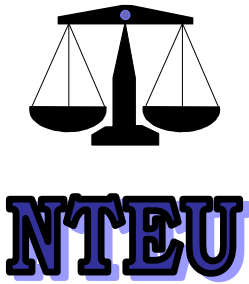


June 2002

Alert!



Chapter 52

QSIs



NTEU continues to nationally track the distribution of QSIs to bargaining unit employees. Recently, the NTEU national office received an SB/SE report. The report shows the distribution by SB/SE executive area and compares the unit and non-bargaining unit rates of distribution. It shows that as of 4/22/02, management had awarded a QSI to 3.39 percent of the non-bargaining unit employees in SB versus 1.86 percent of the bargaining unit. The report covers the period 10/01/02 through 4/20/02.

This was totally unacceptable to NTEU National President Colleen Kelly. She immediately began discussions with Joe Kehoe to try to get some rapid changes at the national level, but she is also asking that Chapters and individual bargaining unit employees take action at this level as well.

An employee need only have an overall “Outstanding” rating to qualify for QSI. Although there are rumors out there that the employee must be rated higher or even be rated “Outstanding” for two or more years, that is not the case. The only restriction is that they not receive two QSIs in a 52-week period.

The report showed that within **SB/SE TEC Area 10**, NBU QSIs totaled 3.92% and BU QSIs issued were 22.22%. While TEC seems to be enjoying a good record, the report also showed that within **SB/SE Compliance Area 10**, 0.34% of the BU received QSIs as opposed to 1.34% of the NBU.

It is apparent that SB/SE Compliance needs some encouragement to start awarding QSIs to BU employees. Compliance has some very outstanding employees, it’s just a matter of educating both the employee and the managers.

If you qualify for a QSI, and would rather receive the step increase than a cash award, don’t hesitate to talk to your manager. You can find the QSI requirements at <http://www.hq.irs.gov/sbse2/new/M&F/FY2002Cash.html>

Chapter 52 will contact each territory and area manager to urge them to look for employees to award a QSI.

Settlement Agreement: Audit Accounting Aides (LMSB)

On February 22, 2002, the NTEU National Office filed a grievance, alleging that the IRS failed to make certain promotion actions for Audit Accounting Aides, GS-503-5, retroactive to June 4, 2000, which was the effective (or stand-up) date for the Large and Mid-size Business operating unit. As a result of the filing of this grievance, we were able to obtain the back pay and interest to which these employees were entitled. I am pleased to share a copy of this settlement agreement with you and to provide you with this good news.



This is an example of another NTEU success story; another instance in which we fought for and obtained fair and equitable treatment for IRS employees

SUMMARY: This settlement provides retroactive promotions for Audit Accounting Aides. Impacted employees will receive backpay from June 4, 2000 to July 1, 2001, with interest.



REVENUE AGENTS and TCOs Getting The IRS Shaft NTEU Steps In To Protect Their Rights

According to the NTEU National Office, the IRS violated the contract by selecting employees for promotion but failing to timely effectuate the promotion actions.



On May 17, 2002, a national grievance was filed alleging that the IRS is engaging in a continuing violation of Article 13, Section 8(c) of the contract by selecting employees for promotion to revenue agent and tax compliance officer positions but failing to effectuate said promotions until late September 2002. The contract explicitly provides that employee promotions must be effectuated no later than one pay period following selection. For employees who must first complete training, the promotion will become effective at the beginning of training.

The IRS has promoted at least sixty (60) employees but has decided not to implement these promotions until September 2002, thereby preventing the employees from receiving step or grade increases, as well as associated financial increases, until that time. This is a clear contract violation and NTEU will fight hard to see that the IRS abides by the contract now or faces the consequences of their failure to do so later. We are seeing back pay, interest and retroactive service credit for time in the new position, as well as any other appropriate remedies that a third party might order.

SUMMARY: The grievance alleges that the IRS violated the contract by selecting employees for promotion but failing to timely effectuate the promotion actions.



Administrative Leave and Discipline

The IRS is being criticized again by Congressional members about their practice of putting some employees on long-term administrative leave when considering a disciplinary action*. As a result, they are taking steps to curtail the use of administrative leave in these situations in favor of using “emergency suspensions.”

You remember Senator Grassley, right? He’s the Republican from Iowa who is the ranking member of the Senate Finance Committee, and member of the Senate Budget, Judiciary and Joint Taxation Committees. He is also the same Senator who condemned the IRS in the Senate Hearings that spawned RRA Section 1203. He spends the vast majority of his tax-supported time working to demean the IRS. And he is the current motivating factor behind the IRS administrative leave issue being criticized by Congress right now.



