

**National Council on Federal Labor-Management Relations
41st Public Meeting
July 20, 2016**

The National Council on Federal Labor-Management Relations held its 41st meeting at the U.S. Office of Personnel Management, 1900 E Street, N.W., Washington, D.C., on July 20, 2016. Co-chairing the meeting were Office of Personnel Management (OPM) Acting Director, Ms. Beth F. Cobert, and Ms. Lisa Danzig, Associate Director for Performance and Personnel Management, Office of Management and Budget (OMB). The following Council members also attended the meeting:

Council Member	Title
Mr. William R. Dougan	National President, National Federation of Federal Employees (NFFE)
Mr. Michael B. Filler	Director, Public Services Division, International Brotherhood of Teamsters
Mr. Gregory Junemann	President, International Federation of Professional and Technical Engineers (IFPTE)
Ms. Carol Waller Pope	Chairman, Federal Labor Relations Authority (FLRA)
Mr. Anthony M. Reardon	National President, National Treasury Employees Union (NTEU)

The following individuals were also in attendance:

- Ms. Candace C. Archer, Ph.D., Labor Management Relations Specialist, American Federation of Government Employees (AFGE), for Mr. J. David Cox, National President, AFGE;
- Ms. Julie Blanks, Acting Deputy Assistant Secretary of Defense for Civilian Personnel Policy, Department of Defense (DOD), for Mr. Robert O. Work, Deputy Secretary of Defense;
- Mr. Jason Briefel, Senior Executives Association (SEA) Legislative Director, for President, SEA;
- Mr. Roland Edwards, Deputy Chief Human Capital Officer, U.S. Department of Homeland Security (DHS), for Mr. Alejandro Nicholas Mayorkas, Deputy Secretary of Homeland Security;
- Ms. Meghan Serwin Flanz, Acting Assistant Secretary for the Office of Human Resources and Administration, Department of Veterans Affairs (VA), for Mr. Sloan Gibson, Deputy Secretary of Veterans Affairs;
- Ms. Renee Johnson, for National President, Federal Managers Association (FMA);

- Mr. T. Michael Kerr, Assistant Secretary for Administration and Management, Department of Labor (DOL), for Mr. Christopher P. Lu, Deputy Secretary of Labor;
- Mr. H.T. Nguyen, for Executive Director, Federal Education Association (FEA);
- Ms. Marsha Wiggins, Deputy Chief Human Capital Officer, U.S. Department of Agriculture (USDA), for the Deputy Secretary of Agriculture.

The Designated Federal Officer, Mr. Tim Curry, OPM Deputy Associate Director, Partnership and Labor Relations, was present, as were 37 members of the public.

Agenda Item I: Welcome

At 10:01 a.m., Mr. Curry opened the meeting and made an administrative announcement. He stated that the National Council operates as an advisory committee under the Federal Advisory Committee Act, or FACA. Time had been set aside on the agenda for comments from members of the public, and others who are not members of the Council.

Mr. Curry also noted that before moving to the agenda, there was some Council business to address concerning the minutes of the previous meeting of May 2016, which had been shared in advance with members of the Council. He noted that all edits or corrections had been adopted, and recommended that the Council approve the minutes of the prior meeting. There was a motion and second from members of the Council that the minutes be approved. Council members then voted to adopt the minutes, with no objection. Mr. Curry then stated that the May 2016 meeting minutes had been approved. Mr. Curry then turned to the co-chairs for their opening remarks.

Ms. Cobert welcomed the group to the meeting. She noted that it has been a year, since July 2015, when OPM announced the malicious cyber intrusions that were carried out against the Federal government. She wanted to go over a few points for everyone's benefit. OPM has completed notifying those impacted by the personnel records incident and has completed the initial mailing of notification letters to those impacted by the background investigations incident. About ten percent of the letters did not get to the intended addressee. They have worked to get better addresses and are in the process of re-mailing letters to those who did not receive initial notification for the background investigations incident. The Department of Defense (DOD) has been helping with printing and mailing the letters. Information about this is on the OPM website, and includes a PDF version of the actual letter. The letter being mailed will clearly state it is a duplicate of the letter previously sent, but not successfully delivered. Those individuals are invited to sign up for credit and identify theft monitoring services if they have not already done so through the Verification Center. People can still go to the Verification Center to learn if they were impacted or to request a copy of their letter. OPM has updated the Cybersecurity Resource Center webpage at www.opm.gov/cybersecurity. They have added some FAQs and clarified answers to others. Ms. Cobert thanked everyone, agencies and unions, for being very helpful partners in getting the information out to individuals.

OPM is making steady progress in implementing requirements of the Fiscal Year 2016 Consolidated Appropriations Act. OPM has increased the amount of identity theft insurance

provided to those impacted by the cyber incidents from \$1 million to \$5 million. This was put into effect June 1st. Individuals do not need to do anything; the cap on the existing coverage was increased. OPM is continuing to work on extending credit monitoring and identity theft protection services to those impacted by either of the incidents, for a period of not less than 10 years, as mandated by the law. Ms. Cobert said she would share additional information later this year. OPM continues to work with its partners across government to protect the safety and security of information that Federal employees, contractors, and others provide to it.

Ms. Cobert then discussed a proposed rule in the Federal Register. She said a decision has been made to move forward on the Federal Prevailing Rate Advisory Committee (FPRAC) recommendation to place all Federal Wage System employees at Joint Base McGuire-Dix-Lakehurst under the New York, New York wage schedule. OPM has issued a proposed rule, and in that rule they agree with the FPRAC recommendation to treat the Joint Base as a single installation for purposes of defining Federal Wage System wage areas. OPM is seeking public comment on the rule and those comments must be submitted by August 19th. After consideration of public comments, OPM hopes to publish a final rule by the end of the calendar year.

Ms. Danzig then addressed the group. She began by commending OPM on all the great work that has been done since the cyber-intrusions last year. Ms. Danzig underscored the request that Ms. Cobert had made, for assistance in getting the word out to employees and members to make sure that people are taking full advantage of the tools and services that have been made available in response to the attacks. Ms. Danzig said she was excited to see that the Impact Working Group on the agenda for the meeting. She was looking forward to that discussion as it relates to using metrics, and also the Internal Revenue Service (IRS)/NTEU presentation on engagement. She is excited to see information that will help with making data-driven decisions; and to leverage success stories in the area of employee engagement.

