

# U.S. POSTAL SERVICE Washington, DC 20260

## Employee & Labor Relations Manual (ELM)

Transmittal Letter  
Issue 1, 4-1-78

### A. PURPOSE

This manual sets forth the personnel policies and regulations governing employment with the U.S. Postal Service. Topics include organization management, job evaluation, employment and placement, pay administration, employee benefits, employee relations, training, safety and health, and labor relations. This manual is the primary reference source for postal managers responsible for administering postal policies concerning employee and labor relations.

### B. DISTRIBUTION

**1. Criterion.** The distribution of this manual is restricted to (a) post offices and other facilities with designated personnel functions and (b) units responsible for implementing USPS employee and labor relations policy.

**2. Post Offices.** Copies of this manual are mailed directly to postmasters. The quantity for each office is based on its CAG designation, as follows:

Authorized holders of ELM	Post Offices by Cost Ascertainment Group (CAG)					
	CAG A	CAG B	CAG C, D & E	CAG F & G	CAG H & J	CAG * K & L
Total	↑	6 copies	4 copies	2 copies	1 copy	↑
Postmaster	Quantity determined by each office ↓	x	x	x	x	No copies authorized ↓
Customer Services		x				
Mail Processing		x	x			
Finance		x	x			
Employee & Labor Relations		x				
Personnel Manager		x	x			
Lead Supervisor					x	
* CAG K & L post offices do not receive copies of this manual. Management sectional centers furnish functional guidance to their associate offices. Stations and branches do not receive copies of this manual. Postmasters provide functional guidance to these facilities.						

**3. Other Installations.** Copies of this manual are mailed directly to the facilities listed below:

Facility	Quantity	Facility	Quantity
Area Maintenance Offices	1	Postal Employee Development Centers (PEDCs)	1
Automatic Data Processing Centers (ADPC's)	4	Postal Services Centers	1
Bulk Mail Centers	4	PST & DI	1
Districts	4	Bethesda	98
Inspectors in Charge	varies	East Coast Field Center	12
Mail Equipment Shops	1	Midwest Field Center	12
Management Sectional Centers	4	Southern Field Center	14
Maintenance Capable Offices	1	West Coast Field Center	12
Maintenance Technical Support Center	3	Oklahoma (Technical Center)	12
Mailbag Repair Centers and Depositories	1	Regional Administration Branches	varies
Mechanization Overhaul Centers	1	Regional Chief Inspector	1
Money Order Division	1	Stamped Envelope Agency	1
Postal Data Centers (PDCs)	6	Transportation Management Offices	1
Procurement Services Offices	1	Vehicle Maintenance Facilities	1
Personnel Services Centers	6		

\* Each regional administration branch receives enough copies to redistribute 1 copy to each manager at and above the division level.

**C. MANUAL MAINTENANCE**

**1. Responsibility.** All facilities receiving copies of the ELM are responsible for insuring that each manual is current. Specifically:

- Each postmaster or installation head must designate a *directives distribution liaison (DDL)* to distribute copies within the facility and to maintain distribution records.
- Future *transmittal letters (TLs)* must be filed promptly so that each manual will have the most up-to-date information.

**2. Distribution Record.** The directives distribution liaison must prepare a distribution record containing the data indicated in the exhibit. If additional copies of this manual are requisitioned and received, the distribution record must be updated. To assure correct distribution of future transmittal letters, the distribution record must always be accurate. It must always indicate the number of copies on hand at each facility and the title of the recipient of each copy.

- |   |
|---|
| <ol style="list-style-type: none"> <li>Total quantity received.</li> <li>Title of each recipient.</li> <li>Quantity held by each recipient</li> </ol> |
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**Distribution Record Data**

**D. REQUISITIONS**

**1. Missing Copies.** If you do not receive the quantity specified for your facility (see B-2 and B-3), order the missing copies on Form 1286-A, *Publication Order Blank*. Send the Form 1286-A directly to the Eastern Area Supply Center. Note:

- Use Form 1286-A only to order missing copies. Do *not* use Form 1286-A if you want to change your distribution amount (i.e., change the mailing list).
- The Eastern Area Supply Center will honor requests for missing copies of TL-1 of the ELM until July 1, 1978. Order any missing copies before that deadline.

