

NTEU Chapter 207 News

Current Issues

Friday, January 9, 2004

New Surplus Lists Posted on FDICnet

FDIC recently published new surplus lists on the DOA website, the latest update being January 8, 2004. Lists have been produced for DIR, DRR, DOF, ODEO, OICM, and OPA. Currently, the lists only identify positions in which surplus has been identified. NTEU has contacted management and is attempting to get numbers associated to the position titles.

FDIC Implements Changes to Weekend Travel Policy

In March 2003, the FDIC informed NTEU of its determination that when employees traveled home on weekends from assignments, many of these trips are personal rather than business in nature, and the reimbursement should therefore be subject to tax withholding. In response, NTEU submitted the following proposals in April 2003:

1. The agency will, to the maximum extent practicable, schedule employee assignments, and employee travel to and from such assignments, in such a manner so that all employee travel will be for business reasons, and not taxable; and
2. To the extent that employee return travel on intervening weekends is taxable, the FDIC will "gross up" the reimbursement for such travel to reimburse the employee's tax liability.

On December 10, 2003, the FDIC submitted its counterproposals, in the form of proposed changes to the FDIC GTRs. Although the FDIC adopted parts of our proposals, by providing an allowance to attempt to offset the negative financial impact on employees, NTEU still has reservations about the implementation of these proposed changes. In short, NTEU continues to assert that these changes are unwarranted, unjustified and unnecessary, and are not in the best interest of either the FDIC or its employees. Furthermore, even if some changes are required to comply with IRS requirements, we do not believe that the management proposals are sufficient to eliminate any adverse impact on employees, which will ultimately have a negative impact on the mission of the agency as well.

NTEU has learned that other agencies do not treat such trips as personal travel and wonders why the FDIC has determined to take this approach with its employees.

As indicated in our response, NTEU is committed to an aggressive stance to combat these proposed changes and any adverse impact on employees. We will pass along further news as it becomes available.

Planning to Live Outside of the US After Retirement?

If so, you should read the following article in Fedweek on restrictions to benefits that may be paid to federal retirees living outside the U.S.

[Fedweek/Reg Jones Column](#)

CSA Update

CSA awards will be awarded to the FDIC's top contributors. The Compensation Agreement states that it can be awarded to at least 1/3 of the bargaining unit employees. The Chairman had the discretion to increase the percentage for the 2003 award and he has declined to increase it above the mandated minimum to give it to 1/3 of bargaining unit employees.

What percentage of managers will receive these awards? That remains to be seen.

NTEU is committed that these awards be distributed in an equitable manner.

You need to improve your position in getting one of these awards.

The CSA process allows you to advise your supervisor of your contributions. **Write up what you did this past year and use the CSA program criteria as your model (see Links).** If you cover those criteria and others receive the awards, we will compare what you claimed versus what others annotated what their contributions were and NTEU will file a grievance to get you covered under this award program.

http://fdic01/resource/nteu207/MOU/CSA_MOU.html

http://fdic01/division/DOA/humanresources/rewards/CSA_FAQ.doc

<http://fdic01/division/doa/adminservices/records/forms/2000/2420-21.doc>

<http://fdic01/region/chicago/division/nteu/FDIC%20CSA%20Circular.doc>

Is this a fair program? No. This award program does not fairly recognize employees whose contribution is anywhere above fully successful. And NTEU believes that there are far more than 1/3 of the bargaining unit who meet the criteria.

Attached is a very good explanation as the result these type of awards programs have on the workforce. <http://www.washingtonpost.com/wp-dyn/articles/A60607-2004Jan6.html>

For those that work on teams where even one member has received an award can make a great case that they were unfairly excluded. This type of awards system pits one employee against another and that is never good for any organization.

And in response to those that have heard the rumor that the FDIC will require that the limit be held to only 1/3 of the bargaining unit even if some win grievances...yes, we too have heard that the FDIC has told managers and others that if anyone wins a grievance that others who received it earlier will have to either give theirs up and be forced to pay it back to fund the grievance.

Of course if the FDIC took away any portion of the award from anyone you can rest assured that another grievance would quickly follow...and yes, it is unbelievable that this suggestion is even being openly discussed as a way of dealing with successful grievances.

The key component is that you write us what you have accomplished in 2003 that

matches the CSA criteria.

IMPORTANT LINK:

Did you Know...

The Union has a right to attend any meeting between management and employees where personnel policies or conditions of employment are discussed.

Article 4, Union Rights

Specifically, the Union has a right to attend what are called "Formal Meetings." A formal meeting is defined as "...any formal discussion between one or more representatives of the agency and one or more employees in the unit or their representatives concerning any grievance or any personnel policy or practices or other general conditions of employment. (Title 5 US Code Section 7114 (a)(2)(A))" Additionally, the following criteria have been developed to assist management and union representatives as to what constitutes a formal meeting: if more than one representative of management are attending the meeting, the meeting was preplanned, and the agenda was predetermined.

What does this mean to you? It means you are entitled to union representation at meetings alone or in a group where management intends to discuss personnel policy or conditions of employment. The purpose of our involvement is to ensure that management properly conveys those policies and conditions of employment so that your rights are not violated. Management is required to notify the Union of any meetings that meet the criteria of a formal meeting with sufficient notice that a Union representative can be present and the Union representative will be given 10 minutes following the formal meeting to meet with employees to answer questions regarding the discussion.

Such meetings do not include regular staff meetings or business where the purpose is to discuss work and tasks. However, if during a regular business meeting, an employee feels his or her rights are being violated, he or she may request union representation.

If you have a question regarding your rights under this Article, you may contact any NTEU Representative.

If you would like to see a specific topic addressed in this column, send your suggestions to the Chapter Mailbox.

Chapter 207 has room for more stewards: Does your organization have stewards representing your interests? How about you!

LEGAL, DOA AND DSC HAVE NO UNION REPRESENTATIVES!

NTEU is here to support you! Contact us [NTEU 207 HQ](#)