



Medical appointments for veterans

While the Postal Service normally has discretion to approve or disapprove leave requests, disabled military veterans are guaranteed certain rights associated with medical appointments for service-related conditions. Any veteran who is directed to report for observation or treatment for a service-connected medical condition by a duly authorized medical authority must be granted leave to attend that appointment.

These rights originated in Executive Order 5396, issued by President Herbert Hoover in 1930 (M-00165 in NALC's Materials Reference System). The executive order states:

Special Leaves of Absence to be Given Disabled Veterans in Need of Medical Treatment

With respect to medical treatment of disabled veterans who are employed in the executive civil service of the United States, it is hereby ordered that, upon the presentation of an official statement from duly constituted medical authority that medical treatment is required, such annual or sick leave as may be permitted by law and such leave without pay as may be necessary shall be granted by the proper supervisory officer to a disabled veteran in order that the veteran may receive such treatment, all without penalty in his efficiency rating. The granting of such leave is contingent upon the veteran's giving prior notice of definite days and hours of absence required for medical treatment in order that arrangements may be made for carrying on the work during his absence.

Herbert Hoover
July 17, 1930

Veterans who require service-related medical care may request annual leave, sick leave, Wounded Warriors leave or leave without pay (LWOP) to attend these appointments. Generally, management has the sole discretion to approve or disapprove an employee's request for LWOP. However, the Postal Service must approve requests for LWOP by qualifying disabled veterans for medical treatment. Section 514.22 of the *Employee and Labor Relations Manual* contains this exception:

514.22 Administrative Discretion

Each request for LWOP is examined closely, and a decision is made based on the needs of the employee, the needs of the Postal Service, and the cost to the Postal Service. The granting of LWOP is a matter of administrative discretion and is not granted on the employee's demand except as provided in collective bargaining agreements or as follows [emphasis added]:

a. A disabled veteran is entitled to LWOP, if necessary, for medical treatment.

Additionally, the Postal Service cannot use these medical absences against the employee for disciplinary purposes. In 1988, the Postal Service issued disciplinary action against a disabled veteran for using sick leave while receiving treatment at a Veterans Health Administration hospital. NALC initiated a national-level grievance, H4N-4F-C 11641, protesting the disciplinary action. NALC believed the disciplinary action was improper based on the executive order.

After meeting on the issue, the Postal Service and NALC agreed that President Hoover's executive order applied to disabled veterans who are letter carriers. The parties memorialized this

agreement in M-00866, which states in part:

The parties at this level agree that Executive Order 5396, dated July 3, 1930, does apply to the Postal Service and that absences meeting the requirements of that decree cannot be used as a basis for discipline.

The need for veterans to obtain medical treatment for service-connected health issues has been recognized and protected for decades. Medical examination and treatment are important to maintaining good health, so veterans should be aware that the Postal Service acknowledges that absences for these purposes are legally protected.

For more information about rights and benefits afforded to city carriers who are military veterans, read the *NALC Veterans Guide*, available at nalc.org/veterans. If you are a veteran having difficulty getting approved leave for a service-related medical appointment, contact your shop steward or branch officer for assistance.

Join the NALC Veterans Group

The NALC Veterans Group is designed to provide NALC members—both active and retired letter carriers—who are also military veterans the ability to connect with fellow NALC veterans and stay informed on issues of importance to letter carrier veterans. It is free to join.

Members receive a pin as a symbol of gratitude for their military service and membership in NALC.

If you are interested in joining the group, complete the sign-up card at nalc.org/veterans.