



NEWSLETTER

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Partnership to Improve Morale

Some of you may have had the unique opportunity to discuss issues of morale and employee satisfaction with a union representative and an agency manager recently. If you work in eastern Washington, that manager was APD Alvarez himself. These discussions were held as part of a new initiative in the Blaine Area Port; a subcommittee of the AP LMRC dedicated to addressing the issue of morale.

The Federal Human Resource Capital surveys have shown for a long time, that there are significant morale issues amongst DHS employees as a whole; and CBP in particular. This issue was re-confirmed by the survey conducted by the Settle Field Office LMRC last year. That survey demonstrated that while employees in the Blaine area like their jobs, and feel what they do is very important work, they also perceive some very serious issues that effect their ability to do their job most effectively and negatively impact their long-term job satisfaction.

Overall, these meetings have been deemed a success by all those who participated. Hearing about these issues “straight from the horses mouth” so to speak, seemed to drive home some of the problems for the participating managers; and highlighted issues that NTEU has been raising for some time. The morale committee is currently working on ways to address some of what was learned during the meetings and in the surveys. This includes the establishment of a suggestion program which will provide visibility and review of ALL suggestions at the Area Port level and an “employee of the month” program run by NTEU. Other issues, such as complaints of favoritism and unfair distribution of opportunities, are being addressed by managers at the Area Port level. If you have any input or suggestions for the morale committee, please forward them through your local steward.

Jay A. Cooper, Chief Steward, Area Port of Oroville



“Morale is the state of mind. It is steadfastness and courage and hope. It is confidence and zeal and loyalty. It is élan, esprit de corps and determination.”

- General George C. Marshal

In This Issue

- Page 2—How to protect your rights as a Federal Employee and make your voice be heard.
- Page 3; Other Avenues to Protect your future
- Page 4-6 Current Grievance Status
- Page 5-6; Why Pay Dues?



U.S. Capitol Building

Hatch Act Warning

The TEPAC web site contains political information. Under the Hatch Act, federal employees should not participate in partisan political activities while on duty or in a federal building. Please do not access the TEPAC website while in a government building, on government work time, or from any government computer.

TEPAC: Fighting Fire with Fire...

NTEU Bulletin; May 2012; Volume LXIX, Number 5

...that is at the core of the Treasury Employees Political Action Committee, or TEPAC. Yes, NTEU has its own political action committee (PAC). Whatever your stance on PACs, there is simply too much at stake for NTEU to sit back and not use the same tools our opposition is using. And the opposition is formidable.

There are more than two dozen bills in Congress that target federal employees with retirement cuts, pay freeze extensions, workforce reductions and other detrimental actions. Those who are working against federal employees use their PACs to donate money to the campaigns of candidates who advance these harmful bills. The more money given to these anti-federal employee candidates, the more likely they will be sworn into office. Clearly, federal employees have a lot to lose. That is why NTEU must match the opposition with our own collective efforts.

TEPAC funds are strategically used to support candidates in targeted congressional races who understand the value of federal employees. In fact, support of federal employee issues is NTEU's sole criterion for deciding which candidates of both parties to support. NTEU **cannot use dues money to fund TEPAC**; it is funded solely from the voluntary contributions of NTEU members. Given the importance of all elections, it is imperative that TEPAC has the funds necessary to be effective and support more candidates. A 2010 Supreme Court ruling freed up PACs to raise unlimited contributions, and the super PAC was born. Unless NTEU is to sit on the sidelines and have its voice drowned out this election season, we need every member to participate in TEPAC, including you. NTEU is asking that every member contribute \$1.50 per pay period, or \$36 a year. If you already contribute, please consider bumping up your level.



Contributing to TEPAC, getting educated on federal employee issues and voting—that's the trifecta that can make a dramatic difference in the work lives of all federal employees.

Note: This is an old article but still holds water; with Sequestration that could be around for another nine years and Budget issues every year Federal Employees need to make their voices heard and this is one way to do that. Protect your jobs and your retirement, find out more information at NTEU.org

NARFE MISSION STATEMENT

- To support legislation beneficial to current and potential federal annuitants and to oppose legislation contrary to their interests.
- To promote the general welfare of current and potential federal annuitants by advising them with respect to their rights under retirement laws and regulations.
- To cooperate with other organizations and associations in furtherance of these general objectives.



NATIONAL ACTIVE AND RETIRED FEDERAL EMPLOYEES ASSOCIATION (NARFE)

NTEU is not the only organization that is in the business of looking out for Federal employees.

