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Whose fault is it....?

If you're like me, you find going out to a nice restaurant is a special occasion. So you expect your meal to be nothing less than excellent, but sometimes you experience that your night out is not very pleasant. Either something was overcooked, undercooked, too bland and etc. Something was not prepared right and therefore making your supposed special occasion not so special. Yet if the meal is bad do you blame the food? No usually you blame the person(s) who prepared it or you blame the establishment itself. It's not the steak's fault if it is not cooked right and you can't blame the bread if it taste stale and nor should you because it is the restaurant/chef/cook's fault.

DID YOU KNOW that if you're not a good employee it is your manager's fault. If your evaluation is suffering it is your manager's responsibility to establish a plan; then teach, counsel and monitor the situation until you improve. **YOU**

SEE in this negative environment we work in management likes to make you look like the problem and that it's your fault if you fall short in your evaluations. However the contract says in Article 12, Section 4(L)

"The process of monitoring performance is *ongoing*. Therefore *the Employer will counsel employees* in relation to their overall performance rating on an as needed basis. Such counseling will normally take place when a supervisor notices a decrease in performance," . . . "and include *advice or recommendations* on better communicating job requirements and providing additional *coaching, mentoring, monitoring, and other developmental activities*, as appropriate, to help improve employee performance *until the employee shows improvement*."

Likewise IRM 1.4.1.7 states, "Managers need to be personally involved in the training of their employees, since the nature and quality of the training directly relates to their effectiveness on the job".



And in Management's own Guide to Improving performance, managers are instructed in areas such as, "Creating an environment for maximum performance, Identifying and removing obstacles to maximum performance and coaching employees to exceed." Those are Management's own words.

UNDERSTAND if your manager tries to lower your evaluation, then the responsibility falls on them to counsel and mentor you, and if they don't then they have violated the contract and cannot lower your evaluation. These same principles are true if your feeling stressed because your manager is placing unnecessary pressure on you to perform without taking encouraging steps to help improve your environment so you can work in a productive and fostering work atmosphere. That is why it is important to write rebuttals concerning any evaluative recordation's, counseling letters, etc. as well as a self assessment and a rebuttal to your annual appraisal. You should document your manager's lack of commitment in your development and failure to counsel you on an ongoing basis. Thus it is important to know your rights and don't let management label you as a bad apple. **Remember** the next time you decide to eat out and you have a bad experience, ask for the manager because it's their fault.

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Straight From The President's Desk

By Jackie Huff Chapter 73 President

Employee Appreciation?

Come if you may have noticed that for one day in mid June the halls looked a little emptier. The third floor canteen closed down and buzz of thousands of AM employees talking on the phones was absent. Scanners were not running in the CIS area. No one was working in TPR. You may ask yourself was their a disaster in the building that could bring an entire business organizations functions to a halt!

The answer is no. Recently *Accounts Mis-management* held their all employee training day at the Northern Kentucky Convention Center. They dressed up the event, forced employees to change their tour of duty and denied leave. There was no concern for hardships. This was all done in the name of appreciating employees.

I ask, how can an entire area shut down? After all some of you may know that recently Chapter 73 invoked a grievance into arbitration because some of areas, most egregiously AM, denied employees the right to attend the all employee health fair! Management stated that even though they had full knowledge of the event, as it occurs every year, they were denying these employees the right to attend because of work load requirements.

This makes absolutely no sense at all. The entire organization can cease to function when it benefits management, but employees can not have an opportunity to speak with representatives regarding their health care.

Chapter 73 is working tirelessly to resolve contractual violations and gross abuses of authority such as the one described above. I encourage every member to report to the union any violations of your rights so that we can extinguish the fires management keeps setting. If you are reading this and you aren't a member I am inviting you to join. If we stand united we will win!

A History of Success

Here is a sampling of NTEU's proud and successful history—from courtroom and legislative victories, to significant contractual and workplace improvements to precedent-setting arbitration wins and much more.