**2. Distribution Change.** Increasing your authorized distribution quantity of this manual requires a change to the mailing list. For that you must use Form 1286, *Request for Postal Publications*. Submit the Form 1286 to the Directives and Forms Division in Headquarters. Each Form 1286 must:

- Specify the number of copies on hand at the facility.
- Specify the intended recipient (i.e., the position/function requiring the manual).
- Explain the reason the manual is needed.
- Bear the signature of the postmaster, installation head, or designee (i.e., the endorsed "Directives Liaison" or "Supply Clerk").

**E. SALE TO PUBLIC**

This manual is available to the public on a subscription basis through:

Superintendent of Documents Government Printing Office Washington, DC 20402
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**F. ISSUANCES RESCINDED****1. Directives.**

The directives listed below are rescinded by this manual. Do not take any action based on information contained in rescinded directives. Destroy all copies of the following directives:

- a. Postal Service Manual (PSM)—Chapter 4.
- b. Postal Manual (PM)—Chapter 7 (*except* those portions pertaining to pay administration for bargaining unit employees and to leave)
- c. Handbook P-9, The Exit Interview
- d. Publication 182, The Job Evaluation Program
- e. Publication 183, Merit Performance Evaluation (PES System)
- f. Publication 194, Guide to Promotion and Reassignment
- g. Regional Instructions appearing in the table below.

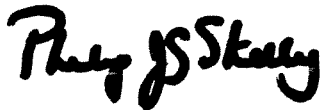
File No.	Sequence No.	Title
712-1	803-P-154	Assignment or Promotion to the Position Electronics Technical Trainee (Bulk Mail) SP 6-84, PS-7
712-3	643-P-100	Appointment of Postmaster at Fourth-Class Post Office
713	833-P-162	Examination Network
714	(1006-P-207)	Assignment of Non-Bargaining Unit Employees in Regional Headquarters and Related Offices
715	839-P-164	Selection Method for Postal System Examiners
719	862-P-170	Changes Involving Letter Sorting Machine Operations
721	926-P-187	Work Clothes Allowance for Supervisors
	930-P-190	Amendment #1
	945-P-193	Amendment #2
722	937-P-191	Unemployment Compensation Program
731	721-P-124	Forms for Training Requests
	820-P-159	Amendment #1
732	725-P-126	Establishment of Postal Service Training and Development Institute
733	952-P-194	Operating/Training Meetings for Postmasters
734	998-P-205	Headquarters/Field Interchange Program
	1034-P-213	Amendment #1
741	682-P-114	Guidelines for Functional Organization
	695-P-117	Amendment #1
743	953-P-195	Leave and Travel Expense Policies—Postmaster Organization
	999-P-202	Amendment #1
744	764-P-139	Procedural Changes and Amendments to Publication 182
	800-P-151	Amendment #1
	870-P-175	Amendment #2
745	789-P-148	Change of Positions in the Motor Vehicle Service
	801-P-152	Amendment #1
748	888-P-179	Postal Service Representation at Postmasters and Supervisors Meetings and Conventions
	891-P-180	Amendment #1
751	928-P-128	(Amend. #2) Salary Changes for Managerial and Related Employees
	993-P-203	(Amend. #3) Salary Changes for Certain Non-Bargaining Unit Employees
	1030-P-212	(Amend. #4) Salary Changes for Certain Non-Bargaining Unit Employees
753	796-P150	Grades Changes by Reorganization
754	929-P-189	Higher Level Details
755	864-P-172	Service Schedule Changes for Postmaster Supervising Less than 2 Employees
756	1048-P-217	Review of Postmaster Positions in the Non-City Delivery Schedule
757	919-P-184	Retroactive Pay Procedures for Certain Postmasters

File No.	Sequence No.	Title
758	967-P-197	Overtime, Night Shift Differential, and Travel Pay for Non-Bargaining Unit Employees
761	735-P-131	Treatment and Rehabilitation of Injured Employees
762	825-P-160	Problem Drinking and Alcoholism
763	830-P-161	Safety Instructions for Contractors Working on Postal Property
776-2	769-P-141	Service Awards—Retirement or Posthumous Recognition
791	1018-P-208	Personnel Actions in Connection with the Discontinuance and Consolidation of Post Offices

**2. Local Issuances.** Any local issuances based on the rescinded directives or any local issuances in conflict with this manual are also rescinded.

