



Chapter Website: www.nteu46.org

National NTEU Website: www.nteu.org

You Know You Are Being Targeted For Removal When...

John Darden
Chapter President



We have had several instances this year where employees have contacted Chapter 46 after receiving an “Opportunity To Improve Performance” (OIP) or “Performance Improvement Plan” (PIP) letter. These types of letters are outlined in Part 432 of USC Title 5. In a nutshell, this federal law mandates an employee must be provided with a formal opportunity to improve before any removal or demotion action can be taken based on unacceptable performance. If you receive one of these letters, make no mistake, you are in a “de-facto” state of war with your manager. Management is wanting to terminate you. As a matter of fact, the moment you receive an annual appraisal and ANY of your critical elements falls below a “3” you need to **immediately** get NTEU involved. This is because even though your overall appraisal score may be above a “3”, management can begin the process of attempting to terminate you if **JUST ONE** of your critical elements is below a “3”. After you receive your annual appraisal, NTEU has only 15 workdays to file a grievance on your behalf.

These letters will typically provide you a 60 day

period in which you must improve to a level which is “acceptable” in the eyes of your manager. After working in labor law for many years, it has been my experience that the 60 day window is just a formality. Management is going to attempt to marginalize any great achievements you make during this time and highlight the least indiscretion. NTEU can and has saved the jobs of countless employees after they have received these types of letters.

In summary, if management lowers your appraisal you need to contact NTEU immediately. If your manager tries to tell you it’s no big deal when they lower your appraisal below a “3” in one critical element, you are being LIED to. It is a HUGE deal and appeasement in this situation may end up costing you your job!
❖

IN MEMORY:

NTEU Chapter 46 would like to pay respect to three of our members that passed away in the last few months. They are Wage and Investment employee, Johnny Williams, SPEC employee, Robert Brown, and Revenue Officer, Virginia Early-Johnson. Although they may be gone, they have not been forgotten. You need to be aware of your personal health. If the pressure of your job is stressing you out please contact your doctor or stop by or call us here in the Union Office. We will advise you on what you need to do!!!!

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2011 Legislative Conference

By Michelle Powell

In 2010, our country faced economic turmoil, broad legislative initiatives and a harsh political climate for federal employees. This year is proving to be no different. "The work continues".

Each year NTEU hosts a National Legislative Conference on Capitol Hill in Washington D.C. This conference provides an invaluable opportunity and venue in which NTEU can aggressively advocate federal employees' concerns and interests to our congressional lawmakers.

This year Chapter 46 sent Fount Rowel, Candis Cardenas, David Hines, Jim Littlejohn and Michelle Powell, as representatives to help your voice be heard. During this three day period, we were able to present our concerns to various congressional lawmakers face to face, participate in rallying efforts (held on the beautiful Capitol Hill lawn) prior to March 4, 2011. This was an opportunity to support pro-federal congressional leaders, in addition to possibly developing relationships with newly-sworn in congressional members. During the rally efforts, three of the representatives (Fount Rowel, Candis Cardenas, and Michelle Powell) were interviewed by a local television station and were asked to give their personal opinion about a possible government shut down. Each communicated on the devastating impact this would pose on a myriad of levels. The top NTEU legislative priority issues addressed this year included the following:

1) Agency funding and contracting out:

NTEU urges support for adequate funding to ensure that federal agencies have the resources and staffing necessary to perform their critical missions and provide needed services to taxpayers.

2) Federal Health Insurance issues (FEHBP):



Every year, federal employees and retirees see their health insurance premiums rise.

NTEU urges support for prescription drug reform in FEHBP, opposition to a major restructuring of FEHBP to make it into a defined contribution or voucher plan.

3) Federal Retirement issues: Proposals have been offered by the Deficit Commission and others that would reduce federal retirement benefits. (e.g. Change to a "high-5 formula instead of a "high-3" for computing federal civilian pensions.)

NTEU opposes proposals to decrease federal pensions and to require retirees to pay more for their health care

And last but not least,

4) Pay and potential furloughs: Federal employees lag 24 percent behind the private sector in comparable jobs. Despite this fact, the federal workforce is currently operating under a two-year pay freeze enacted last December in the Continuing Resolution (P.L. 111-322). In addition, legislation requiring a mandatory unpaid furlough separate from a government shutdown has been introduced. (H.R. 270 introduced on January 12, 2011, during the Fiscal year 2012, beginning this October).

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NTEU urges: Opposition to further pay reductions for federal employees, opposition to a government shutdown and support for adequate funding for agencies and also, to the opposition to H.R. 270 or other legislation to require mandatory unpaid furloughs.

In closing, NTEU will continue to keep you informed on the latest about key federal employee issues both on a national level, as well as locally. Your continued NTEU support is appreciated and needed, because “the fight continues”, as does the work to help your voice be heard.



Chapter Happenings

By Cheryl Dalton

First of all, it has been a roller coaster ride for the past several weeks worrying whether or not we were going to be furloughed. This presented new challenges for all of us. In a message sent in a Chapter President Memo dated December 22, 2010, NTEU President, Colleen Kelley, informed the NTEU membership of President Obama signing into law the Continuing Resolution that freezes the pay of federal employees and funds the federal government through March 4, 2011. Under the Continuing Resolution, the pay of federal civilian employees would be frozen for two years through December 31, 2012. Also, the pay freeze would apply to annual across the board and locality adjustments, but not step increases or career ladder promotions. During these tough economic times, federal employees are ready to do their part, but this pay freeze unfairly singles out hard-working, middle-class federal employees.

