

National Council on Federal Labor-Management Relations
Labor-Management Forum Success Story Presentations

Department of Homeland Security, Immigration and Customs Enforcement and AFGE- March 2011	1
Department of Agriculture, Office of General Counsel and AFGE – March 2011	2
Office of Personnel Management and AFGE Local 32- March 2011.....	3
Department of Commerce and NWSEO- May 2011	5
Securities and Exchange Commission and NTEU Chapter 293- June 2011.....	7
Department of Veterans Affairs, Houston Regional Office and AFGE Local 1454- March 2012.....	10
Naval Sea Systems Command and Hawaii Metal Trades Council- May 2011.....	12
Nuclear Regulatory Commission and NTEU Chapter 208 – March 2012.....	14
National Aeronautics and Space Administration and IFPTE Local 9- July 2012.....	15
Naval Sea Systems Command and Metal Trades Department- September 2012	18
Federal Aviation Administration and NATCA- January 2013	24
Patent and Trademark Office and Patent Office Professional Association- January 2013	28
District of Columbia National Guard and NAGE Local R3-86- July 2013	31
Department of Agriculture, Food, Nutrition, and Consumer Services and NTEU- November 2013	35
Patent and Trademark Office and NTEU Chapter 245- January 2014	37
Department of the Treasury, Bureau of Engraving and Printing’s Joint Labor Council- March 2014.....	42
Department of Justice, Bureau of Prisons and AFGE, Council of Prison Locals C-33- July 2014	46
Department of Agriculture, Forest Service and NFFE, Forest Service Council- July 2014	53
Dept. of Defense, US Army Research, Development, and Engineering Command, Aberdeen Proving Ground and NFFE Local 178- November 2014.....	60
Department of Agriculture, APHIS and National Association of Agricultural Employees- November 2014	63
General Services Administration Labor-Management Forum- May 2015	68
General Services Administration Region 5 Space Council- July 2015.....	74
Environmental Protection Agency and NTEU Labor-Management Forum- September 2015	79
Department of Transportation (VOLPE Center) and NAGE Local R1-195- November 2015.....	84

Department of Homeland Security, Immigration and Customs Enforcement and AFGE-
March 2011

Mr. Borrás said his success story was the creation of a model for DHS component-level forums. He said the DHS top-level forum works to create the proper environment for component-level forums to operate effectively. He said the top-level forum meets quarterly and is co-chaired by Mr. Gage, Ms. Kelley, and Ms. Lute, where they model the behavior expected at component-level forums. He said that so far working groups established by the co-chairs have produced—

- A charter, which sets forth the membership, goals, frequency of meetings, and procedures;
- A Web site;
- A baseline assessment of labor-management relations, including DHS and component reports for use in action planning;
- Information for components to use when identifying joint labor relations training; and
- Metrics for the coming year.

Ms. Hilliard said she had attended previous Council meetings and heard about difficulties encountered on the way to partnership, so she wanted to share a DHS success story from Immigration and Customs Enforcement (ICE). She said that ICE management had reached agreement with a nationwide American Federation of Government Employees (AFGE) unit of attorneys to install hard-wired internet access ports in the Executive Office of Immigration Review Court in Oakdale, LA. She said this information technology upgrade enables attorneys to conduct research during legal proceedings instead of using less reliable air cards or having to travel back to their offices to conduct research. She said ICE expects a significant gain in efficiency, and that a survey was scheduled to be conducted 90 days after the system is implemented in order to see whether expansion to other courtrooms is warranted.

Department of Agriculture, Office of General Counsel and AFGE – March 2011

The next speaker was Mr. Ralph Linden, USDA Associate General Counsel, who said his story was one of “success and abject failure that USDA is trying to use (b)(1) to solve.” He said that the USDA Office of General Counsel (OGC) began a major effort in 2007 to establish an OGC-wide case tracking system and electronic tracking database. He said his office had a contractor working on the conversion in 2008 and 2009. The project stalled, and so now USDA has made it a (b)(1) pilot.

Mr. Linden said the project has been very challenging. He said his office is still paper-based and functions like a 1950s style law office. He said the goal is to be able to find all existing documents electronically, and that getting there is a huge task. One question is who does it, since USDA OGC employs only 291 people nationwide, 220 of whom are covered by the collective bargaining agreement with AFGE. He said a major obstacle initially seemed to be getting working software to accomplish the project, and that it seemed at first that negotiations regarding the conversion could not even get started without new software. He said, however, that OGC found out when it began involving staff in solving the problem that new software was not really needed, and that standard programs OGC staff already had were sufficient. He explained that senior leadership were often not as technologically oriented as younger staff, and that once less senior staff were involved the project seemed to be moving forward again. He said his hope is that in the end USDA OGC will be able to say it used (b)(1) to solve a major problem.

Mr. Gage asked whether Mr. Linden’s office had been hinging telework on new software. Mr. Linden responded that a telework policy has been in place for some time, but that the attorneys need ready access to all legal briefs, opinions, and other research materials. He said that it is typical now for a teleworking attorney to have to say, “I’m working at home today; I’ll get back to you tomorrow.” He added that this is unacceptable.

Mr. Gage asked Mr. Linden if in the office the attorneys have full access to all the legal briefs, opinions, and other research materials they need, and Mr. Linden said they do. Mr. Gage then asked if the office telework policy allows for episodic telework. Mr. Linden said there is a need for face-to-face meetings at times and that currently the attorneys can work 2 days a week on a set schedule. He said he wanted attorneys to be able to telework 4-5 days a week.

Office of Personnel Management and AFGE Local 32- March 2011

OPM Success Story #1, IdeaFactory at OPM

Mr. Justin Johnson, OPM Deputy Chief of Staff, presented IdeaFactory as a success story. Mr. Johnson said that, since there are only two locals at OPM (AFGE locals 32 and 2450), it is relatively easy to get everyone together, so meetings of the OPM Labor-Management Transformation Forum (LMTF) have been held twice a month. He said the meetings are top-level and include all Associate Directors, so with decision-makers present the group is very much a decision-making body. He said a discussion in LMTF about the need to obtain and implement ideas to increase performance had led to implementation of IdeaFactory at OPM. He said—

- That the LMTF serves as the Idea Council, which decides whether IdeaFactory ideas elevated to the LMTF (i.e. Big Ideas) will be implemented;
- That the Idea Council is establishing a threshold for whether ideas become Big Ideas and are elevated to the Idea Council;
- That each week three “hot ideas” will be featured at Mr. Berry’s 10:00 a.m. senior staff meeting; and
- That as of today’s meeting IdeaFactory has produced—
 - 143 ideas, 3968 ratings, and 243 comments,
 - 5 implemented ideas,
 - 6 ideas that are being implemented, and
 - 7 ideas that are being reviewed for possible implementation.

Mr. Johnson added that a success story for the Transportation Security Administration (TSA) is its ability to share the IdeaFactory software with other agencies, and that OPM worked with Mr. Terrence Hill of DHS to implement IdeaFactory at OPM.

OPM Success Story #2, LMTF Structure and Successes

Ms. Michelle Tolson, President of AFGE local 32, said that the OPM LMTF had been up and running since NCFLMR got up and running. She said the LMTF was getting a whole lot better. She said the OPM LMTF has a three-tier structure—

- Tier 1, LMTF at OPM Director level,
- Tier 2, a labor-management committee for doing mid-term bargaining for local 32 and, as needed, teams for doing mid-term bargaining for local 2450, and

- Tier 3, a group for handling day-to-day issues and ensuring regular joint training for labor and management.

Ms. Tolson said that Tier 2 also had two local forums, one for OPM Retirement Services and one for OPM Healthcare and Insurance. She said Tier 2 deals with issues such as reorganization and realignment and had negotiated the reorganization for OPM Retirement Services and for OPM Healthcare and Insurance. She said that Tier 3 dealt with day-to-day operations, and she mentioned that Tier 3 had recently addressed an issue with use of official time.

Ms. Tolson said that it was good to see management learning it can benefit significantly from working with labor. She suggested that the NCFLMR Council consider holding a summit where those just getting started in implementing partnership could hear from those who have had positive experiences.

Ms. Bonosaro asked Mr. Johnson what was meant by “ratings” in IdeaFactory. Mr. Johnson briefly explained the categorical rating scale in IdeaFactory. He said the Idea Council had found that while users can rate ideas and also comment on them, and such comments might provide some insight into the impact of ideas on OPM program offices, there have not been nearly as many comments as ratings. He said one recommendation the Idea Council was considering is to convene a panel to consider the impact of ideas on OPM program offices.

Department of Commerce and NWSEO- May 2011

Mr. Tim Curry, OPM Deputy Associate Director, Partnership and Labor Relations introduced Mr. Bill Hopkins, National Weather Service Employees Organization, and Mary Pleffner, Director, Office of Administrative Services, Department of Commerce. He said they were here to provide an example of working together to get a better return for the taxpayer.

Mr. Hopkins said he travels frequently on business for the National Weather Service, and that he wondered why flights he has found online are at times significantly cheaper the rates ADTRAV Travel Management quotes to his agency. He said he found out this is because the rates ADTRAV quotes are for the contract carrier, which led him to wonder if there were some way his agency could use the noncontract carrier. He said that a committee had been formed to study this, and that the Department of Commerce has now started allowing use of noncontract carriers. He said the cost savings can sometimes be substantial, e.g. for a flight from Lubbock to Washington, DC, the noncontract carrier price was \$600 and the contract carrier price was \$1,000. He turned the floor over to Ms. Pleffner.

Ms. Pleffner summarized recent efforts at the Department of Commerce (Commerce) to purchase noncontract carrier flights when doing so saves the Government money. Her presentation was accompanied by slides entitled “Department of Commerce Travel Cost Savings Initiative” and dated May 18, 2011.

Ms. Pleffner said that she manages the Commerce’s Travel Management Group, and that it had been a pleasure working with labor representatives on the issue of using noncontract carriers. She said the purpose of the effort was to save money by using noncontract airfares and to improve tracking of savings gained through analysis of staff travel.

Ms. Pleffner said that efforts Commerce has made to promote awareness of what can now be done regarding noncontract flights include ensuring travel agents encourage use of the lowest available fares regardless of whether they are offered by the contract carrier; referring staff to the August 2010 Travel Bulletin No. 4, “Use of Non-Contract Fares;” issuing an agency-wide broadcast on the subject on November 24, 2010; training agency travel points of contact, and distributing fliers.

Ms. Pleffner summarized the data collection and analysis Commerce did to establish a baseline for the cost of flights and the use of noncontract carriers, to identify reasons travelers do not choose the most cost effective fares, and to collect data on cancellations of flights purchased from noncontract carriers. She displayed a graph showing the frequency of reasons during fiscal year 2011 that noncontract fares were used, and the graph showed that the most common reason was that the noncontract fare was lower. She said that Commerce had set a goal to save \$50,000 per quarter by using noncontract carriers, and that the goal had been met in the first quarter of fiscal year 2011 and exceeded in the second quarter. She said Commerce would continue saving money through use of noncontract carriers and monitoring travel costs. She said that next steps would also include increasing marketing efforts to encourage use of the cheapest fares and developing a process to request reimbursement from travelers using higher cost flights without providing valid justification.

Mr. Berry said that he also has to travel for work at times, and that he has often wondered why the Government does not always use the cheapest fares available. He said he was very glad to hear the Government is not bound by contract to use contract carriers only, and that the savings across Government could be substantial if other agencies follow the example set by Commerce.

Securities and Exchange Commission and NTEU Chapter 293- June 2011

Ms. Kelley introduced Mr. Jeffrey Risinger, Chief Human Capital Officer and Director of Human Resources, Securities and Exchange Commission (SEC); and Mr. Greg Gilman, SEC Senior Attorney and President, NTEU Chapter 293. Ms. Kelley said that Mr. Risinger and Mr. Gilman had worked very successfully on a restructuring at SEC that was critical to the agency.

Mr. Risinger and Mr. Gilman provided a presentation on the success of partnership in recent reorganizations at the SEC. The presentation was accompanied by slides entitled “Labor Management Partnership: U.S. Securities and Exchange Commission/NTEU.”

Mr. Risinger and Mr. Gilman summarized how the SEC labor-management partnership enabled the agency to restructure its Division of Enforcement and its Office of Compliance Inspections and Examinations (OCIE). They emphasized the importance of labor-management collaboration and the excellent results it produced during a very challenging period at SEC.

Mr. Risinger said that, unlike the situation at VA, the relationship at SEC had not always been good. He said that, since 2008, things had been especially challenging at SEC because of the financial crisis. He said the partnership emerging from Executive Order 13522 had been helpful during these challenging times. He said that the Madoff scandal had prompted SEC to re-evaluate its enforcement methods completely, and that this work led to the most significant restructuring of the Division of Enforcement in its entire history. He said that a key provision of the restructuring was a flatter management structure, which NTEU proposed initially, and that labor and management created the entire restructuring plan through informal discussions.

Mr. Risinger and Mr. Gilman reported that, for the OCIE restructuring, 20 different project teams consisting of 400 people from SEC management and NTEU worked together on the restructuring and collaborated on governance, structure, people, processes, and technology.

Mr. Gilman said that top management must be committed to partnership in order for it to succeed in an agency, and that fortunately Mr. Risinger exemplifies such commitment. Mr. Gilman said he agreed with Mr. Risinger that the SEC was in a very difficult situation a couple of years ago. He said that, in meeting the challenges, the union wanted to make sure frontline employees were heard, but that at the same time the union recognized the importance of presenting a unified front to the world. He said the union knew that it would be best for the agency if labor and management could sit down and work things out during these difficult times.

Mr. Gilman said the union went out to all the SEC offices and heard from people who knew what problems needed to be solved, and that from this investigation concrete proposals could be developed. He said a flattening of the management structure was clearly needed, and that NTEU proposed eliminating branch chief positions but bringing the people who occupied those positions back in as senior leaders. He said this was identified as a way to increase boots on the ground without a budget increase. He said that the SEC labor-management partners not only flattened the management structure and increased productivity, but made everyone comfortable with the changes as well.

Mr. Risinger pointed out that SEC is a small agency, with about 3,800 employees, that did not have an increased budget with which to face the challenges described in the presentation. He said that the new enforcement climate clearly required more investigators, and that it would have been impossible to increase the number of investigators without major restructuring. He reiterated that much of the restructuring plan had been worked out informally, which would not have been possible before partnership.

He said that what the SEC did was take what was good with enforcement and put it on steroids. He said that SEC started with the Division of Enforcement, then applied lessons learned to reorganize OCIE, and that other divisions/offices were now queuing up.

Ms. Niehaus asked how the branch managers felt about becoming frontline workers.

Mr. Risinger said that while change management was necessary, the branch manager positions were often thankless, so many employees were okay with the change. He added that it helped that the change did not financially harm the employees. He said the union initially proposed the change because the work units reported that lack of empowerment in the investigator positions was a hindrance to mission. He said that in the end people understood the value of the change in a broad context.

Mr. Filler said it sounded like SEC labor and management developed and used a joint problem-solving model. He asked whether there were ground rules, and if SEC tracked the amount of time the projects took. He said, "This sounds like it could be a (b)(1) pilot."

Mr. Risinger said that there were no ground rules in the Division of Enforcement project, but that the later OCIE project had the benefit of lessons learned from the Enforcement project, so that the OCIE effort began with a better understanding. He said that SEC did not track time for all steps of the projects, but that it was noteworthy that much of the work for the Enforcement project was done during the snowstorm a year and a half ago, so telework was involved. He said that, had it not been the case that agreement could be reached by informal discussion, the project could have taken 2 years instead of the 6-8 months it took to get it done.

Mr. Gilman said that, while there were no formal ground rules for the reorganization projects, it is important to note that the union never waived its rights to formal negotiation, which was always a fallback.

Mr. Berry said the partnership work at SEC was amazing, and a quantum leap. He said that focusing on service and on the frontline is what efficiency is all about. He said, "My hat's off. This shows what a vibrant partnership can produce. Congratulations!"

Ms. Kelley said that when Mr. Gilman and Mr. Risinger were working together on the projects, she recognized the situation as a prime opportunity to show what partnership can do. She said the SEC story showed that whenever there is a need to reorganize, management should call the union. She said, "If we can carve out these opportunities and use them as a push for bigger relationship issues, it's a win-win for everyone."

Addressing Mr. Filler, Mr. Berry said, “Michael, this shows the value of going in deeper on this in the webinar.” He said that working the SEC experience into the webinar could spread some of the benefits to others. He said the SEC model was a great model for how to move forward in the face of limited budgets, and for what partnership could accomplish in challenging times.

Mr. Nguyen said that the Federal Education Association was planning a training soon, and that he would like Mr. Risinger and Mr. Gilman to come to the training and share this wonderful example of how to come up with a good product.

Mr. Risinger said he would get contact information from OPM labor relations, and be in touch regarding Mr. Nguyen’s request. He added that he was glad to help others, since Executive Order 13522 and the Council had been a tremendous help to the SEC.

Department of Veterans Affairs, Houston Regional Office and AFGE Local 1454- March 2012

Mr. Gould gave a presentation with slides labeled “Metrics in the Department of Veterans Affairs (Executive Order 13522).” His presentation provided a brief history of labor-management collaboration at VA, described VA’s performance management system and process for selecting metrics to comply with EO 13522, summarized progress on using and reporting on those metrics, and told a story of partnership success in the Houston VA Regional Office (HVARO).

Mr. Gould introduced two guest speakers who told the story of partnership at HVARO: Mr. Pritz Navaratnasingam, Director, Houston VA Regional Office, and Mr. Fernando Grajales, President, AFGE, Local 1454.

Mr. Navaratnasingam said, “I am humbled by the opportunity we are given to tell our story here.” He said the story is probably best told by contrasting the labor-management climate now with what it was a few years ago. He said, “When we started out, there was no partnership. But I want to turn it over to Fernando. I’ve been Director for a year and a half, but Fernando remembers further back.”

Mr. Grajales said that telling the HVARO story is an easy way to let people know labor-management forums can really work, which he could show simply by contrasting between the labor-management climate now versus a few years ago. He said, “I have PTSD with respect to the old labor-management relations,” but that things have come a long way since then. He said that great things can be achieved through partnership even when relationships have been difficult, and added, “If Mandela and de Klerk can sit down together and work things out, I’m pretty sure we can too.”

Mr. Grajales said that one of the keys to a successful partnership is direct and frequent communication between labor and upper management. He discussed his relationship with Mr. Navaratnasingam in contrast to his relationship with previous Directors who delegated communication with the union to lower management officials. He said, “There was no dialogue, and everything had to be reduced to paper. We’d lost all hope of any kind of talks. That’s what Pritz found when he walked in.”

Mr. Grajales described his first conversation with Mr. Navaratnasingam and changes in the labor-management climate since then: “Our first conversation was, ‘You and I need to talk continuously.’ Then it was like clear skies after a heavy storm. We don’t compromise on our positions, since we’re bound by the framework of the master agreement, but there are lots of common areas. When someone talks bad about VA, they’re talking about both the workforce and management.”

Mr. Grajales described the beginnings of the improved labor-management relationship at HVARO, and the shift in thinking since then. He said, “We were sent to FLRA to do training. It was not done by one side or the other. It was a great opportunity. It wasn’t absent of misgivings because of the PTSD, and it was hard to convince the rest of the Executive Board

there was actually a willingness of management to meet with us.” He said that eventually people overcame their doubts and really started communicating.

Mr. Navaratnasingam agreed with Mr. Grajales’ description of what it took to get where HVARO is now. He said risk-taking was key, and that it was PDI that made people comfortable enough to take the necessary risks. He said, “Ultimately, the pen moved with both hands. In the end, the metrics we were able to point to exceeded our expectations.” He said that the HVARO successes required a culture change. He said the Houston office used to be among the worst in terms of the labor-management climate, but that he could now point to metrics showing tremendous improvement.

Mr. Grajales reiterated the importance of good labor-management communication. He said, “Pritz gets the big bucks, but I’m working every day. I can be one of Pritz’s best sources, and he knows it’s advantageous for him to have this kind of communication.”

Contrasting again between previous Directors and Mr. Navaratnasingam, Mr. Grajales said, “When a management plan was proposed and Pritz asked for our endorsement, the old regime would have thrown us out at the first sign of misgivings, but Pritz had a conversation with us and made it clear exactly what we would be endorsing.”

Mr. Navaratnasingam described how the goals for claims processing were set, and he emphasized that success was largely due to Mr. Grajales endorsing the goals and helping to achieve general employee buy-in.

Ms. Kelley commented, “Your numbers are amazing! I can’t believe you did this just by speeding things up. Did you change processes?” Mr. Grajales said that what really made the difference was a culture change. He said, “Most people before this initiative had to be good fighters.” He said management needed open, honest communication with subject matter experts, which required a culture of transparency.

Mr. Grajales said, “I’m involved in every staff meeting. When there’s a concern, it’s voiced, clarified, and discussed. Pritz has endorsed my presence. Arbitrations are way down, and there’s not been one grievance since we established this program.”

At the end of the HVARO presentation, Mr. Berry said, “Thank you for your service to our country and to our Nation’s veterans. This is amazing progress. Hats off to you.”

Mr. Berry said that at OPM management and labor have been collaborating to decrease the retirement backlog, and frontline employees have weighed in. He said that, as a result, the number of retirement cases processed in February 2012 is up by 50 percent compared to February 2011, and he added, “The March numbers are looking good too.” He then turned the floor over to Ms. Kelley, who began a presentation on PDI at the Nuclear Regulatory Commission.

Naval Sea Systems Command and Hawaii Metal Trades Council- May 2011

Mr. Junemann introduced Mr. Benjamin Toyama, International Vice President of the International Federation of Professional and Technical Engineers, Western Federal Area. Mr. Toyama provided a report on recent achievements attributable to a partnership between the Naval Sea Systems Command and the Hawaii Metal Trades Council. His presentation was accompanied by slides entitled “Metal Trades Council Moonshine Team.”

