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National NTEU Website: [www.nteu.org](http://www.nteu.org)

## Standby for the next round of pay and benefit cuts for federal employees

Here we go again. Standby for yet another round of federal employee bashing and the real possibility of taking yet another hit in the pocket book all in the name of balancing the budget. Back on December 23, 2011, the House and the Senate passed a short term extension of the Social Security payroll tax cut. This extension is set to expire at the end of February 2012. In an effort to aid federal employees, NTEU National President, Colleen M. Kelley, sent a letter to all the conferees meeting to begin negotiations on compromise legislation, strongly urging opposition to any provisions that offset the extension of the Social Security payroll tax holiday with cuts to federal employee pay and benefits.

Congressman Dennis Ross (R-FL) announced that he will hold a hearing to explore options for reforming the entire federal pension system. The reported goal of this hearing would be to bring the federal pension system more in line with that of the private sector.

One of the problems with this is that federal employees may be receiving yet another cut to their pay and benefits. What may be the result of this newest round of Capitol Hill negotiations is still anyone's guess, but based upon past proposals on this matter we could see:

- Another year extension of the two year pay freeze going through FY 2013

- A 1.5% increase in our pension contributions
- The end of the social security supplement effective January 1, 2013 (except for employees subject to mandatory retirement). This could mean up to a \$14,000 a year cut in retirement payments for those employees who opt to retire before age 62.
- A new class of employees called "secure annuity employees" who are new hires with less than five years of federal service. This class of employees would see a increase of pension contributions of 3.2%, pensions based on your high five years of service instead of the current high three years of service and worst yet a annuity multiplier reduction lowering pensions approximately 30%, effective January 2013.

Federal employees have already contributed \$60 billion to deficit reduction with a two year pay freeze. There is a potential of having federal employees contribute another \$65 billion through cuts in pay and benefits. For those of us who have been around 20 plus years and are now starting to look towards retirement, these could be some significant changes in what we may reasonably expect to see in our retirement. It could mean some major changes in what you expected to receive when you retire and it may also mean having to put off that retirement a

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## John's Column

By John Darden  
Chapter President



### Leaving money on the table

It's that time of the year to make decisions that will have an impact on your finances, your lifestyle, and how well you live (and eat) in retirement. Your first decision will be how much to contribute to the Thrift Savings Plan (TSP). All employees should be contributing to the TSP. If you're a FERS employee be sure to contribute at least 5% to the TSP. Otherwise, you're just leaving money on the table. There is no other investment in life where you are guaranteed a 100% return on your money from day one. Notice that I said how much to contribute, not **if** you should contribute to the TSP. All employees should be contributing the maximum amount, or at least as much as they can afford. For 2012, Employees can put up to \$17,000 into the TSP. Additionally, all employees who are 50 and older in the year 2012 (even if your birthday falls on December 31, 2012) can make catch-up contributions for the full year. The catch-up contributions amount for 2012 is \$5,500. Granted, there are lots of employees who don't earn enough to contribute \$22,500. But even a modest increase can make a big difference over time.

Consider this example from the TSP calculator:

A 25 year-old FERS employee who puts 5% of his/her 50K salary into the TSP every year could amass \$957,000 over 35 years. By boosting the contribution

to 7%, a \$1,000 a year increase, or just over \$19 a week, a FERS employee could end up with \$1,149,000. That is almost 200k more for retirement. (This example assumes an 8% annual return.)

And since contributions are tax deferred, the \$1,000 or \$19 per week would cost you only \$750 a year or about \$14 a week assuming a 25% tax rate. The employees who say that they can't afford to contribute to the TSP, in reality can not afford not to contribute. Your retirement depends on it.

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**“We need to do something that shows we mean business, so I recommend that we cut all executive bonuses by .001 percent.”**

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little further in the future.

NTEU will continue to fight to prevent federal employees from being tasked to pay a disproportionate share of this deficit reduction. If you want to learn

more about what you can do to help in this effort, please log into the National NTEU website at [www.nteu.org](http://www.nteu.org) to learn more about what can be done to help stop this unjustified attack on federal employees,

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## Chief's Word

By Cheryl Dalton



### Admonishment or Reprimand: What's the Big Deal?

While both are considered to be a mild yet earnest warning, a reprimand is harsher in that it defines a specific wrongdoing. In either case, admonishments or letters of reprimand are designed to correct the underlying offending behavior each is addressing.

Any time an employee is the subject of a disciplinary action, Article 38 of the 2009 National Agreement II is the place to look for guidance. Your steward can provide assistance, guidance, and advice on how to proceed to minimize the effect of a proposed action. The IRS is encouraged to use alternative approaches to positively change an employee's conduct. This approach is a great way to avoid blemishes against an employee's work record. Alternative discipline can be recommended when the underlying discipline would involve a reprimand or a suspension of 14 days or less.

So what's the big deal? The difference between an admonishment and a reprimand is where it is kept.

An admonishment will stay in the employee's drop file, housed in the supervisor's desk. A reprimand stays in the Official Personnel File (OPF), temporarily. A letter of reprimand is retained for two years unless the underlying conduct is a tax related matter. A tax related letter of reprimand is retained for five years.

