

HAZARD PAY *Update*

- ✓ **I believe I should get hazard pay for working during the pandemic.**
NTEU agrees. But, CBP to date has refused to pay either hazardous duty pay or environmental difference pay to employees exposed to COVID-19 on the job.
- ✓ **Is that the final word on the matter?**
ABSOLUTELY NOT. Early in the pandemic, NTEU filed a national grievance, arguing that because OFO employees regularly interact with members of the public at the ports, you deserve a higher pay that reflects the increased risk of exposure to COVID-19.
- ✓ **Did that cause the agency to reconsider?**
No. The agency denied the union's grievance in December 2020, and NTEU invoked arbitration, which is the normal process for having the grievance heard by an independent third-party. The arbitrator heard the case in September 2021.
- ✓ **Did the arbitrator issue a decision yet?**
No. A decision is forthcoming.
- ✓ **What happens if NTEU wins the case?**
It could result in back pay for employees who qualify.

What else can I do?

NTEU supports the *Hazardous Duty Pay for Frontline Federal Workers Act* (H.R. 2744), introduced by Rep. Donald Payne of New Jersey. The union is working with other congressional members to craft legislation to provide hazard pay, retroactively, for DHS employees.

There is also a lawsuit that federal employees can join if they meet the qualifications. Go to hazardpaylawsuit.com for more information. If both the grievance and litigation succeed, employees will not be allowed to recover twice, but it would be prudent to opt into the lawsuit while we await the outcome of the grievance.