

## Budget to be Released at October Chapter Meeting: Annual NTEU73 Christmas Party is a Go!

As the end of the Chapter Fiscal year approaches, NTEU73 Treasurer Laura Mitchell and President Rick Riley are finalizing the Chapter’s budget for next year. Once completed, the budget will be put to a vote of the Chapter Executive Board.

Originally the NTEU73 Christmas Party was in jeopardy of being cut. However, after some tough decisions elsewhere in the budget, it looks like the party will be held again after all.

“There was over \$25,000 spent on last year’s party and only about 200 people showed up,” explained Mr. Riley.

“I just feel like that was a lot of money to spend on something that not a lot of members took advantage of. And of that two hundred plus, a lot were guests.”

“We are still going to have the big picnic of course. We will not be cutting anything that has been done in the past. We just want to be a bit more fiscally responsible.”



Employees line up at the annual Labor Recognition

Mr. Riley explained that while there is going to be a great party, it is going to be somewhat scaled back from last year’s bash.

The Chapter brings in a little over \$84,000 a year in local dues. “This year it looks like we are going to spend a bit more than we bring in,” said Mr. Riley. “We have a lot of money in reserve, but I am not interested in dipping our reserves below the \$100,000 mark.”

Cuts have been made in other areas, including funds being spent on national steward training.

“We are only going to send the stewards who earn it,” explained Mr. Riley. “We are developing a system now for measuring that.

Copies of the budget will be handed out at the Chapter Meeting on October 21.



## New Contract in Effect October 1

The new IRS-NTEU contract becomes effective on October 1. Employees will receive their contract from their manager.

With such a tight budget this year, negotiations were particularly tense. But despite the challenging environment, NTEU was able to retain some critical rights and benefits from the previous contract.

Among these are the annual awards program; expanding telework opportunities to additional employees; and granting new rights to call-site employees to ensure fair evaluations. It also addresses employee concerns about details, AWS, leave issues and inclement weather, to name a few.

At the bargaining table, NTEU was able

to prevent a number of harmful proposals from IRS, including a provision that would have allowed the agency to suspend or terminate the transit subsidy program at any time they wished.

“As I have said before, sometimes it is not about what you get but what you stop,” commented NTEU73 President Rick Riley. “Every time there is bargaining for a new contract, IRS tries to take back some of the things the union has won. NTEU has historically been able to prevent the take-backs.”

NTEU73 stewards have already begun to be trained on the newest provisions of the agreement. There were special sessions about the new contract during the national training in Las Vegas.

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## ***The Force***

A Chapter 73 Publication

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## From the Desk of NTEU73 President Rick Riley

**“As always, At Your Service”  
— Rick Riley**

The title *Hurrah for the Union* is from the song “The Battle Cry of Freedom”. It is a very rousing song from the American Civil War. The song has another line “the Union Forever!” In today’s political climate, I can’t think of another song with more appropriate lines than this one. We are in the fight for the very existence of Federal Unions today. We literally are fighting for our freedoms and rights that our union, NTEU has won for us. History teaches us about the fight to organize unions, men and women actually gave their lives in their fights to organize.

Today, Chapter 73 is continuing the fight! I’ve been impressed with the way the employee complaints have been resolved under the watchful eye of the Chief Steward, and my Vice President Karen Walsh. Karen takes a personal interest in every case and is always available to the stewards, both days and nights. We’ve been able to resolve issues using Interest Based Negotiations and Problem Solving. Karen sees that each case is readied for arbitration and sent timely to the Chicago office.

As we move forward, we want to hear

about your problems. If you aren’t a member, join us in the fight and the fun! And I do I plan on several



more opportunities for the fun part!

For example, come to Old West Fest (set up as Dodge city circa 1870) to meet “Captain Rip”. Captain Rip is my Cowboy persona from when I joined the Single Action Shooting Society in 2005. Captain Rip is based on John Wayne’s character in one of my favorite movies, “She Wore a Yellow Ribbon.” Captain Nathan Brittles is a Union Cavalry Captain from the Civil War (I was a Captain in the United States Army Cavalry too!). The story is loaded with action and of course a love story. In the end, Captain Brittles rides off into the sunset to retirement (You know I could retire too?) when a galloper catches him and hands him orders to recall him as Lt. Colonel in charge of Native Scouts. (I got elected president by you all so I didn’t retire!). I would like to invite you and do hope to see you at the Old West Fest October 10<sup>th</sup> and 11<sup>th</sup>. My favorite thing there is swearing in the little deputies! They are so cute and so much fun!

