

## SSA IMPLEMENTATION PLAN CREATING LABOR-MANAGEMENT FORUMS

The Social Security Administration (SSA or agency), in consultation with its labor unions, is pleased to submit its revised new implementation plan to the National Council on Federal Labor-Management Relations (National Council) in response to President Obama's Executive Order 13522 *Creating Labor-Management Forums to Improve Delivery of Government Services* (Executive Order) dated December 9, 2009. This new revision responds affirmatively to concerns raised by the National Council in its letter to the agency dated September 2, 2010.

### **Introduction:**

SSA employs approximately 67,000 employees throughout the nation who are responsible for administering the agency's programs, including Retirement, Survivors and Disability Insurance (RSDI), and Supplemental Security Income (SSI), to the public. SSA bargaining unit employees are represented by four different unions: the American Federation of Government Employees (AFGE), the International Federation of Professional and Technical Engineers (IFPTE), the National Treasury Employees Union (NTEU), and the National Federation of Federal Employees (NFFE). AFGE, NTEU, and IFPTE each represent nationwide units with national contracts. AFGE represents the vast majority of SSA employees in an agency-level unit. IFPTE, NTEU, and NFFE each represent units in the Office of Disability Adjudication and Review (ODAR).

SSA and its unions are committed to fulfilling the purpose of the Executive Order, which is to establish a cooperative and productive form of labor-management relations. The parties recognize that a nonadversarial forum for managers, employees, and employees' union representatives to discuss Government operations will promote satisfactory labor relations and improve the productivity and effectiveness of the Federal Government.

The Executive Order specifies that management should discuss workplace challenges and problems with labor and endeavor to develop solutions jointly, rather than advise union representatives of predetermined solutions to problems and then engage in bargaining over the impact and implementation of the predetermined solutions. SSA and its unions recognize that the Executive Order requires, to the extent permitted by law, the agency allow employees and their union representatives to have pre-decisional involvement in all workplace matters to the fullest extent practicable, without regard to whether those matters are negotiable subjects of bargaining under 5 U.S.C. 7106.

SSA is committed to fostering a collaborative labor-management relationship with its four unions in order to help identify problems and propose solutions to better serve the public and agency mission. SSA is also committed to providing its employees and their union representatives with pre-decisional involvement in all workplace matters to the extent permitted by law and to the fullest extent practicable.

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The input and support of SSA employees, their unions, and management is critical to meeting SSA's long-term public service commitments, as described fully in SSA's Strategic Plan for Fiscal Years 2008-2013. SSA and its unions recognize that effective labor-management relationships are essential to ensure that the public receives quality service and that the agency operational mission is achieved.

### **Baseline Assessment**

To assess its current state of labor relations, the agency's Office of Quality Performance (OQP) and the appropriate forums will jointly develop survey questions to be incorporated into an easy to use web-based survey. The agency will endeavor to release the automated survey no later than the end of the quarter following the quarter the implementation plan is approved by the National Council. Thereafter, OQP will follow the same procedure and re-issue a survey twelve (12) months later to reflect any changes in the state of labor relations within the agency. The agency's intent is to encourage ongoing discussions within its forums about the quality of its labor-management relationships.

### **Labor-Management Forums**

- A. For purposes of this submission, the SSA will establish one agency-level forum with AFGE. As a result of the initial consultation between the parties, the agency has agreed as follows with respect to that first agency-level forum:
1. The forum will convene within thirty (30) days of the approval of this implementation plan by the National Council;
  2. Fourteen (14) days in advance of that meeting, the parties will exchange their respective Agenda items—all of which will be considered at the first meeting;
  3. Two (2) days will be set aside for the initial meeting;
  4. AFGE will be entitled to representation by ten (10) persons it designates who shall receive travel allowance and per diem and shall be deemed to be on agency duty time, not Official Union time. The agency shall be represented by a minimum of seven (7) persons up to a maximum of ten (10), of whom executives shall be from Operations, Office of Disability Adjudication and Review, Office of Quality Performance, Office of Budget and Finance, and Office of Human Resources, and;
  5. A mediator appointed by the Director FMCS shall serve as a facilitator at this first meeting and at all subsequent forum meetings.\*

\*During the consultation meeting, it was also agreed that the Agenda for the first agency-level forum with AFGE would include, but not limited to, establishing ground rules and a charter, discussing the scope of pre-decisional involvement issues, the agency's response to AFGE's

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proposal for additional forums at various appropriate administrative and operational levels, and the frequency and the number of participants with which subsequent forums would be convened.

- B. The agency also has agreed to establish at specific levels of recognition within ODAR three (3) separate forums for NFFE, IFTPE and NTEU. Each of these forums likewise will develop ground rules and a charter at its first meeting and, more generally, will be conducted in a manner that complies in all respects with the applicable provisions of the Executive Order. The ODAR Deputy Commissioner or his designee will attend the SSA/IFPTE and SSA/NTEU forums along with other ODAR executives. The Hearing Office Administrative Law Judge (HOCALJ) or his/her designee will attend the SSA/NFFE forum at the hearing office level.
- C. The agency will create an Office of Disability Adjudication and Review Forum (ODAR Forum) comprised of representatives from AFGE, NTEU, NFFE, IFPTE, and ODAR leadership. The ODAR Deputy Commissioner or his designee will attend the meetings along with other agency executives. The ODAR Forum will establish standing committees that may or may not be “union specific.” These standing committees will work on a continuing basis on specific projects or areas of concern. The forum will establish temporary workgroups to deal with specific situations as advisable. To the extent permitted by law, particular emphasis will be placed on ensuring pre-decisional involvement by the unions and employees in all workplace matters to the fullest extent practicable.

Activities conducted by SSA employees in support of the Executive Order or the forums will be classified as Duty Time.

The forum ground rules will ensure that all parties remain professional and courteous towards one another.

### **Metrics**

In each forum, SSA/OQP will jointly develop with the appropriate labor union potential appropriate methods for monitoring improvements in all relevant areas. Specifically, consistent with the Executive Order, those areas shall include: labor-management satisfaction, employee satisfaction, productivity gains, cost savings, and any other areas identified by the respective forum participants. The forums will provide, on a yearly basis, a written report identifying the impact of the forum on agency components, employees, and operations.

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### **Funding**

SSA will include in its budget execution a commitment of funds necessary to support the implementation and future application of this plan pursuant to the Executive Order. These funds will include travel expenses, meetings costs, and costs associated with personnel resources.

### **Pilot Projects**

The agency is committed to being one of the agencies that will conduct a (b)(1) bargaining pilot project provided that any such project must be agreed upon by the agency.