

Yet Another Threat of a Government Shutdown Looms Over IRS Employees

As this magazine goes to print, it is still uncertain as to whether the government will shut down on December 11. This has become routine for IRS employees and it is uncertain whether the election of a new House Speaker will have an effect on budget negotiations. President Obama has already said he will not sign another continuing resolution. The negotiations are likely to go to the deadline again.

"I do not see a shutdown happening," House Majority Leader Kevin McCarthy told reporters on Capital Hill on November 30. McCarthy suggested it may take an additional week, until December 18, to get a deal. This would mean that a stop-gap measure would have to be passed for the week.

There had been talk that House Republicans would hold up a budget deal over the defunding of Planned Parenthood. However, Republican leadership seems to be backing off that demand and it seems likely that an agreement will ultimately be reached in time to avert another shutdown.

There are also grave concerns about the money allotted IRS to perform its mission, even if a budget is timely passed.

"Over the last fifty years, none of us has ever witnessed anything like what has happened to the IRS appropriations over the last five years and the impact these appropriations reductions are having on our tax system," seven former IRS commissioners wrote in a letter sent Nov. 9 to congressional appropriations

committees.

NTEU President Tony Reardon recently urged the Senate and House appropriations committees to provide higher levels of IRS funding this year, something NTEU does regularly.



The Northern Kentucky Convention Center will be the site of the 2015 NTEU73 Annual Holiday Party. The party will be Saturday, December 5. Free tickets are available in any union office.

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Huge Win : FLRA Agrees With Union to Make Telework Happen

By Debbie Mullikin

United States Presidents have been sending out memorandums for decades touting the benefits of telework for everyone involved.

It's green – fewer people driving, less energy use by the government, smaller office footprint. It improves work life quality – employees can stay home, save commute time, save money on gas, improve their health, less absenteeism, fewer workplace accidents. It's cheap – same/similar computer equip and the employee provides the office furniture, space and electricity.

All wonderful things and NTEU agreed it would benefit our members. BUT... then it came down to management taking action to make it happen and that's where our saga begins.

History:

Three years ago, some folks from Appeals were asked by management to assist with a backlog of Innocent Spouse claims caused by a new Revenue Procedure that changed the way IRS considered factors related to joint filing. Several of them agreed to assist and management agreed those folks could continue to telework because they were already working Appeals from home.

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From the Desk of NTEU73 President Rick Riley

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

“A View from the Saddle”

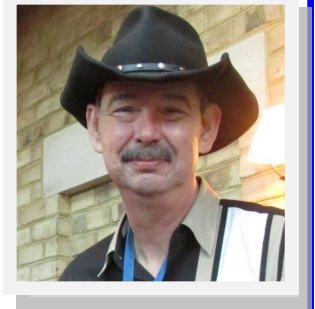
Aww, the holidays are here, and they are my favorite time of the year. We as employees get extra time off to spend with our family, friends and loved ones. My hope is that everyone reading this gets to do just that. Christmas has always been very special to me. I have very fond memories of waking up on Christmas morning as a child and being so excited. I was blessed with parents who made my childhood very happy.

Then there is New Year's. I married my bride 29 years ago on New Year's Day. New Year's Eve has become our celebration since then. With the New Year comes excitement for us as individuals, but as employees, 2016 doesn't promise to be all that happy. We will receive a 1.3% pay raise in 2016, just a drop in the bucket compared to rising costs of health insurance and other every day expenses. Thankfully, locally we've seen a tremendous drop in gasoline prices. But still, we as employees here at CIRSC face another

difficult year ahead. We will have more work than last year and, it appears, fewer employees. Congress still hasn't

decided on our budget for 2016, which began October 1st. The IRS has lost so many employees over the years and with the hiring freeze, more work and fewer employees, we will be expected to do more. The Commissioner has even said, “Doing Less with Less.” I'm sure we as employees will be expected to do more. We are seeing unmeasured employees being told they aren't meeting the “funded rates,” thus implying they are on production. Currently there is a Proof of Concept being tested in four sites in Accounts Management to bring back measured quantity and quality. NTEU is fighting this with everything we have. With all the issues we face as employees though, we can be thankful for our family and friends. The holidays I hope are stress free for everyone and the New Year hopefully will bring us all Health, Wealth and Happiness!