Chapter 46 is so much more than just the stewards or chapter leaders. Each and every one of you represents the Union. All of us together must be vigilant to ensure the rights afforded to us under the contract are upheld. Sometimes this requires the Union to breathe life into the many sections of the collective bargaining agreement. One way we accomplish this is when members are courageous enough to step forward to notify stewards of potential contract violations. Our contract is strong and Article 5 ensures Employee Rights that the initiation of grievances, in good faith, will not cause any reflection on their standing with their managers or on their loyalty or desirability to the organization. Employees and Union Stewards who file a grievance are assured freedom from restraint, interference, coercion or discrimination, intimidation or reprisal. This is our right and we should not be afraid to demand remedial relief from contract violations.



## Steward's Scene

By Daniel Gonzalez



### Medical Doctors/Managers

Many employees in the Dallas call-site are concerned with how some management officials play a role not just as managers, but still want to exceed their authoritative capacities in a different role. In this article, we'll bring to light two of the different problems that have plagued employees, and continue to plague them, over management "discretion" when it comes to authorizing medical matters.

Let's use two fictitious employees to bring these concerns to light, beginning with our first imaginary (but very relatable) scenario:

Bob: (walking by Tim's cubicle, stopping to chat) "Hey Tim, how are ya?"

Tim: (his head on his desk, slowly looking up) "Hey Bob, (cough) uh..."

Bob: Tim, you feeling okay? You look really sick, what are you doing here?

Tim: Yeah, I'm fine (cough, sniff). I just got a little cold, I guess (sneeze). Sorry.

Bob: You guess? What do you mean?

Tim: Well, it can't be too bad (cough) I mean, I'm not

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sick or (sniff)...anything like that.

Bob: Sick like the flu, or pneumonia, or bronchitis, or what?

Tim: Yeah, nothing like that.

Bob: Oh, I see. So you went to the doctor, and they told you that you have nothing major, just a little cold?

Tim: The doctor? No, Bob, (cough, sniff)...I was gonna be out today since I woke up not feeling well (cough), but when I called my manager this morning, (clears throat) she said that I didn't sound that sick, so I went ahead and came in today...

Whether you find the preceding scenario amusing or not, we're all well aware that this scenario is real life for some employees. Those particular employees don't necessarily come in when they do feel sick like poor Tim, but they are told that they need to because they don't sound sick enough to warrant their absence from work. The problem with this is that it is not only a contractual violation, but it's a problem when any particular management official feels that he/she can decide, for the employee, that the condition is not serious enough for sick leave approval.

As mentioned in the previous article in this space, the contract states what an employee's rights are when it comes to requesting sick leave (Article 34, Section 3-A) and how to properly request it. Before we go any further, it should be mentioned that these conditions do not pertain to employees who are on leave restriction letters. Nowhere in that article or in any article does it make mention of an employee having to "sound" sick, or provide a life-threatening condition just to have their request approved. It does not state anywhere in the contract that an employee is obligated to reveal graphic details about the reason for the absence. What is necessary, and needs to be revealed, is how management officials are not following the contract, by accepting an employee's self-certification (i.e. I feel sick) for his/her absence. An employee only has these requirements: call within the first two hours of your TOD, if possible; if the supervisor is not available during work hours, leave a voice message with your telephone number; or (and this is one that very few employees know about) "the

employee must e-mail the supervisor and include their telephone number." So, just out of curiosity, why do managers make such an effort to interrogate employees, when that's not at all necessary?

For all employees, just know this: As long as you know what your rights are, any scare tactic that any management official may try to use in any situation pertaining to a sick leave request will be futile. This means that while you may have to give a brief explanation (at least say you're sick/don't feel well, or something to that extent), you're not required to give a detailed account, and as long as you know this, everything else should be irrelevant. Don't let a management official make you think it is okay to make you come in because you don't "sound" sick. Don't allow yourself to think you must reveal unpleasant details such as color, consistency, frequency, etc. just to appease the management official, because after all, details like that are not only embarrassing, but more importantly, they're private. And most importantly, know what your rights are, and don't allow yourself to be told something you know is not true.

Our second scenario will also include Bob and Tim:

Bob: (walking into the break-room, turns to see Tim sitting at a table) Heard about the accident, so sorry, glad to have you back.

Tim: Hey Bob, how you doing?

Bob: (peering over Tim, looking on the other side of him) Uhhh...is everything okay with you there Tim? (Keeps looking, stops, sees a shocking sight) Tim!!!

Tim: Yeah, yeah I know... (Sigh)

Bob: What are you doing here?!

Tim: Relax Bob, relax. I'm fine.

Bob: You always say that! Please tell me you at least saw a doctor about that?!

Tim: I did, I did. And he took care of it, hence the big bandage.

Bob: Well I would hope so!!! Again, what are you doing here?!

Tim: Well, I had to come in Bob.

Bob: Because an amputated arm isn't serious enough to keep you home?

