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NTEU 73 Reacts to Inclement Memo

In response to the annual inclement memo issued by Site Coordinator Phyllis Erkins, under the direction of Chapter President Jackie Huff NTEU73 filed an institutional grievance. In the memo the Site Coordinator is attempting to institute requirements and regulations that are more restrictive than the National Agreement Article 36 requires. This was done without any negotiation by the Agency with NTEU on any level. Ms. Huff assigned the grievance to Barbara Courtney a steward in the Florence office and former Chapter leader.

Prior to the National Agreement II was effective President Huff sent an email notification to all three Directors that the previous year policy will not be acceptable in the wake of the new National Agreement as it applies to inclement weather. The language of Article 36 section 3 will be followed without exception. Several key issues were generated by the memo including the requirement that the employee complete form 10067 in order to have his/her request for administrative leave. Another issue is the request must be made within 2 days after the employee reports for work. Finally, that the request will be reviewed by a committee of managers and they will grant or deny administrative leave. This is not sanctioned by Article 36.

“I do not like the two day timeframe requiring employees to request administrative leave, while management is taking their time in responding to these requests. Many times it has been several weeks before employees are informed that their requests have been denied” stated Jackie Huff Chapter 73 President. Ms. Huff went on to say “ I was on the Inclement Weather Team when the committee was comprised of both NTEU and managers. During the five years that

the committee was comprised of both NTEU and management there was more approved time than denials.”

The National Agreement II Article 36 section 3 states A. Whenever it becomes necessary to close an office because of inclement weather or any other emergency situation and to grant administrative leave to those who are excused because of

emergency, reasonable efforts will be made to inform all employees by private or public media. An emergency situation is one which is general rather than personal in scope and impact. It may be caused by such developments as heavy snow or severe icing conditions, floods, earthquakes, hurricanes or other natural disasters, air pollution, massive power failure,



Ground Blizzard Negaunee, MI

major fires or serious interruptions to public transportation caused by incidents such as strikes of local transit employees or mass demonstrations. B. The Employer has determined that if the emergency conditions described above exist and prevent an employee from arrival at work and the

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Straight From The President's Desk

By Jackie Huff Chapter 73 President

Has TEGE managers gone mad?

I have been getting many complaints from employees in TEGE about how their department is being managed. The moral in that area by many is as low as low can be. Employees are emailing me left and right about how the department manager is hounding them due to having to go to the bathroom if they leave their desk for a minute. Also due to poor planning on management side they did not schedule in advance for their employees to be off the phones to attend the health fair. Instead the employees were given phone numbers and a email address to review health insurance brochures BUT the manager provided no scheduled time to do this. I find it funny how AM can schedule a all day employee appreciation event at the Convention Center and allow all AM to be off the phones and not schedule time for employees off the phones for something as important as health insurance. I have been told by a upper management official referring to our agency as a Corporate Office and had to remind her that this is a Federal Agency and we have a Union, IRS Policies and Procedures that MUST be followed. We are NOT a Corporate Office.

TEGE employees you DO have rights under the contract and YOU need to make sure your rights are being upheld. It is okay to send a email but under the contract YOU can request time to go to the union office to tell us your issues and or concerns. You will be asked to complete a contact sheet and will be assigned a steward who WILL file a grievance in your behalf if management has violated your rights under the contract. If your manager refuses to let you go when you request it due to work load they MUST schedule you a time to do this. If you and your manager can not agree upon a time then the manager must complete a denial form and provide that to the employee AND the

union office. I was recently ask why a Mass grievance could not be filed against Rose Miller who many say is the problem. The union has no problem doing this BUT it would have to fall in the guidelines of filing a Mass which is covered under article 41 of the National Agreement. We need two or more employees with the same violation to file a Mass and believe me the Chapter has no problem filing individual or mass grievances on any manager who violates the employees rights but we need those employees to come forward. Some TEGE employees have come forward with the problems they are having in their area and had their issues resolved. I went to Jim Rogers a while back on some problems these employees were having and those still exist so either he doesn't care or his managers are ignoring him, you decide. I would like to remind all of a new article in the National Agreement concerning "Bathroom Time". Article 11 Sections 22. The union knew of some sites especially call site putting restrictions on employees going to the restroom that they included its own section. WHAT A SHAME. I do not think managers have someone following them or clocking them when they go to the restroom. ALL TEGE managers with authority needs to WAKE UP and remember you upset your employees what kind of service will you get from them?

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post-of-duty is not closed, the employee will be granted administrative leave for absence from work for a part or all of the employee's workday upon providing the Employer with reasonably acceptable documentation that the employee made reasonable efforts to reach work, but that emergency conditions prevented timely arrival. Factors which shall be considered by the Employer and uniformly applied to all employees within the area affected by the emergency include:

1. the fact that the employee lives beyond the normal commuting area;
2. the mode of transportation normally used by the employee;
3. efforts by the employee to come to work;
4. the success of other employees similarly situated;
5. physical disability of the employee; and
6. local travel restrictions.