From the Officers, Executive Board, the Staff and Stewards of NTEU73, we wish everyone Happy Holidays!



Federal Pay Less Than Private Sector

Federal employees remain significantly underpaid compared to their private sector counterparts, according to a review by a group advising the president on federal wages, with federal workers pay lagging 35 percent behind non-federal workers performing similar jobs.

The Federal Salary Council, made up of federal employee union representatives and pay experts, found a pay gap between General Schedule employees and private sector workers of 34.92 percent. The finding marked the third consecutive year where the disparity hovered around 35 percent; the council reported a 35.2 percent gap last year and 35.4 percent gap in 2013. The newest data was released in a working group

report; the council's final report and recommendations for 2017 are forthcoming.

This issue is nothing new. Congress had passed a Pay Comparability Act as long ago as the Clinton administration, which had been designed to bring federal workers up the level of similar private sector workers over a five year period. However, the provisions of the bill were never enforced and federal employees continue to lag behind.

NTEU has been fighting to bring attention and to find solutions to this problem for many years. NTEU President Tony Reardon is committed to continuing that fight.

Senate Bills Would Eliminate Union at IRS

Two separate pieces of legislation have been introduced in the U.S. Senate that would eliminate collective bargaining for employees and do away with NTEU in the IRS. Under current law, federal unions are allowed to represent employees at the IRS, as is the case at the majority of federal agencies.

Senator Cory Gardner (R-CO) has introduced the *Preventing Unionization of Revenue Service Employees Act* (PURSE Act), S. 2245, which would add the IRS to the statutory list of agencies that are excluded from Title 5 collective bargaining. Senator Tim Scott (R-SC) has also introduced a bill to eliminate collective bargaining at the IRS, the *End the Partisan Culture of the IRS* (EPIC Act), S. 2246.

"We should put the 200-plus employees currently doing union work back to serving the American taxpayers," Senator Tim Scott told the *Washington Post*, "not

their union bosses and the politicians they support."

Federal unions are prohibited from mandating that collective bargaining units pay dues, so in exchange they are permitted to have members conduct union business while collecting government paychecks and working in government offices.

"Despite the fact that not a single finding of any intentional wrongdoing or political targeting by rank and file IRS employees has emerged from the multitude of tax-exempt processing investigations, some on Capitol Hill have chosen to misrepresent those findings to advance their anti-union agendas," said NTEU National President Tony Reardon. "Frontline federal employees at the IRS should not be blamed for the findings of mismanagement, and be left in a position that would simply allow for more management abuses and less employee protections at the IRS."

"I want all of our members to know that NTEU is working with our allies on Capitol Hill to defeat these bills, and that we will continue our work representing our members across the federal government, including at the IRS."

The introduction of the bill came on the heels of NTEU suffering another potential setback, as the House passed a measure -- as an offset for a transportation bill -- that would privatize tax collection at the IRS. NTEU and other groups have deplored private collection as inefficient for the government and impersonal for taxpayers. That legislation will now head to a conference with the Senate to iron out differences in each chamber's version.

Employees can go to NTEU.org to send e-letters to Congress opposing this legislation!

National Arbitration Wins Gets Promotion Priority Consideration for Over 1,000 Employees

NTEU has won an important grievance that impacts many CIRSC employees. In a process that began over a year ago, an arbitrator decided, in a twenty-six page ruling, that the IRS had violated Article 13 of the National Agreement during promotion interviews and that many bargaining unit employees were owed priority consideration.

The IRS had filed exceptions to delay the process, but the FLRA rejected them all, forcing the IRS to begin the remedy process.