- Launched a successful campaign to **cancel the IRS private tax collection program**.
- Consistently fights for **fair and competitive annual pay raises** for federal civilian employees.
- Saw the **files work returned** to IRS employees at seven service centers after years of opposition
- Aggressively pushed for **Flexible Spending Accounts** for federal employees and an initiative allowing the use of pretax income to pay health care premiums.
- Won a federal court ruling that employees have the **right to review promotion files**.
- Beat back an IRS attempt to close dozens of its **Taxpayer Assistance Centers** nationwide.
- Won a **first-ever court victory** against an agency's illegal use of appropriated funds to give federal jobs to a contractor without giving employees the chance to compete.

Flavor of the Month

Well, management has once again asserted their will upon us by choosing to ignore the contract and violate employees' rights. You may have heard recently in your team meetings management's new rally cry, "improper transfers." If you work in accounts management this is a new flavor picked by management as another spice in their buffet of entrapment to use in evaluating employees. Recently management has mandated that all full scope CSR's use gate 246 and management has been watching closely the amount of transfers from their so called "super gate" into other gates. If your fully trained on the telephones you may have had a discussion with your manager how you made an improper transfer and unbeknownst to you, you didn't fully understand what you did wrong. **DID YOU KNOW**, that if management documents you because of an improper transfer, it is a violation of Article 12, Section 8. **SEE**, the only reason management is aware of these improper transfers is because of a computer generated report which is reviewed by the department manager and relayed to your team manager. Since these reports are computer generated they are considered a statistic, and **SHOULD NOT** be used in a negative way regarding your evaluation. Any statistic, for that matter, should not be used in a negative way in evaluating employees. **UNDERSTAND**, that the use of statistics in Article 12 is defined by 26 CFR Part 801 (United States Code of Federal Regulations, which states, "the performance criteria for each position as are appropriate to that position, will be composed of elements that support the organizational measures of Customer Satisfaction, Employee Satisfaction, and Business Results; however, such organizational measures will not directly determine the evaluation of individual employees." **FURTHER**, Article 12, Section 8D explains, "the Employer will bargain the impact and implementation of any new automated system." The Union views these improper transfer reports as a statistic which is automated and therefore should be negotiated and not be used by management to reflect negatively on your evaluations. This is another unjust level of automated supervision, as if we don't have enough people watching and evaluating our performance already. **ALWAYS** write a rebuttal for every piece of documentation put in your file and be sure to highlight these points in your defense to management. Hopefully we can put a little bitterness in their cuisine so they will stop feasting on the misinformed.

It's Your Contract

Question: My manager has demanded that I provide a doctor note to justify my absence when I requested sick leave. The manager said the note must say why I was off and what medical improvements are predicted. Do I have to give my manager a note like this?

Answer: Under the National Agreement, or contract, you are not required to provide a manager with documentation that contains prognosis and diagnosis. This can be found at Article 34 Section 3C. That is private medical information that you can legally refuse to give to anyone but an IRS medical official who is bound to maintain your privacy. If you are asked for such information you should seek the advice of an NTEU union steward.

Additionally, if you missed three days or less you are not required to provide a doctors note at all, unless you are on a sick leave restriction letter.



Membership Incentives are coming!!!

Stop by the union office and find out how you can earn money in your pocket and by enter in a contest to win prizes just for signing up your fellow employee as a union member!!! Only union members are eligible!!!

Did you know?

Did you know that management has no input in the selection and appointment of those employees who serve in the capacity of stewards? Stewards are appointed by the current Chapter President. This measure guarantees that the stewards in your chapter work for you not for management. (Article 9 Section 9C)

Did you know that when you need to meet with a steward to discuss an issue both you and your steward are on paid time? Employees code the time under 59300 and stewards use the appropriate specific time code. (Article 9 Section 2E1)

Did you know that as an employee you are entitled to the presence of a steward anytime you are questioned by management or an agent of management and you believe the line of questioning may lead to a disciplinary action? (Article 9 Section 2C7)

Did you know that anytime a manager meets with two or more employees for the purpose of discussing working conditions (not just changes) an invitation must be issued to the union for a steward to attend? Such meetings are considered formal, meetings and are 7114 meetings for purposes of the contract. During such meetings the attending steward may ask questions, take notes, make statements regarding the union's position and advise employees of their rights. (Article 9 Section 2C1/ Article 9 Section 2C16/Article 8 Section 1 D)

Did you know that you should not simply walk away from your work to go the union office or to talk with a steward you should always request permission to leave from your manager? The only valid reason to deny your release is that your immediate work requirement prevents your release at that time. You must be released as soon as work requirements permit and management may be asked to justify the denial. Failure to release you to bring forward a grievable condition may extend the time frame in which a grievance may be timely filed. If management fails to release you please notify the union office with your name, telephone number, name of your manager & work area. (Article 9 Section 2). Knowledge is power!

