



## USDA Labor-Management Relations Update (LMRU)

(May-June 2002 Issue) No. 03-02

(June 10, 2002)

### Mission

The Mission of the USDA 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.

### Competitive Sourcing Update

Since the last LMRU in April 2002, there have been several developments in the Competitive Sourcing program at USDA. The Secretary has submitted USDA's competitive sourcing plan to the Office of Management and Budget for review. Also, national consultation notice has been provided to both AFGE and NFFE. On June 4, 2002, the Office of Human Resources Management issued a memo to Mission Area Personnel Officers transmitting a set of questions and answers on the competitive sourcing for employees. The memo requested that the Q&As be shared with labor organizations at the level of recognition prior to being distributed. The Q&As, along with other information can be found on the USDA OCFO web site at <http://www.usda.gov/ocfo/>.

In its national consultation notice to AFGE and NFFE, the USDA made it clear that the plan submitted to OMB was a working document and was subject to change as Mission Areas begin to closely examine designated functions for competitive cost comparison studies. USDA also expressed an ongoing commitment to working with Unions representing USDA employees to ensure information is shared and appropriate involvement takes place. LR Guidance on competitive sourcing may be found on the USDA LR web site at <http://www.usda.gov/da/employ/LR.htm>. A recent FLRA ULP case involving Union information requests for A-76 data may also be instructive. Case cite is *Department of the Army, Headquarters, Fort Monroe, Virginia and National Association of Government Employees, Local R4-11, SEIU, AFL-CIO*, WA-CA-00395, May 25, 2002, 57 FLRA 176. Also, those of you in the DC area may want to mark your calendars for July 23, 2002, to attend a day-long conference sponsored by the Office of Federal Procurement Policy and Procurement Executives Council on human resources considerations related to competitive sourcing. Labor relations topics will be addressed. The conference will be at the Department of Interior's auditorium on C Street NW. Additional information will be available on the Procurement Executive Council's web site at [www.pec.gov](http://www.pec.gov).

**Core Value #1.** All customers, whether Management or Union officials, are treated with respect as demonstrated through actions that are responsive and thorough.

## **USDA Departmental Administration/OHRM and General Counsel Protocol Signed**

As a means to provide a common protocol for Human Resources offices within the Department to obtain litigation assistance from the Office of General Counsel, Assistant Secretary for Administration Lou Gallegos and General Counsel Nancy Bryson approved an inter-office working arrangement on May 16, 2002. This joint OHRM-OGC document contains a listing of the types of labor-management proceedings OGC assistance may be obtained, procedures for requesting OGC assistance, and the criteria OGC will use in responding to requests. The Protocol is intended to meet a number of OGC and Human Resource Management interests including: consistent access to litigation expertise, enhanced protection of the Department in LR litigation, wise allocation of limited OGC resources, and providing development opportunities to USDA practitioners in employment law. The protocol is posted on the USDA LR web site at <http://www.usda.gov/da/employ/OGC%20-%20OHRM%20Protocol.pdf>.

## **Interagency Labor Relations Forum (ILRF) Events**

The May meeting of the ILRF featured a panel presentation from three Union officials representing NTEU, AFSCME and AFGE, who offered their perspective on the state of Federal labor relations. Not surprising, all three expressed concerns on national security exclusions (i.e., those at DOJ and how the Administration may use this exclusion in the future), competitive sourcing (and their support for TRAC Act legislation to hold it in check), and Federal pay/benefits issues (particularly the need for pay reform). None of the Unions thought Senate Bill 2383 (Workplace Integrity Act of 2002) that places a cap on the amount of official time used by union officials would be enacted.

Interestingly, AFGE shared what appeared to be significant refocusing of their priorities as a labor organization regarding collective bargaining. Future focus will be on eliminating bargaining inefficiency through such actions as; not repeating law and regulation in contracts, focusing on what's best for employees, and moving more quickly to bargain new contracts (versus trying to bargain the ideal agreement the first time). AFGE also plans to place greater emphasis on training, political action, and labor relations collaboration.