Colleen Kelley, NTEU National President had this to say to Chapter Presidents “While I believe that most of the employees granted administrative leave in lieu of unpaid emergency suspensions are not in the bargaining unit, I want to be sure to protect any of our members who may have benefited from this practice. If a unit employee has been placed on administrative leave in connection with a disciplinary action and the agency tries to terminate that leave, it may be that we can insist that the established practice continue until IRS has negotiated a change in practice with NTEU.”

**It is critical to remember that an employee placed on administrative leave pending an investigation has not been found guilty of anything. And in this country (although not necessarily in this agency, you are innocent until proven guilty.)*



Letters to the Editor

The following is an e-mail I received from an employee who disagreed with my article on the training facility used by the IRS for Technical Support Staff training.



I would like to reply to your article on the TSB training held in what you termed Stalag #1. Obviously, the person you got your information from was expecting to be put up in a 5-star hotel for his/her CPE. I attended this CPE and I have a very different view. This was a self-contained training facility. The rooms were small but they were more than adequate to sleep in. They all had a large work desk, telephone, TV, hair dryer, and an iron and ironing board. They were clean and someone (not me) made my bed and cleaned up after me every day.

The food may not have been gourmet food but if I didn't like something I could always go back and get something else. It was all you can eat. None of us went hungry. As for no food in our rooms, I always had something in my room that I had brought up from the dining room and no one bothered it and no "food police" showed up at my door to arrest me. While I was there, I spent a whole three dollars on a whiskey sour. That was the only expense I had.

Oh yea! There was a pub open every night and the one night I went it was packed. There was also a Starbucks on the grounds as well as a physical fitness center and a gift shop. There were snack, soda, and ice machines if you knew where to find them.

And speaking of grounds, there were walking trails everywhere and the grounds were beautiful. On the night I went out walking, I saw several deer not 50 feet away from me, geese, red headed woodpeckers, and chipmunks. Oh, and I saw lots of parking lots full of somebody's cars. It may have been nice if they could have provided a bus into D.C. for some site seeing, but I know that with my crowd, they ate supper, walked and went off to bed.



And why would anyone need to bring their family members? This was training, not a vacation! As for the training facility itself. The rooms were spacious and well lit. And you had to keep on your toes to find your room, but it kept me awake.

I think your article did the National Conference Center an injustice. I was thrilled to be able to really GO somewhere other than down stairs to training or to the Echelon.

[Submitter's name withheld]



Editor's Note: While it is wonderful that some people enjoyed the training facility referred to in the article as Stalag #1, it is important to note a few things about employee rights, and why NTEU has filed a national grievance in the case of this training facility.

The Agency can only **require** an employee to stay at Employer-supplied housing (including Stalag #1) under certain *unusual circumstances. According to NORD V, Section 4(B), those unusual circumstances are defined as:

1. *the employee is participating in an investigation that requires the employee's presence in the quarters at all times; or*
2. *the quarters provide the only place of lodging reasonably close to the employee's place of duty so that daily travel to and from another place of lodging would be impracticable; or*
3. *the employees must keep in their possession highly valuable equipment or classified material whose security would be endangered if removed from the quarters; or*
4. *the official who authorizes the travel or training determines that utilization of quarters furnished by the Government is a necessary and integral part of a particular mission or training course.*

* "Unusual circumstances sufficient to justify requiring an employee to use Employer-supplied facilities are **not present** when **an ordinary benefit** to the Government, such as **economy** or the ready availability of personnel, is the rationale." NORD V, Section 4 (B).

Otherwise, "the employee will have the option of remaining in the Employer-provided housing...or of securing other housing". If employees secure other accommodations, per diem reimbursement must be provided according to GSA guidelines.

Neither management nor the Union has the right to violate the contract for any reason, and the use of Stalag for this training clearly violated NORD V, Article 29, Travel.

Now this may not seem like such a big deal, but it is only one part of the bigger picture. NORD V contains 52 Articles and a number of exhibits that reflect the responsibilities of both management and the union and the rights of employees. It is not simply a directive to management to behave, but constitutes a document that **both management and the union agreed to abide by**, shook hands on, and signed.

When either party violates that agreement, it demeans the entire contract. The Contract sets down the rules of behavior for all the parties, and like the Code of Conduct, the rules are inviolate.