As a part of the remedy, IRS has advised NTEU that over 1,000 bargaining unit employees are entitled to receive priority consideration for at least one position.

To qualify for a priority consideration pursuant to the arbitrator's decision, the IRS had to have conducted an interview by someone other than the selecting official, whereby the agency hired an internal candidate, and there were BQ employees who ranked higher on the BQ list, who were not selected.

"This is fantastic news and should result in these employees receiving a promotion when they are considered as a 'priority consideration' candidate for an appropriate vacancy," said NTEU National President Tony Reardon in a memo to chapter presidents.

It appears as though over 100 employees are affected here on the Cincinnati Campus. NTEU73 President Rick Riley and NTEU Attorney Will Igoe will be meeting with affected employees soon to explain the implications.

"We have received a list of the affected employees and we will be contacting each

of them," said Mr. Riley. "It is because of the hard work of our union attorneys that this got done and it was paid for by the union members. It is my hope that all who benefited from this grievance will join the union, if they are not already a member. It really was a big win for us!"

Mr. Riley also reminded employees of the six hours of leave that the union was able to get after the sequestration days.

"This is leave the employees absolutely would not have gotten had the union not been in there fighting for them," added Mr. Riley. "This is not something the IRS was prepared to do out of the goodness of their heart."

"Right now, about all we can say is that the union represents 58.6% of the employees," Mr. Riley continued. "That does not show unity and strength of numbers. We really need to increase our membership so that the union is taken even more seriously. The higher the percentage the more prestige we have and the more we are taken seriously."

This is just the latest of arbitration wins achieved by NTEU.

Christmas Gifts for Brighton Center

NTEU73 is conducting a gift drive for the Brighton Center. If you are attending the Annual Christmas Party on December 5, please bring an unwrapped gift. It would be greatly appreciated. If you are not coming to the party, you can also bring a gift to the union office and we will see to it that it gets there! Thank you!

Making the BQ List for Promotions

By Will Igoe
NTEU Attorney

Since 2010 the IRS has shrunk by 10,000 employees. This has had a serious impact on the mission of the IRS, taxpayers and the work lives of employees. One of the most obvious impacts is the loss of opportunity for IRS employees to get promotions. NTEU Chapter 73 has been meeting with employees division by division, and at every meeting so far, at least one employee has expressed a concern about a promotion opportunity.

Therefore, **The Force** will be running a series of articles going over the promotion process, and Chapter 73, will be hosting lunch and learns on the rules concerning selections for promotions, details, and training opportunities. Further, our stewards will be working to insure management is following the selection rules. If you have a question about how a selection was handled, please contact the Union Office as soon as possible, so the issue can be addressed.

This article will cover the ranking procedure for competitive actions and promotions. Realize you won't be ranked if you are not qualified for the job. However, for the qualified applicants, the top 5 candidates, for an announcement with one vacancy, will make a Best Qualified list. If you do not get on the Best Qualified list, you cannot be selected. So it is essential that you make the Best Qualified (BQ) list.

Employees, especially seasonal employees, often ask how it is they were not selected for a job despite the fact they worked in the position, on a detail. The reason is that your experience is only one way you are awarded points for a promotion ranking. Points for experience in a job would be awarded based on your answers to the questions on the application, other points are awarded for awards and appraisals.

There are three factors on which employees are ranked. There are points for

each factor, and the employees with the most points will be put on the Best Qualified list. The three areas are: Application, Awards and Most Recent Appraisal. Three points are available for awards, 40 points are possible for answers on the application and 57 points are



possible based on your last rating of record. The appraisal points are awarded as follows:

- 57 points: Outstanding
- 47 points: Exceeds Fully Successful
- 17 points: Fully Successful
- 7 points: Minimally Successful
- 0 points: Unacceptable

So you need to understand, the appraisal is the most important aspect of making a Best Qualified list, followed by the application.

