

## FEDERAL PREVAILING RATE ADVISORY COMMITTEE

623rd FPRAC

**JILL L. NELSON**, Chair, Presiding

Thursday, March 21, 2019

Room 5526  
Office of Personnel Management  
Washington, D.C. 20415**ATTENDANCE:****Members/Alternates:**Management Members:Mark Allen, OPM  
Melissa Lalonde, DoD  
Virginia Reynolds, Air Force  
Gary Buck, Army  
Karen Hannah, VALabor Members:James Price, MTD  
Jacque Simon, AFGE (via phone)  
Richard Loeb, AFGE  
Timothy Traylor, NAGE  
Steven Landis (ACT)**Staff Specialists and Visitors:**Brenda Roberts, Designated Federal Officer, OPM  
Madeline Gonzalez, OPM  
Charles Dankert, OPM  
Karl, Fendt, DoD  
Christopher Lynch, DoD  
Leticia DavidQuintero, Navy  
Shannon Moss Scott, Navy  
Erica Abiera, VA  
Leah Brady, VA (via phone)  
Robert Shore, NAGE (via phone)**Recording Secretaries:**Mike Eicher, OPM  
Ana Paunoiu, OPM

[Transcript prepared from digital audio produced by FPRAC.]

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## P R O C E E D I N G

CHAIR NELSON: Good morning. This meeting will now come to order. This is the 623rd meeting of the Federal Prevailing Rate Advisory Committee. It is now 10:06.

Sorry to be a couple of minutes late. I was kind of waiting to see if there were going to be more bodies at the table, but we've got a few.

This meeting is being recorded, and a transcript will be provided to all members.

My name is Jill Nelson. I'm the Chair of this Committee. We'll start with introductions. Let's start with the Union officials we have here, and we'll work our way around the room. And I believe we have several members on the phone also, so we'll get there too.

MR. LANDIS: Steve Landis, ACT.

MR. LOEB: Richard Loeb, AFGE.

MR. ALLEN: Mark Allen from OPM.

MS. LALONDE: Melissa Lalonde from Department of Defense.

MS. REYNOLDS: Virginia Reynolds, Air Force.

MR. BUCK: Gary Buck, Army.

MS. HANNAH: Karen Hannah, VA.

CHAIR NELSON: Who do we have on the phone?

MS. SIMON: This is Jacque Simon, AFGE.

MR. SHORE: And Rob Shore with NAGE.

Just so you know, I believe Tim Traylor is still coming in person. He just told me about 10 minutes ago, he was stuck in traffic but should be there shortly.

CHAIR NELSON: Okay. Weather is pretty gross out.

MR. ALLEN: We have a quorum.

CHAIR NELSON: We have a quorum.

MS. BRADY: Hi. This is Leah Brady with VA on the phone line as well.

CHAIR NELSON: Okay. So we have three on the phone line.

Anyone else on the phone?

[No response.]

CHAIR NELSON: Let's go ahead and go around the room. Madeline?

MS. GONZALEZ: Madeline Gonzalez with OPM.

MS. PAUNOIU: Ana Paunoiu, OPM.

MR. EICHER: Mike Eicher, OPM.

MR. DANKERT: Hello. Charlie Dankert, OPM.

MS. DAVIDQUINTERO: Leticia DavidQuintero, Department of Navy.

MS. MOSS SCOTT: Shannon Moss Scott, Department of Navy.

MS. ROBERTS: Brenda Roberts, Designated Federal Officer, OPM.

MR. LYNCH: Christopher Lynch, Department of Defense.

MS. ABIERA: Erica Abiera, Veterans Affairs.

MR. FENDT: Karl Fendt, DoD.

CHAIR NELSON: Okay. Thank you.

Let's go ahead and move on to the announcements. The first one we've got is the fiscal year 2019 prevailing rate pay adjustments. It is in your folder, 623-OPM-1.

Mark, would you like to address that for us?

