

October 11, 2018

M18-016

To: SPEEA Council Delegates

From: SPEEA Legislative and Public Affairs Committee

Subject: **PRESUBMITTED NEW BUSINESS:** Condemning the Current Administration's Executive Orders Attacking Federal Employees

### **Background**

Currently, federal employees, many of whom are represented by SPEEA's parent union IFPTE, are facing an extraordinary effort by the current administration to turn back the clock on decades of progress that has led to the United States' merit-based federal civil service system. The following three executive orders, issued by the current administration in May 2018, constitute a direct attack on the decades-old rights of federal workers to fair representation in the workplace:

#### **Executive Order #13837: Hamstring unions' ability to represent workers**

- Attempts to prevent union stewards from using official time to aid employees in preparing or pursuing grievances;
- Directs agencies to drastically reduce official time authorizations to 1 hour per bargaining unit employee per year, an attack designed to make it harder for union to help members;
- Cuts off access to agency office space for union officials carrying out their representational duties, making it harder to help workers.

#### **Executive Order #13836: Re-open collective bargaining agreements and then rush negotiations**

- Directs agencies to renegotiate collective bargaining agreements as soon as possible;
- Sets arbitrary timelines for the negotiation process which, when exceeded, will result in the unilateral imposition of terms by the agencies;
- Establishes a new bureaucracy called "The Labor Relations Group" that will dictate "one-size-fits-all" proposals to agencies engaged in bargaining; and
- Encourages agencies to engage in "take-it-or-leave-it" bargaining tactics inconsistent with agencies' good-faith bargaining obligations.

#### **Executive Order #13839: Fire first, ask questions never**

- Encourages agencies to abandon fairness concepts such as progressive discipline process;
- Encourages agencies to tailor different penalties for the same or similar offenses, ignoring established law;
- Directs the Office of Personnel Management to give performance appraisal more weight than seniority when an agency faces a reduction in force, creating great potential for unfairness; and
- Instructs agencies to take away unions' ability to grieve unfair removals from service or to challenge performance appraisals or awards at all.

For further information see the IFPTE website, and the following:

[Letter from 45 U.S. Senators opposing the current administration's executive orders](#)

[Statement from Washington 6<sup>th</sup> U.S. Congressional District Representative Derek Kilmer](#)

### **Motion**

It is moved that **THE SPEEA COUNCIL CONDEMNS THE CURRENT ADMINISTRATION'S EXECUTIVE ORDERS #13837, #13836 AND #13839 AS CONSTITUTING AN UNFAIR AND COUNTERPRODUCTIVE ATTACK ON FEDERAL WORKERS, INCLUDING OUR NEAREST UNION BROTHERS AND SISTERS IN OTHER IFPTE LOCALS.**

**The SPEEA L&PA Committee recommends approval of this action.**

**Pro:** Supporting IFPTE members and other Federal workers helps keep our parent International and the larger labor movement strong.

**Con:** SPEEA members are not directly impacted by these executive orders.

**Total affirmative vote must be a majority of all Council Representatives including those not present or not voting, excluding Council Representatives working in excess of 50 statute air miles from the meeting and are unable to attend.**