Mr. Curry noted that before moving to the next agenda item, Ms. Allison Beck, Director of the Federal Mediation and Conciliation Service (FMCS), would have a few remarks. Ms. Beck thanked the Council for giving her time on the agenda. She then displayed a short video advertising the upcoming FMCS National Labor-Management Conference. After the video concluded, Ms. Beck noted that FMCS is very excited about the conference and it will have a separate track for Federal sector professionals. They are thrilled that so many of the Council members have agreed to participate, particularly Director Cobert and Chairman Pope and all of the presidents of the national, Federal sector unions. She noted that Julia Akins Clark of the FLRA has been involved in planning the conference also. Ms. Beck encouraged the Council members to send people to the conference, as it will support and continue much of the work that has been happening within the Council. She noted that a brochure was provided as a handout at the meeting. Only 100 slots were left available; the max capacity is about 900 attendees.

Agenda Item II: WMATA Update

Mr. Curry introduced this agenda topic by noting that as many of the attendees of the meeting know, the Washington Metropolitan Area Track Authority (WMATA) recently implemented the SafeTrack plan, concerning repairs to the Metrorail system in the Washington, D.C. area. Today the Council will receive an update on the WMATA plan and OPM guidance to Federal agencies.

Mr. Curry introduced Mr. Dean Hunter, OPM's Director for Facilities, Security, and Emergency Management; Ms. Brenda Roberts, OPM's Deputy Associate Director for Pay and Leave; and Ms. Veronica Givens from OPM's Work-Life and Wellness Programs Office.

Mr. Hunter began the discussion by noting that they have made it through four of 15 "surges" that will be part of the SafeTrack initiative. Surge 5 began today and will include single-tracking between Ballston Station and East Falls Church Station. This surge will continue through July 31. The four surges have included three of the five station closures that are planned. Generally, they anticipate that single-tracking will cause less disruption than station closures. The next closures planned will be between Fort Totten and the NoMa/Gallaudet Station on the Red Line, during Surge 10 (October 10 through November 1); and then Surge 13, which is the Blue Line between Rosslyn and the Pentagon, scheduled for December 7 until December 24. In advance of each surge, there is continuous coordination with WMATA and the regional transportation partners. There are weekly conference calls where they discuss the impact of the surges themselves, including the related traffic patterns, bus service, Commuter Connections, and the Capital Bikeshare. OPM shares this information with the Chief Human Capital Officers (CHCOs) through conference calls. Thus far, the WMATA work is on schedule. It looks like the call for telework and alternate means of transportation is working. WMATA has reported on their calls that they have seen as much as a 70 percent reduction in ridership in the affected areas. This is what they are looking for in those areas. Capital Bikeshare has reported they have seen a 20 percent uptick in ridership in the downtown corridor. Commuter Connections has also reported an uptick in people signing up. They have seen an uptick in traffic, with the first surges. However, calls with the Department of Transportation suggest those increases were congestion-based, and not volume-based. The most recent two surges did not have the same level of traffic occur at the same time. Mr. Hunter said they will continue to have periodic and continuous calls and ensure that information is shared with the CHCOs.

Ms. Roberts then discussed a memorandum that OPM issued to CHCOs on May 20, 2016. The subject of the memorandum was workplace flexibilities that were available to help them during the WMATA SafeTrack project. The memo did not recommend a single approach, because every agency's mission and culture is different. Even within a single division of an agency, different flexibilities might be appropriate. The memo encouraged agencies to allow the use of alternative work schedules and telework. OPM then established an inter-agency working group, made up of CHCOs, that would assess the impact as they moved through this process. In addition, Tim Curry's staff has been working with the national labor unions to keep a pulse on the situation. Ms. Roberts' team has been meeting with the inter-agency working group on a bi-weekly basis (though it started out on a weekly basis). The first piece of guidance they issued concerned alternative work schedules. This focused on individuals whose jobs are not conducive to telework. OPM often encourages the use of telework in situations such as the inclement weather dismissal/closure procedures, or special events in the area such as the Pope's visit. This is a unique situation, so OPM concluded something else was necessary, to help those who could not telework. They issued guidance on alternative work schedules; this is now available on the OPM website. This guidance addresses different work schedules, such as compressed and flexible work schedules. It provides examples of how agencies and employees can use different work schedules to address different situations and needs. The guidance reminds agencies to refer to

their own policies and collective bargaining agreements to determine how to get through this challenge.

Ms. Givens explained that her office is also involved in the inter-agency working group, and recently issued guidance related to using telework as one of the options available to agencies during the SafeTrack project. They have encouraged agencies that have traditionally looked at telework very narrowly or strictly, to look at it more creatively, specifically for this project. If an agency had previously assessed a job and decided it was not conducive to telework, they are being encouraged to take a second look to see if there are parts of an employee's job that could be completed in the telework environment. The guidance issued to agencies includes scenarios that point this out. OPM has also informed agencies that there is keen interest in telework being used in relation to the Metro SafeTrack initiative; to the extent agencies are able to track the use of telework used in relation to this challenge, they are being asked to do so. Specifically, agencies are being asked to make the distinction between "situational" versus "routine" uses of telework. Ms. Givens said that her office will be working with agencies to assist with that tracking. The telework guidance mentioned is available on opm.gov.

Ms. Cobert invited questions and comments from the Council. She said that OPM wanted to create a framework for addressing the SafeTrack initiative, but did not want to dictate how it should be done. This issue involves getting to the front-line managers and supervisors, since the impact of SafeTrack essentially depends on what building you work in and where your employee lives. With this issue, OPM employees are trying to be good listeners, to learn from each surge, and to take away lessons learned. They intend to keep up the current cadence of calls. From her perspective, it's "so far, so good," but OPM hopes to have policies with sufficient flexibilities and a framework for feedback. There were no comments or questions from other Council members.

Agenda Item III: Report of the Problem Resolution Subcommittee

Mr. Curry introduced the next agenda item and said that today the Council will hear a presentation from the Problem Resolution Subcommittee's Impact and Education Working Groups. First, they would hear from Ms. Candace Archer of AFGE. Ms. Archer would provide a brief update about the work of the Education Working Group. After Council discussion of that item, the Council will hear next from the Impact Working Group.