MR. ALLEN: Sure. This one is rapidly being overtaken by events, thankfully.

This was the memorandum that came out after the President issued his Executive order at the end of December establishing that there would be no pay adjustments for prevailing rate employees.

I don't really have a definite update for when the average 1.9 percent increase is going to go into effect. I do know, however, that the executive order that's required to implement those adjustments is currently in the final clearance stages. I don't have a specific date when it's going to be out, but it should be pretty soon.

CHAIR NELSON: We also have a 2018 review of the Labor membership of the Federal Prevailing Rate Advisory Committee, 623-OC-1. It's in your folder.

Do you want to address that, Mark, or should I?

MR. ALLEN: Just briefly. We do the staff work, as required, every 2 years to assess which of the Labor unions should be represented on the Committee. The seats very rarely change unless there's some organizational change with one of the unions. So we look at the data that OPM has available and also the data that DoD provides for the Nonappropriated Fund Federal Wage System employment, and we found no reason to change any of the seats allocated to the Labor unions at FPRAC.

Director Weichert approved the status quo with this one.

CHAIR NELSON: Any discussion on that?

[No response.]

CHAIR NELSON: Thank you.

Does anyone have any announcements they would like to make?

[No response.]

CHAIR NELSON: I'm hearing a lot of silence.

There is one that I'd like to make, especially because Rob is on the phone, but it seems the December announcements included the announcement of a new addition to Rob's family. And there was a consensus at the December meeting that he has to show us pictures.

So, Rob, you're on notice. At the next meeting you come, you'll have to bring a picture of your daughter to show us.

MR. SHORE: Well, in this day and age, we have tons of photos on our phone.

CHAIR NELSON: Yes.

MR. SHORE: So I will oblige.

CHAIR NELSON: Thank you.

MR. SHORE: And thank you.

CHAIR NELSON: We are moving on to the review of the minutes of the 622nd meeting, which was held in December. It seems a little strange. I actually went back and checked my notes several times for December, but we had the furlough in January, and we had a weather cancellation in February. So the last minutes are of December.

Were there any edits that were requested on this?

MS. GONZALEZ: This transcript already incorporates any edits received.

CHAIR NELSON: Okay.

Are there any edits mentioned for today that you have seen?

MR. ALLEN: No. I would just like to remark that our transcription service is doing a really good job on this and is continuing to do a good job as well as our own staff who review the tapes, so to speak, before they go out.

CHAIR NELSON: I agree with you on that. Kudos to all of you. You guys have done a great job.

So seeing and hearing none, I will entertain a motion to accept the minutes of the 622nd meeting.

MR. LOEB: So moved.

MR. ALLEN: Second.

CHAIR NELSON: All right. Moving on to the Old Business. First up, we have NAGE, the March 9th, 2016, request to reexamine placement of wage grade employees working in Shawnee County.

We deferred this from our December meeting with a plan for both Labor and Management to review all of the information they have on their positions and put everything on the table today.

Are the parties prepared to open this agenda item up for discussion?

MR. SHORE: This is Rob. Is Tim there?

CHAIR NELSON: No.

MR. SHORE: The only addition, I believe I submitted an additional letter that was there at the December or maybe it was submitted for the January meeting that ended up getting canceled, but from the director of that facility in support of the change that we have proposed.

In addition, I would just add that the two individuals who brought this to NAGE's attention, the two bargaining unit employees, have subsequently left the bargaining unit and taken positions at the Leavenworth facility directly because of the disparity in wages, and I think that just goes further to support what we have been saying this whole time.

CHAIR NELSON: Thank you, Rob.

Mark?

MR. ALLEN: I think we have covered all of the technical aspects that the Committee had requested. We went back and updated information on the relevant wage areas and did a hypothetical of what could possibly happen if a wage area were to be abolished. I don't



have anything else to add at this time.

