

Resource Management Overview

Resource Management (RM) focuses on effective management of scheduled and unscheduled absences utilizing the latest information technology. Through a standard business approach and the deployment of the latest technology, RM maximizes a supervisor's time by eliminating most of the manual transactional work associated with leave requests and establishes a consistent approach to leave management. The enterprise Resource Management System (eRMS) enhances the work environment, increases operation efficiency, and reduces attendance related costs.

eRMS provides supervisors with a systematic approach to leave processing. Request for Leave forms are system-generated and employee attendance history documents are automatically updated. Computerized unscheduled occurrence tracking and robust Pull Reports are central to this system. The Family and Medical Leave Act (FMLA) module documents all aspects of case management. Light Duty tracking indicates the status of employees who are unable to fulfill all responsibilities associated with their position due to a non-job related injury. eRMS is designed to provide supervisors the tools required to effectively manage their employees availability for work.

eRMS is supported by several key components. The Interactive Voice Response System (IVR), the Call Center which uses the Leave Request Application (LRA), the enterprise Leave Request Application (eLRA), Microsoft Outlook Messaging, the Fulfillment Center, and Push Reports

eRMS Key Components:

1. **Interactive Voice Response (IVR) System** – IVR is a technologically advanced application for handling calls from employees requesting unscheduled absences. IVR provides a centralized, toll-free number for employees unable to work due to a non-job related illness, injury, or unexpected emergency to request leave. The IVR system prompts callers, using an easy-to-understand script, through a step-by-step question and response process. IVR accepts the call and records the leave request. It allows supervisors to stay focused on their primary responsibilities of moving the mail and interacting with employees. The system transmits data collected from the employee to eRMS and directs it to the supervisor responsible for responding to the employee's leave request. Supervisors instantaneously receive a Microsoft Outlook (eMail) notification of the requested absence. They also receive an eRMS Leave Request message within the eRMS application. Callers are provided a confirmation number at the end of their call as verification of their requested unscheduled absence.

2. **Call Center** – The purpose of the Call Center is to address any calls not successfully handled by the IVR. It also serves as the designated center for TTY calls from deaf and hard of hearing employees. A Call Center agent collects and records the employee's leave request information in a customized Leave Request Application (LRA). The LRA script mirrors the IVR data collection process. As with the IVR process, all data collected is transmitted to eRMS and notification is provided to the supervisor through a Microsoft Outlook eMail and within eRMS as a Leave Request Message.
3. **Enterprise Leave Request Application (eLRA)** – eLRA was developed to allow Management employees to request unscheduled leave over the internet. Access is gained through the US Postal Service Extranet website (www.LiteBlue.usps.gov) over the internet can request unscheduled leave for a non-job related illness, injury, or unexpected emergencies. The EAS employee is required to login the application and provide the appropriate data as indicated on customized web pages to request unscheduled leave. All data collected is transmitted to eRMS and the supervisor is sent notification of the leave request via Microsoft Outlook eMail and an eRMS Leave Request message. The use of eLRA is optional and will soon be offered to the deaf and hard of hearing community.
4. **Fulfillment Center** – The Fulfillment Center, located in Topeka Kansas, standardizes the mailing of all initially required documentation associated with a new request for leave under the provisions of the Family and Medical Leave Act. The Center prepares a FMLA packet consisting of a Cover Letter, Notice for Employees Requesting Leave for Conditions Covered by the Family and Medical Leave Act (USPS Publication 71) and Department of Labor, Certification of Health Care Provider (Form WH-380), and then mails it to the employee's current mailing address. The packet provides the employee with information regarding their eligibility, responsibilities, and entitlements under the Family and Medical Leave Act. It also provides instructions for completing and submitting the required documentation.
5. **Push Reports** – Push Reports are automatically generated and emailed using Microsoft Outlook to all Managers listed within eRMS after the close of each Postal Quarter. Three Unscheduled Absence Occurrence Push Reports are currently available. Two reports provide summary information on the total number of employees who have accumulated 20 or more unscheduled absences in the previous 12 months. The third report provides by name, a listing of these employees.

