

## NTEU Chapter 73 News

**Shirley Porter**, NTEU73 Steward, represented an employee in Data Conversion regarding the fairness of the employee's annual appraisal.

Apparently, the employee's manager lowered one of the ratings on the appraisal without first counseling the employee. As a Data Conversion employee, the ratings on the annual appraisal are very important to this employee because they will help determine the employee's placement for release/recall.

Shirley argued that all employees have the right to counseling when performance needs to improve before the rating can be lowered.

Management agreed with Shirley. The employee's rating was raised to match the prior annual appraisal. It was determined, considering the higher rating, that the employee

should have been recalled to work one week sooner. The employee's return-to-duty date was changed and the employee is being compensated for the additional week.

Wow! Awesome job, Shirley! It really pays to be represented by a steward like you.

New NTEU73 steward, **Geoffrey Rash**, recently won a case regarding an employee's annual appraisal.

The manager lowered the employee's appraisal from 4.8 to 4.2 without previously counseling the employee, other than giving the employee his mid-year. The manager copied the appraisal from the prior year almost word for word. Other employees were given higher ratings in areas even though the narratives on their appraisals were the same as the employee being represented.

The grievance was filed by another steward within the 10 day deadline; however, it was ignored by the level two manager. After Geoffrey took the case, it was elevated to the level three manager. The grievance meeting was held almost 8 months after filing the initial grievance.

The determination to return the employee's rating to 4.8 was made two months after the meeting. The employee is due to receive his award within the next few weeks.

Congratulations on your win, Geoffrey! We are sure there will be many more victories in your future.

employee was accused of UNAX. The proposed disciplinary action was termination.

The employee almost did not pursue the oral reply because management had her convinced she would lose. After Tammy presented management with her oral reply, the disciplinary action was mitigated to a suspension.

In an email, the employee stated, "I was very impressed with the way my case was handled." Great job, Tammy!

NTEU Assistant Chief Steward, **Tina Wentz**, represented an employee regarding an issue with his Reasonable Accommodation (RA).

Tina met with the employee and the RA specialist. Tina is familiar with RA's on a working level because she has one, so she wanted to use her experience to make sure the employee was afforded every right under the contract and the law.

The employee said, "I felt a whole lot better just having someone else there that kinda knew about some things that have been going on. The union definitely came through for me today."

The RA specialist will contact management and NTEU will be ready for whatever the outcome will be. Jesse and Linda started with the ball and Tina caught it and ran with it across the finish line.

We can all feel a whole lot better knowing we have stewards like Tina, who are able to work as part of a team in order to uphold the contract and protect member's rights.

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**Tammy Rackley**, NTEU73 steward, recently presented an oral reply on an employee's behalf. The

# Straight from the President's Desk



By Jackie Huff,  
NTEU73 President

Last week I attended meetings with Cliff Jones, the new director of Innocent Spouse. I heard the new director address the concerns of the employees and heard his reactions to the employees of Innocent Spouse. All I could say after the meeting was the employees of Innocent Spouse need to read up on their contractual rights. They need to know when management is in violation of their rights, so they can come to the union to make sure it is addressed.

My first thought was this person worked for Author Murray Dance Studio the way he danced around the issues of the employees in the Focus Group he first attended. At this focus group meeting it was

discussed that the DI system being used was not working the way it should when dealing with the new F8857. It was mentioned that this could be a systemic problem; however, I also heard that the employees were getting errors. It was also mentioned if it was indeed a systemic problem there may not be any funds to fix it at this time. Remember, if there are systemic problems, errors should NOT be charged to the employee.

At the Town Hall meeting I had to quote the contract several times, especially when Vivian Fox indicated there will be changes in working conditions. I had to remind her that PRIOR to making changes, NTEU at the national level would need to be contacted. To the employees I would like to say, we have two stewards who have stepped up to the plate and volunteered to represent the BU employees in your building.

NTEU is not always there sitting in your team to make sure your rights are being upheld; therefore, it is up

to all of you to know what your rights are and to let us know when management is in violation of them, so it can be addressed per the timeframes of the contract. If we are not notified then we can not address them. If you are in fear of retaliation reprisals then you need to read article 5, section 1B, of the contract. Employees, YOU need to hold management responsible for their actions as they are holding YOU responsible for yours. There are no excuses for management and the BU employees to not know what their rights are under the contract. I can only hope that with your new director things will be handled in a manner consistent with the contract but if not, remember NTEU is not new to your area. We can and will address the contractual violations coming from your area.

