

## President Biden signs \$1.9 Trillion COVID-19 Relief Bill Into Law

On Thursday March 11, President Joe Biden signed the *American Rescue Plan Act of 2021* into law, providing desperately needed relief to America's working class and stabilizing communities across the country.

Working families have been waiting on this bill, which will provide critical direct payments (up to \$1,400 per eligible individual), fund vaccine production and distribution, and provide emergency state and local funding to jumpstart the economy.

For postal workers, the *American Rescue Plan* has established paid leave that is similar, but an improvement upon, the *Family First Coronavirus Recovery Act* (FFCRA) leave that had expired December 31st, allowing workers to take COVID-related paid time off to care for themselves and for their loved ones. Postal workers also secured a critical workers compensation reform, which will streamline COVID-19 claims.

In addition, the passage of this \$1.9 trillion relief bill signals an end in sight for the pandemic, as it affords communities the resources they need to fight COVID-19 and disseminate vaccines.

"In what has been the worst economic crisis since the Great Depression, America's working class has been in dire need of the kind of relief this bill provides," said the President Mark Dimondstein. "We are proud to have been part of the fight to secure concrete victories for APWU members and working families."

As postal workers across the country saw their paid leave dwindle while the pandemic continued to rage, Legislative & Political Director Judy Beard teamed up with Industrial Relations Director Vance Zimmerman to ensure your issues were raised on Capitol Hill. APWU fought tooth and nail for the inclusion of key pro-worker provisions in the *American Rescue Plan*. Here is a sampling of the bill's key provisions:

- **Emergency paid leave:** Creates a fund for federal agencies, including the Postal Service, to provide up to 15 weeks of emergency paid leave for postal workers who have COVID-19, are caring for someone with COVID-19, are looking after children during virtual classes, or are obtaining a COVID-19 vaccine.
- **Workers Compensation:** Improves the process for COVID-19 related workers' compensation claims.

Workers who contract COVID-19 will be assumed to have contracted the illness on the job, streamlining the workers' compensation claims process.

- **Provides direct cash assistance:** Provides each qualifying citizen with a \$1,400 direct cash payment.
- **Provides relief for multiemployer pensions:** Provides financial assistance to struggling multiemployer pension plans, which the plans will not have to repay, to cover all benefits due through plan year 2051, with no cuts to accrued benefits.
- **Extends unemployment benefits:** Extends pandemic-related unemployment assistance that was set to expire on March 14, including the current \$300 federal supplement to unemployment benefits, for another six months.
- **Increases workplace safety:** Provides funding for the Department of Labor to carry out pandemic-related worker protection activities.
- **Provides State, Local, and Tribal Aid:** Provides billions in aid to state, local, and tribal governments to help meet growing public service needs and address other critical services.
- **Funds public health:** Provides funding for testing, contact tracing, personal protective equipment (PPE), vaccine distribution, and medical supply production.

"The *American Rescue Plan* has finally set this country on a path of recovery. I would like to thank Chairman Peters of the Homeland Security and Government Affairs Committee, for fighting to protect our Emergency Paid Leave, and critical workers compensation provisions from being stripped out of the bill by anti-union Senators. Thank you to President Joe Biden for ushering in the American recovery and we look forward to building on this victory," said Legislative & Political Director Judy Beard.

"Without pressure from APWU members and our allies in Congress, key pro-worker provisions in this bill would have been watered down or thrown out," said President Mark Dimondstein. "At the end of the day, it was the power of working people and organized labor that made the *American Rescue Plan* a reality."

While the *American Rescue Plan* brings real relief to struggling families, our fight is far from over.

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Outrageously, a provision to raise the federal minimum wage to \$15 an hour was scrapped from an earlier version of the bill over a technicality. We must continue to push for an increase in minimum wage for our fellow workers.

When it comes to protecting our public Postal Service, we are still fighting to secure the \$25 billion

infrastructure funding and emergency COVID-19 funding USPS needs to continue serving the American people. As we continue to fight for pro-worker, pro-Postal Service legislation, we do so knowing that the *American Rescue Plan* is undoubtedly a landmark piece of legislation, and APWU is proud to have supported it.

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## ***American Rescue Plan Act: Update on Emergency Federal Employee Leave (EFEL)***

Multiple questions were submitted to the Industrial Relations Department regarding the recently passed *American Rescue Plan Act of 2021* (ARPA). As part of the bill, funding for Emergency Federal Employee Leave (EFEL) was appropriated. The APWU is monitoring all developments regarding EFEL and will continue to share information as it is received.

The Office of Personnel Management (OPM) is responsible for administering the fund and issuing guidelines on this new leave. We will not know how this leave will be implemented government-wide until OPM issues the regulations and guidelines.

However, this is what is known:

- All postal employees, career or non-career, qualify for EFEL
- \$570,000,000 has been allotted for payment of EFEL government-wide.
- Employees can utilize up to 600 hours of EFEL in total.
- The law allows these 600 hours to be used through September 30, 2021 or until the fund is depleted—whichever comes first.

Employees can utilize this leave if unable to work due to the following COVID-19 related reasons:

1. Subject to a federal, state, or local quarantine or isolation order related to COVID-19.
2. Has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
3. Caring for an individual who is subject to such an order as in (1) or has been so advised as in (2).
4. Experiencing COVID-19 symptoms and seeking a medical diagnosis.
5. Caring for the employee's son or daughter if the school or place of care of the son or daughter has been closed, requires or makes optional a virtual learning instruction model, requires or makes optional a hybrid of in-person and virtual learning instruction models, or if the child-care provider of the son or daughter is unavailable, due to COVID-19 precautions.
6. Experiencing any other substantially similar condition.
7. Caring for a family member with a mental or physical disability or who is 55 years of age or older and incapable of self-care, without regard

to whether another individual other than the employee is available to care for such family member, if the place of care for such family member is closed or the direct care provider is unavailable due to COVID-19.

8. Obtaining immunization (vaccination) related to COVID-19 or is recovering from any injury, disability, illness, or condition related to such immunization.

Pay is at the employee's normal rate of hourly pay, up to a maximum of \$2,800 per pay period.

NTFT, PTF, PTR, and PSEs weekly hours paid will be based upon the average numbers the employee worked the 26-pay periods prior to the leave being taken up to a maximum of 40 hours a week.

Employees will not earn credit towards retirement, retirement contributions, contribute to TSP, or receive TSP matching funds on hours paid under the EFEL.

To take this leave, employees should submit a PS Form 3971 and indicate they are requesting EFEL on the form. Employees must identify which of the 8 qualifying conditions they qualify under for the leave. Postal management is to code the leave under TACS code 086-21. The Postal Service informed the APWU that this code was made available in TACS on March 17.

Management is taking the position that qualifying reason number 1 does not apply to postal employees as they are not subject to quarantine/isolation orders related to COVID-19. Also, there has not been "any other substantially similar condition" identified at this time that would qualify under number 6.

On March 18, the Postal Service informed President Dimondstein that they are awaiting further clarification from OPM on the implementation, documentation, and other items related to the usage of EFEL. OPM has instructed all government agencies, including the Postal Service, not to issue their own official permanent policies until the OPM-issued guidance is released.

It is anticipated that the OPM guidance will be released in the next week or two. At that point, we will share further information with the members.