**Core Value #2.** In all matters, the law will be upheld and the truth will be told

The ILRF has embarked on a developing a basic labor relations training course for practitioners, much like a similar effort underway within USDA. A planning team of representatives from several Federal agencies including the USDA is currently working on a course outline for the 4-day session that has tentatively been scheduled for the week of October 21 in DC. Stay tuned.

Another ILRF project under development is an ILRF web site. When brought on line, the site will feature Forum information, training resources and an access-controlled issue dialogue section.

### **FMCS – Contract Bargaining Mediation Services and a Whole Lot More**

On May 10, the Federal Mediation and Conciliation Service’s Northeast Region sponsored a mini conference showcasing a number of their services. In the years since 1947 when the FMCS was established, its role has expanded to include providing such services as LR training on improving organizational effectiveness, ADR and peer mediation systems to prevent youth violence. FMCS costs are free for negotiation assistance and \$85 per instructor hour for training services plus any travel costs.

One program of significant potential benefit to the LR community for group problem solving or decision-making is the Technology Assisted Group Solutions (TAGS) program. TAGS uses specially developed software and either FMCS-furnished laptops connected by a wireless server (for face-to-face meetings) or PCs from participants’ duty stations (via the internet) to facilitate the formulation, prioritization and documentation of ideas and solutions to issues. FMCS sets up and facilitates TAGS meetings on site or remotely. TAGS has been successfully used in both negotiations and negotiation planning meetings. For more information on this impressive tool and other FMCS services, visit the FMCS website at <http://www.fmcs.gov/>.

### **Good News! OHRM to Continue Subscription to the LER Update**

Those of you who subscribe to magazines or belong to professional organizations probably don’t relish receiving those annual “time to renew” or “member dues” notices. Here’s one renewal notice you’ll not get. Due to your response in the first year to the e-subscription of the Labor and Employee Relations Update, our Acting Director has agreed to renew our subscription for another year. This means USDA employees will continue to have access to this monthly publication beyond July 2002, when our current subscription is due to expire. You might ask; *how can I express appreciation for this service?* The answer: *use it* and encourage others (including your managerial contacts) to use it. You’ll be notified if there is any change to the access site’s password and id.

<p><b>Core Value #3.</b> Issues will be examined from the perspective of all parties before decisions are made or recommendations offered.</p>
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### **At OPM – A LAIRS Make Over – Check it Out!**

At the June 2002 meeting of the Human Resources Management Council Network on Labor Relations, OPM’s Director for Labor-Management Relations announced that their LAIRS web site had been revamped and updated with a number of new items, including updated Union Recognition data and other current topics like competitive sourcing. OPM

plans to add LR training resources, as well as continue to post case highlights and collective bargaining agreements sent to them from Federal agencies. Check it out at <http://www.opm.gov/lmr/lairs.html>.

**Core Value #4.** There is no substitute for excellence – what is done will be done with excellence.

**New Labor Relations Officer at APHIS**

In May 2002, Thomas J. Valenti joined the USDA-APHIS team by becoming their new LRO. Tom comes to USDA from the Postal Service where he was a senior Labor Specialist for many years. Contact information for Tom is on the updated LRO roster located at <http://www.usda.gov/da/employ/LRORoster.pdf>.

**Next USDA LRO Meeting – June 25, 2002**

The next quarterly USDA Labor Relations Officers meeting will begin at 1:30pm in Room 0348 of the South Agricultural meeting. Ray Fisher from OPPM will be presenting an over view of contracting procedures for obtaining LR services. An agenda will be distributed prior to the meeting.

**Core Value # 5.** When errors are made, the affected parties will be advised and an attempt made to remedy the situation expeditiously. Preventative measures will be identified and put in place.

**Core Value #6.** Communication will be done in a relevant way – using current technology when appropriate - for the purpose of facilitating program understanding, work facilitation and improved staff relationships.

**Core Value #7.** Risk taking in furthering the LR Mission is essential to program success.

**Core Value #8.** Operating collaboratively is preferred over being compliance oriented.

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 [peter.rockx@usda.gov](mailto:peter.rockx@usda.gov).