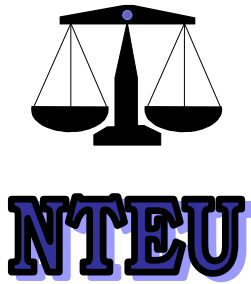


July 2002

Alert!



Chapter 25

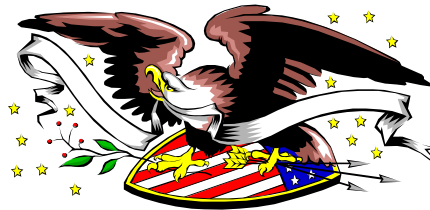
New Contract Delay NTEU Invokes Arbitration

NTEU has invoked arbitration over certain unresolved issues in Articles 9 and 41 of the new contract. Printed copies of the National Agreement should be available by mid-July. There is currently an electronic version on the NTEU web site.

While the new National Agreement went into effect on July 1, 2002, there were several outstanding issues involving Articles 9 (Stewards and Official Time) and 41 (Employee Grievance Procedure). Once these matters are decided on by an arbitrator or settled by the parties, supplemental guidance on what modifications, if any, will be required.

Based on the printing timetable, the contract will begin to be distributed by the IRS in mid-July. You can, however, access an electronic copy from either the NTEU or IRS web site now.

Independence Day



July 4

HELLO...IS ANYBODY LISTENING?



About a year ago, Colleen Kelley, NTEU National President, asked chapter presidents to tell her what were the most important changes that had to be made in the examination process in order to reinvigorate it after the effects of the reorganization seemed to slow everything down.

Chapter leaders overwhelmingly reported that the IRS had to return to the process wherein agents were involved in classifying returns that would be worked in their own area. This was considered the key ingredient in finding good returns to examine given the failure of the various scoring programs.

Consequently, NTEU used the SB Divisional Partnership Council to raise that issue with Joe Kehoe and Dale Hart. To say that the idea was promptly rejected would be an understatement.

NTEU was told that the Commissioner had ordered that agents have nothing to do with classifying cases that may return to their own area. Of course, when we asked for a copy of this order from the Commissioner, we received a document that said nothing like this. We then pointed out that the Commissioner had not ordered such a change and again asked SB/SE to consider the advice of their own employees about how to improve SB/SE operations. Again we were ignored, or so it seemed.

We recently learned that four months ago the SB/SE Field Compliance leadership made precisely the change that NTEU had requested over a year ago. Unfortunately, management attributed this change to input from the Compliance Policy Advisory Board.

Kelley stated “I find it quite sad that when the division’s own employees overwhelmingly ask for a change, they are ignored. But, when others do so, the change is promptly adopted. Management is looking to everyone but their own employees for advice as to how to improve operations. The insights of outside advisory groups, consultants like Booz-Allen, and others continue to dominate the decision-making. In this case, if management had made the change a year ago, we would have had eight more months of productive work to do.”

She told IRS officials, **“The cost of ignoring employees in this situation can be measured in dollars and cents and productivity, and the total is staggering.”**



JULY 3 PRESS RELEASE - SPECIAL RATES SETTLEMENT

In case you hadn’t heard the latest on the special salary rates case, here is the Press Release...

A federal judge has given preliminary approval to the proposed settlement of the long-running special salary rates case reached by the National Treasury Employees Union (NTEU) and the Office of Personnel Management, the leader of NTEU said today. Under terms of the settlement, some 212,000 current and former federal employees would share in more than \$173.5 million in back pay and interest.

NTEU and OPM settled the matter earlier this year, after some 19 years of litigation and negotiation. The case began in 1983 when NTEU challenged an OPM regulation governing how salaries would be calculated for a group of federal workers paid “special salary rates” because their jobs were hard to fill.

The judge set Nov. 18 for a “fairness” hearing on the matter. At that time, the court will consider any comments of class members and will decide whether to grant final approval to the settlement. Earlier this year, the special salary rates case was transferred to the Court of Federal Claims, which has special jurisdiction over large claims against the United States, from the U.S. District Court for the District of Columbia.



National Grievance Filed for Tuition Reimbursement and Compensation

NTEU has filed a national grievance seeking tuition reimbursement and overtime compensation for time spent by Taxpayer Resolution Representatives, Taxpayer Specialists, and Taxpayer Compliance Officers in connection with college courses they were required to take to meet the IRS accounting requirements.



