

KEEP THE FAITH

the

TECHNICIAN

Vol. 73 No. 2

Duty...Dignity...Dedication

February 2017

2017 Rally is in the Books!

WHAT IS ON MY MIND

A few things are on my mind this edition so read on to find out what they are...

Each Chapter's LM Report is due by the end of March and while you are working on the LM you might as well accomplish the 990N Post Card for the IRS also and send them both in at the same time. If you need any assistance, please call the National Office and we will be glad to assist you.

2017 Rally was held earlier in February and we had AWESOME participation by our Chapters across the country in attendance this year. You will see pictures elsewhere in this edition of ACT Members taking **ACTion** on Capitol Hill visiting their Member of Congress.

ACT's 2017 desired Legislation is printed elsewhere in this edition, so be sure to look it over if you have not already done so and please contact your Member of Congress to get them to support this very important legislation for ALL Technicians.

ACT has Swag for your Chapter Bulletin Boards and giveaways for your Membership. Contact Us here at the National Office to get your FREE ACT SWAG.

Field Rep's conduct three (3) full days of training for all Chapter Officers & Stewards; so be sure to contact your Field Rep's early to schedule training for your Chapter Officials. Also, your Field Rep is required to assist and attend any Chapter contract negotiations and train negotiations team members for any upcoming negotiations.

Visiting ACT National Office – Members have asked about doing this and yes you can come visit the ACT National Offices any time you are in the DC Metro area. We have had many Members come by for a visit and spend anywhere from a couple of hours to a week with us. Those that stayed longer wanted to see the day in & day out happenings of the National Office in a more in-depth visit. Some Members wanted to learn about how ACT National does its fiduciary responsibilities to its Members & Chapters. Other Members wanted to see what the Office Staff did on a day to day bases and to meet the person on the other end of the phone or email message, and some just wanted to learn more on how ACT National operates not just in the National Office but across the whole Country. If you want to drop by for a short or long visit of the National Office we would be glad to see you and show you around and to answer any questions you might have.

Keep the faith,

Terry

**ACT WELCOMES NEW
NATIONAL SECRETARY
SHANE BARVA**



Born in Fort Wayne IN, raised in a small town in Indiana called Ossian. Joined the USAF in 1996 shortly after graduating high school. Worked Aircraft Weapons Systems (AFSC 2W1X1) at the 1st Fighter Squadron (F-15 Eagles) Tyndall AFB. Married in 1998 to my High School Girlfriend, Rachelle (Haner) Barva. In 2000 was selected for a short tour assignment to 36th Fighter Squadron (F-16 Fighting Falcons) Osan AB Republic of Korea. Shortly after that my first son was born, Zachary. In 2001 was assigned to the 66th Rescue (HH-60 Pavehawks) at Nellis AFB Nevada. In 2003 my second son was born, Kyle. After numerous deployments from the effects of September 11th 2001, I was selected to be an Aircraft Armament Instructor at Sheppard AFB Texas. I helped developed the F-22 Fighter course as well as a new trainer system for the F-15E. In 2007 I transferred the Air National Guard in the 122nd Fighter Wing, Fort Wayne Indiana. While in the 122nd I have worked on the F-16 and the A-10 Warthog. I am currently a technician in the Armament Shop in the 122nd as well as the NCIOC of the Armament Shop on drill weekends.



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Organization within DoD**

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INDIANA AIR'S NEW TAKE ON RECRUITING

On Wednesday, January 24th the Fort Wayne Chapter of ACT, raffled off an AR-15 rifle with 600 rounds of ammo and two extra magazines. The “idea” simply was recruit and give more incentives to join ACT. We took an initial investment of \$940 and recruited 11 new members in a three month period. That’s roughly a \$4400 return to our local chapter.

Each current dues paying member received a ticket and for each person you recruited you received an additional ticket for the drawing. We had AGR’s and Supervisors recruiting new members for a chance for a ticket.



The winner pictured is MSgt Matt Wakefield, a Quality Assurance Technician. He recruited 4 new members for a total of 5 chances to win.

PAY INJUSTICE CORRECTED

By Steve Landis

New Jersey Chapter President

In October of 2009 McGuire AFB, Ft Dix Army post, and Lakehurst Naval Air Station combined to form Joint Base McGuire-Dix-Lakehurst. It was announced by OPM that all federal employees on the Joint Base would be part of the NY wage area. Lakehurst, which is in Ocean County was already in the NY wage area. All the GS employees on McGuire and Ft Dix were moved as expected but the Federal Wage System (FWS) employees were forgotten. After a few months, FWS employees realized that this move was not coming for them. Employees of the 108th Wing contacted the Association of Civilian Technicians (ACT), their Union representatives, and complained.

