



# THE GOVERNMENT STANDARD



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



## 2004 Legislative Conference

AFGE NVP's **Arnold Scott**, **Dorothy James** and **Terry Rogers** (foreground) address the 900 AFGE members who attended the Legislative Conference. See page 4.

## AFGE Wins DCMA Election

*2-out-of-3 Vote AFGE*

**A**lmost two-thirds of all Defense Contract Management Agency (DCMA) employees chose AFGE during a nationwide election—one of the largest elections ever called for a single unit of workers in the federal sector. **Tom Maahs**, President of the AFGE Council of DCMA Locals, thanks DCMA employees for their vote of confidence in AFGE as the largest union for DoD employees and the “most able union to respond effectively to the anti-employee features in the new ‘National Security Personnel System.’” For complete Federal Labor Relations Authority election results, log onto [www.afge.org](http://www.afge.org).

## Rumsfeld Criticized for Misleading Congress

### DoD Releases New Personnel Regs

“**S**ecretary **Donald Rumsfeld** duped Congress,” AFGE National President **John Gage** told the national media at a news conference following the release of the Department of Defense’s (DoD) personnel concepts. “It’s our hope that Congress will clarify to Rumsfeld the intent of the law authorizing the personnel changes.” Several national leaders joined Gage at the news conference, including AFL-

CIO President **John Sweeney** and National Employees Treasury Union President **Colleen Kelley**.

Before the Senate Governmental Affairs Committee hearing, Rumsfeld assured Congress that he would not abuse his new authority and end collective bargaining. The personnel concepts released on February 6 end collective bargaining. (**Rumsfeld Duped Congress** continued on page 4)

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## DHS Plan is “Flawed”

### Discussions Continue

**T**he Department of Homeland Security (DHS) personnel regulations are “seriously flawed,” says AFGE National President **John Gage**. “The new rules eliminate the ability of employee-elected representatives to bargain about key working conditions.”

AFGE believes the new pay system will not pay employees enough to maintain an experienced professional workforce and that the elimination of an independent arbitration

system on adverse actions is unfair. AFGE intends to continue working with DHS Secretary **Tom Ridge** on the regulations.

“Ridge has met with us and we’ve had meaningful and substantive discussions on the initial proposal,” says Gage. “We plan to aggressively represent the interests of AFGE members throughout the process and it is our intent to negotiate a new system that is good for the mission, employees, and the American people.” For a copy of the proposed regulations, log onto [www.DHSworkers.org](http://www.DHSworkers.org).



# A Message from National President John Gage

**Excerpts of testimony by John Gage before the U.S. House of Representatives Subcommittee on Civil Service and Agency Organization and the U.S. Senate Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia on the DHS labor relations proposal**

John Gage

**On the Elimination of the Neutral Administration of the Labor Relations System:**

“One key element of the proposed labor relations system is that it be administered by a board chosen solely by management. This board would decide issues which, in the current system, and in every other system in the U.S. where the right to strike is prohibited, are decided by a neutral and independent body.

“It is deceitful to establish a Homeland Security Labor Relations Board entirely selected by the Secretary and to call it ‘independent.’ Several of the options put forth by the Design Team called for a board made up of one member selected by management, one by the unions and a third to be selected by the first two. This is a process that has been used for years by many state governments.

“Not one single expert testified that a labor relations system run by people beholden to management would, in the long run, benefit the agency or reflect our nation’s traditions regarding due process and adjudication by neutrals. Not a single case was cited in which national security operations at one of the legacy agencies had been compromised from the type of decision

that came from neutral decision-makers. Employees will have no confidence in a board, empowered to decide matters of great concern that has been hand-picked by management and is dependent upon it for support.”

**On the Elimination of Bargaining Over Personnel Policies:** “The proposed regulation eliminates all the contract bargaining that would take place concerning personnel policies if chapter 71 were retained: [T]here is no duty to bargain over any matters that are inconsistent with . . . Departmental rules, regulations . . . [9701.518(a)(1)].

