

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

COMMONWEALTH OF PENNSYLVANIA,	:	
ET AL.	:	
	:	
v.	:	CIVIL ACTION NO. 20-4096
	:	
LOUIS DeJOY	:	
<i>IN HIS OFFICIAL CAPACITY AS</i>	:	
<i>UNITED STATES POSTMASTER GENERAL,</i>	:	
ET AL.	:	

ORDER

This 28th day of September, 2020, for the reasons stated in the accompanying memorandum opinion, it is hereby **ORDERED** that Plaintiffs’ Motion for a Preliminary Injunction (ECF No. 18) is **GRANTED IN PART**, as follows:

1. This Court adopts the order entered by the United States District Court for the Southern District of New York in *Jones v. United States Postal Service*, No. 20 Civ. 6516 (S.D.N.Y. Sept. 25, 2020) (Marerro, J.) and makes it an Order of this Court.
2. To the extent that Judge Marerro’s Order imposed reporting requirements, in complying with the Order, Defendants shall simultaneously file the same reports with this Court.
3. Defendants shall comply with the “Clarifying Operational Instructions” issued September 21, 2020, Courtroom Exhibit 57, adopted in response to the Order entered by *Washington v. Trump*, No. 1:20-CV-03127-SAB, 2020 WL 5568557 (E.D. Wa. Sep. 17, 2020) (Bastian, J.), and not deviate from those instructions except as authorized by Judge Bastian.
4. Additionally, Defendants, and all their respective officers, agents, servants, employees and attorneys, and persons in active concert or participation with them are hereby **ENJOINED** from the following:
 - a. continued implementation or enforcement of operational changes announced in July 2020 reflected in the July 10, 2020 “Mandatory Stand-Up Talk: All Employees,” and the “PMGs Expectations” PowerPoint unless and until the Postal Service presents such changes to the Postal Regulatory Commission and obtains an advisory opinion after a public hearing is held pursuant to 39 U.S.C. 3661(b) and 39 U.S.C. 3661(c).
 - b. continued implementation or enforcement of the Guidelines regarding transportation sent by Robert Cintron to Area Vice Presidents and other agency representatives on

July 11, 2020 and July 14, 2020, unless and until the Postal Service presents such changes to the Postal Regulatory Commission and obtains an advisory opinion after a public hearing is held pursuant to 39 U.S.C. 3661(b) and 39 U.S.C. 3661(c).

- c. continued implementation or enforcement of any and all organizational efforts, initiatives, “operational pivots,” new efforts to “better adhere to existing operating plans” or priority shifts with regard to changes in late and extra truck trips and carrier start and stop times that began during the time period of June 15, 2020 until September 16, 2020, unless and until the Postal Service presents such changes to the Postal Regulatory Commission and obtains an advisory opinion after a public hearing is held pursuant to 39 U.S.C. 3661(b) and 39 U.S.C. 3661(c);
- d. continued implementation or enforcement of any and all organizational efforts, initiatives, “operational pivots,” or priority shifts with regard to work hours reduction targets, penalty overtime, pre-tour overtime, new manager approval requirements for work hours and overtime, and other overtime requests and approvals that began during the time period of June 15, 2020 until September 16, 2020, unless and until the Postal Service presents such changes to the Postal Regulatory Commission and obtains an advisory opinion after a public hearing is held pursuant to 39 U.S.C. 3661(b) and 39 U.S.C. 3661(c);

5. On October 9, October 16, October 23, and October 30, the Postal Service shall make timely submissions to this Court regarding:

- a. The rate that the Postal Service incurred overtime, starting October 2, 2020, as a percentage of total work hours nationwide and as a percentage of total work hours within the two regional processing operations areas and four retail and delivery operations areas;
- b. The number of late and extra trips taken by Network & Local PVS & HCR, starting October 2, 2020.

/s/ Gerald Austin McHugh
United States District Judge