ACT, which has a seat on the OPM Federal Prevailing Rate Advisory Committee (FPRAC) began to consider the problem. Other units from the former McGuire and Ft Dix locations represented by another union had also failed to be moved to the NY wage area. During many discussions at FPRAC over the years, the forgotten FWS employees of the Joint Base was brought up. A solution was sought and during the discussions, other unions represented on FPRAC brought up areas of the country that also had wage disparity issues. In these areas, there were facilities that had both GS and FWS employees, with the GS employees in a higher pay area than the FWS employees. Before long, dozens of these locations were grouped together into a large proposal for consideration by FPRAC.

In 2011 a resolution was passed by FPRAC and sent to the director of OPM to move many FWS wage areas to coincide with GS localities. This resolution sat on the desk of the OPM director for more than a year. It was around

this time, in February-March of 2012 that I became involved with FPRAC. As the Chapter President of the NJ 108th local of ACT, I had become very involved with the wage area issue and because of my proximity to Washington DC, ACT National President Terry Garnett, asked me to represent ACT at FPRAC.

For the next 5 years, while representing the many members of ACT at FPRAC, I never let the situation at Joint Base MDL fade far from the minds of the other FPRAC members. After a meeting between myself, President Garnett and the Deputy Director of OPM in July of 2014, Terry and I realized that the larger proposal to move the many FWS wage areas into similar pay areas as the GS localities, was never going to be implemented.

We decided we needed to separate the Joint Base issue from that larger proposal if we had any chance to get the move approved. The Joint Base was unique to all other areas in the larger proposal, in that those situations had FWS employees working at the same facilities a GS employees and the GS employees were in a higher paying area. We also had FWS workers on one side of the base being paid substantially higher than FWS workers on the other side of the base.

As I began to make the separate proposal for moving all Joint Base McGuire-Dix-Lakehurst into the NY wage area, I started to get some stiff opposition from management representatives on the FPRAC. I did my best to answer their questions and convince them this move was the right thing to do. I asked for a member of the 87th Joint base command staff to accompany me to the June 2015 FPRAC meeting. Col Kelm, then commander of the 87th Mission Support Group, attended with members of his staff. Col Kelm and his staff gave a dramatic and effective presentation and answered the questions of the Committee members. I felt this information was just what we needed to get the proposal passed. I requested to have the proposal called to a vote at the October 2015 FPRAC meeting, and it passed, 5 votes to 4. Once the proposal went to the OPM directors desk a concern was brought up as to the regulations that pertained to making such a move. To address

this concern, OPM made a regulation change that said anytime a situation, such as the creation of a joint base occurs, and that Joint Base is spilt between two or more wage areas, it shall be combined into the one wage area that has the highest pay rate. The wage area move was approved by the OPM Director in July of 2016 but was not able to be implemented until the regulation change took effect, December 30, 2016, with the wage area increase beginning on the first full pay period after that date.

Many people played a role in this success. Former Congressman Jon Runyan who represented the district where McGuire AFB and much of Ft Dix is located, Congressman Chris Smith who represents the district where much of Lakehurst Naval Air Station is located, Senator Robert Menedez, former 87th Commander Col Grasso, former 87th MSG Commander Col Kelm, and our fellow unions on FPRAC.

In the end, it was the leadership of the Association of Civilian Technicians, National President Terry Garnett, Field Rep Steve Fisher, DC Air ACT Chapter President Lamar Elliot, and myself that never let this issue die. We fought nonstop for 7 years to correct this injustice and because of our efforts, on our member's behalf, FWS employees at Joint Base MDL will see their largest pay increase in 8 years

ASSOCIATION OF CIVILIAN TECHNICIANS

Technicians Taking Care of Technicians,
Since 1960

Members from the following States and Territories attended the 2017 National Rally:

- Alaska - Arkansas - Arizona - California - Colorado - Delaware -
- Florida - Georgia - Indiana - Iowa - Kentucky - Massachusetts -
- Michigan - Minnesota - Missouri - Montana - North Carolina -
- Nebraska - New Jersey - New Hampshire - New York - Oklahoma -
- Pennsylvania - Puerto Rico - Tennessee - Texas - Virginia -
- US Virgin Islands - Washington - Wisconsin - West Virginia -

Not all of ACT's states attended due to deployments and other commitments.