We filed the national grievance on May 31, 2002, to challenge the IRS's failure to compensate employees for time and money spent in connection with college accounting courses they were required to take.

As many of you know, last year the IRS filled vacancies in the Taxpayer Resolution Representative, Taxpayer Specialist, and Taxpayer Compliance Officer positions with current employees who lacked the six credits of college accounting the IRS required for each position. These folks were given the opportunity to obtain the required accounting credits to maintain their positions.

During the fall semester last year, the IRS authorized employees to take "on-line" college courses during regular working hours. In addition, the IRS paid the tuition costs for employees who took college courses during off-duty hours, and provided them with compensatory time off for time spent in class.

These practices apparently came to a halt in the spring semester due to the commencement of filing season. The IRS then began prohibiting employees from taking courses during regular working hours. Moreover, purportedly for budgetary reasons, it appears that IRS ceased paying the tuition costs for these courses and stopped compensating employees for time spent in class.

NTEU believes that the IRS's failure to continue compensating employees for time spent in class and for necessary study time is a violation of the Fair Labor Standards Act. Accordingly, NTEU has requested back pay for all affected employees, as well as liquidated damages. Moreover, NTEU is seeking reimbursement for tuition and for any other costs incurred by employees in connection with these courses.



SURVEYS ARE IN!!

The 2002 Employee Satisfaction Survey is in, and the IRS as an organization didn't do as badly overall as they did last year. This year it appears that only 25% of our employees are "engaged", 55% are "not engaged", and 20% are "actively disengaged".

An "engaged" employee is not one who is about to be married. According to the Gallup Organization, "An 'engaged' employee is one who is in the right role, is consistently productive in that role, and is psychologically full committed to bringing their best efforts to bear in that role."

If those percentages look pretty sad, compare them with the U.S. Working Population, which reflect that overall 30% of Americas working population are “engaged”, 54% are “not engaged”, and 16% are “actively disengaged.”

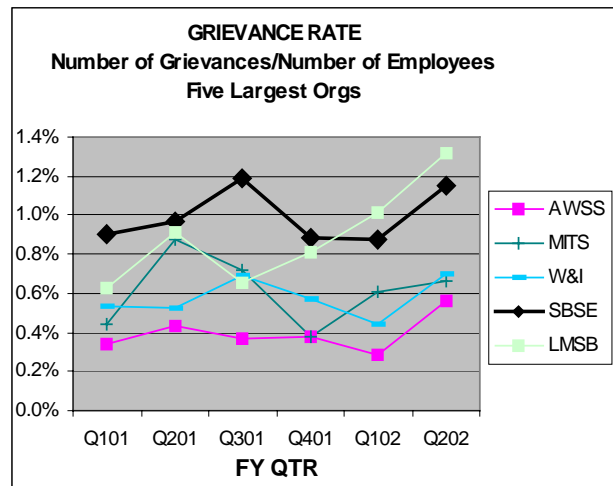
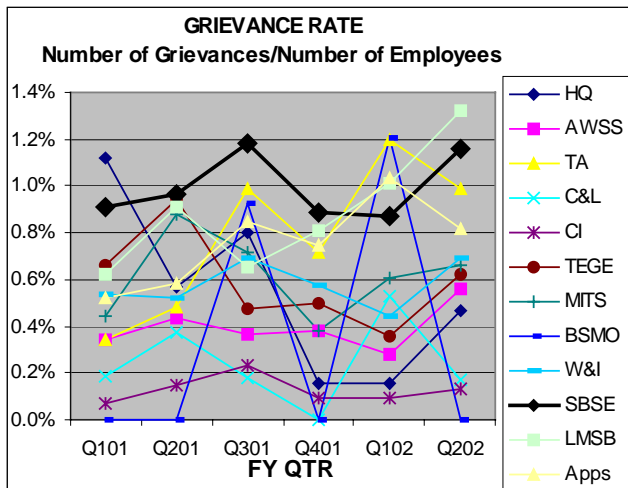
Survey meetings will be held over the next few weeks/months in order to discuss both the upsides and downsides of group results. Work on things you can enhance as well as those that need an overhaul. Consensus of the entire group should be sought before making a decision about employing a facilitator. Facilitators are scarce in the Area this year, but are nevertheless encouraged for workgroup use. Three areas that really need work at the IRS include listening to, and valuing, employee opinions, recognition, and having the equipment and materials to do the job well.

