



## **USDA Labor-Management Relations Update (LMRU)**

(Summer Issue - June-August 2003) No. 04-03

(August 6, 2003)

### **Mission**

*The Mission of the USDA Office of Human Resources Management Labor Relations program is to provide expert advice and assistance to all levels of USDA staff and management, especially Labor Relations practitioners, so they are better able to meet their LR obligations while accomplishing the program goals of their Mission Areas and Offices.*

### **Team Formed to Develop USDA Labor Relations Strategy**

Following interest expressed by the Deputy Secretary in identifying current labor relations issues within the Department earlier this year, the Assistant Secretary for Administration issued a letter to senior USDA managers reminding them of their labor relations obligations, and the need to develop a process for dealing with significant emerging issues. The memo also acknowledges the need to proceed with the development of a labor relations strategy for the Department, as contained in the USDA Human Capital Plan. A copy of the ASA May 27, 2003, memo is attached.

A team, under the leadership of Ruthie Jackson, OHRM Director, is being formed to develop a Departmental labor relations strategy. Team members will include representatives from the Office of General Counsel, Office of Communication, the USDA Administrative Advisory Council, and OHRM Labor Relations. The team is expected to develop a recommended strategy for approval by the Deputy Secretary by the end of 2003.

Reminder: The USDA Human Capital Plan also requires each USDA agency to develop their own labor relations strategy.

### **Labor Relations Guidance on Revised A-76 Circular Issued**

On May 29, 2003, the Office of Management and Budget (OMB) issued the much-anticipated revised A-76 Circular – *Performance of Commercial Activities*. The Circular contains a number of significant changes intended to improve and facilitate public-private competitions of commercial activities being performed by Federal employees. From a labor relations perspective, the competitive sourcing initiative has become the focus of intense union activity and scrutiny. Thus, when the revised Circular was issued for immediate implementation, it was only natural that questions related to management's duty to bargain over its contents would arise. Through a series of questions and answers, USDA Labor Relations has provided guidance to agencies on this sensitive subject. The

subject guidance was issued to agency labor relations officers on August 6, 2003, and posted to the USDA Labor Relations web site.

### Cross Cutting USDA Labor Relations Issues – Update

In an effort to provide readers an update on the previously identified significant issues facing the USDA LR community in 2003, the following table offers a summary of the most recent developments. Highlighted portions of the “Status” blocks in the table contain updated information since the previous LMRU.

<b>Project/Issue</b>	<b>Status</b>
<i>South Building Renovations</i> – strengthen USDA-Mission Area coordination to identify and resolve LR issues timely	USDA Office of Operations has provided update on Phase 3 of the renovation – affected Mission Areas notified – no significant LR issues reported
<i>Establishing a USDA LR strategy/protocol</i> – ensuring USDA’s LR strategy/protocol is developed giving appropriate consideration to Mission Area interests	<ul style="list-style-type: none"> <li>❑ ASA memo to agencies announcing OHRM-led team to develop USDA Strategy</li> <li>❑ USDA team being formed (See article above)</li> </ul>
<i>USDA LR services contract</i> – ensuring understanding and consistent use of the procedures of this new contract	<ul style="list-style-type: none"> <li>❑ BPAs have been established with three firms – information on BPA use has been distributed to Mission Area LROs.</li> <li>❑ To date, BPAs have not been used by Mission Areas – reason to be determined</li> </ul>
<i>Competitive Sourcing (CS)</i> – meeting LR obligations of CS consistently within USDA	<ul style="list-style-type: none"> <li>❑ Program Manager for LR is on the OCFO competitive sourcing team.</li> <li>❑ OHRM Guidance on implementing Revised A-76 Circular issued 8/6/03 (see article above).</li> </ul>
<i>Pay equity for journey-level LR practitioners</i> – how to address the apparent pay disparity between LR positions in USDA and other agencies.	<ul style="list-style-type: none"> <li>❑ Task force formed and action plan developed (see article below).</li> </ul>
<i>OCIO Reorganization and the Field Service Agencies (FSA, NRCS, and RD)</i> – dealing with the potential representation issues associated with the planned reorganization.	<ul style="list-style-type: none"> <li>❑ Known as Service Center Agencies (SCA) IT Convergence. LR IT Team formed. Labor Relations Strategy and action plans developed to address key issues.</li> <li>❑ Implementation in progress. (See article below)</li> </ul>
<i>USDA Human Capital Plan implementation</i> – cooperatively identifying and resolving LR issues associated with	<ul style="list-style-type: none"> <li>❑ HC and AP are posted on the USDA OHRM website at</li> </ul>