Ms. Archer stated that the Education Working Group took as one of its tasks to try and create a set of talking points that would allow individuals speaking about the National Council to have some guidelines for what to say about its work. They envision this being used by various groups and potentially various speakers, to talk about the National Council. A draft version of the talking points is available as a handout at today's meeting. Noting that the draft is quite lengthy, Ms. Archer explained that the document covers a bit about what the National Council does, and it describes positive effects of pre-decisional involvement (PDI), such as assisting agencies to complete their missions, helping relationships, and employee engagement/satisfaction. The talking points also provide information about resources that are available. Ms. Archer indicated it would be helpful to receive feedback from the Council on the document and its content; either at this meeting or in the near future. She noted this document is just a draft and the working group

would like input from the Council members to make it better. Ms. Archer then invited any questions.

Ms. Cobert thanked Ms. Archer for taking this on, and noted that the talking points could be a very helpful tool for getting the word out. Mr. Curry indicated that his team would send out the document to the Council members again, by email, and request comments by a target date. He noted that it is safe to say that this would be a “living document” in that Council members and others would feel free to update it as necessary. Ms. Archer concurred and noted that it is intended to be something of a starting point. The working group hopes that over the next few months, it will be possible to disseminate information about the positive work that has been completed by the National Council. Ms. Cobert asked Mr. Curry to send the document back out to the Council members with a date for comments.

Mr. Dougan stated that he was part of the Education Working Group that developed this document. It is intended to provide consistency in messaging about the work of the Council. It provides a consistent message about what PDI is, and why we should value PDI. As a resource, this is useful for a couple different audiences: (1) people talking about the work of the Council; and (2) people looking for a fairly concise summary of what the Council has done and the value of PDI. There are people out there looking for information about PDI, and this does a good job of explaining “what’s in it for them” if they put the time into engaging in PDI. Getting this into the hands of practitioners out there in the field is good business.

Ms. Pope echoed Mr. Dougan’s comments. She said that when the working group first took this on, she viewed it as a tool for Council members to use. However, upon review of the document and recognizing how comprehensive it is; the document could serve as a handout for a partnership council that does not have the time or funds for formal training. It can be used to learn about the principles, and also the resources available to assist with their success. Ms. Pope thanked the working group for developing this document, which is long overdue. There were no additional questions or comments from the Council, concerning the talking points.

Mr. Curry then stated that the Impact Working Group would provide an update. He welcomed Todd Dickey of Cornell University and the Department of Interior, and Katherine Hannah of OPM. Mr. Dickey began the presentation by explaining that he is a PhD candidate in Industrial and Labor Relations at Cornell University, and an intern at the Department of Interior where he is conducting his dissertation research currently. Mr. Dickey is also a co-chair of the Impact Working Group. He said that today, they would have two brief updates for the Council. These are “just scratching the surface” updates, since the working group had only just had an initial meeting to delve into the data. The data includes the annual labor-management forum metrics reports, and the results from the labor-management forum reporting tool. There is a lot to talk about and the working group is very excited to get the Council’s feedback at this early stage, when they are just beginning to conduct their analysis. Mr. Dickey then turned the presentation over to Ms. Hannah.

Ms. Hannah informed the Council that she had a very initial analysis to share with them from the Labor-Management Forum (LMF) reporting tool. These results were received in 2015. As a reminder, the Council launched the LMF reporting tool in 2013. Three main reasons for

launching the LMF Reporting tool at that time included (1) to bring issues to the attention of the Council; (2) to identify barriers to forums being formed and also to PDI; and (3) to find examples of best practices of successful labor-management forum. This was administered in 2013. Based on the results, some changes were made and, specifically, questions were added in the area of PDI. The tool was administered again from July to December 2015. Consistent with the direction received from the Council, the messaging that accompanied the link to the tool included information about the 2013 results and actions that were taken based on those results. FMCS hosted the on-line reporting tool again in 2015.

Ms. Hannah then referred to Slide 3 in a PowerPoint presentation titled, "Problem Resolution Subcommittee." Ms. Hannah noted that there were fewer responses received in 2015 than in 2013, and the working group does not know why that is. That is something they are interested in learning more about. She said the working group is aware that some potential respondents encountered technical difficulties with accessing the on-line tool and with submitting responses electronically. Transitioning to Slide 4, "Data Limitations," Ms. Hannah stated that the response rate was difficult to calculate, as the working group did not possess a master list of all labor-management forums throughout the government. This means that the results received are not a representative sample. They may be useful for identifying trends in the information that was received, but these cannot be extrapolated out throughout the government. In addition, all responses were given the same weight, regardless of how many bargaining units or employees were covered by each report. There were some improvements made in the 2015 version. First, it was slightly easier to match up reports submitted by labor and management, for the same forum. This was in part because the tool required a bargaining unit status code, which is a unique code assigned to each bargaining unit; and also, respondents were asked to identify the lead labor and management representatives for each forum. Another improvement was that the 2015 version asked respondents to identify forums at, above, or below the level of recognition. The working group has crunched the numbers related to this yet, but they are looking forward to getting into this new data.

Transitioning to Slide 5, "2015 Results," Ms. Hannah said that based on the 2015 results, 74% of respondents reported that their labor-management relationship had a forum. Many others said they had an alternate process, whether it was partnership, PDI, collaboration, or cooperation. Moving to Slide 6, "How often does your forum engage in PDI?" Ms. Hannah said that the working group saw some changes in the responses to this question from 2013 to 2015. First, the percentage of labor respondents reporting "not at all," was a little lower in 2015 than 2013. Greater percentages of both labor and management reported that PDI was occurring "often" in 2015 as compared to 2013. Ms. Hannah noted that in assessing the 2013 results, the Council had focused on differing answers to this question, that were received from labor and management respondents. Specifically, when reports from labor and management were matched up as being from the same forum and had differing answers to this question, the Council went out and conducted interviews with some of those respondents. As a result of that work, some new questions were added to the LMF Reporting Tool for the 2015 version. Displaying Slide 7, "Differing Perceptions about PDI," Ms. Hannah said one of these new questions was, "During the past year I have been involved in PDI" and asked the respondent to indicate the number of times. A follow up question then asked, "I feel I engaged in PDI" and asked respondents to select from "not enough," "just enough," or "too often." Ms. Hannah noted that looking at the first

chart on this slide, for the first of these questions, the answer “2-5 times” was a fairly common response for both labor and management. Looking at the responses to the second question, a high number of labor respondents indicated this was “not often enough,” while management had quite a few responses indicating it was “just enough.” Ms. Hannah noted that, even with this greater level of detail in the responses, the working group still does not know if the forums agree on what PDI is, and there could be other reasons driving these results.