Two additional Push Reports are scheduled for release in April 2007. They provide information pertaining to the Light Duty status of employees. Managers will be emailed a Light Duty Status Report summarizing

need to know, have instant access to case information and reports pertaining to FMLA usage. eRMS promotes effective FMLA case Management.

eRMS610 - FMLA Restricted Information v8

Employee Information
 Employee ID: 001-01-0001 Finance #: 10-5110 HR BUSINESS SYSTEMS PORTFOLIO
 Employee Name: LASTNAMEOERNS, FIRSTNAME TEST Pay Location: 000 DEFAULT

FMLA List

Sort >>	Action Status	Condition	Category	Action Date		Request Date	
				From	Through		
>	1320076	1 Approved	4 Serious Health (Self)	2 Absence Plus Treatment	12/05/2006	06/05/2007	04/10/2007

FMLA Details Apply Leave Packet Details

FMLA Details
 Local Tracking ID: 12354868 Re-Certify Due Date: 06/05/2007 Re-Certify Ind: ☐
 Req Finance Mbr: 23-8751 SUBURBAN RD P&C Req Pay Location: 043 IPS ENGINEERING TECH UNIT
 Case Comments: Documentation received on 12/15/2006
 Requested by: KRSTVG Frequency: 1 day Intermittent: ☒ Hard Copy Notes on File: ☒
 Last Updated by: KRSTVG Duration: 6 months On Going: ☐ Number of Hours: 8
 Last Updated: 04/10/2007 Manual Pub71 Date: 12/05/2007 Number of Leave Instances: 1 Long Term Case: ☐

Buttons: Find, Add FMLA, Edit FMLA, Print, Print All, Close

eRMS has an extensive Pull reporting system. Pull reports providing information regarding employee's attendance and accident history, Light Duty status, or FMLA case management may be extracted from the system by the user at any time.

eRMS800 - Reports Sub-Menu Restricted Information v3

Employee Information
 Employee ID: 001-01-0001 Finance #: 10-5110 HR BUSINESS SYSTEMS PORTFOLIO
 Employee Name: LASTNAMEOERNS, FIRSTNAME TEST Pay Location: 000 DEFAULT

Single Employee Group

Employee Leave
PS3672
PS3673
Employee Key Indicators
T&A Reconciliation
Payroll Reconciliation

Multiple Employee Group

Employee Leave	FMLA Eligibility
Sick / FMLA Leave Usage	Approaching FMLA Recert
Unscheduled Occurrences	T&A Reconciliation
Leave Summary by Day	Payroll Reconciliation
% Leave Requiring Doc	Messages
Call-In Log	Message Hist - Role Defin
Ready for Review	Schedule
PS3671	FMLA Packet Details
No Response	Light Duty

Buttons: Find, Close

Push reports are central to eRMS methodology. These reports were developed to identify Areas, Districts, Facilities, and Pay Locations where unscheduled absence occurrences exceed organization goals. They also provide information regarding the Supervisor's response to the employee's attendance pattern. These reports are automatically generated following the close of each Postal quarter and emailed to the appropriate level of management.

<< RESTRICTED INFORMATION >>
United States Postal Service
20 or more Unscheduled Occurrences
December - 2005 through December - 2006 Non FMLA Related

Report: eRMSR978
Current as of: PP 1 Week 02 of 2007

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Report run on 01/13/2007 09:39:03

CAP METRO AREA		
Performance Cluster	# of Emp	# of Occur
200 / CAPITAL PFC	845	36,560
230 / RICHMOND PFC	256	8,460
210 / BALTIMORE PFC	365	13,081
270 / GREENSBORO PFC	308	12,336
280 / MID-CAROLINAS PFC	362	13,940
220 / NORTHERN VIRGINIA PFC	245	9,832
966 / CAPITAL METRO AREA PFC	20	854
290 / GREATER SOUTH CAROLINA PFC	116	4,225
Totals:	2,517	99,288

