

Wounded Warriors leave

In response to the passage of the Wounded Warriors Federal Leave Act of 2015, the Postal Service recently released a management instruction setting forth its policy guidelines and standard procedures for administering a newly created and distinct category of leave called Wounded Warriors leave. Beginning Nov. 5, 2016, certain veterans who have chosen to commence or resume a civilian career with the Postal Service following their military service will be eligible to have credited and use up to 104 hours of Wounded Warriors leave to undergo medical treatment for a service-connected disability rated at 30 percent or more. This new benefit is available to any career or non-career employee who meets the eligibility requirements outlined in the management instruction, which states:

Eligibility General

All classifications of career and non-career Postal Service employees are eligible for Wounded Warriors Leave if all of the following applies:

- a. They meet one of the eligibility requirements provided under Eligible Employees and
- b. They have not previously established eligibility for Wounded Warriors Leave.

Eligible employees are entitled to only one 12-Month Eligibility Period in connection with Postal Service employment.

Eligible Employees

To be eligible, you must meet the criteria of one of the following:

1. A career and non-career employee:
 - a. With a full-time, part-time or non-traditional schedules;
 - b. Who begins serving his or her first appointment on or after November 5, 2016; and
 - c. Who has a single or combined service-connected disability rating of 30 percent or more.
2. Employees who:
 - a. Leave the Postal Service's employment to participate in active duty military service;
 - b. Return directly from that military service to a career or non-career appointment on or after November 5, 2016; and
 - c. Have sustained a single or combined service-connected disability rating of 30 percent or more that was incurred during the employee's immediate absence.
3. Employees who:
 - a. Take military leave from the Postal Service to participate in active-duty military service;
 - b. Return directly from that military leave on or after November 5, 2016; and
 - c. During military leave sustain a single or combined service-connected disability rating of 30 percent or more that was incurred during the employee's military leave.

For USPS employees, this benefit is extended to eligible new employees hired on or after Nov. 5, 2016, as well as current employees who leave the Postal Service's employ-

ment or take military leave to participate in active-duty military service, sustain a service-connected disability rating of at least 30 percent during that military leave or service, and then return directly from that leave or service on or after Nov. 5, 2016.

For employees who begin employment with the Postal Service on or after Nov. 5, 2016, with pending disability determinations, who at any time during the first 12 months of employment receive a 30 percent or more disability rating, they will be eligible for leave retroactively to the first day of employment. Any leave without pay (LWOP) or leave used while the determination is pending will be reimbursed and replaced with Wounded Warriors leave, as appropriate, up to the maximum number of days allowed. The maximum number of hours allowed is 104.

It is an employee's responsibility to notify the Postal Service of his or her eligibility before requesting Wounded Warriors leave. Employees must provide documentation from the Department of Veterans Affairs, or on any Office of Personnel Management (OPM) certification form developed for administration of Wounded Warriors leave, certifying that the employee has a qualifying service-connected disability.

The rules for accrual and crediting of Wounded Warriors leave, as well as the timeframe in which the leave must be used, varies depending on whether an eligible employee is new to the Postal Service, being re-employed or returning from military leave. The exact policy for each category of eligible employee reads as follows:

New Employees with a First Time Appointment

Each eligible employee will be credited with 104 hours of Wounded Warriors Leave following the Postal Service's receipt of documentation supporting the employee's eligibility. Wounded Warriors Leave will be available for use retroactively to the first day of employment.

Employees Returning to the Postal Service

Employees with a service-connected disability rated at 30 percent or more will have any unused portion of their Wounded Warriors Leave restored for the remaining months of the Twelve-Month Eligibility Period that began on the first day of their initial employment, if they meet the following requirements:

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Contract Administration Unit

Lew Drass, Vice President
Brian Renfroe, Director of City Delivery
Manuel C. Peralta Jr., Director of Safety and Health
Ron Watson, Director of Retired Members

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- a. Began employment with the Postal Service on or after November 5, 2016;
- b. Leave postal employment during the 12-Month Eligibility Period ; and
- c. Return to the Postal Service for a career or non-career appointment within the 12-Month Eligibility Period.

