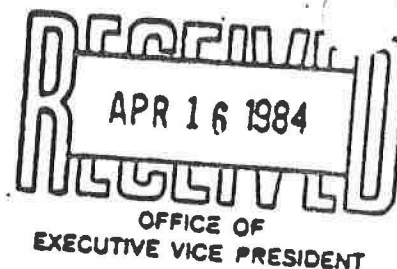




UNITED STATES POSTAL SERVICE
475 L'Enfant Plaza, SW
Washington, DC 20260

April 11, 1984

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



ARTICLE	19
SECTION	ELM
SUBJECT	OWCP
	MEMORIAL

Dear Mr. Burrus:

This is in response to your February 22 letter requesting the identification of circumstances in which the Postal Service may terminate Continuation of Pay (COP) benefits exclusive of subchapter 545.51 of the Employee and Labor Relations Manual (ELM).

In response to specific inquiries, the Office of Workers Compensation (OWCP) on two occasions (September 28, 1978, and February 22, 1983) provided the Postal Service with policy interpretations. These letters are enclosed for your review. We believe these situations, while not addressed in ELM 545.51, are incorporated in ELM 545.56 and 545.62.

Also, on February 5, 1979, the OWCP stated that it would not be unreasonable for the Postal Service to require a medical report to determine if an employee should be placed in a COP status. Such a medical report would be necessary to substantiate a job caused traumatic injury and disability in instances where there are unwitnessed or highly questionable alleged job-related injuries.

We trust this satisfactorily answers your inquiry.

Sincerely,

W. E. Henry Jr.

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

Enclosures



American Postal Workers Union, AFL-CIO

9/B

817 Fourteenth Street, N.W. Washington, D.C. 20005 • (202) 842-4250

MOE BILLER
President

April 18, 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:

In accordance with provisions of Article 15 the Union submits the following issue at Step 4 as an interpretive dispute.

The Employer's letter of April 11, 1984 included responses from the Office of Workers' Compensation (OWCP) dated September 28, 1978 and February 22, 1983. The union does not interpret Sections 545.56 and 545.62 or other provisions of the ELM as incorporating the cited letters from OWCP.

The union interprets Subchapter 545.51 as controlling in the Employer's right to terminate pay.

Sincerely,

Moe Biller
Moe Biller
President

MB:WB:mc

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