<< RESTRICTED INFORMATION >> United States Postal Service 20 or more Unscheduled Occurrences December - 2005 through December - 2006 Non FMLA Related		
User: Anderson, XXX	Page 21 of 928	
Report: eRMSR076	Report run on 01/13/2007 02:50:08	
Current as of: PP 1 Week 02 of 2007		
200/CAPITAL PFC	Finance Number: 104959	Pay Loc: 009
Supervisors: Davis, XXX		
Employee Jackson, XXX	Occurrences: 90 14	Occurrences: 188 52
		Occurrences: 365 136
Administrative Action Summary:	Supervisor Comments	
Date	Action	
06/23/2006	No Action	INCLUDED IN PREVIOUS LETTER
06/23/2006	No Action	INCLUDED IN 14 DAY SUS 6/14/2006
06/23/2006	No Action	SEE NOTATIONS
06/14/2006	Suspension	14 day issued 6/14/2006
05/22/2006	No Action	Under review
05/22/2006	No Action	has LOW on file
05/22/2006	No Action	Has LOW
05/22/2006	No Action	Has suspension
05/22/2006	No Action	has suspension will continue to monitor
05/22/2006	No Action	Under review
05/22/2006	No Action	Under review
03/23/2006	Letter of Warning	LETTER WAS ISSUED ON 3/23/06
03/13/2006	No Action	
03/13/2006	No Action	
Accident History:	Injury Nature	
Date	Description	Type
07/19/2006	Collision/Struck Stand Veh/Stat Obj	Motor Vehicle
07/07/2006	Repetitive Motions-Other	Industrial
		00 - No Injury
		00 - No Injury

<< RESTRICTED INFORMATION >>
United States Postal Service
Employee Key Indicators Report

Report: eRMSR922
Current as of: PP 19 Week 02 of 2006

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Report run on: 12/29/2006 12:23:38

Your Selection Criteria: Employee ID: 8888 Date Range From: 04/21/2006 Through 11/20/2006

Name: POTTER, HARRY L.
Emp Id: 8888
EOD: 01/28/1994

Finance #: 77-5656 Uranus, DC
Pay Location: 909 FT CARRIERS

	CURRENT BALANCE	CURRENT YTD HOURS
Sick	289.45	56.40
Annual	186.00	152.25

Unscheduled Leave and Lates

Date	Leave Type	#Hours of Leave	Unscheduled?	Late?
04/23/2006	SICK LEAVE - DEPENDENT CARE	8:00	YES	
04/24/2006	SICK LEAVE - DEPENDENT CARE	8:00	YES	
05/15/2006	LATE - NO LEAVE USED	0:15	YES	YES
05/20/2006	LATE - NO LEAVE USED	0:11	YES	YES
06/05/2006	SICK LEAVE - DEPENDENT CARE	8:00	YES	
06/22/2006	LATE - NO LEAVE USED	0:23	YES	YES
07/05/2006	LATE - NO LEAVE USED	0:12	YES	YES
08/18/2006	LATE - NO LEAVE USED	0:51	YES	YES
09/23/2006	SICK LEAVE - DEPENDENT CARE	8:00	YES	
10/22/2006	LATE - NO LEAVE USED	0:74	YES	YES

Occurrences of unscheduled leave: 10
Total number of unscheduled hours: 33.86

Late Occurrences: 6
Total Number of Late Hours: 1:86

Sick Leave (Non-FMLA?SLDC)

Date	Leave Type	# Hours of Leave
07/09/2006	SICK LEAVE - REGULAR	8:00
09/22/2006	SICK LEAVE - REGULAR	8:00
10/01/2006	SICK LEAVE - REGULAR	3:75
11/10/2006	SICK LEAVE - REGULAR	8:00

