



# Local 1998 News



Issue 10

National Federation of Federal Employees, IAMAW, AFL-CIO

August 2005

Representing the bargaining unit employees of Passport Services, a division of the Department of State's Bureau of Consular Affairs

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## Local 1998 Executive Board

### President

Colin Patrick Walle

### Vice President

Michael Garofano

### Secretary-Treasurer

Carol Aguilar

### Recording Secretary

Paula Carter

### Chief Steward/Trustee

Rob Arnold

### Trustees

Bill Beardall

Mike Darcy

### Senior Stewards

Cheryl Murray - BN

(Vacant) - CG

James Jarmon - CPC

Luz Figueroa - CT

(Vacant) - HH

Lisa Bohannon - HN

Mamie Minor - IML

Cathy Prince - LA

Ann Burley - MM

Yvonne Smith - NO

Two Feathers Neal - NY

Sharlene Dandridge - PA

Marie Cooke - NPC

Amha Gezahegn - SF

Elisabeth Lucchese - SE

Paula Carter - SIA

Karen Proctor-Adams - WN

### Local 1998 Address

PO Box 2221

Seattle, WA 98111

### Website

www.nffe1998.org

## Contract Negotiations To Take Place in 2005

The contract will be opened this year for bargaining over proposals that will be submitted by the Union and Management. No date has been set for when bargaining will commence, but it is expected that proposals will be first traded during the fall. The parties are currently discussing ground rules for the negotiations. The Union needs your input employees in order to properly represent your views, so please submit any suggestions for improvements or issues that have been a concern to your office Union representative.

NFFE has appointed Business Representative Steve Flory to ... (cont'd on page 4)

## FLSA Settlement Tally: \$306,401.09

The total payments to employees resulting from the settlement of the FLSA Overtime Grievance filed by Local 1998 was \$306,401.09. This amount includes the payments for underpaid OT, liquidated damages, interest, suffered and permitted OT, and compensatory time. While this is the largest financial benefit achieved by Local 1998 on behalf of the employees, in the long run the amount of money paid to employees for true time and one-half for OT, due to the correction of their FLSA status from Exempt to Non-Exempt, will far exceed this settlement.

## President's Message: Thank you, Mr. Bill

"1998" - that is, of course, the designation number for our local, but it also marks one of the most important years in our union's history, because 1998 was the year that Bill Beardall, a Senior Passport Specialist/Assistant Fraud Program Manager at the Seattle Passport Agency, was elected local president. Over the next 4 years, "Mr. Bill" resurrected our local and brought us back from the brink of extinction. When he took office on June 1st of that year, we had only 33 dues paying members. By the end of his two terms of office, we had 177 members.

Between 1998 and 2002, Beardall took numerous actions on behalf of the Passport Services employees. He pushed partnerships at the national and local level, which resulted in good relations between the Union and Management, and an effective way to amicably solve problems. He filed a number of grievances (promotions, evaluations, leave, work schedules) that led to many positive results. His biggest accomplishment was the 2001 contract (our first in 10 years). Important changes included promotions, work schedules, official time, and awards.

Local 1998's participation in NFFE, our umbrella organization, was reinvigorated under his leadership. For the first time in years, we sent delegates to the NFFE convention. Local 1998 strongly supported the proposal to affiliate with the IAMAW in 1999, which



When a blizzard shut down DC in January 2000, Bill Beardall exemplified NFFE's motto, "We work for America everyday", by trudging a mile to NFFE HQ to prepare for contract negotiations.

greatly strengthened NFFE.

As Union President, Beardall traveled to most of the Passport Agencies and provided training to the local representatives. After his 2nd term ended, he continued to serve as a valued mentor to his successors as well as our Webmaster. The website that he created has garnered much admiration and praise.

Beardall was recently selected as the Fraud Program Manager at the new Colorado Passport Agency. PPT/CO's gain is truly our loss. On behalf of Local 1998, I say "thank you", Mr. Bill, for all that you have done for us over the years.

- Colin Patrick Walle

## Union Officer Training Update

By NFFE Local 1998 Secretary-Treasurer Carol Aguilar

We have had a very busy year so far with our Reps attending training at the IAMAW's Winpisinger Center in Placid Harbor, Maryland. I encourage all Reps to sign up for at least one class each year. There seems to be a misconception that once you sign up you are guaranteed to go. Here is how it really works. I send out a training roster at the beginning of each year. You email me back with the class and dates you would like to attend, and also request the 40 hours of admin leave from your supervisor. Once I have your information I submit a nomination to Placid Harbor. We share the training facility with all the IAMAW locals. Typically we are allowed two training slots a year. We have been lucky in the past three years and they have allowed us to send more Reps to training. I get multiple requests for training each year and send in the nominations on a first come first serve basis. It is up to the IAMAW's Training Office to decide who and how many people can attend.