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

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Do you have a question? Do you have a question?

Do you have a question for a member of our staff? Or do you have a contractual issue you would like addressed in the Force? Please send an email to Tammy.L.Rackley@irs.gov and our staff will do our best to address your question in an upcoming issue of the Force.

(No names will be used unless you expressly give us permission to do so.)

NTEU Organize
2010 Mobilize
Deliver



Coming in August

- * Flavor of the month
- * It's your contract
- * What is my chapter doing for me?
- * FMLA... know your rights!
- * Disciplinary actions, it can happen to you.

The Force

"NTEU73's Hard Hitting Newsletter"

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Vice President: Dwight Cornett
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"To Organize Employees to Work Together To Ensure That Every Federal Employee Is Treated With Dignity and Respect."



April 21, 2010
July 21, 2010
October 20, 2010
January 19, 2011

Passages In Time

Do you have news you would like to share with the chapter? Births, deaths, graduations etc.

If you have an item for the Passages in Time please email it to Amy Arnold at Amy.N.Arnold@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.

The National Treasury Employees Union (NTEU) has been famous for aggressive use of the courts

Please join NTEU in congratulating proud father Imu Aloway, as contact representative in Accounts Management, Imu and his wife Akiko welcomed Maxfield James Mao Aloway into the world on June 1, 2010 at 6:50 pm. The bouncing baby boy weighed 8 lb 1 oz and was 20.5 inches long! Congratulations and wishes for many happy years filled with love and joy



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Did you move?

Do you know if you moved and updated your address with the IRS they will not forward that information to us? Keep in the know, update your information!

Name: _____

Address: _____

Phone: _____

Home Email: _____

Just stop by the union office and drop this form off and we will do all the work for you!

Not a member stop by and join!

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.





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All daily specials are available for lunch and dinner for only \$6 and includes fresh baked bread					1 Baked Meat Lasagna with side salad & garlic bread	2 Fish and chips with homemade coleslaw	3 Closed
4 CLOSED Happy Independence Day!	5 CLOSED	6 Smoked Pulled Pork BBQ Sandwiches with Baked Beans & Slaw	7 Chicken with bacon-Dijon sauce, baked potato & veggies	8 Cincinnati-style chili with spaghetti & cheese with side salad	9 Fish and chips with homemade coleslaw	10 Closed	
11 Brunch Buffet 10am-2pm \$7	12 Fried chicken with mashed potatoes and buttered com	13 Kielbasa & Sauerkraut with mashed potatoes & gravy	14 Turkey & gravy with homemade stuffing & veggies	15 Rosemary & garlic pork chop, sautéed veggies & redskin potatoes	16 Fish and chips with homemade coleslaw Closed @ 3 pm for Resident Party @ 5	17 Closed	
18 CLOSED	19 Spaghetti & homemade meatballs with side salad	20 Deluxe Bacon Cheeseburger with fries & Italian veggie salad	21 Marinated Chicken with sautéed onions & mushrooms and rice pilaf	22 Beef Stroganoff with egg noodles & vegetables	23 Fish and chips with homemade coleslaw	24 Closed	
25 Brunch Buffet 10am-2pm \$7	26 Fried chicken with mashed potatoes and buttered com	27 Homemade Meatloaf, mashed potatoes & gravy & green beans	28 Flaky Homestyle chicken pot pie & baked cinnamon apples	29 Open Faced Roast Beef Sandwich w/ Mashed Potatoes & Gravy & Veggies	30 Fish and chips with homemade coleslaw	31 Closed	
Twin Bistro & Catering 111 Brent Spence Square Covington, KY Inside East Panorama Apartment building				E-mail: info@twinbistro.com Phone: 859-291-6300 Fax: 859-291-6500			



**NTEU 73
Quarterly
Chapter Meeting**

Where Room 507 Gateway

When July 21, 2010

Time 4:30 PM

Who All Chapter 73 Members



**Park & Sun SportsR
Bocce Pro Set**

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