

## NTEU Chapter 73 News

### Approval of Annual Leave

**Tammy Rackley**, NTEU73 Steward, represented an employee in Accounts Management regarding annual leave she had requested. Tammy settled the issue informally with an email to the manager.

In her email, Tammy stated, "This employee provided a request for the time off quite awhile ago, yet still you have not responded to her request. In accordance with Article 32 Section 1 the IRS agreed to respond to annual leave requests as soon as possible. This has been interpreted to mean that the IRS will respond to an employees request in a reasonable amount of time. Reasonable, by definition, means, in accordance with common sense or normal practice. Therefore, an employee who has puts in a request for annual leave,

weeks, even months in advance of the expected date to use the leave, can reasonably expect an answer regarding the approval or disapproval of the leave prior to three working days before the scheduled leave." How could anyone argue with that?

The next day, the employee notified Tammy that the request for annual leave had been approved. Way to go, Tammy! To quote the employee, "It's such a blessing to have you as our advocate..."

information and all of the AWOL was removed and replaced with LWOP. Great job, Amy! Another victory won by NTEU for our members!

### Grade Increase & Annual Appraisal

Sometimes employees aren't sure if their rights have been violated. One such employee turned to NTEU73 Steward, **Steve Cornett**, for assistance regarding her grade increase. Steve, along with assistance from **Bonnie Lawson**, was able to help this employee without filing a grievance.

Steve and Bonnie approached the manager on the employee's behalf. After reviewing the employee's EPF they were able to determine that the contract had not been violated, and an Annual Appraisal was indeed given. Steve and Bonnie did not stop there. They explained their findings to the employee, including the guidelines for a grade increase, and made sure the employee understood all of the information that was presented.

The employee was going to be put in furlough status the following Monday, and it was already Friday. The employee pulled Steve aside to thank him for such a prompt response to her request, she could not thank him enough. Steve knew it would be more comforting to the employee to allow them to go home for the weekend, and furlough, with a major concern off of their mind. It is comforting to know we can turn to stewards, like Steve and Bonnie, in our time of need who put the employee first.

### FMLA & Abuse of Power

NTEU73 Steward, **Amy Arnold**, won a case for an employee involving two grievances. The first grievance alleged FMLA violations because the employee was given AWOL instead of LWOP. The second grievance alleged Abuse of Power, Disclosure Violation, Creating a Hostile Work Environment and Retaliation.

Apparently, the manager had disclosed the employee's personal information during a manager's meeting. As a result, a manager present in the meeting told an employee. After finding out their personal information had been disclosed, the employee showed discontent, and in turn was charged AWOL in lieu of LWOP. It is important to remember that FMLA is a matter of federal law which entitles an employee to 480 hours of LWOP in a 12 month period for all absences related to an approved FMLA. Amy Arnold worked hard to ensure these issues were resolved as quickly as possible.

Management apologized to the employee for disclosing personal

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# Straight from the President's Desk



By Jackie Huff,  
NTEU73 President

As many of you know, Chapter 73 is more financially secure than it has been in years past. When you elected me as your president, I was quick to change how our Chapter funds were used. Our Chapter's budget is finally out of the 'red' and I intend to keep it that way. A few of our members have voiced a concern that the dues should be lowered, since we have more money now than we did under the last regime. I want to take this opportunity to let everyone know how we are using this money and why we need to maintain our current budget.

I agree that we should be able to give back to the employees we represent. However, we should do this by fully representing the

employees, which in turn will create a better workplace for all of our members. Did you know that we have invoked more cases for arbitration than ever before in this Chapter's history? Under the previous leadership, the budget was very limited toward arbitration expenses, which meant our Chapter had to be more selective about which cases were invoked. Would you want to be the employee who was passed over because of budget constraints? Of course you wouldn't. No one would want to be that employee, but without money to cover arbitration costs it could happen. In my opinion, this would be a disservice, not only to the employee who was passed over, but to all of our members. As president, I feel it is my duty to make sure every employee is represented to the fullest extent possible.

It is very important that we fight every case possible. When we fight a case and win, it establishes a standard on how similar cases

should be treated in the future. Once the grievance process has been completed, the case is sent to our attorney for arbitration consideration. Your dues are being used to help ensure a better working environment for all of our members and to make sure your rights under the contract are being upheld. Without the money, this could not happen.

