

ENVIRONMENTAL PROTECTION AGENCY  
PLAN OF ACTION FOR  
EXECUTIVE ORDER 13522

**REQUIREMENTS**

**Sec. 3(b)(i) Describe how the department or agency will conduct a baseline assessment of the current state of labor relations within the department or agency.**

**IMPLEMENTATION ACTIONS**

EPA will work collaboratively with its Labor Management Representatives to:

1. Develop a survey instrument to conduct a baseline assessment of the current state of labor relations within EPA.
2. Take appropriate actions, based on the results of this survey.
3. Update the National Partnership Council (NPC) Charter and the Labor-Management Partnership Strategic Plan & Operational Guidance, as appropriate, based on the results of this survey.

**Background:** EPA has an operating NPC. Its Charter and Labor-Management Partnership guidance provides direction for assessing the effectiveness of labor relations. The Agency will reassess and/or implement changes to these documents to meet the requirements of the EO and in consideration of the results of the baseline assessment.

Working collaboratively with our unions, EPA will determine how the assessment will be administered including communicating with respondents, determining the needs and the process for modifying or creating additional or supplemental surveys and analyzing and generating a report and plan of action for addressing any shortfalls and building on the strengths identified from the data received.

**ACTIVITIES**

1. As per the Guidance, union-management relationships, pre-decisional involvement, bargaining, negotiations, effectiveness of agency national and local partnership management councils and overall program administration will be included as components of the assessment.
2. The prospective assessment may include some components that have been utilized in the Federal Human Capital Survey/Employee Viewpoint Survey models, such as the knowledge management category as it relates to labor and employee relations statutes and requirements and policy and contract administration.

**SCHEDULE**

In progress – On February 24, 2010 an Executive Order (EO) Workgroup was established consisting of management and labor representatives. Management and labor discussions are being conducted. The Agency anticipates development of an assessment by early spring.

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**REQUIREMENTS**

**Sec. 3(b)(ii) Report the extent to which the department or agency has established labor-management forums as set forth in subsection (a)(i) of this section, or may participate in the pilot projects described in section 4 of this order.<sup>1</sup>**

**IMPLEMENTATION ACTIONS**

1. Established an EO Workgroup on February 24, 2010 to work with the NPC to implement requirements of E.O. 13522.
2. Conduct all bi-monthly NPC meetings already scheduled for the entire calendar year of 2010.
3. Conduct Agency-wide labor and employee relations training for managers, supervisors and union representatives by early spring.

Background: On December 3, 1998, EPA established its NPC in compliance with EO 12871. The charter of this ongoing body identifies the structure of the plenary council and Executive Board and its operating principles, the scope of the NPC, the process for decision making and procedures and guidelines for the overall functions and support of the NPC.

On April 3, 2003, EPA established a Labor-Management Partnership Strategic Plan & Operational Guidance to foster the use of partnership and collaborative methods to increase involvement of employees and union reps as partners with management to better serve agency customers and mission; training for managers, supervisors, union reps and other employees on methods of dispute resolution, interest based negotiation/approaches; and evaluation of progress and improvement in organizational performance resulting from labor-management partnerships.<sup>2</sup>

**ACTIVITIES**

1. It is the function of the NPC to promote implementation of partnership concepts throughout the agency and to investigate, study, discuss and propose solutions to the Administrator on a wide range of issues affecting EPA employees, and/or to make specific decisions when delegated authority to do so by the Administrator.
2. The NPC is also being utilized to increase collaboration between EPA's labor unions and management to further the accomplishment of the Agency's mission through improving job satisfaction, fostering more productive and cost effective service to the agency's customers, career development and morale of employees.

**SCHEDULE**

Ongoing.

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<sup>1</sup> At this time, EPA declines participation in pilot projects related to negotiation over permissive subjects of bargaining. The Agency will, in consultation with its unions, consider engaging in negotiation over permissive subjects of bargaining on a case-by-case basis.

<sup>2</sup> As previously mentioned in Sec.3(b)(i) above, EPA will be reviewing and modifying its charter and strategic plan and operational guidance to ensure consistency with the EO and in accordance with the results of the baseline assessment.

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**REQUIREMENTS**

**Sec. 3(b)(iii) Address how the department or agency will work with the exclusive representatives of its employees through its labor-management forums to develop department-, agency-, or bargaining unit-specific metrics to monitor improvements in areas such as labor-management satisfaction, productivity gains, cost savings, and other areas as identified by the relevant labor-management forums' participants.**

**IMPLEMENTATION ACTIONS**

1. Use the EO Workgroup to serve as the Steering Committee for the implementation of E.O. 13522, including the review of the current Labor-Management Partnership Strategic Plan & Operational Guidance based on the results from the survey discussed under Requirement Sec. 3(b)(i).
2. Use the EO Workgroup to create a timeline for development, dissemination, review and finalization of a set of metrics to monitor improvements in areas described under Required Sec. 3(b)(iii).

Background: The Labor-Management Partnership Strategic Plan and Operational Guidance will provide a focus for measuring and monitoring improvements in labor-management satisfaction, productivity gains, cost savings, and other areas identified by the relevant labor-management forums' participants.

**ACTIVITIES**

1. Develop, analyze and track critical success indicators that will incorporate how labor relations issues are resolved (e.g., the # of times a collaborative approach was used; the significance of the issues dealt with in a collaborative mode; and whenever possible, the value added—dollars and/or time saved, etc.).
2. Examine overall employee satisfaction determined by surveys administered on a periodic basis.
3. Assess existing levels of mutual respect and trust between labor and management through surveys administered on a periodic basis.

**SCHEDULE**

Ongoing.

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**REQUIREMENTS**

**Sec. 3(b)(iv) Explain the department's or agency's plan for devoting sufficient resources to the implementation of the plan.**

**IMPLEMENTATION ACTIONS**

The EPA will collaboratively engage the following resources in implementing the requirements of the EO:

1. National Partnership Council (NPC) Executive Board (8 management officials [2 non-voting] and 6 labor representatives)
2. Full NPC (24 management officials and 24 labor representatives).
3. EO Workgroup (6 management officials and 7 labor representatives)
4. Labor and Employee Relations Training Workgroup (3 management officials, 2 labor representatives and one training program manager)
5. Agency-wide Labor and Employee Relations Staff support (approximately 25 employees)

**ACTIVITIES**

1. Continue dialogue on relevant issues raised during six NPC Executive Board meetings and one full NPC meeting held during calendar year 2009.
2. Conduct all bi-monthly NPC meetings scheduled for calendar year 2010.
3. Implement Agency-wide Labor and Employee Relations Training for managers, supervisors, team leaders and labor representatives to advance the objectives of the EO.

**SCHEDULE**

Ongoing.