Also according to Gallup... “IRS strongest performance is in the area of making sure employees know what is expected, creating a caring environment and commitment to doing quality work”, which is pretty interesting in light of another study done by SB/SE Human Resources and the EEO and Diversity office entitled “Employee Issues Analysis.” The results of that study appear below.

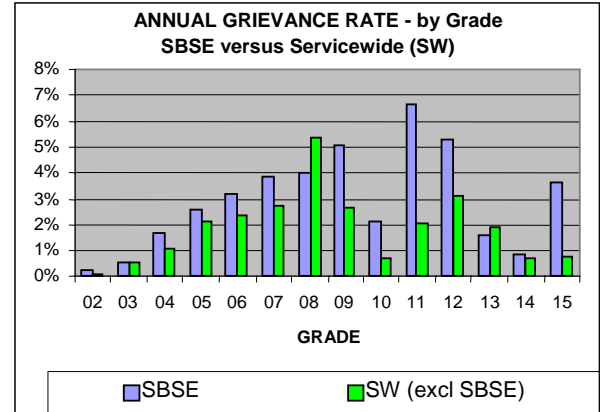
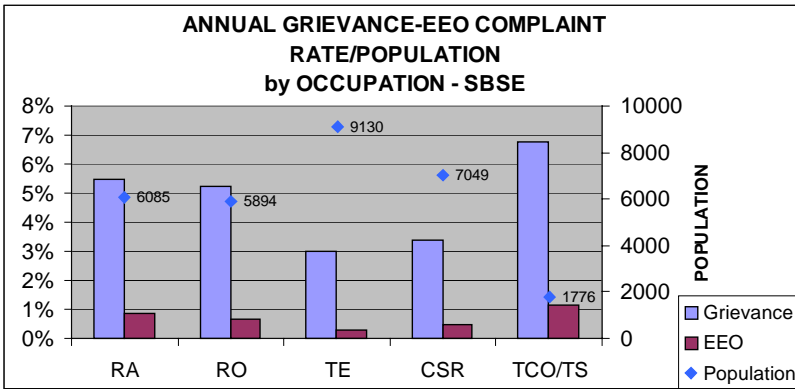


SB/SE ANALYZE EMPLOYEE ISSUES – GRIEVANCE AND EEO COMPLAINTS

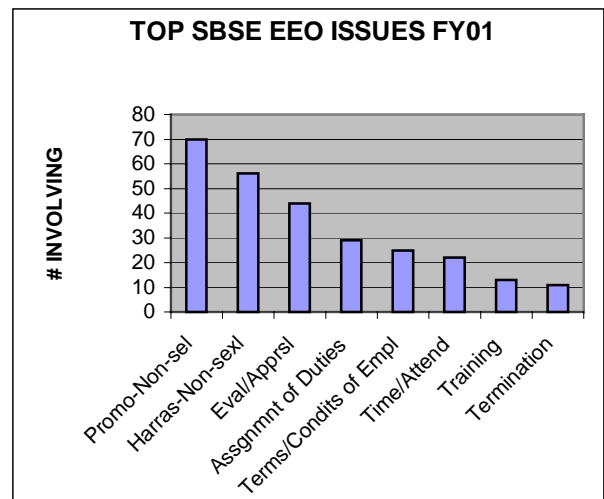
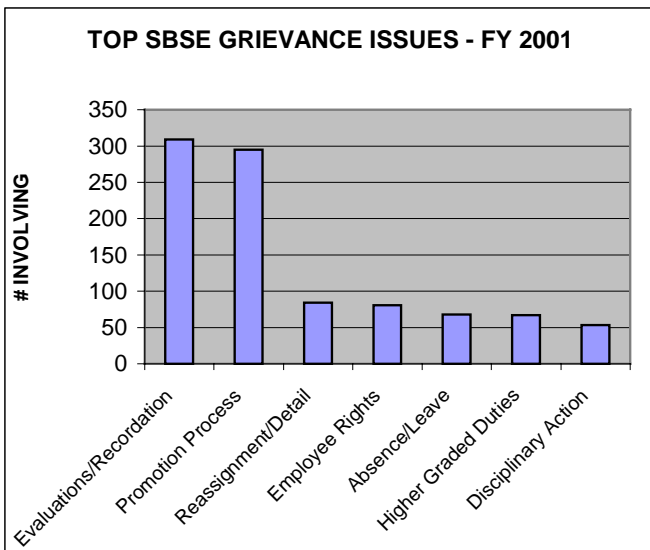
At the request of the SB/SE Divisional Partnership Council to find ways to reduce the number of grievances as well as increase the rate at which they are settled at low levels in the organization, an analysis was conducted. In short, the analysis included SB/SE grievance, employee satisfaction data, and EEO complaints. For the most part, it was based on the grievance rate (number of grievances/number of employees) with data compiled from LR and EEO FY 2001 information. The following charts illustrate some of the findings that were presented last month at an SB/SE executive briefing:



