

Guidance for Labor-Management 5 U.S.C. § 7106(b)(1) Pilot Metrics

Scope of Guidance for 5 U.S.C. § 7106(b)(1) “(b)(1) pilots”

The guidance in this document was drafted on behalf of the National Council on Federal Labor-Management Relations (Council). Each (b)(1) pilot should use the following guidance to inform its metrics development and reporting process.

Executive Order 13522 requires the establishment of pilot projects of specified duration in order to evaluate the impact of bargaining over permissive subjects set forth in 5 U.S.C. § 7106(b)(1). The Council is directed under the Executive Order to develop recommendations for evaluating pilot projects on the basis, among other things, of their impacts on: (1) organizational performance; (2) employee satisfaction; and (3) labor relations of the affected departments or agencies. The Executive Order further requires the Council to develop recommended methods for evaluating the effectiveness of dispute resolution procedures adopted and followed in the course of the pilot projects.

This guidance applies only to (b)(1) pilot participants and, where agencies provide additional organizational data such as budget, performance, and organizational data, the information may be useful for B(1) evaluation metrics.

Permissive Bargaining:

The following sets forth the metrics that should be collected by each pilot to properly evaluate the impact of their bargaining over permissive matters. With the exception of Employee Satisfaction -- which measures data from the employee population to whom any collective bargaining agreement negotiated over § 7106(b)(1) matters applies -- the measurements set forth below are to be gathered from among the pilot participants. While pilots are not required to conduct a baseline assessment in each case, baseline data should be included in describing outcomes in each of the metric areas. For example, in describing the outcome of bargaining over the use of new technology, such as laptops, it is critical to include data and information setting forth the prior technology and any costs, limitations, issues that were addressed by adopting the new technology. In addition, when describing labor-management relations, it is critical to include information setting forth the nature of the bargaining relationship prior to implementing the pilot, including the general length of negotiations, success or not in resolving issues, and general perceptions regarding the relationship and its effectiveness. Note that

for pilots engaging in on-going negotiations over permissive subjects, each topic, issue or subject of their negotiations should be recorded separately.

Schedule for Tracking and Reporting:

- December 31, 2010 – All pilots will have identified issues, goals and metrics internally for reporting on a baseline
- March 31, 2011 – Pilots will report to the Council on what their forums have chosen to measure as a baseline
- September 30, 2011 – Pilots have six-month report due to Council on their performance against their identified metrics
- March 31, 2012 – Pilots have full year report due to Council on their forums’ performance against their identified metrics

A. Background data:

Composition of Pilot Members:

Scope of § 7106(b)(1) matters agreed to be bargained:

Specify the topic or issue that was the subject of the bargaining:

Length of negotiations, starting from date of notification to agreement:

Number of hours spent on negotiations:

Describe the desired outcome of the bargaining/agreement:

Describe the nature and impact of the ultimate agreement:

Describe generally the costs and benefits of the terms of the agreement:

B. Organizational Performance:

The information gathered should include both raw data as well as anecdotal evidence where the particular pilot participants agree that it is instructive. Examples of the categories set forth below can be found the section of this guidance regarding Mission and Service Delivery metrics.

Pilots should select measures from at least four of the following nine categories:

1. General Outcomes
2. Process / Cycle time
3. Error Rate / Quality

4. Public Responsiveness / Problem resolution / Customer Satisfaction
5. Internal Resource Management
6. Cost Savings / ROI
7. Revenue Collected
8. Agility
9. Other

C. Employee Satisfaction:

The following information regarding job satisfaction -- which is derived from the OPM employee satisfaction survey -- should be surveyed among pilot participants and, where appropriate, the employees and managers that are affected or impacted by the terms and conditions of any matters negotiated by the pilot -- i.e., for a work location where the number of employees assigned to a shift were negotiated; to a work unit where the types of new computers and phones were negotiated. Where the impact of the agreement is on a large number of employees, the survey will be conducted of a smaller random population within that group.

In addition to including the general questions OPM has determined indicate the level of employee satisfaction,¹ employees should be asked questions specifically designed to measure the impact of the change that resulting from the implementation of the “(b)(1) agreement.” These questions must include information about how the change impacted employees’ ability to do their work; whether and how the “(b)(1) agreement” increased the employees’ job satisfaction. Accordingly, there must be specific survey questions focused on any change brought about by any “(b)(1) agreement.”