Appraisals play a huge role in the ranking of candidates. There are 40 potential points available based on answers on application, 3 points are possible for awards and up to 57 points for an appraisal. An outstanding appraisal will get an applicant 57 points, however, a meets score on the most recent appraisal will only be awarded 17 points. This means an employee with no points from his application, and an outstanding, would

receive 57 points plus up to 3 points for his or her awards. On the other hand, an employee with a meets on their appraisal would need to get all 40 of the points on their application to get to 57 points, plus up to three points for any awards. This makes your most recent appraisal key to a promotion.

However, it is also very important to get all the points you can on your application. Less than a point often separates those on the Best Qualified list from those who are not. The key here is make sure you get credit for all of your experiences. Often an employee will not check all the answers which apply to him or her. For example if they have acted as a lead and a manager, they will just check the manager box and not get points for acting as a lead. Make sure you read the question on the application carefully. Also, realize all the questions are not necessarily weighted equally, so make sure you are very careful with your answers to each question.

Future articles will discuss selections from the Best Qualified list, how to get details and other opportunities to get the experiences which will boost your application scores and qualify you for jobs. There will also be another article on improving your appraisals. Until then, keep applying and good luck!

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 as simple as that!

New Counselor Helps Employees

There is a new Employee Assistance Program (EAP) Counselor here in Covington. Laura Kruthoffer has taken over for long time Counselor Bob Klei, who recently retired. Employees can meet with Laura over a wide range of issues, including substance dependency, emotional and financial issues, etc. She is there to help, it's free and it is all confidential.

Laura Kruthoffer, LPCC (Covington, KY) received her bachelor's degree in Psychology at Thomas More College, then went on to receive her master's degree at Xavier University through their Community and Agency Counseling Program. Laura is independently licensed in Kentucky and



Ohio, and she recently became a National Board Certified Counselor.

Laura has previous experience at St. Elizabeth Hospital in the Intensive Outpatient Program doing assessments and family group meetings. She has spent the last 5 years in private practice specializing in chemical dependency, dual diagnosis, depression and anxiety, as well as a variety of other everyday life issues.

Laura is looking forward to an exciting new chapter here in Covington with the IRS and the Employee Assistance and Work-Life Program.

Laura's extension is 4030.

Telework...pg. 1.

NTEU73 members in Innocent Spouse Operation noticed. On July 16th, 2013, several of them turned in requests for telework. On July 30th, management denied the requests because the ISO employees' series was not listed in the NAIL. NTEU73 steward Debbie Mullikin requested reconsideration of the requests based on A50 which states that employees who meet the eligibility criteria but are not listed may be considered for telework and their requests should be approved or denied based on the criteria.

Director Toni Cross, denied the requests again due to "back up phone duties." NTEU73 Field Rep William Igoe invoked the cases individually for binding arbitration.

The arbitration hearing was held in Florence, Ky. NTEU73 presented many witnesses, data and information to support the ability to do the work in an alternate location. Not the least of this evidence was that it had already been done, for nearly a year, by Appeals employees!

Arbitrator Margo Newman, ruled that the agency violated the national agreement when it denied the grievants' requests for "frequent telework." She ordered that the grievants be given the chance to show that they met the eligibility requirements for telework. Then Director Vernon

Williamson stated in a Town Hall meeting shortly after the decision that his name and testimony were featured in the decision but that it wasn't up to him whether or not to appeal to the FLRA. He explained that because the decision was negative for The Service and precedent setting that someone else would be deciding whether or not to keep it in the process.

Management did appeal the decision to the Federal Labor Relations Authority thus delaying telework further for the employees.

The News:

Yesterday, NTEU73 received word that the appeal to the FLRA had been dismissed in part and denied in part. Meaning the arbitration decision stands.

The current Operation Manager Rose Miller, has expressed a desire to work with NTEU73 and follow the contract. She has commented that she believes telework is beneficial for the employer and the employee.

Innocent Spouse also has a new Director – Susan Quackenbush, while we haven't heard from her on this issue she has expressed an interest in working cooperatively where possible.

