under a suspended sentence for commission of a felony or any controlled-substance charge.
6. If there are pending felony charges or any pending controlled-substance charges against them.
7. If there is an established pattern of criminal conduct that could undermine the efficiency of the Postal Service or the safety of its employees.
8. If they have been convicted of, under investigation for, or under indictment for stealing mail or other postal crimes.

Note: Other postal crimes may include a cease and desist order for a mail fraud activity, a temporary restraining order, or a final restraining order for mail fraud activity.

Applicants may not be allowed access to the mail or to Postal Service facilities if the Postal Service is unable to obtain results from a criminal history inquiry through local agencies (in this preferred order: state, county, city) where the applicant resided and was employed during the 5-year period before submitting the application. Exceptions may be considered on a case-by-case basis by the Inspector in Charge, Security.

If the applicant is not a U.S. citizen, he or she must be legally authorized to work in the United States. Access to the mail or to Postal Service facilities will not be granted if a full 5-year criminal history cannot be obtained.

131.2 **Additional Grounds for Denial of Access to the Mail and Postal Service Facilities**

A non-sensitive clearance may be denied or revoked based on information developed during either the initial investigation or an investigation to update a clearance. Denial or revocation may be based on an appraisal of circumstances surrounding serious incidents involving the individual, related to the following, regardless of when they occurred:

1. Refusal to furnish information requested pursuant to applicable laws, rules, and regulations that would aid in the determination of qualifications for a security clearance.
2. Dismissal from prior employment for cause.
3. Intentional false statements, deception, or fraud in an application for clearance or in a submission of information furnished incidental to a contract with the Postal Service.

4. Habitual use of intoxicating beverages or drinking to excess.
5. Use of narcotics or dangerous drugs.
6. Any other circumstance that makes the individual unfit to do business with the Postal Service.

131.3 **Eligibility to Drive**

Applicants whose driving records reflect offenses or patterns noted in [Table 131.3, Driver Disqualifications](#) (see the last page of this MI), will not be allowed to drive under a Postal Service contract.

132 **Report of Recent Arrests or Convictions**

Suppliers must report to the administrative official any arrests or convictions that fall within the criteria of the disqualifying factors stated above, or that occur during the contract term. The administrative official must immediately advise the Postal Inspection Service's Security Information Service Center (SISC) in Memphis.

14 **Collection and Submission of Documentation**

On receipt of the documents listed above, the administrative official takes the following steps:

1. Reviews each form for completeness and accuracy against the standards listed above.
2. Signs and dates the Postal Service signature block at the bottom of PS Form 2025.
3. Determines whether any factor in [Table 131.3, Driver Disqualifications](#), disqualifies the applicant. If the applicant is disqualified by any factors in the table, no PS Form 5139 will be issued and the documentation will be returned to the supplier with an explanation for the disqualification.
4. Issues PS Form 5139 to the applicant, if he or she is not disqualified.
5. Annotates both PS Forms 2025 to reflect the date the temporary ID badge is issued and retains one original PS Form 2025 for the file.

6. Immediately forwards the information in 6a–6e to the following address:

POSTAL INSPECTION SERVICE
MEMPHIS SISC
225 N HUMPHREYS BLVD 4TH FL SOUTH
MEMPHIS TN 38161-0008

- a. Transmittal cover sheet (for HCR employees). The cover sheet includes the administrative official's name, telephone number, facility name, mailing address, and a notation if the applicant is a non-driving contract employee.
- b. One original PS Form 2025, *Contract Personnel Questionnaire*.
- c. One original PS Form 2181-C, *Authorization and Release — Background Investigation*.
- d. Two original Forms FD-258, *Fingerprint Card*.
- e. Original driving record (when required).

141 **Maintaining Files**

The administrative official must do the following:

1. Maintain screening files in a locked filing cabinet.
2. Keep all files in alphabetical order by the contract employee's last name and divide files into active and inactive categories (the latter applies to contract employees who are no longer driving).
3. Retrieve the ID badge of a separated contract employee and move the contract employee's file to the inactive file.
4. Notate the file and notify the Inspection Service if an ID badge cannot be retrieved. The supplier is responsible for recovering and returning ID badges to the Postal Service when an employee is separated.

Retain inactive files, including PS Form 5140, for 1 year from the date of separation, and then destroy them.

