

Issue #22



March 2012



Local 1998 Address:

PO Box 2221
Seattle, WA 98111

Website:

www.nffe1998.org

One Voice, Union Strong

Local 1998 of the National Federation of Federal Employees, IMAAW, AFL-CIO

Representing the employees of Passport Services, a division of the Department of State's Bureau of Consular Affairs, since Oct. 19, 1981

Union Disputes Fairness of Agency Notational System

Local 1998 and Passport Services settled a longstanding dispute before an arbitrator on February 8th. The issue at stake was the notational system the agency introduced in 2010 and then proceeded to use for the 2011 rating period. It was the first arbitration hearing between the two parties since 2009, but the second adversarial hearing in the last three months, since the ID-related changes in mid-2010 were recently the subject of an FLRA hearing.

Local 1998 President Rob Arnold and NFFE General Counsel Stefan Sutich argued the case against several Department of State attorneys. Arnold, Vice President Boyd Hinton, Chief Steward Sue Lagle, and three NFFE Union Senior Stewards—Helen Bechard (NPC), Melissa Toby (WN), and Joel Warne (WPC) — gave testimony at the hearing. The hearing lasted for two days and was presided over by arbitrator Jerome Ross. Ross sided (mostly) with Local 1998 several years ago, during a dispute over whether Passport Specialists should have non-productive time figured into their production standards while working overtime.

Transcripts of the hearing will be available to the Union and Agency in about three weeks, after which they both will submit written briefs that spell out their subjective summarization of the hearing and testimony. The official decision on the arbitration hearing should come in approximately three months.



Local 1998 representatives Joel Warne, Helen Bechard and Rob Arnold (standing) at Passport Headquarters for the notational hearing

Employees Win Fight to Become Part of Bargaining Unit



Local 1998 is pleased to announce an addition to its bargaining unit. The eight Paralegal Specialists of the Office of Legal Affairs and Law Enforcement Liaison, whose jobs largely involve answering Freedom of Information Act requests for passport information, were considered outside the bargaining unit (essentially, part of Management) at this time last year.

Local agency Management implemented changes to office procedures in 2011 that negatively impacted the employees, prompting some to look into their representational status.

Law Enforcement employees Michael McPherson and Gerald Moore began investigating. They noticed discrepancies in their employee position description, classifying them as professional employees in one section and not in another. Overall, McPherson and Moore felt the record indicated the employees merit union representation. They brought their findings to Human Resources. HR investigated the matter and agreed that the office employees were eligible for representational coverage by Local 1998.

The addition is good news for many reasons, one being that it broadens the variety of assignments and level of expertise our bargaining unit provides. Welcome to the BUE!

2012 Local Officer Positions Filled

Per Local 1998 bylaws, most national officers are elected by the members, but some serve by appointment. The Chief Steward, Webmaster, Educator, Communicator, Editor, and local Union Stewards are appointed and then ratified by the Executive Board.

The NFFE merger with IAMAW resulted in new officer positions that the Local had never contemplated before. Two such never-filled posts are now finally occupied. The Educator and Communicator positions have been filled by WPC Senior Steward Joel Warne and Atlanta Senior Steward Ana Mercado, respectively.

In Warne's role as Educator, he will administer the quizzes that your local stewards have come to know and love (if only deep in their subconscious). The quizzes are actually very important since they help keep the officers well-versed on the Master Agreement and other sources that are vital to supporting BUE locally.

As the new Communicator, Ana Mercado will be working on newsletters. Stories from BUE all over the country remind us that while we are separated by many miles, we are still one voice and one organization.

We are also glad to have Atlanta Steward Amanda Booher back in the Trustee position. Trustees primarily serve as backups for the main national officers in case of emergency. None of these positions receive any regular official time for whatever internal union business they perform, yet all three individuals quickly volunteered to serve. We are grateful to them for the additional workload they have agreed to take on.



FLRA Assists Union With Settlement Agreement

The Federal Labor Relations Authority (FLRA) recently found merit in the Union's 2011 Unfair Labor Practice (ULP) charge. The ULP accused the Agency of failing to respond to three Union proposals. The proposals pertained to additional adjudicative tasks added after the numerical production standard was established.

The FLRA drafted a Settlement Agreement which required the Agency to respond to the Union's proposal within 15 days. The Agency maintains that it fulfilled the requirements of the Settlement by responding back that the Union's proposals were already covered by wording in the contract, and thus not eligible for further negotiation. The Union is questioning this response, and considering seeking FLRA intervention to enforce the settlement.

