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THE GOVERNMENT STANDARD

January/February 2003

for current and retired government workers and their families since 1933
American Federation of Government Employees, AFL-CIO

Bush Targets 850,000 Jobs

Just nine days after the November elections and in the middle of his war on terrorism, President **George W. Bush** announced his plan to speed up the way agencies decide to contract out government work to private companies. 850,000 federal workers will be affected.

If enacted, the proposal by the Office of Management and Budget to Circular A-76

will accelerate the Administration's aggressive contracting out and privatization efforts. The proposal, which does not require congressional approval, actually mandates agencies to contract out government work, even if it runs counter to an agency's existing missions, goals and objectives. (For AFGE's response to Bush's proposal and the Army's "Third Wave" initiative, turn to page 5.)

AFGE Blasts Bush's Attempt to Alter Pay Structure

On Jan. 24, 2003, the Office of Personnel Management—at the direction of President **George W. Bush**—announced plans to drastically change the current federal pay structure while again proposing a 4.1 percent increase for the military. Bush plans to include in his 2004 budget proposal a two percent across-the-board raise for federal workers and create a \$500 million "slush fund" to be doled out by agency managers to recognize superior performance.

"The President's plan to adjust salaries for federal working families by less than half that proposed for members of the military is just the latest insult to the men and women who devote themselves to federal service," stated AFGE President **Bobby L. Harnage**.

Harnage pointed out that under the Federal Employees Pay Comparability Act (FEPCA), government employees should receive a 2.7 percent across-the-board increase in 2004 and locality adjustments in the range of 13 percent to bring them in line with the private sector.



At press time, Congress was poised to approve a 4.1 percent increase for federal employees, retroactive to Jan. 1, 2003. Also, the Senate—ignoring attempts last year by Bush to reduce the 2003 federal pay increase by one percent while approving bonuses of up to \$25,000 for his political appointees—just introduced a resolution supporting the tradition of pay parity between military personnel and government employees.

AFGE Files Lawsuit

AFGE filed a lawsuit in federal court on Jan. 10, 2003, challenging the Transportation Security Administration's (TSA) decision to deprive airport screeners of their right to organize, one of the most basic American freedoms.

"TSA officials do not have the authority to deprive workers of their rights to join a labor union," said AFGE President . "TSA's broad and highly questionable personnel authority certainly does not include taking away first amendment rights."

Claiming TSA chief **James M. Loy** does not have the authority under the Aviation and Transportation Security Act to prohibit screeners from organizing, AFGE filed the complaint with the U.S. District Court for the District of Columbia less than 24 hours following Loy's decision. (Turn to page 4 for more TSA news.)

2003 AFGE National Convention

AFGE's 36th National Convention will be held Monday, August 18, through Friday, August 22, 2003, at:

Mandalay Bay Resort & Casino

3950 Las Vegas Boulevard South • Las Vegas, Nev. 89119-1006
(702) 632-7777

Important changes for the 2003 AFGE National Convention:

- 1) **NO ON-SITE REGISTRATION! PRE-REGISTRATION ONLY and must be post-marked by July 21, 2003;**
- 2) **All delegates must be elected by July 18, 2003;** and
- 3) Those who merely show up will not be seated.

Check your mail for complete 2003 Convention details and information.

A Message from National President Bobby L. Harnage

Make Strengthening AFGE Part of Your New Year

As we begin a crucial year in our union's history, the role that you, as an AFGE member, can play will determine the future of AFGE. As a union member, you will have the opportunity to mobilize and educate your co-workers while also earning a little extra cash to pay off some holiday bills. Through this year's Bonus Bucks campaign, which runs between Jan. 20 and March 31, you can make a real difference in more ways than one.



Bobby L. Harnage

How will building the union help shape AFGE's future?

Well, it's simple—more members equal more clout on Capitol Hill. By increasing our influence, we will be able to impact legislative and political initiatives that affect not only our future as government workers, but the very future of government service. We are a nation that depends on the government to keep its promise to be "for the people." But if we are not strong enough to stand our ground in defending the missions of the various government agencies and activities we serve, who will be left to do so?

The Bonus Bucks campaign was designed to have you—the AFGE member—speak to your non-member friends and co-workers about the benefits of union membership and the power of concerted action. Just think, if every single AFGE member recruited *just one new member* during the Bonus Bucks campaign, we would double our membership, strength and clout virtually overnight.