<p>action strategies contained in the Plan (Note: The USDA Human Capital Plan contains the Department's Human Capital goals for the next 5 years, in response to assessment and accountability guidelines set forth in the President's Management Agenda for Human Capital Management.)</p>	<p><a href="http://www.usda.gov/da/employ.html">http://www.usda.gov/da/employ.html</a></p> <ul style="list-style-type: none"> <li>□ Team formed to develop automated labor relations tracking and reporting system.</li> <li>□ Feedback from Mission Areas on objectives for the tracking system received and assessed.</li> <li>□ Team to develop USDA LR strategy being formed.</li> </ul>
---	--

### **LR Issues abound in SCA IT Convergence**

For those not familiar with this initiative, “SCA” stands for Service Center Agencies (i.e. Rural Development, Farm Service Agency and Natural Resources Conservation Agency). The acronym “IT” doesn’t need a translation, but the term “convergence” does. What is occurring in the SCA IT Convergence is the creation of a new division within USDA Office of the Chief Information Officer to perform IT infrastructure support for the SCA, and the reassignment of about 650 SCA IT employees into the new organization. OCIO is not organized. So what’s the LR concern? There are 4 labor organizations and 30 bargaining units who represent IT employees in the SCA. Needless-to-say, there will be a significant and complex bargaining obligation to fulfill, and representational issues to address. Recognizing that “you can’t get there from here” without dealing with the SCA unions, OCIO has formed a LR IT Team to assist in mapping out how management can avoid the ditches along the IT convergence implementation road

The team, consisting of LR representatives from the SCA, OCIO and OHRM, has identified the key LR issues and developed an overall LR strategy that has been approved by the SCA agency administrators. Key to effective implementation of the strategy is a well-coordinated communication process with field level SCA managers the unions. Recently, the CIO and top SCA management officials, participated in a national teleconference with approximately 500 SCA managers, IT officials and union representatives, to explain the convergence process and address questions.

Note to LR practitioners outside the SCA: Before you start saying, “I’m glad it’s not me having to deal with this situation”, it’s only a matter of time when you’ll get the opportunity to guide your managers through a significant reorganization. This initiative may prove to be a good learning experience for those of you on the sidelines observing.

### **USDA Labor-Management Relations Training Gets Two Thumbs Up**

The Office of Human Resources Management, in cooperation with senior labor relations staff from several Mission Areas, conducted a five-day course: *Labor-Management Relations for Human Resources Practitioners*, June 9-13, 2003 in Washington DC. Feedback from the twenty-one labor relations and human resources specialists who completed the training was very favorable. On a five-point scale, with 5 being excellent,

the session received an overall assessment of 4.66 by the participants. The course was developed as a means to provide basic labor relations competencies to USDA employees with significant labor relations responsibilities. Students from six mission areas and two staff offices attended. Special thanks goes to Debra Donnelly, FSA Labor Relations Officer who was an instructor and served as host at the FSA L Street training facility. Thanks also go to the other USDA instructors: Jonathan Theodule (FSIS), Mike Stein (FSIS, now FSA), Vicki Hanbury (ARS), Becky Cash (RD), and Pete Rockx (OHRM). The next offering of this course will be November 17-21, 2003, in Washington D.C.

