

STATEMENT OF SENATOR DANIEL K. AKAKA

**NOMINATION OF CAROL W. POPE AND THOMAS M. BECK TO BE MEMBERS OF
THE FEDERAL LABOR RELATIONS AUTHORITY**

**COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS**

SEPTEMBER 11, 2008

Today, the Committee on Homeland Security and Governmental Affairs meets to consider the nominations of Ms. Carol Waller Pope and Mr. Thomas Beck to be Members of the Federal Labor Relations Authority (FLRA). Both Ms. Pope and Mr. Beck have had long careers dealing with labor management relations with Ms. Pope working for the federal government at the FLRA and Mr. Beck working in the private sector at Jones Day. I want to welcome our nominees, along with their family and friends, to the Committee today.

Congress acted to allow federal workers the right to bargain collectively because labor organizations and collective bargaining are in the public interest. The right of employees to unionize and bargain contributes to the effective conduct of public business and facilitates the amicable settlement of workplace disputes.

Because the FLRA is responsible for resolving disputes between labor unions and the government, the positions to which Ms. Pope and Mr. Beck have been nominated are among the most important to federal employees and the ability of federal agencies to meet their missions.

A well managed organization understands the need to invest in its workforce. To be an employer of choice and promote high employee morale, employees must have input in management decisions. When managers vet proposed changes to working conditions with affected employees, they better understand their practical impact on an employee's ability to do his or her job and on workforce morale. When managers restrict the ability of employees to bring their concerns to the table and try to eliminate collective bargaining, they undermine agency missions, lower employee morale, and make the organization an employer of last resort.

The FLRA is at a critical juncture given the shifting nature of the federal labor relations system. As such, the positions to which Ms. Pope and Mr. Beck have been nominated will face new challenges and take on renewed importance. Over the past eight years, we have seen proposed changes to federal labor law at the Departments of Homeland Security and Defense, which would have significantly impacted the FLRA and federal workers. If implemented, I believe that employees at those agencies would not be able to have their cases decided by an impartial adjudicator. In addition, the Administration proposed additional changes to the federal labor management system

government-wide through the Working for America Act in 2005. These changes would have further eroded worker's rights.

I am pleased that the Administration's proposals have not been enacted. However, these proposals sent the wrong message to federal employees. It has diminished labor-management relations in the federal government and employee morale.

In my opinion, workplace changes are now viewed with more suspicion. Workplace disputes have taken on a more adversarial nature. The reinstatement of labor management partnerships is essential, and I hope the next administration will work with the FLRA to improve labor relations and alternative means to resolving disputes.

The challenges facing the federal labor-management system have taken a toll on the FLRA. Like other federal agencies, the FLRA is facing a human capital crisis. The prospect of legislative changes significantly altering the functions and work load of the agency have left the FLRA with a high number of vacancies and low employee morale. In fact, the FLRA placed last among small agencies in the Partnership for Public Service 2007 Best Places to Work rankings. The new leadership at the FLRA must take action to address the agency's human capital crisis and make the FLRA an employer of choice.

I look forward to discussing these issues with the nominees to get their views on how to improve operations at the FLRA and the state of labor-management relations in the federal government.

Ms. Pope and Mr. Beck, again I welcome you and congratulate each of you on your nomination.