Make no mistake, the real outcomes of the November elections have not yet revealed themselves to us. However, what we do know is this:

1. There are plans to privatize over 850,000 government jobs;
2. There are plans to eliminate most civil service laws and the current pay system(s) and allow each agency to do as they please; and
3. The very right of government workers—a long held civil right—to even have a union is being threatened in the name of homeland security.

In my travels around the country, I have spoken with members who describe a feeling of disbelief and individual powerlessness in the face of so many challenges. We are not powerless. The strength of our voice as a workforce is only as strong as the number of people who will stand up together. No longer can 200,000 workers carry the other 1,000,000. Each of us needs to reach out and convince our co-workers that now is the time to put all of our voices together. And, in strengthening our resolve, we can protect the missions and the programs we work so hard to carry out, as well as our right to fair treatment and fair pay. With your participation in this year's Bonus Bucks campaign, our chances of building union power are boundless.

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AFGE Action News Goes Public

GET YOUR UNION NEWS
IN YOUR E-MAIL



www.afge.org

AFGE's Action News has moved to the public section of AFGE's Web site, www.afge.org. Visit the Web site today and sign up for our free news and information service that's delivered right to your computer screen. Once signed up, AFGE will e-mail you important legal, organizing and legislative news as-it-happens. Become more involved and informed about your union—log onto www.afge.org and sign up for the AFGE Action News, today!

Magda Lynn Seymour

Many AFGE members have inquired about **Magda Lynn Seymour**, AFGE's longtime Director of Communications. Magda has been with AFGE since 1994 and is perhaps best known as AFGE's media spokeswoman and originator of the award winning videos "AFGE and Me" and "We'll Remember in November."

After a lengthy battle with multiple sclerosis, Magda is retiring on disability. If you would like to write her, or drop her a note to wish her well, or just to say hello and you are thinking of her, you may do so at the address below. Although Magda will continue to have AFGE health insurance coverage, the cost of her ongoing care may not be fully covered.

Contributions from individuals, Locals and Councils to assist in the cost of her ongoing care are encouraged and may be payable to The Seymour Trust Fund, c/o Edee Seymour, Trustee, The Elder and Disability Law Center (ATTN: Robert Bullock), 1111 Nineteenth St., N.W., Suite 1200, Washington, D.C., 20036. Telephone (202) 532-1000.

SPREADING THE WORD IN THE WORKPLACE:

Share with Co-Workers the Importance of Joining AFGE TODAY!

- When it comes to National Security, federal and D.C. workers are our nation's first line of defense. A recent poll, conducted by Peter Hart & Associates, confirms what we have known for years — Americans want the government to protect our homeland (Hart, 2002).
- With the creation of the Department of Homeland Security, protections that government employees have come to rely on will soon be eroded if we do not build our union quickly and effectively.
- If plans to privatize 850,000 federal jobs go forward, it is likely that not just your job, but your retirement and other benefits will be at risk.
- Remember, we're not just public servants, we're American taxpayers, too! We should demand the best bargain for our country. In the vast majority of cases, contracting out wastes taxpayer money by allowing private contractors to charge more for services more adequately provided by top-rated government employees. Is it right that profit should replace dedication in the administration of our national security?
- And don't forget — union membership pays! By using just one or two of the member-only benefits offered by AFGE, you can save enough money to cover the cost of your annual dues. Check out our website at: www.afge.org or call our toll-free benefits hotline 1-888-844-2343 for more information.



AFGE'S BONUS BUCKS CAMPAIGN

JANUARY 20 – MARCH 31, 2003

This year's Bonus Bucks program offers:

- \$20 from the National Union for each new member you recruit plus additional incentives from your AFGE District Office (see middle panel on the back of this flyer).
- Commemorative 70th Anniversary medallions to the first 100 Bonus Bucks recruiters.
- \$100 for each top District recruiter.
- \$2,500 grand prize for the top recruiter nationwide;
- \$1,000 for the runner-up and
- \$500 for the third-place recruiter nationwide.





AROUND THE HILL

Homeland Act Benefits Corporations

Several amendments were slipped into the Homeland Security Act just days before President **George W. Bush** signed the bill into law. It appears that the amendments, listed below, will only benefit corporations that have cozy relationships with the Republican House leaders who authored the Act—Representatives **Dick Armey** (R-Texas) and **Tom DeLay** (R-Texas). The amendments, which make a mockery of the democratic process, will clearly harm millions of less fortunate and honest-working Americans for decades.

Childhood Vaccines: New liability protection for pharmaceutical companies that make mercury-based vaccine preservatives that may have caused autism in children—wiping out pending litigation. Who benefits? Pharmaceutical companies. Who loses? American families with legitimate cases.