Good luck and remember... Your contract is your rights. It is up to you to know what your rights are and up to the union to enforce it.

## ***The Force***

**“NTEU73’s Hard Hitting Newsletter”**

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***“To Organize Employees to Work Together To Ensure That Every Federal Employee Is Treated With Dignity and Respect.”***

# Mr. Rogers' Neighborhood

By Heather Phillips,  
NTEU73 Steward

The days are getting longer and there is warmth in the air. You begin to hear the sound of the crack of a baseball bat. Our email is giving us notice of the Great American Cleanup. The seasonal employees are in full force. All of these are sure signs of spring. We have made it through the dark days of winter, but not the dark days of management induced turmoil. If it is not the leave and AWOL issues then it is hostile work environments and privacy issues. However, the Director of Accounts Management has found a new avenue. He has gone into the sign business. He has erected signs shaped like stop signs at both ends of the public hallway on the fifth floor that runs in front of the offices. On those signs he has posted no cell phones, no loud talking, but you can walk; at least until he figures out how people can hover above the carpet. Mr. Rogers this is not a beautiful day

in the neighborhood!

This brings several issues immediately to mind. Never before have such restrictions been placed on people who are in the common hallways. Management tells employees that they are not to talk on their cell phones in the work area or classrooms but to go to the halls. Who is the voice level policeman to determine loud talking? What if someone is a heavy walker, are they going to be made to take their shoes off?

On March 18<sup>th</sup>, this reporter confronted Mr. Rogers over these signs. Mr. Rogers stated that the common hallway in question is now part of the workspace. Funny, no one at the Union offices remembers negotiating this. Maybe Mr. Rogers had a dream that he negotiated that space. When asked about the employees direction to use their cell phones in the hallways, Mr. Rogers stated let them go to the canteen. A little like let them eat cake, don't you think?

Mr. Rogers told another steward that the noise was coming into his office disturbing him. Maybe he needs music piped into his office; like the Brahms Lullaby.

The union has filed an institutional grievance alleging an Unfair Labor Practice over management's failure to negotiate. Some may think that this is a small matter and much to do about nothing. We don't. Anytime the employee's or the union's rights are violated it is never a small matter and we can never make too much out of it.



## Writers Wanted

Do you have writing skills?

Do you have information that is newsworthy?

Submit your article to **The Force**.

If your article is accepted, we will print it with or without your name attached; your choice.

Email your submission to [NTEU73mailbox@aol.com](mailto:NTEU73mailbox@aol.com) or bring it to the Union office. Identify it as "article for The Force" **The Force** reserves the right to edit all articles it prints.

## NTEU73 Union Office Hours

### Fourth Street Office

Monday—Friday 6:00 A.M.—1:00 A.M.  
(859) 669-5370

### Gateway Center Office Room 511

Monday—Friday 6:00 A.M.—4:00 P.M. & 7:30 P.M.—11:00 P.M.  
(859) 669-5700

### Industrial Road Retention Center

Monday—Friday 12:30 P.M.—2:30 P.M.  
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**Not a Union member?**  
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# NTEU Member Benefits

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Reach your savings goals quicker with preferred employee interest rates.

As a member of NTEU, you qualify for preferred interest rates on a number of savings products from MetLife Bank.

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For additional details NTEU member should log on with their username and password to the NTEU website, [www.nteu.org](http://www.nteu.org), and click on the Member Benefits section or call (800) 438-6388.

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# Hostile Work Environments on the Rise!

By Hansford (Dwight) Cornett,

NTEU73 Steward

Tough times, less products for the same money, higher gas prices and less pocket money makes everyone uneasy and tense. Sometimes these tensions get released in the work place. Sometimes they are encouraged or allowed to smolder in the work place with management's full knowledge.

Do you have a Gestapo type manager from Hitler's reign of terror, a manager that is just slow to pick up on what is going on in a team, a department or an operation, or a manager who just knows this is going on and does nothing about it? All of these could be true in today's management reign.

Does your manager:

- Openly talk about other employees to you or in front of other?
- Ignore conflicts between two or more employees when they occur?
- Pick on one or more employees in your team?
- Have favorites they choose for all of their pet projects?

If any of these situations are occurring in your area, you may want to know these activities are illegal and, for the most part, are covered in the National Agreement.

