



American Postal Workers Union. AFL-CIO

1117 Fourteenth Street, N.W. Washington, D.C. 20005 • (202) 842-4244

WILLIAM BURRUS
Executive Vice President

February 22, 1984

William E. Henry, Jr., Director
Office of Grievance and Arbitration
Labor Relations Department
United States Postal Service
475 L'Enfant Plaza, S.W.
Washington, D.C. 20260

Dear Mr. Henry:

This is in further response to your letter of February 17, 1984 informing me that the Postal Service "generally agreed with (my) interpretation of the cited provisions." You further state that the Office of Workers' Compensation identifies other circumstances exclusive of the items listed in 545.51.

I request the identification of the other circumstances and whether or not the Postal Service relies upon them to stop payment?

Sincerely,

William Burrus
William Burrus,
Executive Vice President

WB:mc

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UNITED STATES POSTAL SERVICE
475 L'Enfant Plaza, SW
Washington, DC 20260

February 17, 1984

Mr. William Burrus
Executive Vice President
American Postal Workers Union,
AFL-CIO
817 14th Street, N.W.
Washington, D.C. 20005-3399

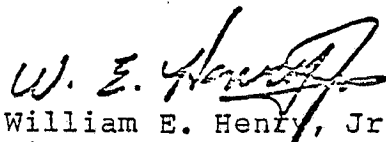
Dear Mr. Burrus:

This is in response to your January 20 letter to Mr. Gildea concerning the provisions of subchapter 545.51 of the Employee and Labor Relations Manual (ELM).

We generally agree with your interpretation of the cited provision. As stated in subchapter 545.52 "pay must be continued if continuation of pay is applicable and applied for unless the claim falls within one of the grounds for termination of pay listed in 545.51." This provision does not allow for expansion beyond the items listed in 545.51.

For your information, however, there are circumstances identified by the Office of Workers' Compensation where termination of COP is proper, exclusive of the items listed in 545.51.

Sincerely,



William E. Henry, Jr.
Director
Office of Grievance and
Arbitration
Labor Relations Department





American Postal Workers Union. AFL-CIO

477 Fourteenth Street, N.W. Washington, D.C. 20005 • (202) 842-4241

WILLIAM BURRUS
Executive Vice President

January 20, 1984

James Gildea
Assistant Postmaster General
Labor Relations Department
United States Postal Service
475 L'Enfant Plaza, S.W.
Washington, D.C. 20260

Dear Mr. Gildea:

The rights of bargaining unit employees under the Injury Compensation Program are incorporated in the National Agreement through provisions of Article 19 of the 1981 National Agreement. These provisions at Subchapter 545.5 define conditions under which the employer may discontinue continuation of pay when controverting a claim. Provisions at Subchapter 545.51 are specific in requiring that in all other cases where controversion is proper pay must be continued if continuation of pay is applicable.

Local officers are repeatedly refusing to place employees in a COP status when the claim is being controverted for reasons other than those listed at 545.51.

This is to determine whether a dispute exists between the union and the employer that continuation of pay cannot be stopped by the employer except for the reasons specifically stated at 545.51 and in all other cases where controversion occurs payment must be continued.

Sincerely,

William Burrus
William Burrus

Executive Vice President

WB:mc

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