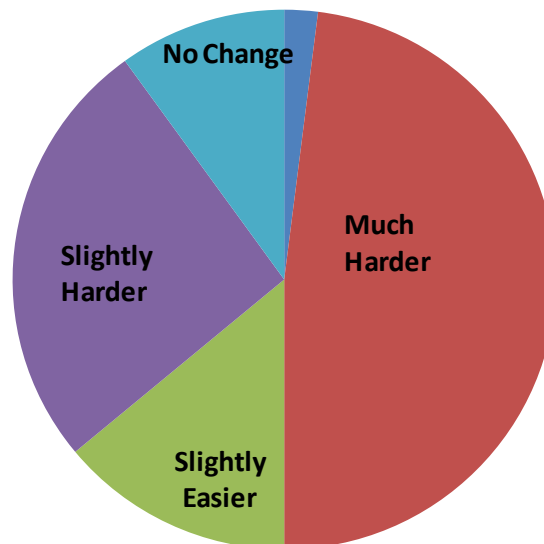
Unfair Labor Practice Charges Filed Against Passport Services

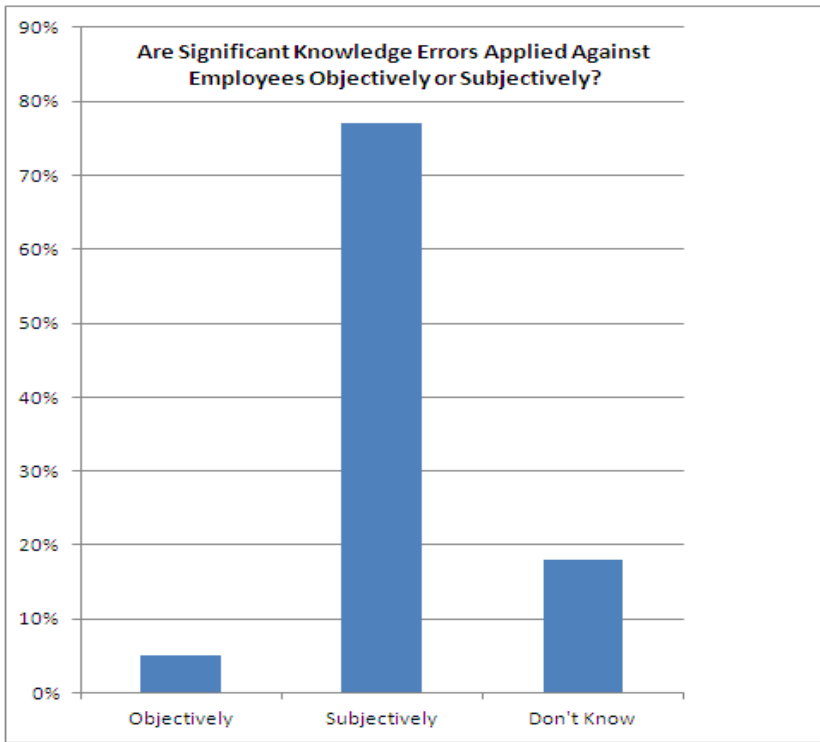
Local 1998 currently has multiple Unfair Labor Practice charges pending with the FLRA. These concern Management actions at NPC, WPC, WN, and our newest location, the Office of Legal Affairs.

The subjects of the charges include failing/refusing to negotiate changes in working conditions, unilateral implementation of such changes, failing to respond to the union's information requests, and discouraging remarks allegedly made by managers regarding union membership. All these charges are currently under FLRA investigation.

Ironically, notice that the FLRA was about to file charges for the agency's refusal to turn over 2010 employee performance data arrived on the same day that the 2010 notational system was being disputed at arbitration. Stay tuned to learn about the FLRA's decision, when we'll hear if the Agency has been found to have committed violations of U.S. Statue and what the redress will be.

Overall Impact of 2012 Changes to Passport Specialists





One question concerned Passport Specialists' then-current speed in working applicant response cases. The most frequent answer was five applications per hour (chosen by 25% of respondents), followed closely by four per hour (20% chose this). The new standard is double that: seven to eight per hour.

Overall, those polled did not have confidence in the results of the agency's 2011 Time and Motion study. The most often cited concern was that the study did not observe a large enough sample of work to produce statistically-valid results.

The survey attempted to identify the impact of the 2012 changes on likelihood of detecting future GAO sting cases. 42% of responding employees stated that new changes in the standards would have no effect on their ability to detect GAO cases; 38% felt that any success in detecting GAO cases would come in spite of the agency's changes, and 19% felt the agency's adjudication changes would contribute towards stopping GAO fraud cases.

The Union will use all the information gathered to share the bargaining unit's feedback with Management.