15 **Inspection Service Review**

When the Inspection Service Security Unit at the Memphis SISC receives an applicant's clearance package containing the above-mentioned forms listed in section 14, item 6, a–e, it performs the following actions and checks:

1. Enters the applicant's name and other identifiers into the Security Clearance Tracking System (SCTS).

2. Carefully reviews each form or document in the package for completeness. If items are missing or any of the forms are incomplete (e.g., gaps in residence or employment on PS Form 2025), it returns the entire package to the administrative official for correction and resubmission.
3. Performs the following checks for each complete package: an NCIC wants or warrants inquiry, a query of the Inspection Service law enforcement database for prior activity, a 5-year criminal search on all locations where the applicant lived and worked in the prior 5 years, verification of employment for the prior 5 years, and submission of a fingerprint card through OPM to the FBI for comparison with its database.
4. If the FBI determines that the fingerprints are unclassifiable, the Postal Inspection Service will send a letter to the administrative official requesting another set of prints (two cards). If new fingerprints are not received within 30 days, the Postal Inspection Service will close the case and a clearance will *not* be granted. The administrative official will be instructed to retrieve the temporary badge and deny the applicant access to the U.S. Mail and Postal Service facilities.
5. A security specialist will review the fingerprint report from the FBI and determine whether the applicant meets any of the disqualifying factors listed above. If not, the applicant will be issued a non-sensitive clearance. The transmittal cover sheet for highway contract (HCR) employees will be stamped "Non-Sensitive Clearance Granted," dated, and returned to the administrative official. On receipt of the clearance notification, the administrative official will retrieve PS Form 5139 and issue PS Form 5140, with an expiration date of 4 years from the date of the non-sensitive clearance.
6. If the Postal Inspection Service finds that an applicant is ineligible for a non-sensitive clearance, it sends a letter to the administrative official denying the clearance and indicating the reason for denial. The administrative official provides the denial letter to the supplier (Certified Mail™, Return Receipt Requested).
7. Enters the clearance and denial information into to the Postal Inspection Service database.

16 Access

161 Approving Access

On notification from the Postal Inspection Service that a non-sensitive clearance has been granted, the administrative official retrieves PS Form 5139 and issues PS Form 5140. The expiration date on

PS Form 5140 is 4 years from the non-sensitive clearance date. Contract employees must display the ID badge on their outer garments when on Postal Service property.

162 **Denying Access**

On receipt of a letter from the Postal Inspection Service stating that a clearance has been denied, the administrative official will do the following:

1. Provide the supplier and applicant a copy of the denial letter (Certified Mail, Return Receipt Requested).
2. Retrieve PS Form 5139 from the applicant.
3. Deny the applicant access to the U.S. Mail and Postal Service facilities.
4. Notify all dock personnel.
5. Notify the contracting officer, but only if the applicant is the supplier for the contract (not a hired driver).

162.1 **Denying Access After Initial Clearance**

The contracting officer determines when a supplier or contract employee's access to the mail and facilities may be denied, based on a disqualifying event in the course of contract performance. The contracting officer makes such determinations on the advice of administrative officials or other affected Postal Service personnel, following appropriate investigation and inquiry.

On determining that it is in the Postal Service's best interest to deny a supplier or contract employee access to the mail and facilities, the contracting officer provides the supplier and the contract employee a denial letter (Certified Mail, Return Receipt Requested), with information on their right of appeal, to the Manager, Surface Transportation CMC, Headquarters, Washington DC. The contracting officer provides a copy of the denial letter to the administrative official, who performs the following actions:

1. Retrieves the individual's ID badge.
2. Notifies all dock personnel.
3. Denies the applicant access to the U.S. Mail and Postal Service facilities.
4. Notifies the Postal Inspection Service's SISC in Memphis.

162.2 **Contracting Officer Responsibilities**

The contracting officer is responsible for determining whether access to the mail and facilities should be denied to contract employees, based on a recommendation from the administrative official. The denial is based on events that occur at facilities involving contract employees who have already been screened by the Postal Inspection Service.

If access is denied, the contracting officer will provide to the supplier and the contract employee the denial letter (Certified Mail, Return Receipt Requested), including information concerning the appeal rights, to the Manager, Surface Transportation CMC, Headquarters, Washington DC.

17 Reconsideration

171 **Appeal Process Related to the Inspection Service Investigation**

A contract employee may appeal a decision to deny access made by the Postal Inspection Service's SISC by sending a letter to the Inspector in Charge, Security, Washington DC, within 3 weeks of the date of the denial letter. The letter must contain the following information:

1. A statement that reconsideration of the decision is requested and the basis on which it is sought.
2. Additional information on the appellant's behalf.
3. A copy of the denial letter.

171.1 **Appeal Review Committee**

The Inspector in Charge, Security, will refer the appeal to the Appeal Review Committee. The committee shall do the following:

1. Obtain the appellant's file from the Postal Inspection Service's Memphis SISC.
2. Solicit additional written input as needed from the appellant and the contracting officer.
3. Issue a decision letter about the appeal to the supplier and the contract employee, with copies to the contracting officer and the Postal Inspection Service's Memphis SISC.

172 **Appeal Process Related to the Investigation of a Contracting Officer**

Through his or her supplier, a supplier or contract employee may appeal a decision to deny access made by the contracting officer by sending a letter to the contracting officer. The letter must contain the following information:

1. A statement that reconsideration of the decision is requested and the basis on which it is sought.
2. Additional information on the appellant's behalf.
3. A copy of the denial letter.