Occurrences of sick leave: 4
Total number of sick hours: 27:75

Administrative Action Summary

Date	Action Type	Comments
05/26/2006	No Action	will review next month
06/28/2006	No Action	will review in thirty days
07/29/2006	No Action	carrier given discussion about attendance
08/25/2006	No Action	carrier advised discipline may be issued

Accident History (past 5 years)

Date	Description	Type	Inj Nature
03/13/2006	Dog bite	3- Industrial	06 - Bites (Animals or Insects)
12/15/2005	Falls to sidewalk/ground	3 -Industrial	12 - Cuts-Open Wound Larger Than Scratch

eRMS and "Deems Desirable"

Enterprise Resource Management System (eRMS) is a web-based application that management uses to track numerous employee attendance-related records. "Deems Desirable" is a function within eRMS. The term Deems Desirable is derived from the *Employee Labor Management Manual (ELM)* Section 513.36, Medical documentation for absences of three days or less, "...when the supervisor deems documentation desirable for the protection of the interests of the Postal Service."

eRMS and the Deems Desirable function are available only to installations that utilize Interactive Voice Response (IVR) Call Agent or Attendance Control Supervisors (ACS) to record employee absences. A supervisor is able to place an employee in the Deems Desirable category by selecting a range of dates for which it would be applicable. As an example, a supervisor may select a range of April 1 through October 31, indicating that the employee will be required to provide medical documentation for all requests for unscheduled leave made through IVR or ACS during the selected time period.

In addition to a range of dates, a supervisor may also select specific dates to categorize an employee as Deems Desirable. For example, a supervisor may select June 1 and/or July 5. If the employee calls in on one of these days, the Deems Desirable function will be activated and the employee will be instructed to provide medical documentation for the absence.

Despite this new eRMS function, Deems Desirable does not supercede nor supplant the National Agreement—specifically Article 19, and through it, *ELM* Section 513.361, which states, in part, that medical documentation or other acceptable evidence of incapacity for work is not required for absences of three days or fewer unless:

...the employee is on restricted sick leave (see 513.39) or when the supervisor deems documentation desirable for the protection of the interests of the Postal Service... [and/or when] substantiation of the family relationship... [is] requested.

The two most common disputes arise over the "restricted sick leave" and "desirable for the protection of the Postal Service" portions of Section 513.361. The *JCAM* provides the following overviews on these two issues:

Restricted Sick Leave. Management may place an employee in "restricted sick leave" status, requiring medical documentation to support every application for sick leave, if: (a) management has "evidence indicating that an employee is abusing sick leave privileges"; or (b) if management reviews the employee's sick leave usage on an individual basis, first discusses the matter with the employee and otherwise follows the requirements of *ELM* Section 513.391.

Requests for medical documentation for "protection of the interests of the Postal Service":

Numerous disputes have arisen over situations in which a supervisor has required an employee not in restricted sick leave status to provide medical documentation for an illness of three days or less. Generally, to challenge such a decision successfully the union should demonstrate that the supervisor acted arbitrarily, capriciously or unreasonably in requiring the employee to obtain medical documentation. The union should be prepared to show that the grievant has a good overall sick leave record and no record of abuse.

If an employee believes he or she has been incorrectly required to provide medical documentation as a result of being categorized as Deems Desirable, he or she should discuss the issue with a steward as soon as possible. Stewards will have to delve into this electronic world and review the various logs, records and other files associated with eRMS and Deems Desirable. Any information request should include all records, files and/or documentation used in association with eRMS/Deems Desirable as applicable to the employee. These reports include, but are not limited to, the Leave Usage Log List, the Removed Leave Log List and the Denied Leave Log List.

Additional references regarding whether requests for medical documentation were proper are: 1) Step IV—M-00704, 2) MRS—Medical Certification Section, and 3) *JCAM*—Article 10, Leave-Medical Certification, pages 10-12.