## NTEU Gets 6 Hours Leave per Person!

NTEU has reached agreement with IRS to give employees who were laid off due to the sequestration the annual leave they would have earned. Any employee who was placed in temporary non-duty, non-pay status will receive 6 hours of annual leave. The leave must be used in the fiscal year of 2016 (between October 1, 2015 and September 30, 2016). If it is not used by the end date, it will be forfeited.

The leave must be used in one hour increments and cannot be used in fractions of an hour.

The leave will not be prorated for seasonal or part-time employees. If they served at least one furlough day, they are entitled to the full six hours of leave.

This is the second victory NTEU has tallied in regard to the sequestration. It will be remembered that NTEU was successful in getting employees paid for the time off. Without the union, it is certain this would not have happened.

“We really thought NTEU would get our pay, but you never really know until it happens,” commented NTEU73 President Rick Riley. “Sometimes we take some of these things for granted but if not for NTEU, many of things would simply not happen.”

Employees had been concerned, even though they had gotten paid, that they would be denied the leave they would have earned. The across the board deal made sure that did not happen.

# Steve Clark Doing Well But Could Be Long Road Ahead

NTEU73 Chief of Staff Steve Clark, who suffered a serious injury a month ago, is recuperating and doing better than expected.

A month ago, after doing some heavy lifting at the NTEU73 storage facility, Mr. Clark went home and was watching TV. Suddenly he realized he could not feel or move his legs. He was taken to the hospital and had emergency surgery. Apparently some internal bleeding pressed against his spinal cord causing paralysis from the waste down. He has been in the hospital since then.

While slow, Mr. Clark has been making steady progress. He is beginning to get feeling and control back in his legs and has been involved in therapy to help him walk again. Just last week he began walking between parallel bars and has made amazing progress.

“It was a shock to everybody!” said NTEU73 President Rick Riley and one of Mr. Clark’s closest friends. “It was a freak thing and just shows how anything can happen at any time. There are no guarantees.”

“We are holding Steve’s position for when he comes back, which could be weeks or even months,” said Mr. Riley. “We are all praying for him, but I know Steve is a fighter and this is not going to keep him down. I fully expect him to be back.”

Mr. Clark is currently in a rehabilitation center in Florence.

NTEU73 President Rick Riley has had a bit of a problem himself. He had a bone break in his foot and has been seen hobbling around on a crutch for the past few weeks.

“I feel like it is probably healed but I am

going to stay on the crutch until the doctor says its ok,” he said with a smile.

## Receive Home E-Mails From Your NTEU73!

**NTEU73 sends out regular e-mails to your home address upon request! You will receive local updates, electronic copies of all issues of *The Force*, Force Alerts, events and more! Just contact any union office and we will add you to the list. It’s that simple!**

### NTEU Chapter 73 Stewards

#### Day Shift:

**4th Street** - A.J. Allen, Dorothy Barry-Elliott, Tommie Braswell, Ron Cunningham, Nicole Guethlein, Brenda Herrin, William Kohler, Daniel McNamara, Laura Mitchell (**Treasurer**), Michelle Robinson, Jeff Seibert

**GWC**—Pat Breitenstein, Steve Clark, Tomeka Cottrell, Liz Herald, Marlo Hodge-Hummond, Loretha Hudson, Vicki King, Jessica Jacobs, Bob Krekeler, Staci Lee, Tonya Morris, Debbie Mullikin, Chris Pierce, Rick Riley (**President**), John Selmeier, Melinda Smith, Michele Townsend, Karen Walsh (**Vice President-Chief Steward**), Virginia Watson, Julia Wiley (**Secretary**)

**IRRC - Florence** - Jan Colwell, Sarah Corea.

#### Swing Shift:

**4th Street**—Julie Orick, Beverly Johnson, Stephanie Slayton, Torika Thompson

**GWC**—William Dreier, Ron DuMoulin, Jim Gregory, Terri Hampton, Cheryl Meadows, Karen Payne, Robert Starks,

## Another Government Shutdown Averted

Yet another government shutdown was averted as a continuing resolution was passed to fund the federal government temporarily until December 11.

