

Electrical Appliance Take-Back Solved After Union Action

After push back from NTEU73, management has rescinded the ban on electrical devices including personal fans, heaters and coffee pots. Miscommunication and resistance from some managers had slowed resolution, but finally there seems to be agreement between the union and management.

A memo had been issued in January which informed employees they would not be permitted to have these items in the work area. However, the National Agreement between IRS and NTEU specifically grants that right.

The contract states in Article 27, Section 1,G-2 (pg. 95)it states, "Coffee pots, personal heaters and fans will be permitted in the work area if inspected and approved by the Employer in advance of use."

In addition, there is a local agreement that permits the use of these devices, particularly coffee pots, in

Florence, even though management in that area tried to have them removed long after it was pointed out that it was against the contract.

Here is the guidance the union has been

put in a ticket on "Get Services" under "safety" and facilities will inspect your device for approval. If an employee does not have access to a computer, the manager can put in the ticket. Employees should contact their manager for details. Items should be approved if they have a UL label and are in good working order. They also must be plugged into a regular outlet or surge protector. Surge protectors should not be plugged into each other and there should be no frayed wires or other visible damage to cords or the devices.

However, one employee did just that, and here is the response she received, verbatim: "Your Service Request has been closed as a result of the following action: Request denied due to unnecessary (sic), Facilities does not do the inspections for these

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NTEU National President Tony Reardon speaks to NTEU73 members who traveled to Washington last month.

given: If you have a device that you want to use and be approved, employees are to

Union Fights Dangerous Precedent of Actions Caused by Vindictive Manager

NTEU73 continues to fight what the union views as a "dangerous precedent" that was started in Cincinnati by what is being described as a "vindictive" manager in Florence.

During a dispute with an employee and a steward, Operations Manager Rose Miller called Homeland Security and reported the pair for "creating a disruption in the work place," a disruption caused by the manager, according to witnesses.

After Homeland Security was called, a \$300 ticket was issued to the employee and the steward. Rather than simply

paying the ticket, the two were in Federal Court March 16. Both plead not guilty and the trial is scheduled to begin in May.

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NTEU Chapter 73

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(859) 669-5370

Gateway Office Room 111

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6 a.m. —1 a.m.
(859) 669-5700

Industrial Road Retention Center

Monday—Friday,
7 a.m.—9 a.m.
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The Force

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From the Desk of NTEU73 President Rick Riley

“As always, At Your Service”

• **Rick Riley**

As I look back to April 22, 2015, it seems not that long ago. I look at the number of grievances filed, problems addressed informally, and just the sheer number of members and employees we've helped. My staff is learning more every day and accomplishing more every day. The stewards have just been amazing! Their experience level runs from new stewards to veteran stewards and they all are performing very well. With that said, we still have lots of opportunities to learn, to get better, and we are concentrating on that!

In life I've had a lot of opportunities and experiences of which I have tried to take advantage. Some of my life experiences include a degree from Xavier University, graduating Distinguished Graduate from my Armor Officer's Basic, being a platoon leader and an Armored Cavalry Troop Commander and joining the Masonic Lodge. As NTEU73 President I've drawn on a lot of my knowledge from all of those experiences, as well as what I've learned as a steward and as an employee here at the IRS.

The Masonic Lodge has several lessons I have used. Roberts' Rules of Order are used to run their meetings, as they are used for ours. A rule of Masonry is “We

Meet Upon the Level, Act upon the Plum and Part upon the Square”. I conduct all my meetings Upon the Level.

All people are equal. When I meet with people I treat them all with respect, clerk or Director. But at times, I'm not sure that is always the way I am treated. As many of you know by now, I'm honest and I tell the truth, but I'm not mean about anything. “Acting upon the Plum” means we are upright, honest and respectful. I believe NTEU is just and all my stewards follow that meaning. “Part Upon the Square” means that we are honest with each other, treat everyone with reverence and dignity. Just as the contract says, all federal employees are to be treated with dignity and respect. Sometimes I feel that is not the case. Here's an example: I am currently serving on a Tiger Team to implement Telework at the various campuses, but I feel management refuses to recognize NTEU as a partner in the process. I deal with many of levels of management, and sometimes I get preached to or scolded; and I think to myself, “Really?”

I firmly believe that if we are to continue the cooperative relationship we have developed over the past year, we ALL need to remember, we are equals, no matter our walk in life.



Pg. 1...Electric Devices

items, the lessor does. The lessor however said due to the extra electric usage it is causing circuits to blow and he will not authorize the use of any electrical appliances that are not work related.”

Since this response, Facilities Manager Mike Robinson has communicated with his staff about this issue.