If you don't see a picture of your folks this year, be sure to
ask for a photo op next year and bring a camera.

UPDATE BULLETIN BOARDS

This is West Virginia's Shenandoah Chapter #91 Bulletin Board they have installed at their worksite to keep their Members updated on their Chapter & National items of interest.

If your Chapter has a Chapter Bulletin Board or Bulletin Boards at your worksite; then you need ACT informational material just like what the Shenandoah Chapter has posted for all their Members to read.

Contact ACT National for informational material to post on your Chapter Bulletin Boards.



TECHNICIANS TAKE THE HILL



Alaska Members Levi Roy, James Jones, Senator Lisa Murkowski, and Paul Jenkins



Georgia Members Dave Houghtaling, Tony Rivera, Congressman Austin Scott, and Al Fernandez

TECHNICIANS TAKE THE HILL



Florida Members Guy Reinecke, Congressman Ted Yoho, and Patrick Greaney



Puerto Rico Members Roberto Hernandez, Mike Lopez, with Representative Jennifer Gonzalez-Colon

TECHNICIANS TAKE THE HILL

Iowa Members
Carol O’Roake,
Braden Larsen, and
Senator Joni Ernst



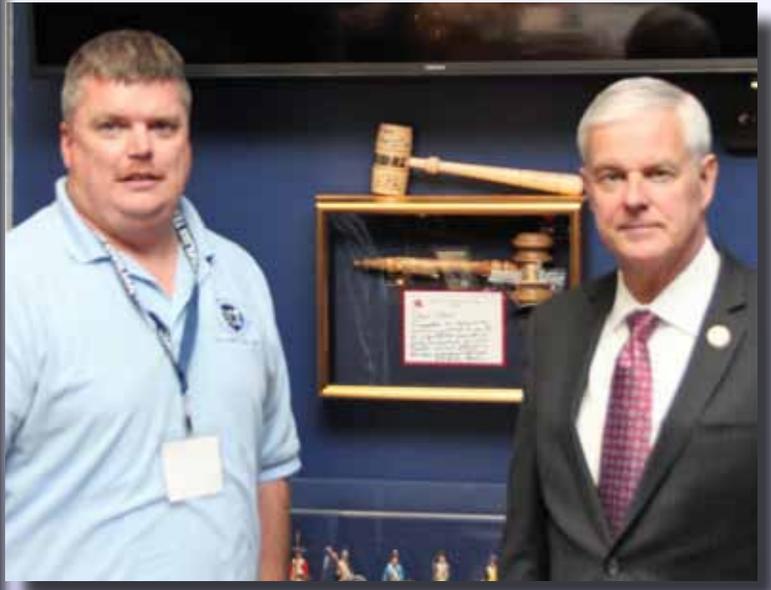
Texas Member Sarah Croft and
Rep. Pete Sessions

TECHNICIANS TAKE THE HILL



Above: Florida Members
Jett Heng and
Jason Moore

Arkansas Member Justin Likens
Hits the Hill to meet his members of
Congress



Above: Justin and
Rep. Steve Womack

Below: Justin and
Senator John Boozman



TECHNICIANS TAKE THE HILL



Above: Nebraska Members Eric Pearson, Shane Harsh, Chris Mitchel (not pictured Michael Dennis) meet with their members of Congress



Arkansas Member Justin Likens and Wisconsin Member Les Hackett meet with Senator Tom Cotton

TECHNICIANS TAKE THE HILL



Puerto Rico Members Roberto Hernandez and Mike Lopez meet with LULAC and Puerto Rico Federal Affairs Administration



Florida Member Guy Reinecke and Congressman Brian Mast



ACT'S LEGISLATIVE AGENDA FOR 2017 RALLY

The National Rally is an opportunity for delegates from the 43 states, US Virgin Islands, District of Columbia, and Puerto Rico to meet with their members of Congress and express directly their views on topics of concern.

Most years ACT provides a multi-tiered approach to our legislative agenda but this year it was decided that a more narrow in scope approach was the best method. The delegates deliver the prepared folders to their Congressmen and Senators. Included were talking points designed to dispel many of the negative perceptions that Congress holds toward unions, federal employees and their rights.