I sincerely hope management works expeditiously to implement this promised benefit for the diligent employees who have waited for the process to be completed.

Warren Thompson Praised as a Good Manager

"I would like to submit our manager, Warren Thompson, as a "good manager". Warren goes above and beyond to keep our team happy. He is fair and treats us all like adults. He will assist anyone and everyone who asks for his help in our entire operation. He is the Team Manager of Team 202, Excise Tax, in Specialty Tax Operation.

"Warren is very knowledgeable and patient. He is an excellent teacher and well-liked by everyone in Excise. Warren is currently the Acting Department Manager for Department 2 in Excise but he is still available for questions from the floor. I have been at the IRS for 21 years and I know how valuable a "good manager" is in the workplace. I like the idea of highlighting the good managers rather than giving recognition to the managers who don't do a good job.

"The IRS can use some positive stories and Warren deserves to be recognized for being a great manager. He makes the workplace a pleasant place."

Jamie Bailey, Excise Tax Specialist

NTEU Chapter 73 Stewards

Day Shift:

4th Street - A. J. Allen, Dorothy Barry-Elliot, Tommie Braswell, Shane Chase, Ron Cunningham, Nicole Guethlein, Brenda Herrin, Bryan Jackson, Jessica Jacobs, William Kohler, Daniel McNamara, Laura Mitchell, Michelle Robinson, Michelle Ryan, Jeff Seibert.

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

IRRC - Florence - Jan Colwell, Sarah Corea, Michelle Hiles.

Swing Shift:

4th Street—Beverly Johnson, Stephanie Slayton, Crystal Taylor, Torika Thompson.

GWC—William Dreier, Ron DuMoulin, Jim Gregory, Terri Hampton, Marlo Hodge-Hammond, Julie Orick, Robert Starks.

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 **Debbie Mullikin**
- ◆ Chief of Staff **Steve Clark**
- ◆ Secretary **Julia Wiley**
- ◆ Stewards **Virginia Watson** and **Debbie Mullikin**
- ◆ Night Shift Chief Steward **Bill Drier**
- ◆ Night Shift Steward **Julie Orick**

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.

Tommie Braswell got an employee physically moved to another seat in order to help the employee.

Sarah Correa got a proposed 3-Day suspension for attendance related offenses reduced to a written reprimand! She also got compensation for an employee who was working higher graded duties!

Bill Dreier got an employee's evaluation raised to 4.6 from to 4.2 .

Nicole Guethlein got AWOL removed for an employee and was able to get another employee's evaluation raised!

Bev Johnson helped prevent an employee from getting AWOL and helped another with her employee appraisal.

Daniel McNamara had a few detrimental memos removed from employee's folders.

Tonya Morris helped an employee with an evaluation issue.

Michelle Robinson helped an employee through the retirement process. She also helped another employee with FMLA paperwork and helped another research a course development assignment.

60 Second Updates

Customer Service to Get Worse at IRS

Internal Revenue Service Commissioner John Koskinen said recently that taxpayers should expect customer service to "get worse" during the upcoming filing season unless Congress boosts the agency's budget — worse, that is, than the new low set last year.

"With the budget the Senate and House are proposing, service will get worse if you can imagine that," Koskinen told hundreds of tax professionals gathered in Washington for a national conference. "We don't have enough people anywhere in this agency," Koskinen said. "We're losing our effectiveness." With fewer employees doing compliance work, "you end up leaving tax revenue on the table. In cutting the IRS budget, the government is



forgoing billions just to achieve budget savings of a few hundred million dollars."

Seasonal Employees Must Respond to Insurance Continuation Letters to Keep it! Seasonal employees who are in non – work status receive a letter asking if they want to continue getting health insurance. If this letter receives no response, IRS automatically cancels the coverage. It is very important to make sure this letter gets a response if you want to keep your coverage!!

Article Correction. In the November issue of *The Force*, an article appeared about a manager in TEGE pulling review on specific employees so that it would not be pulled by quality. This was confirmed by two sources, however, upon further investigation, the system apparently does not work that way. This was information that was being passed around in TEGE as fact. A correction here is in order.

