



National Association of Letter Carriers

April 17, 2020

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Statement from President Fredric V. Rolando

Re: COVID-19 Virus Crisis

So much has changed in our lives over the last several weeks as a result of this virus. There is tremendous uncertainty about how the future will unfold for us, our families, our employer, and our country. Yet there are two overriding and immediate goals of the NALC that will not change. First, our overwhelming priority on a daily basis is to protect the health and safety of letter carriers—and therefore the health and safety of their families, co-workers, and customers—from the effects of this pandemic. Second, we will continue to seek legislative relief to ensure that our employer has the resources necessary to maintain operations during this crisis.

The national officers, staff and NALC representatives throughout the country are in constant communication and negotiation with management officials at every level of the organization regarding supplies, equipment, policies, protocols, and work procedures necessary to keep letter carriers safe. Please continue to contact us with any questions, and to report offices that are not being sanitized on a regular basis, that do not have sufficient supplies (hand sanitizer, disinfectant wipes, masks, gloves, etc.), that are not following Centers for Disease Control & Prevention (CDC) protocols for employees to be quarantined, that have not implemented social distancing practices, that are not providing daily communication regarding stand-up talks, safety precautions, and instances of infection in the building, that expect employees to work without protection or in an unsanitized environment, or that have any other issues that put employees at increased risk. You should immediately contact your shop steward, branch officers, National Business Agent, or NALC headquarters at COVID19@nalc.org.

There is a lot of information related to the virus on the "COVID-19" page under "News & Research" on the NALC website, such as:

- My statements to the members regarding the pandemic
- Links to the podcasts in which Executive Vice President Renfro delivers regular updates on COVID-19
- New memorandums of understanding in effect during the pandemic
- All the mandatory standup talks which should be given in your office
- Information from the Centers for Disease Control and Prevention
- COVID-19 Information from USPS

Remember, if you have questions or issues in your facility related to COVID-19, and you don't have immediate access to a steward or branch officer, or are unable to contact your NBA office, please contact NALC headquarters at COVID19@nalc.org. Headquarters staff and national officers answer every question and address each issue sent to this email address. When using this resource, please be sure to include your name and NALC branch number in your email. Having this information upfront allows NALC headquarters to quickly address your concerns.

Some letter carriers have certain respiratory conditions that could make them more vulnerable to the effects of the virus. The Postal Service has recently committed to providing N95 face masks to such employees who request them. Please let us know if this becomes a problem.

We have received many questions through COVID19@nalc.org regarding the Families First Coronavirus Response Act (FFCRA) which became effective on April 1, 2020. As a reminder, the Act provides employees with two additional types of leave. First, employees with a qualifying circumstance as defined by the Act are

eligible for up to 80 hours of Emergency Paid Sick Leave, in addition to their normal sick leave balances. Second, employees who have a child whose school or place of care is closed may be eligible for leave under the Family and Medical Leave Act (FMLA), the majority of which is additional paid leave. These provisions apply from April 1, 2020, through December 31, 2020, and are in addition to any personal annual and/or sick leave balances that you have.

An employee is entitled to use Emergency Paid Sick Leave for absences related to COVID-19 if the employee is unable to work, including unable to telework, because the employee:

1. Is subject to a Federal, State, or local quarantine or isolation order related to COVID-19
2. Has been advised by a health care provider to self-quarantine related to COVID-19
3. Is experiencing COVID-19 symptoms and is seeking a medical diagnosis
4. Is caring for an individual subject to a Federal, State, or local quarantine or self-quarantine
5. Is caring for his or her child whose school or place of care is closed or the childcare provider is unavailable due to COVID-19 related reasons
6. Is experiencing any other substantially similar conditions specified by the U.S. Department of Health and Human Services

As I have previously reported, in regard to qualifying reason 1, in many cities and states, government authorities have issued a quarantine or isolation order related to COVID-19. Some local and state governments have also identified groups of people that should self-quarantine, such as individuals over a certain age. While the Postal Service is considered mission critical and not subject to state and local directives, employees that choose to self-quarantine in these circumstances may be eligible to use the 80 hours of Emergency Paid Sick Leave to cover their absence. Prior to passage of the Act, the Postal Service liberally granted personal leave for this purpose, and now states "We will continue to handle application of this qualifying factor as we had prior to the passage of the FFCRA and liberally grant Emergency Paid Sick Leave to employees who believe they have an individual circumstance for which taking this leave is appropriate." Please let us know if this becomes a problem.

In my April 3, 2020, statement found on the COVID-19 page on the NALC website, I discussed in great detail the benefits of Emergency Paid Sick Leave as well as the Emergency Family and Medical Leave Expansion, for employees who have a child whose school or place of care is closed. I also explained what steps should be taken and what type of leave should be afforded to employees who have had certain forms of exposure (or potential exposure) to COVID-19. Please refer to that statement for an in depth explanation of these subjects. We are in the process of creating a Leave Guide for members that will include specifics regarding benefit information from the Families First Coronavirus Response Act, among other relevant leave provisions.

Last month the Postal Service developed and distributed a mandatory standup talk that must be given in every facility when an employee in that facility has tested positive for COVID-19. The purpose of the standup talk is to make other employees aware that one of their coworkers tested positive for the virus. Under the Rehabilitation Act and the Privacy Act, specific employee medical information must be kept confidential and may only be shared in very limited circumstances. Therefore, the Postal Service cannot share the name of the employee who tested positive for COVID-19 or their medical condition.

Consistent with guidance from the Centers for Disease Control and Prevention (CDC), the infected employee cannot return to work until cleared. The Postal Service reaches out to the local public health office for guidance, including protocols for contact tracing of other employees that may need to be quarantined. Additionally, once it has been determined an employee tested positive for the coronavirus, the facility in which they work must be thoroughly cleaned in accordance with CDC guidelines specific to COVID-19.

