

FMCS /NAGE R3-118 Labor-Management Forum Plan

Introduction

This plan has been jointly developed by the Federal Mediation and Conciliation Service (FMCS) and Local R3-118 of the National Association of Government Employees (NAGE) (collectively, the parties), as required by Section 3 (b) of Executive Order 13522, *Creating Labor-Management Forums to Improve Delivery of Government Services* (the Executive Order). FMCS is an independent executive agency with about 250 employees. NAGE represents approximately 30 employees in the FMCS National Office, in a unit defined as follows:

Included: All nonsupervisory, nonprofessional employees of the FMCS National Office.

Excluded: Professional employees; supervisors; management officials; mediators; temporary employees with no reasonable expectancy of continued employment; and employees excluded by law in 5 U.S.C. § 7112, *et seq.*

Baseline Assessment of Labor-Management Relations in the Agency

During the past few years, FMCS and NAGE have developed a cooperative relationship that has led to negotiated changes in the performance awards program and the performance appraisal rating cycle and to the resolution of several employment disputes, all without resort to the negotiated grievance procedure or arbitration. FMCS and NAGE agree to build on this successful record and to address any significant changes constructively.

NAGE and FMCS seek to assess the current state of labor-management relations within the FMCS National Office and to collect and exchange information to further enhance employee satisfaction and the delivery of Government services. The parties will use information gained from the annual employee survey results for FMCS National Office staff to identify areas of mutual concern. If the parties determine that they need additional information, they will, by the end of FY 2010, jointly develop a survey or other evaluation instrument. The parties will also develop a communication plan for their respective constituencies regarding labor-management relations at the FMCS National Office.

Establishment of Labor-Management Forum

The parties will establish a labor-management forum (Forum) tailored to the needs of the FMCS National Office staff. The Forum will consist of the two Senior Executives directly responsible for FMCS National Office staff supervision, two representatives named by NAGE, and FMCS's Director of Human Resources, who will serve as a resource person but will not participate in the consensus process. The Forum will meet quarterly or as needed, by mutual consent. The Forum will also meet once annually with

the FMCS Agency Head (Director) and an additional NAGE representative in attendance. The Forum will reach decisions by consensus, with any matters not resolved by consensus being referred to traditional or alternative labor-management dispute resolution processes.

The parties will provide documentation of the establishment of the Forum to the appropriate authority. Once the Forum is established, the parties will determine the extent of FMCS's participation in any 5 U.S.C. 7106 (b) (1) pilot projects, consistent with the guidelines provided by the National Council on Federal Labor-Management Relations.

Developing Metrics for Monitoring Improvements

Although the small size of the National Office staff will make development of useful metrics a challenge, the parties shall jointly strive to develop metrics to monitor the progress of the goals set forth in the Executive Order, implement appropriate metrics established by the National Council on Federal Labor-Management Relations, and pursue mutually selected goal and objectives. The parties have agreed to examine, at a minimum, the annual employee survey feedback, development of supplemental questionnaires, and use of organizational assessments and performance and accountability reports as possible sources of metrics for assessing the effectiveness of the labor-management forums. Members of the Forum will identify goals, collect information, and evaluate the results.

Resources

In view of the relatively small size of the bargaining unit and the location of all parties in the Washington, DC, area, the resources (other than the time of the participants) necessary to continue and enhance collaborative labor-management relations should be relatively small. The parties will jointly assess existing resources to determine if there is a need for additional support to ensure that the Executive Order's requirements are met.

Recognition of Collective Bargaining

When establishing a forum at the bargaining unit level or determining its operation, labor and management have the right to bargain utilizing the procedures of 5 U.S.C. chapter 71.

Labor-Management Partnership

The parties will continue to explore all areas of partnership and will aspire to develop avenues to work cohesively together for the betterment of labor-management relations in the FMCS National Office. The parties will also be mindful that they should work together to provide excellent delivery of Government services.