

DEPARTMENTAL REGULATION		NUMBER: DR-4070-711-1
SUBJECT: Labor and Employee Relations Automated Case Tracking System (LERACTRS)	DATE: August 23, 2005	
	OPI: Office of Human Capital Management – Performance Management and Policy Division	

1 PURPOSE

This regulation establishes policy for use of the Department-wide electronic tracking and reporting system for labor and employee relations cases occurring within the Department of Agriculture (USDA).

2 SPECIAL INSTRUCTIONS/CANCELLATIONS

This is the initial issuance of this regulation.

3 DEFINITIONS

a Administrative Grievance System

A formal process established to facilitate the expeditious adjudication of grievances from nonbargaining unit employees through a fair, equitable, and simple procedure. Regulations and guidance can be found in USDA Personnel Manual Chapter 771 (May 1993), Code of Federal Regulations (CFR), Title 5, Part 771, and in other related issuances. This process applies to any matter of concern or dissatisfaction relating to employment, which is subject to the control of agency management for nonbargaining unit employees.

b Alternative Dispute Resolution (ADR)

The purpose of ADR processes are to assist the parties experiencing conflict in resolving the conflict themselves typically by creating a non-adversarial setting where issues can be openly discussed and solutions explored. ADR processes serve as an alternative to, not a replacement for, the formal systems of redress, namely grievances, complaints, and appeals.

c Appeals

A form of redress filed with the U.S. Merit Systems Protection Board (MSPB) that

- is available to employees who have been the subject of an adverse action (i.e. suspensions over 14 days, demotion, or removal) in accordance with 5 U.S.C. Chapter 75, or other personnel actions resulting in the loss of pay or grade as found in 5 C.F.R. 1201. MSPB appeals are adjudicated by an administrative judge through a formal hearing process.
- d ConnectHR
A term used to describe an array of individually secured web-based human resources self-service applications found on a common website that is accessible through a single sign-on process to licensed users.
- e Disciplinary and Adverse Actions
These are formal penalties imposed on employees for sustained instances of misconduct, and may include: official letters of reprimand, suspensions, demotions and removal from federal service. In matters resulting in suspension or removal, actions are taken in accordance with 5 U.S.C. Chapter 75, and provide redress through the applicable administrative or negotiated grievance procedure, statutory appeal, or complaint procedures depending on the severity of the action, bargaining unit status of the employee and contract language, and whether discrimination is alleged.
- f Hotline Complaints
A formal process administered by USDA's Office of Inspector General to provide a way for employees to report violations of law and regulations. Based on authority granted in the Inspector General Act of 1978, Public Law 95-452, hotline complaints may pertain to any matter having to do with: criminal activity, conflict of interest, bribery, employee misconduct, fraud (submission of false claims/statements), misuse of grant or contract funds, mismanagement/waste of funds, and/or actions endangering public health or safety.
- g Labor and Employee Relations Automated Case Tracking and Reporting System (LERACTRS)
LERACTRS is a secure web-based data tracking system with reporting capabilities for labor and employee relations cases within USDA. It is accessed by authorized staff and resides on the USDA human resources connectHR Dashboard.
- h Negotiations
In the context of the federal labor-management relations statute contained in 5 U.S.C. Chapter 71, negotiations are part of the collective bargaining process through which representatives of the agency and labor organization having exclusive representation rights meet and bargain in good faith in an attempt to voluntarily reach agreement with respect to conditions of employment for bargaining unit employees.
- i Negotiated Grievance Procedure/Arbitration
Negotiated Grievance Procedures (NGP) provide bargaining unit employees

represented by labor organizations an expeditious process for resolving grievances through a fair, equitable, and simple procedure. The controlling statute is 5 U.S.C. Chapter 71, Section 7121, with NGP found in master collective bargaining agreements (CBA). Unless specifically excluded in a CBA, a grievance is any matter related to employment, any claimed violation, misinterpretation, or misapplication of any law, rule, or regulation affecting conditions of employment, or claimed breach or misinterpretation of a CBA. Arbitration may be invoked by either a labor organization or management as the means to decide an unresolved grievance. Arbitration is a third party proceeding, officiated by a third party (arbitrator), who renders a decision based on the evidence presented.