### G. COMMENTS

Efforts were made to make this manual complete, well-organized, and easy-to-understand. If you cannot find or understand certain material or discover that topics were omitted, prepare a memo outlining the problems. Send the memo through management channels to:



U.S. Postal Service Headquarters  
General Manager  
Directives and Forms Division  
Attention: ELM  
Washington, DC 20260

P. J. Skelly  
Director  
Office of Management Services

**.424** A statement that the employee was ready and able to perform his job during the back pay period. If not, state inclusive dates not ready and able and the cause by which incapacitated or unavailable. The employee may request payment of sick or annual leave as appropriate and to his credit, for the period of incapacity or unavailability during the back pay period.

**.425** If the back pay period is more than 1 year and no outside employment was obtained, make a statement giving the reasons why outside employment was not obtained and furnish a resume of the efforts to secure other employment during the back pay period.

**.426** On health benefit and optional life insurance coverage, the employee should state whether he desires (a) to enroll in any plan or option, the same as a new employee, or (b) to have the prior enrollment reinstated retroactive to the date it was terminated.

### **437 Waiver of Claims for Erroneous Payment of Pay**

#### **437.1 Purpose**

This part establishes procedures for (a) requesting a waiver of a claim made by the USPS against a current or former employee for the recovery of pay which was erroneously paid and (b) applying for a refund of money paid by or deducted from a current or former employee as a result of such a claim.

#### **437.2 Definitions**

**.21 Pay.** Pay means salary, wages, or compensation for services, including all forms of premium pay, holiday pay, or shift differentials, payment for leave, whether accumulated, accrued, or advanced, and severance pay. Pay does not include rental allowances or payment for travel, transportation, or relocation expenses.

**.22 Employee.** Throughout part 437, employee means a *former* employee as well as a *current* employee.

**.23 Applicant.** Applicant means an employee (current or former) or an individual acting on behalf of the employee who applies for a waiver of a claim for overpayment of pay.

**.24 Installation Head.** Installation head means the postmaster, manager, or director of *field facilities* or the department head (or designee) of *Headquarters units* where the employee is employed or was last employed.

#### **437.3 Submission of Request**

**.31 Expiration Date.** Waiver action may not be taken after the expiration of 3 years immediately following the date on which the erroneous payment of pay was discovered.

**.32 Form 3074.** The applicant requests a waiver of a claim or a refund of money paid as a result of a claim by

submitting Form 3074, *Request for Waiver of Claim for Erroneous Payment of Pay*, in triplicate to the installation head. The completed Form 3074 must contain:

- a. Information sufficient to identify the claim for which the waiver is sought, including the amount of the claim, the period during which the erroneous payment occurred, and the nature of the erroneous payment.
- b. A copy of the invoice and/or demand letter sent by the USPS, if available, or a statement setting forth the date the erroneous payment was discovered.
- c. A statement of the circumstances which the applicant feels would justify a waiver of the claim by the USPS.
- d. The dates and amount of any payments made by the employee in response to the claim.

#### **437.4 Review by Installation Head**

The installation head investigates the claim and writes a report of the investigation on the reverse side of the Form 3074. The report should include the following data and/or attachments.

- a. All relevant facts or circumstances not described, or incorrectly described, on the Form 3074 by the applicant.
- b. An explanation of the cause of the overpayment.
- c. If available, a listing for each pay period in which an overpayment was made (1) of the employee's pay rate, (2) the gross amount due the employee, and (3) the gross amount that was actually paid.
- d. A statement as to whether there is any indication of fraud, misrepresentation, fault, or lack of good faith on the part of anyone having an interest.
- e. A recommendation for approval or disapproval of the claim based upon review of the facts and circumstances.
- f. A copy of the invoice or notice to the employee of the amount requested to be repaid to the USPS should accompany the Form 3074. If neither of these items is available, a statement establishing the discovery date of the USPS claim should be included.
- g. Copies of pertinent Forms 50, *Notifications of Personnel Action*; Forms 1303, *Salary Change Notices*; and any correspondence having a bearing on the claims should be obtained from the employee's official personnel folder and included with the Form 3074.
- h. Any other information which would assist in making a determination of whether collection action to collect the claim would be against equity or good conscience and not be in the best interests of the USPS.

#### **437.5 Review by Compensation Unit**

The installation head forwards the Form 3074 to the appropriate compensation unit (i.e., the Regional Compensation Division or the Headquarters Office of Compensation) which:

- a. Reviews the file for accuracy and completeness.
- b. Completes part III of Form 3074.
- c. Adds any pertinent comments to the file.
- d. Forwards the entire file to the Director of the appropriate Postal Data Center (PDC).