### **Action Plan Developed for USDA Labor Relations Pay Equity Project**

In response to the USDA Labor Relations Officer-identified issue of how to better recruit and retain labor relations specialists in USDA, a team of senior Mission Area LR specialists was formed to develop a plan to address the problem. After several meetings, the team agreed upon a plan consisting of five components;

- A process to assess LR attrition,
- An analysis of LR position classifications outside USDA,
- Determining how to link LR recruitment and retention needs to actions contained in the USDA Human Capital Plan,
- Promoting periodic meetings of USDA LR specialists Department wide, and
- Fostering more networking amongst LR specialists in USDA.

The team is now beginning the implementation phase of this project. Team members include: Noreen Joice (FSA-KC), Cheryl Dunham (FSIS), Mike Stein (FSA-DC), and Pete Rockx (OHRM).

### ***Labor and Employee Relations Update Subscription Renewed***

Since August 2001, USDA-OHRM has been underwriting a Department-wide e-subscription to the *LER Update* as a service primarily for USDA labor and employee relations practitioners. We're excited to report that in spite of another tight budget year, OHRM has again come up with the funds to renew the subscription through July 2004. New issues of the *Update* are available at the beginning of each month at <http://www.fpmi.com/login.shtml>.

The USDA LMRU is issued periodically by the USDA Office of Human Resources Management's (OHRM) Program, Policy and Partnership Division as a method and means to highlight significant events occurring in the federal Labor Relations profession within the Department. It will also contain what we believe to be useful LMR information received by the USDA from other federal agencies and outside sources that may not be readily available to the Mission Area Labor Relations community. Readers are encouraged to submit questions, suggested topics and LMR news to improve the utility of the LMRU. Queries and comments should be sent to [pete.rockx@usda.gov](mailto:pete.rockx@usda.gov).

For more information about the USDA Labor Relations Program, visit our website at <http://www.usda.gov/da/employ/LR.htm>

TO: Under and Assistant Secretaries  
Staff Office and Agency Heads

May 27, 2003

FROM: Lou Gallegos /s/ John Surina (for)  
Assistant Secretary for Administration

SUBJECT: Labor Relations Issues

The Deputy Secretary recently asked me to offer recommendations on how the subcabinet might better address new and emerging labor relations issues. With the implementation of the President's Management Agenda and workforce restructuring, we must all work together to ensure that management issues are approached strategically and that we comply with the applicable laws and procedures.

As most of you are aware, the basis for labor relations in the Federal government, including USDA, is found in the Federal Services Labor Management Relations Statute (FSLMRS), 5 U.S.C. Sections 7101-7135, regulations issued by the Federal Labor Relations Authority, and in case law. Authority to exercise the various rights and obligations under the FSLMRS and regulations flows from the Secretary of Agriculture to the Assistant Secretary for Administration (ASA) and, in turn, is delegated to management officials within USDA. Our USDA Labor Management Policy can be found in Departmental Regulation 4070-711, Labor Relations, dated February 21, 2002.

Based on recent recommendations received from Mission Areas and staff offices, I believe that we need a better mechanism to identify and address labor issues having implications across the Department. We also need to proceed in developing a Departmental labor relations strategy as required in our USDA Human Capital Plan. Current initiatives with significant labor-management relations impacts include competitive sourcing and the convergence of information technology functions in the service center agencies. To effectively address the labor relations implications of these initiatives, I have asked Ruthie Jackson, Director of the Office of Human Resources Management, to establish and head up a team of selected mission area and staff office managers, and Labor Relations staff.

In carrying out their assignments, the team will be expected to establish effective communication linkages with appropriate USDA Offices having lead responsibilities for cross-cutting programs (e.g. OCFO and OCIO), and periodically brief me on their activities. They will also draft the Department's labor relations strategic plan.

If there are any issues that you believe are broader than the scope of this team's charge and need to be discussed with Clyde Thompson or me, we can be reached at 720-3291.