

NTEU Chapter 207 News

Volume 2.5

Friday, March 19, 2004

NTEU National Response to Chairman's Comments

The following is a memorandum from NTEU National President Colleen Kelley to the Chapter Presidents addressing the comments made by Chairman Powell as printed in the American Banker. (See last issue for the article excerpt.)

"TO: FDIC Chapter Presidents and Legislative Coordinators

"RE: Management Request for Increased Personnel Flexibilities

"SUMMARY: FDIC Chairman Powell has told Congress that he will be requesting legislation to give the agency further personnel flexibilities.

"Last week, FDIC Chairman Donald Powell testified before the House Financial Services Committee regarding oversight of the FDIC. The Chairman addressed a variety of issues including the pending legislation to merge the BIF and the SAIF. He also announced that he would be proposing legislative changes to give the FDIC increased personnel flexibilities.

"Powell conceded the fact that the FDIC has already experienced an incredible downsizing, from 23,000 employees in 1992 to 5,300 employees today. He also conceded that the FDIC already enjoys significant personnel flexibilities including 'pay for performance' and the cross-training provided by the FDIC University. Powell indicated that he would propose legislation that will allow the FDIC to hire employees for specific needs with more flexibility, to hire executives with greater flexibility, and to increase the emphasis on performance and more closely link compensation to contributions. He also stated that he would ask for legislation exempting the FDIC Advisory Committee from certain requirements for open meetings. Among the matters the Advisory Committee addresses are issues relating to corporate management, operations, and structure.

"As currently written, the bills to merge the BIF and the SAIF include no provisions regarding personnel or labor relations. Nevertheless, aware that such legislation could be used as a vehicle for anti-employee amendments, the NTEU Legislation Department has had ongoing discussions with key Members of Congress about such a possibility since these bills were first introduced last year. Representative Barney Frank (D-MA), Ranking Democrat on the House Financial Services Committee and Senator Tim Johnson (D-SD), Ranking Democrat on the Senate Financial Institutions Subcommittee, have both indicated they would oppose any anti-employee amendments to this legislation.

"As to management's request for legislation to exempt the FDIC Advisory Board from various obligations, I believe this should only be done if an employee representative is included on the Advisory Board. At NTEU's request, such a provision was included in recent legislation creating an advisory panel for the Patent & Trademark Office (PTO). I am told by NTEU leaders at PTO that inclusion on the Advisory Committee has been useful."

Vote for Worst Places to Work

Many of you are familiar with Mike Causey, who has a column in the Washington Post for Federal Employees and now on FederalNewsRadio.com website. Mr. Causey is calling for votes for the worst federal agencies to work at. If you are interested in making a statement about the work environment at FDIC, visit the link below and place your vote. [Mike Causey's Column](#)

FDIC Required to Post Notice

FDIC was found to be in violation of the Civil Rights Act by retaliating against an employee who "participated in proceedings pursuant to federal equal employment law." FDIC was ordered to "provide the complainant all costs which the complainant may be entitled to under federal law in connection with the complaint, including attorney fees, and provide the complainant approved, proven compensatory damages." FDIC was also ordered to post a notice stating that it had violated the Civil Rights Act and that in the future it will not "in any manner restrain, interfere, coerce, or retaliate against any individual who exercises his right to oppose practices made unlawful by, or who participates in proceedings pursuant to, federal equal employment opportunity law."

CSA Update

Filing Deadline - Deadline to file a CSA grievance for 2004 CSAs is March 26. If you are considering filing a CSA Grievance, please contact the Union ASAP to begin the grievance process.

CSA Meetings - Management has been conducting CSA meetings, which by negotiated grievance must be completed by March 31, to discuss criteria for 2005 CSAs. The union has been attending most of the meeting for which we have been notified.

CSA Percentages - By negotiated agreement, Management must provide the Union with the following statistics regarding the CSA Awards: percentage of recipients by division/office, position title, pay plan, job series, grade, region, duty station, gender, race/national origin, and age (date of birth). Management provided the information only including those that received the award, not the percentage based on each demographic. In other words, the Union was provided only the number of persons in each category that received the award not the percentage of people in each category that received the award. Consequently, NTEU National has requested that the appropriate information be provided. This information will be used to determine if the awards program was fairly distributed. NTEU will be pursuing grievances as appropriate for unfair distributions of awards. Look here for updates on this information.

FLEXIBLE SPENDING CLAIMS MUST BE CLAIMED NO LATER THAN MARCH 31, 2004

If employees don't make their claims by March 31, 2004 all funds deposited in their accounts will be forfeited to the FDIC.

GO to [MyEnroll.com](#) to get claim information and forms.

Claims for expenses incurred during a Plan Year must be submitted not later than the last day of the third month (March 31st) following the end of the Plan Year. Any unused amount will be forfeited.

Did you Know...

All details of more than 30 days are to be documented with an SF 52.

Article 14, Details

Details cover the Corporations need to temporarily assign staff to cover work load imbalances. They are also used as training opportunities to allow staff to broaden their experience, while allowing offices to benefit from the knowledge of employees from another area. Details can be of varying length but are required to have a specified duration and may not be unreasonably extended. Any detail expected to be over 30 days must be documented in an SF 52.

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

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