



THE FEDERAL EMPLOYEE

FOR MEMBERS OF THE NATIONAL FEDERATION OF FEDERAL EMPLOYEES

AFFILIATED WITH THE INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS, AFL-CIO

SPRING 2008

NSPS Campaign Ends in Victory!

A five-year campaign to maintain workplace rights for Department of Defense (DoD) employees came to a triumphant conclusion on January 28, 2008 when the Fiscal Year 2008 Defense Authorization Bill was signed into law. Included in the bill was language that removed the Pentagon's authority to create a new personnel system, authority which they intended to use to strip DoD employees of the rights to collectively bargain and maintain a fair system of adverse action appeals. While DoD did maintain the right to create a pay-for-performance system to compensate Department employees, language in the bill guaranteed that workers would get 60 percent of the annual pay raise given to most federal employees if they perform at a satisfactory level or above, with only the remainder going into a discretionary pay pool. Blue collar defense workers were left out of the new personnel system entirely.

The campaign for Defense workers' rights began in the aftermath of September 11th, when the Pentagon, led by then-Secretary of Defense Donald Rumsfeld, first conceived the euphemistically termed National Security Personnel System (NSPS). After testifying before Congress that the Department needed "flexibilities" to defend our nation against the new threats of terrorism, the Department was given the authority to create a new personnel plan. When the details of the personnel system were finally released, it was obvious that the Pentagon had



NFFE Members from DoD locals gather at a May 2007 Capitol Hill reception held to educate lawmakers and their staff members about NSPS.

more interest in eliminating federal employee unions, gaining unchecked control of the workforce, and stifling employee salaries than in establishing a credible and modern personnel system under which DoD workers could exist.

The collective outrage from Defense workers across the country prompted the formation of the United Department of Defense Workers Coalition (UDWC), a coalition of 36 labor organizations that came together to defend federal employee rights and to work with DoD to find real solutions to real problems. Although the UDWC approached the collaboration in good faith, the Department chose not to engage in any meaningful discussions with the unions about the personnel plan. They chose simply to do the bare minimum required by the authorizing law, which was to engage in a 30-day meet-

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The UDWC held a number of press conferences speaking out against NSPS. Coalition members are seen here following one of these events.

and-confer session with employee representatives. In that session, Department officials refused to discuss any proposals in depth. The pro-forma collaboration was merely window dressing for Congress, which had asked for the personnel system to be created jointly with Defense unions. In the end, none of the proposals put forth by the unions were adopted into the personnel system regulations.

With the Pentagon refusing to consider even minor modifications to the system, Defense unions launched simultaneous legal and legislative battles to stop the anti-worker personnel plan from being implemented.

In November of 2005, 10 federal employee unions jointly filed suit in the United States District Court for the District of Columbia. In that case, Judge Emmett G. Sullivan ruled in favor of the unions; however, his decision would later be overturned by the United States Court of Appeals for the District of Columbia. Consequently, it was on the legislative front that the battle was eventually won for Defense workers.

Armed with clear evidence that the Department had disregarded the input it had received from employee representatives, rank-and-file Defense workers began contacting their elected officials and demanding a repeal of NSPS. From Hanscom Air Force Base in Massachusetts to Camp Pendleton in California, National Federation of Federal Employees (NFFE) members from DoD installations made it known to Congress that NSPS was unacceptable to Defense workers. Even non-DoD NFFE members made fighting NSPS a top priority.

With the rest of the UDWC joining in the fight, the unions pulled out all stops to put an end to NSPS. Collectively, we lobbied Congress with countless visits to Capitol Hill, we met with lawmakers in their district offices, we asked for hearings, we gave testimony, we wrote letters to Congress, we circulated position papers, we found experts in academia willing to testify in our favor, we asked for GAO studies, we examined the costs, we took out radio ads to educate the public about NSPS, we put out press releases, we wrote op-ed pieces, we wrote letters to the editor, we conducted television interviews, we gave radio interviews, we reached out to the entire labor community, we filed lawsuits, we demonstrated in Washington and in cities across the country, and most importantly, we went person-to-person on shop floors and educated our brothers and sisters about the injustice that was being perpetrated on Defense workers. In the end, the pressure was sufficient to form a coalition of lawmakers from both sides of the aisle that was willing to say, "Enough is enough."