Employees should make sure their ticket is marked “safety.” It is not an issue that should involve the lessor of the buildings.

The problem has been particularly sticky in the Florence facility. Upon losing food vendors, a local agreement was struck that allowed coffee pots, in particular, because employees would not have access to coffee otherwise. Operations Manager Rose Miller had been instructing employees to get rid of them,

even after being made aware of the contract provisions and the local agreements authorizing their use. Lately however, she has agreed to allow their use, as is required by the contract.

NTEU73 President Rick Riley instructed the stewards as follows: “Seems there are some managers who are still resistant. If they do resist, show them Article 27 and if they don't give in then, file a grievance. On the grievance ask for restoration of bank time and discipline for the manager.”

“This should have been an easy issue,” said Mr. Riley. “I think it is finally worked out. It was a lot more difficult than it should have been. But the final result is that employees will be able to continue as before with their appliance, thanks to what the union has done.”

Pat Breitenstein, an NTEU Icon, Retires in April

Pat Breitenstein, the current TEPS/MEPS Coordinator for NTEU73 will be retiring at the end of April. She has been a fixture in the NTEU office for the past 16 years and is an acknowledged expert on the measurement of employees for evaluative purposes. Pat began her career with the IRS back in 1971. In all, Pat has worked half of her 41 years and 11 month IRS career full time in the union and has been a steward even longer than that. Pat has been a strong union member except for one year and also for going in and out of management for various filing seasons.

Pat has had a storied career at the IRS and within NTEU in particular.

Before serving as the TEPS/MEPS coordinator, Pat served as the chapter Vice President under then President Bonnie Webster. She has held a full time position in the union office over the past three NTEU73 administrations. In addition, most recently, Pat served as an NTEU National Vice President, which is the equivalent of being a member of the Executive Board of National NTEU.

"I appointed Pat as the TEPS Coordinator when I was elected President in 2000, and she has worked full time in the union office ever since," said former NTEU73 President Jeff Seibert. "I have known Pat from her days as Vice President. Everybody likes Pat, no one ever has a bad thing to say about her and I think that speaks volumes. You cannot replace the kind of experience she brings to the table. She works well with management and they respect her. She will be impossible to replace."

Another former NTEU73 President, Jackie Huff, who worked with Pat for 15 years in the union office issued the following statement for Pat:

"I have to admit that I was saddened by the news that you would be leaving us, but I am also overjoyed at your opportunity to enjoy all of your success which you have earned for many years," Ms. Huff wrote. "For many of us, your knowledge of handling employees issues has been a model to follow," she continued. "I can't count the times I have come to you to ask for advice. Your guidance and encouragement have helped me and so

many other employees thrive in a very competitive environment, and we've been so fortunate to have your expertise to rely on. It has been an honor and a privilege to work with you. You're also a wonderful friend and I appreciate your friendship and



Pat Breitenstein

carrying more than I can say. Our friendship, which is near and dear to my heart, will continue, I know. Your contributions truly have made NTEU national and local the success it is today, and I think I can speak for both NTEU and CIRSC when I say many are sad to see you leave. Now go and relax!"

"Pat is taking with her a 'wealth' of information," said Julia Wiley, NTEU73 Secretary and long time co-worker of Pat in the union office.

"She said I could call her at home if needed, she added smiling. "She will be surely missed."

"I have personally known Pat for probably 16 years," said NTEU73 Vice President Karen Walsh. "She is an encyclopedia of knowledge concerning the contract, OPM, personnel issues, MEPS. The list could go on and on. She has been an invaluable resource since we took office a year ago. Pat can rattle off answers to any question thrown her way.

"On a personal note, I have always told her how much she reminded me of my

aunt," continued Ms. Walsh. "My aunt is a very caring person who is always concerned about others. I will truly miss Pat but am happy for her to enjoy a much deserved retirement."

"I will miss Pat and her experience and knowledge," commented NTEU73 President Rick Riley. "Years ago, Pat was in my unit in Adjustments. She was Vice President at that time and was going crazy trying to cover all the grievances. I asked if she needed help and she talked with the President, Bonnie Webster. Until my appointment as an EEO Investigator ended, they couldn't touch me, but as soon as it was, I became a steward. Pat called and asked if I had a contract and if I had her phone number, and that's how I became a steward."

"She has been a mentor and friend to me and so many employees over the years," Mr. Riley continued. "Pat has a big heart, a great outlook on life and a great sense of humor. She is a legend here at Chapter 73, her many years of service as a steward, officer, National Vice President and so many other offices and titles she has held

will not be forgotten soon.