With Slide 8 displayed, Ms. Hannah said that another new question that was new with the 2015 version of the LMF Reporting Tool asked respondents to identify actual topics they worked on in PDI. She said this slide shows the top 10 topics, in descending order, based on the responses. Ms. Cobert asked Ms. Hannah, with regard to this list, whether the respondents named the items or if they picked things from a list. Ms. Hannah said they selected items from a checklist, and they were asked to check all that applied. Displaying Slide 9, “PDI Value,” Ms. Hannah said that another new question in the 2015 version asked respondents to place a value on the type of issues they addressed in PDI. The range for responses was from “never very important” to “very important.” Labor and management both had a fairly high number of responses in the “very important” category. Moving to Slide 10, “PDI Timing,” Ms. Hannah said that another new question asked when, on average, the union was involved in the decision-making process. Possible answers ranged from “early, at about the same time as other agency representatives” all the way to “after a final decision was made.” Most respondents from both labor and management fell into two categories, either “early, but after agency representatives had some discussions” or “after agency representatives had discussion and developed some possible solutions, but before any decisions were reached.” Ms. Hannah noted there was an interesting disparity shown in the second row on Slide 10, where 21 percent of labor respondents and only one percent of management respondents indicated the union was involved, “after a final decision was made.”

Transitioning to Slide 11, Ms. Hannah said that another new question in the 2015 version concerned the perceptions around the timing for involving the union in the decision-making process. Additional insight can be gained by looking at the responses to this new question. This is an area where the working group will likely want to conduct further analysis. Ms. Hannah then stated that she and Mr. Dickey were looking forward to a combined discussion of the LMF Reporting Tool and the metrics reports, after Mr. Dickey concludes his presentation. She said they would be very interested in learning what the Council members would like to see the working group do as far as additional analysis on these topics.

Mr. Dickey began his presentation with Slide 12, “2015 Metrics Reports Analysis.” Mr. Dickey noted that a difference between the metrics reports and the LMF Reporting Tool is that the metrics reports are submitted one per agency, as compared to one per forum. This means there is a much smaller group of reports to review. Mr. Dickey said the working group is happy to report that they have received responses from all 52 agencies covered under the Executive Order. Before delving into the actual results, Mr. Dickey reported on the 11 agencies they are calling “no report.” Five of these agencies indicated their forum was inactive; four agencies indicated they had a forum but no metrics; and it was unclear where there was a forum at two agencies. Mr. Dickey noted that a much higher proportion of the “no report” agencies are small agencies. There are many large agency reports where the working group does not have all of the information for every forum or every bargaining unit. There is a lot of learning still to be done.

The working group has only just begun its analysis and is seeking the Council's feedback as they move forward.

Mr. Dickey then moved to Slide 13 and said, with that caveat, the working group wishes to report on five themes they are seeing in the initial analysis of the metrics reports from 2015. Mr. Dickey said more themes are likely to appear as the working group discusses further. The first of these themes is being called the "Activity Report/Metrics Reports." Some agencies are using the metrics report as an activity report, recounting what they did in the previous year. Mr. Dickey said that while this is very useful information, in some cases it left the working group unsure if there were issues being collaboratively decided upon, metrics identified to track progress, and that sort of forward-looking work being done. The second theme they are seeing this year is few new issues being described; it seems many forums are continuing work on the same or similar issues to previous years. Third, the working group is interested in learning more about how the forums did their work. A report may describe an issue, identify a metric, and include a report of progress against that metric. However, the working group is unable to discern from the report how that outcome was achieved, and what sort of work was involved in working on that issue and measuring it. Fourth, the reports indicate differing levels of union involvement in the report itself. This is mainly because there is no requirement to report the actual level of involvement, or to have the report co-signed by labor and management. Nonetheless, some reports were co-signed by the co-chairs of the forum, a labor representative and a management representative. Some reports were submitted by the agency, and the union received a copy of the submission. Others were submitted by the agency and there was no indication the union received a copy. This left the working group unsure about the union's level of involvement in the reports. In one case, a union submitted a comment indicating that it disagreed with the contents of the agency-prepared metrics report. The working group does not know if that is happening in other instances. Lastly, there is a wide variation in the approaches used to measure success. With such variety in the type of work, and the sizes of forums, and approaches, there is likely to be a lot of learning about how different forums are measuring what is potentially the same issue. Again, the working group is interested in delving into this further.

Transitioning to Slide 14, Mr. Dickey said he wanted to share some initial observations and highlights from the metrics reports. These examples do not necessarily represent what the working group has agreed are the top highlights, but rather these are a few examples "plucked" from some metrics reports. He wanted to give the Council an idea of the amazing work that is going on in these forums. These highlights are divided into the three metrics categories: mission accomplishment; employee satisfaction; and the labor-management relationship. First Mr. Dickey provided some highlights from the mission accomplishment category. The USDA Rural Development in Colorado and AFGE Local 3499 did an innovative, collaborative, activity. This involved an increase in staff training sessions and centralizing the Single Family Housing Direct program. These actions led to a decrease in total customer complaints, an increase in positive customer feedback, and a 20 percent increase in loan processing. Second, the USDA Farm Service Agency and AFSCME Local 3354 worked collaboratively to increase the percentage of loans made to Socially Disadvantaged Applicants. The goal was 11% and they exceeded that with a result of 14.2 percent. Mr. Dickey noted that it would be great to have more of the context here. Third, GSA worked with NFFE and AFGE to expand telework practices and to consolidate

space in the Washington, D.C. area. They have calculated that this work, through the forum, is projected to save around \$28 million annually.