Employees Sound Off in Year-end Union Survey

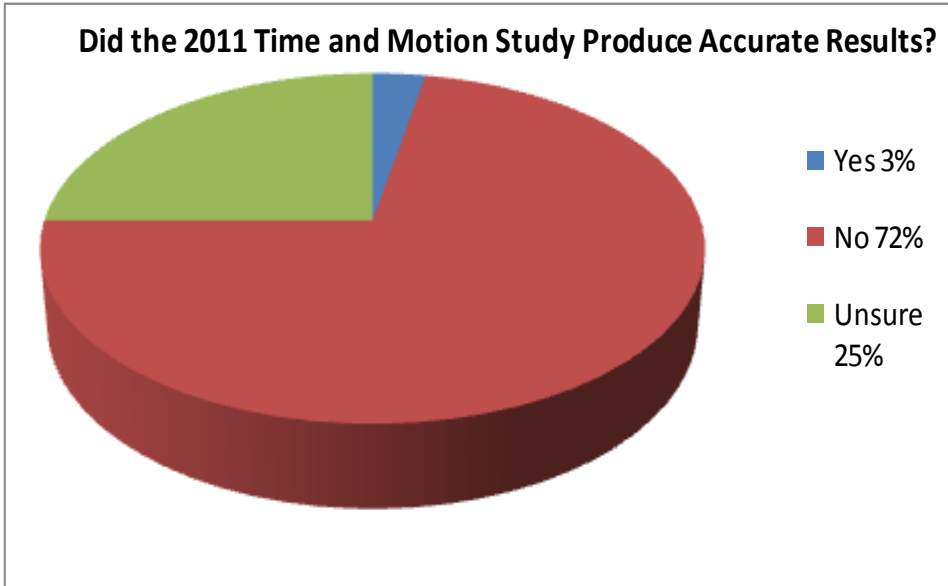
During December 2011, Local 1998 surveyed all 1,100 bargaining unit employees. Many of the questions addressed the changes announced for the Passport Specialist 2012 performance standards.

Of the questions pertaining specifically to non-specialists, the most noteworthy collective response came on willingness to relocate across the country for a Passport Specialist vacancy. Fourteen percent of non-specialists indicated a willingness to transfer for such a vacancy. Since many non-specialists already earn as much, if not more, than the passport specialist position pays, 14% seems to represent a considerable level of interest.

Asked about the fairness of the new production and notation standards for Passport Specialists, 11% thought it was premature to offer an opinion, 61% believed the new standards were too difficult to meet, and 26% thought the 2012 standards were reasonable.



1998 member Kathleen King's daughter Makayla models the latest in headgear



Official Time Issue Settled With Agency

Passport Services admitted Management was at fault when it denied Steward Joel Warne the ability to use work time to represent WPC employees. This initial denial came during a re-examining of workplace safety at WPC following a shooting outside the premises. The Senior Steward was out on paternity leave and Warne was attempting to cover for him during the absence.

The matter was set to go to hearing on February 22, but the two sides reached a settlement. The agency agreed to reimburse Warne for all the work he did on his personal time. The agency also agreed to remind managers nationwide of union officer right to cover for each other during absences



The Winpisinger Center, IAMAW's beautiful training facility in Placid Harbor, Maryland.



Happy Birthday to the FLRA!

Just over fifty years ago, on January 17, 1962, Federal employees first obtained the right to engage in collective bargaining through labor organizations when President John F. Kennedy issued Executive Order 10988, "Employee-Management Cooperation in the Federal Sector." This E.O. would lead to the creation of the FLRA. The President noted that, "The participation of employees in the formation and implementation of employee policy and procedures affecting them contributes to the effective conduct of public business."

E.O. 10988 gave Federal employees the right to join, form, or assist labor organizations. It established a three-tiered system of recognition: exclusive representation, formal recognition, and informal recognition. Agencies would be obligated to negotiate over terms and conditions of employment with the exclusive representative (the Union), and to allow it to attend formal meetings. The agency would also have to allow unions "to present to appropriate officials its views on matters of concern to its members."

For half a century, Federal labor-management relations has contributed in large measure to a high performing, dynamic and diverse public sector workforce and effective public business. Learn more at www.flra.gov.

IAM Presents Local With Rare Training Opportunity

One perpetual challenge for any union is getting new officers trained rapidly. With Local 1998 spread out across the nation, providing comprehensive training is a major hurdle.

The International Association of Machinists and Aerospace Workers has come to the Local's aid for 2012. IAMAW routinely allows space for 1998 officers at its Placid Harbor Training location. But this year, IAMAW is also hosting a weeklong course designed specifically for Lo-

cal 1998 stewards and officers.

Since individual locals seldom get courses exclusively for themselves, this represents a great opportunity. It allows Local 1998 to train most of its new officers in one fell swoop, and gives officers from across the nation the chance to interact in person. With the number of changes 2012 has ushered in, there's no better time for training that includes input from each passport region.

NFFE Local 1998 National Officers: President: Rob Arnold, Vice President: Boyd Hinton, Secretary-Treasurer: Michelle Salisbury, Chief Steward: Sue Lagle, Recording Secretary: Liza Escobar, Trustees Josue Trinidad-Perez, Paul Barton and Amanda Booher

Senior Stewards: Ana Mercado, Jeri Titus, Phyllis Cahill, Claude Scott, Corrina Davis, Tonya Aikens, Cheryl Miller, Butrina Tolbert, Lynette Frowner, Dominique Nowells, Jeffrey Grier, Debra Reese-Jolly, Andrew Woodford, Lee Wentz, Helen Bechard, Gil Yap, Will Davidson, Amaise Robinson, Michael McPherson and Melissa Toby.