

**U.S. Office of Personnel Management  
Compensation Claim Decision  
Under section 3702 of title 31, United States Code**

**Claimant:** [name]

**Organization:** U.S. Postal Service  
Huntington Beach, California

**Claim:** Unpaid wages

**Agency decision:** N/A

**OPM decision:** Denied; lack of jurisdiction

**OPM file number:** 14-0031

/s/ Linda Kazinetz for

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Robert D. Hendler  
Classification and Pay Claims  
Program Manager  
Agency Compliance and Evaluation  
Merit System Accountability and Compliance

6/3/14

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Date

The claimant seeks unpaid wages she asserts are due from her former employer, the U.S. Postal Service (USPS), which terminated her within her 90-day probationary period. We received the claim request on April 29, 2014. For the reasons discussed herein, the claim is denied for lack of jurisdiction.

OPM does not have any authority to investigate or settle claims made against an agency which has independent settlement authority under the law. The applicable law in this case, section 2008(c) of title 39, United States Code (U.S.C.), states:

Subject only to the provisions of this chapter, the Postal Service is authorized to make such expenditures and to enter into such contracts, agreements, and arrangements, upon such terms and conditions and in such manner as it deems necessary, including the final settlement of all claims and litigation by or against the Postal Service.

This statutory provision authorizes the USPS to consider and settle all claims made against it. Therefore, we do not have jurisdiction to consider or settle this claim.

While we cannot render a decision on this claim, we note that the claimant appears to be attempting to claim compensation for injuries allegedly sustained while acting within the scope of her official duties while employed by the USPS. Under the provisions of the Postal Reorganization Act, 39 U.S.C. 1005 (c), all employees of the USPS are covered by the Federal Employees' Compensation Act (FECA), 5 U.S.C. chapter 81.

FECA is administered by the Office of Workers' Compensation Programs (OWCP), U.S. Department of Labor. OWCP determines whether the employee, or a survivor of the employee, is entitled to benefits under FECA. The Director of OWCP and his or her designees have the exclusive authority to administer, interpret, and enforce the provisions of the Act, not OPM.

This settlement is final. No further administrative review is available within OPM. Nothing in this settlement limits the employee's right to bring an action in an appropriate United States Court.