“The major reason for bargaining a contract is to achieve changes in the existing personnel policies, nearly all of which would be in the form of agency rules and regulations. Under chapter 71, in certain circumstances but not all, rules and regulations issued at the top level of the agency, in contrast to those issued by components of the agency, could block bargaining if management could prove a ‘compelling need’ to maintain the precise provisions of that regulation. The FLRA has seldom found agencies to have met this burden. With this proposed change, DHS could eliminate any contract provision agreed to by the parties at a lower level negotiation by issuing a Department-level regulation to the contrary. DHS could even use this authority to override its own labor relations board if it did not like an order to bargain on a particular union proposal issued by this board. Thus, management would reserve for itself the exclusive ability to determine the scope of bargaining. There is no evidence whatsoever that this change is needed in order for the agency to optimally carry out its responsibilities.”

**On the Elimination of Bargaining over Personnel Effects of Operational Decisions:** “In the public sector as in the private sector, there is a distinction between bargaining over what the enterprise does to carry out its mission, and bargaining over the effects of those decisions on employees. Chapter 71 expressly requires bargaining over the effects of operational decisions, but bars bargaining over the decisions

themselves. The right of employees to participate in the ‘effects decision’ is for practical purposes destroyed by several related parts of the management proposal:

- (a) (N)o obligation to bargain unless ‘a substantial portion of the bargaining unit’ is affected. 9701.518(a)(3). For example, if the jobs of 100 employees in a bargaining unit of 20,000 are being eliminated, there would be no bargaining over placement of the 100 because they do not constitute a substantial portion of the bargaining unit;
- (b) (No) obligation to bargain over the effects of changed work assignments, changes in the organization, etc. 9701.518(a)(2)(i); and
- (c) (Management can act unilaterally once it successfully stalls negotiations for 30 days. 9701.518(a)(6).

**On Weakening of Information Sharing Obligation:** “For 70 years it has been recognized that unions are entitled to information maintained by management when it is necessary to support collective bargaining. A large body of case law has developed in both the private sector and the federal sector regarding what information is required and the conditions for providing it. The DHS proposal would add a caveat that management would not be required to provide information if it determined on its own that ‘alternative means exist for obtaining the requested information, or if proper discussion, understanding, or negotiation or a particular subject within the scope of collective bargaining is possible without recourse to the information.’

“Once again, no evidence was provided to show that being forthcoming with information is an undue burden on management. In fact, we fear that increased litigation prompted by this may increase the burden on management. Further, managers will have to make determinations on whether and which alternative methods for obtaining the requested information exist. Managers will also determine whether negotiations can go on without the requested information. AFGE strongly opposes allowing management to decide what information the union needs to support its bargaining position.”

Complete Feb. 25, 2004 testimony available on [www.DHSworkers.org](http://www.DHSworkers.org) and [www.unionblog.com](http://www.unionblog.com).

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## Correction

Alex Tien’s name was misspelled in “Member Donates \$3,000 to Local” in the January/February 2004 issue.



# AFGE News



## AFGE—The Best Investment You'll Ever Make!

More than 1,000 federal and D.C. workers joined AFGE in December. What are you waiting for? Join today! Simply visit the AFGE Local office in your building or call (202) 737-8700. Be sure to visit [www.afge.org](http://www.afge.org).

## Defense Contractors Owe \$3 Billion in Unpaid Taxes

A General Accounting Office (GAO) report shows that over 27,000 defense contractors owe more than \$3 billion in unpaid taxes to the federal government. Additionally, many continue to secure new contracts with the government. For your copy of GAO's February 12, 2004, report, log onto [www.gao.gov](http://www.gao.gov).

## New Health Club Discount

AFGE members can now get discounts on new health club memberships at over 1,400 health clubs, including Bally's Fitness and select World and Gold's Gym. To locate a participating gym in your area, call GlobalFit at (888) 294-1500. Check out the Members-Only Benefits section at [www.afge.org](http://www.afge.org).

## AFGE Supports Hotel Workers

AFGE National President **John Gage** joined dozens of D.C.-area labor, community and student activists at a sit-in at the State Plaza Hotel in early February. Organized by the International Union of Hotel and Restaurant Employees (HERE) **Local 25**, the sit-in was called to support the hotel workers who voted for the union last fall. The hotel owner refuses to negotiate with the workers.

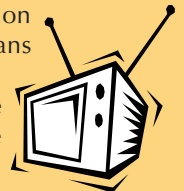
## Bonus Bucks 2004

Bonus Bucks is AFGE's signature recruitment campaign that asks every AFGE member to sign up at least one co-worker who isn't a member. Bonus Bucks runs through June 30. Check your mail for more details and membership applications or visit [www.afge.org](http://www.afge.org).