The shutting down of the government was an issue NTEU fought hard to stop. NTEU believes any shutdown would be devastating for federal employees and the country.

NTEU has been urgently pressing Capitol Hill to prevent a shutdown and is supporting legislation that would ensure furloughed employees get paid, and employees required to work can continue to take leave and will be paid as soon as practicable after a shutdown regardless of regular pay dates. Thousands of NTEU members have sent messages to their members of Congress urging them to act to keep the government open.

It will be recalled that after the last government shutdown, IRS workers who were furloughed did get their pay along with leave that would have accrued. This would not have happened without NTEU’s actions.

The union had been in constant touch with administration officials from OMB, the Office of Personnel Management and agencies where it represents employees relaying frontline employee concerns and

getting answers to key questions and then sharing that information with members. NTEU had also posted agency shutdown plans on its Shutdown Information section at nteu.org.

NTEU had stood ready to file national grievances in the event that employees were forced to work during a shutdown, but are not properly paid for their work on their regular pay dates. The grievances would have sought any minimum wage and overtime payments due on the first regular pay date after the shutdown began and, if the shutdown had lasted beyond the first pay date any minimum wage and overtime payments due on subsequent pay dates.

In the event of shutdowns, NTEU always works directly with federal agencies to address leave, travel and other issues. Furloughed employees who are on leave or official travel should never be penalized, and excepted employees who are required to work should always be able to take leave if appropriations lapse.

NTEU members can stay on top of the breaking news through direct messages in their inbox and [NTEU’s Shutdown Information webpage](#) in the event of future shutdowns. NTEU73 has also been posting updates on Facebook.

# Know Your Rights - Article 34 – Sick Leave

By Rob Starks  
NTEU73 Night Shift Steward

## Article 34, Section 2

### **I am sick, what should I do?**

Section 2B says: When foreseeable, for instance surgery or a medical procedure, you should notify your manager as early as possible. When you are sick and it is unanticipated, you should still notify your manager as soon as possible and do your best to call in during or before the first two (2) hours after your TOD starts. However, if the type of incapacitation prevents you from calling in within the first two hours of your TOD then you have to call in as soon as possible. If the phone is not an option for you then you also have the right to email your manager.

### **I am sick, what should I tell my manager when I call in or Email in?**

Within your phone call, or your email, you only need to answer or provide three things:

I am sick and I will not be able to come in for my TOD.

I want to take this type of leave.

Leave being either Sick, Annual in lieu of Sick, advanced sick, LWOP, etc. Advance sick and LWOP requires either an FMLA or a doctor's note, regardless of the duration.

My phone number is xxx-xxx-xxxx. Many managers will attempt to determine what is wrong with you. You do not have to share. Instead, just state again that, "I am sick."

### **The Employee Resource Center states:**

You may use sick leave when you are absent or incapacitated due to: exposure to a communicable disease. (like the flu or other illness that is contagious); physical or mental illness; injury; pregnancy; childbirth; activities required to adopt a child; visits to a doctor, optometrist, or dentist.

### **Article 34, Section 3**

#### **When do I need medical documentation?**

Section 3A says: If your illness lasts more than 3 days, if you are out of FMLA and need more FMLA time, or if you have no leave available and are preventing AWOL, then you must get a doctor's note.

### **What should my doctor's note say?**

**This is very important.** Section 3C says. Your doctor's note must state these four (4) items:

1. A statement that "the employee is under the care of a physician;"
2. A statement that "the employee is incapacitated for duty and the dates that the employee is incapacitated;"
3. A statement including "the expected duration of the incapacitation;"
4. "Must be signed or the stamped signature of the health care provider."

The signature should be that of a doctor when possible.

### **My manager is requesting Medical Documentation, how quickly must I provide it?**

Section 3D says. When a manager requests additional medical documentation then you need to provide it within 15 days, if possible. However, the time limit is 30 days.