This tremendous victory is a testament to what can be accomplished when workers get engaged, take a stand, and refuse to give up. Congratulations to everyone who participated in this hard-fought win.

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FROM THE DESK

OF THE PRESIDENT



Dear Brothers and Sisters,

In roughly eight months, we as Americans will venture to our respective polling places and cast our votes for the person we believe is best suited to lead our country. As you have probably heard by now, NFFE has endorsed Senator Hillary Clinton to be our next president, and it is our sincere hope that she will be on the ballot come November.

As of this writing, we are the only major federal union to formally make a presidential endorsement. As a union, we struggled with whether or not to back a presidential candidate. The choice was not easy, but in the end, we decided that this election was too important to remain uninvolved. After all, for federal workers, the president is ultimately our own boss.

Right now there are still three candidates in the race for president: Senators Clinton, Barack Obama and John McCain. McCain has the Republican nomination well in hand, while Clinton and Obama are still locked in a very close race for the Democratic nomination. I would like to share some of my thoughts on the remaining candidates.

Eight years ago, when McCain ran against President George W. Bush, the Senator from Arizona held several positions that were contrary to that of then-Governor Bush. In recent years, however, McCain has warmed up to the conservative base of the Republican Party, and today, his positions on almost every major issue this country faces are aligned with that of the White House.

McCain's labor record is particularly bad. He has been supportive of NAFTA, CAFTA, and numerous other free trade agreements, which have sent millions of good-paying American jobs overseas and across the border. He opposed raising the minimum wage up from \$5.15 an hour. He was in favor of privatizing social security. Finally, he did not support the Employee Free Choice Act, a bill that would have helped stop the abusive tactics employers use on workers who are trying to organize a union.

While we can only speculate how Senator McCain would treat the federal workforce if he were elected president, we can make an informed presumption from his Senate record that a McCain presidency would look much like a third term of the Bush administration. McCain has been supportive of White House efforts to privatize government jobs and to strip workers at the Departments of Defense and Homeland

Security of their rights to collectively bargain. McCain has also pledged that, if elected, he would reduce the discretionary federal budget, money that pays federal workers' salaries, to pay for a new

round of tax cuts. For federal workers, that translates into four more years of fear that their jobs will be privatized or eliminated, or that their workplace rights will be stripped.

In contrast, Hillary Clinton has been a staunch opponent of the Bush administration's privatization schemes. She has worked hand-in-hand with NFFE and other unions to fight White House efforts to eliminate federal employees' workplace rights. She has also pledged to eliminate wasteful government contracting, which would create more jobs in the federal sector as government work is taken out of the hands of imprudent and inefficient contractors.

Barack Obama is a strong candidate as well. He has a charismatic style that has obviously gripped much of this nation. There can be little doubt that some in our union support him in his bid for the Democratic nomination. Our backing of Clinton over Obama does not stem from any shortcoming on his part. Rather, it comes as a result of Hillary's eight years of passionate support of the federal workforce in the United States Senate. Hillary is a proven leader who has been there time and again for us. Federal employees need a person that they can count on, and that person is Hillary Clinton.

Brothers and sisters, a new day for America is close at hand. We need a commander-in-chief who supports federal employees and their unions. We need a president that does not trivialize the work that federal employees perform, but instead truly values it. The fact is, if we don't have good jobs, we haven't got anything, and good jobs will come as a result of putting the right person in the White House. Let each and every one of us commit to making that happen.

Fraternally,



FROM THE DESK

OF THE SECRETARY-TREASURER

The year 2008 promises to be another exciting and progressive year for NFFE.

In our continuing effort to improve the financial health of NFFE as well as service to the membership, I recently sent a letter to all locals and councils regarding the large number of outstanding, uncashed rebate checks we have on the books. If your local or council has uncashed checks more than 60 days old, they should be mailed back to the National Secretary/Treasurer at the NFFE National Office for issuance of a replacement check. As of March 31, 2008, all outstanding checks dated prior to February 1, 2008 will not be honored by NFFE.

