

NAPS and UPMA: Weighing the Disciplinary Fund Differences

NAPS - DISCIPLINARY DEFENCE FUND (DDF) (Source: Postal Supervisor, January 2017)

EAS employees with MSPB appeal rights:

Removals—No cost to member

The claimant will be responsible for the full cost of appealing beyond the MSPB initial decision.

EAS employees without MSPB appeal rights (administrative appeal under *ELM* 652.2):

Removals/Demotions/Suspensions—No cost to member

Eligibility:

The DDF only is to be used for active and associate members, including individuals who were members in good standing at the time of retirement.

To be eligible for representation through the DDF, an active member must meet the following criteria:

(a) the active member must have signed an application for NAPS membership 60 days from the effective date of promotion from the craft, or

(b) the active member must have been a NAPS member no fewer than 90 days before the charge being issued and

(c) any additional criteria outlined in the “Disciplinary Defense Fund: Procedures and Guidelines for Branch Presidents” in the *NAPS Officer Training Manual*.

UPMA – ADVERSE ACTION LEGAL DEFENSE PLAN (AALDP) (Source: UPMA Leader, November 2017)

EAS employees with MSPB appeal rights:

Removals—\$6,000 up front

The claimant will be responsible for 20 percent of the total costs, with a \$6,000 maximum cap. UPMA will pay 100 percent of the additional costs beyond \$6,000 through the end of the MSPB initial decision. The claimant will be responsible for the full cost of appealing beyond the MSPB initial decision.

Demotions/suspensions—\$3,000 up front

The claimant will be responsible for 15 percent of the total cost, with a \$3,000 maximum cap. UPMA will pay 100 percent of the additional costs beyond \$3,000 through the end of the MSPB initial decision. The claimant will be responsible for the full cost of appealing beyond the MSPB initial decision.

EAS employees without MSPB appeal rights (administrative appeal under *ELM* 652.2):

Removals/demotions/suspensions—\$3,000 up front.

The claimant will be responsible for 20 percent of the total cost, with a \$3,000 maximum cap. UPMA will pay 100 percent of the additional costs beyond \$3,000.

Eligibility:

All EAS members who are in good standing who have paid dues to UPMA (or former League/NAPUS members) for at least six months prior to receiving a proposed adverse action may claim the AALS benefit.

If attorney fees are awarded by a percentage (i.e., 50 percent), the same percentage will be used when refunding the member's used portion of their retainer.

Example: If a member is being demoted, they must issue a retainer of \$3,000 to UPMA. If the case is resolved and the total expense was \$12,000, then 15 percent of that amount would be \$1,800; thus, a check would be written back to the member for \$1,200.

Example: If a member is being removed, they must issue a retainer of \$6,000 to UPMA. If the case costs \$40,000, the member's retainer would be completely used (20 percent of \$30,000, or \$6,000) and UPMA would pay the additional 10,000.

Example: If a member is going before a Postal Service Hearing officer, they must issue a retainer of \$3,000 to UPMA. If the case costs \$10,000, the member will be refunded \$1,000 based on 20 percent of the cost being \$2,000