As I have said in the past, accountability is what you, as the members, demanded from NTEU Chapter 73 when you elected me as president and accountability is what you have received. During my term as president, I have implemented changes in the way our Chapter spends your union dues. I did this to eliminate wasteful spending and to ensure we are able to spend your dues in a way that will directly benefit you.

As president of Chapter 73, I will make sure the money paid in by our members is used to fight for our members rights in the workplace.

## *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."*

# The Jackals of Covington

By Heather Phillips,  
NTEU73 Steward

The elks are moving across the plains and we hear the howl of the trailing jackals in the distance. They are following ever so closely, yet maintaining just enough distance not to alert the herd by their scent. They are waiting for just one of the herd to get injured, sick or tired. Then the jackal will pounce on the weakened elk and devour it. What I have just described could be a scene from a nature adventure or a western. Unfortunately, what I was describing is how some managers here at the IRS treat employees with serious health problems. Management is targeting the weak and the helpless; preying on their

vulnerabilities. Management is charging these employees AWOL when they exhaust their FMLA in order to further wound the employee by removing them from the Service. Thus they are tearing the employee's heart and soul from their bodies. We have witnessed these jackals attacking employees with cancer, heart problems and other serious medical conditions. These employees are not abusing their leave; they are in need of compassion and support. Yet, the jackals see them as easy prey.

Since this is being done by only some, not all managers, there is a tendency to say well I am not doing this so I am not one of the jackals. This may or may not be true. If you

are a manager who stands quietly by and watches your colleagues commit these acts of injustice; you are one of the pack. By your silence, you as a member of the management team are giving their actions your approval.

Is there no help; must these employees continue to be sacrificed? NTEU 73 has been galloping to the employee's rescue. One by one, two by two we have been confronting these uncaring managers fighting for the stricken employee. We are prepared to use every bullet in our gun; grievances, negotiation, arbitration just to list a few. We will continue to defend these helpless victims from the jackals.

**H E L P   N T E U   H I G H E R   M E M B E R S H I P   =   I N C R E A S E D   P O W E R**  
**73% and Rising!!!**

By Hansford (Dwight) Cornett  
NTEU73 Steward

Membership is currently around 73% and Climbing.  
**HIGHER MEMBERSHIP = INCREASED POWER**  
Increased Power gives NTEU more power to bargain and protect employees.

With current drives in place to raise membership to an all time high of 80% by the July 4<sup>th</sup> holiday, we ask each of you to step up to the plate and help us by joining NTEU and NTEU's never ending fight to help employees by protecting their rights. FEEL GOOD and be a part of our efforts. Join NTEU and be part of the team. Want to do more? Check into becoming a steward and you too can share in that tremendous feeling of satisfaction each time we file and win a grievance against some ridiculous management practice. Interested? Contact NTEU at any of our offices or ask your local steward for information. We are looking forward to your participation.

## Writers Wanted

Do you have writing skills?  
Do you have information that is newsworthy?  
Submit your article to **The Force** If it is accepted, we will print your article with or without your name attached to it; 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.  
(859) 669-5024

**Missing out on all the benefits Union membership brings?  
Join Today!**

# NTEU Member Benefits

## Professional Liability Insurance

NTEU members have the opportunity to purchase professional liability insurance. This insurance offers the following benefits:

**Damages:** The policy will pay all sums up to one million dollars (\$1,000,000), which you are obligated to pay as damage in suits based on acts, errors, or omissions committed in the performance of official duties.

**Administrative Expense Coverage:** The insurance company will provide counsel and pay cost of defense and monetary penalties arising out of disciplinary proceedings (including investigations) and judicial sanctions (monetary penalties imposed by any adjudicatory body as a result of error, act or omission). Up to \$100,000 annually is available for the expenses.

*Coverages are provided by an AM Best "A" rated company and are summarized and subject to the terms, conditions and exclusions printed in the policy. Please refer to the policy form for specifics on coverages and limits. NTEU is in no way responsible for such matters.*

**Premiums:** Premiums are graduated based on member's grade. The premiums are significantly less than the other professional liability insurance that is available to federal employees.

For additional details or an application for enrollment, NTEU members 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) 346-1403.

