Money Is In The Air For AM Employees

Going back 9 years, a Mass Grievance was filed for seasonal A.M employees who were furloughed in December 2008 through January 2009 due to lack of work even though management proceeded to offer overtime to those on board. Payroll has confirmed that 2,898 hours of back pay has been paid out to the 163 impacted employees totaling $81,498.30 as of March 7, 2018. The payouts included leave accruals that some employees should have earned, plus retroactive grade/step increases for others due to the additional work performed at the grade and step at that time.

Going back two years, Chapter President Jason Sisk shared information on this case and informed impacted employees of the settlement. Payroll took longer than anticipated due to the volume of work involved but interest was included in accordance with The Back Pay Act. NTEU is happy to get this case finalized and appreciate the support and confidence Chapter 97 members have in our ability to continue to deliver as promised. Chapter President Sisk said “we are proud to be Union, proud of the difference we are making, and proud that fellow NTEU members can see hard work and patience pays off.

Ch 97 President Delivers $213,412.69 For Compliance Employees

The wait is finally over and most payments have been made on the three settlements reached regarding the mass grievances filed on behalf of Compliance employees.

Chapter President Jason Sisk filed mass grievances for 2012, 2013 and 2014 due to management failure and refusal to follow the contract, refusal to offer overtime during the week as an option, and its unsubstantiated mandate of Saturday overtime as the only option.

President Sisk requested that management award each impacted employee, on each floor of the Compliance Building, back pay as the remedy. Andover Chapter President, Gary Karibian who represents Chapter 68, immediately followed suit and filed a mass grievance for his Compliance employees who were also harmed. Since two chapters filed on the same issue, it resulted in a National Grievance.

At hearing in Washington D.C., President Sisk testified and served as the NTEU expert witness in the hearing.

The AUR payout is still in the process due to payroll being behind. NTEU is taking action to secure payments and encourage employees to watch for deposits.

When the case was first filed, there was only one Director for Compliance. By the time it went to hearing in November 2014, and subsequently settled, Compliance had switched from W&I to SB/SE and had three Directors. This is the reason there are three different settlements for Fresno Compliance. Each had different criteria resulting in different amounts.

Chapter President Jason Sisk is the longest serving Chapter President amongst the Service Centers and his extensive experience and knowledge pays off once again for NTEU members. Together we can make a difference!
What does it mean to be legislatively active? Is it hard to do? Does it really make a difference?

Those are just a few questions often asked and you might be surprised by the answers. Being legislatively active is easy! If you have a personal computer or smartphone, you can view the Action Center by visiting www.nteu.org, click on Write Congress, select one (or more) of the already pre-populated messages, fill in your personal information and click submit. If you do not wish to add or change anything from the letter, you can send as is. You can make a difference in less than 5 minutes!

All letters focus on Federal employee issues which affect us all and we highly encourage all NTEU members as well as non-members to step up, let your voice be heard and make a difference. Last quarter, Chapter 97 sent 2667 letters to Congress! No one is exempt from falling victim to Federal Employee attacks so keep sending your letters or consider sending one today!

Concerned about your retirement? There is a letter asking the Members of Congress to oppose the proposals to change the High 3’s to High 5’s. Concerned about Pay Raises? There is a letter for that too. For those who work in the Fresno Submission Processing Site, there is a letter asking the members of Congress to Save Jobs in Fresno! You will also find letters to the recent proposals to eliminate the union from the workplace. Imagine what it would be like to be forced to accept an evaluation that is not indicative of your performance, what it would be like to be suspended or terminated wrongly, what it would be like to be forced to accept an unwarranted AWOL charge, or what it would be like NOT to have a union around to fight for your rights, your job, or fair overtime offers, etc! This is what we mean when we say, you can make a difference!

Chapter 97 has a monthly incentive for members who participate by sending letters! This month’s raffle prize is a Black Panther Funko Pop. Each month, any member who provides a copy of their “Thank you” confirmation to any NTEU office, will be entered in the Send a Letter Share a Letter Contest for a chance to win the monthly give away! It’s a FREE Raffle! The more letters you send, the more chances you have to win! Let’s hear from you Chapter 97!
Ten Harmful Proposals in the President’s Budget

The administration’s fiscal 2019 budget proposal released Feb. 2018 contains a long list of anti-federal employee proposals.