It's kind of like the rules at home. No eating on the white carpet in the living room means no eating on the white carpet in the living room. It doesn't mean it's okay to eat there when I'm not home to see you, or when you're just going to have a "little snack", or if Marsha's dad let's her eat on their white carpet. It means no eating on the white carpet in the living room. Period.

'Nough said. Next.



Letter From Colleen Kelley on Competitive Sourcing Numbers

There are quite a few quotas and numbers being talked about in conjunction with the President's management agenda of competitively sourcing jobs from the federal government to the private sector. I thought it might be helpful to lay out all of these numbers and show you how they relate to each other. Sometimes you will see numbers quoted in articles or press reports that seem to be in conflict with other numbers.

I hope the following helps to clarify what federal employees are up against as a result of the President's management agenda and the OMB directive on quotas, mandating that 15 percent of all commercial activities be competitively sourced by the end of FY 2003.

Current federal employee workforce	1,800,000
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<i>Federal employee positions listed as "commercial" in nature on agency FAIR lists</i>	<i>850,000</i>
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President's management agenda ... to competitively source ½ of all "commercial" jobs to private sector (50% x 850,000)	425,000
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OMB Directive to competitively source 5% in FY02 plus 10% in FY03 of "commercial" positions (15% x 850,000)	127,500
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This is a very real threat to federal employees and is asking a very serious question about who should do the work of the federal government. Given the resources, the tools, and the support, there is no one who can do the work of the federal government better, or more efficiently, than federal employees. However, getting the resources, the tools, and the support has proven to be a challenge over the years. Rarely does Congress fund the agencies at the levels needed for delivery of the agencies' missions and appropriate funding to support employees whether through pay, benefits, or gain-sharing incentives.

In spite of that, this competitive sourcing initiative moves forward every day, with every agency represented by NTEU aggressively engaged in identifying positions to meet the OMB quotas, regardless of the short-term or long-term impact on the agency. Providing the funding to contractors to do the work of the federal government is done much more easily by Congress than funding the agencies to be able to hire, attract, and retain qualified federal employees.



That has to change, and our work on Capitol Hill on this issue must continue.

I will keep you informed on any new developments in the competitive sourcing arena, and I hope you find the information helpful on the number of federal jobs that are truly at risk under the Administration's competitive sourcing initiative.

Colleen M. Kelley
National President



**Colleen M. Kelley Gives Testimony To Congress
MORE VALUE FOR FEDERAL EMPLOYEES: CAFETERIA BENEFIT PLANS
Civil Service Subcommittee
Committee on Government Reform**

Kelley, NTEU's National President began her testimony this way "*Chairman Weldon, Ranking Member Davis, Members of the Subcommittee, my name is Colleen Kelley and I am the National President of the National Treasury Employees Union (NTEU). NTEU represents more than 155,000 federal employees across 25 agencies and departments of the federal government.*

I very much appreciate your scheduling this hearing today to examine issues surrounding the Federal Employees Health Benefits Program (FEHBP). It is my understanding that you are also interested in exploring whether or not a cafeteria benefits plan might be a viable way of delivering benefits to federal employees."

Last week, the House Civil Service Subcommittee held a hearing to explore the possibility of providing benefits to federal employees through a cafeteria benefits arrangement. This is also sometimes called a flexible benefits arrangement.

NTEU made clear that while we are always interested in improving the federal benefit package, we will oppose efforts to require federal employees to choose between competing benefits -- something that is often required in cafeteria benefits plans.

Under a cafeteria, or flexible benefits plan, employees are usually given a pool of money to spend on an array of benefits such as health insurance, life insurance, additional annual leave or other benefits the employer may choose to include. Employers that provide cafeteria benefits to their employees often use the increase in the Consumer Price Index (CPI) as the standard for increasing the annual pool of money they provide their employees. The CPI has averaged two to three percent in recent years while annual health insurance premium increases have averaged between 10 and 13 percent.

Kelley told the subcommittee *“NTEU's members are increasingly concerned about the exorbitant rate increases in FEHBP plans in recent years. As NTEU's President, I have been received a growing list of complaints from our members. As you know, not only have premiums skyrocketed, but many participating FEHB plans have simultaneously increased their required copayments and deductibles, limited covered services and dropped participating physicians from their programs. In addition, health maintenance organizations in many parts of the country have announced that they will no longer participate in the FEHBP. Federal employees are being required to pay considerably more for coverage with health choices that continue to shrink.*

Given these facts, she pointed out to the Committee, it would not be long before federal workers would be forced to give up other benefits just to maintain their health insurance coverage. For this reason, NTEU is not in favor of cafeteria or flexible benefits for the federal workforce.



