

March 25, 2010

Mr. John Berry
Director, Office of Personnel Management
Co-Chair of the National Council on Labor-Management Relations

Mr. Jeffrey D. Zients
Deputy Director for Management, Office of Management and Budget
Co-Chair of the National Council on Labor-Management Relations

Partnership and Labor Relations
U.S. Office of Personnel Management
1900 E Street, N.W, Room 7H28
Washington, DC 20415

Dear Mr. Berry and Mr. Zients:

The following is provided in response to Executive Order No. 13522, "Creating Labor-Management Forums to Improve Delivery of Government Services" (December 9, 2009).

The Federal Communications Commission (FCC) is a small independent agency comprised of approximately 1862 employees. The National Treasury Employees Union (NTEU) is the exclusive representative of all employees in the FCC bargaining units. Approximately 64% of the FCC employees are included in a bargaining unit. However, only 21% of the FCC bargaining unit employees are represented by the union.

Fundamental to the Federal Communications Commission's long standing labor relations philosophy is the belief that a constructive and cooperative working relationship with the union that represents Commission employees is in the best interests of the employees and the agency. It is the intent of the Commission to work collaboratively with NTEU Chapter 209 and to focus cooperatively on workplace challenges and problems and endeavor to develop joint solutions. The Commission intends to comply with the provisions of the EO, but we note that we are reserving our rights whether we are required to do so because the Commission is an independent regulatory agency. Below is the Commission's draft plan.

Draft Federal Communications Commission Plan

1. The FCC and NTEU Chapter 209 will jointly develop an assessment tool to survey the employees and management of the Commission regarding the current state of labor relations within the Commission.
2. The Commission does not have a formal labor-management forum; however the union has been involved in pre-decisional, partnership-type discussions on various substantive issues. We anticipate that through further meetings between NTEU Chapter 209 and management we will establish a structure and process for a FCC labor management forum. The purpose will be to help identify problems and propose solutions and to make good faith efforts to resolve issues.
3. Upon formation and implementation of the FCC labor management forum, we anticipate that this group will identify specific measures for improvement of problems or issues identified by the forum participants. Future measures might include monitoring efficiency/effectiveness, timeliness, productivity, cost savings or satisfaction/perception assessments.
4. The FCC management is committed to working with NTEU Chapter 209 representatives to implement a successful plan and will ensure staff resources, and financial resources necessary to the implementation of the plan are provided for. This might include items such as meeting space, facilitators and training. At this time, the FCC does not envision participating in the pilot projects.

If there are any follow-up questions regarding our labor-management partnership activities, you may contact me directly at (202) 418-0293.

Sincerely,

Bonita B. Tingley
Chief Human Capital Officer