CHAIR NELSON: Okay. So where do we stand at this moment? Is there something the parties are ready to vote on, or are we still under discussion for this item? Rob?

MR. SHORE: I think from NAGE's perspective, there really is not any information we need to provide. So we would be ready to vote. The only issue that I have or see right now is that I don't know if there's a quorum to vote.

With Jacque and myself on the phone, my recollection of the change in the rules the last time we did this—and Madeline can confirm or correct—is that we changed the rule. So you can't vote unless you're there in person. So I don't know if that will have any issue.

MS. GONZALEZ: No, you can vote. If you are on the phone, you can still vote.

MR. SHORE: Oh, okay.

MR. ALLEN: Yeah. The phone participation was something that was introduced some years ago as sort of an emergency situation. It was the case a long time ago where everybody actually had to be in the room, but we did change that.

MR. SHORE: Unless AFGE has any reason to wait—I know they would be affected by this as well. If they have a reason to wait, then we would defer to them. Otherwise everything that I have, that NAGE has, has been presented.

MR. ALLEN: What I'm going to suggest, since this one is somewhat tied up with the discussion of Tobyhanna Army Depot and the issues are the same in regards that there's a discussion about whether GS locality pay areas should influence how Federal Wage System wage areas are applied, to just temporarily table this one and have a further discussion about Tobyhanna Army Depot, if everybody is okay with that.

CHAIR NELSON: That makes perfect sense because I do know we have got

some things coming up with Tobyhanna, and that will be stretching for the next couple months as to being able to get all of the material there.

So is everyone on board with that?

[No response.]

CHAIR NELSON: Consensus on that. Okay.

Let's move on, then, to the definition of Pitt County. Do we have any updates on Pitt? This item was also deferred at the December meeting.

MR. ALLEN: I believe we were possibly expecting some input from AFGE because they are representing the one employee who works in that county. But this one has been sitting on the agenda for quite some time now. It is really time that we move on it.

MS. SIMON: This is Jacque. I am asking that we defer it for another month.

CHAIR NELSON: Is everybody okay with that?

MR. ALLEN: I'm okay with it.

CHAIR NELSON: Okay. We'll go ahead and defer Pitt County again.

MR. ALLEN: I don't necessarily see that the outcome can be any different than what the Management recommendation is, but we can defer it. It is not a large group of people we are talking about.

CHAIR NELSON: Thank you. We will go ahead and defer Pitt County.

Moving on to letter (c) on your agenda, the letter from AFGE. It is dated December 6th, 2018, requesting that FPRAC review a proposal to not allow Federal Wage System boundaries to split General Schedule locality pay areas and a proposal to redefine Monroe County, Pennsylvania, from the Scranton-Wilke-Barre wage area to the New York wage area. That is document 620-AFGE-1.

Last month, Mark, Madeline, Mike, and I had the opportunity to meet with a delegation from AFGE Local 1647 from Tobyhanna Army Depot. We have invited them to speak. I was hoping they would be here today, but they will be present at the May FPRAC meeting.

So I'm not sure really where we can go with this discussion today, being that there will be another presentation on this in May.

MR. ALLEN: I am perfectly fine with deferring. I think when we did talk to the employees from Tobyhanna Army Depot, it is pretty clear they have something to say.

CHAIR NELSON: Yes.

MR. ALLEN: This is going to contribute some useful information to the Committee. So I'd like to hear that.

CHAIR NELSON: Yeah. And I think it's important that the full Committee hears what they have to say. I mean, they really did give a very good presentation to us, and it is only fair that all of you hear that presentation. May is when they are on the agenda.

My question is also that when you jump to the New Business items (a) and (b)—and I am jumping there just because they are all tied to the Tobyhanna thing—they both concern this issue. Do we want to discuss those today, or do we want to defer this until we have the presentation and everything is discussed altogether?

MS. SIMON: This is Jacque. I think we should defer it until we have the folks from Tobyhanna coming in May to give their presentations.