While it’s important to remember that this isn’t the final word, the president’s proposal is a stark opening bid in the annual debate over federal spending. The appropriations season starts now and Congress will hear from NTEU at every step about what should be in final agency spending bills.

In the meantime, here are 10 harmful things the budget blueprint would do:

1. Freeze pay increases for federal civilian employees in 2019. NTEU instead supports legislation giving federal workers a 3 percent adjustment next year.

2. “Slow the frequency” of step increases in the General Schedule and increase “performance-based pay.”

3. Increase employee contributions to their retirement, with no increase in benefit, effectively resulting in a pay cut.

4. Diminish the government’s share toward health insurance premiums.

5. Combine all leave into one paid time off category, reducing the overall amount of leave available to employees.

6. Eliminate due process rights that protect employees from being unfairly fired.

7. Reduce the interest rate the government pays in the Thrift Savings Plan G Fund.

8. Dramatically reduce funding for agencies like the Department of Energy, Environmental Protection Agency, Internal Revenue Service and Securities and Exchange Commission, while not providing money for additional Customs and Border Protection Officers.

9. Underfund the Consumer Financial Protection Bureau and place it under the appropriation process, destroying its independence and increasing risks of politicizing its functions.

Reduce federal employee workers’ compensation benefits, eliminate family benefits and remove injured workers from the program at retirement age.

Some of the anti-federal employee initiatives may develop into formal legislative proposals, and we will work with our congressional allies to defeat them.

NTEU Chapter 97 Leaders and our Legislative Committee has been working around the clock to do something about this and were awarded with another POWER Award for most politically active chapters. We must stand up and get involved more than ever and we appreciate your support!
AM day shift employee contacted NTEU after receiving a performance appraisal that was not indicative of her performance. Research showed the employee’s performance attributes were lowered without the proper steps being followed per the agency’s manual and found an incorrect prior year performance appraisal in the employee’s file. AM steward Ramon Benavides filed the grievance based on the Article 12, IRM 6.430.2.3.2 and 6.430.2.3.3 violations and asserted the employee should have received a straight 5 rating based on the supporting documentation. As a result, the employee received an outstanding rating.

Files employees contacted NTEU after being denied the opportunity to competitively apply for 8 job vacancies. Research showed the USAJOBS site was down and prevented applicants from applying. Chapter President Jason Sisk filed a grievance based on the Article 13 violation and asked that the closing date be extend to allow the impacted employees time to apply. As a result, 2 employees qualified for the job, the 6 other vacancies were filled by 3 seasonals and 3 permanent employees based on EOD and release/recall order.

DPO day shift employee contacted NTEU after receiving an annual appraisal that was not indicative of her performance. Research showed the grievant performed work as a QR during her rating period and was given credit for it in her mid-year and departure rating but the manager removed the accolades and did not consider all work performed when preparing the annual appraisal. Chapter Vice President Marcella Gutierrez filed the grievance based on the Article 12, IRM 6.430.2 and IRM 1.4.1 violations and was successful in getting her overall score raised from a 4.2 to a 4.6, including back pay (since the score impacted her release recall number).

AM dayshift employee contacted NTEU after receiving a performance appraisal that was not indicative of her performance. Research showed the employee was denied a leave request based on management’s assertion a Sick Leave Restriction Letter was on file. Day Shift Steward Laura Valdivia filed the grievance based on the Article 34 violation and asserted management had no basis for issuing the SLRL since there were no frequent or unusual patterns found. As a result, the AWOL and SLRL were removed and the employee’s original leave request was granted.

AM day shift employee contacted NTEU after receiving a proposal for removal. Research showed the employee was being proposed removal based on unacceptable performance. AM Assistant Chief Steward Eddie Valdez requested the oral reply and asserted the front line manager placed him on a performance plan without offering proper training or coaching. Eddie also was able to provide information to show the employee was a lead and was a good employee under his last 3 managers. During the oral reply process, the employee was offered a new position outside of Accounts Management and accepted it. As a result, the AM Operations Manager agreed to withdraw the proposed removal.