### **Article 34, Section 6**

#### **May I ask for Advanced Sick Leave?**

Section 6 says. Yes, advanced Sick Leave can be granted if all six conditions can be met:

*The employee is eligible to earn sick leave;*

*The employee's request does not exceed 30 workdays or 240 hours;*

*There is no reason to believe the employee will not return to work after having used the leave;*

*The employee has provided acceptable medical documentation of the need for advanced sick a child or the employee or leave;*

*The employee is adopting a family member who has a serious health condition. Advanced sick leave is not available for routine medical visits or minor illnesses; and*

*The employee is not subject to the restrictions of a sick leave restriction letter found in Article 34 section 4A.*

### **Article 34, Section 7**

#### **My Manager is asking me what is wrong or what is my illness, what**

### **should I say?**

Section 7 states. For purposes of sick leave, the employee will not be required to reveal any details about the nature of his/her underlying medical condition to the employer.

### **Can I expect my manager to keep my medical information confidential?**

Section 7B says. The employer will treat as confidential any medical information given by an employee in support of a request for sick leave. The employer may disclose such information subject to its Privacy Act obligations, for work related reasons on a need to know basis only.

### **Annual Business Chapter Meeting**

**October 21  
Gateway Center, Room 505**

**2:30 for Night Shift  
4:30 for Day Shift**

**NTEU73 keeps members informed with chapter news as well as national news.**

**Visit [nteu73.org](http://nteu73.org).**

**On Facebook:  
Official NTEU  
Chapter 73**

**National Web Site  
[nteu.org](http://nteu.org)**

# Labor Recognition Cookout Photos





Go to the Old West Festival web site and buy your tickets online! They are normally \$12.00 for adults, but NTEU members get them for \$7.75! Kids get a discount too!

Just type "NTEU" in the Promo Code Box!

**SEE YOU THERE!!**

## Contract ...pg. 1.

NTEU National Chief Negotiator Ken Moffett addressed the attendees at the training and told of the problems during the negotiations with IRS management. He explained that while neither party ever gets everything they want, in this case, the union was extremely pleased with the final outcome.

The contract was the result of 16 months of grueling negotiations in Washington.

Possibly the biggest NTEU won was keeping the employee awards system in place. This had been under heavy attack during this budget crunch.

"The best thing about the program is that it is directly tied into the management awards," explained Mr. Riley. "If management raises their awards, they have to raise the employee awards. If they lower employee awards, they must lower their own. It is a great incentive for management not to do evil where awards are concerned."

NTEU also was able to expand the criteria for granting of advanced annual leave beyond the sole criterion of serious health conditions. Instead, all employees who meet the criteria (e.g., has completed the probationary period, is not on a leave restriction letter, has an advanced annual leave balance of 40 hours or less) will be eligible for advanced annual leave.

Another issue was the concern that managers were targeting calls of Customer Service Representatives for review. Managers will now have to advise employees of *all of the calls* they listened to on the day that they "found fault with a recorded conversation." This will enable NTEU to determine whether the manager was targeting the calls and picking bad ones for recorded review.

NTEU73 is getting ready by holding local training for stewards October 13-15th. Attorneys Mike McAuley and Will Igoe from Chicago will meet with stewards and make sure they are up to date on the many changes.

## Thanks to Our Labor Recognition Week Sponsors!

### Family Members

A Very Special Thanks to Tim who was one in a Million!! James (Tim) Gray (Julia Wiley)

Special Thanks Vita Van Zandant (Tommie Braswell)

### Special Thanks to the Vendors

Paul and Rox Thornton - United Benefits

Melanie Drury- 5<sup>th</sup>/3<sup>rd</sup>

Robert Harris- US Bank

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Kim Marko- Costco

Dr. Lamont Smith - Smith Family and Sports Chiropractic

Elizabeth Frey and Ryann Conn- Cinfed Credit Union

Bart Gant- Colonial Life

Donna Pratt -PNC Bank

Jennifer Browning- Liberty Mutual

**I would like to thank every one who helped with Labor Recognition:**

**Thomascina Braswell**  
**Labor Recognition Chairperson**

## Election Challenge Denied

A challenge filed by former President Jackie Huff and members Donna Jackson, Heather Phillips and Ron Vinson has been denied by the NTEU National Executive Board. The board upheld the previous decision of former NTEU National President Colleen Kelley. The news came, not unexpectedly, in a letter from National President Tony Reardon. While it is possible that the members will take their complaints to the Labor Department, it is highly unlikely the result will be different.

