

March 8, 2010

MEMORANDUM TO: The National Council on Federal Labor-Management Relations

FROM: Gary Locke

SUBJECT: The Department of Commerce's Plan to Implement Executive Order 13522, "Creating Labor-Management Forums to Improve Delivery of Government Services"

Section 3(b) of Executive Order 13522 (Order) requires that the head of each department or agency in which there exists one or more exclusive representative shall, in consultation with union representatives, prepare and submit for approval a written implementation plan to the National Council on Federal Labor-Management Relations (Council). This plan was developed and prepared in consultation with the exclusive representatives of the Department of Commerce's (Department) bargaining unit employees.

1. Describe how the Department will conduct a baseline assessment of the current state of labor relations within the Department.

Management and labor participants authorized the co-chairs to appoint a working group who will draft a plan for making a baseline assessment of the current state of labor relations in the Department (see item 3 below). The working group will use the metrics it identified for item 3 below in its recommendation for proposing the baseline assessment.

The working group will submit its report to the co-chairs for consideration by members of the labor-management forum.

2. Report the extent to which the Department has established labor-management forums, as set forth in section 3(a)(i) of the Order, or may participate in the pilot projects described in section 4 of the Order.

On March 2, 2010, the Department met with the exclusive representatives of the Department's bargaining unit employees to discuss the formation of the forum's charter and the implementation plan. The group, by consensus, agreed that the management and labor co-chairs would each appoint three individuals to a working group to review the management and labor versions of the charter, identify areas of mutual agreement and disagreement, and report back to the co-chairs with their report prior to April 21, 2010.

Management and labor representatives agreed that the deadline for submitting the implementation plan (March 9, 2010) precluded full consideration and submission of a pilot project as described in Section 3(b)(ii) in the Order, and they agreed to continue to work to identify potential subjects for such a project. Labor and management will immediately commence discussion regarding a pilot program.

3. How will the Department 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?

Management and labor participants authorized the co-chairs to appoint a working group that will consider the issues of the metrics and determination of the baseline data (see item 1 above). In drafting the plan, the working group will consider metrics to measure issues including: higher productivity; improved customer satisfaction; better service delivery; cost savings; higher employee morale; greater job satisfaction; lower; attrition rates; greater union and employee engagement in workplace decisions; expedited collective bargaining process; and cost savings and/or cost avoidance.

The working group will submit its report to the co-chairs for discussion and consideration by the members of the forum.

4. Explain the Department's plan for devoting sufficient resources to the implementation of the plan.

The Department and/or its operating units will:

- Pay reasonable travel and per diem costs for labor members of the forum and make the forum available through teleconferencing or video conferencing
- Provide for official duty time for labor members of the forum and the councils, in connection with preparation and/or participation in council or forum meetings
- Provide labor members of the forum and the council with access to Government computers, copiers, internet, and other appropriate resources, as appropriate
- Dedicate staff resources to provide administrative support to the forum for such matters as: scheduling and announcing meetings of the forum; processing travel requests and reimbursements for members of the forum; maintaining the minutes of the forum meetings; maintaining a web page on the Department's website to include the charter, minutes, and agendas related to forum meetings
- Ensure that labor and management continue to discuss other resource issues, including the payment of expenses for observers

Please contact Frank Milman, the Department's Labor Relations Officer, at (202) 482-3321 or via email at fmilman@doc.gov, if you have any questions concerning this matter.