

## **Handing Requests for Time Away from Work to Perform Union Work (Official Time)**

### What is official time?

Official time is duty time during which employees serving in their capacity as union representatives perform representational activities without loss of pay or charge to leave. Representational activities include participation in negotiations, processing grievances, presentation in arbitrations, and representation of employees at meetings with management.

Official time may not be used to conduct internal union business, such as solicitation of membership, election of labor organization officials, and collection of dues.

### What procedures, if any, must a union representative follow in invoking his/her right to official time?

Official time must be requested in advance. Review applicable collective bargaining agreements to determine the specific procedures union representatives must follow in requesting official time.

### How much official time are union representatives entitled?

Review applicable collective bargaining agreements to determine the amount of official time entitled to union representatives.

### What if I do not allow an employee to take official time?

If you cannot afford to spare an employee during the time he/she requests to use official time because of work requirements, you may deny the immediate use of official time; however, you must provide an alternative time, during the employee's regularly scheduled tour of duty, for the employee to perform his/her representational duties.

If you unreasonably deny the use of official time, the agency may be subject to an unfair labor practice charge, which may be accompanied by a variety of sanctions issued by the Federal Labor Relations Authority (FLRA).

Alternatively, the agency may be subject to sanctions issued by an arbitrator if a bargaining unit employee or the union files a grievance under the negotiated grievance procedure.

### How does an employee's official time status impact his/her pay and leave?

Official time must be recorded in an employee's time and attendance records.

The agency must report to the Office of Personnel Management the number of hours of official time used by union representative each fiscal year.

Employees working official time are paid their regular rate of pay. Normally, employees may not earn compensatory time or overtime for performing representational activities.

### Where can I go for additional assistance?

If you have questions regarding labor relations matters, please contact the WHS Labor and Management Employee Relations Division at 703-699-1824.