

TITLE 39.—THE POSTAL SERVICE

Chapter 1.—POST OFFICES

§ 9. Rewards for detection of post-office offense.

Section was not repeated in the Post Office Department Appropriation Act, 1951, act Sept. 6, 1950, ch. 896, ch. IV, title II, 64 Stat. 640.

REPEATED.—Act July 1, 1947, ch. 186, title II, § 201, 61 Stat. 229; act June 14, 1948, ch. 466, title II, § 201, 62 Stat. 418; act June 30, 1949, ch. 286, title II, § 201, 63 Stat. 368.

Chapter 2.—POSTMASTERS

Sec.

57c. Same; compensation [New].

§ 31a. Same; application of civil service; incumbents.

Postmasters of the fourth class, appointed in the classified civil service, whose offices advance to a higher class, and postmasters of other classes, appointed in the classified civil service, whose offices are relegated to the fourth class, shall continue to serve under their original appointment until a vacancy occurs by reason of death, resignation, retirement, or removal, in which event the appointment shall be made as provided in section 31b of this title. (As amended Mar. 29, 1949, ch. 39, 63 Stat. 17.)

AMENDMENTS

1949—Act Mar. 29, 1949, cited to text, amended section to eliminate the necessity of reappointment in the case of postmasters whose post offices advance from fourth class to a higher class or where post offices of a higher class are relegated to fourth class.

§ 31b. Same; appointments to first-, second-, and third-class post offices; residence.

TRANSFER OF FUNCTIONS

All executive and administrative functions of the Civil Service Commission were transferred to the Chairman of the Civil Service Commission by 1949 Reorg. Plan No. 5, eff. Aug. 19, 1949, 14 F. R. 5227, 63 Stat. 1067. See note set out under section 632 of Title 5, Executive Departments and Government Officers and Employees.

§ 49. Adjustment of claims of postmasters and Navy, Coast Guard and Army mail clerks.

TRANSFER OF FUNCTIONS

All functions of all officers of the Department of the Treasury, and all functions of all agencies and employees of such Department, were transferred, with certain exceptions, to the Secretary of the Treasury, with power vested in him to authorize their performance or the performance of any of his functions, by any of such officers, agencies, and employees, by 1950 Reorg. Plan No. 26, §§ 1, 2, eff. July 31, 1950, 15 F. R. 4935, 64 Stat. —, set out in note under section 241 of Title 5, Executive Departments and Government Officers and Employees. The Coast Guard, referred to in this section, is generally a service in the Treasury Department, but such Plan excepted, from the transfer, the functions of the Coast Guard, and of the Commandant thereof, when the Coast Guard is operating as a part of the Navy under sections 1 and 3 of Title 14, Coast Guard.

TERMINATION OF WAR AND EMERGENCIES

Joint Res. July 25, 1947, ch. 327, § 3, 61 Stat. 451, provided that in the interpretation of act Dec. 7, 1945,

cited to text, amending this section generally, the date July 25, 1947, shall be deemed to be the date of termination of any state of war theretofore declared by Congress and of the national emergencies proclaimed by the President on September 8, 1939, and May 27, 1941.

§ 57c. Same; compensation.

The compensation of postmasters of the fourth class shall be annual salaries, graded in even dollars, and payable in semimonthly payments, to be ascertained and fixed by the Postmaster General from their respective quarterly returns to the General Accounting Office, or copies or duplicates thereof to the First Assistant Postmaster General, for the calendar year immediately preceding the adjustment, based on gross postal receipts at the following rates, namely:

| | |
|------------------------------------|-------|
| Less than \$50..... | \$72 |
| \$50 but less than \$100..... | 144 |
| \$100 but less than \$150..... | 216 |
| \$150 but less than \$200..... | 288 |
| \$200 but less than \$250..... | 360 |
| \$250 but less than \$300..... | 432 |
| \$300 but less than \$350..... | 492 |
| \$350 but less than \$400..... | 532 |
| \$400 but less than \$450..... | 572 |
| \$450 but less than \$500..... | 596 |
| \$500 but less than \$600..... | 672 |
| \$600 but less than \$700..... | 748 |
| \$700 but less than \$800..... | 824 |
| \$800 but less than \$900..... | 892 |
| \$900 but less than \$1,000..... | 960 |
| \$1,000 but less than \$1,100..... | 1,028 |
| \$1,100 but less than \$1,500..... | 1,100 |

Provided, That at seasonal offices of the fourth class, the Postmaster General may authorize the payment of the fixed annual salary prorated over the months such office is open for business during a fiscal year: *Provided further*, That the salaries of postmasters at newly established offices of the fourth class shall be fixed at the lowest salary rate, except that whenever unusual conditions prevail at such an office the Postmaster General, in his discretion, may advance any such office to the appropriate salary rate indicated by the receipts of the preceding quarter: *And provided further*, That when a newly established office of the fourth class has been advanced to a higher salary rate, the postmaster's salary shall not again be adjusted until July 1 of the calendar year following the calendar year in which such office was established, except that this proviso shall not be construed to prevent the advancement prior to such date of any such office to a higher class when the receipts of a preceding quarter warrant such advancement. (Mar. 29, 1944, ch. 143, § 2, 58 Stat. 130, amended Aug. 8, 1949, ch. 406, § 2, 63 Stat. 578.)

AMENDMENTS

1949—Act Aug. 8, 1949, cited to text, amended section by adding last proviso.

