

***To all the hard-working Postal workers, thank you for your dedication in providing service to the customers during this busy holiday season. I hope you get time to enjoy the holiday experience with your friends and family.***

**NAPS response to USPS's Motion to Dismiss NAPS's Lawsuit** – On November 20, 2019, NAPS filed its opposition to Postal Service's motion to dismiss. First NAPS explained why it has a right to challenge USPS's final FY 2016-2019 EAS Pay Package in federal court. Forty years ago, the D.C. Circuit Court of appeals (the appellate court above the D.C. District Court where NAPS's suit is currently pending) held in National Association of Postal Supervisors v. U.S. Postal Service, that NAPS had a right to what is referred to as non-statutory review the implied right to enforce rights granted to it by a statute. In its motion to dismiss the Postal Service almost entirely ignored the 1979 NAPS v. USPS decision mentioning it only in a footnote that mischaracterizes the decision. Further, NAPS showed that, contrary to the Postal Service's characterization, the 1980 NAPS V. USPS decision, mentioning it only in a footnote that mischaracterizes the decision. Further, NAPS showed that, contrary to the Postal Service's characterizations, the 1980 amendments to the PRA did not strip NAPS of its right to non-statutory review. Rather, Congress made clear that, while it hoped to limit litigation between NAPS and the Postal Service, the courts remained open to NAPS if the Postal Service failed to abide by its obligations. NAPS also explained why non-statutory review is necessary here, setting out the specific requirements of the PRA and how the Postal Service has violated them with the FY 2016-2019 Final EAS Pay Package ***check out*** [naps.org](http://naps.org) ***for the complete info on the lawsuit***

**USERRA - JOB RIGHTS FOR VETERANS AND RESERVE COMPONENT MEMBERS The Uniformed Services Employment and Reemployment Rights Act of 1994 Reference:(USERRA 38U.S.C. 4301-4335)**

USERRA protects civilian job rights and benefits for veterans and members of Reserve components. USERRA also makes major improvements in protecting service member rights and benefits by clarifying the law, improving enforcement mechanisms, and adding Federal Government employees to those employees already eligible to receive Department of Labor assistance in processing claims.

**ELM Version 47** - Chapters to check out. 650 EAS (Chapter 6) Employees Corrective & Adverse Actions:

This chapter addresses EAS appeal rights for Corrective and Adverse Action

Letters of warning and Letters of warning in lieu of time-off suspensions remain in the employee's OPF and/or eOPF for **two years** unless otherwise resolved or cited in subsequent disciplinary action. The NAPS representative is encouraged once a decision is finalized to attempt to consult with the deciding official to reduce the time the letter is retained in the members file. Once the time frame is up request in writing that the action be removed from the file.

**Disability Retirement Information:** NAPS normally does not handle disability retirements unless it is directly related to an ongoing Adverse Action case. However, any members struggling with a long-term illness/disability should seek out an advocate familiar with accessing your current physical status. Most retirement specialists are familiar with how to help individuals dealing with long term health concerns. If unable to work utilize job protections i.e. Family Medical Leave (FMLA). Seek certified Health Care and provide appropriate acceptable documentation to your manager/supervisor! You must keep in touch with your employer, they must be updated regarding your health progress regularly... Don't assume your manager knows or understand your health challenge it is your responsibility to keep in touch and if you are unable be sure there is a relative or advocate working to assist you.

**SPAC is always welcomed** - Still time to give that final **SPAC** contribution before the end of the year. What is **SPAC?** It is our NAPS Political Action Committee This fund is separate from members' dues. SPAC is funded by our members donations directly to this fund. which is monitor by Federal election laws. The funds are used to support legislative candidates that support Postal/ Federal, Retiree issues. ***naps.org Legislative Center.***

***As the 2019 year closes out, I would like to acknowledge the loss of many of our NAPS family. Also, those members dealing with or who overcame health challenges this pass year. So many I am reluctant to name individually. The highs and lows have been many. As we enter the new year hug your love ones; any good deed given to you pay it forward! If you can't say something positive keep the negative to yourself. Attempt to smile and leave the regrets in the rear-view mirror as you enter the New Year. Happy Holidays!***