## AFGE Launches TV Ads

AFGE has been running TV ads in several states. "VA Only" takes aim at privatization within the Department of Veterans Affairs (VA) and affirms AFGE's commitment to our veterans. "One Christmas" highlights corporate giveaways to politically connected corporations, like Halliburton, in the form of billion dollar contracts. View the ads at [www.afge.org/Index.cfm?Page=Election2004](http://www.afge.org/Index.cfm?Page=Election2004).



## It's Time for MORE

AFGE recently kicked-off a program that will do more than ever before to mobilize bargaining units and improve overall representation at the work site. MORE—Mobilize, Organize, Register voters and Educate—will coordinate AFGE-wide resources to assist Locals, Councils and Districts with rapid implementation of organizing/mobilization plans. (It's **not** meant to supplant any AFGE entity charged with various aspects of union building.)

Working with the AFGE National Executive Council's Organizing Committee, MORE will drive AFGE's message, monitor and evaluate weekly Lunch & Learns, and assist in mobilization, recruitment and voter registration efforts. For more on MORE, call (202) 639-4104 or visit [www.moreafge.org](http://www.moreafge.org).

## Do You Have a Story?



Do you have an AFGE-related story you'd like to share with your union brothers and sisters? If so, send your 200-words or less story to: "I Have a Story" c/o *The Government Standard*, 10th floor, 80 F St., NW, Washington, D.C. All stories must include a contact name, Local number, address and phone number. If including a photo, be sure to identify everyone. Please, no Polaroids. All stories and photos become property of the AFGE Communications Department. We regret we can't publish all submissions.



# ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ AROUND THE HILL

## Prison Rehab Proposal Questioned

**A** FGE's National Council of Prison Locals (CPL) expressed concerns about the prisoner rehabilitation proposal President **Bush** outlined in the State of the Union. "Instead of creating new plans, Bush should press Congress to stop plans to put an end to UNICOR," says **Philip W. Glover**, President of the AFGE Council representing federal prison officers.

UNICOR is a proven, self-supporting prison industries program that provides inmates with hands-on skills. "UNICOR not only enhances the safety of our federal prisons, it also has a proven track record of reducing recidivism," adds Glover. For more information on CPL, log onto [www.cpl33.org](http://www.cpl33.org).

## Rumsfeld Duped Congress

*(continued from page 1)*

The list of proposed personnel concepts sent to AFGE include the elimination of collective bargaining (to be replaced with non-binding 'consultation') and the probable end of current contracts once the new system is implemented (the proposal bars 'roll-over' of current contracts at the time of implementation). The proposal also exempts previously eligible employees from union membership, including work leaders, attorneys and professional employees (no definition is provided). Given the ambiguous language employed in the document, such professionals may include information technology professionals, firefighters, architects, procurement workers, plumbers, electricians and anyone else requiring certification.

"In the military, unit cohesion and strong morale are critical components of successful operations," adds Gage. "As shown during



*(l-r) AFGE National Pres. John Gage, AFGE Dist. 14 NVP Russell Binion and AFL-CIO Pres. John Sweeney during the Feb. 9 news conference with national media.*

the emergency response to 9/11, the cohesion fostered by union membership creates an ethos of acting for the common good—placing the needs of the many ahead of those of the individual. In going back on his solemn word to Congress, Rumsfeld offers a proposal that flies in the face of any code of honor." Log onto [www.afge.org](http://www.afge.org) for DoD personnel information.

## AFGE Holds Annual Legislative Conference

**S**ome 900 AFGE members, including District National Vice Presidents (NVPs) and Council and Local Presidents from across the country, were in D.C. for AFGE's 2004 Legislative and Grassroots Mobilization Conference the week of February 8. This year's Conference was designed to help AFGE members respond to the policies by the Administration and Congress which would strike laws guaranteeing collective bargaining rights, civil service protections, annual across-the-board pay raises, and fairness and equity in the classification and pay systems for federal and D.C. employees. See page 6 for coverage on the Civil Rights Caucus and Luncheon.

## 2005 White House Budget Lacks Funding

“For an Administration that has talked about pay for performance, they have not put their money where their mouth is,” says AFGE National President **John Gage** on the proposed \$300 million Human Capital Performance Fund outlined in President **George Bush’s** 2005 Budget Proposal. “To fairly reward hundreds of thousands of federal workers, such a fund requires far more money.”

