

President's notes:

First of all, I hope everybody had a happy and safe holiday season. It is now the start of the new year with new challenges ahead for the union.

Coming up in May, our Spring Membership Meeting will be taking place. This meeting is especially important as you, the membership, will be voting on by-law changes. It is imperative that all become familiar with the changes and express your opinion to either myself or the many stewards who serve you. The proposed changes will be posted after our next board meeting on February 18<sup>th</sup>. There are no proposed changes that will be affecting your representation nor bottom line, but they are necessary because the by-laws have not been updated for over 20 years.

Our total membership has remained about the same in numbers for the past 2 years. There are 471 bargaining unit members in Chapter 29 with 343 paying members. This represents a paying membership rate of about 73%. We have maintained our membership numbers solely due to the 2009 hiring. We will continue to see our numbers decrease in the coming years due to attrition as well as an upcoming freeze in hiring.

Anticipating the decrease of membership, and understanding that we can't operate in the red, the Board of Directors, in the last year, made some hard decisions to ensure our fiscal survival. We have made cuts and streamlined the administrative processes in the office. Now, all administrative duties are primarily done by myself. This has saved thousands of dollars in additional clerical duties. Whereas in past years, we have run a \$ 5,000.00 annual deficit, I am glad to report that we have righted the ship and will hopefully have that much with an annual surplus. However, costs do arise including 2 potential arbitration cases that may effect the bottom line. But, rest assured the Board has recognized the need for sound fiscal policies, and we are implementing these policies on an ongoing basis.

One of the things that I find extremely frustrating while serving as your Chapter President, is the inability to gauge and improve on what you want. Very few members contact me with their concerns and/or questions. I sincerely wish more would contact me. I can't fix something or right a mistake if you don't let me know. So, I ask you to contact me directly or a steward with improvements we can do as a union to serve you better. That being said, my job is not all peaches and cream as evidenced by this recent correspondence I received from a disgruntled member regarding the recent locality pay issue:

**Subject:** RE: 2010 Pay Raise with Locality Pay

Thanks to the unions for sticking up the ass of the "Rest of the US". I see they don't give a damn about the out state. With that said I am getting out of the union, my union dues will be by locality pay. Please pass this on to our Chapter 29 Pres. and to headquarter.

I don't want to expand any further with this or how I responded, as I share this with you simply as an illustration as to some of my frustration that comes with the position.

The stewards, as well the Chief Steward, have worked very hard for you in the last year. I appreciate their assistance and I hope you also do.

We now come to the “You’ve Got to Be Kidding Me Award” winner for the last few months. As always this award goes to the manager who has shown complete mis-management or plain silliness. Hands down it goes to Collection Group Manager Jim Hallen. Jim apparently has not checked out Article 36, Section 3, Paragraph B. Jim, back on December 8<sup>th</sup>. when travel conditions were terrible, stood outside of an employee’s cubicle waiting for this employee to show up. Since the employee was late through no fault of the employee due to the travel conditions, Jim still read this employee the riot act and said this employee has to work after this employees normal tour of duty to make up for this lost time. If my recollection is correct, it was less than 30 minutes. He also then went to inform another late employee that “you have been warned.” Jim; Article 36, Section 3, Paragraph B will assist you in the future here.

Nothing more needs to be said about this except, **you’ve got to be kidding**. My only remaining questions are; Who is training these managers? Does Collection have this secret management program where they train managers to be draconian in their dealings with employees? Whoever is training these managers needs to understand that this is the year 2010 not 1972.

Congratulations Jim, you easily won your award hands down.

## **FROM THE OFFICE OF THE CHIEF STEWARD**

by David Sussman

OPM has been conducting background investigations on all our recent hires. I am aware of two problems that are emerging and becoming more common. The first one has to do with timing. The OPM investigators have been contacting our new hires and attempting to schedule their “interrogations” the following day! This procedure is not only unfair to the trainees but also to our stewards as well. As many of you know, stewards voluntarily conduct NTEU business in addition to their normal IRS duties. Many have appointments or other business activities already on their calendars; it is not only unprofessional but also very disruptive to expect a steward to drop what they are doing, and rush to meet with a new employee. Bottom line is they just don’t care. This just doesn’t have to take place. I have been advising new employees to call their investigator and postpone the meeting at least 3 – 4 days to allow us to do our representation work effectively. In almost all cases, this has been done with little resistance.