The stewards have been working hard for you in the last year. The chapter filed approximately 153 grievances that also included numerous oral replies for disciplinary actions and proposed removals. I appreciate their

assistance and I hope you also do. There is no doubt the workload for stewards continues to increase. We attribute this to a number of factors, including stewards who are well trained to recognize contract violations, as well as members who are willing to step forward to protect their rights under our collective bargaining agreement. Our stewards make compelling arguments during the grievance process that result in a high percentage of full or partial remedies on behalf of our members. Chapter 46 stewards volunteer their time and effort for more than just grievance representation. They distribute information, educate, coordinate lunch and learns and organize labor recognition events. They also represent the Union’s position at meetings and discussions both formally and informally. Another important area is representing our members in TIGTA interviews. Their hard work is appreciated.

As your Chapter 46 Chief Steward, I am committed to ensuring that our bargaining unit is represented and appreciate your continued support of our stewards.



Picnic in the Park

When: **Saturday, June 18, 2011**

from: 4:00 pm to 8 pm

Where: **River Legacy Park**



Scarborough

Renaissance Festival

April 10 - May 31

Saturdays, Sundays and Memorial Day Monday

10 AM to 7 PM

Discounted Tickets

contact either

Angela Porch at 214-413-5555

or

Candis Cardenas at 214-43-5565

POTENTIAL GOOD NEWS FOR RETIREES

This is the second year in a row that federal, military and Social Security retirees did not get a COLA (cost of living adjustment). However, if oil and food prices continue to rise, retirees are almost certain to get an inflation-catchup in January 2012 (but don't spend it yet).

COLAs are determined by the increase in inflation as measured by the Consumer Price Index for Urban Wage Earners and Clerical Employees. In short, the CPI-W. Retirees get an automatic inflation adjustment (COLA) based on the rise in the CPI-W from the current third quarter of the year (July, August, September) over the previous year's CPI-W. There were no COLAs in 2010 or 2011 because inflation was flat, and there were

several months when the CPI-W actually dropped because of deflation. (Benefits paid to retirees go up with the CPI-W but they do not drop because of deflation).

The CPI-W increased by 0.5 percent in February and that moved the magic figure, which would determine the rise in the 2012 COLA, to 0.95 percent. That's where the January 2012 COLA stands. If living costs rise, as most people expect (can you say Libya?), so will the amount of the January COLA. We won't know the final amount until early October, but we'll let you know more as soon as we know.



National NTEU Happenings

SUMMARY: NTEU has filed a national grievance over the IRS's failure to pay bilingual awards to bargaining unit employees in fiscal years 2009 and 2010.

NTEU filed a national grievance in response to recent data it received from the IRS which indicated that many bargaining unit employees eligible for bilingual awards in fiscal years (FY) 2009 and 2010 were not granted those awards.

NTEU alleged the failure to grant the bilingual awards violates Article 18, Section 5.A. of the 2009 National Agreement II. As a remedy, NTEU is asking that all eligible employees be granted bilingual awards retroactively for FY 2009 and FY 2010, attorney's fees, and other appropriate relief.

SUMMARY: The IRS will administer a Web Site Customer Satisfaction Survey to all employees in SB/SE Campus Compliance Services.

The IRS recently notified NTEU pursuant to Article 8, Section 8.B of the 2009 National Agreement II that it will administer a survey to all SB/SE Campus Compliance Services (CCS) employees to determine the level of employee satisfaction with the CCS web site.

The survey will be administered in early May 2011 and will be open for a period of ten business days. It will be announced via a communication from the Director of CCS with an e-mail link to the survey. The voluntary survey will be open to all SB/SE CCS employees, and all responses will be anonymous. The results will be used to make enhancements to the CCS web site.

Kelley Warns of Economic Hardships from Potential Cuts in Benefits to Workers Injured On the Job

Federal employees knocked out of the workforce because of a job-related injury should not be forced to exchange workers' compensation benefits for payments from a retirement plan that the injured

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worker never had the chance to properly fund, National Treasury Employees Union President, Colleen Kelley, told a House subcommittee in submitted comments. Such a result "would cause grave economic hardship to many disabled workers."

The subcommittee has undertaken a review of the Federal Employees Compensation Act (FECA). President Kelley expressed deep concern over proposals for a forced retirement provision. "Forcing a worker at retirement age to give up regular FECA benefits and live on the income from retirement savings put aside until his or her work life was interrupted by an on-the-job injury would cause grave economic hardship to many disabled employees."

An employee who is injured on the job and unable to work receives FECA payments equal to 67 percent of wages at the time of injury—an amount that is increased slightly if the person has family obligations. This reduction in income after an injury makes it impossible for an injured employee to fund a retirement plan, Kelley said.

The government's primary principle should be making the federal workplace safe by actions to move us towards the goal where no worker need come to work with the possibility it will be his or her last day on the job because of a workplace injury.

She added: "There is no greater disrespect to human

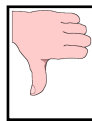
dignity than to have to suffer an injury from an unsafe workplace or from employer negligence. NTEU wants to work with this subcommittee or any other policymaker to find ways to reduce the costs of the FECA program. Our belief is the best way to do so is not by reducing benefits or denying valid claims, but by preventing the occurrence of injuries."



Thumbs Up / Down



Thumbs up to the SBSE Exam Area Director who took the time to come to Ft. Worth and present her Town Hall Meeting rather than sending her assistant.



Thumbs down to the Collection Group Manager in Dallas who labels a review as "Employee Requested" when in actuality, they never requested the manager to review the specific casework. This gives an impression that it was the employee's request.

