

POSTAL WORKER WEST

ISSUED BY

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APRIL 30, 2021

USPS to modify 'process'

OPM Issues Long Awaited EFEL Guidance

WASHINGTON DC– On April 29th the Office of Personnel Management (OPM) issued official guidance on Biden's American Rescue Plan's Emergency Federal Employee Leave (EFEL) .

Although available as of March 11th, OPM had delayed guidance prompting USPS managers to impose a postal 'process' allowing a case-by-case basis EFEL approval a pay-period at a time.

NATIONAL UNION ISSUES ANALYSIS

National Industrial Relations Director Vance Zimmerman advises that the Guidance on EPL (Emergency Paid Leave) needs further clarification from USPS on implementation. Up until now, USPS was approving EFEL on a "conditional basis" a pay-period at a time. Apparently this will not change under the OPM guidance.

The National Union will be conducting zoom meetings for Local, State and Regional Union Officials to discuss the Guidance's interpretation and USPS application on May 6th.

REQUIREMENTS FOR EFEL

Although more clarification is expected, the initial guidance seems to require employees to fill out and submit two forms (which USPS can adopt and apparently adapt):

1. **An Employee Request** to use COVID-19 EPL- the employee will fill out declaring the employee is unable to work because of (one or more) of the 8 qualifying reasons. The anticipated dates and the requirement that employee initial certification boxes. The form lists "REQUIRED" documentation that must be submitted. USPS is being allowed by OPM to require even more additional documentation.
2. **An Agreement** on the Paid Leave– agreeing to the conditional basis of funds availability and outlining the responsibility to eliminate any debt resulting in leave being granted and paid upon the Fund being exhausted. The Agreement does not waive the right of an employee to file grievances and/or challenge administrative collection actions.



CAN POSTAL MANAGEMENT DENY FEEL?

According to OPM, once an employee has met the general required documentation requirements, USPS may grant conditional approval of EPL. However, USPS may deny EPL based on management's determination that an employee's justification for the leave is not supported by the documents submitted or any other available facts.

"OPM directs that if USPS questions the validity or adequacy of an employee's justification, management has to give the employee an opportunity to provide documentation or further supplement the request before management denies the Emergency Paid Leave request" commented Regional Coordinator Omar Gonzalez.

ISSUES OF CONCERN LIKELY TO SURFACE

The EPL Fund expires September 30th or when the funds run out (whichever occurs first). "We anticipate there will be issues over the certification of an employee not being able to work, retroactive requests, demands for additional documentation, leave for vaccinations, and the misinterpretation (deliberate or not) of USPS updated guidance," said Coordinator Gonzalez.

"Although Locals have been issued the guidance from the National Union, all Local Presidents and officers are urged to register for the May 6th zoom meeting, " said Gonzalez. Members should then be further educated.

Locals may register for the May 6th meeting via the link sent out by Industrial Relations Director Zimmerman.