We are moving quickly toward the implementation of electronic fund transfers (EFT) of rebates to locals and

councils. We are working with our bank to enable the National Office to electronically transfer rebates to the bank accounts of our locals and councils. I anticipate that we will have a letter with

instructions for implementing EFT out to all locals and councils in the near future. These instructions will include a form to be filled out and returned to the National Office, which will list the bank routing number and account number for the local or council. Requiring



Bill Dougan

FROM THE DESK

OF THE GENERAL COUNSEL

In January of 2008, Congress delivered the long-awaited reversal of our disappointing loss in the U.S. Court of Appeals for the District of Columbia, where we sued to preserve collective bargaining rights in the Department of Defense (DoD). The 2008 National Defense Authorization Act erased the loss suffered last year. First and foremost, the new law took away the DoD's right to develop a new labor management relations system, eliminated DoD's ability to design its own internal labor relations board, and fully restored Chapter 71, rendering our loss in the D.C. Circuit moot. With it, the law invalidates any DoD regulations on labor relations, including designing its own internal labor relations board, and subjects those existing regulations such as pay, performance, etc. to impact and implementation bargaining by the parties. Second, the new law also takes away DoD's right to develop an employee appeals system, again setting aside our loss in the Court of Appeals. Third, the new law now brings the opportunity for unions to bargain at the organizational level at the discretion of DoD, who will choose the subject and the parties to bargain. For the first time, the law gives the parties the option to design and agree to a third party review above the level of recognition. What remains unknown is what this national level bargaining will look like. Finally, the 2008 law limits the amount DoD can allot to the pay

pool for bonuses under the new pay-for-performance system and exempts the wage grade employees from NSPS all together. All in all, NFFE and our sister unions in the DoD Coalition think we had a very good day.

Like DoD, on February 15, 2008 the Department of Homeland Security (DHS) officially abandoned its plan to overhaul its labor relations system. In a status report to District Court Judge Collyer, both DHS and its partner, the Office of Personnel Management, pledged to "proceed with labor relations pursuant to applicable law," or the mandates of Chapter 71. With this guarantee, Judge Collyer dismissed our 2005 lawsuit against the government, citing no case or controversy. We claim this latest chapter in the DHS lawsuit as a complete victory for NFFE and our sister DHS unions.

In the waning days of the Bush administration, we see a number of proposed changes to government-wide rules, including amendments to the processing of unfair labor practices, amendments to the Family Medical Leave Act,



Susan Tsui Grundmann

EFT will help us improve our ability to quickly and securely ensure that rebates are received by the locals and councils; it will eliminate the need to issue paper checks and eliminate the risk of checks being lost in the mail or not deposited in a timely manner in the local or council's bank account.

Last but not least, planning has started for the 2008 NFFE National Convention in Milwaukee, Wisconsin. The Convention Call letter and accompanying information was mailed to locals and councils on April 14th. Over the course of the next several months, locals and councils will be receiving a lot of information from the National Office in regards to the Convention, election of national officers, and proposed amendments to the

bylaws and resolutions. I encourage the union officers of each local and council to ensure that this information is shared with their members and that there is an opportunity for the membership to become informed on the candidates for national office, proposed bylaws changes, and resolutions offered. To truly represent the local or council during discussions, debate, and votes at Convention, delegates must understand and be guided by the will of their members with respect to candidates for office and proposed changes to the bylaws. Democracy demands participation. I hope to see many of you at this Convention, and I look forward to a week of spirited debate and union fellowship.

revisions to the rules governing medical qualification determinations, and the elimination of time-in-grade restrictions for General Schedule employees, to name a few. NFFE has responded or is currently in the process of

“All in all, NFFE and our sister unions in the DoD Coalition think we had a very good day.”

responding to Federal Register Notices on all of these issues, voicing concerns on your behalf.

