



# FLRA NEWS

FEDERAL LABOR RELATIONS AUTHORITY - WASHINGTON, D.C. 20424

Contact: Richard P. Burkard  
202-218-7927

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## **AUTHORITY SOLICITS COMMENTS ON A REQUEST FOR A GENERAL STATEMENT OF POLICY OR GUIDANCE**

The Federal Labor Relations Authority (Authority) solicits written comments on a request from the U.S. Department of Agriculture (USDA) for a general statement of policy or guidance (general statement) concerning expiring collective bargaining agreements that state that they will remain in force until the parties reach new agreements. USDA has requested, under Section 2427.2(a) of the Authority's rules and regulations (5 C.F.R. § 2427.2(a)), that the Authority issue a general statement of policy or guidance addressing when an agency head may, under Section 7114(c) of the Federal Service Labor-Management Relations Statute (the Statute), review the legality of an expiring collective-bargaining agreement that continues in force during renegotiations.

In its request, USDA asks the Authority to issue a general statement holding that:

1. When a party requests to renegotiate an expiring agreement that contains a provision stating that the agreement remains in force until a new agreement is reached, an agency head may review the legality of the expiring agreement as early as Section 7114(c) of the Statute would allow the agency head to do so if the expiring agreement were automatically renewed; and
2. An expiring agreement that remains in force until the parties reach a new agreement is effectively renewed automatically every day, so, for as long as the expiring agreement continues in force during renegotiations, a new agency-head-review period begins each day.

Interested persons are asked to address the following questions, which are set forth in a "Notice of Opportunity to Comment on a Request for a General Statement of Policy or Guidance on Expiring Collective Bargaining Agreements," appearing in today's Federal Register:

Is the issuance of a general statement of policy or guidance in this case warranted, under the standards set forth in § 2427.5 of the Authority's Regulations (5 C.F.R. § 2427.5)?

If a general statement is warranted, what should the Authority's policy or guidance be?

The Federal Register notice can be found [here](#). The Authority will consider written comments that are received on or before February 24, 2020, by email, courier or postal mail, or hand delivery. Further filing instructions may be found in the Federal Register notice. For additional information, contact Emily Sloop, Chief, Case Intake and Publication, at (202) 218-7740.

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*The FLRA administers the labor-management relations program for 2.1 million non-Postal federal employees worldwide, approximately 1.2 million of whom are represented in 2,200 bargaining units. The FLRA is charged with resolving disputes under, and ensuring compliance with, the Federal Service Labor-Management Relations Statute.*