The National Active and Retired Federal Employees Association (NARFE) is dedicated to protecting and enhancing the earned pay, retirement and health care benefits of federal employees, retirees and their survivors. Founded in 1921, NARFE's legacy spans more than 90 years – working tirelessly in support of our members before Office of Personnel Management, members of Congress and the White House. NARFE's mission is both critical and timely as Congress and the administration consider unprecedented cuts to federal pay and benefits. Each new member strengthens their message to Congress, fortifies their national outreach, and demonstrates their dedication to maintaining a strong and effective federal workforce. (<http://www.narfe.org/departments/home/articles.cfm?ID=2498>)

While NTEU does an outstanding job of representing CBP employees, their focus is primarily on current employees; not former ones. An organization like NARFE gives voice to retired and former federal employees and works hard to protect and preserve the benefits earned during their employment. While we are not endorsing NARFE, we are recommending that people look to their future and take whatever steps they feel are appropriate to protect what they've earned. Having these benefits lost could seriously disrupt retirement plans; or make them impossible. That is not a situation anyone wants to be in when they reach retirement age.

Jay A. Cooper, Chief Steward, Oroville Area Port



WE WANT YOU!
To Write Your
Congressman

Blaine Area: Grievances and Issues

Grievances:

- Alleging violations of Title 5 in the scheduling of officers to work from 1600 on Saturday until 0800 on Sunday, with no overtime. CBP has denied at all steps of the grievance process. Referred to NTEU counsel for arbitration.
- Grievance alleging violation of contract concerning the shifting of employees out of their bid shifts, and locations, to cover for the Beyond the Borders initiative. CBP has denied the grievance at all stages. Has been referred to NTEU counsel for arbitration consideration
- Grievance for employee who lost a large amount of A/L through CBP's decision to confiscate restored annual leave. Grievance denied at all stages. Arbitration scheduled for November 6th
- Grievance over CBP apparently trying to implement a "no talking at the front counter rule" at the Peace Arch. A mutual agreement was reached, twice, to resolve the matter, but CBP has twice issued written decisions giving the appearance of walking away from their agreements. Step 3 meeting pending.
- CBP has imposed massive changes regarding the Bid and Rotation process in Blaine. Grievances will likely be filed, alleging violation of Article 13.

Negotiations:

- Bargaining over the Beyond the Borders initiative was productive, but CBP broke contract and law by implementing prior to the conclusion of bargaining. I will be speaking with NTEU counsel about ULP options.
- AWS negotiated for Friday Harbor. Continuation/expansion of AWS negotiated for Peace Arch and Pacific Highway. Continuation/Expansion of AWS negotiated for Point Roberts.

Contact Us

Need to speak with a Union representative in the Blaine area?

Union Office:

(360) 332-2640

Chief Steward Pettaway

james.pettaway@dhs.gov

Visit us on the web at :

www.NTEU164.org

Sumas Area: Grievances and Issues

Grievances:

There are no active grievance in the area at the moment.

Negotiations:

An AWS for Sumas will be implement when the BR&P goes into effect for FY 2014 as a pilot program. There will be 3 slots AWS positions offered for bid; work hours will be 0900-1900. With the success of this initiative, NTEU will now be pursuing AWS for Lynden. Previously, there was a plan being developed with management for Lynden, but because of sequestration, retirements and promotions it had to be shelved.

Contact Us

Need to speak with a Union representative in the Blaine area?

Union Office:

(360) 988-2971 ext 240

Chief Steward Chapin

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Visit us on the web at :

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Vancouver Pre-Clearance: Grievances and Issues

Grievances:

- A step two grievance has been filed at the Vancouver preclearance for Unfair Labor Practices, lack of available law enforcement tools, and officer safety issues against the Automated Passport Control (APC) kiosk and podiums. The agency has failed to negotiate in good faith as required under section(s) 5 USC 7116(A) and in violation of CBP Bargaining Agreement Article 26 and 33.

Update: The current APD at Vancouver Preclearance as agreed to complete 6 out of 8 of the grievances terms. NTEU stewards are still working to negotiate the last two terms of our grievances.

Negotiations:

NTEU stewards has negotiated transportation from Vancouver Intl Airport to Canada Place cruise ship terminal. Officers on regular shift and on overtime now have the option to ride public transportation, "Canada line", from YVR to downtown Canada place (work location), "free of charge" or utilize the government vehicle. Both method of transportation outside of regular shift will be paid overtime.

Contact Us

Need to speak with a Union representative in the Blaine area?

Union Office:

(604)-278-7422

Chief Steward Cheng

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www.NTEU164.org

Why Pay Dues?

Some people wonder why they should pay dues to an organization (union) which is charged with representing them regardless of their dues paying status.