While strife and polarization have characterized our last several years of dealings with the federal employers, successful partnerships are continually recognized. This June, the NFFE Forest Service Council and the Forest Service will be featured in an FMCS workshop at the 14th National Labor Management Conference sponsored by the FMCS in Washington, D.C. Despite the cancellation of the Executive Order mandating the creation of labor/management partnerships and bargaining over permissive subjects, the partnership, which has successfully negotiated a new labor contract using interest-based bar-

gaining, has agreed to complex staffing policies and new performance management criteria without third party intervention and despite numerous personnel changes on both union and management teams. Using the interest-based approach while vesting the partnership with broad authority to discuss and reach consensus on controversial, often emotional, topics has led to meaningful agreements.

Finally, we are gearing up on multiple fronts in preparation for our 48th Convention. This year, members should expect to see proposed revisions to our national bylaws that update and clarify certain provisions governing elections, resolutions, and financial administration. We encourage you to review these changes carefully and to call us at the National Office with your questions and concerns. Further, with our NFFE National election also approaching, our National Election Committee is in the process of preparing the rules for nominations and elections. We look forward to your participation in our democratic process. Again, do not hesitate to contact the National Office with comments and questions.

We remain vigilant of your issues always. We look forward to more opportunities to protect your legal rights and voice your concerns.

FROM THE DESK

OF THE LEGISLATIVE DIRECTOR

Legislatively, 2007 was a great year for federal employees. Many of the policy priorities federal workers and their unions have been striving to achieve for years were finally realized.

Topping the list of accomplishments was a significant reform of the Pentagon's controversial new personnel plan, the National Security Personnel System (NSPS). Signed into law on January 28th, the language restores collective bargaining rights and employee appeal rights for Defense workers under NSPS. It also exempts blue collar workers from NSPS entirely. The language left in place DoD's authority to create a pay-for-performance system. However, the measure guaranteed that NSPS employees get 60 percent of the annual pay raise given to most federal workers if they perform at a satisfactory level or above.

"The White House asked for a 2.9% increase for federal workers in fiscal year 2009; we will be pushing for a 3.9% raise."

Only the remaining 40 percent of the pay adjustment, which is set annually by Congress, goes toward performance pay. Defense workers will also continue to receive locality pay when performance is satisfactory. This reform is without a doubt a victory for Defense workers.

The next major accomplishment was getting legislation passed to level the playing field for federal workers in A-76 studies, the process by which the Bush administration privatizes federal jobs. Contained partly in two separate bills and signed into law this past winter, language was passed that will exclude health care and retirement costs from the A-76 cost comparison process, eliminate automatic recompetition of work performed by federal employees under A-76, establish equitable appeal rights for all federal employees, eliminate OMB outsourcing quotas, require the establishment of guidance to allow federal employees to compete for new work, and establish in law a competition requirement for non-DoD agencies which is identical to what is permanent law for DoD. Language was also passed to place a moratorium on spending for A-76 studies at the

Forest Service in fiscal year 2008 (FY08).

Federal employees received a 3.5% average pay increase in 2008, 0.5% above what was offered in the White House's budget proposal.

Unions were also able to scale back the abusive use of A-76 alternatives, including High Performing Organization (HPO) reorganizations, which various agencies have used to make an end-run around A-76 limitations put on the agencies by Congress. Legislation passed last year put a permanent end to an HPO at the Coast Guard and defunded an HPO of lock and dam workers at the Army Corps of Engineers in FY08.

In the second session of the 110th Congress, we hope to build on our successes from 2007. We will be seeking additional changes to rules governing Circular A-76 that will level the playing field for federal workers in privatization studies. We will continue to push for agency specific A-76 prohibitions like the one that was achieved for the Forest Service in FY08. We will continue to demand transparency in new reorganization schemes such as HPOs. We will be supporting legislation to restore a meaningful scope of bargaining for health care workers at the Department of Veterans' Affairs. We will be pushing for legislation to restore the labor-management partnerships that existed under President Clinton's administration. We will be seeking social security fairness for federal retirees under the Civil Service Retirement System (CSRS). We will be supporting legislation to give federal employees credit for their unused sick time. Finally, we will strive for pay parity between civil service workers and the military, and we will push for overall raises that reflect the importance of workers' collective duty to this country. The White House has asked for a 2.9% increase for federal workers in fiscal year 2009; we will be pushing for a 3.9% raise.