"I wish Pat a long and happy retirement and I want to say thank you for all you've done for the bargaining unit and especially all the members. Happy Trails to the Queen of NTEU!"

"It will be really strange to come in to the office and not see Pat sitting there," added Julia Wiley. "We have all worked with her so long. She has been the one constant."

"Pat's career at the IRS has been an actualization of the NTEU Mission to ***'To organize federal employees to work together to ensure that every federal employee is treated with dignity and respect,'***" said National Vice President Debbie Mullikin. "She has had many job titles including 'Manager,' even then she treated employees equitably. She has been a mentor for new chapter leaders and has made NTEU73 the powerhouse it is today. Her knowledge and skill is unparalleled!"

"I am grateful for all the friends I have made along the way and thankful for their friendship," Pat said.

Tomeka Cottrell Elected to NTEU73 Executive Board

Tomeka Cottrell was elected to the NTEU73 Executive Board to replace Marlo Hodge-Hammond, who left the service in March.

Tomeka had run for Executive Board during the past election as was the next in line, according to the voters.

While the bylaws do not require the next vote-getter to be nominated or elected to the board, it has recently been the practice to replace board members who leave with the next highest vote-getter.

According to the Chapter Bylaws, two names are presented to the Executive Board for a vote. One comes from the board as a whole and one is put forth by the President. The board then votes on the replacement.

"I think it is the best way to do it," said NTEU73 President Rick Riley. "It assures

that the membership's voice is heard. I think Tomeka will be a great addition to



Tomeka Cottrell

the board and I know she will do what is right for the members. That is the main

thing."

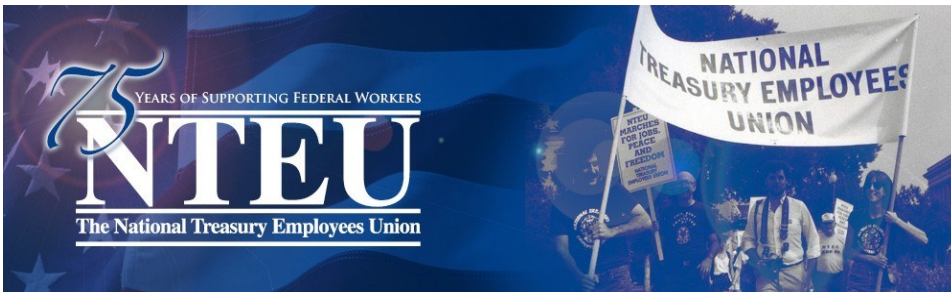
Tomeka has worked at the IRS for 15 years now, and has been an NTEU member from Day 1! She has worked in Correspondence Exam, Compliance, since she got to Gateway West in 2001.

Tomeka has been a steward since 2010, doing 7114 meetings and oral replies. She is now a full service steward, handling things like AWOL, evaluations and speaking to management on behalf of employees.

"Without continual growth and progress, such words as improvement, achievement, and success have no meaning," Tomeka said. "

"And to the Executive Board, thanks for having me on the team! You won't regret it," she added.

We are sure there will be no regrets!



Quarterly Chapter Meeting

When: April 20, 2016, 4:30PM

Where: Gateway Building: Rm 507



Come and see what your union is doing!



NTEU Chapter 73 Stewards

Day Shift:

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

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

IRRC - Florence - Miranda Atha, Sarah Coreia, Brandon Mikusa.

Swing Shift:

4th Street—Beverly Johnson, Daniel McNamara, Stephanie Slayton.

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

Carmen Goforth is the Good Manager for April!

Carmen Goforth has been selected as the “NTEU73 Good Manager of the Month” for April. Carmen’s employees are very happy she has come to their unit. She is always open to her employee’s suggestions. She has shown that she can work with NTEU. It is a pleasure to have a manager that employees can trust and depend upon. Employees have told the union that she is an excellent manager.

Carmen started at the IRS as a Co-op Secretary in 1986 in Automated Under-Reporter. She left the IRS in 1988 and returned a few years later as a Grade 3 Seasonal Data Transcriber. She left Data and interviewed for a secretary position in Management Support and got it. Carmen stayed there for several years and transitioned to Accounting Control Services Operation as a Section Secretary.

While in Accounting, she took a position as a Accounting Technician and held that position for several years until she was told to apply for the FLRP program and was accepted into the program. She graduated from the FLRP program in May

2005, starting her first manager position in RCO. From there, she managed in DPO



Carmen Goforth

for several seasons.

Carmen left Cincinnati and went to Atlanta in 2008 on a hardship and took a

position as an accounting Technician in RACS.

While in Atlanta, she interviewed for a manager’s position in AUR and got it before Atlanta Submission processing closed.