Note that SB/SE grievance rates trend above the IRS averages, and the LMSB rate is climbing rapidly.

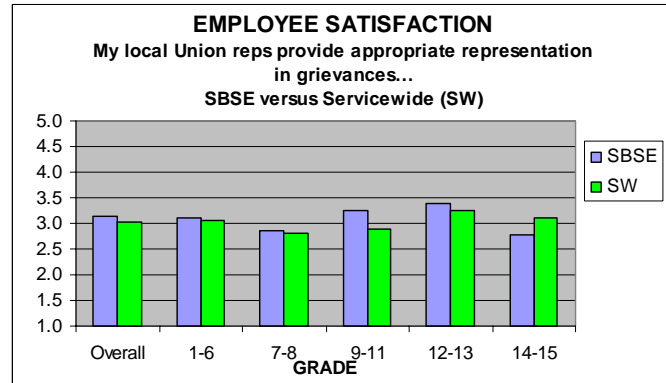
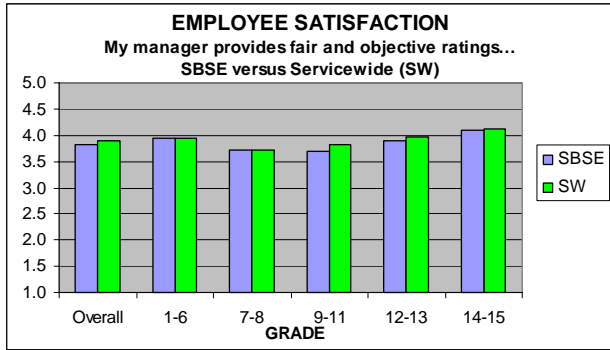


The grievance rate is highest among TCOs/tax specialists and lowest among tax examiners and customer service reps. The GS-11 grievance rate is more than 70% higher than the SB/SE average (3.9% yearly) and over four times the servicewide rate (1.5% yearly).



Promotions and evaluations are, by far, the two most common grievance issues in SB/SE, both of which are four times greater than the next most frequent issue and account for almost half of all grievances.

There is a strong parallel between the grievance data and the EEO Complaint data. Promotions and evaluations rank #1 and #3 in terms of most common EEO issues. Ranking #2 in the EEO issues, however, is non-sexual harassment. This is disturbing in that the SB/SE employee satisfaction data reflects a drop in the mean scores in manager/employee relations.



At the issue level, the Employee Satisfaction data seems to confirm the widespread concern over promotions and evaluations.

While the SB/SE employee's perception of management regarding evaluations is below the servicewide average, their perception of the union's efforts on their behalf in grievance cases is above the servicewide average.

The significant conclusions (which the report refers to as “Key Findings”) reached by the analysis are:

1. The grievance rate in SB/SE is significantly higher than most other IRS organizations.
2. The employee satisfaction data and the EEO complaint data, to a large degree, follow the same pattern as the grievance data and confirm the need for improvement action.
3. By far, the two most common grievance issues are promotions and evaluations. The EEO and employee satisfaction data also highlight the need for attention to these two issues.
4. Although the **source** of the grievance activity within SB/SE can be organizationally pinpointed, the **causes** cannot.
5. There is a need to conduct root cause analysis and to identify, test and implement corrective actions.

NTEU National President Colleen Kelley told Chapter leaders “I am not sure that any of the ‘five significant conclusions’ drawn to date would startle any chapter leader. The real potential of this study lies in the next few steps. We are going to try to identify the grievance rate by at least area (if not territory), the rate at which grievances are settled at the early steps in the process in each area, and the root causes of unusually high grievance activity in an area or territory.”