CROSS REFERENCES

Additional provisions relating to compensation of postmasters, see section 858 of this title.

§ 60. Advancement of fourth-class offices to appropriate class under unusual conditions; reduction to appropriate class.

Whenever unusual conditions prevail, the Postmaster General, in his discretion, may advance any post office from the fourth class to the appropriate class indicated by the receipts of the preceding quarter, notwithstanding the provisions of section 59 of this title which requires the compensation of fourth-class postmasters to reach \$1,100 for the calendar year, exclusive of commission on each money-order issued, and that the receipts of such post office for the same period shall aggregate as much as \$1,500 before such advancement is made: *Provided*, That any post office so advanced shall be retained in the class to which advanced until July 1 of the calendar year following the calendar year in which it was so advanced, at which time it shall be assigned to the appropriate class upon the basis of its receipts for the preceding calendar year. (As amended Aug. 8, 1949, ch. 406, § 1, 63 Stat. 578.)

AMENDMENTS

1949—Act Aug. 8, 1949, cited to text, amended section to authorize the Postmaster General to retain post offices in salary grade and class to which they advance because of unusual conditions until the annual adjustment is made on July 1 of the following calendar year.

Chapter 3.—ASSISTANT POSTMASTERS, AND CLERKS AND EMPLOYEES

Sec.

- 103b. Transfers from letter carrier to clerk by ten-point preference eligibles; seniority rights; reinstatement of seniority rights; substitute status [New].
- 133a. Detail of clerical assistance to post offices, branches, or stations serving military and naval personnel; per diem expenses [New].

§ 103b. Transfers from letter carrier to clerk by ten-point preference eligibles; seniority rights; reinstatement of seniority rights; substitute status.

(a) Any letter carrier or clerk in the postal service entitled as a preference eligible to ten points under the Veterans' Preference Act of 1944, as amended, in addition to his earned rating who, on or after June 22, 1948, transfers from the position of letter carrier to that of clerk or from the position of clerk to that of letter carrier, as the case may be, shall not incur loss of seniority by reason of such transfer if, within thirty days after such transfer, he presents to the Civil Service Commission evidence satisfactory to the Commission that such transfer was necessitated principally by reason of a disability which he received on active duty in the armed forces of the United States.

(b) Any such letter carrier or clerk who, prior to June 22, 1948, has transferred from the position of letter carrier to that of clerk or from the position of clerk to that of letter carrier, as the case may be, and has incurred loss of seniority by reason of such transfer, shall be restored the seniority to which he

would have been entitled if such transfer had not occurred if he presents to the Civil Service Commission evidence satisfactory to the Commission that such transfer was necessitated principally by reason of a disability which he received on active duty in the armed forces of the United States.

(c) No regular employee shall be reduced to substitute status to accord the benefits of this section to another employee. (June 22, 1948, ch. 601, 62 Stat. 514.)

REFERENCES IN TEXT

The Veterans' Preference Act of 1944, as amended referred to in the text is classified to chapter 17 of Title 5, Executive Departments and Government Officers and Employees.

TRANSFER OF FUNCTIONS

All executive and administrative functions of the Civil Service Commission were transferred to the Chairman of the Civil Service Commission by 1949 Reorg. Plan No. 5, eff. Aug. 19, 1949, 14 F. R. 5227, 63 Stat. 1067. See note set out under section 632 of Title 5, Executive Departments and Government Officers and Employees.

§ 133. Extra labor at offices.

EXTRA CLERICAL ASSISTANCE AT OFFICES, ETC., SERVING MILITARY AND NAVAL PERSONNEL

Act July 9, 1943, ch. 213, 57 Stat. 391, as amended by act Dec. 7, 1945, ch. 558, 59 Stat. 603, which provided for extra personnel was repealed effective Jan. 25, 1948, by Joint Res. July 25, 1947, ch. 327, § 2 (b), 61 Stat. 451.

§ 133a. Detail of clerical assistance to post offices, branches, or stations serving military and naval personnel; per diem expenses.

Whenever the Postmaster General deems it necessary in serving the military and naval camps, posts, or stations, he is authorized to (1) detail postal employees from main post offices to postal units at such camps, posts, or stations without changing the official station of any such postal employee, and (2) without regard to the Travel Expense Act of 1949, pay each such postal employee an allowance, in lieu of actual expenses, of not more than \$4 for each day while so detailed. (June 15, 1950, ch. 252, § 1 (a), 64 Stat. 216.)

REFERENCES IN TEXT

The Travel Expense Act of 1949, referred to in the text, is classified to sections 835-842 of Title 5, Executive Departments and Government Officers and Employees.

CODIFICATION

Section is comprised of subsection (a) of section 1 of act June 15, 1950, cited to text. Subsection (b) of said section, which is a direction to pay the employees for a past period ending on June 15, 1950, and which will be executed upon payment, is set out as a note under this section.

PAYMENT OF EMPLOYEES' EXPENSES FOR PERIOD FROM JAN. 25, 1948, TO JUNE 15, 1950

Subsec. (b) of section 1 of act June 15, 1950, cited to text, provided that: "The Postmaster General is authorized to pay each postal employee who was so detailed after January 24, 1948, and prior to the date of enactment of this Act [June 15, 1950] an allowance, in lieu of actual expenses, of not more than \$4 for each day while so detailed."

§ 134. Mail clerks and assistants for Navy, Marine Corps, or Coast Guard.

Enlisted men of the United States Navy, Marine Corps, or Coast Guard may, upon selection by the