AFGE also found that the budget proposal fails to address the growing number of federal employees who are uninsured because of the dramatic increases in Federal Employees Health Benefits Program (FEHBP) premiums. “There’s

nothing there to make FEHBP more affordable—just Health Savings Accounts that will make the program even more expensive without any improvement in coverage or benefits,” adds Gage.

### **AFGE Applauds Pay Parity Letter**

AFGE applauds a bi-partisan letter from members of Congress urging Bush to support pay parity in the budget proposal. Pay parity occurs when military personnel and federal employees are given the same pay increases. AFGE holds a long-held position that federal employees should receive the same pay increases as those in

the military because they work side-by-side. “It’s the right thing to do,” states Gage.

AFGE thanks the following Senators for supporting pay parity: **Daniel Akaka** (D-Hawaii); **George Allen** (R-Va.); **Susan Collins** (R-Maine); **Mark Dayton** (D-Minn.); **Richard Durbin** (D-Ill.); **Tim Johnson** (D-S.D.); **Edward Kennedy** (D-Mass.); **Carl Levin** (D-Mich.); **Barbara Mikulski** (D-Md.); **Patty Murray** (D-Wash.); and **John Warner** (R-Va.). AFGE also thanks Representatives: **Benjamin Cardin** (D-Md.); **Elijah Cummings** (D-Md.); **Tom Davis** (R-Va.); **Jim Moran** (D-Va.); **Eleanor Holmes Norton** (D-D.C.); **Dutch Ruppersberger** (D-Md.); **Chris Van Hollen** (D-Md.); **Frank Wolf** (R-Va.); and **Al Wynn** (D-Md.).

## HQ’s Spotlight: Sharon R. Pinnock

### Director, Membership & Organization Department

As Director of Membership & Organization for AFGE, **Sharon R. Pinnock** leads the nation’s largest federal employees’ union in its attempts to recruit new members. During her 14-year tenure, Pinnock has helped AFGE increase its membership by over 32,000 within the last 10 years. “Although faced with a period of overall decline in size in the federal sector,” says Pinnock, “AFGE has been one of only a handful of AFL-CIO affiliates to have such a large increase in its membership.”

Most recently, Pinnock and Project Coordinator **Eugene Martin**, have been charged with working more closely with members of the AFGE National Executive Council (NEC), Bargaining Councils and AFGE Locals to coordinate the unions organizing and mobilization efforts. Dubbed the **MORE** initiative, (**M**obilize, **O**rganize, **R**egister and **E**ducate voters) one goal of this project is to help the union host over 26,000 Lunch and Learns between now and October 31, 2004. (See “It’s Time for MORE” on page 3.)



Sharon R. Pinnock

Pinnock has also been focused on developing a workable model the union can use to organize some 35,000 workers of the Transportation Security Administration (TSA) who are without collective bargaining rights.

“With the White House trying to weaken worker rights, it is imperative that TSA workers become more involved and aware of their need for collective bargaining rights,” says Pinnock. “We are entering our third year of this organizing campaign, and we knew when we got involved that it would be an uphill battle. But this is what unions do—we fight for the rights of workers for dignity and equality at the workplace. No workplace needs unionization more than does the Transportation Security Administration.”

Prior to AFGE, Pinnock worked for 10 years as a labor organizer for a variety of public sector unions. A self-proclaimed labor futurist, Pinnock presents and writes extensively about the roles of information technology and organizational culture in labor unions.

*Editors’ Note: ‘Headquarters Spotlight’ will be an on-going feature in 2004.*

## Where’s My 4.1% Pay Increase?

(This was the latest information on your 4.1% pay increase at press time.) The good news is that Congress passed a 4.1 percent pay increase. The bad news is that you will not receive your retroactive pay increase until President **George Bush** signs an Executive Order that sets the locality tables. Log onto to [www.afge.org](http://www.afge.org) for more details.



### **AFGE Voting Record**

The 2003 AFGE Voting Record is available on [www.afge.org](http://www.afge.org).