Again, thank you all for the hard work you put into contacting your elected officials about key issues in 2007. It is clear that all your efforts are paying off. Let's make sure we continue to make progress in 2008.



Randy Erwin

NFFE Local 1450 Benefits From \$24 Million FLSA Settlement

Years of hard work paid off this March with a \$24 million Fair Labor Standards Act (FLSA) settlement on behalf of Housing and Urban Development (HUD) employees, including members of NFFE Local 1450.

A grievance was first initiated in June of 2003 when HUD refused to adhere to the law regarding travel, including the requirement that employees travel on holidays, weekends, and before and after the workday, without providing compensation. A second related grievance was filed in December of 2003 claiming that the Agency violated the FLSA when it failed to properly classify bargaining unit employees as FLSA non-exempt. The cases, filed by both NFFE Local 1450 and the American Federation of Government Employees (AFGE) Local 222, were eventually combined.

The class action grievance and arbitration filed by NFFE and AFGE alleged that many employees were misclassified as FLSA exempt, which negatively affected their ability to receive pay for working overtime hours, denied them the option of receiving compensatory time off, and neglected to compensate them for travel time and “off the clock” work. The grievance and arbitration cover an estimated 7,000 current and former HUD employees. Over the five years since the case was initiated, the unions and HUD spent more than 40 days in hearings, and nearly 20 motions were filed.

On March 10th, the hard work finally paid off with a \$24 million settlement agreement. The agreement, signed by the United States Government, NFFE and AFGE, and Lead Counsel on the case, Michael Snider, Esq., states that HUD will pay \$24 million to current and former HUD employees who were not properly compensated under the FLSA. The settlement also addresses the issues of which employees will be covered by the FLSA in the future, and

what direction will be given to employees and supervisors about the FLSA.

Current and former HUD employees are eligible for damages for both underpayment of approved overtime and “suffer and permit” overtime worked during Fiscal Year 2001 through Fiscal Year 2007. Snider’s law firm will review payroll records for the 2001-2007 period and determine employees’ damages for the underpayment of approved

overtime. The firm is also setting up a web-based claims process for employees who are entitled to suffer and permit overtime compensation. The amount of money available for compensation in these cases will depend on the number of claimants and the number of hours they submit, but regardless, impacted employees should see a sizable amount of compensation.

On behalf of the NFFE National Office, we would like to extend our thanks to Local 1450 President Elizabeth McDargh, Vice President Ricardo Miranda, Recording Secretary Kenneth Einbinder, Secretary/Treasurer Sharon

Moeller, Conductor Sentinel Harvey Friedberg and trustees Larry Johnson (recently deceased), Percy Taylor and Ron Smith. The hard work of those individuals involved in this case has ensured that past, present, and future employees of HUD will be justly compensated for their work.

McDargh expressed the following in regard to the settlement: “It takes great courage to recognize a problem and then much more courage to come together in solidarity to correct it. I am very proud that we—management, unions and our amazing legal representatives Snider & Associates—were able to reach this settlement. There are many that made this settlement possible. But most of all, the heroes among us are those HUD employees who willingly stepped forward to provide testimony and tell their stories.”

Congratulations on a job well done!



HUD Deputy Secretary Roy Bernardi and Michael Snider, Esq. sign the FLSA settlement agreement.

EVENTS

Arrangements Underway For 2008 Lobby Week

The International Association of Machinists and Aerospace Workers (IAM) 2008 Legislative Conference, also known to NFFE members as Lobby Week, will be held from May 19-22, 2008. As in recent years, the event will take place at the Hyatt Regency in Washington, D.C.

The annual Legislative Conference is one of the high points of the year for NFFE-IAM members. It brings together NFFE members from a variety of agencies and parts of the country, enabling them to both get to know one another better and work collaboratively toward common interests.

The general session will begin at 1:30pm on Monday, May 19th, and will run from 9am until noon Tuesday through Thursday. The exact itinerary has not been finalized, but the general session will feature speeches by several key political and union figures. Afternoons have been left free for lobbying on Capitol Hill. A number of social events will also be held throughout the week.