Corporate Expatriates: Gutted an amendment that prohibited contracting with corporate expatriates and giving the new DHS Secretary broad waiver authority. Who benefits? Offshore tax evaders. Who loses? American-based companies and workers.

University Earmark: Earmarks a new university-based homeland security research center program for Texas A&M, avoiding an open and competitive award process. Who benefits? Texas firms that are friends of Bush, Armey and DeLay. Who loses? Companies lacking cozy relationships with the Bushes.

Liability Protection for Negligent Manufacturers: Provides immunity from liability for manufacturers of products or technologies that cause harm to Americans. Who benefits? Grossly negligent companies. Who loses? American consumers.

Secretive Advisory Committees: Allows the new Department to hold secret advisory committee meetings with hand-picked industry advisors, even on non-sensitive matters, waiving the Federal Advisory Committee Act. Who benefits? Special interest hogs. Who loses? The U.S. Constitution.

DHSworkers.org is Launched

AFGE officially launched **www.DHSworkers.org** in January to provide federal workers with unbiased news and information relating to the Department of Homeland Security (DHS).

DHSworkers.org provides vital alternative news and information regarding the development and implementation of DHS from a worker's perspective because the Administration has not provided enough

information—only a great deal of rhetoric.

DHSworkers.org will conduct regular surveys of DHS employees on a variety of workplace issues relating to pay, classification, adverse action and performance evaluation systems. In addition to answering

important questions about representational rights of DHS workers, the user-friendly Web site will provide DHS workers with the opportunity to receive weekly news updates.

DHSworkers.org
the source for DHS workers

Federal Firefighter Killed

A federal firefighter was killed and two others were injured during training exercises involving a MACI fire truck at Fort Rucker, Ala., on Dec. 4, 2002. AFGE called on the Secretary of the Army to conduct a

thorough and impartial investigation of an accident that should never have happened.

"Sending in Fort Rucker's Safety Division is equivalent to sending in dogcatchers to investigate a homicide."

Bobby L. Harnage, AFGE President

In the Dec. 11, 2002, letter to U.S. Army Secretary **Thomas White**, AFGE National President **Bobby L. Harnage** insisted "that all MACI's be taken out of service immediately." MACI's have a long and well-documented history of jumping out of gear when

the water pump is activated. The Army has failed to correct the known problems or replace the over-aged MACI's.

AFGE is adamant that the investigation be done by impartial fire protection specialists with specific knowledge of MACI's. Fort Rucker's Safety Division, which lacks fire personnel and fire apparatus knowledge, is currently conducting the investigation.

"Sending in Fort Rucker's Safety Division is equivalent to sending in dogcatchers to investigate a homicide—it's important that the investigators know what they're doing," added Harnage. AFGE represents 5,000 federal firefighters at more than 125 Department of Defense installations nationwide. Fort Rucker is home to **AFGE Local 1815**. For a copy of the Dec. 11, letter, log onto **www.afge.org**.

TSA News

AFGE Files at Six Airports

AFGE filed a petition in mid-November with the Federal Labor Relations Authority (FLRA) to hold an election for worker rights for more than 500 Transportation Security Administration (TSA) screeners at Baltimore-Washington Intl. Airport (BWI). Nine days later, AFGE filed to represent 650 screeners at LaGuardia Intl. Airport (LGA) in New York City. On Jan. 9, AFGE filed for two more airports and hundreds more screeners working at Pittsburgh Intl. and Chicago's Midway. Days later, AFGE filed two more petitions covering employees at the Fayetteville and Greensboro (N.C.) airports and three small airports in southern Texas—Brownsville, McAllen and Harlingen.

AFGE telephones have been ringing off the hook as TSA screeners call with reports of unscheduled shift changes, forced overtime, sexual harassment, delayed paychecks and the agency's failure to provide protective equipment for baggage handlers searching for explosives. Only under union protection will screeners have the assurances they need in order to do the best job for the American people.

For more on the lawsuit AFGE recently filed in federal court against TSA, see page 1 of this issue. For more on federal screeners, log onto **www.screenersunion.org**.



Bush Policy to Target 850,000 Jobs

AFGE Responds

Within thirty days, AFGE provided a 43-page response to the radical revisions proposed by the Office of Management and Budget (OMB) to Circular A-76. AFGE's response stressed that should this proposal be enacted, the services performed by as many as 1,000,000 federal employees would be privatized. AFGE accused the Administration of using privatization to eliminate federal employees when it was unsuccessful in removing their civil service and collective bargaining rights and protections.

Where's the evidence?