Mr. Toyama explained that the idea of “Moonshine Teams” was borrowed from Boeing, and that Moonshine Teams are small teams that work to implement ideas submitted by workers for improving current processes. He said that the Moonshine Team model allows ideas to be implemented very quickly, and that this model is a bottom-up approach to innovation that provides workers with the freedom to innovate, which benefits everyone.

Mr. Toyama summarized ideas that NAVSEA implemented in partnership with the Metal Trades Council, including—

- Modification of tools to allow the usage of a dolly in the installation of a submarine battery, which is projected to save many man hours and over \$435,000 per fiscal year;
- Use of new draining methods to change the water more quickly in a chill water system, which is projected to save about 75 man hours per fiscal year;
- Use of a personal cooling hose to be worn by painters and blasters during tank work, which doubles the time the worker can spend in a tank and decreases the chance a worker will suffer heat exhaustion;
- Creation of an installation jig, which by reducing the time it takes to install cabinets is estimated to increase productivity by 33 percent and save 210 man hours per fiscal year;
- Use of a different pump to change hydraulic fluid, which substantially cuts fluid changing time (e.g. from 15 shifts to 3 shifts); and
- Use of more efficient production processes and delivery of tools and supplies to workers.

Mr. Toyama stressed that ideas implemented through the moonshine team are implemented quickly. He said the team meets three times a week, on Mondays, Wednesdays, and Fridays, and that meetings are limited to 1 hour. He added that an idea brought to the Moonshine Team on Monday might be implemented on that Friday.

Mr. Berry thanked Mr. Toyama for his service and the value he has added through partnership. Mr. Berry said the results speak for themselves to the taxpayer. He added that Mr. Toyama should be included in the webinar the Council is planning. Ms. Simpson also thanked Mr.

Toyama and agreed that the Council should show examples of what can be achieved through partnership, and that the Metal Trades Moonshine Team would be an excellent example.

Mr. Berry thanked Mr. Toyama again, and he said the achievements Mr. Toyama described exemplified where the Council wants to lead agencies. He asked everyone to imagine a Government where such innovation and partnership could be seen throughout. Mr. Berry then turned to the next item on the agenda.

Nuclear Regulatory Commission and NTEU Chapter 208 – March 2012

Ms. Kelley introduced Mr. Larry Pittiglio, Executive Vice President, National Treasury Employees Union (NTEU), Chapter 208, and Ms. Alison Naden, Senior Space Design Specialist, Nuclear Regulatory Commission (NRC). She said she was very pleased to have these guest speakers at the meeting to talk about handling workspace moves, a very important issue to employees, and one that every agency faces. Mr. Pittiglio and Ms. Naden began the presentation, using slides labeled “Three White Flint North Project Success through Partnership.”

The presentation described labor-management collaboration to consolidate NRC functions into a single facility, Three White Flint North (3WFN) in Rockville, MD, where office space is now planned for about 1,350 staff from 7 different NRC organizations. The speakers discussed PDI as an essential piece of the project, e.g. that planning and design included regular opportunities for NTEU predecisional input; that NRC and NTEU conducted four staff surveys to solicit input into the design; that NRC and NTEU collaborated on plans and drawings for each design phase as well as plans for moving into the new facility, etc.

Ms. Naden discussed the interior design process and showed typical floor plan and workstation designs. (See pages 4-7 of slides). The speakers stressed that employee input (e.g. surveys and participation of employees in the planning aspects) and consistent use of PDI were absolutely essential to the project’s success.

At the end of the presentation, Mr. Pittiglio briefly commented on his experiences with NRC partnership since the Clinton Administration. He said that when the Bush Administration ended the requirement for agencies to establish partnerships, NRC elected to continue partnership and so had it continuously now for 16 years. Regarding the success of partnership as shown by the 3WFN project, he said, “I cannot tell you how happy we are.” He said he enjoyed the project so much that, even though he is now retired, he continues the work as a volunteer.

Mr. Berry thanked the speakers. He said, “Office relocation and renovation are one of the most sensitive issues, and I have a bear story.” He said that one day a bear at the National Zoo suddenly appeared very uncomfortable with its familiar enclosure, and then investigation revealed that only one small thing in the bear’s enclosure had changed, a red ball replacing a blue one. He said that while millions of years of evolution separate humans and bears, people are no less sensitive about their space, so the 3WFN project was a huge achievement. He then turned the floor over to Ms. Bonosaro for an update on the Council’s progress in meeting the EO 13522 requirement to report to the President on (b)(1) pilots.

National Aeronautics and Space Administration and IFPTE Local 9- July 2012

Ms. Tiffany Shuffert, Human Resource Specialist, NASA, and Ms. Rhoda Hornstein, Vice President, NASA Headquarters Professional Association (NHPA)/IFPTE Local 9, gave a presentation on PDI at NASA. They used slides labeled “NASA’s Labor Management Forum and Predecisional Involvement.”

Describing how efforts to improve PDI at NASA began, Ms. Hornstein said, “We use EVS.” Referring to the 2011 EVS results for NASA, she added, “We looked at Question 64.” (*How satisfied are you with the information you receive from management on what's going on in your organization?*)

Ms. Hornstein said there are three unions at NASA: IFPTE (of which NHPA is an affiliate), AFGE, and the Washington Area Metal Trades Council. She said that these unions together represent 52 percent of the NASA workforce. She said IFPTE and AFGE have National consultation rights, that collective bargaining agreements exist at the subcomponent level, and that 8 of NASA’s 10 centers have unions, and that the 8 centers with unions have 9 forums operating. She then displayed slides showing the NASA employment distribution across NASA’s components and by union affiliation (data as of January 14, 2012), and the frequency of forum meetings.

Ms. Hornstein contrasted PDI before and after Executive Order 13522 (the EO). She said that, before the EO, several centers had partnership councils/forums, and that more than one center engaged in “PDI” before the term existed. She said that, after the EO, PDI has greatly increased, higher level and more complex topics are addressed with PDI, and most PDI occurs without the need for formal meetings. NASA labor now participates in all NASA council meetings and is involved at the highest levels. She added that the labor-management relationship is much stronger due to these changes.

Ms. Shuffert and Ms. Hornstein provided examples where NASA projects were subject to PDI, and with much success:

- Agency Projects
 - Changes to the Honor Awards Program,
 - Changes to science proposal processes,
 - Furlough communications for all employees,
 - Emergency Notice and Accountability System,
 - Workforce Stress Snapshot,
 - Travel Card Salary Offset Process,
 - Labor relations policy, and
 - Reorganization of two major organizations.

➤ Center PDI Examples

- Office reorganizations,
- Furlough planning and communications,
- Budget and staffing reduction priorities and plans,
- Building lease renewal and renovation,
- Early Out and Buy Out Plans,
- Telework pilots,
- Center services budget cuts, and
- Establishment of Employee Resource Groups.

Ms. Shuffert noted that major agency projects can be completed more quickly now because of the NASA unions waiving National Consultation Rights (NCR) on all PDI topics, which shows how much the Government gains from PDI.¹

Ms. Hornstein discussed challenges to PDI and the solutions applied at NASA. She said that with only 7 labor representatives and a workforce of about 18,000 employees, priorities have to be set and the focus needs to be on big ticket items. “We make mistakes,” she acknowledged, “but we always fix them.” She said educating everyone on the need for PDI is a challenge NASA meets with presentations to senior management on labor relations requirements under EO 13522, and with a PDI Reference Guide that includes examples of best practices. She added that, where there is a negative perception of PDI, solutions include education (including the PDI Reference Guide), reassurance from the Labor Relations Officer, and a focus on trust building.

Page 9 of the presentation lists examples of PDI best practices from NASA’s PDI Reference Guide, which the speakers provided to the Council members. After briefly covering these examples, the speakers invited questions or comment.

Mr. Bransford asked whether PDI occurs at all levels from the top down, i.e. is it fully part of the NASA culture. Ms. Shuffert responded that efforts are continually underway to make PDI part of the NASA culture.

Mr. Berry said, “Frankly, NASA used to be one of our trouble spots. There’s been a light year of improvement over the past 2 years.” Mr. Berry said a lot of hard work was required, and added, “The issues you’ve dealt with clearly show PDI has been taken seriously. Congratulations to everyone involved. Thanks very much!”

Mr. Dougan said, “I want to commend you on your PDI guide. This could be generalized and become *the* guide for the rest of the Federal Government. I encourage the Council to use this as

¹ As explained in a December 2011 [letter](#) from NASA labor-management forum Co-Chair Lori Garver, increased implementation of PDI has increasingly led to labor waiving NCR, which reduces the timeline for implementing agency policies, e.g. a 30 day comment period and a written response by management required under law where NCR applies.

a resource.” Mr. Berry responded, “We’re definitely looking at best practices and the best way to do Governmentwide guidance.”

Mr. Berry asked that his thanks be conveyed to everyone involved in NASA Partnership for the extraordinary progress on PDI, and then he said the Council would now hear from the Metrics Working Group.

Naval Sea Systems Command and Metal Trades Department- September 2012

Mr. Werfel reminded everyone that in the March 2012 Council meeting Mr. Junemann recommended the Council hear about partnership success at the Puget Sound Naval Shipyard, which is part of the Naval Sea Systems Command (NAVSEA). Mr. Werfel said, "We are pleased to have representatives from the NAVSEA labor management forum with us today to highlight the work of their forum," and then he turned the floor over to Mr. Junemann.

Mr. Junemann said that after the NAVSEA success story Mr. Benjamin Toyama² told about Pearl Harbor Naval Shipyard in the May 2011 meeting, another NAVSEA component, Puget Sound Naval Shipyard, invited Mr. Junemann to tour the facility. He said he took the tour, which impressed him a great deal and showed what the shipyard achieved through partnership. He said partnership had clearly fostered commitment, at all levels throughout the facility, to increased productivity, cost savings, and safety. He added he was proud to serve on the NAVSEA Council and to be able to bring NAVSEA partnership officials in to share more good news. He then introduced NAVSEA Commander Vice Admiral Kevin McCoy and Mr. Ron Ault, President, Metal Trades Department.

Admiral McCoy began a presentation accompanied by slides labeled "NAVSEA Labor-Management Council: 'Hour a Day' Deck Plate Efficiencies." He discussed the formation of the NAVSEA Labor-Management Council, labor's pledge to gain an hour a day in deck plate productivity, local forums leading the "Hour a Day Deck Plate Initiative," and continuing labor-management collaboration on mission-critical issues.

Admiral McCoy began by explaining NAVSEA's mission, i.e. the design, construction, and maintenance of Naval ships and combat systems. He noted that NAVSEA is the largest of the Navy's five systems commands.³ He said NAVSEA employs about 60,000 workers, about 40,000 of them union members. He added that about half of the 60,000 NAVSEA employees work in its four shipyards (Norfolk Naval Shipyard, Pearl Harbor Naval Shipyard and Intermediate Maintenance Facility, Portsmouth Naval Shipyard, and Puget Sound Naval Shipyard and Intermediate Maintenance Facility). He emphasized the considerable training requirements for technical work done in modern Naval shipyards, and as an example said the training required for a nuclear welder can be longer than for a surgeon.

Admiral McCoy stressed the importance of partnership to NAVSEA successes. He said that, while commanding Portsmouth Naval Shipyard, he saw the great power in labor-management teamwork. He added that his attaining the rank of Admiral was due in large part to successes that were possible only through partnership. He described how his experiences shaped his

² International Vice President of the International Federation of Professional and Technical Engineers (IFPTE), Western Federal Area.

³ The other four Navy Systems Commands are the Naval Air Systems Command, the Space and Naval Warfare Systems Command, the Naval Facilities Engineering Command, and the Naval Supply Systems Command.

engagement with organized labor over time, and that over the years he had seen the results of a wide range of labor-management relations ranging from outright hostility to exemplary teamwork and cooperation. Knowing the power of partnership and after considerable success on many issues through informal interactions with Mr. Ault and Mr. Junemann, Admiral McCoy began working towards formalizing the teamwork, which led to the formation of the NAVSEA Labor-Management Council.

The NAVSEA presentation summarized the establishment, composition, ground rules, and member roles of the NAVSEA Labor-Management Council, e.g.—

- The [Memorandum of Understanding](#) (MOU) and ground rules that took effect on April 19, 2010;
- That the NAVSEA Council operates above the level of recognition;
- That Admiral McCoy and Mr. Ault Co-Chair the NAVSEA Council;
- That National labor leadership is provided on the NAVSEA Council by AFGE, the International Association of Machinists, the International Federation of Professional and Technical Engineers, NAGE, the Metal Trades Department, and NFFE;
- That all Council members act in representative capacity for purposes of predecisional involvement (PDI) within the Chapter 71 statutory collective bargaining meet and confer context; and
- That any bargaining authority comes by express designation by level of recognition to the NAVSEA Council.

Admiral McCoy clarified that the role of the NAVSEA Council is to lead by example; the NAVSEA Council is not chartered to handle local negotiations directly. He added that in its leadership role the NAVSEA Council deals with labor-management relationships of varying maturity and must tailor its approach with each group accordingly.

Admiral McCoy explained the roles of NAVSEA Council members, that under the MOU they focus on current issues of critical importance and strategic issues of tomorrow, use collaborative approaches to identify problems and find solutions, and provide guidance and support for collaborative labor-management relations throughout NAVSEA. He stressed that *only* as designated by formal level of recognition does the Council engage in multi-unit or multi-union bargaining for the 7 unions and affiliates and 56 bargaining units within the NAVSEA Council's purview.

Admiral McCoy showed a “peaks and valleys” graph projecting daily resource expenditures for the four NAVSEA shipyards for fiscal years (FYs) 2014-2018. He said NAVSEA has to figure out not only how to save money in doing its current work but also how it can take on more work

within tight fiscal constraints, and that meeting NAVSEA's challenges absolutely requires partnership. He said NAVSEA is keenly aware that within the next 5 years about 40 percent of the workforce will be eligible to retire, and it can take up to 10 years to train a replacement for a senior technical worker, so good succession planning is critical. He said that NAVSEA is hiring every year, and is a leader in hiring wounded warriors (500 so far in 2012, and a total of 1,300 over the last 4 years). He added that NAVSEA jobs are ideal for returning veterans, particularly those between the ages of 21 and 30 who will need the kind of long-term employment required to reach the journey level for highly technical work in a modern shipyard.

Admiral McCoy displayed a graphic labeled "Multi-Level Collaboration" and symbolizing with the intersection of three circles the NAVSEA Council, local labor forums, and the workforce coming together to meet NAVSEA challenges and move on to the next level of performance, with—

- The NAVSEA Council identifying critical issues, fostering open and honest communication, listening, leading, and mentoring, with an understanding of different workforces and cultural variation within NAVSEA;
- The local labor forums collaborating, hearing the collective voice of the workforces they serve, networking, and mentoring; and
- The workforces within NAVSEA, at 40 locations around the country, voicing issues, exercising empowerment, and being creative and exercising innovation in their work.

Admiral McCoy said that, about 15 months ago, Mr. Ault put the idea on the table that the NAVSEA Council challenge the local forums to find ways to save an hour a day on the deck plates. Mr. Ault's thinking was that individual workers know how to save time in performing their own work, which can add up to significant cost savings for NAVSEA. He reached out to local unions and gained their commitment to save an hour a day.

The presentation showed milestones in the "Hour a Day" effort, e.g.—

- The NAVSEA Council adopting the "Hour a Day Pledge" concept in July 2011;
- NAVSEA piloting the concept at the Puget Sound Naval Shipyard beginning in November 2011,
- The NAVSEA Council Co-Chairs visiting Puget Sound in April 2012 to see "Hour a Day" in action; and
- In May 2012 the NAVSEA Council adopting the goal to implement "Hour a Day" in the other NAVSEA shipyards in FY 2012 and FY 2013.

Admiral McCoy said that training was a major factor in implementing "Hour a Day" at Puget Sound, and that eventually training enabled the workforce to put the concept into practice at

Puget Sound with great success, which led to that shipyard becoming an “Hour a Day” model for other NAVSEA shipyards.

The presenters introduced major concepts and practices significant to “Hour a Day” efforts, e.g.—

- *Productioneering*, whereby engineers and production employees collaborate to solve problems quickly;
- *Moonshine*, a process improvement method that focuses on inexpensive, low-risk, rapid development of prototypes;
- *Bright Ideas*, a process to encourage and support employee-based ideas;
- Material vending machines;
- Point-of-use tooling and material kitting, i.e. materials are kitted and binned and waiting for mechanics before they start their specific jobs;
- Unions getting buy-in from workers on the deck plates and continually collecting and analyzing their feedback; and
- Management funding and implementing initiatives in furtherance of “Hour a Day.”

The presenters emphasized the power of the “Hour a Day” practices, e.g. Admiral McCoy explained, “Moonshine really is a bootstrap effort by locals: How to get special tooling, get the required engineering done and get it institutionalized in the process.” Mr. Ault said, “In Shop 38 an outside machinist invented a tool that prevents us from having to punch a hole in a sub to pull a valve, which saved a few million dollars.” Admiral McCoy said the material vending machines and point-of-use tooling and kitting are about getting people right to work rather than spending valuable time standing in tool lines. He said the focus on improving materials and processes is comprehensive and continuous, and added, “We’ve even looked at the ergonomics of backpacks.”

Mr. Paul O’Connor, President, Metal Trades Council at Portsmouth Naval Shipyard, joined the presentation. He said, “Maximum performance requires maximum engagement. It’s the men and women of the workforce doing the work who know best how to create improvements at the job site.” He added that while at the Portsmouth Naval Shipyard “Hour a Day” efforts have just scratched the surface, the fact that the shipyard’s entire workforce is empowered to create ideas offers tremendous promise and great opportunities for the future.

Mr. O’Connor said the two most significant ideas to date are creating mockups of ships for training purposes and unmanned computer dispensing of work materials. He described the unmanned computer dispensing: the worker swipes identification and a card for the work procedure, and all materials needed for the job are dispensed with speed and accuracy.

Regarding increased accuracy from automated dispensing, Mr. Ault said reducing errors in tool and material dispensing has much potential for savings. He cited an example of how human error in manual dispensing once resulted in the wrong welding rods being used in piping systems, which necessitated costly fleetwide correction. “This system saves millions of dollars in rework.”

Admiral McCoy mentioned a number of positive developments that he attributed in large part to good labor-management collaboration in NAVSEA. For example:

- Safety: All four of the NAVSEA shipyards have attained the Occupational Safety and Health Administration’s Voluntary Protection Program Star Certification;⁴
- Technological upgrades and high technology innovation leading to savings and increased productivity, e.g. replacing analog gauges with digital ones and using virtual welding as a training tool; and
- Work to implement electronic technical documents in NAVSEA, i.e. implementing use of a handheld tablet to compile, execute, track, and certify work documents (with implementation projected to start in 2014 and be fully deployed by 2017).

Mr. O’Connor said there was not yet a formal process in place for NAVSEA-wide submission of ideas. Admiral McCoy commented that it is a NAVSEA goal to bring all four of the NAVSEA shipyards together in terms of innovation and sharing new ideas. As an example, he mentioned his desire to deploy a ventilation mockup system across all four shipyards. Mr. O’Connor agreed with the concept of sharing ideas throughout NAVSEA but added the caveat, “Ideas can incorporate all shipyards, but the shipyards can have their own process. It needs to be grassroots.”

Mr. Junemann added a few comments to the presentation. He mentioned that the Moonshine meetings are weekly and 1 hour long. Making the point that NAVSEA’s commitment to labor-management partnership and worker engagement has led to shared commitment and a common understanding among the workforce, he said three workers picked at random in a shipyard now all speak the same language. Referring to NAVSEA partnership and its potential as a model for the Government, he said, “This is a model for me. What we do right in the Government that they don’t do right in the private sector is worker engagement. In the private sector, they think more about labor costs and laying people off. A smarter way is to figure out how to use the workforce to save money.”

⁴ According to the Occupational Safety and Health Administration (OSHA): “The VPP Star certification is OSHA’s highest honor and is reserved for organizations that have achieved injury and illness rates at or below the Bureau of Labor Statistics’ (BLS) national average and implemented the four elements of VPP: Management Leadership and Employee Involvement, Worksite Analyses, Hazard Prevention and Control, and Safety and Health Training. The main purpose of the VPP is to embed the safety culture throughout the organization, with accountability and involvement at all levels.”

Admiral McCoy said, “From a mission standpoint it’s all about creating capacity. We’ve also driven overtime down from 20 percent to between 11 and 13 percent.” He added that younger workers prefer family time to overtime, and with new efficiencies gained through partnership NAVSEA is now able to make more family time possible.

Mr. Ault said, “It all would have never gotten off the ground without Admiral Kevin McCoy.” He expressed appreciation for the courage the Admiral demonstrated in his efforts to bring about real change. Admiral McCoy said, “Ron is very kind, but it definitely wouldn’t have happened without him.”

Ms. Lightfoot-Walker commented, “NAVSEA is one of my favorite forums. The respect labor receives is very much appreciated. The thing I appreciate most about that forum is the extent of PDI. I just wanted to echo Ron’s comments and acknowledge Rebecca Tittle, who has worked hard to keep that forum going.”

Mr. Werfel remarked that he was very impressed with the accomplishments at NAVSEA. He said, “One of the things I take away from this is that incentives appear to be well aligned. When management and the workforce have common objectives, how we can best serve mission, good things will happen. This is an example of how we can build a framework. I really appreciate the presentation of this example. We should circle back to this presentation and use it as a model.”

Leading into the next agenda item, Mr. Werfel said, “As luck would have it, we have a good segue to the Performance Improvement Council.”