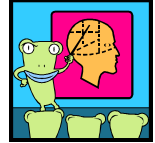
Chapter 52 would like to do our own local version of this study that would track this data at the territory or lower level as soon as we receive copies of the employee satisfaction results at those levels.



Incompetence In Managers High On List of Workers' Dislikes

Recently, an article appeared in the *Seattle Post-Intelligencer* entitled “**Incompetence in managers high on list of workers' dislikes**”. Since we have been giving you some insights into workplace violence, employee satisfaction, grievance and EEO complaints, we thought you might be interested in this study as well.

Employees may dislike abusive bosses, but they dislike incompetent, disorganized managers even more. A new study suggests that mismanagement may be the biggest threat to working with dignity.



In a new book, a sociology professor at Ohio State University analyzed more than 100 studies of contemporary workplaces to discover how employees found (or failed to find) dignity -- a sense of meaning and fulfillment in their work. He found that abuse by managers was significantly connected to negative employee actions such as absenteeism and withholding effort on the job.

However, the research found an even greater connection between mismanagement and these same negative employee actions. "Nobody likes abuse, but employees can find ways to work around abusive managers. But employees don't want to be involved with chaotic, mismanaged workplaces where nothing gets done well and people feel like they can't be effective," said Randy Hodson, professor of sociology at Ohio State. "The thing that undermines dignity more than anything is incompetence and mismanagement."

Hodson presents his findings in the book "Dignity at Work" (Cambridge University Press, 328 pages, \$65 hardcover, \$35 paperback). Hodson defines dignity as the ability to establish a sense of self-worth and self-respect and to enjoy the respect of others. Employees want to take pride in their work and gain meaning from it. But abuse and especially mismanagement rob them of this opportunity.

"Employees cannot take pride in their work or be expected to give extra effort when they face abuse or when those in control have made it impossible to work effectively." Hodson found that workers facing abuse or mismanagement often resort to various forms of resistance to management. The most common form Hodson found was "effort bargaining:" withholding full effort until management makes desired changes.

Moreover, employees who said their managers were incompetent or abusive usually didn't get along with each other, either. "When there's chaos in the workplace, the workers are at each other, jockeying for position, because they don't have a common goal. No one gets along in a situation like that," Hodson said.

On the flip side, though, the research also showed that many workers exhibited citizenship on the job -- voluntarily giving extra effort to ensure the work was done efficiently. The most common types of citizenship, Hodson found, were putting in extra effort or time, committing to organizational goals, and loyalty to managers.

"Although resistance is one answer to a lack of dignity in the workplace, we found that many workers go out of their way to be productive," Hodson said. "It feels good to do a superior job and that's part of what dignity means in the workplace -- there's dignity in a job well done."

Other findings in book include:

Workplaces with direct personal supervision of employees had the highest levels of abuse and worker

resistance and the lowest levels of worker citizenship. These are workplaces where employees have little say about how they do their jobs, and respond primarily to directives by managers.

In general, workplaces that encouraged employee participation -- such as creating workplace teams to work on projects -- enjoyed more citizenship behavior and less resistance from workers. However, workplace teams sometimes had mixed results. "Teams can present challenges because, in a sense, your co-workers can be your bosses. In some cases, these co-workers can be as abusive as some managers. But on the whole, workers liked teams," Hodson said.

Overall, Hodson said, the results show that making managers accountable for their actions may be one of the keys to ensuring worker dignity.

"Mismanagement and abuse are the chief obstacles to worker dignity, so we need ways to ensure managers are held responsible for how they treat their employees," he said..



Reorganization Confusion Abounds

Reprint From New York's Chapter 47 Newsletter

Was the reorganization of the IRS effective or an expensive smoke screen to keep the Congressional wolves at bay? Well, the smoke is starting to clear and it appears that confusion abounds on both the Union and Management side as to where responsibility lies when it comes to decision making.

One of the main tenets of this extremely expensive grand scheme to revolutionize the way the IRS conducts business was make sure consistent policies were being put forward through- out the organization. Consistency was also supposed to be insured both vertically and horizontally across business units. Is that happening? No way.