# Protecting Our Rights ... Saving Our Jobs

## Civil, Women and Workers' Rights Caucus and Luncheon

The Women's and Fair Practices Departments and the Human Rights Committee hosted its annual Civil, Women's and Workers' Rights Caucus on Feb. 8—in conjunction with the Legislative Conference (see page 4)—to discuss the issues facing agencies throughout the 12 AFGE Districts. With the theme of *Protecting Our Rights...Saving Our Jobs*, the Departments invited conference participants to discuss topics pertinent to AFGE members. These issues included voter registration, privatization, and the elimination of collective bargaining rights, and equal employment opportunity and civil rights. Testimonies from members and leaders across professions inspired all in attendance to take action in their Districts.

At the 2004 Caucus, panelists highlighted some of the threats facing employees in federal agencies. Department of Veterans Affairs (VA) employees **Patrick Russell** and **Debra Cederhom** discussed some of the egregious attacks of the **Bush** Administration that plagues their agency.

“Lose control of the people, lose control of the quality.”

—Patrick Russell,  
AFGE member

Russell, a medical technologist from Hot Springs, South Dakota, testified to over 50 attendees of the potential dangers patients face when seeking services at a hospital whose staff and services are constantly being cutback. He stressed that current federal cuts on spending and employees impede VA hospitals from managing their staff and prevent them from providing the services their patients expect. Administrators recognize that the combination of small budgets and shrinking a workforce inevitably brings a negative change in quality of services. “Lose control of the people, lose control of the quality,” stated Russell.

Cederhom, who serves as the AFGE District Coordinator in Fargo, North Dakota, and **Gabrielle Martin**, President of the Equal Employment Opportunity Commission (EEOC) National Council, further emphasized the need to collaborate on this issue. Actual and proposed privatization of federal government jobs affects everyone—those working in cities and rural areas, blue- and white-collar workers, new and career employees. It's up to us, as individual workers and as union members, to unite on this issue and mobilize in November to prevent further destruction of the federal and D.C. workforce.



American Federation of Teachers (AFT) Nat LaCour



AFL-CIO Program Specialist  
Rachna Choudry

**Rachna Choudry**, Program Specialist at the AFL-CIO, encouraged members to become active in the elections process by educating and registering voters in AFGE's membership and in their respective agencies. Choudry presented information on the AFL-CIO's voter education and registration campaign *Working Women Vote*—a project that will be providing women with candidates' details and proposed policies. The program aims to target voters on issues affecting working women and their families, such as unemployment, overtime and equal pay. **Cecelie Counts**, Director of the AFL-CIO's department of Civil, Human and Women's Rights, also emphasized the need to mobilize AFGE members for the upcoming elections. “Not only do voters need to become involved in this year's presidential elections,” stressed Count, “but workers must also engage themselves in local and state campaigns. You are the people, you are the government.” It is up to us, as federal and D.C. employees, to take control of our agencies and employment situations to bring positive change to our national government.

**Lynn Tyree** and **Pamela Martin** further illustrated the need to involve AFGE members and recruit new individuals to

AFGE National Pres. John Gage (l) and AFGE NVP for Women and Fair Practices Andrea Brooks (r) present CLUW Pres. Gloria Johnson a coalition partner award for her commitment to civil rights and women's issues.



Johnson—President of the Coalition of Labor Union Women (CLUW) and Executive Board member of the AFL-CIO—received a coalition partner award for her commitment to civil rights and women's issues through her work in various labor organizations and in support of AFGE's Transportation Security Administration (TSA) campaign. Johnson has participated in the labor movement for more than 50 years and is a founding member of CLUW. In her luncheon address, she inspired others to continue to mobilize so that employees can guarantee themselves the rights and protections they deserve.

combat threats by the Bush Administration that would bring drastic changes to the federal and D.C. workforce. Tyree, President of **Local 1992** of the Department of Defense, indicated that the agency's cutbacks in funding and staff will continue until AFGE members and voters force needed changes. "Voter education and registration," says Tyree, "along with active participation in AFGE, will lead federal and D.C. workers on the right path." Martin, **District 7** National Woman's Advisory

EEOC management, Morken urged federal and D.C. employees to communicate with the Women's and Fair Practices Departments at AFGE if and when their rights are abused. As the EEOC cuts back on the numbers of lawyers on staff, forces non-attorneys to dismiss legal cases and organizes its casework through complicated electronic systems, AFGE members face a loss of protection from the very agency dedicated to eliminating employment discrimination. As he pleaded, this is a time to rally together against the Bush Administration and, moreover, unite under the common thread of AFGE membership.