Tim: No Bob, it's my statement from my surgeon. After

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I gave it to my manager, she said it was unacceptable. Something about how it didn't say incapacitated, or that I have a serious health condition, I can't really remember, oh well...

The hope is that no employee ever has to go through this preceding scenario, because let's be honest, that would be extremely ridiculous. Again, poor Tim is only at work because once again, a management official questioned his condition, and didn't take into consideration something that would appear obvious to most (logical) people as being a serious health condition. Tim's ho-hum attitude is certainly one that no employee should take in regards to his/her medical documentation. The problem with management officials is that not only are they inconsistent when it comes to accepting medical documentation, some of them make outlandish claims when it comes to questioning a medical professional's written diagnosis and/or prognosis. Again, let's repeat that: a management official wants to question a medical professional's legal, expert, written statement concerning an employee's condition. You can probably think of many words to describe this kind of mentality, let's just start with deplorable and go from there.

Where any employee wants to (read: should) familiarize himself/herself with the contract as it pertains to medical documentation are Article 33 (all of it), Article 34, Section 3-B & C, and Exhibit 33-2, and Exhibit 34-1. Because some of the language can be misconstrued, misinterpreted, or just downright misunderstood, we want employees to know one thing, right here, right now: NTEU Chapter 46 is currently working on a solution for employees to be able to provide acceptable medical documentation without having to return to the doctor/hospital numerous times. Please, come see us to learn more details. It's not completed, but will be, very soon. We want employees to avoid the hassle of being charged AWOL improperly, when their documentation is only missing one word, or one small item. We want employees to stop worrying that they can't go to the doctor, have surgery, or care for a family member, because of the fear that management will

be insensitive, uncooperative, and just plain mean to employees who need their help, and not their wrath. Again, the question needs to be asked, how can employees in that call-site be at their best to provide top quality service to America's taxpayers when management can't provide them top quality assistance in being cooperative with their health situations?

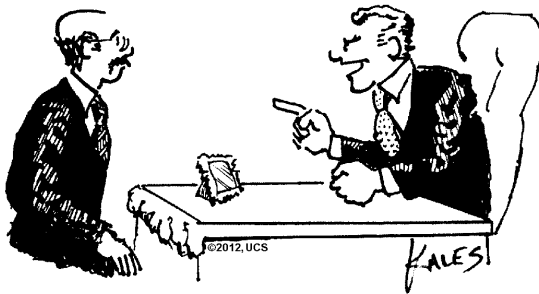
So the hope is that employees will take this information, come see us immediately whenever there is a problem, and become more educated on what their rights are. Furthermore, employees need to be know that even though management officials don't' always follow the contract, we are here to help. After all, the last time we checked, Supervisory Contact Rep, or Program Manager, didn't have M.D. attached at the end (Thanks WJ). So get help with your sick leave, or your medical documentation, and don't be told something different, or worse, untrue, about your situation.

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**“Oh, very well, Mrs. Finch -- but don't expect the afternoon off every time you go into labor!”**



"Henry, you've never shied away from a challenge. That's why I'm challenging you to put out twice the work for half the pay."

### FERS Special Retirement Supplement

Social Security is a significant part of the FERS benefit. However, Social Security retirement benefits are not payable before age 62. Since you may retire before age 62, a special retirement supplement in addition to the basic benefit will be paid by OPM until you reach age 62.

The special retirement supplement is payable if you retire with an immediate benefit and have at least one calendar year FERS service.

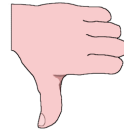
- At the Minimum Retirement Age with 30 years service
- At age 60 with 20 years service

The supplemental benefit payable before age 62 is subject to the same **earnings test** as is applied to Social Security benefits for recipients age 62 - 65. In the year 2012, the minimum earnings level is \$14,640. If you work after retirement, you can earn up to \$14,640 without losing any portion of the special retirement supplement. If your earnings exceed this amount, your supplement will be reduced by \$1 for every \$2 that is earned above the minimum level of \$14,640.

The special retirement supplement is calculated by **estimating** the amount of Social Security benefit you would earn if you had been employed for a full career under Social Security, and retiring at age 62.

Supplemental Benefit Formula is:  
 Estimated Full Career Social Security Benefit  
 divided by 40  
 times Retiree's Years of Service under FERS

Example:  
 Estimated SS Benefit by Age 62 = 10,000 per/annum  
 ÷40  
 \$250.00 X 20 Years FERS Service = \$5,000 per/annum  
 ✦



Thumbs Down to the LB & I manager that contacted an employee, while they were on approved leave, and demanded casework be completed so that the manager could be on leave during the holidays. The employee had to come off leave and get the casework ready for closure. Once again, poor planning on their part should not mean expediency on our part!!!



Thumbs Up to the Offer- In-Compromise Group Manager, Janet Reed, for being creative and creating an excellent workgroup environment for her employees. ✦



"Sure, we can add your family to the health plan. But we'll have to drop coverage for you."

Want to be informed about what is going on with current legislative action?

Send us your home e-mail address (from your home computer) to

**nteuch46legislative@gmail.com**

We will then be able to send you relevant legislative information. ✦