“Lobby Week is always a great event for NFFE, and we



The Hyatt Regency Washington, location of the 2008 IAMAW Legislative Conference.

expect that to hold true in 2008,” said NFFE National President Richard N. Brown. “It is a wonderful opportunity for members to unite and bring the issues that matter to them to the attention of their Congressional representatives. I hope to see as many NFFE representatives as possible in Washington for Lobby Week.”

A Union's Political Influence is Measured by the Size of Its PAC

By what measure does one gauge the political influence of a labor union? Like many other things, political influence is best measured in dollars and cents.

While labor unions are commonly known for exercising political power by distributing flyers on the shop floor and putting people on the ground to turn out the vote on Election Day, these kinds of efforts are difficult to measure and do not always provide a reliable snapshot of a labor union's political strength.



Contemporary unions often like to poll their membership and publicly tout relatively high rates of voter turnout as evidence of political clout, but these kinds of surveys can be unreliable as well.

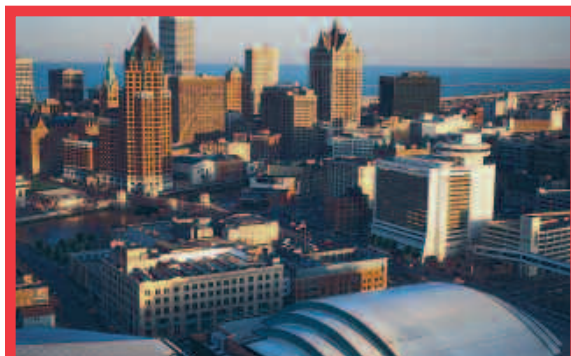
Sheer size of a union can also be misleading. A union may have a million members but have a poor system in place to educate and mobilize their people. A union endorsement isn't worth much to a candidate if the union's membership doesn't know their union has made an endorsement, or worse, doesn't care.

2008 NFFE National Convention Draws Nearer

Plans continue to take shape for NFFE's 48th National Convention, which is now less than six months away.

The convention will be held at the Hilton Milwaukee City Center, located in the heart of downtown Milwaukee. The hotel is conveniently located near many shops, theaters and museums, including the new Harley-Davidson Museum which will open late this summer. There are several dining options within the hotel itself, in addition to a variety of other restaurants which are within walking distance of the hotel. The hotel also contains an indoor water park, ideal for entertaining younger guests.

Registration will take place on Sunday, October 5th and the Convention will run October 6-9. Rooms will be available from October 3-10 at a rate of \$99/night for single and



A skyline view of downtown Milwaukee, location of the Hilton Milwaukee City Center.

Photo credit: VISIT Milwaukee

double occupancy. Our group rate will also be offered two-to-three days before and after our room block dates, subject to availability.

We have negotiated discounts with Midwest and Northwest Airlines, for those convention attendees who will be traveling to the convention via one of these airlines. Details on these programs were included in the Convention Call letter

mailed to locals on April 14th.

Please don't forget that 2008 is an election year for all of NFFE's nationally elected positions, including national president, national secretary-treasurer, and all seven national vice-president slots. This is an important and exciting convention year for NFFE, and we are looking forward to seeing as many of you as possible in Milwaukee this October!

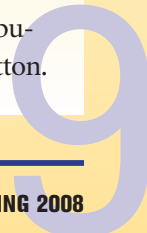
The best measure of a union's political influence is the size of its political action committee (PAC), a name commonly given to a group organized to elect or defeat government officials or to promote legislation. It is difficult for unions to raise PAC money because contributions must be made completely voluntarily by the members. No dues dollars can be contributed to grow these funds. PAC size is a good measure of political strength because it takes a broad membership from which to raise a significant amount of money, it takes a high level of political engagement by the membership to gather contributions, and the money raised is actually given to candidates for political office in hard money contributions.

As NFFE-IAM members, we benefit from having access to one of the most powerful PACs in existence today, the Machinists Non-partisan Political League (MNPL). According to March data released by the Federal Election

Commission (FEC) for the 2008 election cycle, the MNPL is currently the seventh highest contributing PAC in America. Simply put, that means that our union has serious clout in Washington.

