



The Fight Continues...Are You In?

April 2017—Volume 29

## Union Representation Slips?



This month, NTEU Chapter 14 chooses to highlight how the media paints a picture of Federal Employees. Their attempts to bring news to the public (at many times), can be quite misleading. Take a read from a recent article on FedSmith.com:

*"The share of federal employees represented by unions fell by about 19,000, about 1.5 percent, over 2012-2014 but the amount of "official time" that unions used in representing them grew slightly, from 2.81 to 2.88 hours per employee, OPM has reported. Employees with union roles spent 3,468,000 hours on official time during 2014, at a cost in salary and benefits of \$162,523,000—up 3.4 percent. At the outset of the Obama administration in 2009 the usage rate was 2.58 hours per represented employee; however, even the 2014 rate was well below that of 2002, the first year reported in the Bush administration, when the average per employee was 4.21 hours. As in prior years, the rate varied among agencies—it was above 7 hours per employee at Broadcasting Board of Governors, Justice, NLRB, Railroad Retirement Board and HUD—in some cases due to major contract negotiations being conducted. Official time is one of the main points of dispute in federal labor-management. Unions argue that it is a form of compensation to them for their duty to represent bargaining unit members who do not pay dues, while some members of Congress argue that paid*

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## The Office of American Innovation What does this mean for Federal Employees?



Recently, President Donald Trump issued a Presidential Memorandum establishing the White House Office of American Innovation (OAI). Headed by Jared Kushner, Senior Advisor to the President, and consisting of several other senior White House staff, the OAI's mission is to make recommendations to the President on policies and plans that improve government operations and services, improve the quality of life for Americans, and spur private sector job creation. It is responsible for launching initiatives with a focus on innovation, coordinating implementation of any resulting plans, and creating reports for the President setting forth policy recommendations. In carrying out these activities and producing these reports, the OAI is to gather information, ideas, and experiences from other parts of government, from the private sector, and from

other thought leaders and experts outside of the federal government. According to media reports, the innovation group has already been meeting twice a week, and they have already hosted meetings with private sector chief executives whose expertise they hope to tap for the effort. Areas they hope to tackle include overhauling Veterans' Affairs, improving workforce development and targeting opioid addiction. NTEU is concerned that the OAI's efforts to harness private sector solution will translate into efforts to outsource federal jobs and operations. NTEU has long maintained that federal employees, given the appropriate tools and resources, do the work of the federal government better and more efficiently than any private entity. NTEU Chapter 14 will continue to focus our efforts on leveling the playing field, improving the accountability and transparency of contractors within the federal contracting system, and ensuring that frontline federal workers, who are often in the best position to recommend changes to help improve efficiency and save taxpayer dollars, are included in the discussion.

### This Month's Highlights!

- Office of American Innovation
- Union Representation Slips?
- Private Collection Agencies
- Did You Know?
- Bill on TSP Introduced
- Don't Touch Our FEHB
- Cardinal's Ballpark Day!
- Increase Funding For IRS



# NTEU

The National Treasury Employees Union

Chapter 14 • St. Louis, Missouri

## did you know?

Did you know that NTEU Chapter 14 fights for its employees...daily? One of the ways we fight is by enforcing our IRS/NTEU Agreement! Have you taken a look at your contract lately? For starters, our Call-Site employees are afforded rights

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Union Representation Continued...

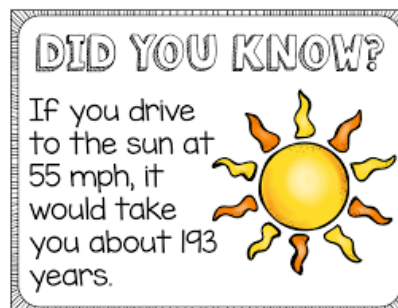
time should be used only for official business. Legislation is advancing in the House to require a fuller accounting of official time, including the numbers of employees who spend most or all of their working hours on official time. Also pending are bills to ban or limit official time for those in certain high-demand occupations or to limit crediting of time spent on official time toward retirement benefits."

The fact is we have a federal government focused media source speaking negatively on Federal Employee Unions. This baffles our chapter. We are here in support of ALL federal employees. However, a Federal Employee supporter chose to step up to the plate and slam what media outlets have said about the federal workforce in all their ignorance. Take a read: (*Actual Article Responder*) John Smith • "This is a misleading article. Although PAID union membership may have dipped slightly, official time is the time used to represent ALL staff in a bargaining unit, PAID or scabs. However, your article failed to discuss the level of ALL staff. It leads the reader to think that Unions are gouging the government. The Unions aren't gouging the government, the scabs are. If Congress wants to cut official time, change the laws so that the Unions don't have to represent them unless they are PAID members." Although "John Smith" is not the real name of this article responder (removed for privacy), we highly support his position on Union Representation! A representation for all Federal Employees and all the media fails to acknowledge.