Letter carriers who develop COVID-19 while in the performance of their duties are entitled to workers' compensation coverage pursuant to the Federal Employees' Compensation Act (FECA). Exposure to COVID-19 alone does not constitute a work-related injury entitling an employee to medical treatment under the FECA. The employee must actually be diagnosed with COVID-19 to potentially be afforded coverage.

However, in addition to letter carriers who have tested positive for COVID-19, letter carriers who have been working and are symptomatic for COVID-19 but have no history of exposure outside of work should register and then file a CA-1 claim in the Department of Labor's Employees' Compensation Operations & Management Portal (ECOMP). You should also contact your installation and request a CA-16 Authorization for Examination and/or Treatment, which will pay for your first 60 days of medical bills. Letter carriers who are asymptomatic do not need to file a claim.

Given how quickly the coronavirus can develop, The Office of Workers' Compensation Programs (OWCP) recommends registering in ECOMP as a good pre-emptive move for all letter carriers. You can register in ECOMP without filing a claim at ecompany.dol.gov. Instructions on how to register in ECOMP can be found on the NALC website at the "Injured on the Job" tab under "Workplace Issues".

OWCP will pay for the COVID-19 test upfront (prior to accepting a claim) only if a claimant was exposed to a person with a confirmed diagnosis of COVID-19 in the performance of duty. Otherwise, OWCP will pay for the test, if the claim is accepted, through reimbursement.

If you have any questions or need assistance with a claim, please contact your NBA office as soon as possible. NALC has full-time regional workers' compensation assistants ready to assist members with OWCP claims related to COVID-19.

In addition to our priority commitment to protecting the safety and health of letter carriers, NALC is working to ensure the Postal Service has the resources necessary to continue operations. We remain very involved with our congressional representatives with regard to proposed provisions for stimulus packages related to the COVID-19 virus. As plans for the next stimulus package are being developed, we are again pursuing appropriations to maintain the Postal Service's revenue stream through the crisis. The Postal Service is projecting the impact on its revenues related to the pandemic and the shutdown of the U.S. economy to be both devastating and immediate. Although package volumes are up as we deliver goods for families forced to stay home by the crisis, other mail volume has declined. By the end of the year, the Postal Service expects total volume to fall by over 50 percent, greatly impacting its \$70 billion in annual revenues.

Congress must step in to provide financial appropriations to the Postal Service, the way it did in March for private companies damaged by the pandemic-induced recession with a \$2.2 trillion relief package that did not include any appropriations to the Postal Service. Although the Postal Service has not needed taxpayer support for nearly 40 years, it needs it now. NALC took the lead in drafting a White Paper on how to provide financial relief to the Postal Service from the pandemic; it is posted on our website in the "Government Affairs" section under "News & Updates". In it, NALC lays out the necessary provisions that must be included the next stimulus bill. These provisions include:

1. Making a direct "public service" appropriation of at least \$25 billion to the Postal Service to help it weather the pandemic and the deep recession it is causing. Although the Postal Service has not received taxpayer appropriations (other than for military/overseas voting and free mail for the blind) since the early 1980s, the present crisis warrants such appropriations now.
2. Authorizing an emergency "public service" appropriation for the duration of the crisis, distributed quarterly, starting in Fiscal Year 2021 (which begins in just six months) to cover the difference between postage revenues and total USPS expenses. This would signal to the American people and the business community that the Postal Service will be there to: battle the pandemic (with the delivery of tests and public health information, etc.); deliver online purchases and prescription drugs; support the economic recovery; and facilitate absentee voting as well as other vital civic functions.
3. Providing a mechanism to reimburse the Postal Service for the cost of the COVID-19-related leave (both sick leave and family medical leave) provided by the Families First Coronavirus Response Act.
4. Ensuring equal treatment for postal employees in any legislation that authorizes and funds hazard pay for front-line workers exposed to health risks related to the COVID-19 virus. Such legislation should cover postal workers, who face heightened exposure risks to the virus on a daily basis.
5. Removing the Federal Finance Bank's discretion to impose operational changes and policy conditions on any of the Postal Service's existing borrowing authorities – changes and policies that should properly be set by the Postal Service Board of Governors and the Congress, not the Treasury Department – and eliminate any annual limit on these authorities.

We are building a lobbying plan and a grassroots campaign to advance these legislative goals. With the support of the other postal unions, our industry partners, and the American people, we must rally the country to pressure Congress and the White House to maintain the operations of the Postal Service until it can recover its pre-pandemic status with respect to volume and revenues. A recent bipartisan poll, spanning all socioeconomic demographics and political affiliations, shows the American public overwhelmingly supports Congress appropriating funds for the Postal Service to maintain operations through the coronavirus crisis in the next round of financial relief legislation.

What letter carriers do is vital to the American people. It is essential that the Postal Service maintains a safe and healthy work environment for its employees while having the resources necessary to function and fulfill its public service mission. NALC's focus on these two immediate goals—your safety and the continued operations of the Postal Service—is clear even if the future is uncertain.

As of today, over 8,000 of the 600,000 plus postal employees are under quarantine. There have been over 900 employees confirmed positive for the virus, and over 600 more presumed to be positive. While most of these employees have recovered from the virus and returned to work, it saddens me to report that over 30 employees have died from the virus, including nine city letter carriers. Our hearts go out to all their families, loved ones, friends and co-workers.

Our members have been truly heroic during this pandemic, and our entire nation thanks you. As you continue working on the front lines for America, please stay safe. God bless all of you and your families.