

NTEU Chapter 73 News



By Jackie Huff,
NTEU73 President

Inside this issue:

Straight from the President's Desk	2
Your Future: Life Insurance and Retirement	3
NTEU Member Benefits	4
Relations With Account Management Leadership Deteriorates	5
NTEU73 Position Upheld by Arbitrator	5
Focus Group Update	6
3.9 Percent Pay Raise	6
House Approves Paid Parental Leave for Federal Employees	6
Arbitration Victory Could Mean Cash For Your Ideas	7
Agreement Reached on Initial Rollout of Smart Card Program	7

It's been a busy year for Chapter 73. My staff and stewards have been working diligently to serve you the members and ensure that your contractual and legal rights are not violated. Of course, as you all know, it seems as if the Agency takes every opportunity to violate your rights. Most recently the Agency, specifically Accounts Management, has been violating your contractual rights by charging employees AWOL if they call off sick either the day before or after a holiday. Furthermore they have stipulated that in order for any paid leave to be approved the employee must provide medical documentation. This is a clear violation of Article 34 of the National Agreement. NTEU Chapter 73 filed both a Mass grievance, (a grievance for the violations of two or more employees), and an institutional grievance, (a grievance for the violations of the unions rights.).

On June 18, 2008 Jim Rogers agreed to meet with me regarding these grievances. During our meeting I provided anecdotal evidence, given to me directly by you, the members, on how this new policy is negatively impacting your lives. Additionally I provided Mr. Rogers with hard copies of illegal leave letters that managers are giving to employees in direct violation of the National Agreement and Agency policy and procedures. NTEU Chapter 73 eagerly awaits Mr. Rogers decision, and if he does not decide to find in favor of the contract,

and the employees, we are fully prepared financially and contractually to push the matter forward to arbitration.

Along the same lines of leave issues, Chapter 73, has helped the Agency narrow down what defines the Agency's obligation of approving leave in a "reasonable" amount of time. NTEU met with William Jefferson recently to discuss this issue. Mr. Jefferson admitted there has been some short falls in the timeliness in which the Agency approves and denies time. He agreed with NTEU's contention that the Executive level staff in accounts management would not place their vacation plans on hold waiting to hear whether or not they were approved or denied leave - sometimes up and to the day before their vacation was to begin. Therefore, Mr. Jefferson agreed that Accounts Management employees would be notified at least 30 days in advance of whether or not their leave was approved. How is Mr. Jefferson's promise holding up? Let us know so that we can address each issue with him individually.

Certainly we can all hope that the Agency will come to their senses one day and begin to abide by the contract, which I will point out is a document that they also signed. Until then, NTEU Chapter 73, will protect and fight for the rights of the bargaining unit employee.

Straight from the President's Desk



By Jackie Huff,
NTEU73
President

Embedded Quality

Recently our National President, Colleen Kelley, sent a memorandum to the chapter presidents regarding the EQ system. This is a topic of concern for both local and National NTEU. As many of you know, when the EQ system was initially rolled out the Agency presented it as a system to identify training needs, a system that would help the employee become more successful. However, since its

implementation, the evidence is quite the contrary. The Memorandum of Understanding, as negotiated with National NTEU, assured the union that the EQ system would not be used in an evaluative capacity, yet that is exactly what management is doing. Furthermore, we the union believe the reviews are no longer a random sample of an employees work, but instead are preselected targeted cases showing signs of error.

The EQ system is systematically being used to lower annual appraisals, management is pulling employees off of AWS and Flexi place based on EQ data, new criteria is being added to the EQ checklists without notification being given to NTEU and management is charging errors for old age, (even when there is a

legitimate reason for the old age like absence for an FMLA condition or being pulled from doing your paperwork to answer the toll free line). The list of egregious violations caused by the EQ system could go on and on.

Therefore, at the one year anniversary of the EQ system, National NTEU is not taking this matter lightly. In fact, Colleen Kelley stated in the letter to the chapter presidents, "We are prepared to launch an unprecedented effort to attack the systems that are attacking our members." NTEU, both locally and nationally, continues to fight for the rights of the bargaining unit employee! Members, we are fighting for your rights so don't think we have forgotten YOU.

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."

Your Future: Life Insurance and Retirement

From www.nteu.org

Chances are quite good that you can carry term life insurance under the Federal Employees Group Life Insurance (FEGLI) program, since most federal employees sign up for it when they begin their career in federal service.

So now that you are giving some thought to possible retirement, one of the important matters you need to review is your FEGLI insurance because you can carry it with you into retirement, if you choose.

