



Dr. Everett B. Kelley
National President

Jeremy A. Lannan
NVP for Women & Fair Practices

April 3, 2020

Dear Representative/Senator:

On behalf of the American Federation of Government Employees, AFL-CIO (AFGE), which represents more than 700,000 federal and District of Columbia employees in approximately 70 agencies, I write to urge your support for workplace protections and benefits for federal employees. Our members are working on the frontlines to protect and serve the American public during the Coronavirus Pandemic. As you develop crucial coronavirus response legislation it is essential to ensure the health and safety of the federal workforce in order to protect the American public.

AFGE represents many health care providers and support personnel at the Department of Veterans Affairs (VA), the Department of Defense (DoD) and the Bureau of Prisons (BoP), frontline emergency responders including employees at the Federal Emergency Management Agency (FEMA) and employees whose jobs require regular contact with the public, such as Transportation Security Officers (TSOs) at the Transportation Security Administration (TSA) and those who work in Social Security Administration (SSA) field offices, and VA Regional Offices and elsewhere in DoD, VA, and the Department of Homeland Security. Thousands of federal employees have already been confirmed to have contracted the virus, most because of workplace exposure, and many thousands more continue to be at risk.

AFGE asks that you include in the next coronavirus legislation the following important provisions to protect federal workers:

1. **Hazardous Duty Pay:** AFGE urges Congress to provide hazardous duty pay differentials and environmental differential pay to federal employees who are required to report to work and risk exposure to COVID-19 through the performance of their duties. Because federal employees are in immediate danger of exposure, and current protocols provide no guarantee of protection, employees who are required to work in facilities such as hospitals, prisons, airports, military depots and arsenals and other federal campuses should all be guaranteed hazardous duty pay.
2. **Presumption of Workplace Illness:** AFGE urges Congress to amend the Federal Employee Compensation Act (FECA), the law that governs workers' compensation for federal employees, to provide an automatic presumption of workplace illness for employees who contract COVID-19 through the performance of their duties. Federal employees do not have adequate personal protective equipment, adequate training, and they lack clear, consistent guidance from agencies regarding preventive measures. As a result, the number of federal employees who must be quarantined or who have been diagnosed with COVID-19 is increasing rapidly every day. If employees are required to interact with the public, individuals who are quarantined, or who have been diagnosed with COVID-19 during the performance of their duties,

- there should be a presumption that the employee contracted the virus at work. A workplace presumption of illness will allow federal employees who have contracted the virus through the performance of their duties to make a FECA claim without facing a potentially lengthy denial and appeals process and help these workers receive the care and services they need.
3. **Weather and Safety Leave:** AFGE urges Congress to provide weather and safety leave to all employees who are not able to perform their duties remotely and who cannot travel to their duty station because of health and safety risks as a result of the coronavirus crisis. The use of weather and safety leave will help prevent the spread of COVID-19 and ensure that federal employees are not reporting for duty and risking exposure to the virus or exposing other federal workers or the public.
 4. **Telework:** AFGE urges Congress to require all agencies to expand telework to all employees who can perform their duties remotely to minimize the spread of COVID-19. If employees are not able to perform their duties remotely and they are not required to report to work they should be placed on weather and safety leave.
 5. **Labor-Management Relations:** AFGE urges Congress to restore labor-management relations and communication as agencies work to quickly implement new policies and workplace procedures during this health care crisis. The administration's federal workforce personnel Executive Orders issued in May 2018 continue to serve as barriers to labor-management collaboration. Labor representatives should have the opportunity to communicate regularly to discuss the needs and concerns of employees as they respond to the COVID-19 crisis. Labor representatives can provide important ideas and feedback as agencies work to adapt to this new environment and respond to the needs of the public.
 6. **Federal Employees Health Benefits (FEHB) Program Enrollment Opportunity:** AFGE urges Congress to amend current law to allow for a public health crisis such as the COVID-19 pandemic to be considered as a "qualifying life event," giving federal employees who are not currently enrolled in a FEHBP health plan the opportunity to purchase health care coverage, and allow current enrollees to make changes to their existing plans. Many career part-time federal employees are not enrolled in FEHBP. The employee-share of FEHBP premiums for career part-time federal employees is much higher than the premium share for full-time federal employees. Agencies such as TSA, DOD, and FEMA utilize their flexibilities to keep a large segment of their workforces on part-time schedules. Prior to COVID-19, many part-time employees opted out of FEHBP because they could not afford their share of premiums. Allowing a public health crisis to serve as a "qualifying life event" to open FEHBP enrollment will eliminate artificial barriers to medical treatment for federal employees during this crisis.

AFGE thanks you for your continued support of federal employees during this critical time. The federal workforce is bravely working to ensure that the American public continues to receive important services and benefits during the COVID-19 crisis. We ask that you please urge your Leadership to include the above worker safety provisions in future COVID-19

response legislation. For additional information or questions, please contact Fiona Kohrman, fiona.kohrman@afge.org.

Sincerely,

A handwritten signature in black ink that reads "Alethea Predeux". The signature is written in a cursive, flowing style.

Alethea Predeux,
Director, Legislative Department