



NTEU Chapter 49

Representing most employees of the Internal Revenue Service in
the state of Indiana

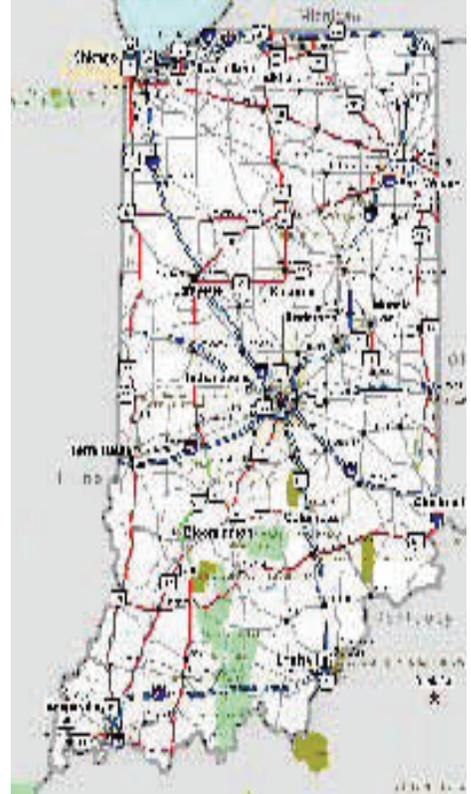
September 2014

CHAPTER PRESIDENT'S CORNER

By

Duncan Giles

President NTEU Chapter 49



On this & that.....

Well, as summer starts to end and temperatures start to cool, so are the chances of us getting an agreement anytime soon on the mid term replacement of our national agreement. Management at the table, not being happy with a give & take style of bargaining, has really gone for this - the "If I'm not getting my way I'll kick over the table" method. Management has not been happy with NTEU's offers or the fact-finders recommendations. Management wants the Federal Services Impasse Panel (FSIP), the body empowered under the law to settle these issues, to impose an agreement. This process could take several months to resolve if the FSIP agrees they have legal jurisdiction. FSIP could also turn the dispute back to the IRS & NTEU for continued discussions.
(Cont. Pg. 2)

PRESIDENT

DUNCAN GILES

VICE PRESIDENT

SUSAN WRIGHT

TREASURER

SCOTT CARDER

SECRETARY

GAIL GROVES

PRESIDENT'S CORNER

(Cont.)

Make no mistake here. Management at the table wants to strip away rights of employees & NTEU. IRS managers want more freedom to:

- Rein in the representation you get
- Determine whether or not you get an award
- Have even more flexibility in choosing who managers want for promotions & internal hires.

In other words, IRS wants to roll back many of the employee rights and benefits we as a union have fought to win and preserve for you. IRS wants to make everything much more subjective & not objective. If you want to know how well this works, ask your manager if the decisions on how management personnel qualify for awards are done in a fair manner. I'm betting the majority will look at you like you are crazy. We don't want to go down that same road filled with gigantic potholes.

NTEU is continuing to address this on many different fronts & we'll let you know when something develops. In the meantime, the 2012 National Agreement is still in force.

Speaking of Awards, I don't ever believe you should be playing around with people's money. If employees have earned it, pay them! Management at the national level, however, has a different agenda. IRS wants to delay award payments as much as possible. The awards will not be coming out at the end of the month. We know that the cash will be coming out but not when. NTEU has been consistent in the "pay them as soon as possible" position.

Management's take is to delay award payouts as long as possible. Management again served notice on NTEU of IRS' intention to reduce the total amount going towards awards from 1.75% of total salary, to 0.96% this year. The wrangling on this has gone on quite a long time. We are now at the point that NTEU wants the awards paid out by the end of the calendar year. Management says they haven't even run the pools yet to see who qualifies & that will take them a couple months. Management, last I heard, was proposing to pay this year's awards sometime in February or March of next year. For those that qualify for QSIs, our newsletter writer & webmaster Larry Lannan covers a recent Arbitrator's decision about this elsewhere in this issue.

As always, as soon as we know something, we will let you know.

On another front....communication is still a big issue for the IRS. The Commissioner is very plain spoken & does a very good job of getting his message out in clear terms. The rest of the organization is not so communicative. A great example of this was the recent news from W& I. The Call Sites announced they would be converting 1000 seasonal employees over to perm status. That is good news, but by not communicating how IRS determined who gets the perm hires & how that selection was done, it created a lot of needless anxiety all over the country. (Cont., Pg 3)

President's Corner (Cont.)

Management should have simply said this - we would like to keep a ratio of approximately 54% perm employees in each site & the Service Centers have the biggest group of seasonal workers. The centers will be getting 85% of these conversions. That sort of clear communication would not create false hope. Indianapolis was one of the seven sites (out of 26) across the US that did not get any seasonal employees converted to permanent. So, understandably, with no solid information, rumors swirled. The big one was that Indy's call center was going to close. There was no solid information behind that rumor. It was just conjecture. But due to the fact the Service failed to effectively communicate with employees that NO Call Sites were closing, it created unneeded angst for awhile. Whenever I speak to executives, I'm ALWAYS emphasizing this - let your employees know what is going on, good or bad. Hopefully the Commissioner will get his way & will be able to improve this.

Lastly, it is Labor recognition week. I want to let each & every one of you know all the hard work & great effort you put into your work is appreciated. ALL of you are helping the American public and on behalf of NTEU, Chapter 49 & especially myself I want to say THANK YOU!

That's it for now. .