She also used this opportunity to point out to the Committee NTEU's continued interest in making Flexible Spending Accounts (FSAs) available to federal workers. Under a FSA, an employee can set aside money on a tax-free basis for certain out-of-pocket health and dependent care costs. FSAs are often made available to employees following introduction of Premium Conversion Plans.

As you know, NTEU successfully convinced the last Administration to make Premium Conversion plans, which permit employees to pay their health insurance premiums with pre-tax dollars, available to federal employees in 2000.

NTEU continues to work with the current Administration to make FSAs available to the federal workforce as soon as possible.



FED RAISE – at issue again!



It's that time again, and we are back to Congress vs. the Bush Administration over federal employee raises.

The House has passed legislation for a 4.1% fed raise, the Senate has not taken up the measure yet, and the Bush Administration has recommended average 2.6% raise for federal employees and a 4.1% raise for the military.

FATHER'S DAY – JUNE 16, 2002

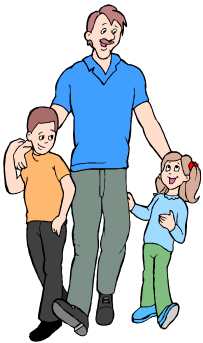


Father's Day, contrary to popular misconception, was not established as a holiday in order to help greeting card manufacturers sell more cards. In fact when a "father's day" was first proposed there were no Father's Day cards!

Mrs. John B. Dodd, of Washington, first proposed the idea of a "father's day" in 1909. Mrs. Dodd wanted a special day to honor her father, William Smart.



William Smart, a Civil War veteran, was widowed when his wife (Mrs. Dodd's mother) died in childbirth with their sixth child. Mr. Smart was left to raise the newborn and his other five children by himself on a rural farm in eastern Washington state.



It was after Mrs. Dodd became an adult that she realized the strength and selflessness her father had shown in raising his children as a single parent.

The first Father's Day was observed on June 19, 1910 in Spokane Washington. At about the same time in various towns and cities across American other people were beginning to celebrate a "father's day." In 1924 President Calvin Coolidge supported the idea of a national Father's Day. Finally in 1966 President Lyndon Johnson signed a presidential proclamation declaring the 3rd Sunday of June as Father's Day.

Father's Day is a day of commemoration and celebration of Dad. It is a day to not only honor your father, but all men who have acted as a father figure in your life - whether as Stepfathers, Uncles, Grandfathers, or "Big Brothers."



This year, father's Day is celebrated in the US on Sunday, June 16, 2002.



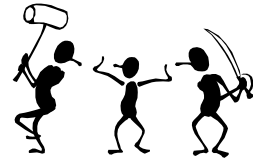
Workplace Violence



Whether an incident is an internal domestic dispute or an external act of terrorism, it is still categorized as *workplace violence*. Workplace violence is growing at a significant rate and in recent years has become a primary concern for public and private sector workplaces across the United States.

Ignoring a situation usually results in an escalation of the problem. Morale and productivity are lowered; effective employees leave the organization. On the other hand, dealing effectively with situations like hostility, intimidation, and disruptive types of conflict creates a more productive workplace.

Conducting an analysis of the agency's current ability to handle potentially violent situations is a necessary effort. Looking at previous incidents that have occurred at your agency and evaluating how effectively they were handled is a good way to start. Attention should be given to identifying patterns of risk and potential prevention strategies, for example, where a particular workgroup is having a number of complaints in a given period of time. A good violence policy that covers intimidation, harassment, and other inappropriate behavior that threatens or frightens employees can often deter workplace incidents.



An agency should involve the union early on in the process of planning workplace violence programs. Unions are the elected representatives of bargaining unit employees and are legally entitled to negotiate over many conditions of employment of those employees. Although some of the substantive issues relating to workplace violence, including issues concerning internal security, may be outside the duty to bargain, this does not mean that consultation and discussion with the union cannot occur. Union involvement is particularly appropriate where there are labor-management partnership councils.

It is a good practice to involve recognized unions up-front, before decisions are made, so that they can have an opportunity both to express employees' concerns and to bring to bear their expertise and knowledge.



For example, the union may be aware of employees in the agency who have special skills in conflict resolution or crisis counseling. The union may also be helpful in identifying training needs of employees with regard to workplace violence prevention. Union involvement demonstrates both the agency's and union's commitment to the success of a workplace violence program.