For NFFE members, the task at hand is to make the most of our affiliation with the MNPL to influence legislation impacting federal workers. But in order to do that, we must start contributing to MNPL in greater numbers. The suggested yearly contribution for NFFE-IAM members is just \$25. Do your part by becoming a sponsoring member of the MNPL, and encourage the NFFE members at your local to do the same. NFFE has a wealth of political influence at its fingertips. Help us tap into that political strength by making an annual contribution to our powerful political action committee, the MNPL.

For instructions or how to make your annual contribution, go to www.NFFE.org and click on the "MNPL" button.



POLITICAL AND LEGISLATIVE

Support Grows for Bill to Maintain Meaningful Collective Bargaining for Veterans' Affairs Nurses and Doctors

Over the last several months, NFFE has been lobbying Congress to adopt a bill (HR 4089) that would restore a meaningful scope of bargaining for Title 38 workers at the Department of Veterans' Affairs (VA). This bill was introduced in the House in November, and a companion bill in the Senate is expected to be introduced shortly.

Introduced by House Veterans' Affairs Chairman Bob Filner and cosigned by 18 additional lawmakers, this bipartisan bill restores the scope of bargaining by eliminating matters the VA is not required to bargain over according to Section 7422 of Title 38. These 7422 exclusions include matters of professional conduct, competence, peer review, and compensation.

Increasingly, VA management is interpreting 7422 exceptions very broadly, and is refusing to bargain over virtually every significant workplace issue affecting medical professionals. Recent court decisions are upholding VA's broad reading of Section 7422, even when management raises it after completion of the arbitration process. This is leading to high levels of dissatisfaction among Title 38 VA workers.

VA medical professionals have extremely limited collective bargaining rights compared with their counterparts in other federal agencies, state and local government systems, and the private sector. As a result, Registered Nurses, doctors, and other impacted employees at the VA are experiencing increased job stress, low morale, and burnout. This in turn exacerbates the VA's recruitment and retention problems. Chronic short staffing has been shown to



On Friday, March 21, 2008, members of Local 1 (pictured in front of their facility here) held their Annual Legislative Letter Writing Campaign. Members were encouraged to come on their breaks or during lunch and write letters to their elected officials in Washington, D.C. Many sent letters discussing the unfairness of the Title 38 7422 exceptions and to ask for support for HR 4089. In total, 41 letters were written and faxed to Capitol Hill.

“The VA is using 7422 as an unjust means of bypassing collective bargaining on numerous issues.”

adversely impact the quality of care, patient safety, and workplace safety, and it leads to costly stopgap measures such as overuse of contract nurses and doctors.

“The VA is using 7422 as an unjust means of bypassing collective bargaining on numerous issues,” said NFFE Legislative Director Randy Erwin. “We are asking Congress to step in and eliminate these senseless exemptions that are leading to much stress and dissatisfaction among VA health care providers.”

The following positions at the VA are classified as Title 38: physicians, dentists, podiatrists, optometrists, registered nurses, physician assistants, expanded-duty dental auxiliaries, and chiropractors.

Congress Gives Federal Employees 3.5% in FY08, NFFE Asking Congress For 3.9% in FY09

On December 26, 2007 President Bush signed the Consolidated Appropriations Act of 2008 into law. Included in the bill was language giving federal workers an average raise of 3.5 percent in fiscal year 2008 (FY08), 0.5 percent over what the president proposed in his annual budget proposal to Congress. The language went into effect with the first full pay period of the new year, which started on January 6th for most employees. All employees received a base increase of 2.5 percent. The remaining 1 percent went towards locality pay.

With FY08 wrapped up, the fight for pay parity in fiscal year 2009 (FY09) is just starting to shape up. In his FY09 budget proposal released in February, Bush proposed a 2.9 percent increase for civilian workers and a 3.4 percent pay boost for military personnel.

NFFE and other federal employee unions have begun making the case for a more generous increase than the

President has asked for. NFFE is asking for a 3.9 percent raise and pay parity with military personnel. The 3.9 percent figure is 0.5 percent above the Employment Cost Index (ECI) change from September 2006 to September 2007. This is consistent with how the 3.5 percent raise in FY08 was determined.