FEGLI provides basic term life insurance—you pay two-thirds of the cost of the basic coverage, with your agency paying one-third, regardless of your age. It also provides options for additional coverage; you pay the full cost of any optional life insurance, and your age doesn't impact that cost.

To take it with you when you retire, you have to meet three requirements: 1) you are entitled

to an immediate annuity under a federal civilian employee retirement system; 2) you have been insured for the five years of service immediately before the date of your annuity (there's an exception here; the Office of Personnel [OPM] web site explains it); 3) and you haven't converted to an individual policy.

One good place to ask the questions you have about FEGLI is at an agency retirement seminar. NTEU has long encouraged OPM and individual agencies to conduct such seminars; and NTEU agreements and local practice in some agencies and workplaces provide you with administrative time to do so.

Beyond that, you should plan on visiting the OPM website, which you can reach at www.opm.gov. There's an entire section on FEGLI including a FEGLI calculator that helps you determine how retirement will impact your benefit.

You'll also want to talk with your agency's human resources staff, because while carrying your group life insurance is a boon, it can get complicated.

There are a variety of rules covering the basic and optional insurance portions survivor options, and much more. Your decisions about insurance prior to retirement will impact your cost over time, so each decision has to be considered carefully in light of your circumstances and your wishes. And you will want to ask the experts how your FEGLI coverage works with any other life insurance you might have.

To help with all this, the OPM web site offers an interesting FEGLI interactive calculator you might find useful. Among the tasks it will perform with your help, is to show you how the amount of your federal group life insurance carried into retirement will change over time, depending on the coverage options you choose. It's worth a look.

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 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.
(859) 669-5024

**Not a Union member?
Missing out on all the benefits Union membership brings?
Join Today!**

NTEU Member Benefits

Weichert National Real Estate Service

Weichert Relocation Resources, Inc. (WRRRI), a global relocation services company, will provide NTEU member and their families with a "Cash Incentive" bonus when buying or selling a house, townhouse or condominium through National Real Estate Services. Members will be eligible to receive up to a \$1,000-\$2,000 Cash Incentive if buying and selling according to the following criteria:

Home Value	Cash Incentive*
• \$50,000 to \$99,999	\$ 200
• \$100,000 to \$149,000	\$ 400
• \$150,000 to \$199,999	\$ 600
• \$200,000 to \$249,999	\$ 800
• \$250,000 +	\$1,000

*Cash incentive may be modified or prohibited in some states.

Under the program, whether you are moving across town or across the country in the United States or Canada:

- Buyers will be provided with a leading real estate broker and agent in their destination area. Services may include a relocation packate with local community data, area tours and sample listings of homes that may be of interest to you.
- Sellers will be provided with a leading broker and agent in their area who will complete a market analysis of their property to determine how to assist them with pricing and suggestions to market their home to get the best price. All applicable multiple listing systems will be provided.
- Members will receive a 50% discount off the current USDOT "N" Tariff on interstate United States house-hold goods shipments and for those shipments between the United State and Canada. Intra-state United States and intra-Canada shipments will be separately quoted on a per-move basis.

All these described services are offered fee-free to NTEU members anywhere in the United States, Canada and Puerto Rico. If you plan to use a real estate agent to sell your property or to help you find a new one, you'll want to take advantage of this program.

To receive your cash incentive, NTEU members must call WRRRI before you talk to any realtors to list or purchase a home.

This program is not available in: Alaska, Idaho, Kansas, Kentucky, Nevada, New Jersey, Oklahoma or Oregon.

Time to get your ducks in a row. Your income is Important - Protect it.

Don't miss out on our income protection plan.
Enrolling now, you can qualify for:

- ◆ Up to 66% of your income - Max. \$2000 monthly.
- ◆ Choose a plan that will pay benefits up to 24 months.
- ◆ Starts after 14 days of disability, (First day if hospitalized).
- ◆ Does not offset for other benefits.
- ◆ Pays 50% of the benefit if hurt on the job, in addition to workers' compensation.

**Guarantee Issue if actively at work full-time.
With NO medical examination or health questions.**

Schedule a meeting at your office today by calling:
Nathan at American Insurnet 513-505-4488.



Relations with Accounts Management Leadership Deteriorates

By Heather Phillips,
NTEU73 Steward

Attention Accounts Management employees, Jim Rogers once again showed his contempt for you and your union. This is a pretty serious charge, which has not been made hastily. Mr. Rogers has, in the past, refuse to negotiate or even to brief NTEU 73 when required. It appears that he believes he can do whatever he wishes with total disregard to how it would affect the employee. Your quality of work life seems to be of no concern to Mr. Rogers. He has also refused, until forced by the union, to hear grievances and his management team has refused to release legally appointed stewards so that they can discharge their union duties.