Carmen Goforth has been a manager for 11 years.

“I can honestly say I have worked in the Submission processing pipeline from beginning to end in various positions and I have learned a lot and worked with and been trained by some exceptional people,” said Ms. Goforth.

NTEU73 congratulates Carmen Goforth for her dedication to treating her employees well and for working with the union to be sure their needs are met!

*If you would like to nominate your manager as a “Good Manager of the Month,” contact **The Force** editor Jeff Seibert by email at jeffrey.w.seibert@irs.gov. Thanks!!*

Pg. 1...Trial

The steward had been expected to have her part of the case dismissed because, after an investigation into the incident by TIGTA, she had received a clearance letter, informing her that as far as TIGTA was concerned, her part in the case was closed. The employee did not receive such a letter.

On the heels of this incident in Innocent Spouse, another employee in Data Conversion has been issued a ticket involving a travel subsidy issue.

“It is absurd,” said NTEU73 President Rick Riley. “This is something that we will fight to the bitter end. It is unbelievable that an employee can be issued what amounts to a monetary fine and be forced to hire an attorney to fight it, just on the word of a manager with absolutely no substantiation.”

Mr. Riley said that he has already been in contact with NTEU National President Tony Reardon about the issue. The National President said he is forwarding information about the problem manager in Florence and this issue directly to the IRS Commissioner.

“We cannot have managers creating problems for employees in this way,” added Mr. Riley. “This is something we are going to have to get National NTEU’s help on. There has been no threat of violence or anything like that. Homeland Security should not be involved. We have a system in the IRS to deal with employee issues. Period.”

“IRS management stated that the reason they have not stressed using FPS (Federal Protective Services) risk assessments is that they believe the IRS performs a more detailed review than the FPS,” said a TIGTA report issued in 2015. “They explained that IRS physical security specialists conduct risk assessments of IRS facilities in accordance with ISC guidance and IRS standards. In addition, the IRS indicated that the FPS has not always shared its risk assessments with the IRS.”

With all the threats against federal employees, the FPS needs to stick to security and stop involving themselves in labor relations. In fact, when TIGTA investigated the NTEU steward who received a ticket they found no wrong doing. The steward involved received a

clearance letter, informing her that as far as TIGTA was concerned, her part in the case was closed. However, FPS continues to pursue the ticket, rather than focusing on providing security at the service center. NTEU has filed a Unfair Labor Practice and is pursuing arbitration in this case.

“This is not a security matter, and is instead something to be handled by Management or TIGTA, who are properly trained to deal with employee misconduct,” said NTEU attorney Will Igoe, referring to the travel subsidy issue case. “Instead of making us secure, FPS is duplicating TIGTA’s efforts and undermining employee’s rights to Due Process. Of course, employee misconduct needs to be addressed and it has been for years without the involvement of FPS.

“When the FPS meddles in IRS affairs, rather than focusing on security it cost IRS money,” he continued “For example, during a fire drill FPS Officer Sheldon stopped IRS employees whose shift was over from leaving. As a result the IRS had to give employees Administrative leave to make up for time they were stuck in the parking lot.”

Riley Meets With ICO Night Shift Employees

The traveling NTEU73 road show continued into the night shift as President Rick Riley continued his effort to meet with all areas of the Service Center in order to hear employee concerns and solve their problems.

The meetings are done on employee's lunch time or on their own time. They are becoming more successful as time goes on.

"It is my intention to meet with every group in the IRS and then start over," said Mr. Riley. "I want to be proactive in this. I think it is important to meet with the employees, hear what is on their minds

and let them know what the union is doing. It is good that I get to explain



NTEU73 President Rick Riley talks with ICO night shift employees on March 9.

things. In a lot of cases, employees are not fully aware of the facts surrounding various issues. It is a great opportunity to explain things and for me too learn."

Mr. Riley started these "Meet & Greets" shortly after taking office.

"Some areas that have specific problems are even requesting that we meet with them and that is great!" continued Mr. Riley. "We want to hear from them and if they want their group moved up on the list, contact us!"

One of the major issues discussed with ICO were

seasonal conversions. Mr. Riley explained that Steward Will Kohler is putting together a mass grievance for employees who have worked over ten months in a position. Other issues included getting the proper skill codes, performance appraisals, people who are "mentored" getting preferential treatment, priority placement and veterans preference.

It's good to be able to help employees with what is on their minds. It also gives me an opportunity to meet people and get to know them some. They also get to know me a little bit."

Mr. Riley has met with most of the groups. After the first round is over, the process will begin again. If your work group has not had a meeting yet, please contact the union and one will be set up!