NTEU membership will be verified before enrollment.

## 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.



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# Come and Join the Family

By Ms./Mr. Steward,  
NTEU73

In my day to day activities I talk to employees about the Union. I always ask the employees if they are a member. When I get a no, then I ask why. Here are some of the responses and my answer to them.

## Why should I be a member of NTEU?

### I mean they have to represent me, right?

NTEU is required to represent nonmembers only in contract related problems, not before the EEOC, MSPB, the Comptroller General or in class action suits in the courts. Nor do we have to represent nonmembers in oral replies or statutory appeal cases regarding discipline. Besides, there is no such thing as a free lunch. Your colleagues who are union members are paying your share of the tab.

### Management does what they want to anyway.

If management is not challenged when they violate the contract, then that's true. But that is also what the negotiated grievance process is for. The chapter files grievance on your behalf when we are aware of the violations affecting groups of employees or the union's rights. When you feel your individual contract rights have been violated, you too can, and should, file a grievance. But if you don't, then you're right, management gets around the contract whenever they want to.

### I don't think the union should represent "bad" employees.

The responsibility of every steward is to uphold the contract. If the employee is truly a "bad" employee there are mechanisms in the contract that allow management to take the appropriate action. We cannot let management circumvent the contract. Through this vigilance, we protect your rights.

### Union membership costs too much. I can't afford it.

Through NTEU lobbying, additional monies have been put in your paycheck this year. This year, as in the past, NTEU worked to increase the paychecks of federal employees. The base rate (before locality pay) pay raise of 3.5 percent was less than we deserved, but we successfully battled the current administration, which had proposed only a 2.5 percent increase. Union membership is job insurance.

NTEU also offers many extra benefits, only available to its members. These benefits take advantage of low group rates, such as auto, professional liability, long-term care, short term disability and other forms of insurance, and discounts on consumer goods, motel and rental car rates, moving expenses and much more! In addition, all NTEU members in good standing are automatically covered by a **free \$1,000 accidental death and dismemberment insurance policy**.

### How do I join?

Come to the union office, see a steward or another union member and they will supply you with the form you will need to complete and we will take it from there.

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## Recruit New Members

November 1st to April 30th

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



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

# Getting To Know Your NTEU

By Courtney Jung,  
NTEU73 Steward

Greetings to our March Force readers! This month in *Getting to Know Your NTEU* we have three fresh, new Stewards to introduce to you. Pay attention to the Departments our Stewards work in, and if you have any problems remember, we are just around every corner of the IRS.

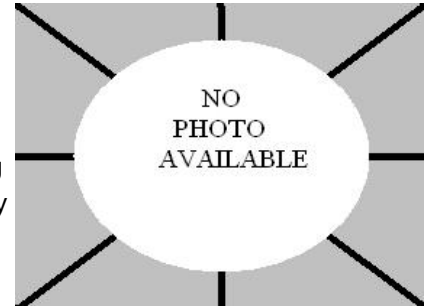
Every month we strive to provide faces that match the names and information; this month however we only have two faces available – hopefully pictures will be posted with the Stewards name in upcoming issues.

This month I am happy to introduce you to Valeesha Williams, LaVon Esswein, and Courtney Jung.



Valeesha Williams is one of our newest NTEU Chapter 73 Stewards, and has been an IRS employee since 2001. Ms. Williams joined as a Steward in January of 2008 and can be reached in Accounts Management Operations 1 Department 1 at extension 5676 or email her at: [Valeesha.N.Williams@irs.gov](mailto:Valeesha.N.Williams@irs.gov). Why did Valeesha come on board with the Stewardship here at NTEU 73? So that she could give a hand into a more effective future in the communication among management, employees and the Union. According to Ms. Williams, it is the obligation as an employee to educate yourself about your right(s); and, as an employee, to be aware of the facilities available to do this. "To ensure your rights are upheld it is necessary to become a NTEU Member and empower yourself."