Recently, Accounts Management held training for their employees at the Covington Convention Center. Let's not even consider the waste of Government funds that could have been use to the benefit of the employees. With proper prior planning rooms could have been secured on the fifth floor. During this training, a 7114 meeting was held without notification to NTEU73. Per Title 5 of the United States Code Section 7114 and Article 8 there are certain types of meetings that management must notify and allow NTEU, as your exclusive representative, to be present. Operation R.E.D. is a 7114 meeting. By ignoring the law and the National Agreement Mr. Rogers has shown his contempt. You, the employee, have a right to know your Union's position and to what IRS management and NTEU have agreed upon. Mr. Rogers by his action infers that in his opinion, you have no rights.

This off site training also raises other interesting issues. All of the Customer Service Representatives were pulled from the phone and the calls were rerouted to other call sites. This was justified because it fulfilled management's needs. Yet, if an employee requests leave or a steward request to be released for union duties, calls can not be rerouted. Why? Because it is for the employee's benefit—not management. This is just another way for management to show contempt for your rights and your quality of work life. Does anyone want to guess why morale is so low?

Mr. Rogers, if you continue in the direction that you are currently following, in this reporter's opinion, history will not treat your tenure as Accounts Management Director well. Is it ignorance of contract and Federal labor law or is it that you just don't care.

NTEU 73 Position Upheld by Arbitrator

Covington, KY

On March 19th 2008, an arbitrator heard the case brought against Compliance management for failure to negotiate the movement of TAS work from the Detroit Call Site to the Cincinnati Service Center. This hearing was the result of a grievance filed by NTEU 73 steward Heather Phillips when TAS work that was being performed at the Detroit Call Site was moved to the Philadelphia and Cincinnati Service Centers without negotiating "Impact and Implementation" with NTEU. Renee Mitchell, with her all too typical disregard for NTEU's bargaining rights, denied the grievance in full. The arbitrator ruled that the TAS holds and R2 listings provided no significant impact to the employees. However, the TAS Operations Assistance Request (OAR) was significant. He ordered the IRS to negotiate the Impact and Implementation with NTEU and to post for 60 days that they violated Title 5 of the United States Code requiring the negotiation. IRS has thirty days to appeal this decision from the date the decision was issued.

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



Focus Group Meeting With Employees

The NTEU member who brought up the issue about the IRS partnering with Immigration would like to clarify the reasoning behind the suggestion. The employee thought it would be beneficial to the seasonal employees to assist by processing Green Cards because it would lengthen their work season.

3.9 Percent Pay Raise Approved by House Subcommittee

Last week, the House Appropriations Financial Services and General Government Subcommittee approved a 3.9 percent pay raise for federal civilian employees in 2009, a significant step toward parity in next year's pay raise for both members of the military and those in the federal civilian workforce.

The 3.9 percent raise in the Appropriations bill is higher than the 2.9 percent raise recommended for the federal civilian workforce by the White House.

"This is well-deserved recognition of the continuing contributions of both groups of federal employees, and of the need for a fair and competitive pay raise to recruit and retain talented, dedicated men and women," said President Colleen M. Kelley.

The funding legislation also included a one-year moratorium on new federal contracting, and language that would limit funding for the use of private debt collectors by the Internal Revenue Service.

House Approves Paid Parental Leave for Federal Employees

Earlier this spring, NTEU urged Congress to support paid parental leave as a way of strengthening the federal workforce. Last week, the House listened and approved H.R. 5781 which would convert to paid leave four of the 12 weeks of unpaid leave currently available to federal employees under the Family and Medical Leave Act (FMLA).

President Kelley said her testimony in favor of this legislation prompted a number of testimonials from NTEU members who shared the hardships they encountered when forced to choose between a paycheck and the desire to stay home with a new child.

"This should be an unacceptable situation in today's United States," Kelley said. "Many of the country's top companies already offer a paid benefit and the federal government needs to do the same."

Arbitration Victory Could Mean Cash For Your Ideas

National NTEU

Hundreds of IRS employees who have shared money-saving ideas over the last two years with IRS management could receive cash awards for those ideas under a recent NTEU-won arbitration victory.