ACT National Field Representative Les Hackett worked tirelessly with ACT's General Counsel to craft documents which dispel those perceptions and set the record straight about what Federal Unions can and cannot do.

On the legislative front, ACT decided to tackle three issues which are most important to our membership. Qualitative Retention Board was at the top of the list, followed by official time, and pay and benefits.

The legislation will allow the TAGs to shape their state militia as they see fit but will protect Federal Civilian Technicians from losing their employment for no other reason than they had the audacity to get old.

Technician who are non-retained will be transferred to the Individual Ready Reserve (IRR) and be allowed to continue to work as a civilian. Your delegates delivered these proposals to Congress and discussed in detail exactly what the desired legislation was designed to do. At this time ACT is still seeking a member of the House or Senate to sponsor the legislation and we encourage you to call and express your opinion to help us reach this goal. (The legislative proposals has been included on the next 7 pages.)

Legislative Proposal

Retain Dual Status National Guard Technicians Who are Separated from the Guard without cause but remain in the Individual Ready Reserve (IRR)

Section 709(b)(2) of 32 U.S.C. should be amended to state (new language in italics):

(b) Except as authorized in subsection (c), a person employed under subsection (a) must meet each of the following requirements:

(1) Be a military technician (dual status) as defined in section 10216(a) of title 10.

(2) Be a member of the National Guard, *unless separated therefrom and retained in the Individual Ready Reserve under sections 10144 and 10145 of title 10.*

Section 709(f)(1)(a) of 32 U.S.C. should be amended to state (new language in italics):

(1) a person employed under subsection (a) who is a military technician (dual status) and otherwise subject to the requirements of subsection (b) who—

(A) is separated from the National Guard *and not retained in the Individual Ready Reserve* or ceases to hold the military grade specified by the Secretary concerned for that position shall be promptly separated from military technician (dual status) employment by the adjutant general of the jurisdiction concerned; and

Section 10216(a)(1)(B) of 10 U.S.C. should be amended to state (new language in italics):

(a) IN GENERAL.—(1) For purposes of this section and any other provision of law, a military technician (dual status) is a Federal civilian employee who—

(A) is employed under section 3101 of title 5 or section 709(b) of title 32;

(B) is required as a condition of that employment to maintain membership in the Selected Reserve *or, if separated therefrom, in the Individual Ready Reserve under sections 10144 and 10145 of this title;* and

2017 ACT Legislation Proposal #A



Legislative Proposal

Retain Dual Status National Guard Technicians Who are Separated from the Guard without Cause but Remain in the Individual Ready Reserve

Dual status National Guard technicians are full-time federal civilian employees who as a condition of their employment must be military members of the National Guard, 32 U.S.C. § 709(b)(2)—and therefore available to deploy overseas in military capacity.

With few exceptions—for example, a small number of fighter pilots—dual-status technicians are not frontline combat personnel. Currently, nearly all dual status technicians either repair and maintain military equipment, such as aircraft and vehicles, or perform administrative functions to ensure Guard readiness.¹ The technician program was designed for expert logistical support rather than to provide combat expertise.

Vulnerability to Mid-Career Loss of Civilian Employment Due to Military Separation without Cause—A Risk to Readiness and Departure from Congressional Intent

Upon completing 20 years of military service, National Guard enlisted members, including dual-status technicians, are by military regulation subject to involuntary separation from the Guard *without cause or any stated reason*—even though they may be meeting all the military requirements and are participating in the required drills and annual training periods. (Ref: AR 135-205 and ANGI 36-2651). Technicians who lose their military membership under this policy are, due to the dual status requirement, automatically separated from their full-time civilian jobs.

This policy—a blunt, rather than precise, instrument, the absence of any requirement to justify decisions rendering the process entirely opaque—may be useful to maintain a young infantry force with physical capabilities that greatly exceed, not just meet, military requirements. But application of this poorly calibrated measure to mid-career support personnel—whose value lies not their youth and physical conditioning, but in their specialized expertise and skill, acquired by long experience—risks loss of valuable personnel and resulting reduction in readiness. It also departs sharply from Congress's intent in enacting the 1968 Technician Act.²

¹ As of this writing, the conversion of 20 per cent of dual status positions to Title 5 non-technician positions required by the 2017 National Defense Authorization Act has not yet been implemented. This conversion would reduce or entirely eliminate dual status administrative positions.

