



Date: July 1, 2010

To: ALL CURRENT AND FORMER PERMANENT REHABILITATION AND LIMITED DUTY EMPLOYEES OF THE UNITED STATES POSTAL SERVICE (POSTAL SERVICE) WHO WERE SUBJECTED TO THE POSTAL SERVICE'S NATIONAL REASSESSMENT PROGRAM (NRP) BETWEEN MAY 5, 2006, AND THE PRESENT

Re: EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) CLASS ACTION INVOLVING THE NRP AND ALLEGATIONS OF DISCRIMINATION (*Sandra M. McConnell, et al., v. John E. Potter, Postmaster General, United States Postal Service*, EEOC Case No. 520-2008-00053X; Agency Case No. 4B-140-0062-06)

BACKGROUND OF THE CASE

Sandra McConnell, a permanent rehabilitation employee with the Postal Service, claims that the Postal Service's NRP violates the Rehabilitation Act of 1973 by discriminating against all current and former Postal Service permanent rehabilitation and limited duty employees on the basis of their disabilities.

On May 30, 2008, an EEOC Administrative Judge (AJ) issued a decision certifying McConnell's complaint as a class action complaint, which allows for McConnell's claim to be decided along with all other current and former Postal Service permanent rehabilitation and limited duty employees who have been subjected to the NRP. The EEOC's Office of Federal Operations affirmed class certification of McConnell's complaint on January 14, 2010. McConnell has been designated as the "agent of the class," and with the assistance of her attorneys, she will represent the interests of the other class members before the EEOC.

CERTIFIED CLASS

You are a member of the *McConnell* class if:

You are or were a permanent rehabilitation or limited duty employee of the Postal Service who was subjected to the NRP between May 5, 2006, and the present.

ISSUES INVOLVED IN THE CASE

McConnell raises four claims in her class complaint on behalf of all permanent rehabilitation and limited duty employees: (1) the NRP fails to provide class members with reasonable accommodations; (2) the NRP wrongfully discloses the medical information of class members; (3) the NRP creates a hostile workplace environment for class members; and (4) the NRP has an adverse impact on class members.

This Notice is designed to tell you about McConnell's complaint and how your rights may be affected by this case. You are receiving this notice because Post Office records indicate that you are or were a Postal Service permanent rehabilitation or limited duty employee who was subjected to the NRP between May 5, 2006, and the present. You may be eligible to participate in this case as a class member.

There has been no determination whether the Postal Service has done anything unlawful.

WHAT ARE YOUR LEGAL RIGHTS?

If you meet the criteria to be a potential member of the class, you are not required to do anything at this time in order to remain a part of the class.

If the AJ rules that the Postal Service discriminated against members of the class, you will be notified and given the chance to seek any and all remedies provided by law. **With respect to the claims covered in the class definition, you do not need to do anything now to preserve your right to make a claim later.**

If you are a class member, this case will determine your rights as a class member and any decision issued will have a binding effect upon you.

OPTING OUT

The EEOC does not allow any class member to "opt out" of the class or choose not to be bound by a class complaint decision.

A final decision by the EEOC finding that the Postal Service engaged in discrimination is binding on all members of the class and on the Postal Service. A finding of "no discrimination" is not binding on a class member's individual complaint of discrimination. Although you may not exclude yourself from the class (opt out), you do not have to participate in this class complaint. If the AJ finds that the Postal Service discriminated against the class, you will have to file a claim to receive individual relief. In the event that liability is found, you will receive additional notice on how and when to file such a claim.

SETTLEMENT

If McConnell and the Postal Service wish to settle this case, you will be notified and given the opportunity to review the terms of the settlement, and to object or challenge the settlement.

IF YOU HAVE QUESTIONS

The attorneys representing McConnell and the class in this matter have provided a Web site with additional information about this case. A copy of the Administrative Judge's decision certifying the *McConnell* class action can also be found on this Web site. You can learn more about this case, find answers to frequently asked questions, and provide the class attorneys with information about you at the Web site:

www.NRPclassaction.com

Please visit this Web site to find status updates on the case. The attorneys representing McConnell and the class are Michael Lingle, Thomas & Solomon, LLP, 693 East Avenue, Rochester, NY 14607 585-272-0540; Jeremy Wright and David Weiser, Kator, Parks & Weiser, P.L.L.C., 812 San Antonio St., Ste. 100, Austin, TX 78701; Michael Kator, Kator, Parks & Weiser, P.L.L.C., 1200 18th Street, NW, Ste. 1000, Washington, D.C. 20036. You may contact the attorneys representing the class by visiting the Web site: www.NRPclassaction.com.

REPRISAL

Please note that the law prohibits discrimination, retaliation, threats, interference, intimidation, and/or coercion against individuals who participate, testify, assist, and/or are involved in the presentation or processing of this class complaint. Any claim of reprisal must be processed separately from this class action by contacting an EEO Counselor within 45 days of the action complained of.