Federal Aviation Administration and NATCA- January 2013

Mr. Berry said the Council would now hear from a group that has made significant improvements in labor-management relations.

He said, “Some have said that the Federal Aviation Administration (FAA) and the National Air Traffic Controllers Association (NATCA) have transformed a poor labor-management environment into a model of collaboration. Employees, managers, and union representatives now work together on a variety of issues that improve the safety and efficiency of the National air space. This highlights that management and unions at the FAA have embraced the President’s Executive Order as a means to deliver the highest quality services to the American people. We are pleased to find out more today about what FAA is accomplishing. Representing FAA management is Mr. Jim Linney, the Deputy Director for Air Traffic Systems, Air Traffic Organization–Program Management Office. Representing the National Air Traffic Controllers Association is Mr. Jim Ullmann, NATCA Northwest Mountain Regional Vice President.” He thanked Mr. Linney and Mr. Ullman for agreeing to share their story with the Council.

Mr. Linney and Mr. Ullman began their presentation, which was accompanied by slides labeled “Success Story: Collaboration with NATCA on ERAM.” The presentation told the story of the effectiveness of labor-management collaboration in implementing FAA’s [En-Route Modernization system \(ERAM\)](#), which replaces 40-year-old En Route Host computer and backup system used at 20 FAA air route traffic control centers Nationwide. In providing a quick overview of ERAM, Mr. Linney said that–

- ERAM is at the core of everything that happens with air traffic in the country. As the backbone of the National airspace system, ERAM processes radar data, communication, and flight information, and displays tracks for aircraft flying at high altitudes to controllers;
- ERAM is a foundational Next Generation Air Transportation System (NextGen) system key for achieving NextGen’s primary goals, such as increasing air capacity and reducing flight delays; and
- The En Route Host system is tremendously complex, and the ERAM replacement project is one of the largest efforts FAA has ever undertaken.

Mr. Linney said while there have been challenges and obstacles in implementing ERAM, FAA has undertaken a series of management initiatives that are helping to get the project back on track, and he provided a summary of developments in the ERAM project since early 2011: ⁵

⁵ Some of the challenges in implementing ERAM are described in a February 16, 2011, [statement](#) before the House Committee on Science, Space, and Technology by the U.S. Department of Transportation’s Inspector General Calvin L. Scovel III.

- In 2011, ERAM program was restructured, with a \$330 million variance in funding and a 3-year, 8-month variance in schedule.
- At that time, the FAA appointed a new management team within the ERAM program who improved relationships with the NATCA and Professional Aviation Safety Specialists unions, and creating collaborative work groups.
- New program governance/oversight was put in place in early 2011, which included the labor unions, a steering committee and regular program management reviews.
- FAA and union working group standardized procedures resolved technical and training challenges and prioritized necessary fixes to the system.
- Over time, these process improvements were implemented to enhance how software is released, tested, and deployed – reducing the number of problems with software code.

Mr. Linney displayed a map showing the status of ERAM implementation for each of FAA’s 20 air route traffic control centers, with 5 centers at the *Operational Readiness Demonstration* level, two centers at the *Continuous Operations* level, 7 centers at the *Initial Operating Capability* level, and 8 centers for which FAA plans to achieve *Initial Operating Capability* during Fiscal Year (FY) 2013. (Here the control centers’ operational statuses are listed in descending order of operating capability. At the *Operational Readiness Demonstration* level, FAA is no longer required to maintain the En Route Host system as a backup.)

Mr. Linney attributed much of ERAM’s success so far to the collaborative governance structure shown on page 5 of the presentation slides. He explained that the core of the governance structure is the Article 48/11 Work Group, which meets weekly and is co-chaired by the FAA Director and the NATCA National Implementation representative. The organizational diagram Mr. Linney displayed showed that each team in the governance structure is co-chaired by labor and management.

Mr. Linney said that collaborative labor-management workgroups established the National User Team and Computer Human Interface Design Team so that labor and management could work together to—

- Agree on problem statements for changes to the automation system with an operational impact;
- Assign task teams to support detailed analysis of operational capabilities for select requirement changes; and
- Agree on desired behavior recommendations to the Program Management Organization’s Engineers for requirement changes.

Mr. Linney explained how labor and management collaborated to develop communication and site transition strategies to facilitate ERAM implementation. He said:

- That the “team” construct intentionally leveraged a joint management and union approach to enhance collaboration and overall buy-in to local planning and implementation practices;
- That site orientation and pre-operational transition activities were collaboratively designed and presented to end-user management and workforce personnel consistently;
- That collaboratively reviewed National-level communications to FAA facilities improved the ability of the program to speak with ‘one voice’ to the field; and
- That collaboration in transition efforts improved workforce engagement.

Mr. Linney said that labor-management collaboration has helped get ERAM back on track, and can help elsewhere in the Government. He listed the following positive outcomes:

- That sustained and proactive engagement with pre-operational facilities through a collaboration-based approach improves readiness and maturity of sites prior to deployment;
- That 14 of 20 ERAM sites are now operational, with 7 in continuous operations and over 45,000 hours of operational run-time nationwide on ERAM since December 2011;
- That collaborative requirements validation, operational evaluation, and deployment procedures will continue to enhance the quality and effectiveness of future ERAM deployments planned to support the FAA’s NextGen goals and objectives; and
- That lessons learned are now being leveraged on other programs to seek similar successes.

Mr. Linney invited Mr. Ullman to comment. Mr. Ullman said he had been involved long enough in the ERAM project to see how much difference a collaborative approach can make. He said, “I’ve seen the bad side and the good side. I’ve been involved since ERAM first came online in 2007 or 2008.” He said that while collaboration is hard work, and traditional management is ostensibly easier, the rewards of collaboration are clear. “It takes trust, time, and energy, but it eventually proves itself in value, especially when we see in the field that everyone’s engaged and there are no fights.” As a tip for success, Mr. Ullman said, “Process, process, process! Take the time and energy needed to build collaboratively and reexamine on a regular basis.”

Mr. Filler said, “I think it’s obvious the labor-management relationship hasn’t always been this good. How did this change happen?” Mr. Ullman replied, “The easy answer is Administration changes, on both the labor side and the management side. We have an Administration that cares about frontline workers’ ideas and thoughts.” He said he had seen many changes over the past

24 years of his career, and reiterated that labor-management collaboration ultimately proves its value.

Mr. Berry said, “As someone who flies, I’m very grateful. I didn’t know that if I flew to Seattle from DC, I’d be taking off under one system and landing under another!” Mr. Linney responded, “You’ve hit on a key point. Seamlessness is our goal, and that’s tough to do with continuous changes being part of the upgrade.” He said labor-management collaboration had made FAA’s success possible.

Mr. Junemann commented, “I look at our air traffic control system as one of the genuine gems of what the Government does. You need to blow your trumpet more. Two-thirds of all air traffic occurs between our borders. Some people have been talking about privatizing air traffic control because France did it, and then we find out there’s more air traffic in and out of Cleveland than in all of France. You really need to blow your trumpet more.”

Responding to Mr. Junemann, Mr. Linney said, “I appreciate that. It’s a fair criticism. Our communications office has been doing a good job, but I agree. We welcome ideas on how to communicate better.”

Ms. Kelley commented, “Going back to the earlier discussion about the Agenda Committee, I’d like us to think about using this as a model and creating next steps. System changes occur all the time throughout the Government, and at times there’s a resistance to involving labor.”

Before moving to the next agenda item, Mr. Berry said to Mr. Linney and Mr. Ullman, “Thanks for the presentation, and for keeping us all safe. God bless you!”

[Patent and Trademark Office and Patent Office Professional Association- January 2013](#)

(The PTO Presentation is not available on the Council's website, for access to this presentation, please contact lmrcouncil@opm.gov.)

Introducing the next success story, Mr. Berry said, "Our next presentation comes from an organization that has its foundation in Article 1, Section 8, of the U.S. Constitution. The United States Patent and Trademark Office continues its mission of fostering innovation, competitiveness and economic growth, domestically and abroad. What better way is there to deliver high quality services to the American people?"

Mr. Berry continued, "We are pleased to have guests with us today from the U.S. Patent and Trademark Office. Joining us is Mr. David Kappos. Mr. Kappos is the Under Secretary of Commerce for Intellectual Property and the Director of the United States Patent and Trademark Office (USPTO). Along with Mr. Kappos is Mr. Robert Budens. Mr. Budens is the President of the Patent Office Professional Association or POPA. POPA represents patent examiners, classifiers, computer scientists, and other patent professionals. David and Robert, thank you for coming today. We are excited about hearing your story."

The speakers discussed the challenges USPTO faces in processing the many patent applications it receives this year, and the transformation that was required to reduce the backlog of unexamined patents from over 750,000 in 2009 to 602,846 as of January 11, 2013. (See page 2 of slides). Mr. Kappos said, "There's an ongoing transformation at USPTO, and Big Data's at the heart of it—measuring, tracking, and reporting. There's been a big shift from management organized around leadership to management organized around productivity." He said honest communication was central to the transformation, and resulted in the workforce internalizing the idea that everyone is on the same team.

Mr. Budens said, "We'll see some similarities between this presentation and FAA's." He stressed the importance of partnership, and said introducing it in a workplace as a new concept requires a complete paradigm shift.

Mr. Kappos said that USPTO realizes quality is just as important as quantity to mission, and that the agency has worked hard to improve its quality metrics. He displayed a chart showing seven quality metrics, from the first quarter of FY2009 to the first quarter of FY2013, with improvement clearly shown for each of the quality metrics and the composite score to which they contribute.

Mr. Kappos displayed the graphic on page 4 of his slides, which shows USPTO going from 172nd place in 2007 to 5th place in 2012 on the *Best Places to Work in the Federal Government* metric list from the Employee Viewpoint Survey. He said the graphic itself exemplifies employee engagement because it was created by operations staff in the patents department. He added that the graphic shows commitment to the best possible performance, and pointed out that the scooter

rider depicted is shown climbing up the rankings bearing a sign indicating the goal to reach first place.

Mr. Kappos explained how USPTO has aligned performance appraisal plans to agency goals, which is shown in a graphic on page 5 of the slides. He said the agency has reorganized around line workers, i.e. patent examiners, after figuring out what those workers needed in order to do their jobs optimally. He explained how the agency has developed objectives for quality, pendency, and productivity, with separate standards for frontline patent examiners, supervisory patent examiners, and Technical Center Directors. With its new organizational structure, he explained, USPTO sees senior managers as “Leaders in Service to the Workforce” whose focus is on providing the leadership, coaching, and development needed to reach agency goals efficiently. In their role in the new USPTO, senior managers frequently communicate agency objectives and priorities, and continually focus on the developmental needs and growth of employees.

Mr. Budens commented, “One of the big changes was the change in Administration, as Mr. Ullman said earlier. Mr. Kappos and I came in. I hate traditional bargaining because it represents a fundamental failure to communicate. That changed at PTO when Dave came on board. The day the announcement was made that Dave would be heading the agency, he called me the first thing in the morning, as I was walking into my office, to begin a dialogue. We met at the Reagan Airport and talked for a couple of hours. We realized that, at PTO, labor and management hadn’t agreed on a performance plan in 40 years plus. Dave said that what we really needed to do was lock people in a room and solve our problems. I didn’t know he meant really lock people in a room, but that’s just what he meant! We started working on our recruitment issue, and Dave locked us in a room. And we made progress.” He added, “Patent examiners are the ones who do the mission of the agency. The rest is just support.”

Using a sample performance report (Page 6 of slides), for a hypothetical employee, Mr. Kappos showed how, under the new USPTO performance system, employees regularly receive data comparing their outputs and patent application results to those of their overall workgroup. He stressed that it is very important to provide such data and any accompanying feedback in a non-punitive way, and that the idea is for the employee and manager to collaborate to achieve the best possible results. He said, “People do performance discussions, evaluation, and coaching almost continuously,” and added that employees will often look at the data and initiate conversations with supervisors about the meaning or significance of a particular metric, or how best to improve performance.

Mr. Kappos displayed a snapshot of the [USPTO Patents Dashboard](#), one of [four USPTO dashboards](#) from which visitors can download data on the agency’s performance. He said the Patents Dashboard on the website is updated monthly. Regarding the current metrics, he said, “Some are going in the right direction. Some we wish were better. But the problems are no

longer labor's problems or management's problems; they're our problems together." He then listed the following as the main takeaways from the presentation:

1. Data can be your friend when meaningfully related to goals.
2. Agencies should be organized not around leadership, but around the frontline workers, whom management should be serving in the interest of performance.

Mr. Budens said, "If you get workers on board, you will have a productive agency. The real take-home lesson is if we're really talking and working together, we can make this work, and have a much more efficient Government." He added that he liked Mr. Ullman's earlier comment that collaboration is difficult but worthwhile.

Mr. Junemann commented, "Your chart on page 2 is phenomenal. I know patent examiners work hard. Everyone should be asking what to do to emulate this success. I'd be interested to know the throughput time, or about any reduction between initiation and completion of a patent." Mr. Zappos responded that USPTO workforce is hard at work on its pendency goals, and that labor and management are striving to get the First Office Action Pendency average time down to 10 months and the Final Action Pendency down to 20 months. (Note: In addition to current pendency data, the [Patents Dashboard](#) also provides data for the last 2 years so that users can look at progress over time.)

Mr. Berry thanked the presenters, and said, "Two great examples to start us off for the New Year and the new term!" Mr. Berry then provided an opportunity for Council members to raise any new business.

District of Columbia National Guard and NAGE Local R3-86- July 2013

Ms. Kaplan introduced the second agenda item: “Our first topic today concerns a labor-management forum which has made significant improvements in labor-management relations, and we are excited to hear their story. David Holway has the honor of introducing this group.”

Mr. Holway introduced the speakers for the presentation: Lieutenant Colonel (LTC) Richard Greenlee, [District of Columbia National Guard](#) (DCNG); Mr. Emell Monlyn, National Association of Government Employees (NAGE) Local R3-86 President; and Mr. Robert Shore, NAGE Federal Division Assistant Regional Counsel. The speakers used a set of slides labeled as a Council document and bearing the DCNG and NAGE seals.

LTC Greenlee began the presentation with an overview of the Army and Air National Guard units protecting the United States and its territories and possessions. He discussed the dual nature of National Guard employees, who typically wear civilian clothing during weekdays, when performing regular work with their unit, while wearing a military uniform on weekends or when activated in response to emergencies. “National Guard members have a civilian career *plus* provide military service to their State and Nation,” he explained.

LTC Greenlee followed the general overview of National Guard service with a brief history and background of the DCNG, which President Thomas Jefferson created as the DC Militia in 1802. He said the DCNG has a very proud history, and pointed out that a DC Militia Lieutenant, Francis Scott Key, wrote the National Anthem during the War of 1812. “The DCNG has participated in all the Nation’s conflicts from the War of 1812 through Operations Noble Eagle, Iraqi Freedom, Enduring Freedom, and New Dawn. We’re the first military responder in Defense Support of Civilian Activities events.”

LTC Greenlee gave examples of services the DCNG performs, and events in which it has served, e.g.—

- 2001 post-9/11 Capitol Mission and Combat Air Patrol;
- Snow Emergencies;
- State of the Union Addresses;
- International Monetary Fund/World Bank Protest ;
- Nuclear Security Summit;
- Fourth of July Celebrations on the National Mall;
- Presidential Inaugurations;
- Hurricane Irene/Sandy Support;
- Martin Luther King Memorial Dedication;

- State Funerals; and
- National Security Special Events.

LTC Greenlee added, “We’re also ready at all times, with two alert aircraft sitting at Andrews Air Force Base, to respond to any threats from the sky.”

LTC Greenlee presented the DCNG’s mission statement:

The District of Columbia National Guard is the first military responder in the District of Columbia to defend and support the Nation’s capital, the Nation’s leaders, and residents, workers and visitors to the District by assisting District and Federal agencies in the District of Columbia. The DCNG maintains trained and equipped forces as reserve components of the Air Force and Army uniquely poised to perform sustained ground missions and Federal air missions as directed to defend and protect the homeland. Additionally, DCNG supports Emergency Support Functions requests.

Returning to the dual-status nature of DCNG employees, LTC Greenlee and Mr. Monlyn elaborated on that point and discussed challenges it presents. LTC Greenlee said it was the National Guard Technician Act of 1968 (Public Law 90-486) that created Dual Status Military Technicians. He explained that such employees maintain a military affiliation, and that the purpose is to ensure continuous training, readiness, and operation of Army and Air National Guard units. LTC Greenlee turned the floor over to Mr. Monlyn, who explained how dual status was a major factor in DCNG’s labor-management relationship and in recent work to improve it.

Mr. Monlyn told the Council that the DCNG’s labor-management relationship had recently improved, but previously had significant problems, which often were related to the dual-status nature of Local R3-86 employees. He said, “Our bargaining agreement is now 12 years old,” and added that challenges have often arisen from trying to reconcile the union’s desire to follow and enforce the collective bargaining agreement with management’s need to ensure that military rules and guidelines were followed. He described problems related to dual status, including employee confusion detrimental to mission, but clarified that the problems arose more from communication deficiencies than from the dual status itself.

Mr. Monlyn emphasized the importance of Local R3-86 employees quickly having all of the information needed in emergencies. “The need for a clear and straightforward emergency response and information dissemination system is of utmost importance to the DC National Guard and its employees. The DC National Guard is tasked with protecting the District during emergency situations, and it is critical that employees can be immediately notified in an emergency, and can properly respond.”

Mr. Monlyn provided bullet points that summarized problems related to dual status, which the DCNG experienced during Hurricane Sandy.

- On October 29, 2012, in response to Hurricane Sandy, OPM announced that the Federal Government was closed due to inclement weather, and that only emergency employees had to report to work;

- After returning to work on October 31, 2012, DCNG issued a number of disciplinary actions to bargaining unit employees for being absent without leave. Several weeks after Hurricane Sandy, some employees also had their pay reduced; and
- There were miscommunications between supervisors and employees, where some supervisors originally granted the employees administrative leave in accordance with OPM guidance, while others were told that the employees had to report due to the emergency. Still other supervisors heard both that employees were granted leave and that employees had to report for duty.

LTC Greenlee and Mr. Monlyn said it was very clear in the aftermath of Hurricane Sandy that much confusion arose from the DCNG’s use of the phrases “emergency” and “essential” employees during the week of the hurricane. While management’s view was that all full-time employees were considered *emergency* employees and not *essential* employees, labor disagreed, and believed that essential employees were to follow OPM’s guidance for such employees. This lack of a common understanding escalated into counterproductive conflict between management and labor. Several individuals sought the assistance of NAGE Local R3-86 to have disciplinary actions imposed by management withdrawn.

LTC Greenlee and Mr. Monlyn summarized steps DCNG management and labor took that improved their relationship and provided for prevention of future confusion about dual status:

- The parties agreed to meet to discuss how to ensure that such miscommunications as experienced during Hurricane Sandy would not recur;
- The parties sat down together to discuss what each side saw as the problems that arose during the Hurricane Sandy response;
- Both sides agreed that methods of communicating with employees were the real problem, and that resolution was critical to ensuring DCNG readiness and efficiency during emergencies.

Mr. Monlyn said, “While many use the term ‘Hurricane Sandy Response,’ I prefer the term ‘Hurricane Sandy Convolution,’ because things at DCNG got really convoluted during Sandy.” He said confusion as to roles and responsibilities began with lack of clarity on such basic issues as, “Do I put on a uniform now, or am I playing my civilian role?”

LTC Greenlee and Mr. Monlyn told the Council that communication opening up between the parties enabled DCNG to identify and remedy problems with the DCNG emergency response system, such as—

- The system conflicting with several articles of the collective bargaining agreement;
- There was no *impact and implementation* bargaining when the system was implemented, so potential misconceptions or miscommunications related to dual status were never addressed/prevented; and

- Lack of alignment between employees' and managers' understanding of roles and responsibilities during emergencies.

Mr. Monlyn said, "We *had* to come to an agreement. We needed a better communication system. Both parties met several times a week." He said the meetings were very productive, and led to the parties agreeing that a new, clearer means of sending out notices during an emergency was urgently needed. Strategies discussed in the meetings included efficient delivery of text messages and emails, and the discussions led to the labor-management forum contracting for a new interactive warning system. Mr. Monlyn was pleased to report that the new system is operational now, and delivers succinct and timely information by calling the employee's phone while also sending a text message and/or an email announcing the emergency situation and clarifying what immediate action to take.

Mr. Monlyn continued, "This is intended to be a way to disseminate the proper information to all employees in the event that another disaster occurs. The new system has been used successfully and ensures everyone involved receives accurate information, and that the information sent is timely and communicated to every employee. Most importantly, it ensures that the DCNG is able to respond in an emergency and protect DC citizens."

LTC Greenlee summed up the progress labor and management made by working together: "Through management and labor working together to solve the problems experienced in the aftermath of Hurricane Sandy, DCNG was able not only to solve real problems that could have hindered protection of DC residents, workers, and visitors, but also to improve the DCNG labor-management relationship by building the trust and improved communication needed to plan and implement the new emergency warning system."

Mr. Monlyn added, "Today, there is clear communication between the parties. The two sides now talk on a regular basis and are constantly working together to continue to improve their relationship, and to improve the DC National Guard and the work that its employees and the bargaining unit employees of NAGE Local R3-86 perform." He added that not only does the DCNG have a fully functioning labor-management forum that works to optimize the labor management relationship, but it also has meetings between management and labor outside the forum, several times a week. Mr. Monlyn concluded with, "Communication has definitely improved. I went from livid to almost happy!"

Mr. Shore made brief closing remarks emphasizing the significance of the progress DCNG made in improving communication and information delivery, as well as in the labor-management relationship. He said in closing, "From my perspective as an attorney, and having heard a lot from both parties, I can see the good that came of the work you heard about today. We're very fortunate that labor and management successfully collaborated to address issues before they became serious problems."