² Congress's intent that, absent cause for separation, technicians would be allowed to remain in the military until age 60, so that they could stay in their civilian technician jobs until normal retirement, was stated on page 12 of Senate Report No. 1446, 90th Cong. 2d Sess. (1968):

Under present regulations technicians holding enlisted grades are permitted to enlist in the Guard up to age 60. The committee has been informally advised that the National Guard intends to continue this policy with the result that enlisted members should not be involuntarily retired through separation of job due to military promotion or elimination factors. In other words, so long as an enlisted technician properly performs his job there should be no grounds for his involuntary retirement.



In the last 5 years, this policy has caused the military and civilian employment separation of over 7000 dual-status Guard or Reserve technicians. Over 90% of these technicians are veterans who have deployed in support of the Global War on Terror. These veterans have been left in the unenviable position of being in their mid-40s to mid-50s with no job, no health insurance, and a dismal career outlook.

A Win-Win Solution—Retention of Technicians Who, Though Separated Without Cause from the Guard, Remain in the Individual Ready Reserve

Exemption of technicians from the AR 135-205 and ANGI 36-2651 no-cause military separation policy would be, in our view, fully justified. Nonetheless, there is a different solution to the problem—indeed a win-win solution—that not only does not require congressional creation of this exemption, but also increases the options and discretion of military managers to determine the military force to be deployed in defense of the nation.

Guard members automatically are enrolled in the Individual Ready Reserve (IRR) and, absent disqualification for cause, remain in the IRR even after losing Guard membership. (Ref: 10 U.S.C. §10144 & 10 U.S.C §10145). Thus, dual status technicians separated militarily from the Guard without cause remain in the IRR and, by retaining their IRR membership, manifest their continued satisfaction of military requirements.

Dual status technicians who are militarily separated from the Guard without cause, but remain in the IRR, should be retained in their civilian technician jobs. By keeping these full-time civilian employees, the Guard would continue to benefit from their specialized experience, knowledge, and skill; but, because the employees no longer would be dual status, the Guard would not have to pay them to perform Guard military duty one weekend each month and an additional 30 days each year. Instead, the Guard could replace them on the Guard military roster with Traditional Guard members, who also serve one weekend each month and an additional 30 days annually—and who are available, as well, to be activated for full-time overseas deployment.

The vast majority of these Traditional Guard members would be, as now is the case, younger and less experienced than the former dual status technicians whom they would replace militarily; but, unlike now, the former dual status technicians would be available to train these Traditional Guard members during drill weekends and annual training. (Guard managers have authority to assign civilian employees to work weekends.) The experienced civilian employees would be able to advise Guard managers of the readiness of their military replacements. In determining whom to deploy, military managers would have the option to select from among current dual status technicians, the Traditional Guard members who are ready, and the experienced former dual status technicians who, because of their membership in the IRR, are still available for deployment. An optimal team could be selected.

This is a win-win solution. It should be adopted.

To implement this solution, the following legislative amendments should be made.

See 2017 ACT Legislation Proposal #A Attached to this document

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Duty...Dignity...Dedication

See 2017 ACT Legislation Proposal #A Attached to this document

FACT SHEET ON HOW UNIONS FUNCTION IN THE FEDERAL GOVERNMENT

The purpose of this fact sheet is to dispel false information and misinterpretation of the current laws and regulations governing labor organizations in their representation of federal employees. We are not opposed to common sense reforms that would make the federal government more efficient and effective. But we believe members of the legislature need to know the facts when considering changes that may end up disrupting and demoralizing the federal work force.

This list of issues is not all inclusive, but does reflect some of the more prominent issues that appear to be of concern to some members of Congress.

FEDERAL UNIONS, WITH FEW EXCEPTIONS, CANNOT NEGOTIATE OVER WAGES AND BENEFITS

The scope of subjects that unions may negotiate for federal employees is already, by statute, very narrow compared to the private sector and some state/ local government unions. Pay and benefits are almost exclusively under the control of Congress and the Executive Branch.

Management also has extensive rights established by statute in 5 U.S.C. §7106(a), for example: hiring staff, disciplining employees, deciding budgets, and the like. These rights are prohibited subjects of bargaining between Agency representatives and Unions even if both parties agree to negotiate these subjects.

Management and unions are limited to negotiating over procedures Agencies use in exercising their statutory rights and forming appropriate arrangements when Agencies make changes in employees' working conditions that will adversely affect them. Even then, once negotiations are completed, the head of the Agency is entitled to review all negotiated agreements to ensure management rights are preserved and their operations are not excessively encumbered by the provisions of these agreements.