j Negotiability Proceedings

The processes, as described in 5 C.F.R. Part 2424, used by the Federal Labor Relations Authority (FLRA) to resolve assertions made by an agency that proposals made by a labor organization during negotiations are outside the agency's duty to bargain.

k Performance-based Actions

These are agency-initiated personnel actions, based on 5 U.S.C. Chapter 43 or 75 to remove an employee from their position based on unacceptable performance in one or more critical performance elements following the employee's failure to improve their performance during a designated improvement period. Employees removed by adverse action may seek redress through the statutory appeal or complaint (if discrimination is alleged) procedures. Depending on language contained in collective bargaining agreements, bargaining unit employees may be able to seek redress through the negotiated grievance procedure.

l Representation Proceedings

The processes, as defined in 5 C.F.R. Part 2422, used by the FLRA to conduct elections that decide representation petitions, resolve dues allotment eligibility issues, clarify or amend existing certifications of bargaining units, and/or consolidate bargaining units.

m Unfair Labor Practices

Unfair labor practices (ULP) are violations of the Federal Service Labor Management Relations Statute, by either a labor organization or agency, as determined by the FLRA. Specific definitions of ULP are found in 5 U.S.C. Section 7116.

n Web-based

A term used to describe a computer software application or site located on the internet and accessible via a web browser.

4 POLICY

- a Labor and Employee Relations Automated Case Tracking and Reporting System (LERACTRS). LERACTRS is the only authorized Department-wide computerized record keeping system for labor and employee relations information on the case types listed in this section. All USDA mission areas and staffs, except the Office of Inspector General, are required to use LERACTRS as prescribed in this regulation to record case file information for all covered cases.

Covered cases include:

Labor Relations:

- Grievances filed under negotiated grievance procedures
- Arbitrations
- Negotiations
- Negotiability proceedings
- Representation proceedings
- Unfair Labor Practices

Employee Relations:

- Grievances filed under the USDA administrative grievance system
- Disciplinary and Adverse actions
- Performance-based actions
- Appeals
- Hotline complaints

LERACTRS is not a separate system of records, but rather an information management system used in conjunction with existing records systems established by the Office of Personnel Management and supporting file systems established within USDA. Data maintained in LERACTRS is confidential and subject to control under the Privacy Act. Access to LERACTRS shall be limited to USDA staffs that have been assigned labor and/or employee relations responsibilities in those program areas.

b Funding

For the first year of operation, the annual information technology maintenance and support costs for LERACTRS will be allocated to the mission areas and staff proportionately based on workforce size using the Department's assessment process. Cost allocations for subsequent years will be based on relative program utilization by the agencies based on the number of cases tracked. Costs associated with changes to LERACTRS will be charged to the requesting agency.

c Mandatory Data Elements and Recording

To ensure consistency in data analysis and reporting, USDA's Office of Human Capital Management (OHCM) has established required data entry fields reflected visually through the use of highlighted blocks on the LERACTRS program data screens. Data for these data fields must be entered within 10 business days of when the event or activity being recorded becomes known to the agency.

- d Optional Data Fields and Program Features
Mission areas and staffs are authorized, by supplement to this directive, to establish requirements that optional data fields and program features available on LERACTRS be completed. If such data fields are completed, such entries must be done concurrently with those for the mandatory data elements.

- e Reporting Requirements
Mandatory LERACTRS-generated reports to be used by mission areas and staffs, and/or submitted to the Department will be established by OHCM. Mission areas and staff are authorized and encouraged to use the reporting capabilities of LERACTRS for internal program monitoring and assessment purposes.

- f System Security
Access to LERACTRS will be on an individual employee basis as determined by the respective mission area or staff Human Resources Director or designees, and limited to only those employees whose performance is dependent on such access. Staff authorized access will be designated in writing and specified as to the level of access organizationally within their agency.

- g Program Modifications
Modifications to the LERACTRS programming may be authorized only by the Director, OHCM. Requests for modifications must be made in writing through the mission area or staff Human Resources Director or equivalent to OHCM, and contain both a justification citing benefits to be realized by the change and a commitment to finance any programming costs.