Having concluded their presentation, the speakers invited any questions or comments from the Council. Ms. Kaplan commented, "This is not just an example of good labor-management relations, but also shows how cooperation between management and labor can lead to tremendous improvement in service delivery." She then turned to the next agenda item.

Department of Agriculture, Food, Nutrition, and Consumer Services and NTEU-
November 2013

Mr. McDonough and Ms. Epstein provided a PowerPoint overview of the Extended Telework Pilot. Mr. McDonough began by presenting an overview of their presentation and stating that in the spring of 2012, following discussions in the FNCS LMF, FNCS and NTEU revamped their existing Article 20 (telework). The goal was to enhance an already vibrant and productive program; bring the collective bargaining agreement into compliance with the Telework Enhancement Act of 2010, USDA policy and OPM guidance; provide a full-time telework option for those in field offices that were slated to be closed; and expand and clarify the terms of and opportunities for telework arrangements generally. Mr. McDonough stated that “telework is compliance and the reality is that we are closing field offices. We worked out an arrangement where we opted for full-time telework. With collaboration with NTEU we did it.”

Ms. Epstein continued, “The pilot was carefully developed by the parties as an informative experiment – designed to provide information on how best to structure and support telework arrangements for the future. Its terms were contained in an MOU signed in early May 2013. The MOU had jointly developed documents including remote work understanding and a survey to ensure what the participant and management were expecting over the course of the year.” Mr. McDonough added that the pilot was brought into compliance with the law.

Ms. Epstein continued by referencing slide 6 of the presentation, the Telework Profile. She explained that the maximum pre-pilot telework frequency is 6 days per pay period and that all teleworkers must have agreement or they have to opt out. In October 2013 there were 35 employees who were ineligible and 107 employees opted out. 617 employees planned to telework 3 or more days per pay period, 236 planned to telework 1 to 3 days, and 331 planned to telework ad hoc. Currently, 630 are regularly teleworking at least 1 day per pay period. So, she explained, more than 55 percent of FNCS employees are teleworking at least once every 10 days and most pilot participants teleworked at least 4 days per pay period. Mr. McDonough explained that the maximums were discussed for the life of this pilot – the employees suggested how much they want to exceed the maximum by. But, that all of this is premised on the needs of the agency and whether it is verifiable – do they have a robust case for telework going forward.

Ms. Epstein discussed the pilot eligibility requirements referencing slide 8: “Eligibility for the pilot is limited to those who (1) have worked in their current position for FNCS for more than one year; (2) have fully portable work for each of the days requested, i.e., work that requires no in-person interaction with others in order to maximize effectiveness and efficiency, as verified by the supervisor and affirmed by the supervisor’s boss; and (3) have a most recent performance rating of ‘Superior’ or ‘Outstanding.’” Like any study, this pilot has a limited number of participants. Here, each of the six NTEU-represented Regions was limited to 6 participants, whereas the Headquarters was limited to 14 employees – one thing that also had to be considered was the fact that the work might be different at Headquarters. Thus, the maximum number of participants was 50. However, the pilot currently has 46 people and is up and running. All employees selected to participate in the Expanded Telework Pilot Program were notified in late August 2013. All participating employees had to revise an existing Telework Agreement with their supervisors.

Ms. Epstein echoed this sentiment reiterating the pilot is up and running. She mentioned that they addressed the communication challenges later on – for example, if you are out of the office, how are the needs of the agency communicated?

Mr. McDonough said that supervisors, employees, and customers were identified as stakeholders and surveyed because they wanted multiple perspectives on what was working and what was not working. “We are currently looking at the data at impediments to success and causes of any snafus or failures. We are looking at nature of the work, nature or size of the work team, numbers or types of demands from customers/stakeholders, location within or outside the organization of customers/stakeholders, experience of participants and supervisors, their willingness to address issues as they crop up, and managerial support/resistance at higher levels.” Ms. Epstein continued that surveys will be conducted on a quarterly basis. To allow NTEU and FNCS to evaluate the Pilot results, the parties have retained a company, Survey Monkey, to administer surveys on a quarterly basis to employees, supervisors, customers, and stakeholders to ascertain their perceptions on productivity, satisfaction, work quality, responsiveness, collaboration and connectedness. The survey will be completed by September 2014 when the Pilot ends.

Mr. McDonough continued by saying at USDA Secretary of Agriculture, Mr. Tom Vilsack, wants to reduce the footprint: “Telework fits in nicely to this program. As expressed by Colleen Kelley, you adopt workplace flexibilities if you can do that.” Ms. Epstein told the Council that the pilot will be completed in September 2014. Referencing slide 14 of the PowerPoint she then stated that the criteria for the success of the pilot includes employees’ productivity, availability, accuracy, and whether or not communication remains frequent and positive. Mr. McDonough then wrapped up the presentation reiterating to the Council that the pilot has just started, “There will be challenges, but we are excited for what is to come. We wake up every morning excited to go to work.” Both presenters ended their presentations by indicating their willingness to share their experiences and work with others.

Ms. Cobert then asked the presenters “Is there anything at this point that has surprised you?” To this question, Ms. Epstein replied how quickly the pilot rolled out, but caveated this with the fact that it was going quickly until the shutdown of the federal government. Mr. McDonough added that his surprise is the commitment of the midlevel supervisors and how they are eager to engage in the pilot without any preconceived notions, “I am pleased folks engaged without pre-judging the outcome.”

Mr. Cann asked the presenters if they could share a copy of the MOU with the Council. Mr. Curry responded saying that presenters could share the MOU with OPM and that OPM would then distribute it to the Council members. Ms. Archuleta said, “This is a terrific example of where labor and management can work together with a goal of improving work life for employees and, most importantly, an eye towards improving productivity. I am excited to hear about the outcome of increased use of telework. Very good.”

[Patent and Trademark Office and NTEU Chapter 245- January 2014](#)

(Click [here](#) for the video of this presentation.)

Mr. Curry said, “For the final presentation today, we have representatives from the labor management forum between the U.S. Patent and Trademark Office (PTO) and the National Treasury Employees Union, Chapter 245. They will be discussing the workplace flexibilities at PTO, including telework, implemented due to effective labor-management relations. As many of you may know, the PTO was recently named number one out of 300 agency subcomponents in the 2013 Best Places to Work in the Federal Government rankings by the Partnership for Public Service. Please welcome Mr. Howard Friedman, President of NTEU, Chapter 245, and Mr. Fred Steckler, Chief Administrative Officer for PTO.”

Mr. Friedman opened the presentation with a short anecdote about Norma Rose, an employee within the Director’s Office who recently retired from PTO. He said that their presentation will answer the question of why Ms. Rose stayed at PTO for so many years. Mr. Steckler stated “We are honored to be here and are anxious to share our story with you today. As with all good stories, we are a work in progress.” In referring to slide two of the PowerPoint presentation, Mr. Steckler described the work of the PTO as background. “The United States Patent and Trademark Office (USPTO) is an agency within the U.S. Department of Commerce that examines and grants patents and trademarks. There are probably tens of thousands of patents or trademarks in this room and on your person. So, it has a great effect on the economy. There are 12,000 employees at USPTO including engineers, scientists, attorneys, and support. It is a younger workforce compared to the rest of the federal government. We have a \$3.0 billion budget. Intellectual property-intensive industries accounted for about \$5.06 trillion in value added, or 34.8 percent of U.S. gross domestic product in 2010. Our main campus is in Alexandria and we have four new satellite offices opening up across the country. We are fee funded and production oriented. The nature of our work is part of our success story.”

In referring to slide three, Mr. Steckler continued, “In just six years, the USPTO improved in the Partnership for Public Service’s Best Places to Work in the Federal Government ranking from 172nd in 2007 to number one in 2013 out of 300 agency subcomponents. In that same period mission results increased dramatically. The patent application backlog was reduced 31 percent while annual patent application filings increased from 467,000 to over 600,000 per year. Trademark application processing time also decreased – from 13.4 months to 10 months, while annual trademark application filings also increased from 394,000 to 433,600 per year. There was a correlation between the Best Places to Work ranking and business results.” Mr. Steckler continued with slide 4 saying, “Our scores were high in every index this year. It did not happen overnight and USPTO did not start at the top – it took time, dedication, and a shared commitment between management and our unions to improve.”

In discussing slide five, Mr. Steckler continued to talk about the relationship between management and union at USPTO. “We have a very strong labor-management relationship. We have three unions at PTO. The Patent Office Professional Association (POPA) has 8,500 in the bargaining unit including patent examiners and other professional employees. National Treasury Employees Union (NTEU) Chapter 245 – Howard’s chapter – has 400 employees in the bargaining unit including trademark examining attorneys and TTAB Interlocutory attorneys.

NTEU Chapter 243 has 1,300 employees in the bargaining unit including paralegals, Legal Instrument Examiners and Assistants, IT specialists, and other support staff. In total, 85 percent of the workforce population is in the bargaining unit.” In discussing slide six, Mr. Steckler continued, “Union participation is critical to our success. Unions ensure employees’ needs and viewpoint are a vehicle to reach management. Everyone is effective if the union is effective in its ability to carry out the duty of the union, which is having insight into the employees and helping management produce better results. NTEU and POPA’s strong presence in the workplace ensures that employees’ needs and concerns are raised with management. Both NTEU and POPA have a dedicated cadre of volunteer leaders who are responsive to employees and, through their union, employees feel that they have a voice about what is important to them and what they need to get the job done.”

In discussing both slides seven and eight, Mr. Steckler said that unions and leadership working together is the secret to their success. Mr. Steckler continued by stating “Senior management and unions need to be on the same page and all other folks in the organization will fall in line. This will help engage and commit both sides. We have a regular labor-management meeting, usually on Mondays, where we look for a solution first and then figure out the format later. PDI is the way we get our work done.” In addition, Mr. Steckler talked about their success “toolbox” which includes:

- Senior leadership driving change – both USPTO management and union leaders
- Engagement and commitment from both sides
- Regular monthly labor-management meetings...more as necessary
- Look for solutions first...then agree on format for next steps
- Transparency and teamwork
- Joint communications
- Pre-Decisional Involvement (PDI)

Mr. Steckler concluded that the bottom line is that it all comes down to trust and respect.

Mr. Friedman continued the presentation by saying that he will answer when union and management should do PDI – a question that Ms. Archuleta raised to the Council during an earlier discussion. In discussing slide nine, Mr. Friedman discussed how they use PDI at USPTO: “We talk about everything at any time. The cornerstone of the Executive Order is PDI – PDI meets all three goals of E.O. 13522: employee satisfaction, improvement in labor-management relations, and increase productivity. PDI hits all three of the things called for in the Executive Order. One of the primary reasons PDI works at the USPTO is because either party, the unions or management, can raise or develop an issue and discuss mutual interests. In talking about ‘anything at any time,’ often it is the union that brings up issues before management does. Really PDI begins by anyone bringing up ideas and that is one of the reasons we have improved our metrics and goals. So, don’t forget that unions should be able to bring up issues. That leads to a lot of brainstorming and a lot of decisions. We are involved in just about every aspect of PDI and it’s worked very well.”

In continuing to slide 10, Mr. Friedman discussed the trust and benefits of PDI, “The union is involved in the beginning. We intersect management products and the union is involved sooner –

you cannot advance either interest unless both interests are advanced. Get the unions involved – we’ve never burnt them and they’ve never burnt us. Two months ago I filed a request to bargain – this is the first time in years. We have not filed an unfair labor practice in about 10 years and very few grievances. We did not file one performance grievance last year. We haven’t had to bargain in a number of years. The less litigation money helps PTO.” Mr. Steckler chimed in, saying: “This goes for all three of our unions. Bargaining is low. However, this is not the old story at the PTO – the FLRA made a ruling years back saying ‘We have no illusion that this or any decision will assist these parties in building a constructive labor-management relationship...’ We actually negotiate all the time and PDI conversations are really upfront problem solving joint sessions. We have a room at PTO called the bunker where we lock in representatives of leadership and management. We work through better solutions before things are finalized. By the time we get to a new program, or something like that, we have already worked through the problems. This may take longer but progress is better at the end.” Mr. Friedman explained that early communication between the parties helps with PDI because it:

- Builds trust
- Allows management to consider the union’s concerns and ideas earlier when there may be more flexibility in addressing them
- Creates a problem-solving atmosphere, which considers both the efficiency of the agency and working conditions for employees
- Frequently leads to better solution with reduced (or no) bargaining prior to implementation

Mr. Steckler continued to slide 11 giving examples of PDI partnership success. He noted that the parties: (1) changed how attorneys and examiners receive credit for work performed; (2) refined performance plans to more closely align evaluation standards with agency goals; and (3) added a new top bracket for patent examiner production incentive, and concluded that the results speak for themselves. Mr. Friedman said that a lot of the things they discuss are (b)(2) and (b)(3) matters, but they also do (b)(1).⁶ He gave the example of a focus group dealing with automation and software tools. He also noted that the telework program saves the agency millions of dollars. Mr. Steckler continued, “We use PDI where we are bargaining an issue or not. PDI comes to a collective better solution.”

Next, Mr. Steckler continued to slide 12 to discuss the America Invents Act: He stated that “PDI allowed the agency to complete discussions with POPA prior to the statutory deadlines for implementation of the act, allowing the agency to timely implement the most significant changes to the Patent system in generations. Through PDI the following topics/processes were facilitated: (1) how the required changes would be implemented; (2) employee training; (3) communications with the user community; and (4) the transition between the old and new systems/requirements.” He continued, “This was a fundamental change in how the whole patent system worked. We implemented the Act within the one year timeframe through PDI collaboratively.”

Mr. Friedman continued to slide 13 saying, “Management and unions have also worked on a number of pilot programs to drive positive change that actively involved gathering employee

⁶ Referring to 5 U.S.C. 7106(b).

feedback – these are great to get your feet wet. Management was concerned about implementing the programs completely, so we piloted telework, patent hoteling for telework, creativity and innovation – employees provided suggestions and it was evaluated by management and the union.” In referring to slide 14, Mr. Friedman discussed the Telework Enhancement Act Pilot Program (TEAPP) saying, “The Telework Enhancement Act authorized the PTO to conduct a seven year test travel program that allows our employees to live anywhere in the 48 states. The PTO is negotiating with Alaska and Hawaii. In the last two years no one has been called back after they moved/changed duty stations. The program allows 15 percent of the bargaining unit employees to live anywhere.” Mr. Steckler added, “Employees can work anywhere and they do not have to come back every bi-week – they come back up to five times each year through their own expense.” Mr. Friedman said, “They generally move to less expensive areas, so their salary at the new duty station is lower. Their performance standards are the same – productively is better for those who work at home.

In referring to page 15, Mr. Friedman continued, “This has been a 17 year process. We started in 1997, in partnership with NTEU 245, with 18 Trademark attorneys working most of their week at home. Today 91 percent of the positions at USPTO are eligible to telework (10,694 positions eligible to telework) and 80 percent of eligible employees at USPTO participate in telework (8,554 employees teleworking).” In referring to slide 16, Mr. Friedman said, “The metrics show that people are happy to be at home, labor-management relations are good, and the agency is meeting its goals. In terms of real estate, recouping space from full-time telework employees results in real estate cost avoidance of over \$24,000,000 annually. It is expensive to train employees so this telework program helps with attrition because patent examiners participating in a full-time telework program have a lower attrition rate than patent examiners not on a full-time telework program. A lower attrition rate results in less re-work allowing examiners instead to direct their efforts towards reducing the backlog of unexamined applications and reduced ‘new examiner’ training costs. We hit the metrics the Executive Order was looking for.”

In focusing the discussion on slide 17, Mr. Friedman and Steckler stated that, “PDI has been used at the individual union level and on an ad hoc basis with all three unions. Labor-management forums with each individual union continue to enhance communication and build trust. Thus far, our efforts have been focused on TEAPP and with individual unions. Based on the success of these efforts, management and all three unions have agreed to establish a USPTO-wide labor-management forum for discussion of issues that are important to all parties. Both management and labor wanted this because we have enough issues that we can address agency-wide. We hope this is a sustaining thing and it gives us some additional structure. Also, our goal is to fully incorporate PDI into our business processes, both now and in the future.” Mr. Friedman continued, “We have a strong interest in nailing down an MOU or an agreement allowing us to do exactly what we’ve been doing for the last five years in the future, regardless of whatever change in Administration may occur. We are always involved in PDI and are happy to speak to other forums.”

Mr. Keller said, “Congratulations on your accomplishment. You demonstrate what can be accomplished when labor and management demonstrate commitment to address problems and challenges – you give meaningful solutions to real problems and do not dance on the edge...the issues pertain to the agency’s mission. You are committed to PDI and a problem solving

approach which we need to replicate in other agencies. A lot of hard work and trust does not appear – communication needs to be open and candid, focusing on the interests that are important. You can undermine trust if you are not open, etc. This is the best example we have had so far.”

Mr. Friedman responded, “We are in a really good place. We want to keep our ranking. The challenge is that our people are spread so we are concerned about losing connections so are focusing on ways to keep the connection and IT channels improving together and not separate.”

Mr. H. T. Nguyen said, “I am impressed with this success story – it shows the real commitment of both management and union and demonstrates a truly win-win.” He also mentioned that he hopes Mr. Friedman and Mr. Steckler can be representatives through OPM and go on the road with the FLRA and FMCS to give agencies and unions an incentive to work together. Ms. Archuleta concluded by saying, “Wow!” And, noting that OPM would have Mr. Friedman and Mr. Steckler to OPM to hear more about their story and how OPM can learn from it.

[Department of the Treasury, Bureau of Engraving and Printing's Joint Labor Council- March 2014](#)

(Click [here](#) for the video of this presentation.)

Mr. Curry said, "For the final presentation today, we have representatives from the Bureau of Engraving and Printing Joint Labor Council. They will be discussing their work on improving employee engagement at the Bureau and its impact on its ranking in the 2013 Best Places to Work in the Federal Government by the Partnership for Public Service. Please welcome Mr. Chris Mahoney, Joint Labor Council Chairman, and Mr. Will Levy III, BEP Associate Director and CIO."

Mr. Mahoney opened the presentation by noting that the Department of the Treasury, Bureau of Engraving and Printing is a unique agency and that their labor council was started when former President Clinton had his Executive Order. Moving to slide 2 of the PowerPoint, Mr. Levy gave some background on the Bureau of Engraving and Printing. "We have 150 plus year history of printing the nation's currency and have approximately 1,850 employees. We are a heavily manufacturing environment, but we also have a research and development component." It has a white and blue collar configuration with two facilities; one in Washington, DC, and one in Fort Worth, TX. Mr. Levy noted that their Bureau is a non-appropriated one, funded by the Federal Reserve Board to cover costs associated with design and printing of notes. Mr. Mahoney continued, "We are a heavily unionized environment with 15 unions, 19 bargaining units, and 18 labor contracts. PDI helps tremendously." Mr. Levy spoke to the challenges associated with 15 different union presidents. He also noted that 55 percent of Bureau employees are not in the union while 45 percent are in the union. "We have a Joint Labor Council (JLC) that represents leadership of all unions and there is a monthly Executive and JLC meeting." He concluded this slide by saying that once the agency gives official notice, they have 15 union presidents, so things could change.

Mr. Mahoney continued to slide 3 of the PowerPoint to discuss the Joint Labor Council mission statement. He said that they came up with the mission statement a few years ago because they wanted to collaborate with the union PDI-wise and that they are proud of the mission statement. He then read off the mission statement which is as follows: "The goals of the Joint Labor Council are to enhance and facilitate an open dialogue between the Bureau of Engraving and Printing's management and the Bureau's labor work force. JLC's goal is to build a working relationship between management and labor while enhancing the understanding of the needs and requirements of the Agency." Continuing to slide 4 of the PowerPoint, Mr. Mahoney showed the Council the people who signed the contract. He said that they went on an offsite to come up with the contract. They had heated discussions, but those led to decent outcomes and a decent working relationship.

Moving to slide 5 of the PowerPoint, Mr. Levy talked about the BEP "Best Places to Work" Ranking which was graphed over the time period of 2007-2013. He said, "Starting in 2009 the trust level was low. In 2010 our ranking dipped to 219, so we were in a bad state." Mr. Levy continued to slide 6 of the PowerPoint which showed a graph of the BEP Ranking & Index data from 2003 to 2013 saying, "This more accurately depicts where we were based on the graphing."

Moving to slide 7 of the PowerPoint he continued with the BEP employee engagement goals. “We said ‘look it’s not working’ to leadership and we asked them to tell us what they needed us to do. So, they came up with strategic goals; one being to improve employee engagement.” Then Mr. Levy discussed the engagement goals including:

- Drive employee engagement and empowerment through a dedicated journey (long term effort and improvements year over year – with some quick fixes)
- Do the right thing for the BEP and as a result, improve our BPTW ranking (major strategic goal)
- Improve accountability at all levels
- Improve supervisory and leadership skills at all levels
- Instill the BEP Core Values
 - Integrity, Fairness, Performance and Respect
- Become a World Class Organization (as we defined it) focused on customer service and high quality
- Pre-decisional involvement of labor before key policy decisions are made

He expanded upon the last bullet and explained that it means “sit down with labor and talk to them at the inception time which is not wasted because you have formed a relationship.” Getting them involved in PDI of labor before key policy decisions were made, such as equipment change-outs.