The other investigation issue of concern happens when a new employee lists another employee as a reference on their SF85P background investigation questionnaire. In these cases, the investigator is beginning to ask to see this other employee immediately after the originally scheduled background investigation. There are several things wrong with this process. For starters, the investigator should not be walking around the IRS workspace - there can be major disclosure issues here. Secondly, the referred employee has no advance notice that this may occur. Even if this person is in the office and is available, they would have a right to meet with a steward prior and have representation at this meeting as well. So, if you come across this situation, voice your opposition to the process and attempt to stop it. If you get resistance, secure the name and phone number of the investigator and their supervisor as this is something that we would consider pursuing with OPM.

Another hot issue is the QSI problem. QSI’s (Quality Step Increases) are awards given for superior performance. While NTEU and IRS have negotiated and implemented a new agreement, several members (locally and around the country) have not received their just deserved awards. To make matters worse, IRS, despite what we believe to be very clear language in the agreement, says they do not qualify. As a result, we have 2 QSI grievances for which we have invoked arbitration. National NTEU is attempting to resolve the issue with the agency, but unless/until it’s resolved, we are pursuing them appropriately.

We are seeing an increase in a number of employees (and I’m talking about long-term employees) receiving notices from management that their

performance is unacceptable. Managers do not always follow the 'rules' prior to attempting to lower appraisal scores. Per the contract, management, prior to doing so, must issue a letter to the employee with the following information:

1. Identify what critical element(s) and performance standards are involved
2. Advise the employee what they must do to bring their performance up to an acceptable level
3. Advise that the employee has a reasonable period of time (not less than 60) in which to bring performance to an acceptable level
4. Advise the employee what management will do to assist the employee to improve during this opportunity period

This can be a very serious matter. Management may propose a reduction in grade or even worse, removal from your position due to unacceptable performance. If you find yourself in this precarious position, don't hesitate to contact a steward for help.

Always striving to better represent our members, our stewards have recently returned from a 2-day extended training session held at the Ramada Mall of America. This session, hosted by Chapter 29, included stewards from 3 neighboring states. We covered a wide variety of topics including probationary employees, QSI problems, self-appraisals, and changes to our new contract.

Lastly, I want to stress the importance of membership in NTEU. Reading this newsletter, you already know. But there are several of your co-workers out there who don't already know. Many times, they are not members because no one has taken the time to ask them to join. Many times, they believe they have all the benefits of NTEU without paying a cent. NOT TRUE. Many times, they just aren't aware of the hard work that NTEU does day-in and day-out at the national level. Things we take for granted (e.g., AWS, flexitour, performance awards, the entire grievance process), as you know, were not 'handed-down' simply because the agency loves us and cares about us. These are things that should be constantly brought to the attention of our non-members; then, maybe they will rethink their decision and realize just how much their dues contribution does to improve workplace conditions for all of us.

## **LEGISLATIVE UPDATE (DUANE PULFORD)**

There have been many legislative accomplishments for this year including:

- A new Roth option for TSP.
- FERS Employees may now credit unused sick leave toward retirement.
- FERS employees can redeposit their withdrawals back into their retirement fund.
- CSRS employees will be able to work part-time after retirement without affecting their annuity.
- Congress has mandated a 2% pay raise. Considering the state of the economy we are fortunate to receive this.

Looking back at 2009 and the economic turmoil, this year was not too bad.

Legislative work never stops. There are always other bills and administration actions that we should be aware of. The current health care legislation may affect Federal Employees. While we aren't sure exactly how the final legislation will look like, it may in fact impose an excise tax on the value of our health care benefits. Be assured that our NTEU Legislative Department is working for you on Capital Hill to ensure any Health Care bill will bring no Federal Employees. Stay tuned.

NTEU also works with the administration to protect your rights and improve your working conditions. OPM Director John Berry has made some proposals Civil Service Reform that may end the general schedule as we know it. NTEU also has worked with the administration to create the new Labor Management Forums which may be similar to partnering the existed during the Clinton administration. The forums should establish a more cooperative and productive atmosphere. This will provide a means for front-line employees to have a greater say in the solutions to the problems we all have at work.

We also need to do our part and contact our representatives and senators. As always you can help NTEU legislative work by going to CapWiz at <http://capwiz.com/nteu/home/>. It is easy to send an email to your representative and senators on current legislative issues. If you decide to contact your Representatives and Senators, please send me a "cc" for our records.