BY LAW, OFFICIAL TIME MUST BE USED ONLY WHEN REPRESENTING EMPLOYEES AND NEVER FOR INTERNAL UNION BUSINESS

5 U.S.C. §7131 establishes statutory limitations on the use of official time (while in a duty status) by union officials.

5 U.S.C. §7131(a) & (c) establishes strict limits set by the FLRA on the use of official time for contract negotiations and FLRA proceedings.

Any strictly "union business" concerning activities such as recruiting members and organizing are strictly prohibited under 5 U.S.C. §7131(b) while on official time, and any activities not related to representing employees must be conducted in a non-duty status.

5 U.S.C. §7131(d) allows Agencies and unions to negotiate the amount of and appropriate use of official time that union officials may utilize in representing employees. But official time under §7131(d) must be "reasonable, necessary and in the public interest"; otherwise, its use would be unlawful.

We believe the use of official time is a fair trade off for the statutory requirement to "represent the interests of all employees in the unit without discrimination and without regard to labor organization membership," as required by 5 U.S.C. §7114(a) (1). We feel official time is preferable to charging non-members "representational fees." Curtailing official time would cripple the union's ability to provide adequate representation for employees as required by §7114 and also discourage employees from reporting fraud, waste, and abuse to the appropriate officials.

If agency officials believe that local union representatives are not complying with the requirements of §7131 or contractual agreements concerning official time, they have statutory and administrative remedies to force compliance.



We suggest that before proposing draconian changes to the official time provisions of Chapter 71, Congress determine whether any problems lie with the law itself or the failure of Agency representatives to enforce the laws and regulations that already exist.

BY LAW, UNION MEMBERSHIP (INCLUDING DUES PAYMENT) IS TOTALLY VOLUNTARY

Membership in the federal sector unions is totally voluntary and any dues allotment paid is totally at the discretion of the employee. Even after volunteering to become a union member and pay dues, individuals have the option of cancelling their union dues payment after one year of membership. Furthermore, their dues allotment must be canceled by the employing Agency whenever the employee is placed in a job that is prohibited from union representation, such as a supervisory position.

Unions that discriminate against non-members or attempt to coerce employees into paying dues are subject to an unfair labor practice (ULP) charge in accordance with 5 U.S.C. §7116 (b) & (c). ULPs can be filed by anyone—including the employee or the Agency.

VOLUNTARY DUES ALLOTMENTS ARE AN EFFICIENT MEANS OF COLLECTING UNION DUES

There seems to be some concern that federal employees who elect union membership are allowed to have their dues deducted from their pay through an allotment. Since union membership, and therefore dues allotments, are totally voluntary, we find it hard to understand why this could be a problem.

If the concern is that dues allotments are somehow administratively cumbersome on Agencies, we would point out that DoD employees currently have the option of having up to eight discretionary allotments, for any legal purpose, deducted from their pay, for example for charitable organizations, loan payments, and the like. Allotments are an efficient way for unions and other organizations to collect voluntary contributions from employees. Efforts to prohibit dues from being deducted from employees' pay would seem to be aimed at injuring and weakening unions rather than improving federal agencies' performance.

EMPLOYEE DISCIPLINE PROCEDURES MUST MAINTAIN DUE PROCESS AND PAID SUSPENSION

Holding federal employees accountable for unsatisfactory performance and misconduct is critical for efficient Government functioning. This principle is one that unions that represent federal employees wholly support. After all, as the individuals responsible for performing the "people's work," we all want those working next to us to be able to do their jobs and not disrupt operations with actions that impair the Nation's missions.

But we also support due process when Agencies take action against employees deemed to be not performing at a satisfactory level or against those deemed to have engaged in misconduct. Employees should not face adverse actions due to bias or other considerations not related to their work. Agencies already have adequate processes at their disposal to address employee performance and conduct. These processes already involve a disinterested party outside the Agency to determine if Agency actions are justified and not excessive. Congress should not remove these important safeguards that ensure fair treatment of employees and also promote the efficiency of the federal service for the benefit of the American taxpayer and public.

BY LAW, UNION DUES CANNOT BE USED FOR PACS

Finally, we want to dispel false information that may be circulating concerning union dues being spent on political donations. Dues money collected by unions is prohibited for use in PAC funds by law. We fully support the continuation of this law. If employees wish to contribute to PACs or individual candidates, they can do so separately, as allowed by law, as freedom of speech.