Outsourcing tax collection-- The head of NTEU reiterated that allowing private collection agencies (PCAs) to collect unpaid tax debts will waste taxpayer dollars and spark widespread taxpayer abuse. Congress should learn from the failed experiments of the 1990s and 2000s and give up this terrible idea. He urged Congress to recognize that turning to PCAs will not generate revenue to pay for highway programs over the long haul.

NTEU pushes for more IRS funding-- NTEU is urging House and Senate appropriations committees to provide higher levels of funding for the IRS this year. NTEU National President sent letters to the leaders of both appropriations committees to remind them that IRS' funding has been cut by almost \$1.2 billion in the past five years, a 17 percent cut after adjusting for inflation. The agency also has lost 18,000 full-time and part-time employees over that five-year period.

NTEU73 Gearing Up for Big Year in Legislative Activity for 2016

NTEU73 has big plans for 2016 when it comes to legislative activity. Included will be attendance at the annual Legislative Conference in Washington and even a bus trip to lobby Congress about federal employee issues.

Each year, NTEU leaders from around the country converge on Washington in early spring to lobby Congress. Groups visit each congressional and senate office to lobby the issues that affect federal workers. Many times these groups come face to face with their Congressman or Senator.

Debbie Mullikin is the NTEU73 Legislative Coordinator and has been working tirelessly to make sure representatives are aware and educated on federal employee issues. She sends emails, letters and coordinates local efforts.

In addition NTEU73 will again be sending a bus load of volunteers to Washington in order to meet with representatives. This is something the union has been sponsoring in recent years. Anyone who wants to go will simply sign up and it is free. Normally, the bus leaves in the evening, arrives in Washington in the morning and then returns immediately



Legislative Coordinator Debbie Mullikin

following the meetings.

"I think the people who have gone on past trips had a lot of fun and we were able to make sure our issues, such as federal pay and benefits, are not forgotten," said

Debbie Mullikin.

The annual Legislative Conference is normally attended by chapter leaders and there have been some high profile guest speakers. At past events, NTEU leaders have heard from, among others, Al Gore, John Kerry, Nancy Pelosi, Joe Lieberman and Patrick Kennedy.

Typically, the event lasts three days and attendees are treated to talks from the National President and various activities, including a TEPAC reception. TEPAC is the lobbying organization set up by NTEU. It is against federal labor law for unions to spend dues money lobbying Congress, so TEPAC was set up as a political action committee and is funded by donations of members.

"If any union members would like to volunteer to help publicize our issues and get involved, they can contact me," added Ms. Mullikin. "There is a lot to do and I would be happy to put any volunteer who can help to work."

The Chapter goal is to win a Power Award which is given for outstanding legislative activity by National NTEU each year. NTEU73 has won many first place awards in the past for our work.

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

Visit nteu73.org.

**On Facebook:
Official NTEU
Chapter 73**

President Obama Issues Alternative Locality Pay Plan of 1.3%

President Obama on Monday, November 30, sent congressional leaders a letter transmitting an alternative locality pay plan for calendar year 2016.

Under the administration's plan, federal workers covered by the General Schedule who live in 46 regions across the country would receive a locality-pay increase of up to 0.3 percent. That will be on top of the 1 percent across-the-board pay raise that all GS federal employees are slated to get. If Congress stays silent on the president's plan, these modest increases will take effect in 2016.

The first few years of the Obama administration saw no pay increases for federal employees.

NTEU has worked to expand locality pay coverage and is pleased that more federal employees are eligible for these increases next year. But, according to NTEU, the raise is simply too low.

While increasing locality pay rates for the first time in five years is an encouraging step, NTEU will continue to make the case to the administration and to Congress that federal employees deserve larger overall pay raises. The union is committed to preventing hardworking federal employees from falling further behind their private-sector counterparts in terms of pay.