Mr. Dickey transitioned to Slide 15, which provides observations and highlights related to metrics reported in the area of employee satisfaction and engagement. He began by stating that the team noticed a theme, which is the frequent use of Federal Employee Viewpoint Survey (FEVS) results in the metrics reports. A fun challenge the working group is facing will be looking at how the actual work of the forums affects FEVS results. While many metrics reports include the FEVS score, there frequently is no information explaining the connection between that score and the work of the forum. That is important data. Mr. Dickey then provided some specific examples. First is from the Department of Treasury, Alcohol, Tobacco, Tax, and Trade Bureau and NTEU. They established regular meetings between management and employees to update the workforce about pending changes, and they saw an eight percent jump in the FEVS positive response rate to a question about communication. Mr. Dickey noted that this report connected the work of the forum to the FEVS score. Next, Mr. Dickey said there is a very exciting and innovative metric that was submitted by the Securities and Exchange Commission and NTEU Chapter 293. This concerned a student loan repayment program, and they compared the separation rate for employees under the program with those who are not under the program. Lastly in this category is the National Labor Relations Board and the NLRB Professional Association. They did major work on writing an unscheduled telework program this past year. This was going into effect just as they were undergoing a space move and relocating to the Navy Yard from downtown Washington. They experienced an amazing jump from 2011 to 2015, with employee satisfaction with the telework program, and attributed that at least in part to those negotiations and the work of the forum. In the next category, which is labor-management relationship, the working group saw some very interesting and collaborative efforts, such as those related to training. The working group also noticed a range of PDI experiences and measurement issues. This is something they have flagged. Some forums are focusing on developing PDI policies, as issues, and collaboratively implementing these policies. On the other hand, one forum reported major differences of opinion between labor and management concerning PDI. There is a wide level of variation around PDI. The interesting thing here is that while PDI can be a process for working on issues in the forum, some parties are identifying PDI as an issue to work on itself.

Transitioning to Slide 17, Mr. Dickey said that he is looking forward to a discussion with the Council about the next steps and their areas of interest. The next step with the 11 “no report” agencies will be to refer them to the Problem Resolution Subcommittee. In addition, OPM staff has already begun reaching out to the agencies to get some of the narrative about what is happening. The working group will also continue to explore common issues related to developing metrics, and delve into the specific examples in a more concrete way. They will also come back with some recommendations for improving both the metrics reporting process and the LMF Reporting Tool. Mr. Dickey then invited the Council’s to ask questions and engage in discussion.

The Council discussion began with a question from Ms. Blanks. She asked if the working group had found whether there was a correlation between the individual PDI topics and the perceptions about whether PDI was occurring early enough. Ms. Hannah said that the working group has not

looked at that yet, but she would take that question back to the working group. Mr. Junemann said that when he looks at the difference between management perceptions of PDI and the union perception of PDI, here is what he has found in speaking with his locals. This represents the real world, outside of Washington, D.C. Management essentially comes up with a program, to fix a problem; and then comes to the union for assistance with implementation. Management then feels that they are engaging in PDI. The union feels that if they are not brought in until the implementation stage, there was no PDI. The travel policy that the DOD and Navy were working on is a classic example of this. When the union is brought in at the implementation stage, there can be a lot of resistance from people in the field, wondering “Where are these ideas coming from? These aren’t our ideas.” Management may feel, quite rightly in their minds, “We’re doing PDI right now—we’re asking for your assistance on implementation.” Mr. Junemann noted this is only one instance, and it does not stand on its own, but maybe that is part of what led to the difference in the results. He continued by saying that this is intriguing. He said he is not sure what we do next, since there is time for one more presentation in September. Looking at the timing of this, this is very close to the final report that we are going to do for the Obama administration. Mr. Junemann noted that the Council will have one more meeting before the Presidential election, and postulated about what could happen with the Executive Order, depending on which candidate is elected. He continued by saying that continuing the Executive Order, with resurged energy, in the next administration is going to depend on what we got out of this. Mr. Junemann said that this is essentially the final report, the final grade, on labor-management partnership under the Obama administration. He wondered why the working group was comparing 2013 with 2015, since 2013 included a government shutdown, sequestration, and was essentially an anomaly. Ms. Hannah responded by saying that 2013 was the first administration of the LMF Reporting Tool, and it was the only set of results to which the 2015 results could be compared. She said one question for the Council to consider is whether to administer the LMF Reporting Tool again. Each time it is administered, they will have more data to compare.

Mr. Dougan said he found the response rate to be interesting. He said it is possible that part of the change in the number of responses could be related to the difficulty encountered in the first year, in trying to tease out which response went with which forum. There were examples of multiple responses for a single forum. Individuals, both labor and management, submitted individual responses while in some cases the forum itself also submitted a response. There was a lot of noise around that in the 2013 results. That may be why, or at least it may be part of the reason, that the number of responses was lower in 2015. He said he thought they had done a better job of trying to eliminate the multiple responses in 2015. Mr. Dougan continued by saying that we still need to do more work around that, so we can have an accurate count of who is responding and where they are from. He said that it will also be useful to track individual labor-management forums over time. Mr. Dougan offered an example from his own work history, noting that he worked for the Federal government for 31 years with the Forest Service. They had a very strong partnership council, which was created under President Clinton and continues to exist today. Over that approximate 25 years of existence, the council had ups and downs in terms of its accomplishments, activity, and commitment. He said he thinks that it is important to identify that, and also to ask the question of “why.” Mr. Dougan said it is one thing to gather all this data but the real goal is, he hopes, to sustain collaboration in the Federal government through changes in administration. Mr. Dougan said the Council should be thinking in terms of

sustainability and what are the qualities that will sustain a forum and the work it is doing. He concluded by saying that it is not the forum, but the work that matters; that is what is important to the employees and to the people of the United States.

Ms. Cobert said she wanted to follow up on something Mr. Dougan had said about the end-product of the next round of reporting. She said that the focus should be on what enables forums to work effectively. That is a broad statement, but the focus should be on that. Ms. Cobert noted that there are many interesting questions that could be explored, but the working group should try to focus on something before the next meeting. She noted that the Council will have at least one more meeting after that, in November. She asked that as the working group does the analysis, they put a priority on what can sustain the things that are working within forums, or what can overcome the barriers that exist. This can be a theme under which to focus their efforts, because there will always be more questions to ask.

Mr. Filler thanked the committee for the in-depth analysis that they did. He said that there is a lot to think about here. He said Mr. Dougan had hit the nail on the head with regard to sustainability. Mr. Filler said he used to think the reports were important in terms of accountability, but he thinks less about that now. He said that what the Council needs to consider, is some type of “adopt-a-forum” program. The Council has lots of guidance that it has put out. He said, to use a football analogy, “we’ve got the playbook, we’ve got the team, but we’re still not using the plays right.” They need some groups to work with. Mr. Filler said he believes that if the Council could work directly with a couple of forums, whether it includes folks from this Council, or the Performance Improvement Council, or elsewhere in Government; they need to get closer to how to shape the work that is being done so that they can measure it in an effective way. That is the missing piece. He said we are doing things, but we are not sure how well we’re doing it—we need to fill in the gap there. Mr. Filler then noted that a couple of years ago, the Council heard a presentation from the Patent and Trademark Office. They went from the bottom of the Best Places to Work rankings to the top five, or something like that. It was not only that skyrocket approach that was important to recognize, but the fact that everyone within the organization focused on performance. They had telework, but it was not telework for the sake of telework. It was telework in connection with the results that came about because of this overall transformation that happened within the agency. Mr. Filler said that he thinks there is a way to pull these pieces together, to give the forums some coaching in these areas, and to see better results. Mr. Filler said that he thinks then they will have the real successes that the Council needs, in a broad area. Right now, they are looking at single instances of success. That is good, but he thinks there is more out there and they have not gotten hold of it yet.

