

Report to the National Council on Federal Labor Management Relations

Work Group # 3
7106(b)(1)
Bargaining Pilots

June 7, 2010

National Council on Federal LMR Working Group on Pilot Projects

- The Work Group met on May 25, 2010 to develop general guidelines and recommendations for establishing pilot projects on bargaining matters covered by 5 USC 7106 (b)(1)
- The discussion centered on providing recommended actions to the full Council

Work Group Meeting Attendees

- Denise Biaggi-Ayer –VA
- Carol Bonosaro - SEA
- Tim Curry - DOD
- John Gage - AFGE
- Amanda Gill - DOL
- W. Scott Gould - VA
- Seth D. Harris - Labor
- Karen Hilliard - DHS
- Justin Johnson - OPM
- Gregory Junemann - IFPTE
- Colleen Kelly – NTEU (Online)
- Emily Kornegay-OMB
- Gina Lightfoot – Walker – NAGE
- Jade Mariano – Treasury
- Jeffery Neal – DHS
- Rob Shriver - OPM
- Sara Whittle Spooner - FLRA
- Clifford L. Stanley - DOD
- Dan Tangherlini - Treasury
- Thomas Wachter - OPM
- Carol Waller Pope - FLRA
- OPM Staff

Topics Discussed in the Meeting

- Who should/will participate in the pilot program? Which agencies?
- What are the subjects/criteria of the pilot program?
- What is the process we will use to establish these criteria and subsequently manage the pilots?
- How/Who will be trained?
- How will we use ADR for the pilots?
- How will we assess success of the pilot? What are the metrics?
- When are we going to do this? (Target start and completion dates)
- How are we going to document and report results of this session for the June 7th meeting?
- Determine outline for deliverable to the President

Who will participate in the pilot(s)?

- Department of Homeland Security
 - Department of Defense
 - Department of Labor
 - Department of Treasury
 - Department of Veterans Affairs
 - Office of Personnel Management
 - Social Security Administration (Subject to review and certification of Implementation Plan)
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- Other agencies are highly encouraged to participate

Subjects/criteria of the pilot(s)

- **The pilot (s) will cover no fewer than 500 bargaining unit employees or involve a significant agency process (could impact less than 500 bargaining unit employees)**
 - 500 minimum threshold may be achieved with one or more individual bargaining units
 - Pilot (s) can involve agencies or labor organizations not specifically represented on the National Council (e.g. National Credit Union Administration)
- **The pilot (s) will cover any combination of subjects covered by 5 USC 7106(b)(1):**
 - Numbers, types, and grades of employees or positions assigned to any organizational subdivision, work project, or tour of duty;
 - Technology, methods, and means of performing work.
 - The portfolio of pilots must cover at least one (number, type and grade) category and one (technology, methods and means) category and one with both categories.
- **For example, a pilot could be limited to:**
 - Types of employees assigned to a tour of duty; or
 - Technology used in performing work; or
 - Any combination of subjects covered by 5 USC 7106(b)(1)

Process to establish criteria and subsequently manage the pilots

- Ask Labor/Agency Forums to work out pilot details, subject to criteria and timeline approved by the Council
- Require that everyone who will be negotiating on (b)(1) subjects get joint training (managers and supervisors, union representatives and members of forums)
- The FLRA is available to provide (b) (1) training to all pilot participants
- Encourage use of a variety of approaches to help negotiating teams reach agreement, for example, ADR

How will we assess the pilots?

- Measure changes in:
 - organizational performance (to ensure that pilots contribute to better government);
 - employee satisfaction; and,
 - labor-management relations.
- Align pilot measures with Council approved measures emphasizing improved efficiency and effectiveness of agency operations
- Link with ongoing Metrics Work Group

Timeline

- Report to Council and approve criteria on June 7th
- Task Agency Management and Union teams to develop their proposed pilot plans and report to Council within 30 days
- Plan, organize and train pilot personnel within 120 days
- Start pilots no later than November 2010
- Conduct pilot for 18 months from start date
- Prepare pilot reports and report to the Council on results

Letter of Recommendation to the President

The letter should include the following key components:

- Goal
- Process including selection criteria
- Outcomes by participant agencies
- Analysis of performance measures and overall benefit net of cost
- Options
- Recommendation
- Appendix A through Z, providing 3-5 page Agency case studies