**437.6 Action by Postal Data Center (PDC)**

The PDC will waive the claim if it can determine from a review of the file that:

a. The overpayment occurred through administrative error of the USPS.

b. Everyone having an interest in obtaining a waiver acted reasonably under the circumstances, without any indication of fraud, misrepresentation, fault, or lack of good faith.

c. Collection of the claim would be against equity and good conscience and would not be in the best interest of the USPS.

**437.7 Appeal of Disallowed Request**

**.71 Appeal Procedure.** When a request for waiver has been partially or completely denied, the applicant may submit a written appeal to the PDC that denied the claim within 15 days of receipt of the determination. The appeal letter should clearly indicate that the employee is appealing the disallowance of the waiver request, and set forth in detail the reasons why the employee believes the claim should be waived.

**.72 Final Decision.** The PDC will then forward the appeal, with the entire case file, to the Assistant Postmaster General of the Finance Department (APMG—Finance). The Finance Department will notify the PDC of its determination; the PDC will advise the employee concerned of the decision by Headquarters and, if necessary, will adjust its records. The determination of the APMG—Finance is final.

**438 Pay During Travel or Training****438.1 Pay During Travel****.11 Travel Time, Defined**

Travel time is authorized and compensable time spent by an eligible employee moving between one work facility and another, or between home and a work facility other than the employee's official duty station. It may occur on a scheduled or non-scheduled day during or outside of regular scheduled work hours depending on the type of travel involved and on the eligibility of the employee. Authorized travel time performed by eligible employees is considered as work hours for pay purposes.

**.12 Pay Considerations**

**.121 Out-of-schedule overtime.** Sunday premium, Christmas worked pay, or guaranteed time is not payable to employees in a travel status.

**.122 Night differential** is paid to eligible employees during those hours of travel between 6 p.m. and 6 a.m. that fall within an employee's normally scheduled hours of service on either a scheduled or non-scheduled day.

**.123** All employees are paid in accordance with the basic compensation procedures in 433 for travel time during the hours of their regular work schedule.

**.124** Eligible employees are also paid in accordance with the overtime compensation procedures in 434 for travel time outside of their regular schedule when such time combined with other paid hours is in excess of 8 hours in a day or 40 hours in a service week.

**.13 Compensable Time**

**.131 One-Day Assignment Outside the Local Commuting Area.** When employees are required to travel from home to work away from the local community and return home in the same day, all such time, less normal commuting time, is considered worktime whether within or without of the regular work schedule.

**.132 Travel from Job Site to Job Site.** Time spent by employees in travel, whether within or without of their regular work schedule, as part of their principal activity, such as travel from job site to job site during the regular workday, is considered worktime, including time spent traveling from the principal work location and return. If an employee travels directly between home and a job site, see 438.141.

**.133 Travel Away from Home Overnight.** Overnight travel away from home is worktime for all employees when it occurs during the employee's regular work schedule. Overnight travel is also worktime for non-exempt employees only (434.122) during the corresponding hours on non-scheduled days, but is *not* worktime for exempt (all other) employees on non-scheduled days.

**.134 Use of Personal or Public Transportation.** Whether or not during normal working hours, all time spent by an employee for work purposes actually driving a vehicle or riding in a vehicle is worktime—except during bona fide meal periods or during ordinary home-to-work travel. For an employee who was offered public transportation but received permission to use a personal conveyance, compensable time is (a) the time the employee spends driving or (b) the time which would have been spent in travel by public transportation is counted as work hours—whichever is less.

**.135 Work Performed While Travelling.** Any work that is required to be performed while traveling, in addition to actual driving as described in 438.134 above is worktime.

**.14 Excluded Time**

**.141 Ordinary Home-to-Work Travel.** Employees who travel from home before their regular workday and return to their home at the end of the regular workday are engaged in ordinary home-to-work travel which is a normal incident of employment. Normal travel from home to work is not travel time whether the work is performed (a) at a fixed location, (b) at different job sites within the local commuting area, (c) during the regular workday, or (d) when called in outside of the regular work schedule.

**.142 Meal Time.** Regular scheduled meal period time is excluded from any travel time—even when traveling on a day that is not a regular workday.