Mr. Briefel said he wanted to echo what Mr. Filler said. Mr. Briefel noted that what started some of the products are the results of discussions at a past Council meeting. In many regards, the Council is asking folks in the labor-management councils to identify and track metrics related to what they are doing. But, that may not be their bailiwick. Mr. Briefel noted that we do not know if they have training or experience in that area. In addition, we do not know if they are getting help from their performance shops; if they are out in the field, they may not have access to those resources. That is part of the missing piece; we may be asking people to do something that they are unprepared to do. Mr. Briefel said that as the government moves toward asking people to use

data in general to drive decisions, this is a question that can apply in many situations. Mr. Briefel said the Council needs to think about how it will tackle that.

Ms. Pope said it is interesting that there is a correlation between this data and the talking points draft. She said she thinks that it would be no surprise to the FLRA or others who are out there working with the parties, that there are different responses about how often people are engaging in PDI. This is because people have a different definition of PDI. She said she was struck, in looking back at the draft, by how to better define PDI. Ms. Pope said that if there is no common definition, then the data may not be very useful in helping the Council to identify problem areas. She asked Mr. Curry to help her remember a memorandum that Mr. Jeffrey Zients and Mr. John Berry issued when they were co-chairs of this Council. Mr. Curry noted that the memorandum is included in each Council member's folder, for every meeting. He said the memorandum provided a broad framework for PDI, but ultimately pointed out that the parties need to reach a shared understanding. Mr. Curry said it looks like that is still a challenge in many places. Ms. Pope asked if the talking points could restate this, about reaching a common understanding, or provide some broad definition. Ms. Archer thanked Chairman Pope for the comments and said she would take them back to the Education Working Group to see if they could incorporate some of those ideas. Ms. Danzig thanked Mr. Filler for referencing the Performance Improvement Council and said she agrees it is a good tie-in for the performance side of this, and also the capability building. Ms. Danzig said she would love to dig into the 11 agencies with no forum or no metrics and understand what is going on there. She noted that engaging the PIC on that could be very useful.

Ms. Cobert asked if there were any other questions or comments from the Council on this topic. There were none. She thanked the working group for all the hard work and good work on this topic. She said if she were to summarize where people are on this, it would be setting a high bar instead of expectations for the work the team is doing, knowing that time is short and they are working hard. This is a real opportunity to say, "what can we take away from this reporting, about what is working?" We could then have that formula in a way that it more clearly able to be communicated. For people who have metrics that seem to be working, how do we give others visibility into that, so they can begin thinking about their own metrics, if they haven't gotten them yet. There is no better way to make improvements than to beg or borrow someone else's idea and put it into place. What can we take away from this that can make these forums sustainable and continue to increase their effectiveness? Those are the learnings we want to have come out as you are going through the survey. Focusing on pulling those things out will help us move the ball forward. We should allow a bunch of time to come back for September and expect an equally robust discussion into the insights you have given us.

Agenda Item IV: Internal Revenue Service, Department of Treasury and National Treasury Employee Union Labor-Management Forum Success Story

Mr. Curry introduced the next agenda item and said that representatives of the Department of Treasury, Internal Revenue Service (IRS) and the NTEU will be discussing their collaboration efforts to begin improving employee engagement at the IRS. The speakers will be Ms. Faith Bell of the IRS and Ms. Anna Gnad of the NTEU. Mr. Curry welcomed the presenters and thanked them for sharing their story with the Council.

Ms. Bell began the presentation by saying that their story involves how they handle their stakeholder relationship. They think that engaging early and often benefits not only the agency but the employees as a whole. Ms. Gnadt then spoke while displaying Slide 1 in the presentation titled, “Engagement: *Involving and Collaborating for Success.*” She stated that employee engagement is a type of pre-decisional input. Ms. Gnadt noted that it is important to recognize how employee engagement differs from negotiations. Where negotiations are formal and driven by the law and rules we find in collective bargaining agreements, pre-decisional input through engagement is very fluid. It is up to the parties to determine what works best for them. Also, with negotiations, the end result is a contract that is binding on the parties. With pre-decisional involvement and engagement, we get to explore the interests and the possibilities. These are varied. With negotiations, we have decision-makers, often at the highest level of the organization. They are not the ones down in the trenches doing the work. With pre-decisional involvement, we can engage the employees who are on the front lines and get their valuable opinions and suggestions. Negotiations tend to be a closed process, whereas pre-decisional involvement and engagement is really a collaborative process. It makes a difference when we use PDI because interests and ideas for front-line employees are heard, and they are put into action. Employees become vested in the outcomes, and this benefits both of the parties.

Moving to Slide 2, “Background,” Ms. Gnadt explained that engagement matters to both organizations and to employees. She noted that all organizations have experienced attrition. When we lose employees, we also lose institutional knowledge. Engagement is also a source to develop ideas, improve productivity, and drive performance. Engagement matters to employees for reasons as well. It gives them a sense of ownership and makes them feel connected to the organization. It also adds value and makes good business sense. Employees also want to see that their union is involved in the pre-decisional involvement phase. They want to make sure their interests are being protected and addressed. This makes employees more likely to support a decision that flows from engagement than a decision that does not. The IRS, like many other agencies, has experienced a number of challenges throughout the recent years. Some of the challenges common to all agencies include budget cuts, lack of resources, sequestration and the furloughs that were associated with it, attrition with limited authority to backfill positions, and the targeting of employees by elected officials. At the IRS, that has manifested itself with continued Congressional scrutiny of senior leaders, with low employee morale, and staffing shortages and increased employee workload. All of these affect the ability to provide the services that the IRS is charged with providing to the taxpayer.