The Employer at its option may waive the above requirement for documentation for absences of four (4) hours or less. This provision does not apply to employees who are away from their post-of-duty for personal reasons and are prevented from returning to work due to emergency conditions. Any grievances filed must include an explanation of why the employee failed to arrive at work.

C. Employees are obligated to contact their supervisors as early as practicable to explain the circumstances and provide an estimated time of arrival at work.

Since the contract is silent on the use of any form or procedure for requesting and granting or denying administrative leave then the Agency must brief NTEU on their proposed procedures and give NTEU the opportunity to negotiate the impact and implementation. At no time is it accepted for

the Agency to adopt requirement or procedures that are more restrictive than that required by the negotiated agreement.

Management wake up the hayride of the previous administration is over. You again will be held accountable for your actions in a climate that will be fair and without pre-determination. You need to wake up and live up to your word as negotiated in the National Agreement II.



The Current Committee

Senate Bill Separates FEHBP From OPM-Led Plan for Uninsured

Federal Times, December 21, 2009

Federal employees' health insurance would be kept separate from Office of Personnel Management-administered plans for uninsured Americans, under an amended version of the health care bill the Senate is expected to pass this week. National Treasury Employees Union President Colleen Kelley said she was pleased with the changes included in the amendment.

"As health care reform moves forward, my continuing hope is that OPM use both its authority and marketing clout to take a more aggressive posture in negotiating with insurance carriers for lower prescription drug prices for the more than 8 million federal employees, retirees and their family members covered under FEHBP," she said in a statement

NTEU Swapper !!!Buying, Selling or Trading!!!

Items For Sale, Trade, or FREE. Apartments and Houses for rent or sale along with vehicle sales, trades and anything else you would like to get rid of etc. Place your articles on the www.NTEU73.org for all members to see. Advertisements will be kept on the web site for 30 days. Get on the Web site and see what has already been posted or follow the instructions to place an ad of your own.

NTEU73 Union Office Hours

Fourth Street Office

Monday—Friday 7:30 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 7:00 AM.—3:30 P.M.
(859) 669-5024

Not a Union member?

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

From the Editor.....

Heather Phillips

On December 9th President Obama issued an executive order mandating labor – management forums across the federal government. The Executive Order similar to the one issued by former President Bill Clinton and later abolished by then President George W. Bush establishes a forum to allow pre-decisional input by labor organizations and employees. In her column, the President's View, NTEU President Colleen Kelley stated "This is a chance to raise the bar in federal sector labor-management relations and work cooperatively and collaboratively with federal government managers. From the top down and the bottom up, we can breathe new life into the relationships between NTEU and managers. We can work on reducing the adversarial environment that exists in many agencies and replace it with one built more on openness and trust where candid conversations can occur."

Whether or not that filters down to the service centers remains to be seen. When President Clinton issued his Executive Order mandating partnership between management and labor the IRS Commissioner followed suit pyramiding it down to the lowest organizational levels. At this date Commissioner Shulman's office has been silent to the extent that President Obama's order will be followed.

Locally, the three directors have been conducting business with their usual disregard toward seeking the pre-decisional input of NTEU or their employees (see Inclement Memo page one). If the Presidential vision of reducing the adversarial relationship between management and labor will blossom in CSC is going to require a major change in the attitude of many of upper management officials here at the campus. With the exception on the new Submission Processing Director, Nancy Aiello, the past working relationship with the directors has been rather strained. To accomplish the vision of this administration then the "it's my way, I am the boss" attitude must cease and an olive branch be extended.

President Signs Omnibus Bill with Key Contracting Provisions

President Obama last week signed into law the fiscal 2010 omnibus appropriations bill containing a number of NTEU priorities including the contracting out of federal jobs. The bill extends the government-wide moratorium on public-private competition for federal work and requires agencies to create an annual inventory of service contracts so they may determine whether work done by contractors should be brought back in-house. "Agencies have the authority to return contracted work to their employees and we continue to be engaged in efforts to have them do so," said NTEU President Colleen M. Kelley. "We believe that would be a positive step for taxpayers." The bill also continues to block funding for the IRS private tax collection program, sets the 2010 pay raise at an average of 2 percent and increases funding for several NTEU-represented agencies

NTEU Opposes Employee Reinvestigations

In comments submitted to the Office of Personnel Management (OPM), NTEU expressed its opposition to a proposed rule mandating that public trust employees be reinvestigated at least every five years. A reinvestigation requirement was imposed by the Bush Administration during its last days in office. NTEU believes periodic reinvestigations are an appalling waste of appropriated funds and investigative resources given that public trust employees are thoroughly checked out at the beginning of their careers and also given that they will have been employed for at least five years, under close supervision, by the time of their reinvestigation. The union believes that OPM should recommend to the new administration that it reexamine the issue. Close consideration of the matter would lead to the Obama Administration rescinding the executive order, NTEU asserted. In the alternative, NTEU argued for less frequent reinvestigations than every five years.

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."

We Have Winners.....

NTEU 73 awarded two fabulous prizes to members in two separate contests designed to stimulate membership.