### **From The Retiree Director, Rick Ziton**

Of particular interest are the GPO (Government Pension Offset) and the WEP (Windfall Elimination Provision), HR 235 and S 484, and the Premium Conversion Bill (HR 1203 and S 491).

The GPO and the WEP would amend the Social Security Act by eliminating both the GPO and WEP that cause certain federal retirees to suffer a total loss, or significant reduction, in social security benefits. (HR 235 and S 484).

The Premium Conversion Bills (HR 1203 and S 494) are bills to amend the Internal Revenue Code to allow Federal Civilian and Military retirees to pay health insurance premiums on a pretax basis (HR 1203 and S 491).

Please call your Representatives and Senators and ask them to co-sponsor these bills or thank them if they already have signed on to sponsor the bills. Representative Paulson (D-3<sup>rd</sup> Congressional District) and neither of our two Senators in Minnesota are signed on. Please call or write them and encourage them to sponsor these bills.

The House voted to pass House 3631 protecting us from increases in Medicare part B premiums. The Senate vote is pending.

Social Security recipients received a \$ 250.00 stimulus check in May of 2009. However, CSRS retirees didn't. Please be advised that to compensate for this obvious oversight, Congress is allowing CSRS annuitants to apply for the \$ 250.00 tax credit directly on their 2009 tax return.

On health care reform, as mentioned in Duane Pulford's Legislative Update article, please be advised that the National Association of Retired Federal Employees (NARFE) are monitoring these two bills; House 3962 and Senate 1796 closely.

In October, the President signed several Civil Service improvements into law. Highlights are as follows:

- Federal agencies can now re-employ Federal Retirees on a limited, part time basis without offset of annuity.
- FERS employees can now use their unused sick leave toward retirement.
- Rehired FERS employees who previously left service can now redeposit their liquidated retirement funds back into their FERS account

Thanks to NTEU for their persistence in these efforts.

**Message from Terri Anderson (Steward):**

**(As many of you know, Terri was in a very serious car accident last May. I asked her to share with us how she is doing. The following is her tale)**

**Thank you, thank you, thank you** to all of you who have donated leave to me. It is such a wonderful blessing to continue to receive my paycheck and a great source of encouragement that so many of you care about me. Thank you also for all the get well cards. It was so nice to get something in the mail other than accident related paperwork of which I get plenty!

For those of you who may not have heard the story from the beginning, the car accident was on May 25, 2009, Memorial Day. My mom and I were vacationing in the Black Hills and had just left the lighting ceremony at Mount Rushmore. I do not remember the accident at all. I am told (there were witnesses) that we were going on a green light and a pickup truck ran a red light at an estimated speed of 70 miles per hour and smashed us on the driver's side. I was driving. The guy who hit us walked away, did not even go to ER, and received a ticket for \$104. My mom watched and prayed as emergency personnel extricated me from the vehicle which took an hour and a half. It was a miracle they got me out of the vehicle.

On Wednesday, the doctors operated on my neck and fused C1-C5. The following Monday, the doctors operated on my pelvic bones and left arm. As I understand it, it was a miracle I survived these surgeries especially the open book pelvic fracture as the death rate is 75%. I spent nine days in ICU at the Rapid City hospital and again I have no recollection of my stay in ICU except for a couple isolated incidents. One thing I remember is taking the tubes out of my nose twice then, my arm was fastened to the bed. It is an unsettling feeling when you wake up and find metal sticking out of your body, your arm is in a sling, and you cannot move. However, to brighten up my spirits, my brother surprised me a Mr. Misty from Dairy Queen (This was nice since I was a veteran DQ worker from my teenage days!). ICU is a scary place and I am glad I remember virtually none of it. My total time at the hospital in Rapid City was a month.

After no walking for three months (all summer), I was finally given permission to walk. It takes that long for your pelvic bones to heal.

Currently, I have four types of physical/occupational therapy. One therapy is for my left arm/elbow/shoulder. The second therapy is for legs/walking. The third therapy is for back and neck, and the fourth therapy is for swallowing/voice. I am not allowed to drive, work, or lift anything. People ask what do you do all day. Do you get bored? The answer is I do not get bored. The daily activities (which take two to three times longer), therapy, doctor visits, exercises, phone calls, going through the mail, taking naps all keep me quite busy. I exercise about two – three hours per day as each therapy session has its own exercises.

I am especially thankful for all of you! I pray for you all daily that God will richly bless you and that you never have a car accident or any type of illness that incapacitates you. I miss all of you!