

Mr. Moe Biller
Mr. Vincent Sombrotto

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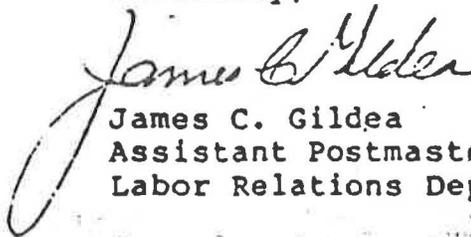
516.332 Employee on Annual Leave. If an eligible employee while on annual leave is summoned for jury duty, service as a witness in a nonofficial capacity on behalf of a state or local government, or service as a witness in a nonofficial capacity on behalf of a private party in a judicial proceeding to which the Postal Service is party or the real party in interest, while on annual leave, the employee's annual leave is cancelled and the employee is placed on court leave for the duration of such court service. Employees who are not entitled to court leave must use annual leave or LWOP for the period of absence from duty for such court service.

516.43 Witness Services in a Nonofficial Capacity on Behalf of a Private Party. An employee who testifies in a nonofficial capacity (as a private individual) on behalf of a private party is not performing official duty. The employee's absence is charged to court leave if the testimony is given in a judicial proceeding to which the Postal Service is a party or the real party in interest (see 516.31). If the Postal Service is not a party or the real party in interest, the employee's absence is charged to annual leave or LWOP and the employee may retain any fees or compensation received for such witness service.

As you can see, under these proposed revisions, the Postal Service would continue to provide court leave to employees serving as jurors or testifying on behalf of a state or local government, and, in addition, would provide court leave to employees testifying on behalf of private parties in judicial proceedings brought by or against the Postal Service. Thus, for example, court leave would be provided to employees testifying on behalf of plaintiffs in Title VII discrimination suits brought against the Postal Service.

If you have no objection to the above revisions, please notify Ned Braatz of my staff at 245-5158. We will then take the necessary action to implement these changes.

Sincerely,



James C. Gildea
Assistant Postmaster General
Labor Relations Department