Much to the IRS's chagrin, NTEU did not reorganize its chapter structure. As a result, many large chapters must deal with several different business units and management chains of command. Chapter 47 is a prime example. President Frank Heffler says that this would not be a problem if the reorganization's objective of consistency was working.

"What happened", Heffler stated, is that Booz Allen came in and created a plan that looked good on paper, took a ton of money, and disappeared without putting a plan into effect to ensure that it was working." Heffler points to Labor Relations as a prime example where he says inconsistencies abound. "Our Chapter keeps hundreds of powers of attorney on file so that we can get unsanitized copies of Letters of Proposed Discipline from Labor Relations offices". Heffler said. "Certain LR offices refused to comply with usual ordinary past practices until the Chapter is forced to file institutional grievances to ensure that management complies with well settled past practice." This is time consuming and does not serve the interests of NTEU and the employee rights at stake or the IRS.

"We need to file grievances to get back to where we were. Upper level managers run their shops the same old way. They don't care about what the other shops are doing." Chapter 47 Chief Steward Sharyn Phillips points out, "There is no consistent practice. Since Chapter 47 represents employees in LMSB,

SB/SE, W&I, Appeals, Taxpayer Advocate, etc., the inconsistent practices of the LR offices in Dallas, Baltimore, Kansas City, Manhattan, etc. cause more delay to the grievance process than ever before and those delays harm important employee rights.” “We deal with so many different offices with different policies that it is obvious that this aspect of the reorganization is a total failure.”, said Heffler.



“Communication across business lines has always been terrible in the IRS and this reorganization has just made it impossible for employees to get effective and timely resolution to their grievances.”, he stated. It is no longer possible to get any-thing done on a local level according to Heffler. Under the old organization, there were upper level managers on site with an understanding of local issues and a vested interest in getting them resolved quickly. This is no longer the case and the organization is suffering as a result.



Change In Travel Policy – EFFECTIVE IMMEDIATELY

Due to budget constraints, the following policies are effective immediately regarding government employees traveling on official business.



TRANSPORTATION

Hitchhiking in lieu of commercial transportation or reimbursement for use of personal auto is encouraged. A luminescent vest will be issued to all employees prior to their departure. Bus transportation will be utilized whenever possible. Airline tickets will only be authorized for purchase in extreme circumstances and the lowest possible fare will be used. If, for example, a meeting is scheduled in Seattle, but a lower fare can be obtained by traveling to Detroit, the travel to Detroit will be substituted for travel to Seattle. You will then be required to obtain transportation on the Seattle at you own expense.

LODGING

All employees are encouraged to stay with relatives or friends while on company business. If weather permits, public areas such as parks and parking lots should be used as temporary lodging. A copy of the local newspaper, bought at you own expense, could be used for cover while on park benches. Bridges may provide shelter in periods of inclement weather.

MEALS

Expenditures for meals will be kept to an absolute minimum. It should be noted that certain grocery store chains, such as General Nutrition Centers and Piggly Wiggly stores, often provide free samples of promotional items. Entire meals may often be obtained in this manner. Travelers should also become familiar with indigenous roots, berries and other protein sources available at their destination. If a restaurant must be utilized, travelers should seek establishments offering “all you can eat” salad bars. This will be especially cost effective for employees traveling together, as a single plate can be used to feed an entire group. Employees are also encouraged to bring their own food while traveling. Cans of tuna fish, pork-n-beans, SPAM and beefaroni can be conveniently consumed at your leisure without the unnecessary bother of heating or other costly preparation.

MISCELLANEOUS

All employees are encouraged to employ innovative techniques in our team effort to save the government money. One enterprising individual has already suggested that money could be raised during airport layover periods. In support of this idea, "red sky caps" will be issued to all employees prior to departure so that they may earn tips by helping other travelers with their luggage. This extra money will also help assist travelers with meals and transportation expenses.

- *Article donated by an SB/SE Area 10 Manager (who will remain anonymous)*



BUSH ANTI-UNION ANTICS SPUR OPM

The Bush administration has ordered federal agencies to send in reports on how much time their employees use to work on behalf of unions, such as handling grievances and negotiating contracts.

Kay Coles James, the Office of Personnel Management director, told agencies in a memo last week to send in a report by Oct. 31 "on the number of hours of official time used by employees to perform representational activities" during fiscal 2002.