“Federal employees are truly the backbone of this great country, and they deserve a meaningful raise at the end of this year,” said NFFE National President Richard N. Brown. “Each year the pay gap with the the private sector grows larger. If the federal government is going to attract the best and brightest workforce possible, it needs to pay its employees consistent with what they could make in the private sector. Chugging along at ECI or below doesn’t get it done. We need to start closing that pay gap in a meaningful way, and that is what we will be asking Congress to do.”

Significant A-76 Reform Signed Into Law

In January, President Bush signed the 2008 Defense Authorization bill into law. Included in the bill was language that would make several revisions to the A-76 public-private competition process. Together, these changes would do much to level the playing field for federal workers when competing against private contractors for government work.

The A-76 amendment would do the following: exclude health care and retirement costs from the A-76 cost comparison process, eliminate automatic recompetition of work performed by federal employees under A-76, establish equitable appeal rights for all federal employees, eliminate OMB outsourcing quotas, require the establishment of guidance to allow federal employees to compete for new work, and establish in law a competition requirement for

non-DoD agencies which is identical to what is permanent law for DoD.

Additional A-76 provisions were included in the Consolidated Appropriations Act of 2008. The language in this bill excludes health care and retirement costs from A-76 studies for all non-Defense agencies, gives federal employees the right to appeal the results of the competitions to the Government Accountability Office, and unambiguously prohibits the use of quotas that require agencies to compete a pre-determined number of federal jobs.

“We have been fighting for these A-76 changes for several years,” said NFFE National President Richard N. Brown. “It is a great victory for these to finally be adopted into law. We applaud Congress for taking action, and we congratulate our membership for making this issue a top priority.”

AROUND THE COUNTRY

Brown Travels Country Visiting NFFE Members

Thus far, 2008 has proven a busy year for NFFE National President Richard N. Brown. Over the last few months, he has had the opportunity to meet with many NFFE members and at a variety of locals across the country.

In February, Brown made a trip to the Northeast, visiting NFFE Local 1998 at the National Passport Center in Portsmouth, NH and Local 346, the VA Medical Center in Castle Point, NY.

Local 1998 sponsored a lunch reception at a restaurant near the National Passport Center. Brown attended the lunch along with Assisting Directing Business Representative Bill Fenaughty, and had the opportunity to meet many of the local's members. Brown also had a meeting with local union representatives to discuss issues currently impacting the bargaining unit employees.

At Local 346, Brown and Fenaughty met with Local President Rebecca McNally and Vice President Dr. Robert DeFilippi. They discussed the local's collective bargaining



Representatives from the NFFE National Office and members of NFFE Local 178 at a luncheon in February.

agreement, as well as issues currently impacting the Department of Veterans' Affairs, including restructuring changes made by the VA administration and their impact on the delivery of care.

Also in February, Brown traveled to Northern



NFFE National President Richard N. Brown (center) and Business Representative Bill Fenaughty (far right) with members of NFFE Local 346.

Michigan. He attended the Huron-Manistee National Forests' all-employee conference with NFFE National Vice President Jozef Drozdowski, and addressed over 100 meeting attendees.

Finally, Brown visited NFFE Local 178 at Aberdeen Proving Ground in Edgewater, MD. He was accompanied on this visit by NFFE National Secretary-Treasurer Bill Dougan, Business Representative Jim Davis, and Assistant to the President Cassie Kerner. The group had the opportunity to tour the Edgewood Chemical Biological Center (ECBC) and meet a number of employees at the facility. The local also sponsored a meet-and-greet event over lunch, which was attended by many members of the local, as well as prospective members, managers, and labor-management relations representatives.

In March, Brown visited his home local, 2109, Watervliet Arsenal in Watervliet, NY. He attended a union meeting, and was able to visit with other local members and discuss current issues affecting employees.

"Going on the road to meet NFFE members and visit NFFE's locals is one of the most enjoyable aspects of my job," said Brown. "It was a pleasure meeting and visiting with so many wonderful members during the last few months, and I would like to thank each of these locals for their hospitality."