# NTEU73 Stewards Working for the Members

Your NTEU Stewards work for you, and are available if not in person, by phone or email. There are multiple stewards located in most Cincinnati IRS Center location. Here is a list of stewards manning the current NTEU73 offices:

## Gateway:

- ◆ Chapter President **Rick Riley**
- ◆ Vice President/Chief Steward **Karen Walsh**
- ◆ National Vice President **Pat Breitenstein**
- ◆ Chief of Staff **Steve Clark**
- ◆ Secretary **Julia Wiley**
- ◆ Stewards **Virginia Watson** and **Debbie Mullikin**

## Fourth Street Center (Flat-top):

- ◆ Stewards **Michelle Robinson**, **Tommie Braswell** and **Bev Johnson** (Night Shift).
- ◆ Treasurer **Laura Mitchell**
- ◆ Director of Communications **Jeff Seibert**

If you have any issues or concerns, call an NTEU73 office at 859-669-5700 or 859-669-5370.

**Will Kohler** has been working with HRC as a Union Rep Tax Examiner on updating and creating fairer questions for the 592 – series tax examiners on Career Connector and brought to HCO attention’s various problems that have been hampering employees in getting positions within their own departments.

**AJ Allen** successfully got an employee relieved of a Letter Of Reprimand.

**Rob Starks** won an Oral Reply and had an employee’s proposed suspension stopped. He also had a counseling letter removed from her drop file.

**Melinda Smith** was able to get management to raise two employee’s evaluations!

**Jeff Seibert** had 32 hours of AWOL removed from an employee’s file.

**Daniel McNamara** got an employee’s evaluation raise from 2.6 to 3.0, minimally successful to fully successful. He also had an improper memo regarding and employee’s medical information removed from her file.

**Laura Mitchell** helped an employee get use or lose leave that was denied. Also helped an employee with FMLA over LWOP.

**Bev Johnson** had an evaluation raised to 4.6 and got a performance award for an employee they would not have gotten!

**Debbie Mullikin** got three evaluations raised for three different employees!

## 60 Second Updates

NTEU is supporting the **Federal Employee Fair Treatment Act:**

legislation that would ensure that furloughed federal employees get paid in the event of a shutdown and that those who are required to work can take leave during a shutdown and that both categories of employees are paid as soon as practicable after a shutdown regardless of scheduled pay dates. The bill will be introduced by Sen. Ben Cardin (D-Md.).

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orders over \$50 (excludes furniture). Members can visit <http://www.officediscounts.org/nteu.html> to shop online or to print a free store purchasing card. When visiting the link to shop online, members will be asked to create a username and password.

### **Florence Files gets a Refrigerator!**

During a Meet & Greet at Florence, many members were concerned over the lack of refrigerator space at the facility. Rick Riley and Karen Walsh heard their concerns and contacted management on their behalf. A refrigerator was obtained and NTEU73 put out a flyer in Files saying that Dean Curry had gotten it for the employees. As they say in the NFL, “after further review,” that was not exactly how it happened. According to Colleen Hahnel, IRS Facilities Management & Security Services, Kim Fey was contacted by her, “regarding a project she is working on and asked if by chance they had a refrigerator that would not be used in their new space. Kim indicated there was a

refrigerator that had not been identified to go to any particular place and she would check to see if we could have it. Kim made the contact with the business unit involved and pleaded our case of needing a fridge at the Files building. The business unit agreed to donate it to the Files building. Kim is currently making the arrangements to have the refrigerator moved to the Files building sometime in November when the project is wrapped up. I contacted Kia Shearer, Dept. Manager for the Files side of the building, to let her know and she was very grateful. So to correct your statement, it was Facilities Specialist Kim Fey who made this happen and not Dean Curry.”

Thanks, Colleen! We certainly want to have correct information (and in this case credit) to be published in **The Force!** We would also like to thank you as a union member for stepping up for your fellow employees in the Files building! We are sure you will be thanked every time someone is able to keep their lunch cold! Thanks again!!