Ms. Bell said that they looked at multiple approaches. They found that they were not coordinating everything they needed to do. They needed to take a strategic approach. That is what they will be discussing next. They considered all data sources. They looked at the FEVS, as it gave them a lot of information and data points. They also looked at employee feedback through focus groups. This produced ideas they could take forward. They looked at the IRS Oversight Board. This provided plenty of input about how to improve the IRS. They looked to the private sector: corporate executive boards, human capital institutes. They took all of this information and sought to create something that would be a complement not only to the agency and its bureaus, but also to NTEU. Displaying Slide 3, “Vision,” Ms. Bell said that in light of all this information, they looked at the vision. The commissioner came up with a vision statement

that they thought was succinct and to the point. What they needed to do was to engage their employees, make sure they were well trained; and, most of all, listen to them. Ms. Bell said that later in the presentation they would be discussing “pillars,” and would highlight that listening to them is probably one of the most important things to do. It is also important to have good managers. And in doing so, give them the tools to get the job done. Ms. Bell said that to get there, they began with getting full support. In 2014, they created an organization called the “Engagement and Organizational Improvement Office.” They were responsible for coming up with an engagement strategy for all of IRS. This would be leveraged across the board with matrix-based management. This entailed looking at related programs; not isolated. In 2015, they implemented a new approach to engagement. This focused on leadership skills, and ensured a strategic and collaborative focus.

Ms. Gnadt said they recognized there were factors that would make this successful. One of those factors was accountability. Senior leaders need to make it a priority for their managers to engage employees, and managers need to be held accountable for doing that. The leaders must ensure that they are communicating the engagement expectations down to the front-line managers. This is more than a partnership effort. NTEU was included very early on in the planning stages. Because they had buy-in at an early stage, it established support for the program during its implementation.

Displaying Slide 4, “Four Pillars of Engagement,” Ms. Bell described the pillars. These are based on the commissioner’s vision. Engagement is not a thing in itself; it is an outcome. The four pillars are Listen, Develop, Lead, Support. Adopting these practices will lead to more involved employees. Speaking to Slide 5, “Relationships Are Critical,” Ms. Bell said they could not do things the same old way. They looked into building partnerships and collaborating with all of their stakeholders. They needed to have open, transparent, and ongoing communication. They needed continuous collaboration. They needed to look at PDI in the very beginning. It was critical to build and maintain trust. Ms. Gnadt said she would echo what Ms. Bell said. Trust is critical in this type of relationship. They need to have accountability and management needs to value input from front-line employees. There has to be involvement prior to decision-making; there has to be transparency which requires information sharing; and, most importantly, it has to yield results.

With Slide 6, “Engagement Teams: Frontline” displayed, Ms. Gnadt said the parties established two engagement teams in 2015. She then described one of these, the “front-line” team. This team is an example of a good labor-management relationship at work. The driving force behind it was collaboration. There was an equal representation by NTEU and management. The team engaged in its work virtually, which enabled all different parts of the organization and geographic components to be represented. The team was tasked with developing recommendations that were meaningful and either low cost or no cost. One recommendation was to add questions to the Treasury FEVS, and in fact three of those nine questions were added to the 2015 survey for Treasury employees. The questions added were related to morale, productivity, and motivation.

Transitioning to Slide 7, “Engagement Teams: LEAP-G,” Ms. Bell said this is the second team. This also included representation from all over the agency. Team members were geographically

dispersed but interacted in the virtual environment as much as possible. The purpose was to improve the IRS employee workplace experience. To attain the team's goal, they worked with NTEU, FMA, and the Equal Employment and Diversity Office. Virtual work was important because over 80 percent of the workforce teleworks. They were tasked with developing strategic recommendations.

Ms. Bell spoke to Slide 8, "Summary Recommendations." Number one was to listen. This included one-on-one sessions and upward feedback for developing management. For leading, they focused on performance commitment and developed an effective communication guide. She said they would discuss this guide more because it has become a best practice and they are very proud of it. For development, they have "focus days" agency-wide, and use volunteer activities for employee development. She noted that they also have support systems listed on the slide.

Ms. Gnadt spoke to Slide 9, "Recommendation in Action." This slide depicts the communication guide, which was also distributed as a handout at the meeting. Ms. Gnadt explained that this guide was a result of a team recommendation. Key components of the guide include the important of establishing trust between employee and their managers. The team created a simple but meaningful guide, which is viewed as a suggestion or a best practices guide. It provides an outline for a one-on-one briefing between managers and employees. It encourages communication skills by managers to enhance employee experiences. It recognizes that employee development is an important part of communication, and it establishes cooperation. The leaders and employees have to contribute jointly to effective communication. Ms. Gnadt moved to Slide 10, "Moving Forward," and said that NTEU and IRS will use this as a model to facilitate future engagement. It will also be used to tackle issues that are identified by employees as well as by managers. NTEU believes that the collaboration and involvement of front-line employees in all parts of the organization will drive success for all employees and help the IRS to accomplish its mission; and they believe that engagement will drive job satisfaction. Ms. Bell said they will continue to foster the relationship-building, to move forward to NTEU and IRS management at the table. She referenced the quotation on Slide 10 and said a couple of key items come out of this statement. One is that the key is listening. Second is the commissioner and NTEU have declared this is a marathon, it is not a sprint. We are not there yet, we are on our way. She then asked Mr. Reardon if he had any words.

Mr. Reardon thanked Ms. Gnadt and Ms. Bell for the thoughtful presentation. He also thanked Duncan Giles, NTEU Chapter 49, Chapter President, for IRS Indiana. He serves on both of those teams. Mr. Giles stood and Mr. Reardon thanked him. Mr. Reardon then referenced Slide 10 in the presentation. He said he thinks this does sum it up very well. The labor-management collaboration is indeed a marathon and he discusses this with Commissioner Koskinen regularly. The IRS engagement teams serve as a model for how the FEVS data can be utilized. He would like to say how proud he is of the work the NTEU leaders who served on the engagement teams have done. He thinks some very good work has been done. Mr. Reardon then offered a comment on FEVS. He said this is something the Council needs to address. He recently had a conversation with an agency executive who said the survey numbers were down in his part of the agency because of "survey fatigue." Mr. Reardon respectfully disagrees. In fact, he believes it is that front-line employees take the time, year after year, to take the survey and let their views be known. Unfortunately, year after year, the employees see that nothing is done with that data. Or,

changes are made on the fringes but very little is done where it could truly affect their work environment. Mr. Reardon believes front-line employees should be engaged. They understand how the work is done and how it should be done. He hopes this Council will stand up to this issue.