"Official time," authorized by civil service law, allows federal employees to work on union issues, either part time or full time, with no loss in pay or job status. Federal managers and union officials have quarreled over official time for years, and some congressional Republicans have called for curbs on its use. James said OPM will analyze the reports and work with agencies and unions "to establish a more comprehensive reporting framework for future years."

The directive comes at a time when federal union leaders are wary of administration initiatives. The labor leaders have attacked the proposed personnel flexibilities in President Bush's homeland security plan, contending that they would open the door to taking away civil service job protections and the right to form and join unions.

Shortly after Bush took office, unions expressed dismay with his decision to abolish labor-management "partnership councils" in the government. The directive on official time brought mixed reactions from two union officials. Although agencies "are no longer required to form partnerships with their unions, they are strongly encouraged to establish cooperative labor-management relations," James said. "I believe that cooperation between labor and management can enhance effectiveness and efficiency, cut down the number of employment-related disputes, and improve working conditions, all of which contribute to the kind of performance and results sought by the president," James wrote agency heads.

"This will demand management and union leaders who trust each other," she added.



TOM'S HUMOR PAGE



What State Mottos SHOULD be:

Alabama: At Least We're Not Mississippi	Montana: Land of the Big Sky, the Unabomber, and Very Little Else
Alaska: 11,623 Eskimos Can't Be Wrong!	Nebraska: Ask About Our State Motto Contest
Arizona: Dehyd-rific!	Nevada: Casinos and um...
Arkansas: Litterasy Ain't Everything	New Hampshire: Go Away and Leave Us Alone
California: As Seen On TV	New Jersey: You Want a #@\$%#!@ Motto? I Got Yer #@\$%#!@ Motto Right Here!
Colorado: If You Don't Ski, Don't Bother	New Mexico: Lizards Make Excellent Pets
Connecticut: Like Massachusetts, Only Dirtier and With Less Character	New York: You Have The Right To Remain Silent, You Have The Right To An Attorney
Delaware: Thank Goodness For George	North Carolina: Tobacco is a Vegetable
Florida: Ask Us About Our Grandkids	North Dakota: Um..We've Got...Um...Dinosaur Bones? Yeah, Dinosaur Bones
Georgia: We Put The "Fun" In Fundamentalist Extremist	Ohio: Don't Judge Us By Cleveland
Hawaii: Haka Tiki Mou Sha'ami Leeki Toru (Death to Mainland Scum, But Leave Your Money)	Oklahoma: Like The Play...Without The Singing
Idaho: More Than Just Potatoes... Well Okay, We're Not, But The Potatoes Sure Are Good	Oregon: Spotted Owl, It's What's For Dinner
Illinois: Gateway To Iowa	Pennsylvania: Cook With Coal
Indiana: 2 Billion Years Tidal Wave Free	Rhode Island: We're NOT an Island!
Iowa: Land Of James T. Kirk	South Carolina: Remember the Civil War? We Didn't Actually Surrender
Kansas: First Of The Rectangle States	South Dakota: Closer Than North Dakota
Kentucky: Five Million People; Fifteen Last Names	Tennessee: The Educashun State
Louisiana: We're Not All Drunk Cajun Wackos, But That's Our Tourism Campaign	Texas: Se Hablo Ingles
Maine: Cheap Lobster	Utah: Our Jesus is Better Than Your Jesus
Maryland: A Thinking Man's Delaware	Vermont: Yup
Massachusetts: Our Taxes Are Lower Than Sweden's (For Most Tax Brackets)	Virginia: Who Says Government Stiffs and Slackjaw Yokels Don't Mix?
Michigan: First Line Of Defense From Canadians	Washington: Help! We're Overrun By Nerds and Slackers!
Minnesota: For Sale	West Virginia: One Big Happy Family—Really!
Mississippi: Come Feel Better About Your State	Wisconsin: Come Cut Our Cheese
Missouri: Your Federal Flood Relief Tax Dollars At Work	Wyoming: Wynot?



Chapter 52 has recently registered its Domain Name.

We now can be found at: www.nteu52.org



The **Chapter 52 Alert!** can be found on our Chapter Web Page at www.nteu52.org

You can e-mail any Chapter officer, staff member or steward from the page.

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Chief Steward, Bill Grace
Asst. Chief Steward, Mick Eskew*

*Send comments and/or articles to
1700SANW or fax 210-706-5376,
attention Alert! Editor Susan Ryan*