The contracting officer will refer the appeal, with the file involving the denial decision, to the Manager, Surface Transportation CMC, Headquarters, Washington, DC, who shall do the following:

1. Solicit additional written input as needed from the appellant and the contracting officer.
2. Issue a decision letter on the appeal to the supplier and the contract employee, with copies to the contracting officer and the Postal Inspection Service's Memphis SISC.

18 Rescreening

The Postal Inspection Service will process all contract employee re-screenings. Suppliers and their employees must be rescreened at least once every 4 years (at the expiration of the clearance date).

Contract employees must complete and submit all forms specified in section 13 above, with the exception of Form FD 258, *Fingerprint Card*, to the administrative official. Form FD 258 will be required as directed by the administrative official.

The forms will be processed by the administrative official and the Postal Inspection Service's Memphis SISC, as described in sections 14, 15, and 16 above.

19 Special Circumstances

191 Highway Contract Transportation Employees Used During Emergencies

1. When contract employees are used on an emergency basis, the supplier must complete PS Form 2081, *Contractor Employee Assignment Notification*, for each employee and submit it to the administrative official.
2. The administrative official provides the contract employee with PS Form 5139 and retrieves it at the end of the emergency. If the emergency extends beyond 15 days, the screening procedures outlined in sections 13 through 16 above must be performed for each emergency contract employee.

Highway Contract Employees Separated Within 1 Year

1. Security clearances apply to an individual, not a contract. If a driver who has been separated works for another supplier within 1 year of the date of separation, the current supplier must provide the administrative official with an updated PS Form 2025 and motor vehicle record. The administrative official will forward the information to the Postal Inspection Service, noting any changes on the transmittal cover sheet. Form FD 258 will be required if the driver has never been screened by the Postal Inspection Service.
2. If more than 1 year has elapsed since a driver separated from a supplier and is hired by another supplier, the driver will be considered a new driver and the instructions in section 13 above will apply.

20 Forms

The following forms used in the transportation contract employee screening process may be obtained from the Postal Inspection Service's Memphis SISC by calling 901-747-7712:

1. Transmittal Cover Sheet — HCR Employees.
2. PS Form 2025, *Contract Personnel Questionnaire*.
3. PS Form 2181-C, *Authorization and Release — Background Investigation*.
4. Form FD 258, *Fingerprint Card*.

PS Forms 2025 and 2181-C may be obtained online at the Postal Service's Intranet site. Go to <http://blue.usps.gov>, click on *References*, and then *PolicyNet*. On the PolicyNet site, select *Forms*.

PS Forms 5139 and 5140 may be ordered from the Topeka Material Distribution Center. To register, call 800-332-0317, option 1, extension 2925, and follow the prompts to leave a message. (Wait 48 hours after registering before placing your first order).

Use the following information to order PS Forms 5139 and 5140:

PSIN:	PS 5139	PS 5140
NSN:	7530-01-000-9721	7530-01-000-9722
Edition Date:	6/03	6/03
Unit of Measure:	SH	SH
Minimum Order Quantity:	1	2
Bulk Pack Quantity:	N/A	N/A
Quick Pick Number:	N/A	N/A
Price:	\$0.0340	\$0.0170

Exhibit Table 131.3

Driver Disqualifications

General Disqualifying Factors		
1. Applicant lacks adequate driving experience over the type of terrain and weather to be experienced on the route.		
2. Applicant has a pending proceeding for suspension of driver's license, or has had license suspended for any moving violation within the last 3 years.		
3. Applicant has had driver's license revoked within the last 5 years.		
Specific Disqualifying Factors		
Type of Violation	More than the indicated number of convictions within the last:	
	3 years	5 years
Reckless or careless driving.	1	2
Any driving conviction involving use of drugs, alcohol, or other controlled substances.	0 (none permitted)	0 (none permitted)
Any driving conviction involving drugs, alcohol, or other controlled substances while operating a vehicle under Postal Service contract.	0 (none permitted)	0 (none permitted)
At-fault accidents (i.e., accidents for which the driver was convicted of a moving violation).	2, or any at-fault accident resulting in a fatality.	2, or any at-fault accident resulting in a fatality.
Leaving the scene of an accident.	0 (none permitted)	0 (none permitted)
All other moving traffic offenses (includes speeding violations).	3 (or more than 1 in the last year)	5 (or 3 or more for same offense)
<p>Notes:</p> <p>For purposes of determining disqualifying violations, only offenses for which there was a conviction are considered.</p> <p>Time frames for disqualification are measured from the date of the offense, not the date of the conviction.</p> <p>The "3 years" column applies only if the 5-year driving record is unavailable.</p>		