

## 640 Employee Claims

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### 641 Nonbargaining Unit Employees

#### 641.1 Policy

It is Postal Service policy to reimburse nonbargaining unit employees for loss or damage to their personal property when suffered in connection with, or incident to, their employment while on duty or while on postal property.

#### 641.2 Requirements

Employee claims for reimbursement must meet these conditions:

- a. The possession of lost or damaged property was reasonable or proper under the circumstances.
- b. The damage or loss was not caused in whole or in part by a negligent or wrongful act of the employee.
- c. The loss or damage did not result from normal wear and tear associated with day-to-day living and working conditions.
- d. The loss or damage, taking into consideration depreciation, amounts to \$10 or more.
- e. The loss or damage claimed was not for a motor vehicle or the contents of a motor vehicle, *except* in cases where payment would be equitable, such as unjust acts of retaliation; extraordinary risk in performance of duty, as in connection with civil disturbance or common or natural disaster; or efforts to save government property or human life.

#### 641.3 Claimants

##### 641.31 Valid

*Only* those listed may file claims:

- a. Postal employees.
- b. Survivors in this order:
  - (1) Spouse.
  - (2) Children.
  - (3) Father, mother, or both.
  - (4) Brothers, sisters, or both.

##### 641.32 Fraudulent

If investigation shows the claimant, or agent, intentionally misrepresented a claim for an item's cost, condition, repair, etc., the claim is denied — even though there is some actual damage. However, if the claim for another item is correct, that claim is paid. Disciplinary action will be taken if warranted.

**641.4 Compensation****641.41 Lost or Destroyed Property**

Compensation usually equals, but never exceeds, the actual value of property at the time of loss. Value is determined by purchase price (or value at time of acquisition), replacement cost, and salvage value. Depreciation is figured according to the type, age, and condition of item when lost or destroyed. Incidental expenses or losses are excluded.

**641.42 Damaged Property**

Compensation is usually the cost of repairs, not to exceed the actual value of property when damaged. If property is damaged beyond repair, compensation is the actual value at time of damage, less salvage value. Incidental expenses are excluded.

**641.43 Third Party Recoveries****641.431 Insurance**

If the loss amounts to \$500 or more and is recoverable from an insurer or other third party, the employee must first request reimbursement from that source. If the loss is less than \$500, the employee may file an employee claim instead. The employee must make an effort to recover a loss of any amount from a hotel or airline before submitting an employee claim.

**641.432 Supplement**

The Postal Service pays the difference between that insurer's payment and the actual loss, provided it is judged to be a valid claim. The Postal Service pays no part of a claim if the insurer or other third party pays more than the amount allowable.

**641.433 Refunds**

The employee must pay back the amount received from the Postal Service if the employee recovers the lost item or receives payment from an insurer.

**641.5 Procedures****641.51 Time**

Employees must present claims as soon as possible after the loss occurs and not later than 90 days from the date of loss or discovery of loss. Claims received after 90 days are acceptable only if the delay was not the claimant's fault.

**641.52 Documentation**

PS Form 2146, *Employee's Claim for Personal Property*, must be filed. However, any written document received within the period allowed is treated as a proper claim if it provides substantiating information. All claims must be supported with evidence such as (a) date of purchase and (b) sales receipt or statement from seller showing price and date of purchase.

641.53 **Submission and Initial Decisions**

Employees submit claims based on the installation to which they are assigned. Submission of claims and initial determinations are as follows:

- a. *Field Offices*. Submit claims to the district manager of Customer Service and Sales, who renders the initial decision.
- b. *Area Offices*. Submit claims to the area Human Resources manager, who renders the initial decision.
- c. *Headquarters and Headquarters Field Units*. Submit claims to the manager of Personnel Operations Support, who renders the initial decision.
- d. *Inspection Service and Inspection Service Field Offices*. Submit claims to the deputy chief inspector of Administration, who renders the initial decision.

641.54 **Disposition**

The disposition of claims depends on the initial decision:

- a. *Allowed Claim*. A settlement check is forwarded to the claimant. When a claim is only partially paid, a written explanation accompanies the check.
- b. *Denied Claim*. A written explanation of the reason for the decision is forwarded to the claimant.

641.55 **Appeal**

A letter of denial may be appealed by the claimant within 15 days of receipt of the notification. Reasons and documentation must be furnished. The reviewer's decision is final and there is no further administrative appeal. An appeal is submitted as follows:

- a. *Field Offices*. Submit appeal to the vice president of Area Operations.
- b. *Area Offices*. Submit appeal to the vice president of Area Operations.
- c. *Headquarters and Headquarters Field Units*. Submit appeal to the vice president of Employee Resource Management.
- d. *Inspection Service and Inspection Service Field Offices*. Submit appeal to the chief postal inspector.

642 **Bargaining Unit Employees**

Bargaining unit employees are covered by provisions of their collective bargaining agreement.