CHAIR NELSON: Okay. So, Mark, are you okay with that?

MR. ALLEN: Certainly.

CHAIR NELSON: I mean, we do have the materials. Everyone's folder has the

materials in there, and I think tying it all together so we can put it all out when we've got the presentation, we've got everything for everyone, I think that's probably a better way to approach it than to kind of mishmash as we go through this.

As long as there are no objections, I think we should defer this, as Jacque suggested, if everyone is okay with that.

MR. ALLEN: So this would be for a May meeting? We have one scheduled in April.

CHAIR NELSON: Right.

MR. ALLEN: Madeline, do you know if we are going to have a substantial agenda for April just by itself?

MS. GONZALEZ: Probably not substantial.

CHAIR NELSON: I think all we really, at this point, have are just the last couple issues that are Old Business.

MS. GONZALEZ: We have some items in the pipeline, but it will take some time before they are really ready to be introduced.

CHAIR NELSON: So, before we go on, I think we'll just stop right there for a moment and bat around the idea that if we don't have anything new on the agenda, do we just cancel next month's meeting and move on and defer it until May and do everything then?

MR. ALLEN: Yeah.

CHAIR NELSON: I think that is where you were going with it, and it makes sense to me.

MR. ALLEN: Yeah. Rather than having a very short meeting that is not going to lead anywhere next month, it is a good idea to defer until May. There is no standard rule we have

to have a meeting every month.

CHAIR NELSON: I hear Jacque. Jacque?

MS. SIMON: Yes. I have a question. I mean, I don't know if you'll be able to answer this or maybe next month, but if the acquisition of OPM by GSA goes forward as the administration has described it, where will FPRAC be?

CHAIR NELSON: Good question. Anyone have an answer on that one?

MR. ALLEN: I will defer to the Designated Federal Officer on that one.

MS. ROBERTS: Well, at this point in time, I do not believe there's going to be any drastic changes. It has to play out. So I don't foresee any changes for FPRAC at least before April or May.

CHAIR NELSON: Okay. Or May?

MR. ALLEN: I will just say FPRAC is a statutory advisory committee that operates under—

MS. SIMON: But what I'm really asking is, Will the people who staff FPRAC and the pay system be in the Executive Office of the President or in GSA?

MS. ROBERTS: My understanding is that we would be under GSA, but don't hold me to that. I would see that we would still be doing the same function, Jacque.

MS. SIMON: Okay. It just seems like this would be something that would be at least unclear because it's pay policy.

MR. ALLEN: Jacque, this is Mark. I'm not planning on going anywhere, so you still have to deal with me.

[Laughter.]

MR. DANKERT: Jacque, this is Charlie Dankert with OPM.

No decisions have been made at this time, and we will update everyone that is affected once the decisions have been made, if that would answer your question. Thanks.

CHAIR NELSON: Okay. So I think we've kind of covered that one.

Let's go ahead and move on to the—do you have something else, Jacque?

MS. SIMON: No. But I guess, you know, if you could keep us informed, we would be very appreciative as the information gets clearer or decisions are made.

CHAIR NELSON: We will do so.

MR. DANKERT: Yeah, absolutely. We will share as much information as possible when it is ready to share, and we will make sure that it gets back to you.

CHAIR NELSON: Thank you, Charlie.

Okay. Let's move on to the item (d). I am glad to see we have got someone here from...

MR. SHORE: Jill?

CHAIR NELSON: Yes.

MR. SHORE: Sorry. This is Rob again.

Tim just texted me, and he said he's downstairs. I know we're coming to an end, but if somebody that's there could run down and get him, that would be great. Thank you.

CHAIR NELSON: Madeline, is there still someone downstairs?

MS. GONZALEZ: Somebody is going down right now.

CHAIR NELSON: Someone is going down right now, Rob. Thank you.

MR. SHORE: Thank you.