LaCour, Executive National Vice President of the American Federation of Teachers (AFT) and keynote speaker, also praised the dedication and achievements of AFGE leaders and activists as they prepared to attend meetings on Capitol Hill. Speaking on the theme of *Protecting Our Rights... Saving our Jobs*, LaCour recognized the strong correlation between civil and workers' rights. He pledged AFT's support for federal and D.C. employees and will continue working with AFGE to ensure the rights of its members. LaCour also promised to maintain AFT's relationship with the Women's and Fair Practices Departments, through which AFGE ensures the rights of employees so that they may continue serving their country with the rights and benefits they deserve.

*"You are the people,  
you are the  
government."*

—Cecelie Counts,  
AFL-CIO

### **Civil Rights Luncheon**

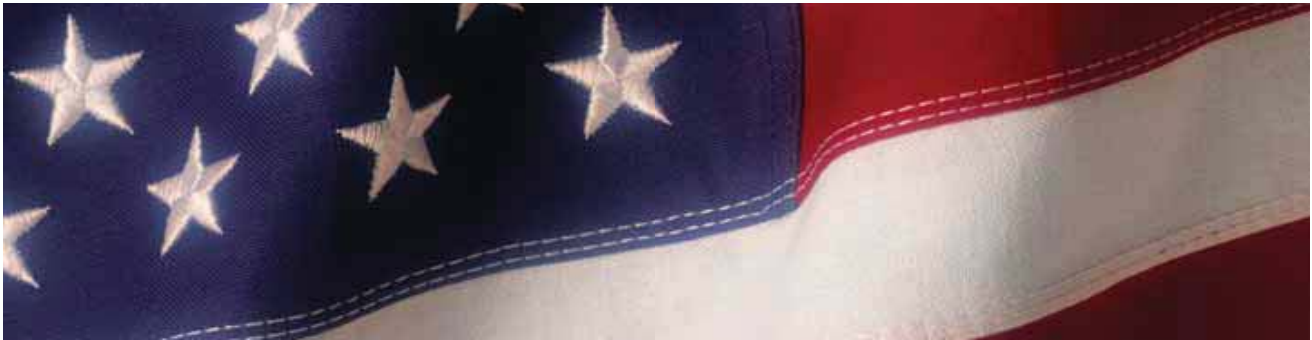
Nearly 400 people attended the annual Civil Rights Luncheon, sponsored by the Human Rights Committee on February 9, eager to hear from Representative **Stephanie Tubbs Jones** (D-Ohio), **Gloria Johnson** and **Nat LaCour**. Tubbs Jones, who has a 100 percent voting record with the labor movement, motivated attendees to continue fighting for civil rights for workers, noting the dedication and patriotism of federal and D.C. employees. As a former EEOC trial attorney and AFGE member, Tubbs Jones stands in solidarity with AFGE members and continues to fight for AFGE in Congress.



Representative Stephanie Tubbs Jones (D-Ohio)

Coordinator member, urged caucus attendees to appoint Local coordinators, involve Local members and educate individuals on the goals and actions of AFGE. By letting coworkers and AFGE members know who represents and struggles for their rights, the union can grow in numbers and power and can provide a wide spectrum of services.

Caucus attendees also heard from **David Norkin**, an Administrative Judge from the Equal Employment Opportunity Commission (EEOC). Highlighting the dramatic changes that are being pursued by



## In 2004, it's more important than ever to have your own **PERSONAL COMPUTER.**



AFGE's new easy computer purchasing program could not come at a better time. "There is a lot at stake for federal employees and the Americans we serve in 2004. We need to mobilize members, potential members, family and friends to get the facts and get involved. The more activists we have who are wired into information 24/7, the easier it is going to be to mobilize them to take action."

The easy computer purchase program is a valuable and effective benefit for AFGE members to buy a computer, there is no money down, no credit check and 0% interest. Your payments will be set up as payroll allotments over the next 12 months. Dell and Gateway bundles come with a color printer that copies and faxes, Microsoft® software, 3-year manufacturer's warranty, Internet access, an Office Depot® gift card, and more.



AFGE members who would like to pay cash for their computers can use the special Union Plus discount program for Dell and IBM computers. For details visit the members-only benefits section at [www.afge.org](http://www.afge.org) or call the AFGE benefits phone line, 888-844-2343.

For more information or to order, call **800-540-4142**. Please have your AFGE local membership number ready. You can also visit [www.afge.org](http://www.afge.org) under the members' benefits section.

