

# Report to the National Council on Federal Labor Management Relations

Work Group # 3  
7106(b)(1)  
Bargaining Pilots

July 7, 2010

# National Council on Federal LMR Working Group on Pilot Projects

- The Work Group met on May 25, 2010 to develop general guidelines and recommendations for establishing pilot projects on bargaining matters covered by 5 USC 7106 (b)(1)
- The discussion centered on providing recommended actions to the full Council

# Work Group Meeting Attendees

- Denise Biaggi-Ayer –VA
- Carol Bonosaro - SEA
- Tim Curry - DOD
- John Gage - AFGE
- Amanda Gill - DOL
- W. Scott Gould - VA
- Seth D. Harris - Labor
- Karen Hilliard - DHS
- Justin Johnson - OPM
- Gregory Junemann - IFPTE
- Colleen Kelly – NTEU (Online)
- Emily Kornegay-OMB
- Gina Lightfoot – Walker – NAGE
- Jade Mariano – Treasury
- Jeffery Neal – DHS
- Rob Shriver - OPM
- Sara Whittle Spooner - FLRA
- Clifford L. Stanley - DOD
- Dan Tangherlini - Treasury
- Thomas Wachter - OPM
- Carol Waller Pope - FLRA
- OPM Staff

# Topics Discussed in the Meeting

- Who should/will participate in the pilot program? Which agencies?
- What are the subjects/criteria of the pilot program?
- What is the process we will use to establish these criteria and subsequently manage the pilots?
- How/Who will be trained?
- How will we use ADR for the pilots?
- How will we assess success of the pilot? What are the metrics?
- When are we going to do this? (Target start and completion dates)
- How are we going to document and report results of this session for the June 7<sup>th</sup> meeting?
- Determine outline for deliverable to the President

# Who will participate in the pilot(s)?

- Department of Homeland Security
- Department of Defense
- Department of Labor
- Department of Treasury
- Department of Veterans Affairs
- Office of Personnel Management
- Social Security Administration (Subject to review and certification of Implementation Plan)
  
- Other agencies are highly encouraged to participate

# Subjects/criteria of the pilot(s)

- **The pilot (s) will cover no fewer than 500 bargaining unit employees or involve a significant agency process (could impact less than 500 bargaining unit employees)**
  - **500 minimum threshold may be achieved with one or more individual bargaining units**
  - **Pilot (s) can involve agencies or labor organizations not specifically represented on the National Council (e.g. National Credit Union Administration)**
- **The pilot (s) will cover any combination of subjects covered by 5 USC 7106(b)(1):**
  - **Numbers, types, and grades of employees or positions assigned to any organizational subdivision, work project, or tour of duty**
  - **Technology, methods, and means of performing work**
  - **The portfolio of pilots must cover at least one (number, type and grade) category and one (technology, methods and means) category and one with both categories**
  - **Portfolio may include a term agreement covering all or part of (b)(1)**
- **For example, a pilot could be limited to:**
  - **Types of employees assigned to a tour of duty; or**
  - **Technology used in performing work; or**
  - **Any combination of subjects covered by 5 USC 7106(b)(1)**

# Process to establish criteria and subsequently manage the pilots

- Ask Labor/Agency Forums to work out pilot details, subject to criteria and timeline approved by the Council
- Require that everyone who will be negotiating on (b)(1) subjects get joint training (managers and supervisors, union representatives and members of forums)
- The FLRA is available to provide (b) (1) training to all pilot participants
- Encourage use of a variety of approaches to help negotiating teams reach agreement, for example, ADR and other additional mediation services including FMCS

# How will we assess the pilots?

- Measure changes in:
  - organizational performance (to ensure that pilots contribute to better government);
  - employee satisfaction; and,
  - labor-management relations.
- Align pilot measures with Council approved measures emphasizing improved efficiency and effectiveness of agency operations
- Link with ongoing Metrics Work Group
- Include both common and specialized measures



# Timeline

- Report to Council and approve criteria on June 7<sup>th</sup>
- Task Agency Management and Union teams to develop their proposed pilot plans and report to Council within 45 days
- Plan, organize and train pilot personnel within 120 days
- Start pilots no later than November 2010
- Provide one or more interim progress reports
- Conduct pilot for 18 months from start date
- Prepare pilot reports and report to the Council on results