CHAIR NELSON: Poor Tim. He will come up in time for adjournment.

I am glad to see we do have somebody here from Metal Trades. He is like, "Oh,

no. Don't put me on the spot."

MR. PRICE: I'm always on the spot.

CHAIR NELSON: We are going to move on to item (d). It is the current definition of the Portsmouth, New Hampshire, wage area.

I honestly think this item was placed on the agenda by Metal Trades, and I am under the belief that it was a non-issue because of a lack of understanding of what had transpired in the past with the Portland, Maine, wage area.

MR. ALLEN: Yeah. I think it was really just an institutional knowledge thing. There were changes agreed to or recommended by FPRAC in 2014 that affected the Portland, Maine, wage area. The Metal Trades representative had some technical questions about what actually happened with that.

We provided information at the 621st meeting. There was a letter from AFGE to former Chairman Friedman, and the meeting transcript explained what was agreed to at FPRAC.

I believe that the question was actually addressed through a discussion between Metal Trades and DoD about how the local wage surveys there are conducted, but correct me if I am wrong. Karl?

MR. FENDT: Yeah. We have had some offline discussions, and he was comfortable with the answers. And it was just a clarification.

I just relooked. You can go on our website for the information, but the Portland 2015 schedule back, says that the Portland wage area was abolished, and it says where all the counties went. But, of course, that was also in the FPRAC meeting transcript.

MR. PRICE: And you spoke with Mr. Hart or Dale Troll? Basically, we've got so many people.

CHAIR NELSON: Oh, I know, and you had had somebody. Does anyone remember who?

MR. ALLEN: Paul. Paul O'Connor?

MR. PRICE: Paul O'Connor, yeah.

CHAIR NELSON: Yeah. He's the one who raised—

MR. PRICE: He's from that area, yes. I understand.

MR. ALLEN: Yeah.

CHAIR NELSON: And he had raised the issue, and he honestly just didn't understand. So the staff went back and pulled all the documents to clarify so that he had the answer in front of him.

MR. ALLEN: Yeah. So there was no proposal before the Committee or anything.

CHAIR NELSON: No.

MR. ALLEN: He was just asking for information.

MR. PRICE: Okay.

MR. ALLEN: So if this information is satisfactory, I think we can—

MR. PRICE: I will relate that back to Mr. O'Connor.

CHAIR NELSON: Okay. And we will go ahead and—

MR. FENDT: And if Metal Trades has further questions, you can email us.

MR. PRICE: Okay. Thank you very much. I appreciate it.

CHAIR NELSON: Okay. So we will consider that one to be resolved.

MR. ALLEN: Yeah.

CHAIR NELSON: Welcome, Tim. You are in time for us to—

MR. TRAYLOR: Good morning.



CHAIR NELSON: I hate to do this, but you are just in time for—

MR. ALLEN: I will note that Mr. Traylor is soaked.

CHAIR NELSON: Yes, he is. I feel really bad for him.

MR. TRAYLOR: One of those mornings.

CHAIR NELSON: Yes. The weather wasn't kind to you—we can tell everyone that's a patterned jacket. It really does have like the paisley look, which is why I feel really bad when I say I believe we have now covered all the items on the agenda for today.

MR. TRAYLOR: Oh, wow! Okay.

[Laughter.]

CHAIR NELSON: Yeah. Oh, Tim, I'm so sorry.

So is there a motion for adjournment?

MR. LOEB: So moved.

MR. ALLEN: And seconded.

CHAIR NELSON: All in favor of adjourning?

[Chorus of ayes.]

CHAIR NELSON: We made Rob work, Tim.

MR. TRAYLOR: Is Rob still on the line?

CHAIR NELSON: Rob is still on the line. We made him work.

Any opposition to adjourning?

[No response.]

CHAIR NELSON: I don't see any opposition. Okay. The meeting is now adjourned, and remember unless you hear otherwise, we are going to skip April's meeting and jump on to the May.