



NATIONAL ASSOCIATION OF POSTAL SUPERVISORS

National Headquarters
1727 KING STREET, SUITE 400
ALEXANDRIA, VA 22314-2753
(703) 836-9660

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NAPS Applauds Introduction of Postal Employee Appeal Rights Legislation

National Association of Postal Supervisors President Louis M. Atkins today applauded Sen. Jon Tester (D-MT) and Rep. Gerry Connolly (D-VA) for their leadership in introducing legislation that helps to assure fairness for all mid-level managers in the United States Postal Service.

Senator Tester on February 26 and Rep. Connolly on March 2 introduced the "Postal Employee Appeal Rights Amendments Act" (S. 606 and H.R. 1198), legislation that extends to mid-level postal employees the right of appeal of significant personnel actions taken against them to the Merit Systems Protection Board (MSPB). The MSPB is an independent quasi-judicial agency in the Executive branch that hears the personnel appeals of federal employees and guards the federal merit systems.

Despite Congressional action in 1987 that attempted to confer the right of MSPB appeal to all postmasters, supervisors and managers, the Federal Circuit Court of Appeals has narrowly interpreted that appeal right. As a result, challenges of adverse actions by more than 7,500 postal managers have been limited to a hearing only by a higher-level postal official, without recourse to the MSPB as a neutral, third-party adjudicator.

"The legislation introduced by Senator Tester and Congressman Connolly will correct the outcome under the 1987 law and reaffirm Congress' original intent," NAPS President Atkins said. "It will restore to all postal managers the fairness of impartial review by the Merit Systems Protection Board. No longer will the Postal Service be permitted to serve as both judge and jury."

Contact:

Bruce Moyer

bruce@moyergroup.net

1727 King St, Suite 400

Alexandria, VA 22314

(301) 452-1111

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