For Leadership 1, the following reps were approved for training: Elisabeth Lucchese (SE); Marie Cook (NPC); Keacha Medley (WN); Jerry Ross (NPC); and Victoria Ehimwenman (CG). For Leadership 2: Karen Proctor-Adams (WN); Amha Gezagen (SF); Two-Feathers (NY); and Catherine Prince (LA). For "Train the Trainer": Colin Walle (SE) and Mike Garofano (NPC). Rob Arnold (SE) has been approved for the Bargaining Class and Paula Carter (SIA) is being nominated for the Federal Employees class.

As you can see we have had more than our share of training opportunities approved. This is not typical of every year. Again, if you have not attended training, please consider signing up for a class it is a great opportunity to learn a little more and be better prepared to serve our members.



From left to right: Amha Gezahegn, Cathy Prince, Karen Proctor-Adams, and Daryl Two Feathers Neal. These Senior Stewards attended the Leadership 2 class from June 27th to July 1st this year. As part of that class, they visited Capital Hill and attended the June 29th U.S. Senate Homeland Security & Governmental Affairs Committee hearing on the GAO Report.

## Union asks HQ Management to work together on Passport Integrity issues

On July 18, 2005, Union President Colin Walle formally asked HQ to work together on passport integrity issues, including adjudication performance standards, noting that 96% of specialists felt the standards were too high, 93% reported they had to take shortcuts to make the quota, and 94% are concerned that we will issue a passport to a terrorist or criminal. Walle again relayed concerns that the 2-page application and other changes have made the quota even more difficult. No response has been received yet.

## Union files Grievance for GS-9 PPT Specialist seeking promotion

On July 22, 2005, Chief Steward Rob Arnold filed an Informal Grievance on behalf of a long-time GS-9 Passport Specialist who had not been promoted to the GS-11 level. The employee had more than a decade of experience at the GS-9 level, had always been rated Fully Successful or higher, had never been placed on a PIP, and had received an overall "Excellent" rating for his 2004 Appraisal. The grievance alleged that Management had violated Article 18 of the contract by failing to promote the employee.

Management responded to the grievance by denying the requested relief of promoting the employee. The Union will be filing a Step 1 Formal Grievance.

## Union opposes suspending CWS at Los Angeles Passport Agency

On March 21, 2005, Management at PPT/LA announced that the Compressed Work Schedule (CWS) would be suspended for 3 months, beginning in May. Senior Steward Cathy Prince and Steward Leah Anderson responded by raising objections to this plan in discussions and emails with Management. On May 9th, the Union reps issued a form written memo outlining their opposition to the planned suspension and requesting bargaining over the decision. They pointed out that Article 26 of the contract only authorized suspending the CWS for one pay period per year, not three months, and that the reason cited for the suspension – heavy workload – actually would be better served by continuing the CWS so that more overtime could be done during the week by CWS employees. They also pointed out that Article 12 of the contract required advanced written notice of a proposed change, but none had been provided. Management never responded to the memo, and the CWS has continued at PPT/LA.

## How to become a Union member

Are you interested in joining Local 1998 and becoming a dues-paying member? If so, there is an easy process to join. First, you have to obtain deduction form SF-1187. The easiest way to do this is to go to our website - [www.nffe1998.org](http://www.nffe1998.org) - and click on the link titled "Contact/Join Us" that is located on the left-hand side. There you will be able to download the form and also obtain directions for submitting it. You can either submit the SF-1187 to your local office union representative, or you can mail it to our address: NFFE Local 1998, PO Box 2221, Seattle, WA 98111-2221.

## Grievance Ends Restrictive OT Policy at Washington (DC) Passport Agency

Washington Passport Agency Senior Steward Karen Proctor-Adams filed a Step 1 Formal Grievance on May 19, 2005 challenging the restrictive overtime policy in her office. An employee who allegedly was not making the quota while performing counter adjudication was denied overtime to perform desk adjudication, contrary to the policy outlined in Article 28 of the contract. On June 14th, Management agreed to rescind the restrictive OT.



