

TO: U.S. Office of Personnel Management

FROM: Debbie Matz, Chairman

SUBJECT: Labor Management Forum Plan of the National Credit Union Administration and National Treasury Employees Union

DATE: March 9, 2010

In accordance with Section 3(b) of Executive Order 13522 and in consultation with the National Office of the National Treasury Employees Union (NTEU) and NTEU, Chapter 303, I am submitting our jointly prepared Labor Management Forum implementation plan for your approval as follows:

**A. Baseline assessment of the current state of labor relations within the National Credit Union Administration (NCUA)**

1. NTEU-Chapter 303 was certified as our exclusively recognized representative on July 9, 2004. The parties signed a 3 year term Collective Bargaining Agreement that became effective January 11, 2008. We have been operating under the Agreement for two years. Thus, our relationship is relatively new.
2. We plan to conduct a baseline assessment of our current state of labor relations by analyzing the relationship in two important ways. First, the parties will examine the formal activities between labor and management by surveying the formal disputes between NCUA and NTEU such as arbitrations, grievances, mid-term reopener negotiations, impact and implementation bargaining, and legal proceedings in third party forums such as complaints filed with the FLRA, FSIP or federal lawsuits. The parties will evaluate, among other things, how negotiations transpire, specifically noting the length of negotiations, number of agreements reached, number of times mediation is used and number of times parties proceed to the formal statutory impasses process. We will also review our number of grievances, grievance time frames and resolutions reached
3. Second, we will analyze the informal day-to-day relationship between NCUA and NTEU. The parties will survey NTEU stewards and chapter officials; NCUA labor-relations employees; and NTEU National & NTEU field office employees who interact in the labor-management context. Parties will be surveyed to determine whether they believe the relationship is effective and producing the desired results. Parties will evaluate the trust and confidence in one another to informally resolve disputes. We will also examine the way in which the parties informally resolve issues.

**B. Establishment of a labor-management forum or participation in a pilot project that negotiates permissive subjects**

1. NCUA is pleased to announce that NCUA is the first Federal agency to sign a Partnership Agreement with the National Office of NTEU after the issuance of the Executive Order. Colleen Kelley, National President, NTEU and I signed the attached Partnership Agreement on March 2, 2010 at a formal signing ceremony. The Director of OPM was invited. Our Partnership Council members have been selected and will attend 2 days of training conducted by the Federal Mediation & Conciliation Service (FMCS) on March 10 and 11, 2010, and meet for the first time on March 12, 2010 with the assistance of facilitators from the FMCS. Ms. Kelley and I will also jointly address the entire workforce on our partnership initiatives at NCUA's 2 Regional training conferences the weeks of April 12 and 19, 2010.
2. Section 4(a) of the Executive Order contemplates the establishment of several pilot projects of specified duration over some or all of the subjects specified in 5 U.S.C. 7106(b)(1). NCUA and NTEU have agreed to participate in a pilot that would allow negotiations of technology defined for purposes of this pilot program to encompass hardware and off-the-shelf software that supports it. It does not include software developed internally.

**C. Develop metrics to monitor improvements in areas such as labor-management satisfaction, productivity gains, cost savings, and other areas identified by forum participants**

1. Our Partnership Council will jointly develop metrics to monitor improvements in areas they identify. The Partnership Council will develop the survey and determine who will be surveyed depending upon the issue involved. The Council may, among other things, collect and analyze the survey results gathered in the survey from union representatives and management officials who deal with each other as stated above to develop specific metrics in the areas such as working relationships, grievances, informal resolutions and negotiations. The Partnership Council will also solicit systemic issues of concern from all employees for possible agenda items at Partnership Council meetings. The Council will employ the problem solving model that (a) identifies problems or issues; (b) proposes and agrees on solutions; (c) implements solutions; (d) communicates solutions to employees; and (e) as it relates to improvements, monitors and evaluates results of the solutions.

**D. Agency plan for devoting sufficient resources to implementation of the plan**

1. Our Partnership Agreement provides that our Partnership Council will be composed of 12 members (6 appointed each by Ms. Kelley and me), allows us to designate substitutes, and appoints Ms. Kelley and me as executive sponsors to provide general oversight when Council members cannot jointly and adequately develop solutions. NCUA appointed 3 executives and 3 CU-15 managers. NTEU appointed 4 credit union examiners and an

employee development assistant along with an NTEU Assistant Counsel from one of the Union's field offices. The assignment of 12 NCUA staff members in addition to the presentations to be conducted by Ms. Kelley and me for our entire NCUA workforce at our 2 Regional training conferences indicates the level of commitment from higher level management to ensure that collaboration or partnership is a top priority.

2. The first three Partnership Council meetings will be conducted in-person once a month. However, due to scheduling difficulties between the parties, the second meeting will be held more than one month after the first meeting. The forum for the future meetings will be determined by the Partnership Council co-chairs.
3. NCUA will bear the cost of travel, per diem and travel time and grant official time for NCUA employees to attend Partnership Council meetings and any other partnership related activities, including preparation for meetings and training. For example, all Partnership Council members will be trained by the FMCS for 2 days on group dynamics including team building, problem solving approaches, the cooperative manner of decision making and conflict management. These costs are in addition to reimbursements authorized under the parties' Collective Bargaining Agreement. Workload adjustments will be made as appropriate to support labor-management partnership efforts. Finally, employees' participation will be viewed positively and will not have an adverse impact on his or her NCUA career.

Please do not hesitate to be in touch if you require additional information.

Attachment