Compliance swing shift employee contacted NTEU after receiving AWOL charges that were not warranted. Research showed the employee had award time on the books, had submitted a request for Advance Annual to cover the absence based on a Sick Leave Restriction Letter. Swing Shift Assistant Chief Steward Chris Tabarez a grievance based on the Article 18, Article 32 & Article 34 violations. As a result, management agreed to remove the 3 hours of AWOL charged, allowed for 3 hours of advanced annual leave and removed the Sick Leave Restriction Letter.

A swing shift employee contacted NTEU after receiving an Annual Appraisal that was not indicative of her performance. Research showed the employee was lowered in CJE V from a “5” to a “4” without the proper counseling. Steward Alicia Sarabia filed a grievance based on Article 12 violations and was able to show the drop in CJE score was not justified. As a result, the annual appraisal was amended to reflect her outstanding rating.

AM day shift employee contacted NTEU after receiving an annual appraisal not indicative of her performance. Research showed the evaluation was lowered from a 3.8 to a 3.0 without proper or consistent counseling. AM steward Teri Goodwin set up a meeting with the Department Manager to discuss the rating and lack of counseling. As a result, the DM agreed to raise the appraisal to its prior rating.

AM day shift employee contacted NTEU after receiving an annual appraisal that did not reflect her true performance. Research showed management lowered the employee’s outstanding rating substantially without counseling or an action plan. Submission Assistant Chief Steward Terrie Laney-Brown filed the grievance based on the Article 12 Section 4 violation and was successful in getting the rating raised back to straight 5’s.

ICO swing shift employee received an annual appraisal that was not indicative of their performance. Research showed the employee was lowered on her annual appraisal without the proper counseling. Swing shift Assistant Chief Steward Dawn Horton filed the grievance based on the Article 5 Section 7, Article 12, IRM 6.430.2 and IRM 1.4.18.6.4 violations. As a result, management agreed to change the annual appraisal back to the employees previous rating as originally requested by the employee.
Highlights from the 2018 Legislative Conference

Last month Chapter 97 Legislative Committee Members attended the NTEU Legislative Conference in Washington DC, met with Members of Congress and addressed the topics of Advancing Federal Employee Pay, Workplace Fairness, Agency Missions, and Preserving & Enhancing Employee Benefits.

On top of the set agenda items, the committee took the opportunity to discuss the proposed consolidation of the Fresno Submission Processing Site and why the chapter believes the site should remain open.

Because Federal employees have faced several Government Shutdowns (including one as the Legislative Conference wrapped up), the topic of pay was addressed again. Each representative was asked for their support to ensure each Federal employee is paid during a shutdown.

“Federal employees have sacrificed enough and we shouldn’t have to keep sacrificing a day or ‘even’ a weeks pay” said Chapter 97 Vice President Marcella Gutierrez.

Committee members attending for the first time, expressed what it meant to meet with the elected officials and what it meant to have them listen to real life stories on why a 3% increase is vital, how removing bargaining rights will result in unfair job actions, why sufficient agency funding is necessary, why telework, paid parental leave are a necessity and how changing to a high 5 pension formula would have a huge impact on Federal employees. One of the newest committee members shared her experience with Chapter 97. Here’s what she said:

“It was a true honor to have been chosen to attend the 2018 Legislative Conference. My experience at Capitol Hill was astounding! Being able to meet with our local Representatives in Congress as well as our Senators and their staff assistants, was remarkable. I was able to deliver my message regarding Fair Pay and address the issues that are harmful (and will harm us) as Federal employees, such as the proposed elimination of Official Time. I also was able to attend many classes which helped me obtain the knowledge to help employees (in the workplace) to understand all the legislative issues and the importance of them” –Franny Delgado

Chapter 97 encourages members to be proactive, and to remember “United we stand, Divided we fall”.

Francisca Delgado
NTEU Chapter 97 Members – If You Like Thrill Rides, You Will Love This Offer!

Tickets must be purchased online at sixflags.com/MagicMountain
Promo Code: April 1