Responding to an NTEU grievance, an arbitrator has ruled that the IRS violated NTEU's contract when it failed to link the multiple avenues it uses to solicit suggestions and ideas on how to improve IRS operations with the NTEU-negotiated Employee Suggestion Program (ESP). The ESP is the only mechanism through which you can obtain monetary awards for suggestions above and beyond normal work duties that are adopted by management. These can be substantial, too—up to 25 percent of first-year savings generated by your idea.

The IRS has repeatedly solicited employee ideas but often has done so outside of the ESP process. If all the programs and avenues devised by various IRS business units had been linked to the ESP, as NTEU argued they should have been, employee ideas would have been considered under ESP rules for an award.

To make things right, the arbitrator ruled any IRS employee who made a suggestion through a non-ESP channel between May 26, 2006, and the present would have six months to resubmit the idea through the ESP, making that employee potentially eligible for an award. The six-month period begins after the IRS notifies employees of their rights under this decision; the agency has 60 days to develop a means of notifying you.

However, the IRS may appeal this decision which would delay this victory. The agency has until the end of June to file and appeal.

Chapter 73 wants our members to know about this arbitration victory since some of our members may be affected.

Agreement Reached on Initial Rollout of Smart Card Program

National NTEU

NTEU has reached agreement with the IRS concerning the initial phase of the rollout of new, so-called 'Smart Card' identification cards. Right now these new cards will do little more than replace current ID cards.

NTEU has negotiated an employee-friendly process for securing the new cards. Under the agreement, any steps needed to get a Smart Card will be done on administration time, and at no cost to the employees. The agency said it plans to provide Smart Cards to 75 percent of the workforce by October; some employees, including those who use pseudonyms in their work, will be exempt from this phase of the program.

The new cards will likely contain an employee's name, work location, photo, agency component, fingerprints, and perhaps other encrypted personal information. These initial cards will not be used for building access—proxy cards will continue to be used for that—or for access to computer systems.

The Smart Card program is government-wide and the result of a presidential directive calling for an identification card that is tamper-resistant and operates across federal buildings and information technology systems. The IRS is moving forward now to meet a government deadline.

Since the Smart Card program was mandated government-wide, NTEU has been working to ensure that all employee rights, including privacy rights, are fully protected.

Independent Taxpayer Advocate Details Serious Problems with IRS Private Tax Collection Program

Press Release

Washington, D.C.—The National Taxpayer Advocate, an independent voice within the Internal Revenue Service (IRS), has found serious problems with the agency's use of private tax collectors—including an issue that sharply undercuts the fundamental premise of the program.

In a mid-year report to Congress, Taxpayer Advocate Nina Olson—who has previously called for the program's end—said the IRS is now giving to private tax collectors outstanding cases involving complex issues that IRS employees are currently working to resolve. Further, the report found that IRS costs are underreported and that the IRS's own collection actions account for a significant portion of the revenues attributed to the private collection program.

"Placing these types of cases with the (private tax collectors) runs directly counter to the premise on which the program was based—namely, giving (them) only the easy types of cases the IRS itself would not work," Olson told Congress. She called that "disturbing, because this initiative was premised on the IRS having large numbers of cases that a simple phone call could resolve."

President Colleen M. Kelley of the National Treasury Employee Union (NTEU), who has been leading the fight to end the privatization of this inherently governmental function, called the Olson report "damning evidence of the folly of continuing this costly and misguided program."

Further, the NTEU leader said, the Olson analysis "shows that a significant portion of the money claimed to have been collected by the private companies came in to the Treasury as the result of the IRS's own collection actions. It is clear there is no supportable rationale for continuing this program."

Olson was sharply critical of the cost-benefit ratio of the IRS program, providing data suggesting that the use of private tax collectors costs the government about \$78 million a year in foregone revenue.

Moreover, she said, the IRS—which is overseeing the program with 54 of its own employees—is failing to separately track all expenses related to it. "As a result," she said, "the costs of the program are understated by an unknown amount."

The Taxpayer Advocate also took the IRS to task for extending the period during which the private collectors may retain a given case. "It is unclear why the IRS would run the risk of leaving taxpayers' confidential tax information with outside contractors for extended periods of time when the contractors are taking no productive action on the case," she said.

Olson noted that of the nearly 43,000 cases placed with the private collectors for at least a year, only 21 percent have had "a meaningful disposition"—and nearly 40 percent of those dispositions were the result of a payment generated by IRS action—not the actions of the private collection agencies.

"The Taxpayer Advocate has found that the costs of this program are higher than the IRS is reporting and the revenue is far lower," President Kelley said. "This is an unsustainable program and I echo the call of the independent National Taxpayer Advocate to immediately end this sham."