5 RESPONSIBILITIES

- a Director, Office of Human Capital Management
 - (1) Develops and approves LERACTRS program policy in consultation with OHCM staff and mission area Human Resources Directors.
 - (2) Approves changes to LERACTRS web-based program.
 - (3) Ensures adequate staff and financial resources are available to support and maintain LERACTRS.
 - (4) Provides human resources information technology support to address ongoing application functionality issues.

- b Director, Performance Management and Policy Division (OHCM)
 - (1) Provides administrative oversight for USDA employee and labor relations programs to ensure adequate staff resources are available to provide LERACTRS technical support to mission areas and staffs.
 - (2) Coordinates staff input for the OHCM Director on LERACTRS program issues.

c Program Manager for Employee Relations (OHCM)

- (1) Establishes case types (e.g., discipline) and associated data fields required for employee relations cases contained in LERACTRS.
- (2) Establishes reporting requirements and contents of Department and agency-generated reports from LERACTRS.
- (3) Prepares and submits USDA employee relations reports based on LERACTRS data.
- (4) Coordinates information sharing of department-wide LERACTRS employee relations data with the Assistant Secretary for Civil Rights staff.
- (5) Conducts employee relations program assessments.
- (6) Recommends LERACTRS program modifications.

d Program Manager for Labor Relations (OHCM)

- (1) Establishes case types (e.g., unfair labor practices) and associated data fields required for labor relations cases contained in LERACTRS.
- (2) Establishes reporting requirements and contents of Department and agency-generated reports from LERACTRS.
- (3) Prepares and submits USDA labor relations reports based on LERACTRS data.
- (4) Coordinates information sharing of department-wide LERACTRS labor relations data with the Assistant Secretary for Civil Rights staff.
- (5) Conducts labor relations program assessments.
- (6) Recommends LERACTRS program modifications.

e Mission Area Human Resources Directors or Equivalent

- (1) Provides sufficient staff resources to ensure LERACTRS program is administered according to Departmental policy.
- (2) Establishes agency policies that address managerial aspects of LERACTRS such as system security and access, minimum data entry requirements, and program assessment standards.
- (3) Authorizes employee access to LERACTRS within their mission area or staff.
- (4) Recommends agency or staff-initiated system changes and enhancements to the Department.
- (5) Participates as a member of the USDA Human Resources Leader Council in evaluating LERACTRS effectiveness as a management tool.

f Mission Area/Staff Employee Relations Officers

- (1) In conjunction with the mission area or staff Labor Relations Officer and human resources IT staff, establishes and monitors the administrative

and operational policies for LERACTRS to include: staff training requirements, system access and security, report preparation and distribution, and data quality and time lines.

- (2) Generates and reviews LERACTRS reports for employee relations cases, conducting periodic employee relations (ER) program reviews and assessments, preparing reports for agency or staff management and the Department, and provides assessment feedback to managers to improve ER program effectiveness and staff accountability.
- (3) Coordinates necessary sharing of agency LERACTRS employee relations data with the agency civil rights staff.
- (4) If delegated, authorizes employee access to LERACTRS within their mission area or staff.
- (5) Identifies and recommends LERACTRS program enhancements and changes.
- (6) Ensures adequate LERACTRS training is provided to ER practitioners.

g Mission Area Labor Relations Officers

- (1) In conjunction with the mission area or staff Employee Relations Officer and human resources IT staff, establishes and monitors the administrative and operational policies for LERACTRS to include: staff training requirements, system access and security, report preparation and distribution, and data quality and time lines.
- (2) Generates and reviews LERACTRS reports for labor relations cases, conducts periodic labor relations (LR) program reviews and assessments, prepares reports for agency/staff management and the Department, and provides assessment feedback to managers to improve LR program effectiveness and staff accountability.
- (3) Coordinates necessary sharing of agency LERACTRS labor relations data with the agency civil rights staff.
- (4) If delegated, authorizes employee access to LERACTRS within their mission area or staff.
- (5) Identifies and recommends LERACTRS program enhancements and changes.
- (6) Ensures adequate LERACTRS training is provided to LR practitioners.

h Staff and Mission Area Program Administrator (these functions may be assigned to Mission Area Employee or Labor Relations Officers)

- (1) Agency or staff designated employee or labor relations specialist with significant agency or staff responsibilities requiring the use of LERACTRS.
- (2) Serves as the agency or staff focal point for LERACTRS operational program communication with OHCM and agency or staff management on matters related to training, program deployment and updates and troubleshooting. Updates agency or staff end user access in LERACTRS as authorized.

i LERACTRS Users

- (1) Agency or staff designated specialists or technicians authorized by the Mission Area Human Resources Director or designee to have access to LERACTRS.
- (2) Ensure proper day-to-day entry and maintenance of data, report preparation and confidentiality of information contained in LERACTRS.
- (3) Uses LERACTRS to enhance personal productivity and professional effectiveness.

