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Carole S. McNamee

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NATIONAL
ENDOWMENT
FOR
THE ARTS

WASHINGTON
D.C. 20506



A Federal agency advised by the
National Council on the Arts
May 27, 1981

Mr. Alexander Crary
Room 4230, Dirksen Senate Building
Washington, D. C. 20510

Dear Mr. Crary:

As requested by Ms. Susan Liberman, of our Office of General Counsel, I am enclosing a copy of our May 22, 1981, letter to Mr. John H. Kerr explaining his options regarding the settlement of his 1977 Workman's Compensation Claim.

If you have any questions about this matter, please feel free to call me on 653-7509.

Sincerely,

Carole S. McNamee
Personnel Management Specialist

Enclosure

cc:
Susan Liberman

NATIONAL
ENDOWMENT
FOR
THE ARTS

WASHINGTON
D.C. 20540



A Federal agency advised by the
National Council on the Arts

May 22, 1981

Mr. John H. Kerr
Derrydown RFD #1
Newport, R.I. 02840

Dear Mr. Kerr:

I have received your note of May 16, 1981, and am concerned about the apparent confusion that still exists over your 1977 Workman's Compensation Claim.

Your statement that you repaid the Endowment for "borrowed" sick leave is essentially correct. The sick leave balance of record on August 31, 1979, was deducted from your lump sum payment for accrued annual leave and the balance due you for annual leave was forwarded to you by check dated September 7, 1979. This has never been in question and no action on your part or the Endowment's is necessary at this time.

As stated in my May 7, 1981, letter, however, Workmen's Compensation will only pay you for wages lost and you did not, in fact, lose any wages or leave as a result of your 1977 illness. Since the claim has now been resolved in your favor, you have the option of buying back the leave you used during the period 5/31/77 to 9/4/77 under the terms described in my letter of May 7.

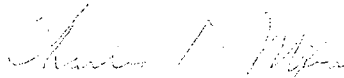
If you do elect to buy back your leave, your old records will be changed to show Leave Without Pay for the 1977 period and an equal amount of leave credited to your present account. This recredited leave would then be available for current or future use. Again, this is strictly at your option.

Should you elect not to exercise your "buy back" option, your leave records remain unchanged. In either case, the Endowment does not owe you any money for this specific situation. If you wish to verify this information, you may contact the Boston Field Office of the Office of Workers' Compensation Programs, JFK Federal Building, Room 1800, Boston, Ma. 02203, reference File No. X-1497454.

The Employee Copy (original) of the SF-50 cancelling your 8-31-79 Termination was enclosed with my May 7 letter to you. However, another copy is enclosed for your use. You will be contacted separately regarding other issues raised in your May 16, 1981, note.

In the meantime, since your departure, we have changed our payroll system and no longer have a record of your Federal or state income tax withholdings. Therefore, I am enclosing new forms for your use. Please complete the W-4 form for Federal income tax withholding and the appropriate state income tax withholding certificate at your earliest convenience and return them to Mrs. McNamee of my staff when you have completed them. A pre-addressed, postage-paid envelope is enclosed for this purpose. This information is needed to determine appropriate withholdings from any back pay as well as current salary.

Sincerely,



Charles G. Nixon
Personnel Officer

Enclosures

cc:

R. Wade, General Counsel