*Did You Know Continued...*

regarding monitored contacts! Our contract states "The Employer has determined that an evaluative recordation will be furnished to an employee within fifteen (15) workdays of the time the supervisor becomes aware, or should have been aware, of the event which it addresses. If furnished after that time, it may not be used by the Employer to evaluate performance. Any material which may have an adverse effect on an employee's appraisal, the maintenance of which is not required by the IRM system and which is not shared with the employee, shall be removed and destroyed. Telephone monitoring evaluative recordation will be conducted in accordance with subsection 9-B." Then, 9-B states "Evaluative recordations arising from monitored contacts or contact recordings will be the written feedback provided by the Employer, not the actual recording. In the case of a recorded contact, the employee may listen to the recording and rebut in writing (consistent with subsection 9-C1 of this Article) the Employer's assessment of the contact. In the event the evaluative recordation shows that the manager found fault with a recorded conversation, the manager will provide to the employee a screen shot of all other calls that were reviewed (listened to) by the manager, but not evaluated, on that day. Recordings of contacts that remain in dispute after rebuttal and discussion, along with any other recorded contacts that were reviewed on the same day as the disputed recordation, will be retained by the Employer (consistent with subsection 9-C of this Article) until the performance appraisal is issued and any resulting litigation is resolved. If a copy of the recorded contacts described above was not retained, and there is an unresolved disagreement,

the recordation with which the Employer found fault may not be used by the Employer. Upon request, an employee will be allowed to listen to any recording. The hard fought and agreed contract we garner also allows breathing room when invoking your rights to FMLA. It provides language on many fronts to prevent the pestering of a manager who might not have your best interests at heart. Article 33, Section 3-F1 states: "Employees will not be required to reveal the details of their medical condition to their supervisors or managers." Knowledge in action is king, so if you feel jaded by management *asking* for details, remember you are not required! And one final *Did You Know* for the road ahead...



For more facts and information about our Union, be sure and visit our website at [www.nteu14.org](http://www.nteu14.org)!

### Don't Touch Our FEHB!

The FEHB program would not have been directly affected by the proposal in the House, now abandoned, to repeal the Affordable Care Act. The FEHB operates under a separate set of laws dating to the 1950s, and the ACA's main impact on it was to allow adult children to remain on a parent's coverage until they turn age 26 (four years later than the prior cutoff). The FEHB still can be changed either through legislation or through administrative action, though. President Trump has proposed no legislation so far regarding the FEHB nor have members of Congress offered bills on their own. However, such proposals—including

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*FEHB Continued...*

potentially shifting more of the premium cost to enrollees—could yet come since the administration has yet to release a full budget proposal. Less substantial changes to FEHB are set by an annual “call letter” from OPM to the insurance industry; that letter was issued in January, as one of the last acts of the outgoing Obama administration, several months earlier than normal. The Trump administration could issue a revised version, since the formal proposals aren’t due to OPM from the insurance companies until the end of May. After that negotiations begin toward specific coverage and premium terms announced in the fall and effective with the following calendar year.

**Private Collection Agencies...Again**

Americans with overdue federal tax bills will start getting calls from private debt collectors is an unwelcome development that will waste taxpayer money and further endanger taxpayers who are already targeted by financial scams and identity thieves. The National Treasury Employees Union (along with all local leaders of Chapter 14) has long opposed the use of private collection agencies (PCAs) to chase delinquent taxpayers because it has proven to be inefficient, unfair to lower-income taxpayers, and it opens doors for fraud and abuse. “Every time this has been tried before, it has failed,” said NTEU National President Tony Reardon. “But once again Congress has forced this policy on the IRS, and we expect the results to be the

same: collection agents getting paid to harass taxpayers, many of whom need assistance, not threats.” The 1996 pilot was so unsuccessful it was cancelled after 12 months. Contractors participating in the pilot programs were found to have regularly violated the Fair Debt Collection Practices Act, and the program resulted in a \$17 million net loss. The IRS again attempted the use of PCAs to collect federal taxes in 2006. While the program was projected to bring in \$2.2 billion in new revenue, data from the IRS showed that the program resulted in a net loss of almost \$4.5 million to the federal government, after subtracting \$86.2 million in program administration costs and more than \$16 million in commissions to the PCAs. The Treasury Department - again - cancelled the program. “In other words, the private debt collectors make money and the U.S. Treasury takes a hit,” Reardon said. NTEU also questions how much money the IRS has already spent re-starting this program, including reviewing the bids from the contractors and setting up the process for monitoring their work. As IRS officials have noted, no new money was appropriated by Congress to operate the PCA program. It is also alarming that one of the PCAs contracted by the IRS lost its contract with the U.S. Department of Education in 2015 for providing inaccurate information to student loan recipients. The National Taxpayer Advocate, a nonpartisan and neutral voice for taxpayers, has said private debt collection by the IRS places “a bulls-eye on the back of low income taxpayers.” “Subjecting taxpayers who are struggling to make ends meet and can’t afford legal representation to private contractors whose sole motivation is to maximize their own profits at the taxpayers’ expense is a recipe for disaster,” Reardon said. “Congress should reverse course