In November NTEU 73 awarded a 32 inch flat screen HD digital television to Donna Jent from Accounts Management.

The Chapter followed this with a giveaway of a \$200.00 prepaid VISA card the drawing was held on December 18th . The winner was Marquerite Winn, a file clerk who works at the 4th Street Center on Swing shift.

What did these employees have to do to win these great prizes? Join the union or ask another employee to join. Hard work? Cost a lot of money? No just another benefit of being a union member and sharing that opportunity with your neighbor.

Watch the bulletin boards and the Force for future opportunities to win. In many ways it pays to be an NTEU member.



NTEU Reserved Parking at GWC

NTEU73 has two reserved parking spaces at the Gateway Center which are intended to have a space for visiting stewards to park. Some employees have decided to make these reserved spaces their personal parking spaces. This has been brought to the attention of the building security who will enforce the parking regulations. NTEU 73 will notify security when an unauthorized vehicle is observed in an NTEU reserved parking space and security has promised to increase their patrols issuing parking tickets to any illegally parked vehicle as it does for other parking restricted areas. This could lead to an employee having his/her parking privilege suspended. NTEU 73 is urges you to abide by all regulations that governs parking on IRS property. Don't put your parking privilege at risk.

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.



Passages In Time

Congratulations to Union member Julie Fisher on the birth of her son Grant. Grant was born on November 18th. He weighed 7 pounds 6.4 ounces. Julie is the daughter of NTEU Steward Barb Courtney, congratulations to both mother and grandmother.

The Force sends its condolences to NTEU Steward Helen Phillips on the passing of her sister Evelyn Wright who passed away on November 7th. Helen and her family are in our thoughts and prayers.

The Force also offers condolences to the family and friends of Robert (Bob) Stan-driff who was a Customer Service Representative. He passed away on Thursday, Nov. 26th. Bob was a long time IRS employee who had work both day and night shifts during his career.



On December 20th Stephen Cornett passed away. Steve was a steward and employed in RCO TEGE until illness forced him to retire. Steve was always ready, willing and able to represent employees or NTEU 73 at meetings. Steve was the brother of Vice President Dwight Cornett. He was 59.



If you have an item for the Passages in Time please email it to Heather Phillips at Heather.J.Phillips@irs.gov. Please put Passages in the subject line.

The Force reserves the right to select and or edit the content of items for print.

What Is Good For The Goose.....

Florence KY

On December 4, 2009 the ICE man was observed by several employees speeding in the IRRC parking lot. Officer ICE man was driving his police vehicle, but his emergency lights were not on. This fact was brought to the *Force's* attention by employees who observed the infraction. Officer ICE man, all the *Force* can say is citizen's arrest, write yourself a ticket.

At the Gateway

Pat Breitenstein had all leave balance letters in her team removed from employee folders. Some managers in Accounts Management are issuing these illegal letters and Pat has been getting them removed.

Letters We Like to Get

From Monica Fulton

I very much appreciated your Union Steward, Jim Gregory, going above and beyond duty when I was hospitalized for two weeks in Middletown and had no way to get my hands on the necessary FMLA paperwork which I needed to complete and fax to my manager for medical leave. I called Jim Gregory and asked him to get the proper FMLA paperwork and instructions for me. He did, drove to the Atrium Hospital in Middletown with directions from me, and brought me the FMLA paperwork in person.

He went above and beyond duty, and I truly appreciated him going out of his way to help me out so that I could get my FMLA paperwork submitted.

A BIG THANK YOU TO JIM!!

Jim has been a valuable steward for many years. He has helped many members and NTEU is glad he is part of our team — ED



It Is Your Contract

Question: You call in to request sick leave, but you get your manager's voice mail. You leave a message requesting sick leave and include your telephone number. The next day you return to work and your manager has charged you AWOL for improper leave request procedure. You are not on a leave restriction letter. Has your contractual right been violated?

Answer: Yes. Article 34 section 2 B states "Employees encountering the need for unanticipated sick leave, which could not be requested in advance, must notify their supervisor as soon as possible, but in no event later than two (2) hours after their normal time for reporting to work on the first day of the absence. If the degree of illness or injury prohibits compliance with the two (2) hour limit, the employee will report the absence as soon as possible. If the supervisor is not available during the employee's work hours when the employee calls to request sick leave, the employee must leave a voice message with their telephone number or the employee must e-mail the supervisor and include their telephone number." It is important that you provide your phone number. It clarifies a long time position of NTEU that the employee need not keep calling his/her manager but may leave a voice message or email the manager. It's the rule, it is your contact.

2010 Leave Record Card and the 2010 Salary / Calendar Card Now Available

Members Stop In
Your Nearest
NTEU 73 Office
For Yours



NTEU 73 Quarterly Chapter Meeting

Where **Room 507 Gateway**

When **January 20, 2010**

Time **5:00 PM**

Who **All Chapter 73 Members**



**Shop Craft 150-
Piece Mechanics Tool
Set With Metal Tool
Chest**

**Will be given to a
member in attendance**