Factsheet - Federal Employee Pay and Benefits

This fact sheet is designed to ensure Congressional members understand federal employees pay and benefits as Congress considers proposals to either drastically alter or eliminate them. It also describes the effect drastic changes may have on employees and their families.

Maintain the Federal Employee Health Benefits Program (FEHB)

The FEHB program was created in 1960 to provide health insurance for federal employees. Employer sponsored health insurance was developed and became dominant during World War 2. The program provides the consumer, in this case federal employees, the choice between competing insurance plans offered by private insurance companies, unions and employee associations.

The FEHB is a very good recruiting tool for the federal Government and helps retain valued employees who may leave federal service for the private sector if the program is discontinued or the premium support is severely curtailed.

The FEHB should be a model when considering future health insurance options for the general public. Any radical changes in the system should be resisted.

Maintain FERS Retirement Annuity

The FERS annuity functions as one of the three legs of the Federal Employee Retirement System (FERS). Together with the Social Security and the Thrift Savings Program the annuity comprises the retirement system for Federal employees and Congressional members.

In order to conform federal employee retirement with the private sector the FERS system replaced the Civil Service Retirement System (CSRS) system in 1987. The switch from CSRS to FERS made several major changes to federal retirement benefits. The FERS annuity was reduced by about half in comparison to the CSRS annuity. The eligibility age for the annuity was raised from 55 under CSRS to between 55 and 57 dependent on the applicant's birth year. Also under FERS, covered employees are required to pay into the Social Security System, unlike CSR employees.

By law, the FERS basic retirement annuity and the FERS supplement must be fully funded by the Agency and employee contributions. The contribution percentage paid by the employee and the Agency was established by Congress when it changed from CSRS to FERS. From the FERS inception until 2013 the employee and Congressional members contribution percentage was relatively low compared to the Agency contribution. Recent changes by Congress are requiring new employee's to pay a higher percentage toward their annuity.

If Congress determines that current and / or future employee's annuity contributions should be increased, we find that solution preferable to elimination of the annuity. If Congress decides to increase employee contributions, we would suggest increases be correlated with any pay raises. This would lessen the negative financial impact to employees.



The FERS annuity is part of a very well balanced program and is a fully funded system. FERS provides a livable retirement for Federal employees and Congressional members. The annuity should be retained as part of the overall FERS program.

Maintain the FERS Annuity supplement

When Congress enacted the FERS program in-lieu of the CSRS System one of the major changes was the reduction of the annuity by approximately 50%. The tradeoff for this reduction is eligibility for social security benefits. The minimum FERS retirement age is 55 to 57, but the minimum age that an individual can qualify for non-disability social security benefits is 62. Therefore the FERS annuity supplement acts as a financial bridge until social security benefits are available.

The supplement is not indefinite. Regardless of income the supplement ends when the retiree becomes age 62, whether they apply for social security or not. Continued qualification for the supplement is also subject to earnings limitations based on the wages or income from self-employment annuitants receive. If a retiree exceeds the income limits, the supplement would be reduced or eliminated.

We understand that there are proposals to end the annuity supplement as part of the FERS. We strongly support maintaining this benefit as part of the FERS program, especially for the on board employees we represent. We would remind you that there are many federal employee categories, such as law enforcement, firefighters and dual-status technicians, whose job duties are very difficult and make it very challenging to stay on the job until they qualify for Social Security. These employees should not lose access to the supplement. They also should not be required to live on only 2 legs of the FERS program for years before they qualify for social security.

Resist arbitrary pay cuts

Federal employees continue to observe the tug of war over whether they are overpaid or underpaid compared to the private sector. Once again, we would point out that, with few exceptions, federal employees do not negotiate over their pay.

Pay rates, for the thousands of jobs accomplished by federal employees, are set by OPM in conjunction with the federal agencies they work for. In fact, employees working under the Wage Grade (blue collar) system are paid based on periodic surveys of the wages of private sector firms in the same geographic area.

Until recently federal employees have been under a multiyear pay freeze and also have endured many furloughs in the last 5 years.

This situation has a demoralizing effect on federal employees and their families. It also creates disparities within local communities because of the loss of available capital for the employees and families.





HOW LONG DOES IT TAKE TO CRUSH A FEDERAL EMPLOYEE?

