

Proposed Outline of Report to the President
National Council on Federal Labor-Management Relations
(b)(1) Pilots Working Group

I. Transmittal Letter

- Brief overview of report
- Note of dissenting/minority views if necessary
- Signed by Co-Chairs and all members of the Council

II. Executive Summary

Brief, but substantive, incl. basic findings and recommendations

III. Definition and Background of (b)(1) bargaining

- Labor-Management Relations Statute provision re: (b)(1) bargaining
- History of Clinton, Bush and Obama Executive Orders
(Acknowledge any known examples of (b)(1) bargaining that have continued since the Clinton EO)
- Summary of EO 13522, with specific requirements regarding (b)(1) bargaining

IV. Pilot Projects Undertaken

- Council solicitation of pilot projects
- Description of pilots, including
 - Size of bargaining units/organizations
 - Scope and types of (b)(1) issues bargained
 - Brief description of plans initially reported by pilots

V. Assessment of Pilot Projects

- Council emphasis on metrics and their value/importance
- Measures developed by Metrics Working Group and adopted by Council

- Brief explanation of each metric adopted
 - Organizational performance
 - Employee satisfaction
 - Labor Management relations
- Description of pilot reporting requirements
 - Note timeline issue with the March 31, 2012 report deadline and May 2012 deadline for report to the President

VI. Analysis of Pilots

A. Data from Council Working Group interviews with pilot participants

- Explanation of operation of pilots
 - Training received, if any
 - Type of bargaining utilized (traditional, IBB, etc.)
 - Length of bargaining/projects
 - Other descriptors
- Changes observed from what was initially proposed
- Explanation of reported outcomes
 - Type of agreement reached – MOU, MOA, policy, notes (informal agreement), etc.
 - Metrics data (some pilots have data and some do not; efforts are a work in progress)
 - Other

B. Positive outcomes reported by pilots and factors contributing to those outcomes

- History of Labor-Management Relations between the pilot participants and any prior (b)(1) bargaining
- Description of measured tangible benefits
 - Bargaining Unit
 - Agency-Level
 - Government-Wide
- Common themes

C. Barriers and challenges faced by pilots and how they were addressed

- Description of challenges experienced and any negative outcomes
- Note confusion, if any, about distinction between (b)(1) bargaining, impact and implementation bargaining, and pre-decisional involvement

VII. Findings and Recommendations

A. Findings

- The degree to which pilots provided an adequate test of (b)(1) bargaining
- What pilots could reasonably be said to have demonstrated
- The lessons pilots suggest regarding what is required for
 - (b)(1) bargaining to successfully resolve or reach agreement on issues
 - (b)(1) bargaining to improve government operations

B. Recommendations to the President

(Note: May also include recommendations for Council or agency/ Departmental action or for existing pilots)

NOTE: Working Group will provide to the Council:

- Full range of alternatives
- Recommendations that were considered but rejected and why
- Proposed recommendation(s)

Appendices

A. 5 U.S.C. 7106

B. Clinton, Bush and Obama Executive Orders

C. Detailed identification of each pilot, to include issues (subjects and goals of the pilots), baseline metrics chosen to measure success, and outcomes for each pilot