Continuing to slide 8 of the PowerPoint, Mr. Levy discussed the BEP Employee Engagement Improvement Journey. He said, “In 2010, focus groups were conducted in conjunction with labor leaders. The trust level was so low that labor and management picked their own group members and there was a math calculation to ensure everyone was represented. It was a difficult time, but 200 recommendations came out of the focus groups. We started a branding campaign and made a Best Place to Work logo. In 2011, we had our first roadshow and we talked to employees about where we are going. In 2012, we came back with more. In 2013, we had a speaker from FMCS and the participation rate drove up to the 80s. In 2014, we focused on metrics of our internal survey based on the EVS.” Mr. Mahoney chimed in that this is a culture change and still needs work because all culture change takes time. Mr. Levy said, “It does not take decades. We were reporting in the 80s to 90s the same problems as we have today, but we are still pressing forward. Accountability is really important. Our Executive Team did not stop – it was a grass roots effort – last year the Director said here is what we are going to do.”

Mr. Levy continued to slide 9 of the PowerPoint saying, “The motto for our organization is ‘Customers First, Quality Always...’ Whatever we do, quality has to be first and foremost.” He continued to slide 10 of the PowerPoint where the BEP Credo was shown to the Council. He added, “It was tough because people thought that the only thing wanted was a high EVS rating. Then we created the BEP Credo.” After sharing the credo with the Council, he moved to slide 11 of the PowerPoint showing the Council the Focus Group Hallmark Statement: “We had a super focus group which made things actionable. There was a list of 200 recommendations, but people said ‘if you don’t do this, then nothing will change’ [referring to the focus group hallmark statement]. We put this focus group statement on the board in a meeting with our senior leaders.”

Moving to slide 12 of the PowerPoint Mr. Levy discussed BEP's definition of accountability where he explained to the Council that they had to define what they meant by accountability. BEP's definition of accountability reads: "When behavior or performance is demonstrated that does not meet policy or expectations set forth by the Director (i.e. BEP four core values), additional action such as *coaching, counseling, mentoring, training, re-training, and, eventually, performance or disciplinary action, is taken in order to gain acceptable behavior." He noted that the * was there to indicate that not all situations will follow all of the suggested steps above in sequence. Mr. Levy then posed the question to the Council of "how do we know you're doing anything?" and that is where visible accountability comes in. Their definition of visible accountability is: "If reported behavior persists (i.e. others are consistently treated the same way or work is not performed up to standards) then, by definition, the person is not being held accountable." He concluded this slide by saying, "If you do not see it, we are not doing it. If employees are doing their piece, people want to see it done."

Mr. Mahoney moved to slide 13 of the PowerPoint, speaking to the Aim 4 Yes! program at BEP. He explained it as, "You strive to reach 'Yes' for our customer. You are stopped from saying 'No' right away. This changes the mindset." Mr. Levy added that the key tenets on the slide are there for Council members to know what they are talking about and how employees can be successful in the organization.

Continuing to slide 14 of the PowerPoint, Mr. Mahoney talked about personal accountability at BEP. The agency's tag line is: "BEp GREAT! Personal Excellence And Accountability." Mr. Mahoney said, "You be the best. People talk and they remember BEp GREAT! That is the culture change." The idea is to stop negativity in their culture. Mr. Levy added, "The real challenge is getting leadership support behind ideas. If leadership support is there, then employees will follow."

Moving to slide 15 of the PowerPoint, Mr. Mahoney spoke to the concept of "A World Class BEP" and highlighted the last bullet point on the slide which read: "We effectively plan for the future, adapt, and learn." He also said, "What is it? We want to put out a great product – put something on paper – and they do it and they help our agency." Mr. Levy added, "One example of PDI is we meet with the union and said "yes" that is what we need. The last bullet (we effectively plan for the future, adapt, and learn) was rewritten by labor and there was value added to the document." Mr. Mahoney said, "It is hard to plan."

Mr. Levy concluded the presentation with slides 16 and 17 of the PowerPoint, highlighting a list of implemented engagement initiatives. He said, "There are things employees asked for, but the employees said 'you do surveys, but nothing happens.' We have this list of implemented engagement initiatives to say, 'no, here is the list.'" Mr. Levy highlighted that BEP implemented the "Walking in my Shoes" program. Mr. Mahoney said, "This gives the higher associate directors the chance to see what we do. There was an article in the Washington Post about this. People love when they see upper management using tools." Mr. Levy then highlighted how BEP implemented a coaching and mentoring program. Both Mr. Levy and Mr. Mahoney said that the upper chiefs and managers mentor those employees who want to learn more – executives and leaders have been encouraged to use coaching and mentoring as a method of fostering employee engagement. The Bureau has also used speed and small group mentoring as a means of fostering

employee engagement. Lastly, Mr. Levy highlighted that BEP formed the Deputy Director Circle adding, “The Deputy Director wanted to get involved. We selected 10 people and we are working on this initiative with management and the union.” There was a process and nomination forms for the 10 members. That group addresses change within the organization.

Mr. Curry thanked the presenters and noted that their presentation was recorded so it could be shared with the world.

Department of Justice, Bureau of Prisons and AFGE, Council of Prison Locals C-33- July 2014

Mr. Curry said, “We think it is beneficial for all labor-management forums, particularly those that may be struggling, to hear the experiences of other labor-management groups and how they addressed their challenges. We will hear from two groups today. First, we will begin with the Bureau of Prisons and the American Federation of Government Employees, Council of Prison Locals, C-33. Thank you to J. David Cox for recommending that we hear from this group. Here today are Mr. Eric Young, National President for AFGE, Council of Prison Locals, C-33, and Mr. Thomas Kane, Deputy Director, Bureau of Prisons. Eric and Thomas, we look forward to hearing your presentation.”

Mr. Kane began by thanking the Council for the opportunity to present. He started off by referring to Slide 2 in this group’s PowerPoint presentation, and explaining the mission of the Bureau of Prisons.

The mission of the BOP is to incarcerate offenders in the controlled environments of prisons and community-based facilities that are safe, humane, cost-efficient, and appropriately secure, and that provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens.

Mr. Young then referred to slide 3 of their PowerPoint presentation, and explained “How We Do It.” He said they call their staff the most important part of the Bureau of Prisons (BOP). He then noted that there are 38,000 employees in the BOP, with 81% in the bargaining unit, and provided a break-down of the different positions those employees fall into. He explained that “Unicor,” which is listed on the slide, is part of the Federal BOP industries. He said that all of BOP’s employees are correctional workers first, and a great majority of BOP’s employees receive law enforcement pay. He explained that there are 216,000 federal inmates currently under their control, and this number has increased 116% in 20 years. These inmates are housed in around 120 Federal prisons, throughout the country, which include high, medium, low, minimum, and administrative security levels. He noted that there is a “supermax” facility in Florence, Colorado, and there are medical, mental health, and pretrial detention centers. Mr. Young noted that this slide says that BOP’s \$6.8 billion budget comprises more than one quarter of the entire Department of Justice (DOJ) budget, but he read something recently that says it is more like one third of DOJ’s overall operating budget. Mr. Young then continued to discuss slide 4, titled “Management Structure.” He said this consists of their Director and the Deputy Director, Tom Kane, who is here today, and they lead the agency. He then explained the rest of the management structure, as indicated on the slide, and noted that the agency is “policy driven” as there are more than 300 policies that guide employees in their day-to-day activities.

Mr. Kane then discussed slide 5 in the PowerPoint presentation, titled, “Our Union Partners.” The slide provided an overview of the union structure at BOP, and he singled out Eric Young as

the National Council of Prison Locals (CPL) President, adding that the 100 union locals are primarily at prisons. He then moved to slide 6, titled, "Our Story." Mr. Kane said the relationship between the Federal Bureau of Prisons and the CPL is governed by a collective bargaining agreement known as the "Master Agreement." Mr. Young noted that for 20 years, labor-management relations in the Federal Bureau of Prisons was contentious, and that he was involved for much of that time. Mr. Kane said that in times closer to the present, in 2011, the agency held the first national discussion of partnership through a videoconference with all agency leaders involved, including all wardens and union presidents, the agency's Executive Staff and the union's E-Board members. Mr. Young said that was during the time when their current director, Charles Samuels, was coming on board. One of the things Mr. Samuels wanted to take on, when Mr. Young became the president, was their "unpleasant" record of labor-management relations. Mr. Young said that the Federal Labor Relations Authority had identified the Bureau of Prisons as having some of the worst unfair labor practices of all the Federal agencies, to date. Also, they had a significant backlog of arbitrations, and also EEO findings of retaliatory practices against employees who participated in protected activity. Mr. Kane said the agency, at the time, was also being criticized by the Department of Justice, Office of the Inspector General (OIG), for not publishing timely policy to implement recommendations, and this failure was the direct result of management and the union being unable to collaborate as provided in the collective bargaining agreement. Mr. Young said that a perfect example of what an unpleasant record that they had was that it took them 13 years of continuous negotiations to attain a collective bargaining agreement. A collective bargaining agreement had not been signed in 16 years prior to that.

Mr. Kane said they would now switch gears a bit and talk about "Agents of Change," which is slide 7 in their presentation. He said they wanted to highlight some of the key players involved in the partnership today. The key players are their Director, Charles Samuels Jr., who Mr. Kane has the honor of representing here today, and the National President of the Council of Prison Locals (CPL), Eric O. Young, who is here today. Mr. Kane continued by saying that the Bureau of Prisons's labor-management relationship began to change in December 2011, when Charles Samuels was appointed Director. Director Samuels recognized that the only way to make significant progress in labor-management relations was to collaborate and to interact with the labor union. He began collaboration at the national level with the Bureaus' executive staff and the CPL executive board. One thing that Director Samuels has regularly done, with Mr. Young, is to communicate with all of the staff. One of Mr. Samuels's messages to staff in early 2012 was the following:

All 38,000 plus staff working for the Bureau of Prisons comprise the BOP team. A true teamwork culture and collaboration is very important to all levels of our agency. No single individual can accomplish the mission of the Bureau of Prisons without the support of our entire team. It takes collaboration and teamwork to accomplish our goals and meet our mission.

Mr. Kane noted that since Director Samuels was appointed, there have been a number of changes in the leadership team. He, Mr. Kane, was appointed Deputy Director by Director Samuels. There was large turnover in their executive team with many appointments being made.

Mr. Young then discussed slide 8 in the presentation, "Agents of Change." He noted that he and several other new executive board members within the union were elected in September 2013. He said at that time, he knew there was an opportunity to establish some things with the new Director Samuels, who had reached out to him prior to his election. He said they had a press conference, where a father stood in front of him and said how his son was murdered by an inmate at a high security penitentiary. His son was stabbed 129 times. Mr. Young said he knew, as a Council of Prison Locals leader, that while the labor-management relationship was contentious, at the institutional level they had staff whose very lives were on the line. He knew he needed to change the dynamics of their relationship. He established a vision for their council. That vision is:

Words have power, presence, prophetic implications and no geographical limitations. When you change your internal dialogue, you change your destiny." (This quote is attributed to Dr. Cindy Trimm, slide 8 of the PowerPoint presentation.)

Mr. Young explained that this is the way that he operates the supervisory and fiduciary control over the Council of Prison Locals. He then moved to slide 9, "Winds of Change." He said that he and Director Samuels were heavily influenced in their desire for collaboration by the tragic deaths of two staff members who were murdered in February 2013. One was Eric Williams, who he mentioned earlier, and the next day a second staff member (Osvaldo Albarati is identified on this slide) who was a supervisor on his way home from work when he was gunned down as the result of his work at the prison. These were catalysts for change in the relationship. He said they take it seriously that lives hang in the balance in relation to what they do. It is important to have safety initiatives that ensure employees get to go home at the end of the work day. These two employees did not know that they wouldn't make it home from work that day. Mr. Young continued by saying it is in their best interest, and has been in their best interest, to make sure that they do everything they need to do, nationally, to make sure that those staff members at the local level are able to go home.

Mr. Kane then moved to slide 10, "A new approach," and described their new approach to partnership. He said that in May 2013, the agency's executive staff and the union's executive board agreed to participate in Relationships by Objective (RBO) training hosted by the Federal Mediation and Conciliation Service (FMCS). He thanked AFGE President J. David Cox for suggesting that they undertake that training. That training afforded the first opportunity to address their previous lack of communication. In the training, management and union representatives spent a week together, day and night, interacting both professionally and socially. Many barriers were broken down, and an open and honest exchange of ideas began. In that week, they built a solid foundation for a new relationship.

Mr. Young made remarks related to slide 11, "Visit with the Attorney General." Mr. Young explained that labor and management didn't trust each other. In order to be able to heal the relationship, Director Samuels wanted Mr. Young to know that he trusted him. To do that, Director Samuels invited Mr. Young to meet his boss, the Attorney General of the United States. Mr. Young expressed interest in having the entire Council of Prison Locals executive board meet with the Attorney General, and they did that in October 2013. They then invited the Attorney General to speak at their presidents' training a couple months later, to speak to all of the local presidents, and he did. That was the turning point in their relationship, because prior to that time staff didn't feel part of the agency, and felt like they were the black sheep. However, since the Attorney General spoke to over 100 local presidents, that was a turning point, and they have been working well together ever since. Mr. Young then moved to slide 12, "Partnership on Display." In January 2014, he and Director Samuels hosted a video conference in which all agency leaders and all local union presidents within the Bureau of Prisons, nationwide, participated. Director Samuels and Mr. Young asked all the leaders to embrace a true partnership, to leave their personal feelings, egos, and differences at the door, and to adopt and abide by the following key principles:

- Follow all initiatives in the Master Agreement
- Establish an open-door policy between labor and management
- Negotiate ground rules for labor-management relations to address matters at the lowest appropriate level
- Establish "core objectives" for local partnership. This was intended to create local forums.

Mr. Young noted that he saw the third bullet as a key to better relationships, with locals carrying the relationship forward and addressing matters at the lower appropriate level. If the things shown on the slide are done, then he and the Director would go the extra mile. Mr. Young has visited, including with Director Samuels, local groups who have trouble getting labor and management in the same room together, and he has also conducted training on the national collective bargaining agreement.

Mr. Kane then walked through and discussed slide 13, "Partnership." He emphasized, from the slide, some of the actions these parties have taken to improve their labor-management partnership: 1) regular meetings of the Executive Staff and the E-Board, 2) establishment of Relationship by Objective (RBO) Committees to work through issues, 3) Enhanced Policy Development through policy negotiations and joint policy writing committees, 4) labor-management quarterly meetings, 5) communication with the staff about the partnership activities and their accomplishments, with joint communications issued by the Director and the National President. Mr. Kane saw the two items listed under "Communication with Staff," as keys to the future relationship. He noted, for example, the nine Joint Policy Writing Committees. Mr. Young then described slide 14, "Joint Policy Writing Committees." He said this was a way for them to get the collective bargaining unit staff involved at all levels, and for management to get

input from the bargaining unit employees, through the union. There are six participants on each Committee from each side. These groups afford an opportunity for collaboration in a non-adversarial forum, and they afford an opportunity to address concerns raised by the OIG regarding timely development and publishing of policies. Mr. Kane then discussed the parties' new master collective bargaining agreement (slide 15). This agreement was signed on May 29, 2014 and went into effect just this week, on July 21, 2014. It remains in effect through 2017.

Mr. Young then discussed slide 16, "Other Significant Accomplishments Realized Through Partnership." With regard to the first bullet, which describes the possibility of local parties developing rosters that provide for a second officer in high security housing units on certain shifts, this was in direct response to the officer, Eric Williams, who was killed on duty, as described earlier in the presentation. Mr. Williams was alone with 130 inmates in a very high security setting when he was killed. Mr. Young also explained that the Millimeter Wave machine initiative, which is also described on the slide, is intended to limit the contraband coming into prisons. He explained that the Millimeter Wave machines are also used as part of airport security. The agreement on stab resistant vests was in response to a second employee, Jose Rivera, who was stabbed over 20 times while at work. Mr. Kane then continued with slide 17, "Other Significant Accomplishments." He said the Office of the Inspector General criticism, which he mentioned earlier, concerned their slow progress on developing policy. After the FMCS training, they published 37 new policies, which represent more than 10 percent of all policies. There are many more policies that are currently under development as part of the Joint Policy Writing Committees, or in negotiation.

Mr. Young then moved to slide 18, "Sustaining Partnership," and said, "We've got to be realists." Mr. Kane said that continued success depends on continued commitment and work by both parties. Mr. Young said that partnership is a sustained effort, and he again emphasized that the parties must leave their egos behind. Mr. Kane said they must continue to communicate with staff to reinforce the many successes and accomplishments, but also to acknowledge failures that undoubtedly will occur. Mr. Young said it is necessary to continue the Relationship by Objective (RBO) process and the partnership forums. Mr. Kane then concluded the presentation by reading from Article 36 of their master agreement, which describes the parties' philosophy. This selection is found on slide 19, "Article 36." Mr. Kane read the first paragraph, and Mr. Young read the second paragraph. Mr. Young then said that this has been in their master agreement for years, but they lost their way. He believes that they can put people first, and it will put them back on the right track. The presenters then asked the Council members if they have any questions.

Mr. DeWynngaert then thanked the presenters for a terrific presentation, and thanked Director Samuels for his leadership, as well as the entire leadership team of the Council of Prison Locals and the entire management leadership team, including the Attorney General, as well as AFGE's national leadership team. He said it took the full commitment of both leadership teams, on both

sides, to invest themselves into the effort. He said he cannot overstate how dangerous the work is, how many officers are assaulted every day, and murders on the job. He said he also cannot overstate in any way how underpaid these workers are. (laughter). Ms. Cobert asked why he was looking at her. (laughter). Mr. DeWyngaert said there is no doubt about it and that these jobs are dangerous and require courage. He would invite any policymaker to visit a prison and go inside a room, and stand inside that room all alone with 150 very dangerous people; no weapons; you're there by yourself, locked in. That is a very incredibly dangerous work environment and he deeply appreciates the work that is done by everybody. Mr. DeWyngaert said he also wanted to discuss the RBO process in a little more detail. He wanted to thank the former FMCS Director, George Cohen, who originally took this on. The relationship had been very contentious and the union had been picketing outside the Department of Justice many times, called for resignations of the top leaders of the agency; it was a very bad environment. Safe staffing is an issue, and budgeting for safe staffing is an issue that is important. But, when they asked FMCS to take it on, they said they would. President Cox and the Director of the Agency asked if FMCS would be involved in this process, which is really kind of a secret and it shouldn't be: RBOs. It is a breakthrough process. In this process, the top leaders on both sides sit down for a week and they go through intensive vetting and mediation of all sorts of different issues. They discuss how they got to this point, and identify benchmarks to help find their way out to a better place. This is a very worthwhile process and it should be utilized more throughout the government. To say that AFGE President Cox is very proud of the turnaround in BOP is an understatement. You can see the policies that have already been mentioned are being jointly developed, not being developed and then shoved across the table. It's getting done the right way. It will be hard to keep it going, they have already expressed that. It's a culture that is throughout the organization and still needs to be dealt with because there are many people in this big organization who have not gone through an RBO and aren't aware that it's a new day. He concluded by thanking the presenters.

Ms. Cobert asked if there were any other questions or comments. Hearing none, she added her thanks and said it is very clear that the presenters have a deep personal commitment to this. She also thanked President Cox for suggesting that the Council hear from this group. She said she very much appreciates how they conveyed this in a way that included the tactical details, and loved the comment about having six people from each side in the room because that was enough people to have stakeholders represented but also small enough to get work done in the course of a live conversation. It is a highly inspirational story about what can be done in a very difficult environment, both in terms of the work that is done every day and in terms of the relationship. Ms. Cobert then told Mr. Curry that she would appreciate if individuals who want more information about the RBO process could reach out to him so he could connect folks to that additional information. Ms. Cobert then said that she was sure that if Director Archuleta were here, she would say the same thing, "Thank you for sharing this experience with us, for the example you are setting for everyone, and for the commitment you have to keep the work going."

Allison Beck, Deputy Director of the FMCS, then made some remarks about the RBO process. She began by thanking the presenters and Mr. DeWynngaert for the comments. Ms. Beck also said she wanted to thank them for having the insight to have FMCS continue working to sustain momentum. They have teams working all over the country, working with the Bureau of Prisons and AFGE-Council of Prison Locals' teams. This is consistent with the FMCS mission and they would offer this service to anyone.

Department of Agriculture, Forest Service and NFFE, Forest Service Council- July 2014

Mr. Curry said that the next success story is with the Forest Service and the National Federation of Federal Employees (NFFE), Forest Service Council. He thanked Council Member Bill Dougan for helping to arrange for today's presentation. Mr. Curry introduced Ms. Melissa Baumann, Secretary-Treasurer of the NFFE Forest Service Council, and Mr. Tom Harbour, Director, Fire and Aviation Management, Forest Service. Mr. Curry thanked both presenters for coming, and said, "We look forward to hearing your presentation."

Ms. Baumann began the presentation by introducing herself and noting that they are "twenty plus years" into a collaborative, partnership relationship. Mr. Harbour introduced himself and explained that he was glad to be at the meeting. He also stated that he and Ms. Baumann would be going back and forth as they cover the slides in their accompanying PowerPoint presentation (titled, "Forest Service-NFFE Collaboration in Fire and Aviation"). Ms. Baumann then referred to slide 2 in that presentation to introduce their bargaining unit (this slide is titled "Intro to the FS Bargaining Unit). She noted that, similar to the Bureau of Prisons' structure, they have a master agreement and a council union structure. They have about 80 union locals, nationwide, located at different forests and regional offices, research stations, at about 28 Civilian Conservation Centers, a law enforcement organization, which has its own local, and several administrative offices. The total bargaining unit includes just under 16,000 employees in the winter, and over 21,000 in the summer. Many of the employees are firefighters, in both temporary and permanent seasonal positions. Total employment in the agency fluctuates between 30,000 and 40,000 employees in the summer. Employees performing fire-related duties are in almost every single local union. They are not isolated to a single local or a small number of locals, and this is a reason that the parties deal with fire-related issues at the national level. Other unions in the Forest Service include several AFGE locals and one NAGE local.