¹ These questions include:

- The workforce has the job-relevant knowledge and skills necessary to accomplish organizational goals.
- My agency is successful at accomplishing its mission.
- Managers promote communication among different work units (for example, about projects, goals, needed resources).
- How satisfied are you with the information you receive from management on what's going on in your organization?

D. Labor-Management Relations:

The following information is intended to demonstrate whether or not bargaining over § 7106(b)(1) matters improved labor-management relations. Consistent with the information gathered generally with respect to forums, the pilots should gather information in the following areas:

- Training received and nature of training
- Any change in the ability to resolve issues, including the number of issues addressed and resolved
- Any change in the general length of negotiations to reach agreement
- Subjective survey of pilot participants that focuses on their perceptions of the labor-management environment. The survey should measure issues such as whether labor and management feel they have: engaged in collaborative strategic planning on issues critical to agency success; or have developed a desired future state or vision for the agency. (Suggested questions TBD.) *It is recommended that with respect to the subjective survey, a baseline assessment be conducted among the pilot participants to more accurately assess any changes in perceptions as a result of the pilots.*

Dispute Resolution:

With respect to evaluating the effectiveness of dispute resolution procedures adopted and followed in the course of the pilot projects, the Council recommends that pilots provide the following data:

- Number and types of disputes
- Nature of dispute resolution procedures used -- i.e. mediation, arbitration
- Number and types of disputes resolved, and description of outcomes
- Number and types of disputes that were not resolved, and basis for failure to reach resolution.

Appendix A

Template for Measuring and Reporting (b)(1) Pilots

Date of Report	
Agency	
Bureau/Division Name (if applicable)	
Address	
City	
State	
Zip Code	
Union	
Name(s) of lead agency representative (and contact info)	
Name(s) of lead union representative (and contact info)	
Scope of 7106(b)(1) matters agreed to be bargained	
Comments	

A. Issue Identification, Negotiations, Agreement

In the box below, specify the topic or issue that was the subject of bargaining.
Length of negotiations, from date of notification to agreement:
Number of hours spent on negotiations:
In the box below, describe the desired outcome of the bargaining/agreement:
In the box below, describe the nature and impact of the ultimate agreement:

In the box below, describe generally the costs and benefits of the terms of the agreement:

B. Mission and Service Delivery Metrics, Related to Issue(s) Identified Above

Category Selected <i>(four required)</i>	Metrics <i>(at least one per category)</i>
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- | | |
|----|---|
| 1. | • |
| | • |
| 2. | • |
| | • |
| 3. | • |
| | • |
| 4. | • |

C. Employee Satisfaction Metrics, Related to Issue(s) Identified Above

OPM survey questions re: employee satisfaction:

The workforce has the job-relevant knowledge and skills necessary to accomplish organizational goals.
 My agency is successful at accomplishing its mission.
 Managers promote communication among different work units (for example, about projects, goals, needed resources).

How satisfied are you with the information you receive from management on what's going on in your organization?

Specific questions to measure impact of change resulting from implementation of the (b)(1) agreement -- these questions should be modified depending on the nature of the subject of the (b)(1) agreement and any resulting change. In addition,

Did the change affect you and your ability to do your work, and if so, describe with specificity how.

Is your work unit impacted in any way by the change resulting from the (b)(1) agreement? If it is, then please describe how.

D. Labor-Management Relations Metrics, Related to Issue(s) Identified Above

D1. Improvements in Labor-Management Relations

In the box below, please describe the training received by pilot participants and nature of the training:

In the box below, please describe any change in the ability to resolve issues, including the number of issues addressed and resolved:

In the box below, describe any change in the general length of negotiations required to reach agreement:

Please attach results of survey of pilot participants that focuses on their perceptions of the labor-management environment. *Note: Baseline survey should be conducted to more accurately assess any changes in perceptions.*

D2. Dispute Resolution

Topics

1. Number and types of disputes •
2. Nature of dispute resolution procedures used, e.g., mediation, arbitration •
3. Number and types of disputes resolved and description of outcomes •
4. Number and types of disputes not resolved and basis for failure to reach resolution •