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LABOR RELATIONS



January 24, 2022

Mr. Ivan Butts
President
National Association of Postal
Supervisors
1727 King Street, Suite 400
Alexandria, VA 22314-2753

Dear Mr. Butts:

As a matter of general interest, the Postal Service intends to revise Section 365.371, *Definition* of the Employee and Labor Relations Manual (ELM).

The revisions are being made to clarify the definition of a separation action when it is due to ineligibility for reemployment under the Uniformed Services Employment and Reemployment Rights Act (USERRA).

We have enclosed final draft copies of the ELM Section 365.371, *Definition*, one with and one without changes identified.

Please contact Bruce Nicholson at extension 7773 if you have questions concerning this matter.

Sincerely,

A handwritten signature in blue ink that reads "David E. Mills".

David E. Mills
Director
Labor Relations Policies and Programs

Handwritten initials "fn" in blue ink.

Enclosure

365.37 Separation – Ineligibility for Reemployment Under USERRA

365.371 Definition

Separation due to ineligibility for reemployment under the Uniformed Services Employment and Reemployment Rights Act (USERRA). This action occurs when the Postal Service determines that an employee who is performing or has been released from uniformed (military) service does not have reemployment rights under USERRA. This action is taken after the employee is denied reemployment or, if still performing military duty, informed that he or she does not have reemployment rights under USERRA. After notification, the employee is separated from postal rolls administratively. This is not an adverse or disciplinary action and is not a bar to future federal employment. The employee may apply for reinstatement under EL-312 233.33, if eligible. (see EL-312 771.1)

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