MEMO

TO: All Bargaining Unit Employees

FROM: AFGE

DATE: May 28, 2020

RE: 80 hours of leave under the CARES ACT

WHATS HAPPENING

At some point in the very near future—this Friday 05/31/20 or this coming Monday, management will be having a mandatory staff meetings to discuss the 80 hours of leave available to you under the CARES ACT.

HOW THIS EFFECTS YOU—THE PROBLEM

Management plans to tell the employees they can use the 80 hours of leave provided for under the CARES ACT if they meet the requirements AND ONLY IF the employee agrees waive their right to seek a waiver of any overpayment that will most likely result from employees using this leave.
UNION POSITION—WHAT YOU SHOULD DO

If employees want to use leave under the CARES ACT they should carefully consider the overpayment consequences of their actions and any document that they sign should include the following language:

“Signed under protest.” (simply jot this down next to your signature)

Please understand IF you do not include this language on whatever you sign, SSA will fight you tooth & nail and will NOT agree to a waiver. In fact, they will deny your right to even file for one!

AFGE has been demanding that the Agency implement the CARES ACT since it was signed into law. The CARES ACT was effective on April 1. However, the Agency did not implement it then, and still has not.

Because the Agency refused to implement the CARES ACT timely, it has now forced employees to make a hard decision, request the leave under the Act retroactively, and become overpaid, or only use it going forward, which may or may not get processed timely.

It is patently unfair for the Agency to allow for blanket waivers for the public, which the Agency overpaid during this pandemic by refusing to allow employees to work certain workloads, and at the same time, tell the employees they will be stuck with overpayments created by the Agency because they refused to implement the CARES ACT timely.

WHAT IS THE UNION DOING ABOUT THIS?

AFGE is in the process of drafting a grievance regarding the Agency’s failure to implement the CARES ACT at SSA. The Union maintains that SSA has failed to implement the CARES ACT as required by law, and that their ridiculous demands that employees agree to waive their right to seek a waiver on overpayments is contrary to law. We will post a copy this grievance to the Council Facebook page when we file it. Please be sure to like and follow us on Facebook “AFGE Council 220” to stay informed of all up-to-date issues.

WHERE CAN I GET UP-DATE INFORMATION ABOUT ALL OF THIS?

The Council’s Facebook page is where we post all breaking news and post up-date information. “AFGE Council 220”