and cancel this program before it wastes more money or exposes people to fraud.” An independently reviewed study by the IRS found that IRS employees are three times more efficient at collecting taxes than private tax collectors. Unlike private debt collectors, IRS employees have a variety of tools at their disposal with which they can help taxpayers facing financial difficulties meet their tax obligations. These include the ability to postpone, extend or suspend collection activities for limited periods of time; making available flexible payment schedules; the possibility of waiving late penalties or postponing asset seizures and Offers In Compromise (OIC), an agreement between a struggling taxpayer and the agency that settles a tax debt for less than the full amount owed. IRS officials say they are worried about scammers who may try to masquerade as a legitimate IRS-approved debt collector, which is why they’ve added precautions, such as alerting taxpayers in writing that their past due accounts are being turned over to a PCA. But risks remain. NTEU Chapter 14 agrees with privacy advocates and consumer groups who are concerned that this new program only makes it easier to swindle innocent taxpayers.

**Bill on TSP Introduced**

Senators Rob Portman (R-OH) and Tom Carper (D-DE) have introduced the TSP Modernization Act to loosen restrictions on how federal employees and retirees can withdraw money from the Thrift Savings Plan. We have heard from many NTEU members over the years about the stringent withdrawal rules of the Thrift Savings Plan (TSP). As a member of the Employee Thrift Advisory Council, we have raised the issue many times. This year, with bipartisan support in the Senate, a bill has been intro-

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Bill on TSP Continued...

duced which would allow active federal employees to make multiple age-based withdrawals from their TSP accounts and to remain eligible for partial withdrawals once they leave government as well. Individuals who have left government could make multiple partial post-separation withdrawals. The bill also would allow those receiving monthly payments to change the amount of their payment at any time—instead of only once per year—and they could change the frequency of payments as well. In 2013, TSP participants who no longer worked for the federal government transferred \$9 billion out of the TSP to other institutions. According to a TSP-conducted survey of those participants, 27 percent cited a desire for greater flexibility with payments and withdrawals. The withdrawal rules have not been changed since the TSP was established in 1986 and are now outdated, according to the board. Under the current statute, federal employees who wish to make age-based withdrawals can only do so once while they are employed, and then they cannot make a partial withdrawal once they leave government. Those who have left government and have not made any age-based withdrawals can make one partial post-separation withdrawal, but then must move to full withdrawal options. NTEU Chapter 14 supports this bill and will seek swift passage of the legislation. It will take the Thrift Board some time to retool their systems to change the withdrawal rules, and the bill must first be enacted. We will keep you informed on developments regarding TSP withdrawal options.

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IRS, the members noted recent budget cuts have diminished the agency's ability to combat identity theft and other types of refund fraud, provide quality taxpayer services and has limited the IRS's enforcement of tax laws. The letter notes that providing increased funding for the IRS in FY'18 would help restore taxpayer services to acceptable levels, enable further agency efforts to combat identity theft, and help generate revenue necessary to fund our government. NTEU Chapter 14 appreciates the strong support for increasing funding for the IRS in FY'18 and was happy to work with Representative Ellison to generate support for his letter. We will continue working with our supporters in Congress to ensure that the IRS is provided with the necessary resources to meet its taxpayer service and enforcement missions. For more information and to see what you can do, please visit our website: [www.nteu14.org](http://www.nteu14.org) today!

### Increase Funding For IRS

Members of the House of Representatives (48 total) sent a letter to the Chairman and Ranking member of the House Appropriations subcommittee on Financial Services and General Government urging increased funding for the IRS in FY'18. Representative Keith Ellison (D-MN) and 47 of his colleagues in the House sent an NTEU-supported letter to the Chairman and Ranking member of the House Appropriations subcommittee on Financial Services and General Government requesting \$12.9 billion in funding for the IRS in FY'18. In their letter to the subcommittee which has jurisdiction over funding matters related to the



## St. Louis Cardinals

### NTEU Chapter 14 Celebrates Our Membership With Cardinal's Baseball!

NTEU Chapter 14 would like to gauge your interest! Join us to celebrate you this upcoming Memorial Day! Our Chapter is looking to schedule an outing at the Bank of America Club within Busch Stadium for a TOP SHELF fan-driven day-game experience. Many of your fellow employees expressed such high admiration for the Cardinal's game we held last time, we've got our eyes set to do it again...all for your enjoyment! Currently, we are formulating a list of all members who would like to obtain tickets for the event. Prices we secure will probably be \$50 each, once we gain a greater understanding of our Chapter's interest. However, just as last time, it may be a quick timeframe for purchase because any prices secured from the Cardinal's Field House will be marked down far less due to the huge number of persons in our party. If you would like to secure tickets, please drop a quick e-mail to our Communications Director Chris Ziegler: [Christopher.D.Ziegler@irs.gov](mailto:Christopher.D.Ziegler@irs.gov) explaining that you'd like to secure either one or two tickets as a member of Chapter 14.