Employees Returning to the Postal Service from Military Service

When employees return to duty with the Postal Service on or after November 5, 2016, directly from military service (with a break in service), and as a result of that military service, have sustained a new service-connected disability rated at 30 percent or more, they will:

- a. Receive the full 104 hours of Wounded Warriors Leave upon the Postal Service's receipt of documentation of their eligibility for Wounded Warriors Leave; and
- b. Have 12 calendar months to use the leave.

Wounded Warriors Leave will be available for use retroactively to the first day of re-employment with the Postal Service.

Employees Returning to the Postal Service from Military Leave

Employees returning to the Postal Service from Military Leave (without a break in service) who sustain a new service-connected disability rated at 30 percent or more will receive the full 104 hours of Wounded Warriors Leave upon the Postal Service's receipt of documentation supporting the employee's eligibility. Wounded Warriors Leave will be available for use retroactively to the first day of return to service and the employee will have 12 calendar months to use the leave.

Wounded Warriors leave expires at the end of an eligible employee's 12-month eligibility period. This happens regardless of the employee's actual Wounded Warriors leave balance. If the employee leaves the Postal Service at any time during or after the expiration of the 12-month eligibility period, any remaining leave will not be reinstated, carried over or paid out, except as permitted by OPM regulations if the employee transfers to another federal agency, or is otherwise permitted by the Postal Service's management instruction.

If an eligible employee began employment with another federal agency and transfers to the Postal Service within the 12-month eligibility period, the employee is eligible to use Wounded Warriors leave for the remainder of the 12 months. In these instances, the employee must certify the number of hours of Wounded Warriors leave used at the former agency. The Postal Service will provide the employee with the remaining Wounded Warriors leave.

Ideally, absences in which Wounded Warriors leave could be used would be known in advance; however, that may not always be the case. The Postal Service acknowledges this and within its policy describes what employees should do to request Wounded Warriors leave in circumstances of both a foreseeable and unforeseeable nature. That policy reads:

Foreseeable Leave

All employees requesting Wounded Warriors Leave must:

- a. Submit their request on PS Form 3971, Request for or Notification of Absence, in advance to the appropriate supervisor; and
- b. Designate the reason for the absence as "other" and write "Wounded Warrior Leave" in the space provided.

Unforeseeable Leave

The Postal Service makes an exception to the advance approval requirement for unexpected treatment that qualifies for Wounded Warriors Leave. When the need to use Wounded Warriors Leave is not foreseeable, the employee must notify the appropriate supervisor of the following items:

- a. The employee's treatment;
- b. The expected duration of the absence; and
- c. The applicability of Wounded Warriors Leave as soon as possible.

Alternatively, the employee may use the Interactive Voice Response (IVR) system to record his or her absences. If the employee does not submit PS Form 3971 before the absence, the supervisor must provide it to the employee upon his or her return to duty.

An employee's supervisor is responsible for approving or disapproving requests for Wounded Warriors leave by signing PS Form 3971, and returning a copy to the employee. In addition, to verify that Wounded Warriors leave requested by an employee is appropriately used for the treatment of a service-connected disability, the requesting employee must provide proof from the health care provider that the employee used the leave to receive treatment for a covered disability. The Postal Service has created a form to be used for this verification. The new form is PS Form 5980, Treatment Verification for Wounded Warrior Leave.

This new category of leave is a very important benefit to letter carriers who also are veterans with a disability rated at 30 percent or greater. Disabled veterans generally are required to attend regular medical appointments to maintain their health and to continue their eligibility to receive their veterans' benefits. Frequently, it is unavoidable that such appointments must be scheduled during normal work hours, and letter carriers in the past were therefore often required to use LWOP to attend those appointments. Wounded Warriors leave should provide some relief to those who are eligible and must receive necessary treatment.

After final release by the Postal Service, a copy of the management instruction outlining the policy guidelines established for the administration of Wounded Warriors leave will be made available on the NALC website at nalc.org. The document will be placed in the Materials Reference System (MRS), as well as on the Military Veterans, Contract Administration Unit and City Delivery pages.