Mr. Harbour then referred to slide 3 (titled "Intro to Firefighting in the FS") and said that the Forest Service fire program is part of an interagency effort to fight fires in the United States. The Forest Service itself has about 10,000 fire fighters, with about 10,000 additional folks who can pitch in when needed—they call them the "militia." The Forest Service fights thousands of fires every year, with responsibilities in about 40 States, covering about 200,000,000 acres. Sadly, Forest Service firefighters also suffer fatalities. In 1994 and last year, they had 34 firefighters die in the line of duty. Mr. Harbour transitioned to slide 4 (titled "Collaboration between FAM and NFFE"), and said their labor-management relationship has matured over the years. He pointed out Mr. Dougan and the work he used to do when he was with the Forest Service, and said because of him, they have been able to build a better relationship. Mr. Dougan has experience fighting fires and understands what they do, so they have been able to build on their relationship over the past several years. Approximately 85 percent of their firefighters are in a bargaining unit. They have a variety of issues that would historically come to a partnership council.

Ms. Baumann transitioned to slide 5 (titled “Changes . . . 2010-2014”), dealing with changes from 2010 to 2014, and said that more recently, with changes in the agency and changes resulting from the executive order, some things have made it harder for the partnership council. She doesn’t think they have been as effective in the partnership council lately as they had been in the past. One reason is the recent centralization which has created organizational and physical separation of line and staff. They have lost some synergy now that certain organizations no longer share one building, and that has affected their level of success. There are also many changes coming from OPM and USDA, which causes them to spend a lot of time. There are so many changes that it is difficult to handle everything in the partnership council; there is too much volume. They have also struggled a little bit with pre-decisional involvement (PDI) and measuring what they are doing, instead of just getting out there and doing it. Ms. Baumann noted that she serves on the national partnership council, and they are planning to meet again next week, in Denver. Ms. Baumann then transitioned to slide 6 in the presentation (titled “Forest Service PDI Process”), and described the process they have been using for PDI. She noted that the partnership council meets once per quarter, but there is a lot going on outside of that. Specifically, outside of the partnership council, the parties have a process where the agency notifies the union when they have an issue they would like the union to engage in pre-decisionally. In that letter, the agency designates who its point of contact is for the PDI, identifies when the union needs to respond, requests that the union designate its representatives for the PDI. When PDI ends, the parties understand that different things may happen. The union may indicate to management that all issues are resolved on the topic; if it is an issue that the parties have done a lot of work on, they may sign an MOU (memorandum of understanding); or if they haven’t resolved part or all of the issues, they may enter into formal negotiations. Ms. Baumann then referred to slide 7 (titled “Confusion over PDI”) and said that she wanted to point out an example of where they do struggle. She then read a quote, shown on the slide, from an email she received from a manager. She noted, “What is pre about that?” Ms. Baumann said that this shows there can be confusion about what “pre” means and that they struggle with when PDI should occur. Moving to slide 8 (“In contrast . . .”), Ms. Baumann transitioned the presentation to Mr. Harbour for discussion of contrasting experiences.

Mr. Harbour continued by discussing slide 9 (titled “Fire and Aviation Collaboration”), noting that consistent with what the Council heard from the Bureau of Prisons’ presentation, the Forest Service employees engage in hazardous, decentralized, and critical work, which requires a unique set of qualifications, skills and training. It’s obvious in the Forest Service and the fire program that people are their most important asset. Much of what they do could be categorized as science, but much of what they do in the fire program is art. They want to retain their folks. In working through the pre-decisional involvement process, they have found that many good ideas have from their folks. Ms. Baumann then spoke about slide 10 (titled “FAM-NFFE Collaboration”), saying that what had really worked and had been a shining example for them was the Fire and Aviation Management (FAM) collaboration. It worked particularly because Mr. Harbour and his team were willing to involve the union early. As an example of collaboration,

Ms. Baumann noted the relationship between the FAM management team and Joe Duran, the NFFE-Forest Service Council Fire Committee Chairperson. There are regular e-mails and a monthly conference call to stay abreast of issues. This is important because management can identify issues for Mr. Duran even if they are uncertain of the potential impact on bargaining unit employees. Mr. Duran can then request more information if he feels it is necessary. This helps the union to know whether it needs to get involved early in the process. Ms. Baumann noted that, as for the Bureau of Prisons, policies are very important for this group, and they have provided the union with early involvement on new and modified policy directives. She also said that they recognize that formal negotiations will sometimes be needed. In contrast, Ms. Baumann concluded discussion of slide 10 by saying that the union works with legislative staff because they recognize the need for legislation, and there are some issues where management recognizes that the union can take things forward that will benefit the agency. One bill is currently navigating its way through Congress.

Moving to slide 11 (titled “Example: IFPM and FS-FPM”), Mr. Harbour said he had a few examples to share. He also shared that he is known in the agency as the acronym king. The first of these involved the Interagency Fire Program Management (IFPM) Qualifications Standards and Guide. Mr. Harbour explained that following the South Canyon Fire in 1994 in which 14 firefighters were killed on Storm King Mountain in Colorado, an interagency team, including the Department of Interior, States, and local areas, was formed to establish fire management qualifications standards to improve firefighter safety and increase professionalism in fire management programs. They found that doctrinal aspirations were tough to fit into real life. Moving to slide 12 (titled “Example: IFPM and FS-FPM, cont’d”), Mr. Harbour said they found themselves in disagreement not about the objectives, but about how to accomplish them. With the involvement of Bill Dougan and Mark Davis, they finally decided in October 2011 to put everyone in room – lock the doors, give them food and water. (laughter). They got the union representatives and all their technical specialists together and had a wonderful three-day meeting where they hashed things out and found a much better perspective and focus for how to move forward. Ms. Baumann noted that this was pretty significant pre-decisional involvement because they ended up changing the series that positions were classified in, and they needed to involve OPM to do that. This was not a small issue—it was essentially changing who could be qualified for these jobs by changing from a professional series to an administrative series. That became very important as they were losing talent.

Ms. Baumann then moved to the next example, shown on slide 13 (titled “Example: Fire and safety boots”), which involves fire and safety boots. She said the issue was who pays for the boots that firefighters have to wear, noting that the boots are expensive and cost between \$300 and \$500. Recently, the union met with Fire and Aviation management and hammered out an agreement. However, it turned out that the Fire and Aviation manager did not have the authority to negotiate the agreement. The parties continued working through the issue and reached a national-level agreement that provides not only for fire and safety boots for firefighters, but

boots for all their field-going employees. This issue was small but it was very important to employees. Ms. Baumann then turned to the next example, shown on slide 14 (titled “Example: WFAP for all fire hires”), and said it is an ongoing issue. The issue concerns the joint NFFE-Forest Service apprenticeship program, located in California, called the Wildland Fire Apprentice Program Academy (WFAP). The chief had said that all firefighters would have to go through this apprenticeship program academy. The union had concerns about that, first because it is located in California, which raised questions about how employees located in places such as Atlanta, Georgia, would pay to attend. Additionally, because of the large number of temporary employees the Forest Service hires each year, those temporary employees have gotten the training and skills that they need to be able to move into a GS-5 or GS-6 firefighter position. She asked why they would be sent back to a GS-4 apprentice program, instead of being hired directly. This is an ongoing issue where the union is working with Fire and Aviation Management. Ms. Baumann said she believes the union may share some of the interests of the field managers on this issue.

Mr. Harbour then moved to slide 15 (titled “Example: Smokejumper Program”) and discussed the next example, which is the Smokejumper Program. This program is almost 75 years old. Change doesn’t come quickly to this program, because safety is so important. For all these years of jumping, the jumpers have been using what in 1943 was a state-of-the-art parachute, which is round in shape. Currently, in sport jumping and in the armed forces, things have changed and Mr. Harbour said they are discussing whether to move to a different type of parachute. He said that the discussion about round and square parachutes in the smokejumper community is tantamount to the discussion that the Hatfields and McCoys would have; there are no folks in the middle on this. Mr. Harbour then moved on to another example, shown on slide 16 (titled “Fire Careers and Family”), and noted that Ms. Robin Heard was sitting at the Council table. He said that the fire program has difficulty retaining women in the fire program. It is very difficult to balance this career with family. Firefighters often get a call at one or two o’clock in the morning, grab their bag, and are gone for 14 to 21 days. They may get home for a day or two before being shipped back out on the road for another 14 to 21 days. This is a difficulty that they’ve had. Management has recently engaged NFFE on the topic of how to have the attributes of a good fire career, and family also. They are seeking to accomplish these objectives, while maintaining an effective fire program.

Ms. Baumann then spoke about slide 17 (titled “Other FAM-NFFE collaboration”), which lists what she described as a “catch-all” of issues that Fire Aviation Management and NFFE are collaborating on. They are looking at medical qualifications again. She described physical fitness standards as a huge issue, particularly with regard to how the testing is done. Ms. Baumann said that when she has looked at fatalities of firefighters, most of them occur during the physical fitness testing; particularly heart attacks that occur during the testing. She noted that the parties jointly review the Interagency Qualifications Handbook every year. They are in the process of implementing random drug testing for every single one of their firefighters. The union has had

input into the Rappel Operations guide, and the guide on Aerial Supervision. Ms. Baumann said there are many policies where the union makes sure it has union members who are knowledgeable on the specific material, and also on the impacts for the rest of the bargaining unit. Next Ms. Baumann mentioned the bargaining unit status of fire supervisors, and said they had a good outcome there. She noted that firefighters and nurses are the only types of employees who will be included in a bargaining unit if they supervise less than a preponderance of the time. There had been a lot of confusion over that, and now they have a standard, nationwide agreement that has really simplified the issue. Ms. Baumann then moved to slide 18 (titled “Challenges”) and discussed some of the challenges the parties encountered. One challenge has been ensuring that all of the program areas within the Fire and Aviation Management structure are familiar with working with NFFE. Another challenge has been that much of the fire activity happens at the region or local level, while policy is made at the national level. They have identified the need for a clear delegation of authority for certain issues. Finally, the interagency nature of fire suppression provides an additional challenge. Specifically, the National Wildfire Coordinating Group (NWCG) promulgates quite a lot of policy in the area of firefighting, but NFFE does not sit on that group. As a result, NFFE and Forest Service must coordinate before implementing directives issued by that group.

Mr. Harbour then referred to slide 19, “Keys to Success.” He said he wished he knew “how to bottle up a potion of trust,” but he doesn’t know how to do that. He tells people there are three certainties in the Forest Service, “death, taxes, and me.” He has been through changes in leadership on the union side. They have been lucky to build a trusting relationship. He tends to know if the union leaders are upset about something, and he will ask them about it. If management screwed up, they will go back and do something different. They have built a mutual respect in the fire program; a mutual trust. They put on a good face with their public-facing programs and when the door closes, they are pretty honest. Mr. Harbour then turned to slide 20 and said that it is important to always remember what happened on July 6, 1994, when 14 firefighters died. Additional firefighters died last year. It’s these kind of events that have made them realize that they simply can’t afford not to work together. Ms. Baumann noted that the link to the NIFC (National Interagency Fire Center) website is in the presentation. She said she does not work in fire, but if you want to see what is going on in fire, this website is incredible as it shows the magnitude of what the federal government does in fire.

Ms. Cobert asked if any Council members had comments.

Mr. Filler said he would like to thank the Bureau of Prisons and the Forest Service for their dedication to the American public for their missions and the outstanding service they provide. He said both presentations were very illuminating to him, as he hadn’t known that much about either organization. Mr. Filler also said that these presentations and other presentations that the Council has seen highlight success. He said they have a couple of common attributes that he would like to share. One is leadership; it is clearly important to have joint ownership over things that are important to people who work for those organizations. The second attribute is openness, as this

allows for the types of success that we've heard about today. He said thank you for what you've done and for what you'll continue to do. Mr. Filler then said that he would like to backtrack, and not take a lot of time, but he would be curious to know about the challenges they have encountered in trying to measure their success. The Executive Order talks about trying to measure the results of what labor and management are working on, and that is something that is different and didn't exist with the Clinton order. Many labor-management forums have struggled with that, so he would like to know what difficulties this group has faced and if the issue is just with quantifying the progress.

Ms. Baumann responded by saying that she sits on the USDA labor-management forum as well. She said the USDA forum uses the Federal Employee Viewpoint Survey results, results from a labor-management survey that USDA developed, and they also look at the impact on the agency. However, it is hard when your impact is, for example, fewer injuries. How do you know that is because of something that your forum did? One issue is figuring out what to measure, especially with regard to mission accomplishment. The other thing that they struggle with is at the Partnership Council, do they want to spend their precious two days together talking about what they're going to report, or do they want to talk about issues. Mr. Harbour added that from his perspective, overseeing a program that costs over \$3 billion, "metrics drive me nuts." Still, it is important for them to look at all of the issues they are attempting to address, face-to-face, and look at what they have gotten done and what they have not gotten done. It's not necessarily a metric, but it is important.

Mr. Dougan then thanked Ms. Baumann and Mr. Harbour for their presentation. He said he wanted to address a question that followed the presentation. He said this relationship has been a long-standing relationship. The key to having this relationship being sustained for such a long period of time is the value in working together. If there is no value, there is no reason to continue. That's why you saw that when the administration changed to President Bush, a lot of labor-management groups established under President Clinton went away. Part of why that happened was that the incoming administration let people off the hook. The other part was that those groups who let partnership go away, saw little value in the partnership efforts. The executive order did not say that you couldn't continue with partnership efforts. Mr. Dougan said that in his opinion, the Forest Service is a shining example, and partnership has become part of the cultural norm for the agency. He said this is where we want to be, throughout the government. There are lessons to be learned from this agency and from other agencies, where they made that transition from just a way of doing business to making this part of their culture.

Ms. Cobert shared her thanks for the very inspiring conversation. She said one common theme that she noticed, and this goes to Mr. Dougan's point, is that it is about the work, the people, and delivering value to the mission. There is a lot of opportunity to take those meaty issues, find the people who have the expertise, bring them together, and use that method to solve real problems.

Processes like this work when you tackle real issues and work together to solve them. Ms. Cobert thanked the presenters again, and then asked Mr. Curry to continue with the agenda.

Dept. of Defense, US Army Research, Development, and Engineering Command, Aberdeen Proving Ground and NFFE Local 178- November 2014

Mr. Curry said that for the next presentation today, the Council will hear management representatives of Aberdeen Proving Ground and union representatives of the National Federation of Federal Employees.

Mr. Todd Morris introduced himself as the Director of Human Resources, US Army Research, Development, and Engineering Command, Aberdeen Proving Ground, MD. Ms. Lisa Foust introduced herself as the President of NFFE Local 178 at Aberdeen Proving Ground. She noted that Aberdeen Proving Ground includes two locations. The two presenters displayed the title slide of their PowerPoint presentation, "Labor/Management Partnership Forum." Mr. Morris identified the agency organizations represented on the title slide: CBRNE Analytical & Remediation Activity; the U.S. Army; U.S. Army RDECOM; U.S. Army Contracting Command, Aberdeen Proving Ground; U.S. Army Medical Research Institute of Chemical Defense, Aberdeen Proving Ground, MD; and Edgewood Chemical Biological Center, a U.S. Army RDECOM Laboratory. Mr. Morris pointed out that as you can see from the names of the organizations, this is a highly educated and very technical workforce. He added that they thought this meeting was a professional development opportunity, and brought the entire forum; all 19 members are here. The Council acknowledged their attendance.

Ms. Foust displayed Slide 2, "Forum History," and explained that a labor-management group with composition similar to this one had a partnership council under the Executive Order issued by President Clinton. On November 18, 1999, a partnership forum between Soldier Biological Chemical Command (SBCCOM), Medical Research Institute of Chemical Defense (MRICD) and the National Federation of Federal Employees (NFFE) Local 178 was signed. On December 2, 2000, a collective-bargaining agreement between SBCCOM, MRICD and NFFE Local 178 was signed. From 2002 to 2013, organizational changes occurred. SBCCOM was split into three organizations. People from New Jersey were transferred to Aberdeen Proving Ground as part of Base Realignment and Closure (BRAC). Ms. Foust explained that this changed their footprint. They realized they needed to come together when furloughs came along and it was clear that the Department of Defense (DOD) would take a hit. Since they had worked together previously, all they had to do to form a forum was to add a few people and start meeting. Faced with significant challenges in 2013, such as furloughs, the government shutdown, and snow, the group kept working together and signed the forum charter in May 2014. Ms. Foust transitioned to Slide 3, "NFFE Local 178 Partners," and explained that the union believed that providing the workforce with a wellness program would help their mindset. Management said OK to this proposal. Then telework came up. The group is still working through that, and they are already sharing information and communicating. She then described some of the challenges the forum has faced: (1) This one forum covers multiple agencies. There are eight tenants at Aberdeen Proving Ground, and 11 unions. The unions would benefit if they were all allowed to sit down with the

leadership of the Garrison. An Army contracting activity has its own forum already. Ms. Foust said, "I believe we'll all get there." (2) There are multiple sets of organizational workforce policies. Also, no union representative is on 100 percent official time. (3) Reorganizations – we keep having these but just work through each one.

Mr. Morris then spoke to Slide 4, "Management Partners," and said that as a management representative, he never thought that he would say that making it through the year was an accomplishment. Fiscal Year 2013 was very difficult. Management and labor spent 14 hours discussing the first furlough. This was before the government shutdown led to additional furloughs. As they were discussing the first furlough, other issues would come up. That was the genesis of the forum. Mr. Morris then discussed some of the other successes that have been facilitated by the forum. Because of their dialogue, they discuss telework flexibilities. They are trying to increase workplace flexibility as a way to incentivize retention. Mr. Morris noted that Ms. Foust had mentioned some of the different policies within the Department of the Army. Fiscal and human resources policies come from headquarters, and are then sent out through the Multiple Army Major Commands (MACOMs). This can make engaging in PDI difficult sometimes, inside the forum. As a result they try to keep forum discussions at a high level and work on unique issues separately. Mr. Morris transitioned to Slide 5, "Going Forward." He explained that as they move forward, the forum will be looking at "big ticket" issues for the betterment of the workforce community. He explained that it is easier to come to agreement when you agree that the desired end state is a better, happier workforce. The forum will continue with its joint training efforts. Their relationship benefits from the fact that the management team at the table has the full support of management at the highest levels. In addition, they will continue to facilitate the flow of information. There may be future fiscal challenges. Mr. Morris said they would continue to work on that together. Ms. Foust explained that another person, Lisa Bryant, MER, has been a critical piece of their success. Ms. Bryant, who is with the Civilian Personnel Advisory Center (CPAC) often contributes to the policies as an advisor. It takes all three organizations for them to be successful. Mr. Morris asked if there were any questions.

Ms. Archuleta said that she is interested in knowing how they came together as a forum. Do they have any advice for teams that are still working to establish a forum? Ms. Foust recommended using open dialogue on issues, and using communication, collaboration, and coordination. She suggested introducing an issue and working on it as a team. This is not always accomplished sitting at a desk. They have gone on trips together. They kept educating themselves on what a forum does and doesn't do. For them, it was helpful that they had had a forum in the past, and that they knew that it could work. Mr. Morris said that he would add his advice, which is that it's important to just start walking down the road. That furlough discussion was the genesis of their forum. He would encourage others to "just start solving problems and you can form it as you go." He believes that they have a very good charter but it was important for them to work together even before the charter was signed. Ms. Archuleta responded that she thought it was interesting that he said to "form it as you go," as opposed to putting the structure in place first.

Ms. Cobert thanked the presenters. She said that the presenters had a clear and tangible problem that had to be resolved, and that paved the way for future collaboration. Ms. Archuleta then thanked the presenters and thanked the team that traveled to be here today. Ms. Cobert thanked them again and said it was a great idea to bring the team.

Department of Agriculture, APHIS and National Association of Agricultural Employees- November 2014

Mr. Curry introduced this next agenda item by saying, “For the final presentation today, we will hear from a management representative of the Department of Agriculture, Animal and Plant Health Inspection Service, and a union representative of the National Association of Agricultural Employees. Our presenters today are Mr. Frank King, Labor Relations Officer for the Animal and Plant Health Inspection Service, and Ms. Sarah Rehberg, National President of the National Association of Agricultural Employees.” Mr. Curry explained that, as mentioned earlier, the hope was for Ms. Rehberg to participate in the meeting via video teleconference. Unfortunately, the video connection is not working. However, he understands that she may participate using the audio connection. He asked if Ms. Rehberg could hear him, and she confirmed that she could.

Mr. King began the presentation by explaining that he would present the information in the slides, and Ms. Rehberg would chime in if he missed anything or if she wished to add anything. Ms. Rehberg confirmed that she agreed with this. Mr. King began by displaying their title slide, “NAAE and APHIS.” He explained that the group is “geographically challenged.” The management and labor representatives are located at numerous facilities around the United States. As a result, they have no informal, water-cooler type interactions. That makes it difficult to negotiate but they work through it. He noted that one of the strengths supporting their forum’s success is that they have very low turnover among labor relations staff. Moving to Slide 2, “APHIS,” Mr. King explained that APHIS has 8,000 employees in several different program areas. The major ones are Animal Care, International Services, Plant Protection and Quarantine, and Wildlife Services. The APHIS Mission is to protect the health, welfare, and value of American agriculture and natural resources. Mr. King also described that Plant Protection and Quarantine (PPQ) Mission, which is to safeguard agriculture and natural resources from the entry, establishment, and spread of animal and plant pests and noxious weeds into the United States of America; and supports trade and exports of U.S. agricultural products. Displaying Slide 3, “NAAE,” Mr. King explained that NAAE represents employees in the Plant Protection and Quarantine Program. NAAE is a stand-alone national union that represents professionals and non-professionals (Entomologist, Plant Health Safeguarding Specialist, Technicians, Tree Climbers). They have a national Executive Council of 11 members, a General Counsel in Washington, D.C., 27 local unions and over 1,000 bargaining unit employees. Mr. King highlighted that in 2010 their forum was honored by the Society of Federal Labor and Employee Relations Professionals. Ms. Rehberg asked him to accept the award on behalf of the union, and to read her acceptance speech at the award ceremony. Prior to that, there was a time when the parties had boxes filled with documents related to unfair labor practices. Their relationship turned about seven years ago and has improved significantly since then.

