

Public Law 100-90
100th Congress

An Act

To amend title 39, United States Code, to extend to certain officers and employees of the United States Postal Service the same procedural and appeal rights with respect to certain adverse personnel actions as are afforded under title 5, United States Code, to Federal employees in the competitive service.

Aug. 18, 1987

[H.R. 348]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1005(a) of title 39, United States Code, is amended by adding at the end thereof the following:

“(4)(A) Subchapter II of chapter 75 of title 5 shall apply—

5 USC 7511.

“(i) to any preference eligible in the Postal Service who is an employee within the meaning of section 7511(a)(1)(B) of such title; and

“(ii) to any other individual who—

“(I) is in the position of a supervisor or a management employee in the Postal Service, or is an employee of the Postal Service engaged in personnel work in other than a purely nonconfidential clerical capacity; and

“(II) has completed 1 year of current continuous service in the same or similar positions.

“(B)(i) The second sentence of paragraph (2) of this subsection applies with respect to the provisions of subparagraph (A) of this paragraph, to the extent that such provisions relate to preference eligibles.

“(ii) The provisions of subparagraph (A) of this paragraph shall not, to the extent that such provisions relate to an individual under clause (ii) of such subparagraph, be modified by any program developed under section 1004 of this title.”

39 USC 1004.

(b)(1) The amendment made by subsection (a) shall be effective after the expiration of the 30-day period beginning on the date of the enactment of this Act.

Effective date.
39 USC 1005
note.

(2) An action which is commenced under section 1005(a)(1)(B) of title 39, United States Code, before the effective date of the amendment made by subsection (a) shall not abate by reason of the enactment of this Act. Determinations with respect to any such action shall be made as if this Act had not been enacted.

Approved August 18, 1987.

LEGISLATIVE HISTORY—H.R. 348:

CONGRESSIONAL RECORD, Vol. 133 (1987):

Mar. 3, considered and passed House.

July 28, considered and passed Senate, amended.

Aug. 3, House concurred in Senate amendment.