Not too long before Valeesha joined, LaVon Esswein came onboard the Stewardship in November 2007. Becoming apart of the Stewardship team had something to do with the great camaraderie she observed at our Annual Union Picnics. LaVon has been an IRS employee and Union Member for roughly twenty years now. She works in Innocent Spouse Team 102, in Florence, and can be reached by email at: [Lavon.S.Esswein@irs.gov](mailto:Lavon.S.Esswein@irs.gov) or at extension 2802. Ms. Esswein wants to help others know and understand their rights; to let them know that NTEU will help them when they need it most! We asked LaVon what she would like to say to her fellow employees about NTEU, and here's what she had to say: "Being a member of NTEU makes you a part of an organization dedicated to improving and protecting our working lives...When you belong to the Union, you are part of a sisterhood (brotherhood) and will never have to stand alone."



Courtney Jung has been here at the Flattop for approximately 9 years and joined the Stewardship team back in the Spring of 2007, with some short-term experience from back in 2005. You can find Courtney typing away in the DCO Department, SCRIPS Team 106, and she can be reached at extension 7878 or emailed at: [Courtney.L.Jung@irs.gov](mailto:Courtney.L.Jung@irs.gov). Miss Jung applied for this job seeing that, while on night shift, there were not enough stewards in the DCO Department. She says "For the longest time I just wanted to be part of the team of voices and active employees helping to fight for the civil working rights of IRS employees everywhere!" The one object that inspires Courtney, is every single time a co-worker comes around seeking truth and assistance – knowing that NTEU is still there to be counted on by it's members. Courtney has this to say to those that are still waiting for the

"Free Ride" waves to return: "Wow, please join! You really have nothing to lose, and everything to gain. We need stewards just as badly as we need more members. The more we have, the stronger and more effective our voice will be!"

## What NTEU does for ME?

By Courtney Jung,  
NTEU73 Steward

This month we are posting a new column in The Force that allows NTEU Members to write about their experience with NTEU73. We all know the basic benefits of an NTEU Union membership: Raise increases, Discounts with Insurance Companies, Car & Motel Discounts, Labor Recognition Week, and the Spring Picnic.

From now on we want to help our members get the word out on the other benefits they receive from joining the NTEU Membership – and that is Legal Representation and Union Counsel on your behalf against management.

We are interested in your stories! Tell us how and what the NTEU has done for you lately: winning grievances, counseling management, helping with FMLA and no matter how big or small we would like our readers to read it from the pens of our Members!

### Here is our first story.

Back in building B, in the MITS Department there is a six-year veteran of the IRS and Union Membership, who works on days: David Gamble. We asked David if the NTEU has been a benefit to him outside of the normal expectations and he said: "Yes!"

This is David's win-win story about being under mismanagement from an anonymous manager in MITS. There was one occasion where the manager did not intend to give David the precise pay he had earned. This manager was at temporary power over David and his surrounding work area. While this Temporary Manager was returning to his regular PD he instructed David to switch to night shift, while this manager would be going to dayshift. After reading his NTEU Contract, David realized this was against the Union Contract. The manager and the NTEU were then notified about this action; in turn the Union put this manager on notice that this was an incorrect action on his part. Once he was counseled, the TOD action was reversed so that David would remain on days and this Temporary Manager returned to night shift. This was great timing for David, since immediately afterwards one of his up-line managers Daisy Dickerson tried to talk him into staying on nights to keep production running smoothly.

We asked David if there is one thing that he would say to others about the NTEU, and he always tells others: "No More Free Rides!"

Thanks David and glad we could help!

Please call Courtney at extension 3046 for an interview or stop by/call the Union office and drop a written testimony off for Ros Havlin or Courtney Jung. Union Office hours and contact information can be found on page 3, or you can send an email to [NTEU73mailbox@aol.com](mailto:NTEU73mailbox@aol.com).

## KUDOS to Cathy Putthoff, Building Maintenance

Employees have been asking local management to clean the heating and air vents for over a year. Well, Cathy Putthoff, a Facilities Management Assistant, came through for them.

Evidently, management did not follow their own procedures. Therefore, the cleaning requested by many employees fell through the cracks and Building Maintenance was never made aware of the situation.

NTEU, in a simple request, working directly with Cathy got the process started. Cathy was not only polite and courteous, but she came through for the employees. In less than 2 weeks she had over 16 vents cleaned in the RCO Teller Unit area.

Several employees have already stopped by the NTEU office at 4<sup>th</sup> Street to express their gratitude. NTEU did our part and Cathy willingly did her part and now the vents are being cleaned.