NTEU URGES CONGRESS TO PASS BILL FOR DISABLED VETS IN THE FEDERAL WORKFORCE

NTEU has called for swift congressional approval of a measure which would provide disabled veterans newly-hired by the federal government with immediate access to sick leave.

In a letter to the bill's sponsor, Rep. Stephen Lynch (D-Mass.), President Colleen M. Kelley of the National Treasury Employees Union (NTEU) pledged the union's efforts for prompt passage of H.R. 5229, the Wounded Warriors Federal Leave Act. The bill is scheduled for markup soon by the House Oversight and Government Reform Committee.

GOVERNMENT SHUT-DOWN MAY BE AVERTED—FOR NOW

As we publish, congress is debating a continuing resolution, which will fund government agencies at last year's levels until after the 204 November elections. Supposedly, lawmakers must then pass funding legislations for government agencies to operate the remainder of the fiscal year (September 30, 2015).

The House is pushing for a bill to drastically cut IRS funding. The Senate measure would fund the agency at or near the president's request for an increase in money.

Even if the continuing resolutions are passed, that just kicks the can down the road. At some point, budget bills must be passed by both houses of congress and signed by the president.



REMEMBERING 9/11

NTEU Chapter 49 members Melissa Giddings (left above) and Sally Ransom (right above) both attended the September 11th anniversary ceremony in downtown Indianapolis.

Giddings' aunt, Teri Maude, helped Indianapolis Mayor Greg Ballard lay a wreath in honor of the victims of that terrorist attack. Maude is the widow of Lt. General Timothy Maude, who was killed in the Pentagon attack on September 11th, 2001.

The ceremony was held on the grounds of the Indianapolis 9/11 Memorial, located at 421 West Ohio St.

QUALITY STEP INCREASES: MEDIATOR/FACT-FINDER REFUSES TO GET INVOLVED

Mediators and fact-finders play a very important role in labor relations within the federal civil service. They get involved when management and a federal union cannot agree on contract language (see Duncan Giles commentary beginning on Page 1).

NTEU and IRS are having spats about a lot of things these days, but one brouhaha deals with Quality Step Increases (QSIs). Many years ago, studies found that IRS management was among the most miserly in the entire federal sector in handing out QSIs. That led to a National Agreement provision calling for a target for 10% of IRS employees to receive a QSI each year.

National Agreement Article 18, Section 2B4 grants either party a right to open the QSI program where the total number of employees who actually receive a QSI in any fiscal year is over 11% or below 9%. When the number of employees who received a QSI (or in lieu of QSI award) in FY 2012 was 15.4%, IRS opened the QSI program and the parties began negotiations in December 2013.

That's where things start to get a little strange. IRS and NTEU were unable to complete an agreement on QSIs in 2013, so both parties agreed to roll this issue into the mid-term bargaining set to begin a little later. In July of 2014, it became clear IRS was not serious about reaching a mid-term contract agreement and, as Duncan Giles explains in his piece beginning on page 1 of this newsletter, this contract will go to the third parties who will likely decide how the new contract will be worded.

IRS then realized the old National Agreement will be in place for a while and management doesn't like the QSI provision. IRS proposed resurrecting the QSI talks from last year and asked the person appointed as the mediator/fact-finder to resolve this dispute. NTEU objected, calling the IRS move piecemeal bargaining and an unfair labor practice.

On September 10th of this year, the neutral third party issued an interesting ruling. He has no legal jurisdiction to act in this case because he has no legal standing to get involved in an issue now tied-up in the mid-term National Agreement bargaining. As we mentioned before, that mid-term contract will go before the Federal Impasse Services Panel (FSIP). Who knows what will happen when it gets there.

But the QSI provisions in the current contract language will remain because the mediator/fact-finder has ruled he has no jurisdiction to resolve this dispute. That's good news for any of you hoping to get a QSI sometime soon.

It is very sad that IRS refuses to use the normal channels to reach agreement with NTEU. It appears this cycle of bargaining has resulted in management going to the wall on every issue.

In the QSI provision, management was too aggressive for its own good.

CSR CERTIFICATION: WE HAVE A SETTLEMENT

About a year ago, Accounts Management rolled out a certification process for Customer Service Reps (CSRs). Only one problem...NTEU was never notified and had no chance to bargain, as we are entitled to do under the law. The certification is a test that the agency administers to CSRs prior to the completion of on-the-job training. The test has been used as a performance standard and a justification for the reassignment of work .

NTEU and the IRS have reached a Settlement Agreement over the union's grievance. IRS Accounts Management has agreed that it will not use the test to certify employees and that the test will have no adverse impact on bargaining unit employees. Instead, the test will be used solely for purposes of identifying training needs at each stage of the certification process. In fact, employees do not have to perform successfully on the test to be certified to perform their work. Employees who perform successfully during live call monitoring and inventory review will be certified to perform their work.

STAY IN TOUCH WITH CHAPTER 49

If you have questions or concerns, always feel free to contact your favorite Chapter 49 union steward. Our Chief Steward is Pam Clayton. Follow us on Facebook at "[www.facebook.com/NTEU Chapter 49 Indiana](https://www.facebook.com/NTEU%20Chapter%2049%20Indiana)" and follow us on Twitter [@nteu49](https://twitter.com/nteu49). We update our Web site when there is news of interest at www.nteu49.org.

CHAPTER 49 STILL FORMING A LEGISLATIVE COMMITTEE

The NTEU Chapter 49 Legislative Committee is being formed and is set to have its first meeting in Early October. If you have an interest in dealing with our elected officials and their staff members, or you know someone that might be interested, contact NTEU Chapter 49 President Duncan Giles.