Stewards should be aware of this: Just because management has come up with a new computer system for handling unscheduled absences, it in no way alters the provisions of the National Agreement. ☐

Restrictions on USPS right to demand medical certifications

In the past, the Postal Service had the right, in certain circumstances, to automatically require employees to provide specified medical information. Think of the old *ELM* provision requiring detailed medical reports to return to work after a medical absence of more than 21 days, or the long-existing provision for automatic certification of a medical absence in excess of three days.

Today, however, the Rehabilitation Act places restrictions on the Postal Service's right to make medical inquiries of employees. The restrictions apply to demands made to all employees, not just those with disabilities. Unlike most Rehabilitation Act regulations, which only protect disabled employees, the medical inquiry restriction protects all employees. The restrictions are based in federal law and are thus never superseded by any Postal Service programs, policies or regulations.

One Postal Service program is called eRMS. That software has the capability for a supervisor to flag an individual letter carrier with a "deems desirable" marker.¹ Once this is done, the Postal Service will automatically require medical certification every time the individual calls in sick. The "deems desirable" function of eRMS is currently being discussed by the parties at the national level. Its application may constitute violations of *ELM* provisions regarding restricted sick leave, or other provisions. The ultimate outcome of those discussions is not yet determined. However, all letter carriers should know that any automatic demand for medical certification may run afoul of the Rehabilitation Act restriction on medical inquiries, including if made pursuant to an eRMS "deems desirable" designation.

The Rehabilitation Act requires the Postal Service to make an individual assessment and have reliable, objective evidence that an employee may be unable to perform the essential functions of the position or may pose a direct threat to self or others, prior to making a medical inquiry. The individual assessment cannot be based on general assumptions.

If the Postal Service requires an employee to provide medical certification that includes diagnosis or nature of injury, that would generally constitute a medical inquiry in the context of the Rehabilitation Act.

Every medical inquiry is potentially subject to grievance investigation to determine if management had reliable, objective evidence that the employee may be unable to perform the essential functions of the position or may pose a direct threat to self or others. A grievance might be filed

in the absence of such determination.

Violations of the Rehabilitation Act by the Postal Service may be grieved. The *JCAM* at page 2-2 states, "Article 2 gives letter carriers the contractual right to object to and remedy alleged violations of the Rehabilitation Act through the grievance procedure."

A decision by the Postal Service to flag an employee as "deems desirable" in eRMS, triggering an automatic requirement to provide medical certification for every sick leave call-in, may not have been preceded by an individual assessment producing objective evidence. The flagging may have been based on a general assumption or even a blanket policy. If so, any subsequent demand for medical certification may violate the Rehabilitation Act.

Therefore, if the Postal Service requires a letter carrier, upon calling in sick, to submit medical certification that includes diagnosis or nature of injury, even if the carrier was flagged in the eRMS as "deems desirable," the local union should initiate a grievance investigation of that specific demand for medical certification.

That investigation should include certain necessary elements. The union should require the Postal Service to identify the specific supervisor or manager who made the decision to require medical certification. The union should then require the Postal Service to completely identify all of the objective evidence that it relied on in making the decision to require medical certification. If the Postal Service had insufficient objective evidence, as required by the Rehabilitation Act, a grievance should be filed.

If grievances are necessary, they should reference the following two points. First, the Postal Service implicitly recognized the general Rehabilitation Act restrictions on medical inquiries by revising *ELM* 865 last year to delete the automatic requirement to provide medical clearance following absence of 21 days. Second, a Postal Service memorandum, in the MRS at M-01547, explicitly acknowledges the restriction.

For additional information on the Rehabilitation Act restriction on medical inquiries, please see the Contract Talk column in the November 2005 *Postal Record*. ☒

¹ "Deems desirable" is a reference to *ELM* 513.361 which states, "Medical documentation or other acceptable evidence of incapacity for work or need to care for a family member is required only when the employee is on restricted sick leave or when the supervisor deems documentation desirable for the protection of the interests of the Postal Service."