

General Services Administration (GSA) Implementation Plan

Executive Order 13522: Creating Labor-Management Forums to Improve Delivery of Government Services

Executive Order 13522 at Section 3 (b) provides that an executive agency shall, in consultation with union representatives, prepare and submit for approval by March 9, 2010, a written implementation plan. Further, the Office of Personnel Management (OPM) and the Office of Management and Budget (OMB), by letter dated January 29, 2009, set forth requirements for the implementation plan, in addition to those described in the Executive Order.

Specifically, as excerpted from the Executive Order:

“Sec. 3. Implementation of Labor-Management Forums Throughout the Executive Branch...

- (b) Each head of an executive department or agency in which there exists one or more exclusive representatives shall, in consultation with union representatives, prepare and submit for approval, within 90 days of the date of this order, a written implementation plan to the Council. The plan shall:
 - (i) describe how the department or agency will conduct a baseline assessment of the current state of labor relations within the department or agency;
 - (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;
 - (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 forum's participants; and
 - (iv) explain the department's or agency's plan for devoting sufficient resources to the implementation of the plan.
- (c) The Council shall review each executive department or agency implementation plan within 30 days of receipt and provide a recommendation to the Co-Chairs as to whether to certify that the plan satisfies all requirements of this order. Plans that are determined by the Co-Chairs to be insufficient will be returned to the department or agency

with guidance for improvement and resubmission within 30 days. Each department or agency covered by subsection (b) of this section must have a certified implementation plan in place no later than 150 days after the date of this order, unless the Co-Chairs of the Council authorize an extension of the deadline.”

GSA is an Executive Branch independent agency within the meaning of the Executive Order and therefore is required to submit an Implementation Plan. GSA hereby submits its Implementation Plan in conformance with the Executive Order and the January 29, 2009 guidance provided by OPM.

Assessment of the Current State of Labor Relations

The Executive Order at Section 3 (b) (i) requires that agencies conduct a baseline assessment of the current state of their labor relations. GSA has started an independent assessment of the current state of labor relations within GSA. The assessment, agreed to by the National level unions representing GSA employees, is being conducted by an independent third party. A component of the assessment process involves personal interviews of over 25 managers and supervisors and over 15 union representatives. The purpose of the interviews is to benchmark the current state of the labor-management relations climate and to identify barriers to the establishment of a collaborative approach to labor relations in the agency. The third party will provide an independent analysis of the current state of the labor-management relations climate based on the interviews. It is expected that this assessment will be completed by the end of March 2010. As part of the assessment we will also examine and possibly identify issues ripe for the Forum to address. The assessment will form part of the basis for determining metrics related to improving the labor-management relations climate. .

Actions:

1. Complete baseline assessment.
2. Labor and management review assessment.
3. Labor and management, jointly and separately, develop strategies to improve the current state of labor relations
4. Labor and management prepare metrics based on benchmark results from the assessment.

Establishment of Labor Management Forums

GSA has two national level unions, AFGE and NFFE. Each union represents nationwide units of both professional and non-professional GSA employees. GSA has met with representatives of both AFGE and NFFE to discuss the establishment of

Labor-Management Forums. GSA is in favor of one GSA National Labor-Management Forum including both AFGE and NFFE, but has agreed to consider separate subsidiary Labor-Management Committees for issues that only relate to a specific bargaining unit or for Labor-Management Committees at lower levels in the GSA organizational structure. GSA expects that the GSA National Labor-Management Forum will take as one of its first tasks development of the parameters (e.g. groundrules, issues, and initiatives) for subsidiary Labor-Management Committees.

Based on our initial consultation, GSA expects to have a “Forming the Forum” meeting in early April 2010 to collaborate on action items listed below. Both AFGE and NFFE have agreed to participate. This meeting will be used to establish the foundation for the formation of the GSA National Labor-Management Forum, if one is ultimately agreed upon.