## Recruit New Members

### From November 1 to April 30th

<b>First Place:</b>	<b>\$500.00</b>	<b>at least 25 1187's.</b>
<b>Second Place:</b>	<b>\$400.00</b>	<b>at least 20 1187's</b>
<b>Third Place:</b>	<b>\$300.00</b>	<b>at least 15 1187's</b>



**Win!**  
**Win!**  
**Money!**

# IRS's Own Data Book Shows Again The Cost-Effectiveness of Its Employees

Washington, D.C.—A new report from the Internal Revenue Service (IRS) today sharply underscores the continuing cost-efficiency with which IRS employees perform their tax collection and other duties, the head of the union representing tens of thousands of agency employees said.

The annual IRS Data Book, released today, put the cost of collecting \$100 by IRS employees in 2007 at a mere 40 cents—a drop of two cents from the 42 cents-per-\$100 reported for the year before—further proof that the federal tax collection system is one of the most efficient in the United States.

“These numbers are a testament to the dedication and professionalism of IRS employees,” said President Colleen M. Kelley of the National Treasury Employees Union (NTEU). “They are particularly impressive in light of the anti-employee workplace environment generated over the past seven years by the actions and policies of this administration—and by continuing cuts in the IRS workforce.”

Other information in the Data Book confirms the staffing cuts; the total number of IRS employees at year-end 2007 was shown to be 86,638, down from 90,115 at the end of 2006. The 2007 totals also reflect reductions in the number of Revenue Officers and Revenue Agents—two groups of employees playing key roles in the critical collection and tax law enforcement functions.

Just yesterday, in testimony submitted to a House subcommittee reviewing the proposed IRS budget for the coming fiscal year, President Kelley called for a five-year hiring plan to rebuild the agency's depleted workforce to its pre-1996 levels.

An annual net increase of 3 percent over that period would result in about 2,600 positions per year, Kelley said, and would enable the IRS to deal effectively with a significantly increasing workload.

At the same time, she pointed to the Data Book numbers as additional support for NTEU's longstanding argument that the IRS's use of private tax collectors is a waste of taxpayer money. Under the program—the IRS recently extended two contracts—private collectors are paid a bounty of up to 24 percent of the money they collect.

The program has resulted in a net loss to the Treasury in its first year of \$50 million even as it has generated multiple taxpayer complaints and violations of their rights, just as NTEU and others predicted.

“The IRS operates one of the most cost-efficient tax collection systems in the world, yet this administration insists on forging ahead with its costly privatization scheme despite dismal financial results and ever-growing opposition,” President Kelley said.

## Retiring?

Employees retiring after the eligible cut-off date of June 30, of any year, who are eligible for a performance award will get the awards no matter when they retire; however, they will receive it at the same time as everyone else, in September.

## Inclement Weather

One employee stopped by the union office to see what NTEU Chapter 73 has been doing for the employees who are being charged AWOL because they missed work due to inclement weather.

Assistant Chief Steward, **Tina Wentz**, told the employee, “Chapter 73 has filed a Mass Grievance regarding this issue. We have several Mass Grievances regarding inclement weather and how management has not afforded the employees the common courtesy of using liberal leave or giving administrative leave. This issue is being addressed. We are waiting for a response at this point.”

The employee responded to Tina by saying, “It's good to know that at least our union considers this to be an issue. In the past month, we have had two ice storms and then the snow storm on the 7th. Not once in those three inclement weather days were we offered liberal leave. I have plenty of leave and don't mind using it if I need to. I am also fortunate enough to have a manager who cares and understands the need to stay home when the weather is that bad. However, not everyone is that lucky, and I have in the past years had managers that would hold it against you if you took off without a liberal leave policy. **It is the principal of the matter.**”

This employee is absolutely right. Even employees who have leave to spare feel better about taking off when their employer recognizes the risk involved in traveling during weather conditions, such as snow and ice. The safety of the employees should have some bearing on whether or not liberal leave should be offered. During the *blizzard*, IRS employees at the Cincinnati Service Center called the Campus Emergency Information Hotline only to hear the announcement state, “The Cincinnati IRS Center is open for business as usual today.” Judging by the announcement, it would seem that coming to work should come before your safety and your life.

## A Message from the NTEU National President

**NTEU**  
Powerful Force For Am

Colleen M. Kelley



Dear IRS Employee:

Recently, the IRS has announced its 2008 survey. It is NTEU's belief that going forward with the 2008 survey is premature when so much work remains to be finished on the 2007 process and on the responses provided by employees in 2007

As you know, after two years of boycotts, NTEU last year reached a MOU with the IRS on the employee survey, and I encouraged employees to take the survey and "tell it like it is." NTEU did not cosponsor or coadminister the survey, but participated in the process as the collective bargaining representative of employees. About 68 percent of you took the survey, and the IRS got a lot of important information about what improvements can be made to make the IRS a more effective and better workplace. We want the IRS to work with NTEU to act on the 2007 data you provided.

