



March 8, 2010

Submitted via PLR@opm.gov

John Berry, Co-Chair
Jeffrey Zients, Co-Chair
National Council on Labor-Management Relations
c/o U.S. Office of Personnel Management
1900 E Street, N.W.
Washington, D.C. 20415

RE: Agency Plan Implementing E.O. 13522

Dear Mr. Berry and Mr. Zients:

The Broadcasting Board of Governors (“BBG” or “Agency”) hereby submits its plan, as described below, to implement Executive Order (“EO”) 13522.

The Agency recognizes that Federal employees and their exclusive representatives are an essential source of front-line ideas and information about the realities of delivering first class news and information to the world, and that a non-adversarial forum for managers and employees' exclusive representatives to discuss Government operations will promote satisfactory labor relations and improve the productivity and effectiveness of the Federal Government.

The Agency will work with the National Council on Federal Labor-Management Relations (“Council”) in order to implement the President’s Executive Order. To that end, the Agency submits the following to the Council.

(I) The Agency has conducted a baseline assessment of the current state of labor relations within the Agency.

BBG positions are covered by three bargaining units: the American Foreign Service Association (“AFSA”); the American Federation of State, County, and Municipal Employees’ Local 1418 (“AFSCME”); and the American Federation of Government Employees, Local 1812 (“AFGE”).

AFSA represents approximately 29 foreign service employees. The initial AFSA contract, though expired in 1996, has been automatically renewed annually under the provision that continues the contract for one-year periods unless either party requests, in writing, to renegotiate. To date, there has been no request to renegotiate by the parties. The Agency and AFSA have a positive working relationship and typically are able to resolve issues without third party assistance.

AFSCME represents approximately 98 Radio Broadcast Technicians. The initial AFSCME contract also has continued past the initial expiration under a provision keeping it in effect unless either party requests to renegotiate. The Agency has a positive working relationship with AFSCME; there are no unresolved issues.

AFGE represents the largest body of agency workers, approximately 978 employees. Certain provisions of the AFGE contract currently are being renegotiated. The Office of Human Resources and AFGE are steadily working to improve mutual trust and establish an effective working relationship.

(II) The Agency has standing labor-management forums, as contemplated by Section 3(a)(i) of EO 13522. The Agency meets monthly in a combined labor-management forum with AFSA, AFSCME, and AFGE. Additionally, the Office of Human Resources (OHR), Labor and Employee Relations Division (LER), has biweekly meetings with AFGE and weekly meetings with AFSCME. The Agency and AFSA currently have not determined that there is a need to meet beyond the collective monthly forum, though the Agency is amenable to doing so providing AFSA is willing to participate.

The Agency will adapt these existing forums into the required labor-management forum (“Forum”) to further the intent and goal of EO 13522 and to better serve the public and carry out the Agency’s mission.

(III) The Agency will consult with its three Unions through the established Forum to develop specific metrics to monitor progress in areas such as labor-management satisfaction, productivity, cost savings, and other areas as identified by the Agency, in consultation with affected Forum participants.

The Agency also will accomplish this by continuing to use Employee Surveys.

In striving to work productively and effectively with the Unions to implement EO 13522, the Agency will:

1. Continue to recognize that the exclusive representatives have an important and desirable contribution to make and a role to play in the Agency carrying out its mission. To that end, the Agency will solicit and give serious and due consideration to Union input and participation regarding bargaining units’ roles and needs relative to the Agency mission.
2. Continue to treat the Unions with respect.
3. Continue to communicate regularly with the Unions.
4. Continue to share information with the Unions as set forth in EO 13522 and applicable law.
5. Continue to engage the Unions at pre-decisional levels.
6. Establish teams, committees, task forces, or other working groups deemed necessary to further the requirements of EO 13522.

7. Explore the need and benefits of alternative dispute resolution (ADR) to further its goal of better and more effective labor-management relations.
 8. Establish a framework for Agency managers to work through the Labor and Employee Relations Division of the Office of Human Resources to better facilitate Union involvement regarding Agency initiatives that change employment conditions of respective bargaining unit employees. The Forum, to be comprised of six members of BBG management, one member from AFSA, two members from AFSCME Local 1418, and two members of AFGE Local 1812, will help foster a cooperative and constructive working relationship between the Agency and the Unions and will work towards establishing an atmosphere of mutual respect and trust.
 - a) The Forum shall meet as necessary.
 - b) The Forum may develop rules and or procedures to carry out its activities, including establishing guidelines for pre-decisional involvement by the unions as contemplated by E.O. 13522.
 - c) Consensus of Forum participants is not required at Forum meetings.
 - d) Forum participants shall address at the outset whether official minutes will be kept, and if so, how?
- (IV) The Agency will devote sufficient resources to the implementation of its plan.
- (V) The Agency elects not to participate in any pilot project regarding negotiation of permissive subjects under 5 USC 7106(b)(1).

Respectfully submitted,

/S/

Danforth W. Austin
Acting Deputy Director