THANKS AGAIN CATHY and the BUILDING MAINTENANCE DEPARTMENT.

## TEPS Negotiations

Chapter 73 has been asked to participate in the TEPS Director Range Negotiations at the national level. Pat Breitenstein has been selected to represent our chapter in these negotiations. Pat is the TEPS expert for our Chapter which means she has the experience that will benefit our employees.

## Bargaining or Not? Series 301 and 343 Analysts

NTEU has settled a Unit Clarification petition filed in 2006 over the bargaining unit status of Analyst positions in the 301 and 343 series. Under the settlement, over 870 incumbents of these positions will become bargaining unit employees.

# Facts about the Economic Stimulus Payments

As found on [irs.gov](http://irs.gov)

As IRS employees, many of us have been bombarded with questions from friends and family regarding the 2008 stimulus package. This article is full of information gathered from various sources listed on the IRS website ([www.irs.gov](http://www.irs.gov)).

Starting in May, the Treasury will begin sending economic stimulus payments to more than 130 million individuals. The stimulus payments will go out through the late spring and summer. Stimulus payments will be direct deposited for taxpayers selecting that option when filing their 2007 tax returns.

In most cases, payments will range from \$300 to \$600 for individuals and \$600 to \$1200 for joint filers. Taxpayers may receive \$300 for each qualifying child. Payments could be less, depending on tax liability and Adjusted Gross Income. Phaseout reduction begins at \$75,000 for single filers and \$150,000 for joint filers.

Low-income workers who had at least \$3,000 in earned income in 2007 but do not otherwise earn enough to be required to file a federal tax return need to file a return in order to get the stimulus payment.

Normally, certain Social Security, Railroad Retirement benefits and certain veterans' payments are not subject to income tax. However, the economic stimulus law passed in February contains a special provision allowing Social Security recipients and recipients of certain veterans' benefits and certain Railroad Retirement benefits to count those benefits toward the qualifying income requirement of \$3000 and thereby qualify for the stimulus payment. Many can use the simpler Form 1040A. These benefits should be reported on 14a on Form 1040A or Line 20a on Form 1040 to establish their eligibility. Supplemental Security Income (SSI) does not count as qualifying income for the stimulus payment. Also not included in qualifying income are non-veterans or non-Social Security pension income (such as those from Individual Retirement Accounts).

Stimulus payments will be subject to offset against outstanding tax and non-tax liabilities in the same fashion as regular tax refunds. In addition, the IRS emphasizes the stimulus payments will not count toward or negatively impact any other income-based government benefits, such as Social Security benefits, food stamps and other programs.

The IRS is providing guidance for certain individuals who are not otherwise required to file in income tax return via Notice 2008-28. This guidance, along with other valuable pieces of information can be found on the IRS website ([www.irs.gov](http://www.irs.gov)). A link entitled, **Rebate Questions?**, has been provided on the IRS home page.

Free tax help is available. Low-and moderate-income workers, including veterans, can get free tax help through the Volunteer Income Tax Assistance (VITA) program. Call 1-800-906-9887 to locate the nearest VITA site. The Tax Counseling for the Elderly (TCE) Program provides free tax help to people age 60 and older. As part of the IRS-sponsored TCE Program, AARP offers the Tax-Aide counseling program at more than 7,000 sites nationwide during the filing season. To find AARP Tax Aide Site, call 1-888-227-7669 or visit the AARP web site.

The IRS.gov website is the best source for additional information and answers to questions regarding the stimulus payments. The site will soon have an online tool which will allow taxpayers to calculate the amount of their advance payment and to check on the status of their specific payment.

Be aware that identity thieves are already pushing scams involving the stimulus payments. The IRS has stated on their website, at least one telephone scam is making the rounds using the proposed rebates as bait. Those who have received questionable telephone calls or emails may use the phishing@irs.gov mailbox to notify the IRS of the scam.

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## 2009 Pay Raise

Now that we have our pay raise for 2008, it is time to start looking forward to next year's raise. The President presented his 2009 budget early in February. The President has proposed a 2.9% pay increase for civilians while recommending a 3.4% for the military. NTEU President, Colleen Kelly, immediately rejected that proposition and has demanded that federal employees, and members of the military, receive a minimum 3.9% pay raise next year.