Actions:

1. Develop and agree upon groundrules for conducting “Form the Forum” session
2. At the “Form the Forum” session determine whether GSA will have combined or separate GSA National Labor-Management Forum(s)
3. If a combined GSA National Labor-Management Forum is agreed upon, determine:
 - a. GSA National Labor-Management Forum membership
 - b. GSA National Labor-Management Forum vision, goals and guidelines
 - c. GSA National Labor-Management Forum ground rules
 - d. GSA National Labor-Management Forum metrics
 - e. Determine purpose and role if any subsidiary committees
 - f. Identify training needs of the Forum members
4. If a combined GSA National Labor-Management Forum is not agreed upon, determine next steps.
5. Conduct first GSA National Labor-Management Forum meeting.
 - a. Jointly establish operating rules for the Forum meetings.
 - b. Define and determine nature of pre-decisional involvement of unions
 - c. Jointly explore areas the Forum will focus on to collaboratively improve GSA as a place to work
 - d. Jointly develop agenda for the next GSA National Labor-Management Forum meeting.

Section 7106 (b) (1) Pilot

From our initial consultations with our National level unions there was agreement that the parties at GSA are not ready, at present, to volunteer to undertake to be a Section 7106 (b)(1) pilot under the Executive Order.

The GSA National Labor-Management Forum will, as one of its early tasks, look to find a current or anticipated work place issue that the parties agree could form the basis for the use of a pilot for Section 7106(b)(1). Further, before and after such a pilot is created, the parties have discussed that there is nothing to preclude GSA management, at all levels, from considering opportunities to negotiate 7106 (b)(1) topics in ongoing collective bargaining situations.

Actions:

1. The GSA National Labor-Management Forum will pursue mutual agreement on whether we should adopt a pilot issue for Section 7106 (b) (1) bargaining
2. Jointly agree on the parameters for the pilot project, to include but not limited to:
 - a. Method to evaluate the pilot on, among other mutually agreed items, the impact on organizational performance, employee satisfaction, and the state of labor-management relations
 - b. Establishment of and methods to evaluate the effectiveness of any dispute resolution procedures for the pilot
 - c. Timeframes and goals

Development of Goals and Metrics

Union and management at GSA have started to discuss the performance goals for the GSA National Labor-Management Forum, any subsidiary Labor-Management Committees, and will collaboratively develop metrics to evaluate the success in achieving these goals. Through the direction of the GSA National Labor-Management Forum we are committed to collaboratively work together to establish jointly arrived at metrics. The mutually agreed to metrics will be used to evaluate the success of our Labor-Management Forum in attaining both the goals of the Executive Order and those of GSA.

We will use resources external to GSA to assist us in the development of metrics for evaluating our success. We will maintain alignment with the National Council on Federal Labor-Management Relations' guidance which assists agencies in further refining the metrics that we are working together with our unions to develop.

Actions:

1. Work with the exclusive representatives of GSA employees, NFFE and AFGE, to develop metrics to measure the performance of the GSA National Labor-Management Forum and any subsidiary Labor- Management Committees.
2. Look at the benchmark results from the assessment of the current state of labor relations in GSA to determine metrics to evaluate changes in the state of the labor-management relations climate between GSA and its unions.
3. Jointly agree upon GSA performance goals that will be used to measure the success of GSA in the performance of its mission. The parties, under the auspices of the GSA National Level Labor-Management Forum will jointly develop metrics to measure the success of the Labor-Management Forum in achieving these goals.

Devotion of Resources

It is the intention of GSA to devote resources to firmly establish a collaborative approach to labor-management relations. The resources will include funds for the Forum and for training of labor relations staff, managers and supervisors and joint training of labor and management on key concepts of collaborative labor management relations. These key concepts include, but are not limited to, statutory and contractual labor relations obligations, communication techniques, approaches to building trust and functional relationships, negotiation techniques (both traditional and especially non-traditional, interest based approaches), and various approaches to pre decisional involvement. Resources will also be provided to support Labor-Management Forum meetings at times and frequency agreed by both labor and management. This support may include facilitation, if jointly agreed upon by the parties.

Actions:

1. Define management and time commitment needed and ensure members of the Forum and other leaders in GSA follow through on commitment
2. Approve the budget to support implementation of the Executive Order, to include, but not limited to:
 - a. training
 - b. travel for meetings

- c. assistance from outside sources, if necessary
- d. IT support (e.g., video conferencing, teleconferencing, shared work drives, etc.)
- e. Time for participants to travel to, prepare for and take part in forum(s) and other related activities