Turning to Slide 4, “PPQ Forum,” Mr. King said that the Plant Protection and Quarantine (PPQ) Forum was initiated in 2010. He explained that the other union that participates in the forum, the National Association of Plant Protection and Quarantine Office Support Employees (NAPPQOSE) couldn’t be here today. It has helped the forum to have the decision-makers in the regional offices directly involved. The PPQ Forum Charter was signed on February 17, 2011. While it defines the procedures and expectations, the one item that has been of greatest benefit is the large list of topics that the forum has jointly determined to be appropriate for pre-decisional involvement. The biggest challenge to creating the forum was deciding whether to have subordinate labor-management forums in the field and how to involve the field units. They decided to engage them through consultation and PDI. While displaying Slide 5, “PPQ Forum Metrics,” Mr. King said that each year, USDA asks them for an accomplishment that can be submitted to OPM. Typically, this is before the end of the year. For their metrics, they have taken a different approach than other forums. Rather than establishing goals based on uncontrollable percentages or numbers, they typically set goals based on projects. He said that they review the FEVS scores to assist with determining employee satisfaction and engagement goals. Internally, USDA conducts labor-management relations surveys, yearly, to assist with the labor-management relationship goal. These surveys are taken by labor relations specialists for the agency and by union representatives. Normally, the forum jointly brainstorms to find goals related to the mission element; specifically, efficiency and cost.

Displaying Slide 6, “PPQ Forum Accomplishments,” Mr. King described the PPQ Spotlight Newsletter. He explained that this came about because of sequestration and the unavailability of awards. This newsletter is a method for recognizing employees. The forum developed this special quarterly newsletter that provides an avenue to recognize the varied contributions, achievements, good deeds, and talents of the employees in PPQ’s numerous diverse workplaces and programs. The forum established an eligibility and nominating process, created a committee to run and oversee the process, and agreed on an electronic mechanism for spotlighting employees. Moving to Slide 7, also titled, “PPQ Forum Accomplishments,” Mr. King described how the parties created an internal PPQ Forum Internet Site. This provides a mechanism for the Forum to share ideas, projects, and activities with employees. The site is available to all PPQ employees and contains the forum’s charter, meeting minutes, list of members, training survey results and recommendations, training materials, and useful links. Mr. King pointed out that they have just completed the development of a SharePoint site for the forum. This has additional document links and policies and directives that have changed in the past year. He explained that the SharePoint site satisfies contractual obligations; the collective bargaining agreement required management to create an electronic bulletin board to highlight changes in policies and directives. Slide 8 is also titled, “PPQ Forum Accomplishments.” With Slide 8 displayed, Mr. King noted that the agency created a shared email account for the forum. Access to this email account is shared by representatives of NAAE and NAPPQOSE, as well as the agency’s labor relations staff. Employees can use this email address to provide input to the forum members, to ask questions, or to make comments. Transitioning to Slide 9, also titled, “PPQ Forum

Accomplishments,” Mr. King said that the labor relations survey showed very low scores for the Interest-Based Bargaining (IBB) process. The forum decided to work on that. In an effort to expand the collaborative labor-management relationship, the PPQ Labor-Management Forum jointly developed and presented six webinars on IBB. This training was jointly delivered to 120 participants, which included managers and union representatives from both NAAE and NAPPQOSE. The training presentation was also recorded for “AgLearn” so that future managers and union representatives can obtain the same training without delay or additional cost. Mr. King said they are looking forward to receiving the survey scores this year to see if they increased as a result of this training initiative. Moving to Slide 10, also titled, “PPQ Forum Accomplishments,” Mr. King explained that in an effort to improve the labor-management relationship at the field locations, the Forum established a goal of improving the PDI opportunities during 2013. The baseline was five PDI opportunities in 2012 and a goal of 10 was established for 2013. The recorded PDI solicitations at the field level were 25. This exceeded the goal of 10. This was a direct result of Forum-related activities or goals, which included multiple messages from senior management about expectations and obligations dealing with bargaining units. Other goals that were set by the forum also contributed to this. One of these other goals had to do with sending a message from senior management to managers about labor obligations. Now, the Deputy Secretary sends an annual message describing Weingarten rights, PDI obligations, etc. Mr. King then spoke to Slide 11, which is also titled, “PPQ Forum Accomplishments.” He explained that the parties jointly developed and delivered Basic Labor Relations Training 1 and 2. They delivered the two separate webinars six times each in September. The joint training sessions were attended by 341 participants and covered topics including PDI, ULPs, Formal Discussions, and Weingarten Rights. Managers and union representatives receive the same training at the same time. This means they hear the same questions and receive the same answers. This is consistent with the forum’s theme of joint training. Mr. King explained that the next accomplishment, described on Slide 12, “PPQ Forum Accomplishments,” goes to mission, cost savings, and efficiency. The forum identified the PPQ Medical Monitoring Program as an inconsistent process, which could be updated to reduce costs and to bring consistency within the field operations. The separate Regions also followed different protocols related to this program. For example, one Region was sending all employees to participate in this program; while another Region was more analytical about which employees had to participate. This led to inconsistencies in how the program was administered between Regions. The parties formed a joint working group. The working group finalized a Field Operations Guidance document which identified best practices. This resulted in a consistent procedure for requesting medical monitoring testing, along with savings in cost. The cost savings resulted because each test could cost several hundred dollars. Mr. King then described a recent training survey that the forum developed, while displaying Slide 13, “PPQ Forum Accomplishments.” This survey was conducted through Survey Monkey and 437 PPQ employees participated. The survey questions covered topics such as Employee Development, Training Opportunities, Training Methods/Media, and Miscellaneous Training. The results of the survey were broken down by

Regions, duty assignments, tenure groups, etc. and were reviewed by the forum members and the Survey Work Group. This review included analysis of the 174 individual comments submitted, concerning training. Mr. King noted that the comments are where the value of the survey actually was. He said that training was the first goal that the forum ever established. They have also had goals related to emergency responses and technology.

Mr. King then displayed Slide 14, “Joint Contract Training,” and said that while this topic is not directly related to the forum, it is important to helping labor and management move forward. The parties spent many years renegotiating their collective bargaining agreement, and it was completed in September 2011. The prior CBA, from 1985, was 27 pages long, including the cover sheet, index, and signature page. The 2011 CBA is 202 pages in length and has an additional 8 pages for an appendix, with Internet links. Due to the establishment of many procedures and requirements, the parties jointly developed five training presentations to cover the significant changes. In October and November 2011, they presented 24 webinars on the new national contract, to managers and union officials. These training webinars were jointly done by union and management representatives.

Displaying Slide 15, “NAAE Bi-Annual Conventions,” Mr. King explained that the union’s General Counsel and APHIS Labor Relations staff provide joint training to the attendees of the union’s National Convention. This is done by invitation of the union. In 2010, the convention took place in Las Vegas, Nevada; in 2012 it was in Savannah, Georgia, and in 2014 it was held in Saint Louis, Missouri. Normally, the participants in the convention are the union’s executive council, presidents from across the country, and PPQ Regional/National managers. Mr. King explained that at first, the parties were hesitant about joint training. However, it has done a lot for the relationship. It provides the agency’s representatives with the opportunity to meet 27 union representatives. “That’s how our relationship has blossomed.” He said there is no “magic pill,” but for the union it is important to see that management is listening. Mr. King then moved to Slide 16, “PPQ Forum Training,” and said that the forum jointly developed and presented training for the forum members, on the topic of Executive Order 13522. The presentation was developed mainly from presentations by the Federal Mediation and Conciliation Service (FMCS) and the FLRA. Mr. King explained that when the Executive Order was first signed, USDA had posted training developed by the FLRA and FMCS. The forum took those presentations, cut the materials down to what was important to them. They then presented it to the thirteen forum members. He also noted that generally, when the parties are working on interim memoranda of understanding (MOUs), their approach is not “are we going to get an agreement?” but rather it is “when will we get an agreement?” Displaying Slide 17, “PPQ Forum Training,” Mr. King said that yearly, the forum includes training from the FMCS during its forum’s face-to-face meeting. This training focuses primarily on forums, interest-based bargaining, and relationship building. Mr. King said that the FMCS training seems to be positive and helps them to realize the value of “face time.” With Slide 18, “PDI Initiatives,” Mr. King said that they have either been doing a better job of tracking pre-decisional involvement or they are doing a better job of engaging in

PDI. This slide shows an increase in PDI engagements from 14 engagements in 2010, to 58 in 2011, 56 in 2012, 69 in 2013, and 78 in 2014. The process the parties follow for initiating PDI engagements is that management will give the union a description of changes being contemplated. The union then decides when to engage. Management will provide webinars to the union's executive council for big issues. Mr. King noted that, "confidentiality is the cornerstone of PDI." Management understands that the forum representatives will share information with the union's executive council, and the dissemination of confidential information stops there. They have an excellent level of trust. When management wishes to engage employees directly, they brief the union in advance.

Having concluded the PowerPoint presentation, Mr. King asked Ms. Rehberg if she had anything to add. She said that she thought Mr. King did a great job, and said that she agreed with everything he had said. Mr. Curry thanked the presenters and noted that the meeting was slightly behind schedule. Ms. Archuleta said she would love to have more insight into the challenges the forum faced and their recommendations. She asked if perhaps the Council could invite them back in order for them to share their recommendations for groups without a forum, who are trying to set one up. Mr. King said that Ms. Rehberg will not be available on January 21, 2015; he wanted to let the Council know that now.

General Services Administration Labor-Management Forum- May 2015

Mr. Curry introduced this next agenda item and said it concerns a labor-management forum success story. In fact, this success story is what led to the creation of the Space Management PDI working group. Today, we will hear about how labor and management worked together here at GSA on addressing space management issues. Mr. Curry said he would turn it over to Sue Scheider of GSA and he would ask Ms. Scheider to introduce her co-presenters. He thanked Ms. Scheider for joining the meeting.

Ms. Scheider displayed the first slide in a PowerPoint presentation titled, "General Services Administration Labor-Management Forum Success Story" and said that they knew the time for the Space Management PDI project was right, but not until their working group got started working on it did they realize how much it would intersect with other activities that are being sponsored by the National Council. Not only is the Problem Resolution Subcommittee working on a number of aspects of other projects that intersect with the Space Management PDI, but even out there in other agencies and budget making. When we thought to schedule today's success story, we did not know that OMB would issue the Reduce the Footprint guidance exactly one week after the last National Council meeting. What we had planned was for GSA to present a success story of how we developed our own internal space utilization policy and the successful PDI story of how our unions helped us formulate that policy and make it better. Today we are going to hear first from Dan Miller, of GSA's Office of Administrative Services (OAS), who will cover a little bit about Freeze the Footprint and Reduce the Footprint, so that everyone is up to speed on that. Then, he will talk about how he had the foresight and commitment to carry out a very successful three-day workshop with both of our unions. You will hear also from members of both of those unions who actually participated in the workshop. First we will hear from Ms. Rakaia Jackson, who is the National President of the NFFE/GSA Council. Then we'll hear from Ms. Margaret Lien, who is the Acting National Council President, from the AFGE Council of GSA Locals Number 236.

Dan Miller then displayed Slide 2 in the same PowerPoint presentation. He introduced himself as the program manager for GSA's Model Workplace Initiative. Today, he would like to provide some context and share GSA's story. He will focus on GSA's goals, and describe how they worked with their unions to implement a strategy. He will describe how they conducted PDI in the development of that policy. He will also talk a little about the feedback they have received. He will share the highlights of the policy that they created, and a recent example of its implementation. He will conclude with what they see as the most important next steps. He asked the Council to bear with him, because he will be telling a bit of a story. He then displayed Slide 3 in the PowerPoint presentation, which is a picture of a man holding a baby. Mr. Miller explained that this man is the late Paul Boymel. In addition to being a wonderful grandfather to Mr. Miller's two children, he was also a five-time Jeopardy champion in 1985 and a "walking Google," decades before Google existed. Mr. Miller then displayed Slide 4, and explained that it

was his late father-in-law's office. Mr. Boymel had used his Jeopardy winnings to take a year off of work, and then he went back to school. He leveraged that education to get a job as an attorney with the EEOC. He spent 25 years with the government and, again, this was his office. Displaying Slide 5, Mr. Miller explained that technology has come a long way. Not only does everyone have Paul Boymel in their pockets, since most can access Google through their cell phones, but computers have been taught to outthink humans. For those of you who remember, in 2011, Watson—an artificially intelligent computer—beat two Jeopardy champions at their own game. Displaying Slide 6, Mr. Miller noted that the question is, how has, and how will, technology impact the workplace. He then displayed Slide 7 and said that GSA responded to that question with a few, “big, hairy, audacious goals.” They wanted to lead the government-wide workplace transformation. Beyond that, they wanted to improve the performance of their buildings, from an environmental standpoint, and their people. GSA wanted to increase employee engagement, improve design quality and space utilization, and save tax-payer dollars. We see that the transformation can have an impact in many ways other than just reducing cost or reducing space.

Mr. Miller then displayed Slide 8 and said that here was the unfortunate perception of what those goals meant. It was that they were going to create these small spaces and cram everybody in. He then displayed Slide 9 and explained that the reality is much different. The reality is the space the Council sits in today; it is 1800 F Street. For those who go on a tour, they will see open-plan environments with desk sharing, access to natural light for everyone, with a variety of workspace options for everyone. If you tend to focus more and do that type of work, then they have small rooms for you to go to. If you collaborate more, then they have those types of spaces. He explained that GSA really took a non-hierarchical approach and instead used a needs-based approach, as the Acting Administrator described earlier. Mr. Miller then displayed Slide 10 and said that in addition to these goals they had set, which they began to implement with the consolidation of their headquarters; OMB, in March 2013, issued its Freeze the Footprint guidance. That guidance required two things. One is to create a three-year strategy cost savings plan, and then to report out on that plan annually. Mr. Miller displayed Slide 11 and said that throughout GSA's transformation, one perception that was often cited was, “we're different.” The idea was either that we are different within GSA, or outside GSA, but either way, this will not work for me. Before moving forward with the national transformation, even though we had a model here at 1800 F Street, they knew their next step was to engage the unions, before deciding what that would look like moving forward. He then displayed Slide 12, and said that GSA met with representatives of AFGE and NFFE for three days in November 2013. The purpose was to present the initiative and GSA's goals, to establish clear and open communication, exchanging ideas, developing recommendations and best practices, and identifying and responding to questions and concerns. Mr. Miller noted that the agenda for that meeting was provided as a handout for the Council members. In the agenda, they focused on guest speakers, who spoke about design and environmental transit impact. They went on site visits to various locations, to see different workplace examples. They also facilitated exercises to elicit input on a variety of

workplace-related topics. He transitioned to Slide 13 and said that here are the top three things that came out of those discussions. The top three concerns shared by the unions were acoustics, privacy, and ergonomics.

Mr. Miller transitioned to Slide 14 and said that GSA did not go into discussions with the unions with preconceived notions, and they did not have a draft policy to share with the unions, prior to PDI. They went into PDI with an open slate, not sure what the policy would look like. GSA then drafted the policy, and focused on clear roles and responsibilities. The draft also provided a framework for implementation, which allowed for customization of the project at the local level. They set allocation limits and utilization targets. They focused the language in the policy on design quality and the three top issues of acoustics, privacy, and ergonomics. Mr. Miller noted that the Council should have copies of the policy. GSA chose to go with a framework, rather than a very detailed, prescriptive policy, because it allows for local input and decision-making. It also requires that GSA engage the unions, pre-decisionally, before starting each project. The framework helps those discussions, because they are able to engage on a project-by-project basis. This leads to an engaged staff.

Mr. Miller then transitioned to Slide 15 and said that, after the three days in November 2013, GSA solicited feedback from the participants, and they got some very good, positive feedback. One hundred percent of the participants said that they felt engaged, and their ideas and input were valued; that the discussion topics were helpful and relevant. He noted that it was not GSA talking to the participants. Rather, they brought in experts and they went out of the building. It was very experiential. He continued by saying that 100 percent of the participants also indicated that the content and design of the agenda was effective and that the working group was a really positive experience.

Mr. Miller displayed Slide 16 and said that, in summary, he has provided some context; shared GSA's transformation story, which is still ongoing; focused on their goals; described how GSA worked with its unions to develop a national implementation strategy; and described how they conducted PDI and the feedback they received. Mr. Miller said that, since the beginning of 2013, GSA has reduced its internal footprint by over a million usable square feet, from about 6.6 million to about 5.6 million. Referencing the slide, he said here is a highlight, an example of GSA's most recent positive outcome. It involves the Kansas City office, in Missouri. He encouraged Council Members to take a tour if they are ever in Kansas City, Missouri. GSA was able to reduce its space in half, from 264,000 to 132,000 square feet. GSA has a tool that measures design quality. They feel that they have improved that quality by over 100 percent. The feedback that they have received from staff so far has been really positive. They did implement desk-sharing, but it is a very different environment; it is even different from 1800 F Street. He thinks they have taken some lessons learned from this project and improved upon it there. It is a really good success story for us.

Transitioning to Slide 17, Mr. Miller said that when faced with ever tightening budgets, the choice can often be between retaining staff and reducing space. For example, in GSA's central office consolidation, they were able to eliminate about \$25 million in lease payments. That could be equivalent to about 200 people. There are potential benefits beyond what they are doing to create engaging workplaces to foster engagement and productivity. Mr. Miller then displayed Slide 18 and said that he had two more points to emphasize. First, they believe that "change management" is an important next step. GSA has developed an internal program that is focused on helping employees to make the transition. This includes helping them to understand and utilize the latest technology, and how to deal with electronic files and records management, and hoteling. GSA is committed to engaging in PDI on all of its projects moving forward. The policy is the framework; it does not cover everything. Their change management mechanism is in place to support the employees, without that it will not necessarily work, to support the employees as they transition to new ways of working. Mr. Miller then displayed Slide 19 and said that lastly, OMB has recently issued a Reduce the Footprint policy, which is a follow-up to the Freeze the Footprint policy. This change provides a great opportunity for other agencies to create that framework and to work with their unions pre-decisionally to create policies similar to what GSA did; and to come up with a five-year implementation strategy. Both of those are actual requirements of that policy. Mr. Miller closed by saying that they still have a lot of work to do, and he would welcome any questions or comments.

Ms. Cobert said that based on her tour here and at other places, it seems as though the overall approach and the process for engaging with individuals is key to the success of this. The difference between space utilization and ability to get light; all of those different factors are important. There is, in this case, no substitute for the dialogue about where we are going and how people work. There is a genuine opportunity here to bring folks together, have a conversation, and emerge with a more effective workplace and a more efficient workplace. This is one of those places where you actually can get there. There often is a tradeoff between those two things, but done well, you can get both at the same time.

Ms. Rakaia Jackson then took the podium. She said that Mr. Miller did a very good job of describing their three-day workshop. It was all of the things he talked about. It was very engaging. It was an opportunity to get outside of our normal paradigm of how we do PDI. She said that she would be remiss if she did not go beyond that and share that PDI is not a one-time level of engagement. It is very important that you engage your union partners throughout the process. Even as decisions begin to formulate and develop, if something shifts in your PDI paradigm, it is important to bring your union partners back in. As they being rolling the process out to their local field offices, it is important that they engage them in the PDI process as well. As Mr. Miller stated, the PDI framework was created at the national level. But, when you get down to some of the locals—and the way they do business in some of GSA's regions is different than how it is done at the national office—it is important to engage the locals in the PDI process. Again, this is not just a one-time opportunity. You can drop the ball if you bring the unions in at

one time, and then beginning rolling out without further input. This is a journey, not a one-time trip. Ms. Jackson concluded by saying that Mr. Miller did a good job at that level, but it is important to consistently bring the union back to the table.

Ms. Margaret Lien then introduced herself by saying that she is currently the Executive Vice President of AFGE Council 236. She is also serving as the Acting President of that council while Bruce Williams is on a medical absence. She said it is her pleasure to speak with the Council about the PDI that AFGE, NFFE, and GSA management have engaged in over the space alignment. Along with Ms. Jackson and Mary Behrendt from NFFE, Ms. Lien also works with Tajuana Maddox of AFGE. Ms. Lien said they participated in a PDI workshop that was very successful, in her opinion. The purpose was to advise GSA on the framework that they wanted the GSA policy to include. The three-day workshop was probably the best PDI workshop that she has engaged in. What made it such a good workshop and activity was the range of issues that they covered during those three days, and the obvious and very genuine interest by Mr. Miller of GSA management, by Ms. Scheider of GSA labor relations, and by the two unions. The unions' opinions were truly helpful in forming the policy of GSA. The agency actively listened to them during PDI. Ms. Lien noted that she sees a big difference between listening and actively listening, and GSA demonstrated that it actively listened to them. They knew that their comments and suggestions would be included in the policy. When the drafts of the policy were issued to the unions several months later, they submitted comments. A number of their responses made it into the final policy. Ms. Lien said that, overall, engaging in PDI over this issue was a very good example of one of the best ways that unions can be involved with management, and can contribute to improved outcomes for their membership and the agency's mission. It proves that agencies and unions can successfully work together for a successful outcome.