From left to right: Renee Wynn, Paula Carter, John Paolino, Mamie Minor, Karen Proctor-Adams, and Paulette Brent.

## Five DC-Area Reps receive Union training from NFFE National S/T

On April 6, 2005 NFFE National Secretary-Treasurer (S/T) John Paolino provided day-long course on representational issues. The class was attended by Recording Secretary Paula Carter, PPT/SIA Steward Renee Wynn, PPT/WN Senior Steward Karen Proctor-Adams, PPT/IML Senior Steward Mamie Minor, and PPT/IML Steward Paulette Brent. The Union representatives all reported that they learned a great deal of useful information.

## AWOL Charges & Reprimand at PPT/IML Rescinded after Grievance filed

In May and June 2005, Paula Carter, the NFFE Local 1998 Recording Secretary and the Senior Steward at the Special Issuance Agency, presented an Informal Grievance to PPT/IML Management regarding a Letter of Reprimand and Absent Without Leave (AWOL) charges given to an employee. The Union's position was that the employee had complied with leave procedures and should not have been charged AWOL or been given the reprimand. Management listened to Ms. Carter's presentations and agreed to grant the requested relief by rescinding the reprimand and allowing the employee to use leave to cover the absences. The Union was not able to have a separate Letter of Counseling removed, but the duration that it would be retained in the employee's file was reduced from one year to six months.

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## Membership Drive in Washington DC offices: August 16th to 19th

NFFE Business Representative Jim Davis and Philadelphia Passport Agency Senior Steward Sharlene Dandridge will be conducting a membership drive from August 16 - August 19, 2005 in Washington, DC. This drive will be coordinated with the help of the Union's DC-area representatives: Paula Carter and Renee Wynn (SIA); Karen Proctor-Adams and Keacha Medley (WN); and Mamie Minor and Paulette Brent (IML). Ms. Dandridge attended a Federal Employees Organizing Pilot Program at the IAMAW's Winpisinger Center during the week of June 19th.

During the membership drive there will be information on why employees should consider joining the Union. There will also be information on dental benefits available to union members presented by NFFE-Dental administrator Chuck Sessions. Mr. Sessions will be in the conference room for group presentations between noon and 1:00 PM, and 1:00 PM to 2:00 PM on August 16 and 17th, and will be available for individual meetings during those same time periods on August 18th. He will also conduct individual meetings during break times on August 17th and 18th. He will have information on dental benefits from Cigna HMO, Delta Dental HMO, Delta Dental PPO, and Delta Dental "Pick Your Own Dentist".

## Grievance Results in Excellent Appraisal for a PPT/IML Employee

On March 4, 2005 PPT/WN Senior Steward Karen Proctor-Adams filed an Informal Grievance on behalf of a PPT/IML employee regarding her Appraisal for 2004. The grievance alleged that the employee's overall rating of "Fully Successful" was in violation of Article 18 of the contract since the employee should have received a "No Rating" for one element where insufficient work was assigned in order for the employee to meet the standard. In addition, the grievance argued that the employee should have been received an "Outstanding" rating in the Security Awareness Element, per the October 19, 2001 HQ Memo implementing that element. Management responded to the grievance on March 18th by granting the requesting relief and adjusting the employee's overall rating for 2004 from "Fully Successful" to "Excellent".

## Grievance Corrects Security Awareness Rating for 19 PPT/IML Employees

On March 11, 2005 Union President Colin Walle filed an Informal Grievance contesting the application of the Security Awareness Element at the office of Information Management and Liaison (PPT/IML). Employees who had not made any errors in this element were incorrectly rated Fully Successful for their 2004 Appraisals. However, according to the October 2001 agreement between the Union and PPT Management that implemented the Security Awareness Element, employees with either one or zero errors were to be rated Outstanding. PPT/IML Management promptly responded to the grievance on March 17th and agreed to correct the ratings of record for 19 employees.

## **Contract Negotiations continued from Page 1**

be our chief negotiator, and Local 1998 officers Carol Aguilar, Paula Carter, Mike Garofano, and Colin Walle were chosen to serve on the bargaining team. The bargaining committee will include the team as well as Rob Arnold, Mirna Lopez, Cheryl Murray, Daryl Two Feathers Neal, Cathy Prince, and Karen Proctor-Adams.