The short answer is, we are all in this together, and we are much stronger together than as individuals. Yes, the union is statutorily required to represent employees in contractual matters regardless of dues-paying status. But there are definite limits to this. We do not have to represent employees when they have recourse to outside representation, such as in an oral reply to proposed discipline, EEO matters, Whistleblower matters, appeals to discipline, etc. A lawyer skilled in these matters will likely charge an employee at least \$300 per hour for his work, and require an up-front retainer fee of about \$5,000, and that is if the employee can even find such a lawyer in his location. Most lawyers skilled in federal employment matters reside in major metropolitan areas like D.C. or San Francisco. Conversely, a dues paying member of the union can receive these representational benefits for the grand total of about \$35-\$40 per month, the cost of monthly dues.

Representation does not come for free. Those who choose not to be members are simply asking others to pay their share of the bill for them. There are words describing those kinds of people, words I will refrain from using here.

In addition to an 80% success rate at arbitration, NTEU has a long history of outstanding litigation and lobbying success:

- ◇ Defeat of MAXHR, which would have gutted worker and union rights in CBP
- ◇ Lobbied for Congress to approve LE retirement coverage for CBPOs, resulting in a 60% increase in retirement annuities
- ◇ Successfully lobbied for legislation making health insurance premiums non-taxable
- ◇ Successfully litigated grievances resulting in:
 - * \$178,000,000 in back pay for special rate employees
 - * \$17,000,000 in back pay for officers who were forced to attend a 6th day of training at FLETC
 - * up to \$2,500 for each officer unfairly denied access to a negotiated performance award system
- ◇ In the Blaine Area Port, successfully litigated gun removal cases resulting in almost \$100,000 in back pay for lost OT
- ◇ Successfully lobbied for pay increases averaging \$26,600 for the years of 2001 through 2009
- ◇ Successfully won a case granting \$533,000,000 in back pay for employees made to suffer a delay in step increases.

These are but a few of the successes of NTEU. And this is in addition to all of the personal disciplinary cases...*(con't on page 6)*

Oroville Area: Grievances and Issues

Grievances:

- On August 7, the arbitration over the issue of the agency's failure to pay due overtime to Oroville employees tasked to work at Ferry was held. Procedural issues will prevent a ruling for a couple of months, but NTEU was very happy with the process and we anticipate a positive outcome; resulting in approximately \$15,000 in compensation for the effected employees.
- Previously, NTEU filed a grievance regarding the agency's failure to provide a copy of a written complaint by one officer against another. NTEU asserts that Article 31, Section 9, applies to ALL written complaints; while the agency asserts this section is only applicable to the complaints from travelers or the trade community. While the previous grievance was negated by the arbitrator because the issue at hand was resolved prior to the grievance and, therefore, there was no resolution to be obtained, this incident has occurred again and NTEU is pursuing another grievance on this matter.
- Stewards at Oroville have filed grievances regarding violations of 5 CFR6101 for assigning officers to 8-4 and 9-5 shifts during the same work week and a violation of the B&R process for requiring employees assigned to Mids and Swings to periodically work a day shift, on regular time, to assist with day shift traffic.

Negotiations:

- While NTEU continues to attempt to work with management to benefit employees, and even the agency, we are being met with apathy and indifference by local management. Schedule proposal at Frontier and Danville have been rejected out of hand; as has a suggestion to reduce manager workload at Danville when assigning overtime by allowing employees to complete a spreadsheet indicating their OT volunteer status vs. having the manager call each employee. Despite these obstacles, the local representatives will continue to try and push improvements.

Contact Us

Need to speak with a Union representative in the Blaine area?

Union Office:

(509) 775-8170

Chief Steward Cooper

Jay.ooper.nteu@gmail.com

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Why Pay Dues? (con't from page 5)

...that NTEU handles each year, with the results of those cases generally being favorable for the employees involved. In a recent local case, NTEU successfully negotiated for a proposed suspension of 45 days to be reduced to a letter of counseling. An employee would have to pay union dues for over ten years to equal the loss of money he would endure in a 45-day suspension, not to mention the damage to his career. Because the employee was a member of NTEU, he can look forward to a continued successful career as a federal employee.

But none of this would be possible without dues paying members. It takes dues money to pay for good lawyers to litigate on our behalf. It takes dues money to pay lobbyists to lobby Congress on behalf of federal employees. It takes dues money to pay negotiators to negotiate good contracts. And it takes strong membership numbers to be able to negotiate from a position of strength. A previous Area Port Director for Blaine once commented that NTEU only represents a disgruntled minority of employees. That Area Port Director was flat wrong, but without strong membership, such bold and dismissive statements could become a reality. We need membership to succeed in our mission.

Ask a non-member to join today.