

# ***NTEU 207 News***

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## **IMPORTANT NTEU MEETING FRIDAY, SEPTEMBER 24, VSQ**

### **MARK YOUR CALENDARS**

Chapter 207 is holding an important lunch time meeting on Friday, September 24 from 12:30 until 1:30 in Meeting Room B at Virginia Square.

Meeting with employees will be Mr. Randy White, an FDIC employee and representative from Dallas Chapter 260. In 2003 he was re-elected as an NTEU National Vice President for District 12. In this capacity he represents the interests of all of the FDIC NTEU chapters (10) and approximately 10 other chapters at other federal agencies.

This weekend, Mr. White will be meeting with NTEU officials and all the other National Vice Presidents (15). We are certain that issues currently of interest to all FDIC employees will be discussed including issues related to downsizing and the Workforce 21 Legislation that FDIC sent to Congress on September 1.

Come and listen to what is being done by NTEU in addressing these very important issues.

### **MEMBERSHIP**

Welcome to the 6 new members who joined Chapter 207 last week.

### **RECENT QUESTIONS SENT OUR WAY**

Recently we have been asked by some employees what they should do if they are advised during a reorganization they shouldn't apply for positions – even their own.

The insinuation is that they won't get the position anyway so they shouldn't bother.

If an employee is qualified for a position and then chooses not to apply for it, there is every disadvantage to them in the future by that failure to apply. By applying for a position you are putting on the record that you sought the position. No one can later claim that you didn't even try to compete. Despite the ongoing efforts to change the rules about merit practices those rules don't apply now. All employees are protected by the Civil Service Reform Act in personnel rules and policies. If you find that you are on a surplus list because during divisions reorganization you failed to apply for a position when you had an opportunity to do so, you will have an uphill climb when and if you ever claim that you were discriminated against.

Moving yourself out of the way for someone else's opportunity to advance when you are equally or in some cases more qualified could result in your situating yourself for the worse possible outcome.

Show your interest - apply for jobs you are qualified for.

### **Did you know ...**

*...that you have rights in the FDIC workplace if you have a continuing medical condition that sometimes adversely affects your attendance record?*

Sometimes employees find that a medical condition (illness, injury or mental health issues) adversely affects their leave records.

Currently it appears that FDIC is looking at employee leave balances. Even though supervisors are aware why leave balances have decreased or been exhausted, or why there are instances of unscheduled leave requests (sick days for the most part are unpredictable) Chapter 207 has experienced an influx of calls about letters or meetings where employees are being advised formally that their manager is now unwilling to approve future unscheduled leave.

That type of notice should be viewed as a major red flag. It is the beginning of a process for disciplinary action.

Sometimes employees absences are not covered by laws or rules that protect employee's rights when an illness is involved (theirs or a family members). If that is the case then the employee is well advised to fix their behavior. Chronic tardiness and absences unrelated to matters protected by law will result ultimately in removal actions. No other situation is as well documented as leave problems – and the employee documents it themselves.

It doesn't matter to a large extent what others are doing. When you get focused in on you need to fix your behavior.

### **FMLA - FFLA**

However, many employees don't realize that they have rights under both the Family Medical Leave Act (FMLA) and/or Family Friendly Leave Act (FFLA) if there is a medical situation that is occurring that is covered under those programs.

It is difficult to locate your rights and the rules that govern these Acts on the internal FDIC website. FMLA is administered by the Department of Labor and their website ([www.DOL.gov](http://www.DOL.gov)) is an excellent site for understanding your rights under FMLA.

If you need to seek protections under FMLA each employee must invoke their rights under FMLA. This is done by a notification email or memo to their supervisor. FMLA leave relates to either your own or a family members illness.

If you or a family member has a medical issue that requires your attention and is adversely affecting your leave records you should immediately determine whether you should invoke FMLA.

For more information about these protections please contact a Union Steward.

### **Reasonable Accommodations:**

Also, if you have a medical condition that affects your ability to meet some of your positions requirements you may want to seek a Reasonable Accommodation.

FDIC employees are protected by the Rehabilitation Act of 1973. Information about your rights to file for this protection is available and we recommend the following web-link.

<http://www.bu.edu/cpr/reasaccom/whatlaws-rehaba.html>

The FDIC link for information on Reasonable Accommodations:

<http://fdic01/division/doa/adminservices/records/directives/2000/2710-5.doc>

A final thought.....

It is very important that you document the communications about these issues with your supervisor. Do not be dissuaded to file for these protections using the proper notice requirements or using a form.

You can invoke FMLA today and then work to provide the necessary documentation to support your justification for invoking FMLA.

We highly advise that course of action so the protections kick in immediately.