Ms. Lien closed by saying that AFGE has a presence in all 11 regions of GSA. They began working in the regions to reduce the footprint as they were forming the policy. Where Ms. Lien came from in Region 10, which is in Washington, they were doing informal PDI. They worked things out in the region that they, once upon a time, would have formally engaged in negotiations on. They worked out the problems up front. The employee has normal questions and concerns about things like, "What if I have to sit next to a person who has an extremely loud voice, or somebody with horrible body odor, or somebody who never shuts up and I can't get my work done?" The employee may say, "It's bad enough now, but if you reduce the space, what is the impact going to be." Those are some of the typical concerns that employees have. Management was also expressing concerns about, "If the employees are irritable, how am I going to manage this successfully?" They worked together by taking the issues one at a time and working them out. Ms. Lien said there was one thing that worked to their benefit. A lot of the employees in Region 10 are on AWS, maxi-flex; and, better yet, work-at-home. When the employees are not in the office five days a week, they are more flexible when they are in the office. They are more willing for one, two, or three days a week, to be in more close quarters than they would otherwise have been. Ms. Lien said she thought this was a wonderful advantage that they had

going into reducing the footprint. She said it was a very positive experience, and thanked the Council. Mr. Curry asked if the Council had any final questions. There were none.

General Services Administration Region 5 Space Council- July 2015

The first slide of a Power Point presentation entitled “General Services Administration, REGION 5 SPACE COUNCIL, July 15, 2015, National Council Meeting” was displayed. Ms. Loggins-Mitchell began by saying, “Good morning,” and thanking the Council for the opportunity to share their experiences. Displaying Slide 3, “Why a Space Council?”, she explained that before the presenters would start talking about their experiences with a Space Council in Region 5, they wanted to describe why they ended up developing a Space Council. It’s their practical solution to a problem that was going on; they were finding out about office moves at the last minute. They were not able to really engage the way they wanted to. As they brainstormed, they thought that if they could establish a body that could manage the moves and get the word out to people, and meet on a regular basis; it would help the process. That is why they developed this Space Council, as a little bit of background. Displaying Slide 4 of the presentation, Ms. Loggins-Mitchell said the concept came up in 2013. () In the latter part of the year, they started talking about it and thought it could be a forum to facilitate notice at the pre-decisional involvement stage. They started having formal meetings early in 2014. Soon after they started having meetings, actually a few months later, GSA’s internal space policy was implemented. In that policy, GSA, as an agency, committed to PDI on all space moves. This supported their efforts. They intended to develop a formal charter; but as they began to meet, and the process worked, they ended up not doing that. She said she thinks that really speaks to their relationship and the level of trust that they had with each other. They had the systems developed so that they found that a formal charter was not necessary.

Ms. Maddox spoke while referring to Slide 5. She explained that the Space Council consisted of a joint body for collaboration. Ms. Maddox referred to Ms. Kelley's remarks, earlier in the meeting, concerning PDI and how important it is. Ms. Maddox said to Ms. Kelley, “You are so correct.” Ms. Maddox explained that while Ms. Loggins-Mitchell was unlikely to take credit for their efforts, it was Ms. Mitchell who came to the union and said, “We need to form some type of council. I’m going to get with management and I’m going to find out if they are willing to set up a Council.” Thus, Ms. Maddox said Ms. Loggins-Mitchell should be given the credit for establishing the Space Council. Notices to the union would occur early and often, to let them know when a move was about to happen. Some of this was long range pre-planning. Ms. Loggins-Mitchell would share information with the union; and she would facilitate PDI and union input. Ms. Maddox noted that, as a result, all of the participants established relationships and trust, in the end. Ms. Maddox said that Ms. Loggins-Mitchell established the record with NFFE, AFGE, and management; she encouraged having a voice for the workforce; she managed change action; and this Space Council actually reduced formal bargaining. Ms. Maddox said that the participants “collaborated,” which was the buzzword throughout the process. With Slide 6 displayed, Ms. Maddox stated that the Space Council was established to develop long range space alterations and to identify space priorities. The term “Renovations” on this slide refers to

the renovation of office space. While “Relocation” could consist of moving from one floor to another floor, from one room to another room, or from one building to another building.

The next presenter, Ms. Behrendt, explained that she would be speaking to Slide 7, “Core Members.” She said that the core members included AFGE, NFFE, and representatives from Region 5 GSA, including the Public Building Service, the Federal Acquisition Service, labor relations, human resources (HR), legal, and Office of Administrative Services. With Slide 8 displayed, Ms. Behrendt explained that, in addition, there were other participants. Project sponsors, whenever they were needed, subject matter experts, including the people who created the floor plans. On the NFFE side, one is an architect, and I am familiar with space design, so we had a good idea of what we were looking at. They had the ability to call in other subject matter experts to speak to the group about safety issues, design issues, and other issues. In addition, all the stakeholders, whoever is involved in these moves—the individuals, the employees themselves, the management types such as Service Center Directors, management officials, and union representatives from NFFE and AFGE—also participate. Plus observers, people who want to look in and see what the Space Council is doing and see how things are progressing with particular projects.

Displaying Slide 9, Ms. Behrendt said she would give an example of one of the projects that they did. The first major project was done in Minnesota, which the Space Council called the “Minnesota Space Project.” The project involved GSA space within three facilities. The three facilities were: the Burger Federal Building in St. Paul, Minnesota; the Minneapolis Court House; and the Whipple Federal Building in Fort Snelling, Minnesota. The project was initiated because people had originally been moved to swing space in a place called Norman Point. This is a very nice leased facility, a private facility, that people got used to being in. The project was the result of moving them back. It was also an opportunity for GSA to move people out of leased space and into Federal space. The project involved bargaining unit employees from both AFGE and GSA. The Space Council met monthly. A list of bargaining unit employees was given to each of the union representatives so that they could contact anybody who was affected by these moves so that they could give us concerns about what was going to happen to them in the moves. Management provided drawings which were reviewed in the Space Council all together. If they saw any problems, or had any suggestions, those were taken back and initiated into the drawings and brought back to the Space Council to review again. They did not stop at any one point if there was an issue. Management and the union worked together to create floor plans, especially when working out safety issues, etc. so that they had something they could all agree on. All before any negotiation or bargaining ever took place. This was pre-decisional. At any point in time they could have initiated negotiations if they had not agreed. That did not happen.

Ms. Behrendt continued by explaining that parking was an issue in this project. People in places where parking was available were not going to be particularly happy if they lost it. Some of the places people were coming from had plenty of parking, Norman Point and Whipple, especially. Whereas, the Federal building in St. Paul, Minnesota really had none. They surveyed bargaining

unit employees about the parking issue to find out what their opinion was. Management did their very best to accommodate anybody who wanted parking. Where they could not accommodate parking, management surveyed the public transportation systems so they could tell employees how they could access their workplaces. This issue was very important to employees, in part because they had also initiated teleworking and having parking is a good thing when employees may not know when they will need to come into the office. In addition, some of the employees were building managers, who may be traveling to different building sites, and parking is a very good thing for these employees. So, working together, the union and management were able to resolve this project, and no bargaining was initiated. Because of this buy-in, the Space Council has been a very successful collaboration between management and labor.

With Slide 9 continuing to be displayed, Ms. Loggins-Mitchell said she would describe some of the benefits of the Space Council experience. These included sharing information early and often, which allowed them to reduce the need for formal bargaining. They were able to establish a consistent, known, participatory process, which is really important since the team knows the process and can support managers coming in for the first time or sponsoring a project that involves engaging with the unions for the first time. It facilitates an ongoing relationship and encourages PDI even outside of the space issues. This is because of the relationships that have been built. PDI clicks to people now when they have a change coming up. It has done a lot to advertise the process of PDI. The process afforded an opportunity to both unions. The three party team worked for the unions and provided a platform to hash out issues and ideas, to solve problems, and incorporate change management in these moves. It has served to streamline the process. It has helped to avoid last minute notices.

Displaying Slide 10, Ms. Maddox asked if the Council members had any questions.

Mr. Mader stated that his OMB management portfolio includes the responsibility for real property management, and so he said “thank you” for this presentation. One of the topics that has come up repeatedly at the Real Property Council, which is the representatives of all the CFO Act agencies that handle real property, is how do they actually manage through the significant change when they are doing consolidations of facilities. Mr. Mader said he thinks this is a perfect example, and he would like to be in touch with the presenters offline to have them join one of the Real Property Council meetings, remotely, to brief the entire Real Property Council on this success. Mr. Mader mentioned that part of the Administration’s initiatives is to reduce the Federal footprint. He said that, “Quite candidly, we have too many buildings, too many facilities and too much space.” Every dollar that they can save can go back to another purpose, such as hiring cyber experts or supporting the front line mission. As they look forward for the next five years, being able to manage and get through change with the union and with employees will contribute significantly to success. He concluded by thanking the presenters.

Ms. Cobert then offered her thanks as well. She said that, with regard to this issue, she thinks one of the things we have is a real opportunity, as the agencies put together their five-year plans, it

has actually forced them to be more forward looking. That is the kind of thing where agencies can then think about, collectively, what is coming, where do we do the PDI, what is the timing in getting things like this set up. Ms. Cobert said that she thinks the combination of the experience that folks here have had and that the Council has heard about in some of these other sessions, is a forward-looking footprint about planning. When you can get folks together on this issue, you can do problem solving, you can avoid a lot of issues, and you end up with a better answer for everyone. Ms. Cobert concluded by saying that when we put these things together, I think that we have a real opportunity, and it will also serve as a model of how we can tackle other issues, as well. This is really helpful.

Ms. Kelley also thanked the presenters for their presentation. She said that she found it interesting that they said space is important because it is GSA. In her experience, space moves are one of the most emotional, upending issues for employees, and not just Federal employees. The topic of space is personal, it's very personal. The more that can be done to involve the impacted employees and their unions, sooner rather than later—Ms. Kelley said that, in her experience, in most agencies, unions are constantly chasing this information. There is not the sharing, the up-front approach. It is when the union finds out about it and when the union starts asking questions that is when either the walls go up, or half the information gets shared. Anything that can be done on this issue across government is helpful. She said that they know that this is the second largest cost in the agencies where she represents employees, and that there is a move to identify savings, and they want to help. Ms. Kelley concluded by saying, “We want to help you save money so that it can be put to frontline or cybersecurity. And we want to work with you on all of that. Trying to make this real, across government, would be, I think, a big plus for the agencies, as well for the employees.”

Ms. Cobert then recognized Ms. Pope. Ms. Pope said that she wanted to thank the group as well for the presentation, and that it is very timely because there is a workgroup, PDI and Space that spawned from this Committee and their work in assisting with PDI across government. She said they are partnering with OGC, the Office of the General Counsel of the FLRA, the entire FLRA, the Federal Mediation and Conciliation Service (FMCS), and GSA. Next week they have a two-day PDI in Space training session to get it across government, to give people the tools before they are confronted with a move. Obviously, with your success, you put all the tools together and were successful. We want to underscore that it is really under Julie Clark's, our General Counsel's leadership, that we recognize the exact point that Ms. Kelley made. Space is important to everybody; managers, union, everybody has the same interest. And, everybody can use it as an opportunity to practice PDI. So, we are accommodating 80 people. GSA is hosting it. Because of the space restrictions, over 250 people wanted to register. They are going to look at the success of it, and how they can populate the information through this body, and across what the FLRA's General Counsel does for training.

Ms. Cobert said that is great. She suggested that, maybe when the Council gets back together, they can get the feedback from Ms. Pope and others who were involved with the training. It

would be beneficial to receive some thoughts about how we can expand this because it is a big opportunity for us to do this at scale. Ms. Cobert noted that she sees real enthusiasm on both sides, and she also likes it because it is really tangible. It is a place where everybody knows you have to engage in a conversation or it gets messy, and it does not need to. So, this is a great one for us to work on together.

Ms. Cobert asked if there were any other comments or questions. Hearing none, she turned to Mr. Curry to introduce the next agenda item.

Environmental Protection Agency and NTEU Labor-Management Forum- September 2015

Mr. Curry then noted that the next agenda item concerned a labor-management success story about how NTEU and the EPA have worked together on addressing unique issues and he turned it over to Mr. John Reeder, the Deputy Chief of Staff at the EPA, to introduce his entire team.

Mr. Reeder introduced Ms. Noha Gaber, Director, Office of Internal Communications, EPA, Ms. Sandra Pearlman, Acting Director, Labor and Employee Relations, EPA, and Mr. Amar Al-Mudallal, Co-Chair, EPA National Partnership Council.

Mr. Reeder noted that EPA had all EPA's labor unions involved in the project. He noted that they are very proud of the Skills Marketplace at EPA, which was the first large scale use of PDI for an initiative at the agency. He acknowledged that he had been unfamiliar with PDI until three or four years ago. Now, they are PDI devotees. He hoped that their experience would yield some lessons for other agencies for whatever projects that might be applicable.

Referring to a Slide 2, he noted that the Skills Marketplace is an EPA program that gives employees the opportunity to work up to 20% of the time anywhere else in the agency without leaving their home office. EPA has communicated that employees should be allowed to work on these projects. The idea was to end up with a more dynamic and nimble workforce so that people could move about the agency without having to go on detail, without having to set up a new desk, and without having to do travel. These are usually virtual projects, and people are able to join from wherever they are in the country. It is continuously available throughout the year and starts with a manager posting a project, outlining the work to be done, the types of skills that he wants, and that is put on a portal and employees can see what opportunities exist. They created their own portal which is very user friendly with respect to searches by skill or by office. You are able to have updates sent to you. EPA would be happy to share the portal with other agencies to use as a model or an example.

Referring to Slide 3, Mr. Reeder noted that Skills Marketplace journey started before he had heard of PDI, in August 2011. There was a period of over one year where they were talking amongst management, presenting at a national Senior Executive Service (SES) meeting which they hold, to their executive management committee, through the HRC, etc. to get feedback. They approached the unions and began the PDI process. It takes time and a sustained effort to communicate for management to change its culture. After the roadshow, they began planning a Skills Marketplace pilot.

They conducted the pilot at headquarters and regional offices, and several organizations, and conducted an evaluation before launch in August 2014. They were a few glitches and tweaks during the trial process, but they sat down with the unions to iron them out before launch.

Turning to Slide 4, Mr. Reeder noted that some of the principles for conducting PDI, such as having diverse representation on the team, having representatives from all five of their unions, having all parts of the country represented, and having management representation from different offices around the country, were there. They charged the group with developing a draft operational framework for the Skills Marketplace program. You can imagine there are a lot of

issues involved in a Skills Marketplace program, such as how are they evaluated, and how much time are they allowed to work on the project. They are all issues they had to work through and in which the unions had some significant interest.

Turning to Slide 5, he noted that they had a lot of access to subject matter experts from the agency to help the team. The team worked to reach consensus on the goals of the Skills Marketplace program, and they developed guidelines and policies. One of the principles that they really emphasized was making it simple, making it easy, avoiding bureaucracy, making it a matter of only a few individuals that needed to be involved in posting projects, and making it a matter between the manager and employees. They have set up a simple and user friendly program.

Mr. Reeder, referring to Slide 6, involving lessons learned from the PDI process, said that high level management support is critical. Pre-planning is critical. PDI team composition is critical to success so that union participation made them feel that they really had a voice in the process and in rolling out the program. Another lesson learned was that team members really had to invest time and to participate. This was really a work group and they had to form a sense of team and a sense of commitment to one another to make the process work. Another success was resources and support to help keep the process focused. Setting up a coordination structure to provide continuous updates to management was important. They did that through a group of champions which they set up at the agency and which came from senior management. And the PDI team would periodically check in and give updates.

Turning to Slide 6, he noted there had been 340 total projects posted, 528 applications, and 326 employees selected after one year of operation. He felt it was still accelerating. Managers are beginning to think of the Skills Marketplace as a way to get work done. Employees are beginning to think of it as a way to expand their experience. They are optimistic this is going to be a permanent part of the EPA environment.

Turning to Slide 7, Mr. Reeder said it contained a couple of testimonials, though they had dozens. One of their biggest fears is that managers would be reluctant to let their staff go. Their finding was that managers who have had staff participate in the program have been very supportive because their staff is energized, bring new skills back, and provides an opportunity for staff career growth without them leaving permanently or going on full time detail. They have been pushing entrepreneurial managers to post projects.

Turning to Slide 8, he noted that he was proud of the picture displayed on the slide. They had done a video launch of the Skills Marketplace, which included a photo of Karen Kellen, President of AFGE Council 238, and the EPA Administrator, Gina McCarthy. He then asked if there were any questions.

Ms. Cobert asked if there were any questions or comments from folks present, and then noted that she had one. She premised the question noting that she had been hearing about Skills Marketplace since she started and that it was a great example of how to get work done and satisfy employees', at all levels, desire to have impact. At OPM the work on Skills Marketplace

was a big piece of the ongoing GovConnect initiative. The question was what were the hard parts to get over in the process? Were there differing expectations of PDI?

Mr. Reeder said that, from EPA's perspective, the problems were on the management side, to get management buy in. This took persuasion and time and strong message from the top. In approaching unions, he thought there was early support for the concept. He didn't feel any pushback from them.

Mr. Al-Mudallal noted that in the PDI group there was a variety of experience and that they reached consensus from an early stage that this was a win-win situation. For managers, Skills Marketplace would provide them with the extra needed resources and expertise needed for their projects. For employees it provided an opportunity to expand their professional development. The union knew it was in the interest of their employees. He noted that managers were reluctant, at the beginning, to give away employees for 20% of their time in light of a decreasing budget and increasing workload, but, it worked out. This program is one of the highlights of their PDI efforts.

Mr. Reeder asked if there were more questions. There was one from Mr. William P. Milton Jr. Mr. Milton asked if EPA could share with the National Council how the approximately 200 not selected were handled.

Mr. Reeder responded that the project manager did the selections. He likened it to detail opportunities where some people are selected and some are not. There was no formal structure around non-selection.

Ms. Gaber noted that the number selected is probably higher. But, they did provide tools for managers in reviewing the applications to help them make sure that they were making the decision in a transparent, equitable way. Employees who were not selected may request feedback from managers and ask how they can improve their application in the future. They haven't heard any problems with that approach.

Mr. Milton asked if there were any grievances or EEO complaints filed, and Mr. Reeder responded "No."

Mr. Dougan asked what tools EPA was going to use, outside the Federal Employee Viewpoint Survey (FEVS), to measure the success of the program.

Mr. Reeder responded that EPA was conducting an evaluation based on a survey of participants and non-participants. There had been 600 respondents to date from employees. Part of their plan is to do an analysis of that data. EPA noted that he hoped that the program would be reflected on positively, in the EVS. They are not doing this for short term results, but think of it as long term.

Ms. Archer thanked EPA for their presentation on PDI. She reiterated that unions and management realize that the earlier you get employees involved in the process, the more that you are going to be able to create something that is satisfactory to both sides. She is glad that PDI worked and that EPA got the unions involved almost immediately.

Mr. Reeder noted that they did involve the unions early on, and didn't even have a specific charge when they began to meet. The charge evolved out of the PDI process. Unions helped shape the operational framework – i.e. what is the product that we need to make this concept a reality?

Ms. Cobert: Other questions or comments?

Ms. Pope: What are the plans for communicating the success of the program and the feedback of the program? She noted the FLRA had learned is that it is important to communicate success throughout the organization to ingrain PDI as a cultural value.

Mr. Reeder: I think I will let Sandra Pearlman talk about PDI at EPA and future plans for that at EPA. He noted that Ms. Pearlman is with Labor and Employee Relations.

Ms. Pearlman: We just used the Skills Marketplace PDI model on the Phased Retirement program that they will be rolling out. What Mr. Reeder said about support from upper level management and, also, a subject matter expert who can resolve differences between the parties with facts or good information, I think that makes the process go a lot more easily. And the third thing is that it takes a lot of time. This is a process that you can't rush to reach consensus in a large, diverse group of people who are talking about contentious issues. You have to give it the time that it needs. It has its own life cycle. In terms of the communication, because of the success of this PDI, EPA was able to go into the phased retirement piece. Mark Coryell, President of AFGE Local 3907, is the agency's PDI expert, and they asked him to be at the today's meeting, but he was busy with his agency work and couldn't come. We start every single PDI with a little bit of training on the PDI process so that everybody is familiar with it. Then, we talk about our interests and that's the first discussion we have. What are management and union interests at the end of the process? Going forward, EPA will use the same process. We have done it twice for the Skills Marketplace. Ms. Gaber was our subject matter expert. She helped us resolve whatever minor disputes we had. With the Phased Retirement PDI, we had benefits and policy subject matter experts to help interpret the regulations.

Mr. Reeder confirmed that he had answered Ms. Pope's question, and asked if there were any other questions.

Mr. Russell Deyo said he wanted to congratulate Mr. Reeder and his team. He noted that the Skills Marketplace program makes a lot of sense for agencies like DHS which has expanded everywhere and is trying to increase collaboration. He ended by saying "This is very impressive," and "Congratulations."

Mr. Reeder noted to Mr. Deyo that EPA would be very happy to sit down and meet with his senior team.

Mr. Deyo replied that "You'll be hearing from us."

Ms. Cobert: So, let me add to the thanks. I think there are great lessons here on many fronts. The comments about what it takes to make effective PDI are really good ones. I know the work that has been done on Skills Marketplace. With respect to the President's Management Agenda, and EPA coming to the GovConnect fair that we had, I think there is a lot here to build on: the lessons about how to engage folks in a dialogue about a set of shared objectives – important work to be done, and people who want to improve their development, and add new skills. So, there is a win-win in this. Thanks to the whole team who's worked on this. It is really exciting, and I look forward to hearing what you learned from the feedback, from the survey, and about how you can continue to build on this success.

Department of Transportation (VOLPE Center) and NAGE Local R1-195- November 2015

Minutes for November 2015 meeting not yet approved.