Mr. Reardon then offered additional comments on the presentation. This group was tasked with doing work that did not cost any money. He accepts that the IRS, for example, has had some significant budget issues. To put that in perspective, since 2010 the IRS has lost 23,000 employees. That is on the order of 20 percent of its workforce. With regard to budget, they lost more than \$1 billion in that same period of time. That has created a great deal of stress on employees. The work does not recede, and there are fewer employees to do that work. Mr. Reardon stated that he believes that collaboration is critical for the survival of an organization like the IRS, because of the stress the employees are under. Finally, Mr. Reardon expressed concern about the way Federal employees are treated by this Congress. Employees cannot get their minds around the way Congress vilifies them. It is important for this Council to put out the word about the great work that Federal employees do. All of our Federal employees deserve the respect of our elected leaders.

Ms. Cobert then opened up discussion by the Council. She began by thanking the presenters and those they are representing for all the hard work that went into this. She is excited about engagement and the things they are doing with the FEVS and using it as a tool to improve the work environment. She remarked that the FEVS is not an end in itself. She also noted that the Council members know that when employees are engaged, they are better able to accomplish the agency mission. That is why employees come to work; to serve the public. Ms. Cobert said she and Ms. Danzig have been working on the issue of employee engagement. It is an important part of the President's Management Agenda. They are firmly committed to continuing on this journey and welcome all of the Council members to engage as partners on this. Ms. Cobert believes that it is an incredibly insightful tool. There are many great examples to learn from. There are enough places where improvements have been made to know that it is possible. She welcomes everyone on the Council to join on that journey.

Ms. Danzig also expressed thanks to the presenters. She said she would add to Mr. Reardon's comments related to how to make sure that people use the data that comes out of the FEVS. Ms. Danzig said one method of doing that is Question 41 on the FEVS, which asks something like whether the employee believes the agency will make changes based on the responses to the survey. Answers to this question can serve as a barometer for this issue. Ms. Danzig asked the presenters if they had looked at that question. Mr. Giles responded that yes, they had.

Agenda Item V: New Business

Mr. Curry introduced this agenda topic by saying that the next meeting is scheduled for Wednesday, September 21, 2016 from 10 a.m. to noon at OPM. He said that Ms. Wiggins had a statement to make in relation to the Feds Feed Families Campaign. Ms. Wiggins said that USDSA is the lead for Feds Feed Families, across the government. She asked that the Council and its member organization support this initiative. She said that donations that are accepted here in the Washington D.C. area are sent to the Capital Area Food Bank. Field organizations are also

encouraged to contribute to support and provide donations that can go to their local food banks. This year's goal is to beat last year's goal. The theme is "Beat Your Best." Last year the drive collected 17.9 million pounds of food, and they would like to beat that. There is a great need, during the summer months especially. They had a kickoff at the Capital Area Foodbank a few weeks ago, and the shelves were bare. They really need your support and your organization's support for Feds Feed Families.

Ms. Archer then raised an item of new business. She commented on the OPM proposed rule for Joint Base McGuire-Dix-Lakehurst. AFGE would like to applaud the fact that this proposed rule is out there. However, she also wanted to call attention to the continuing problem of wage grade, blue collar workers being paid on one location scale while GS employees that they work next to, at the same location, are paid on a different one. Overwhelmingly, this results in lower wages for the blue collar workers. Several years ago FPRAC passed a recommendation, similar to the one passed for Joint Base McGuire-Dix-Lakehurst, that would remedy this disparity and prevent blue collar wage grade workers from being disadvantaged when they are working side by side at the same location with white collar workers. But, unfortunately, implementation of this recommendation was deferred during the financial crisis and its aftermath. While Joint Base McGuire-Dix-Lakehurst is a really positive step, and this recommendation to treat these two groups that work similarly—this still needs to be implemented across government. We hope OPM revisits and implements the larger FPRAC recommendation on this issue.

Mr. Junemann echoed the sentiments that Mr. Reardon raised in his remarks. Mr. Junemann said that he has raised this in the past. This Congress seems to view Federal employees as a liability that needs to be eliminated. This administration needs to push back against that at the highest level—it could be done by the Director of OPM, but really it should be done by the President of the United States. In every single speech that the Speaker of the House makes, he will bring up reducing the size of government and eliminating public employees. We can't just have one day to issue a public employee appreciation memo. This should be a constant drumbeat from the highest levels of the administration—appreciation for the value and dignity of public servants, particularly those in the Federal government.

No additional new business was raised.

Agenda Item VI: Acknowledgement/Receipt of Public Submissions

Mr. Curry stated that, as a FACA committee, the Council offers opportunities for members of the public to make brief statements to the Council. He asked if any member of the public wished to make any brief statement to the Council. There were no public comments.

Agenda Item VII: Adjournment

Ms. Cobert thanked the Council members for their time and for a really robust set of conversations. First, at the meeting in September, she looks forward to seeing the additional work from the Education and Impact Working Groups. OPM will send the talking points document back to the Council members with a deadline for comments. Ms. Cobert noted that with regard to Joint Base McGuire-Dix-Lakehurst, OPM is looking for comments on the

proposed rule. The Federal Employee Group Life Insurance (FEGLI) is going to have an open season from September 1 through September 30. She will appreciate Council members' help in making sure that information gets to their members and to employees in as many channels as possible. OPM is still looking for feedback on WMATA. Ms. Cobert noted that she is looking forward to seeing some of the Council members at the FMCS Labor-Management Conference in Chicago. Ms. Cobert then came back to the theme that Mr. Reardon and Mr. Junemann had raised, about the Federal workforce. She said that Federal workers do great work every day. They come to work because they want to make a difference, and it is about public service. She agrees that they cannot say it often enough, and she is willing to work to make sure it is heard more often and to convey that message. "We have to find a way to keep getting that message across."

Ms. Danzig expressed thanks for continuing to raise important issues and for their persistence in this. With PDI, we can see how difficult it is to get people to do any type of reporting, much less to actually engage in it. She appreciates not only the persistence but also the diligence with which they have approached it, such as Ms. Pope's comments around how to define PDI and the presentations related to metrics. This is close to her heart and the work they do around performance and using data-driven decision-making.

The meeting adjourned at 11:45 a.m.