



Coronavirus Talking Points

Main Points

- Thanks to the advocacy of AFGE members, Congress passed a new coronavirus relief bill in March 2021 that will help federal and D.C. government employees better care for themselves and their families during the pandemic.
- The American Rescue Plan Act, which President Biden signed into law on March 11, includes measures specifically targeted to the government workers who have continued their service to America despite the enormous challenges and personal risks posed by the coronavirus.
- AFGE continues to lead the fight to provide hazard pay to federal employees who have been exposed to COVID-19 in the workplace.

Details on COVID Legislative Relief

- **15 weeks of emergency paid leave**
 - Federal employees now have 15 weeks of emergency paid leave through September 2021 to address issues related to the coronavirus, such as exposure to COVID-19, a negative reaction to the vaccine, or caring for school-age kids and family members who are affected by the pandemic.
 - This additional leave will give federal employees more time to safely recover from COVID-19 or respond to related family care issues without being forced to take unpaid leave or return to work before it's safe to do so.
 - The use of this emergency leave does not count for annuity calculation purposes. The cap on the emergency leave payment is \$2,800 biweekly. But those who earn more than \$2,800 biweekly or \$72,800 annually are still eligible up to that limit.
- **Automatic presumption of workplace illness**
 - The bill includes an automatic presumption of workplace illness for front-line federal employees who contract COVID-19 on the job.
 - This change will allow employees or their survivors to receive workers' compensation benefits under the Federal Employee Compensation Act (FECA) without facing denials or lengthy appeals.



- **Funding to protect feds against COVID**
 - The bill provides \$200 million for pandemic-related worker protection activities at the Labor Department.
 - Half of the funds will go to the Occupational Safety and Health Administration to support OSHA enforcement and worker training in high-risk sectors, such as meat processing, health care, correctional facilities, and agriculture.
- **Fiscal relief for D.C.**
 - The bill restores \$755 million in funding that D.C. was denied in the CARES Act when D.C. was treated as a territory instead of a state.
 - The additional funding is part of an estimated \$2.3 billion in fiscal relief for D.C. provided in the bill.
- **Another round of stimulus payments**
 - Federal and D.C. government employees are eligible for a third round of stimulus payments worth up to \$1,400 per person.
 - Under the legislation, individuals earning less than \$75,000 a year will receive a \$1,400 check and couples filing jointly who earn less than \$150,000 a year will receive \$2,800. Single parents or heads of the household earning less than \$112,500 also will receive a \$1,400 payment. Eligible families will receive an additional \$1,400 for each dependent, both children and adults.
 - The amount of relief phases out as incomes rise to \$80,000 for individuals; \$160,000 for couples filing jointly; and \$120,000 for single parents or heads of the household.

Latest on hazard pay lawsuit

- On March 27, 2020, AFGE along with Heidi Burakiewicz of the law firm Kalijarvi, Chuzi, Newman and Fitch filed a lawsuit in the Court of Federal Claims [seeking compensation for federal workers](#) who have been exposed to COVID-19 in the workplace.
- Our lawsuit seeks a 25% hazard pay differential for General Schedule employees, who are entitled to the additional pay under Title 5 because they were exposed to hazardous working conditions through the performance of their assigned duties and the hazardous duty had not been taken into account in the classification of their positions. We allege that a “virulent biological” like the coronavirus would clearly qualify as a hazard under Title 5.



- Similarly, Wage Grade (WG) plaintiffs are entitled to an 8% environmental pay increase for exposure to micro-organisms. The difference between GS and WG pay differentials in our lawsuit is due to the different entitlements these employees have under the law.
- The government under President Trump filed a motion to dismiss our lawsuit on Dec. 11, 2020, claiming that employees who work in close proximity to individuals who have been infected with COVID-19 should not be entitled to the additional compensation. The government also argued that Transportation Security Officers are not entitled to hazard pay pursuant to the 2001 law that created the Transportation Security Administration.
- We responded to the government’s motion on Feb. 5, 2021, asserting that the government is wrong on both counts.
- Since our complaint was filed, hundreds of federal employees have died and tens of thousands more have been sickened by COVID-19. Many more are suffering because they are being forced to work in unsafe environments. It is our hope that the government pays these employees the hazardous duty pay they’ve earned.

The coronavirus battles we have won

- Our push for hazard pay is just one of many battles we have fought – and won – to protect workers and the public we serve amidst the coronavirus outbreak.
- We secured [additional telework](#) opportunities for all eligible employees.
- We [earned N95 masks](#) for front-line Transportation Security Administration officers who work at airports throughout the country.
- We prompted the Bureau of Prisons to [stop the transport](#) of untested inmates to protect employees and inmates.
- When more than 13,400 U.S. Citizenship and Immigration Services employees faced unpaid furloughs last summer after the fee-funded agency reported financial losses related to the coronavirus, AFGE members fought for their jobs in the press and generated more than 60,000 calls, emails, and letters to Congress through our “Save USCIS” campaign. These actions resulted in the agency [cancelling](#) the furloughs.
- At the Department of Veterans Affairs, our locals held rallies and press events outlining their experiences and demanding adequate personal protective equipment (PPE) and testing. Though the VA outright denied worker claims, leadership eventually changed their tone, [admitting](#) to the lack of PPE throughout the department.