"You would be surprised how complicated it is organizing the different workgroups a center of this size," explained Mr. Riley. "We try to fit them into when people are on lunch, but with the different start times, it is not as easy as you would think. I just do not want anyone feeling they are being left out."

The Employee Who Started Telework in Innocent Spouse

Last month, the folks involved in the grievance in Innocent Spouse who were awarded "telework" were featured in *The Force*. But the person who started the ball rolling was absent the day the photos were taken so we are giving credit where credit is due.

Shannon Taylor was the employee who filed the initial grievance and got many of her co-workers involved.

"I originally filed my Telework request in July of 2013, to have it quickly denied," Ms. Taylor said.

"I expected it would be denied and we'd have to fight for it, but that was something we were actually prepared for. We (myself and our union steward Debbie Mullikin) and a couple other employees had been gathering information to establish the validity of our telework request. I've been through an arbitration before, so I was prepared for the long (and frustrating) process, but a lot of people weren't. It paid off in the end,

though. Now, almost 3 years later, it is finally a reality!"

Shannon began working from home on March 21.



Shannon Taylor

"Being able to work from home, when I am medically unable to work in the office will be a blessing!," she continued. "There are a lot of employees that have medical issues and will benefit in the same way. I will be able to actually save some leave and maybe someday I'll get to that illusive "use or lose" status. I know I'll be more productive at home, as

well...not as many distractions and the noise level will definitely be lower. I am REALLY looking forward to being able to work in an office with an open window, fresh air and sunshine...going outside to sit on my deck for lunch and relax for 30 minutes. I don't get to enjoy a lot of the daylight hours, because I'm closed up in our office building."

Shannon has been a member for 18 yrs.



60 Second Updates

House Leaders Unveil Budget Proposal

The leader of the House Budget Committee, Rep. James Price (R-Ga.) today released a budget proposal that NTEU President Tony Reardon characterized as “light on specifics, but heavy on potential threats.” He vowed to vigorously fight the deeply flawed plan.

For fiscal year (FY) 2017, the budget would adhere to the spending caps set up late last year. But the document also proposes to cut \$49 billion from unspecified “mandatory programs,” which could include federal health and retirement benefits. The budget also seeks to reduce overall spending by \$6.5 trillion over 10 years, which could further jeopardize federal benefits.

But Then: Budget On Hold For Now

The budget plan released by Rep. Tom Price (R-Ga.) was approved by the House



Budget Committee on a 20-16 vote. The proposal is not immediately moving to the full House because it does not appear to have enough support for passage at this time.

This budget’s legislative language provides for future consideration of a proposal that “reforms, improves, and updates” the federal retirement system, which means further cuts to federal employee retirement benefits, most likely by significantly raising required employee contributions. The budget also proposes eliminating the NTEU-represented Consumer Financial Protection Bureau.

NTEU believes this proposal would devastate agencies’ budgets through its massive future cuts to non-defense discretionary spending, and would unquestionably target federal employees by substantially increasing retirement contributions.

NTEU Opposes Contracting Out

NTEU is working to uphold a favorable decision by the Federal Labor Relations Authority declaring that the Internal Revenue Service acted improperly in contracting out agency information

technology work. The Treasury Department has appealed the ruling to federal court.

Did You Know You are Covered?

All NTEU members are automatically covered by a \$1,000 Accidental Death and Dismemberment Policy. There is no enrollment necessary and you never have to pay a premium. The only requirement is you remain an NTEU member in good standing.

There is one thing you should do, however. Fill out the form to designate a beneficiary so the insurance benefit goes to the person you choose. The form is available to NTEU members in the Member Benefits section of the NTEU.org website.

NTEU73 Membership on the Rise!

In the past year, NTEU73 has added 154 new members to its rolls! After years of decline, this is the first year that NTEU73 has increased in membership! We are now at 59.1%. If you are not a member, you really should join. This union gives you a voice in the workplace!

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.

Ron Cunningham helped an employee with a double encumbering issue.

Nicole Guethlein is working on a mass grievance about items being stolen from employee’s desks in ACSS. She is also helping an employee with a letter of admonishment.

Will Kohler helped an employee move from swing shift to day shift and another from full time to part time. Helped two members do self assessments and three more to apply for permanent jobs. He also succeeded in getting management to re-write a new seasonal agreement to reflect the departments true length of season and got management to post five perm positions that were not filled.

Laura Mitchell helped a lot of employees with their bus trip to Washington.

Chris Pierce helped an employee who had been denied advanced sick leave – closed informally.

Michelle Robinson helped an employee with a seasonal conversion issue.

John Selmeier is helping an employee with an AWOL issue and another who was denied advanced sick leave.