Almost immediately after assuming power in 2001, the Administration imposed on all federal agencies onerous numerical privatization quotas, crafted to ensure that

the jobs of at least 425,000 federal employees were reviewed for privatization by the end of 2004, either with or without public/private competition. With the rewritten circular, agencies will be directed to review for privatization at least 850,000 federal jobs.

Did Bush really wait until after the elections?

Three tactical decisions made by Bush with respect to the rewrite of the circular should tell casual observers all they need to know about this proposal. First, OMB was careful to delay its release until after the November 5, 2002, elections. Second, OMB allowed interested parties just 30 days to comment on a proposal that, if implemented, would drastically change an already extremely controversial privatization process. Third, OMB would implement the rewritten circular only a few days after the cut-off for the submission of public comments. Accord-

ing to the Director's draft memorandum, agencies were instructed to start their privatization engines in early 2003.

What about agency missions, goals and objectives?

The privatization quotas, along with the rewritten circular's insistence on reviewing for privatization at least 850,000 federal employee jobs, trumps agency missions, goals and objectives. In OMB's view, agencies exist not to provide services, but to privatize services, jobs and the public interest. Agencies don't decide how much they should privatize—OMB does. Agencies don't decide which services are inherently governmental—OMB does. Agencies' front-line managers don't decide which services are privatized and how that happens—agencies' privatization czars do.

For a complete copy of AFGE's response, log onto www.afge.org.

AFGE Loses Two Dear Friends

Senator Paul Wellstone

The tragic and unthinkable passing of Senator **Paul Wellstone** on Oct. 25, 2002, left the entire AFGE family stunned and deeply saddened.

Senator Paul Wellstone was a dear friend to many AFGE members throughout the federal and D.C. governments. The causes he championed on the floor of the U.S. Senate have made America a better place. He was a person of principle and honor who fought for the average person and for those less fortunate.

Representative Patsy Mink

The AFGE family mourned the passing of Representative **Patsy Mink** (D-Hawaii) on Sept. 28, 2002, to viral pneumonia.

Representative Patsy Mink had a 100 percent AFGE voting record in 2001. Among her greatest achievements was co-authorship of Title IX of the Education Act, which changed the playing field for all of the nation's female athletes. Most recently, she challenged measures that would strip homeland security workers of their union rights. She was a visionary who believed in a world in which prejudice could be set aside and where working people could earn a living wage.

Army to Privatize 214,000 Jobs in "Third Wave" AFGE Thanks Reyes, Lawmakers

AFGE thanks Rep. **Silvestre Reyes** (D-Texas) and 68 of his colleagues for signing a letter of "great concern" to Army Secretary **Thomas White**, a former high-level Enron executive, about the privatization effort known as "Third Wave."

In the letter, a bipartisan coalition of Representatives from across the nation demonstrated their dismay about White's decision "to review for privatization more than 214,000 military and civilian positions in the Army." The letter states that the "Third Wave" initiative has

"the potential of seriously eroding the readiness of the total force at a time when the nation is facing a determined security threat."

"White would like to run the Army like Enron."

—Bobby L. Harnage, AFGE President

"Reyes' letter lays down an excellent foundation for defending the Army and any other parts of DoD from wholesale privatization

that would jeopardize national security in order to reward contractors for campaign contributions," stated AFGE President **Bobby L. Harnage**. "White would like to run the Army like Enron."

Contractor Allegedly Jeopardizes National Security

AFGE had a gut feeling that the government's uncontrolled contracting out would eventually result in a breach of national security. That's why AFGE was not surprised to hear that U.S. Customs employees raided the offices of Ptech, a high-tech contractor in Massachusetts with alleged ties to **Osama bin Laden**. Ptech has provided software and services to several federal agencies, as well as the White House and FBI. Agencies have already begun searching their Ptech software for any hidden weaknesses or "back doors" that hackers could use to gain access to government systems. Stay tuned.

2002 Human Rights Training Conference & Collective Bargaining Institute



The combined Human Rights Training Conference and AFGE Collective Bargaining Institute, which ran the week of October 14-17, 2002, in Portland, Ore., was a huge success in more ways than one.

A record number of participants registered for classes—489 pre-registered and 35 on-site. The entire staff of the Women's/Fair Practices Departments (WFP), as well as the staff of the Office of Labor Management Relations (OLMR), were on hand to ensure the success of the conference and institute.

The Organizing Institute, which ran in conjunction with the Conference and Bargaining Institute, trained 25 new activists/organizers under a team of Membership & Organizing staff. The newly trained, energized activists then traveled to the Portland Department of Veterans Affairs (DVA) Medical Center and signed up 32 new members. Next, they visited the DVA Regional office and signed up ten more members.