No one can predict human behavior and there is no specific "profile" of a potentially dangerous individual. However, indicators of increased risk of violent behavior are available. These indicators have been identified by the Federal Bureau of Investigation's National Center for the Analysis of Violent Crime, Profiling and Behavioral Assessment Unit in its analysis of past incidents of workplace violence.

These are some of the indicators:

- Direct or veiled threats of harm;
- Intimidating, belligerent, harassing, bullying, or other inappropriate and aggressive behavior;
- Numerous conflicts with supervisors and other employees;
- Bringing a weapon to the workplace, brandishing a weapon in the workplace, making inappropriate references to guns, or fascination with weapons;
- Statements showing fascination with incidents of workplace violence, statements indicating approval of the use of violence to resolve a problem, or statements indicating identification with perpetrators of workplace homicides;
- Statements indicating desperation (over family, financial, and other personal problems) to the point of contemplating suicide;
- Drug/alcohol abuse; and
- Extreme changes in behaviors.



Each of these behaviors is a clear sign that something is wrong. **None should be ignored.** By identifying the problem and dealing with it appropriately, managers may be able to prevent violence from happening.

Some behaviors require immediate police or security involvement, others constitute actionable misconduct and require disciplinary action, and others indicate an immediate need for an Employee Assistance Program referral.

On the other hand, it is seldom (if ever) advisable to rely on what are inappropriately referred to as “profiles” or “early warning signs” to predict violent behavior. “Profiles” often suggest that people with certain characteristics, such as “loners” and “men in their forties,” are potentially violent. This kind of categorization will not help you to predict violence, and it can lead to unfair and destructive stereotyping of employees. The same can be said of reliance on “early warning signs” that include descriptions of problem situations such as “in therapy,” “has had a death in the family,” “suffers from mental illness,” or “facing a RIF (reduction in force).” Everyone experiences stress, loss, or illness at some point in life. All but a very few people weather these storms without resorting to violence.

Managers should, of course, be trained to deal with the kinds of difficulties mentioned here, such as bereavement or mental illness. However, this training should focus on supporting the employee in the workplace, and not in the context of, or on the potential for, workplace violence.

Everyone has a responsibility to maintain a work climate of mutual concern and respect...and that means everyone.

More on Workplace Violence, Harassment, Intimidation and Disruptive Behaviors in the next few issues of the Alert!





TOM'S HUMOR PAGE

Things It Took Me 50 Years To Learn

- ☺ Never, under any circumstances, take a sleeping pill and a laxative on the same night.
- ☺ If you had to identify in one word, the reason why the human race has not achieved, and never will achieve, its full potential, that word would be “meetings.”
- ☺ There is a very fine line between “hobby” and “mental illness.”
- ☺ You should not confuse your career with your life.
- ☺ No matter what happens, somebody will find a way to take it too seriously.
- ☺ When trouble arises and things look bad, there is always one individual who perceives a solution and is willing to take command. Very often, that individual is crazy.
- ☺ Never lick a steak knife.
- ☺ The most powerful force in the universe is gossip.
- ☺ You will never find anybody who can give you a clear and compelling reason why we observe daylight savings time.
- ☺ The one thing that unites all human beings, regardless of age, gender, religion, economic status or ethnic background, is that, deep down inside, we ALL believe we are above-average drivers.
- ☺ A person who is nice to you, but rude to the waiter, is not a nice person. (This is very important. Pay attention. It never fails.)
- ☺ Your friends love you anyway.

Zen Thoughts

- ☺ **A day without sunshine is like, night.**
- ☺ **On the other hand, you have different fingers.**
- ☺ **I just got lost in thought. It was unfamiliar territory.**
- ☺ **42.7 percent of all statistics are made up on the spot.**
- ☺ **Honk if you love peace and quiet.**
- ☺ **If Barbie is so popular, why do you have to buy her friends?**
- ☺ **What happens if you get scared half to death twice?**
- ☺ **How do you tell when you're out of invisible ink?**
- ☺ **He who laughs last thinks slowest.**
- ☺ **Remember, half the people you know are below average.**
- ☺ **Support bacteria. They're the only culture some people have.**
- ☺ **Plan to be spontaneous tomorrow.**
- ☺ **How many of you believe in telekinesis? Raise my hand...**
- ☺ **Okay, so what's the speed of dark?**



The **Chapter 52 Alert!** can also be found on our Chapter Web Page at <http://nteu52.hypermart.net>. You can e-mail any Chapter officer, staff member or steward from the page.

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