NTEU will work to ensure that the issues you raised are not forgotten or overlooked with the onslaught of thousands of new datapoints. We have made some progress and I believe the IRS is making a sincere effort on a number of issues, but there are areas of concern. For instance, the IRS informed NTEU that there were 10,000 issues that came out of the group meetings on the survey process. The IRS said 6,000 of those have been resolved; however, NTEU leaders are only aware of less than 100 issues. I am working to get further information about this and will keep you informed. If 6,000 problems you identified at the group level have been resolved, I think local NTEU chapters would know that. And, we are still awaiting information on "elevated issues" and necessary action needed to resolve those.

Many of you invested time and effort to take the 2007 survey. You attended survey meetings and contributed when appropriate. Your NTEU chapter leaders devoted their time in attending survey meetings and made an effort to raise and resolve issues you identified.

Despite our reservations, the IRS will roll out the 2008 survey. NTEU will not endorse or oppose it, but as always, will act as your representative. If you do decide to take the survey, I ask that you vocalize your concerns and frustrations and provide candid responses to the questions. If you decide not to take the 2008 survey, that is your choice, and you should not feel pressure to take it from anyone.

For NTEU's part, we will continue to pursue the goldmine of information you provided the IRS with by taking the 2007 survey and will insist that the IRS live up to its commitment to you and NTEU that the 2007 issues would be taken seriously and resolved to the satisfaction of NTEU and those who we represent.

A handwritten signature in cursive script that reads "Colleen M. Kelley". The ink is dark and the signature is fluid.

Colleen M. Kelley  
National President

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# **Kelley: The Federal Government Needs to Lead The Growing Movement for Paid Parental Leave**

Washington, D.C.—It is time for the United States to catch up with the rest of the world by offering paid parental leave, the president of the nation's largest independent union of federal employees told House members today.

"Wouldn't it be nice," said President Colleen M. Kelley of the National Treasury Employees Union (NTEU), "if the federal government—once thought of as pioneering and innovative in its personnel programs—was at the forefront of this growing movement?"

The NTEU leader offered her strong support for H.R. 3799, the Federal Employees Paid Parental Leave Act, legislation introduced by Rep. Carolyn Maloney (D-N.Y.) which would provide paid parental leave under the Family and Medical Leave Act (FMLA). Federal employees currently have access to 12 weeks of unpaid leave through FMLA.

President Kelley offered her assessment before a combined hearing of the House Oversight Reform and Government Affairs Federal Workforce Subcommittee and the Joint Economic Committee.

She pointed to a Columbia University study finding that some 128 countries "provide paid and job-protected leave each year," at an average of 16 weeks including both pre- and post-birth time off.

When FMLA was approved in 1993, Kelley said, it was widely seen as "just a first step," adding that since that time, "it has become clear that many who would take advantage of time off for family and medical leave reasons have not done so because they are unable to forgo their income."

And that, she added, raises this vital question: "Is it fair to have a benefit that many federal employees cannot take advantage of?"

The hearing, led by Subcommittee Chairman Rep. Danny Davis (D-Ill.), was called to examine the positive impact paid parental leave could have on federal recruitment and retention efforts—a timely subject in light of the looming sharp spike in retirement eligibility among federal employees and the increasingly competitive battle with the private sector for high-quality workers.

Along with NTEU's support for Rep. Maloney's bill, President Kelley applauded the efforts of Rep. Davis in addressing the possibility of providing a short-term disability insurance program—in concert with FMLA—as a means of replacing lost wages when taking family and medical leave.

"Paid parental leave, in combination with a short-term disability insurance program, would provide broader coverage for the kind of situations, both parental and medical, that we wanted to address when (FMLA) was passed," the NTEU leader said. She noted that the Office of Personnel Management promised an outline of such a program "quite some time ago," but that it has yet to be developed.

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## **NTEU Supports Legislation Raising FEHBP Coverage Age for Young Adults**

According to a news release, National Treasury Employees Union President Colleen M. Kelley is supporting legislation that would boost the maximum age to qualify for dependent coverage under the government's health benefits program from age 22 to age 25.

"Passage of this bill is an opportunity to provide federal workers and their families with a benefit that is in the public interest," said NTEU President Colleen M. Kelley. She added that young adults are the fastest-growing age group among the uninsured. "College educated or not," she said, "22-year olds face waiting periods, temporary positions and lower salary offers as they enter the job market. Health care is simply not available to many of them at a price they can afford."