## **Union seeks ergonomic enhancements**

One of the main topics that the Union brought up at the February 8, 2005 National Union-Management Council meeting in Washington, DC, was the subject of ergonomics and ideas to prevent repetitive motion and other work-related health conditions. Management showed great willingness to work with the Union, and the parties have subsequently engaged in a dialogue on this issue.

At the meeting and in follow-up communications the Union suggested improvements such as: eliminating the date-stamp on passport applications; obtaining combined Name/Agent (jurat) stamps for all of the public counters (and making only one stamping motion); using combined Cancel/Date stamps for canceling passports in all offices; obtaining electric staplers and hole-punchers for all offices; installing flat-screen monitors to reduce eye strain; purchasing ergonomically-correct chairs with variable positions; providing training and information (e.g., brochures, posters) on correct ergonomic motions and training to reduce or prevent repetitive motion injuries.

Some of these improvements have already been adopted and we are hopeful that others may be as well in the near future. Ergonomic enhancements are a "win-win" for Management and the employees - more work gets done, fewer worker's comp claims and sick leave days result, and the employees have a higher quality of work-life.

## **OIG Criticizes Elimination of AFPM's**

A short article in the July 2005 Special Edition of *Local 1998 News* referenced the Union's FOIA request for the release of portions of the Department of State's (DOS) Office of Inspector General (OIG) report issued in November 2004. The FOIA office has now released the parts of the report that deal with Management's decision to eliminate the Assistant Fraud Program Manager (AFPM) positions.

In the November 2004 report, the OIG criticized the decision by Passport Services to eliminate the AFPM positions and recommended that Management "should reestablish [AFPM's] in all large passport agencies and centers and determine whether such positions are needed at smaller agencies." The OIG came to this conclusion by doing statistical analysis of referrals and through interviews with "DS agents working with passport fraud, CA/FPP officers, and all passport agency FPMs, none of whom were consulted prior to the announcement of the decision to abolish the assistant FPM position in late 2003."

The OIG reported that "(a)ll of the stakeholders claimed they would have opposed this personnel policy had they been consulted." The report also acknowledged that "(t)he union had expressed concerns [to Congress] about the effect that the elimination of this position would have on detection of passport fraud."

## **Contract Amendments on Intranet**

The July 3, 2001 contract has been amended a number of times over the last four years, and those changes have now been added to the "PDF" version of the contract that is linked on the Passport Services Intranet. The amendments are to the following portions of the contract: Article 8, Section 3 (list of dues-paying members sent to Union every 2 weeks); Article 9, Section 5b (representational emails under 5 minutes will be treated the same as phone calls); Article 29, Section 4c and Appendix A (the elimination of Flexiplace); Article 7, Section 5 (new Union officer structure); and Article 29, Section 1 (FLSA Settlement language). In the PDF version, these changes can be found on pages 74 - 77.

## **Unfair Labor Practice charge fights retaliation for Union activity**

Local 1998 Chief Steward Rob Arnold filed an Unfair Labor Practice (ULP) charge against Management on behalf of a Union representative. A Management official had cancelled a training course that the representative had already received approval to attend. The Manager claimed that Personnel had cancelled the course, while Personnel explained that it was the Manager.

The finger pointing went on for some time until the Manager's last day in the office, when he admitted to the Union rep that he had been responsible for the course cancellation and connected that decision to the representative's Union activity, which is a violation of the law. The ULP charge was investigated by the Federal Labor Relations Authority (FLRA), which has indicated that it will dismiss this complaint. If that happens, the Union will appeal.

## **Grievance contests hostile work environment for PPT employee**

In April 2005, the Union successfully resolved a problem for a Passport Services employee who was undergoing continual harassment. Chief Steward Rob Arnold filed a Formal Step 1 Grievance in March, citing violations of Article 6 of the contract (including the right of the employee to be treated with dignity and respect). Management responded by quickly taking steps to solve the problem.

## **FLRA denies ULP re changing working conditions at Seattle Passport Agency**

The Union filed a ULP charge over Management's decision to eliminate the doorway most widely used by employees at the Seattle Passport Agency - without providing the union the opportunity to negotiate. The FLRA dismissed the ULP as "de minimus" (too trivial). On August 1, 2005 the Union filed an appeal to this dismissal, since the change negatively impacts employees' ability to exit the office on breaks, at the end of the day, and in emergencies. During evacuations, or evacuation drills, employees who have difficulty walking now have further to go to reach the stairs, and the fire extinguisher is further away for most employees. In addition, employees "under the gun" to make the quota now have to walk further to make copies.