

# United DoD Workers Coalition

## Stop the DoD Steamroller Speak Out on Behalf of Fairness

In 2003, at the request of the Department of Defense (DoD), Congress approved legislation to give the DoD some personnel flexibility. However, the legislation will radically change the current labor relations system. The DoD sold this legislation to Congress under the guise that these changes are essential to improving national security.

The United DoD Workers Coalition (UDWC) is a coalition of more than 35 national unions that represent hundreds of thousands of workers at DoD. We would like to convey the real impact of the proposal for a National Security Personnel System (NSPS). The DoD is trying to deceive its employees into buying into NSPS, just as the department deceived Congress into supporting it.

To sell NSPS, the DoD is organizing 50-plus town hall meetings and focus groups throughout the country, as well as in Europe and Korea. We believe DoD's objective is to create a bogus record of employee comments to support the changes it wants, without real consultation with workers and their unions. If you participate in town hall meetings or focus groups, we strongly recommend you ask the following questions:

- Currently my pay is protected under federal law. Under NSPS, if the budget for my agency is reduced, could my pay be affected?
- Under NSPS, if my supervisor rates me as outstanding, can my second-line supervisor change that rating and have my pay raise reduced?
- If I am disciplined or subjected to unfair treatment in the workplace, will I have access under NSPS to a negotiated grievance procedure as I currently do?
- Under NSPS, will I be guaranteed all my veteran's preference rights, including reduction in force preference? Are these rights subject to change by a directive from the Secretary of Defense at a later date?
- Under the NSPS, is it possible for a 25-year employee to lose his or her job in a reduction in force while a newly hired employee keeps his or her job?
- Am I guaranteed an annual pay increase under NSPS equal to what I would receive under the present system?

Our concerns about the NSPS are further fueled by the comments of Office of Personnel Management (OPM) Director Kay Cole James, stated in a letter to Secretary of Defense Rumsfeld:

### **(Veterans Preference)**

"First, the NSPS proposal significantly diminishes veterans preference."

### **(Collective Bargaining)**

"The [NSPS] proposal may be contrary to law, in so far as it attempts to replace collective bargaining with 'consultation' and eliminate collective bargaining agreements altogether."

### **(Overtime Pay)**

"Finally, and most notably, is the legal issue presented by the proposal to waive the coverage of DoD employees under the Fair Labor Standards Act of 1938. This proposal exceeds the authority granted to DoD in the National Defense Authorization Act."

Nat'l Assn. of Aeronautical  
Examiners

Nat'l Air Traffic Controllers Assn.

Professional Airways Systems  
Specialists

Antilles Consolidated Education  
Assn.

Int'l Brotherhood of Boilermakers

Assn. of Civilian Technicians

Communications Workers of  
America

Federal Education Assn./NEA

Int'l Brotherhood of Electrical  
Workers

Nat'l Federation of Federal  
Employees

Fairchild Federal Employees Union

American Federation of Gov.  
Employees

Nat'l Assn. of Gov. Employees

Nat'l Assn. of Gov. Inspectors

Int'l Guard Union of America

Int'l Assn. of Fire Fighters

Hawaii Council of Commissary  
Dept. of Defense Unions

Laborers Int'l Union

Int'l Assn. of Machinists and  
Aerospace Workers

Nat'l Marine Engineers Beneficial  
Assn.

Int'l Organization of Masters,  
Mates & Pilots

Metal Trades Dept., AFL-CIO

American Nurses Assn.

Int'l Union of Operating Engineers

Int'l Union of Painters and Allied  
Trades

United Assn. of Journeymen and  
Apprentices of the Plumbing &  
Pipe Fitting Industry of the U.S.  
and Canada

United Power Trades Org.

Int'l Federation of Professional and  
Technical Engineers

Retail, Wholesale, and  
Department Store Union

Seafarers Int'l Union

Service Employees Int'l Union

Sport Air Traffic Controllers

American Federation of State,  
County and Municipal Employees

American Federation of Teachers

Int'l Assn. of Tool Craftsmen

(List in-formation)



Below, please find a summary of our meetings with the DoD.

- February 2004—DoD released a concept paper that would eliminate the right to collective bargaining agreements, third-party review of personnel actions (including arbitration), independent government agency review and the right of many employees to belong to employee organizations, along with many other objectionable reductions of workers' rights. DoD failed to offer any substantive answers to the unions' questions regarding the concept paper. This resulted in the creation of a coalition of more than 35 AFL-CIO affiliated and independent labor unions.
- March and April 2004—Coalition union partners jointly lobbied Congress, mobilized and sponsored truth tours and conducted rallies at DoD facilities around the United States and abroad. Alarmed by union concerns, Congress held hearings as well as meetings with administration officials.
- April and May 2004—Secretary Rumsfeld appointed Secretary of the Navy Gordon England to preside over the NSPS. Coalition members, including AFL-CIO President John Sweeney, met with Secretary England. England assured the unions that DoD will take the necessary time to properly develop NSPS and made a commitment to address the following issues:
  - Identify specific problems with the present personnel system;
  - Explain the impact of NSPS on existing bargaining units throughout DoD;
  - Discuss the scope of bargaining.

To date, DoD has not addressed any of these issues.

- June 2004—DoD and OPM met with the coalition and provided the UDWC a schedule for implementation of the NSPS. The coalition questioned why the union concerns had not been addressed and again requested specific information on the problems DoD was experiencing with the current system so a joint solution could be achieved. The UDWC informed DoD they would submit a written proposal that included the mandate that employees recommended by the unions participate in town hall meetings and focus groups. The UDWC suggested DoD not conduct these meetings until the proposal is addressed. DoD agreed.
- On June 22, 2004, Rep. Jay Inslee (D-Wash.) and Rep. Chris Van Hollen (D-Md.) sponsored an amendment to the Defense Appropriations bill in the U.S. House of Representatives that would prohibit funds from being used to suspend or modify regulations that protect civilian Defense Department employees' collective bargaining and due process rights. While the amendment failed, the vote was significant because the coalition was able to get 202 votes in support of the amendment with only one day to lobby on the issue.
- July 2004—Notwithstanding DoD's earlier agreement, the DoD organized the first town hall meeting at the Pentagon, hosted by Secretary England that was broadcasted worldwide. Most coalition members were not notified of this meeting beforehand. DoD then provided the coalition with a list of potential town hall meetings, most of them listed as TBD.

The UDWC has stepped up our outreach initiatives to all DoD employees to inform them about the NSPS.

**Please make your voices heard. Contact your local union steward for more information.**