AFGE-PAC broke records in Portland, raising \$1,138 cash through a silent auction and another \$750 in a 50/50 raffle. In total, AFGE-PAC raised \$11,322 and signed up 129 new members. An additional 26 increased their allotments.



Statement Concerning Freedom of Speech of AFGE Members and Restrictions Thereon

Regulations implementing the standards of conduct for federal sector labor unions provide in pertinent part as follows, concerning union members' freedom of speech: *

29 CFR § 458.2 Bill of rights of members of labor organizations.

(a) (2) Freedom of speech and assembly. **Every member of any labor organization shall have the right to meet and assemble freely with other members; and to express any views, arguments or opinions; and to express at meetings of the labor organization his views upon candidates in an election of the labor organization or upon any business properly before the meeting, subject to the organization's established and reasonable rules pertaining to the conduct of meetings:** Provided, That nothing herein shall be construed to impair the right of a labor organization to adopt and enforce reasonable rules as to the responsibility of every member toward the organization as an institution and to his refraining from conduct that would interfere with its performance of its legal or contractual obligations.

Although the right of "free speech" indicated by bold type above is so broad that it includes the right to use insulting, highly critical, and even defamatory language without punishment by AFGE or its affiliates, the exercise of this members' right **is** subject to the following reasonable rules of AFGE:

1. It is an offense against AFGE to encourage or attempt to bring about secession from the Federation of any local or any member or of any group of members.
2. It is an offense against AFGE to work in the interest of or to become a member of the Communist Party or any other organization that advocates the overthrow of the democratic form of government under which AFGE members live.
3. It is an offense against AFGE to violate any provision of the AFGE National Constitution or of the constitution and bylaws of the local to which a member belongs or of a council with jurisdiction over the member's local, including rules pertaining to the conduct of meetings.
4. It is an offense against AFGE to make known the business of any affiliate of AFGE to management officials of any agency or to other persons, if said officials or persons are not entitled to such knowledge.
5. It is an offense against AFGE to appropriate to one's own use any money, property or thing of value belonging to AFGE or to any affiliate or to engage as an officer in any business or financial activities with or on behalf of an affiliate which conflict with the officer's fiduciary obligations.
6. It is an offense against AFGE to contribute or apply any monies or other resources of AFGE or of its affiliates, or of any employer, to promote the candidacy of any individual in an AFGE election.
7. It is an offense against AFGE to assist, counsel, or aid any member or officer of AFGE or of its affiliates to commit any of the above offenses.

Examples of prohibited conduct relating to "free speech" include, but are not limited to, **oral communications and written communications** such as the following, which are **not protected as "free speech"**:

- Speech in a union meeting which persists after having been ruled "out of order" in accordance with the rules of the affiliate for the conduct of meetings (e.g., Robert's Rules of Order);
- Speech by an officer which encourages or attempts to bring about secession, and speech by a member that is part of an actual action which attempts or effectuates secession;
- Speech which involves racial, ethnic, or religious slurs or promotes illegal discrimination;
- Speech undertaken with union monies or resources without union authorization, such as unauthorized publishing of newsletters, emails, etc. using union monies, member lists, union equipment; union postage, union stationery, union shield, union name, or government resources furnished to the union (e.g., equipment, postage meter, office space, telephone, email, etc.);
- Speech utilizing any monies or resources of AFGE, its affiliates, or any employer (including the government) to promote the candidacy of an individual in a union election: †
- Speech which promotes interests of or membership in corrupt organizations, in the Communist Party, or in any organization which promotes the overthrow of democratic government;
- Speech which makes known the business of any affiliate of AFGE to management officials of any agency or to other persons, if said officials or persons are not entitled to such knowledge; and
- Speech which utilizes the name, logo, shield, or other resources or monies of AFGE or any affiliate without authorization, or which otherwise conflicts with an officer's fiduciary obligation to use union money and resources solely for the benefit of the organization and its members.

* This provision is identical to 29 U.S.C. §411 (a)(2), which governs private sector and so-called "mixed" unions like AFGE National that represent both private and federal sector employees.

† Although the AFGE shield is property of AFGE and is considered an AFGE "resource," in the context of its use on campaign material in a union election the Department of Labor has ruled that the mere presence of the shield, for example as ornamentation, without more is not a violation of federal union election law. Where the shield is used to indicate or imply that AFGE or an affiliate has endorsed the candidate or supports the candidate, then it is a violation.