6 PROGRAM ADMINISTRATION

a Security and System Access

- (1) LERACTRS contains personal information on Federal employees; therefore, system access is limited to agency employees who have a need to know as a requirement of their position. Disclosure of personal information contained in LERACTRS is subject to restrictions contained in the Privacy Act, with its release subject to requirements contained in the Freedom of Information Act (5 U.S.C. Section 552) and the Federal Service Labor-Management Relations Statute (5 U.S.C. Section 7114(b)(4)).
- (2) Access to LERACTRS is established by authorized mission area and staff Human Resources Directors in writing on an employee-by-employee basis, given the employee's duties and responsibilities in the organization's labor and/or employee relations program. This authority may be delegated to the mission area Labor and/or Employee Relations Officers. A record of employees with authorized access will be maintained by each mission area and staff human resources office. Notification of access changes, (i.e., granting, changing, or withdrawing) should be made to the designated LERACTRS application support provider with the following information: user first and last name, social security number, e-mail address and access level by servicing organization level code(s).

b System Upgrades and Program Changes

- (1) Requests for program changes to LERACTRS may be made at any time by a mission area human resources director or equivalent to the Director, OHCM. Such requests must be in writing and include the following information: specific change(s) being sought, why the change is necessary (to include the anticipated benefits to both the requesting agency and others, as applicable), when the change(s) is needed, and the agency or staff contact person and number. Programming costs

associated with any approved changes will be incurred by the requesting agency(s) unless waived by OHCM. The decision to approve requested changes will be made by the OHCM Director in consultation with the OHCM staff and the requesting Human Resources Director(s).

- (2) System upgrades and other OHCM-initiated changes will be made as necessary, with prior notification and applicable instructions or training provided to mission areas and USDA human resources staffs.

c Training

- (1) OHCM will develop resource materials for LERACTRS users to be used by the mission area and USDA human resources staffs for orientation and training purposes. Supplementation of materials to address agency or staff policies and procedures is encouraged.
- (2) Prior to authorizing LERACTRS access, mission areas and USDA human resources staffs must ensure new users receive basic orientation training to include access procedures, security requirements, and protection of confidential information.

d Reports and Reporting Requirements

- (1) Standard reports will be generated as needed by those having LERACTRS access at the Department and agency to the extent of their access authority. For example, agency officials can only generate reports for LERACTRS data within their agency and for servicing organization level codes within their authority.
- (2) Reports not available directly from LERACTRS or third party query software may be requested by Department or agency officials directly to the LERACTRS application support provider, and can include data only within the requestors' access authority. Any costs associated with generating special reports will be borne by the requestor.

e System Evaluation and Use

- (1) Annually, the Director of OHCM will conduct a LERACTRS program assessment to include a survey of mission areas and USDA staff users, and Human Resources Directors to include the following topics:
 - (a) LERACTRS utilization in ER and LR program administration to ascertain how and to what extent it is contributing to agency or staff program effectiveness as well as identification of "best practices" using LERACTRS.
 - (b) LERACTRS problems, limitations and needed improvements.
 - (c) LERACTRS costs.
 - (d) The impacts or potential impacts of other HR enterprise systems on LERACTRS, and how they should be addressed.

- (2) The subject report will be briefed to the mission area and USDA staff Human Resources Directors, with copies provided to Departmental Administration.
- (3) Agencies and staffs are encouraged to use LERACTRS in conducting internal program evaluations and assessments.

7 INQUIRIES

Questions related to the contents of this Directive should be addressed to Keith Prue, USDA Program Manager for Employee Relations, (202) 690-1802, or Pete Rockx, USDA Program Manager for Labor Relations, (202) 720-0065.

-END-