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About That Legal Defense Comparison

The National Association of Postal Supervisors (NAPS) ran an article in its January issue of *The Postal Supervisor* titled “NAPS and UPMA: Weighing the Disciplinary Fund Differences.” The article compares members’ out-of-pocket costs for legal defense when covered by the NAPS Disciplinary Defense Fund (DDF) versus UPMA’s Adverse Action Legal Defense Plan (AALDP).

In order to provide a complete, fair and accurate comparison of a member’s legal coverage, an estimate of the actual cost for legal representation is required. NAPS does not provide this information in its estimate of cost. Because its legal defense plan caps a member’s liability at \$3,500, one should consider the cost of representation when determining financial exposure. UPMA’s experience shows that the expense for the defense of a Postmaster or Manager facing dismissal typically costs \$30,000 when the member is represented by a qualified attorney.

NAPS asserts there would be “no cost” to members facing removal; however, its DDF form states that its plan covers fees and expenses up to \$3,500. A member facing removal *will be personally responsible to the provider for additional expenses exceeding the \$3,500 cap.*

The UPMA AALDP requires a one-time deposit of \$6,000 in cases of removal and \$3,000 in cases involving demotions or suspensions. Members

are personally responsible for 20 percent of the total cost of representation, with a \$6,000 maximum cap. If a member’s legal cost exceeds the cap, UPMA will pay 100 percent of the additional cost through the end of the MSPB final decision.

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Member Costs Comparison

Case Costs	UPMA (at 20%)	NAPS (\$3,500 cap)
\$ 4,000	\$ 800	\$ 500
\$ 4,500	\$ 900	\$ 1,000
\$ 5,000	\$1,000	\$ 1,500
\$10,000	\$2,000	\$ 6,500
\$20,000	\$4,000	\$16,500
average case cost		
\$30,000	\$6,000	\$26,500
\$40,000	\$6,000	\$36,500
\$50,000	\$6,000	\$46,500

Most importantly, the NAPS plan does not guarantee representation will be provided by an attorney. If faced with a life-threatening medical condition, most people would insist on



being treated by a board-certified physician. If faced with the loss of one’s job, one should insist on being represented by an attorney. The UPMA defense plan guarantees your case only

will be handled by a qualified, effective attorney.

If you were issued a removal notice, what legal defense coverage would you want? A limited benefit plan with a \$3,500 cap and representation that may or may not include an attorney or a comprehensive benefit plan with a qualified attorney for representation?

The choice is obvious. Run—don’t walk—to your nearest computer. Go to unitedpma.org, click on JOIN NOW and sleep better tonight.

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Update Your Address

Are you receiving the *UPMA Leader* each month? If not, your address may be incorrect in the UPMA membership files. Members can access the membership files and correct or update their addresses any time at www.unitedpma.org. You also can call the National Office, 703-683-9027, or email gswarm@unitedpma.org to update your information.