The Federal workforce has been used as a political football for decades. Feds know the drill: A politician from either party needs to win points with the folks back home on the issue of cutting government. S/he makes sweeping over-generalizations about federal pay, federal employee performance or competence, unions or any one of a hundred other issues, and neatly avoids any admission of complicity in the problem.

The “unelected nameless, faceless bureaucrats” are always to blame. If only they could be forced to work and the bad ones fired, our government’s problems would vanish, the sun would shine, and there would be peace in the world.

The Fed-bashing has risen to unprecedented levels in recent years. Let’s take an inventory.

Federal employees went almost 4 years without a general pay raise. The House voted to allow Senior Executives to be suspended without pay when accused of wrongdoing; not found guilty of wrongdoing – just accused. They voted to allow anyone to record any conversation with a Federal employee without the employee’s consent. Senior executives at the Department of Veterans Affairs lost part of their due process and appeal rights. More recent proposals (2016) would extend the VA changes government wide.

It isn’t just one party either. A bipartisan majority voted to pass the “Stop Playing on Citizen’s Cash Act” to restrict conference spending. Other bills are pending to cripple Federal unions, deny Feds bonuses for outstanding performance, cut Federal retirement benefits, and more.

While that kind of rhetoric may be useful in politics, it is destructive for governance and the people who make up our government. There are no

nameless, faceless bureaucrats. There are people. They have names. They have faces. They have families, feelings, hopes and dreams. They also have vital skills the government needs to operate effectively. More important for the government as an employer – they have choices and are free to leave. How long will it take before we crush the Federal workforce? What happens if we do?

The damage has started already. Federal retirements are up and continuing to rise. Employee responses to the Federal Employee Viewpoint Survey are showing significant unhappiness.

After years of declines we are finally beginning to see morale numbers picking up in some agencies. HR offices are reporting more difficulty in recruiting and hiring talent. How easy is it to recruit a new star employee when all you can offer as a motivator is the opportunity to serve and do interesting work? No or limited pay raises and constant bashing by politicians are not exactly strong recruiting incentives.

The potential damage is compounded by the fact that morale-induced turnover tends to drive the highest performers out of organizations. They are typically the most marketable and most able to take advantage of new opportunities.

Even if you believe government is too big and federal employees are overpaid, is this a good approach to reducing its size? I have never found a credible leader who believes employee abuse is a legitimate management tool.

When I was HR Director for the Defense Logistics Agency, we did extensive in-depth analysis of our employee survey data. One finding that stuck with me was how long it took new hires in a bad environment to become disillusioned with their jobs. One field office that had particularly bad ratings had great feedback from employees for the first two years. After that, the ratings dropped like a rock.

Based on that admittedly limited data point, it appears it takes 2 years to crush an employee. After that, the damage becomes more difficult to repair. As the attitudes become more ingrained, they are harder to change. We cannot simply start giving pay raises again and stop bashing the workforce and expect everything to be right with the world again.

Study after study shows the corrosive effects of poor morale in the workplace. Productivity goes down, leave use goes up, discretionary effort goes down, and attention to detail is often non-existent.

In her book *Good Company*, author Laurie Bassi says, “The trademark of a worthy employer is the ability to masterfully manage the tension between employees as costs and employees as assets.” I think that is a great standard – one that the Federal government is failing to meet.

The political battles today completely disregard the employees as assets and go beyond treating them as costs to the point where they are pawns in a political chess game. If we truly want to have a government that functions efficiently and effectively, it is time for the Fed bashing to stop. Have the debates regarding the power and reach of government, but stop treating the Federal workforce as though they are the problem. They are not and they can only take so much before their spirit, dedication and willingness to serve are crushed beyond repair.

This column was originally published on Jeff Neal’s blog, ChiefHRO.com, and has been reposted here with permission from the author. Visit ChiefHRO.com to read more of Jeff’s articles regarding federal human resources and other current events along with his insights on reforming the HR system.

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RALLY REGISTRATION DAY 2017



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2017 BUSINESS MEETING



Above: \$1,500
Recruiting
Contest Award
Winner Denise
DeSena of New
York

2017 BUSINESS MEETING



Members taking part in ACT's Business Meeting

Members reviewing financial report and past meeting minutes



2017 BUSINESS MEETING



2017 BUSINESS MEETING



2017 BUSINESS MEETING



2017 BUSINESS MEETING



2017 BUSINESS MEETING

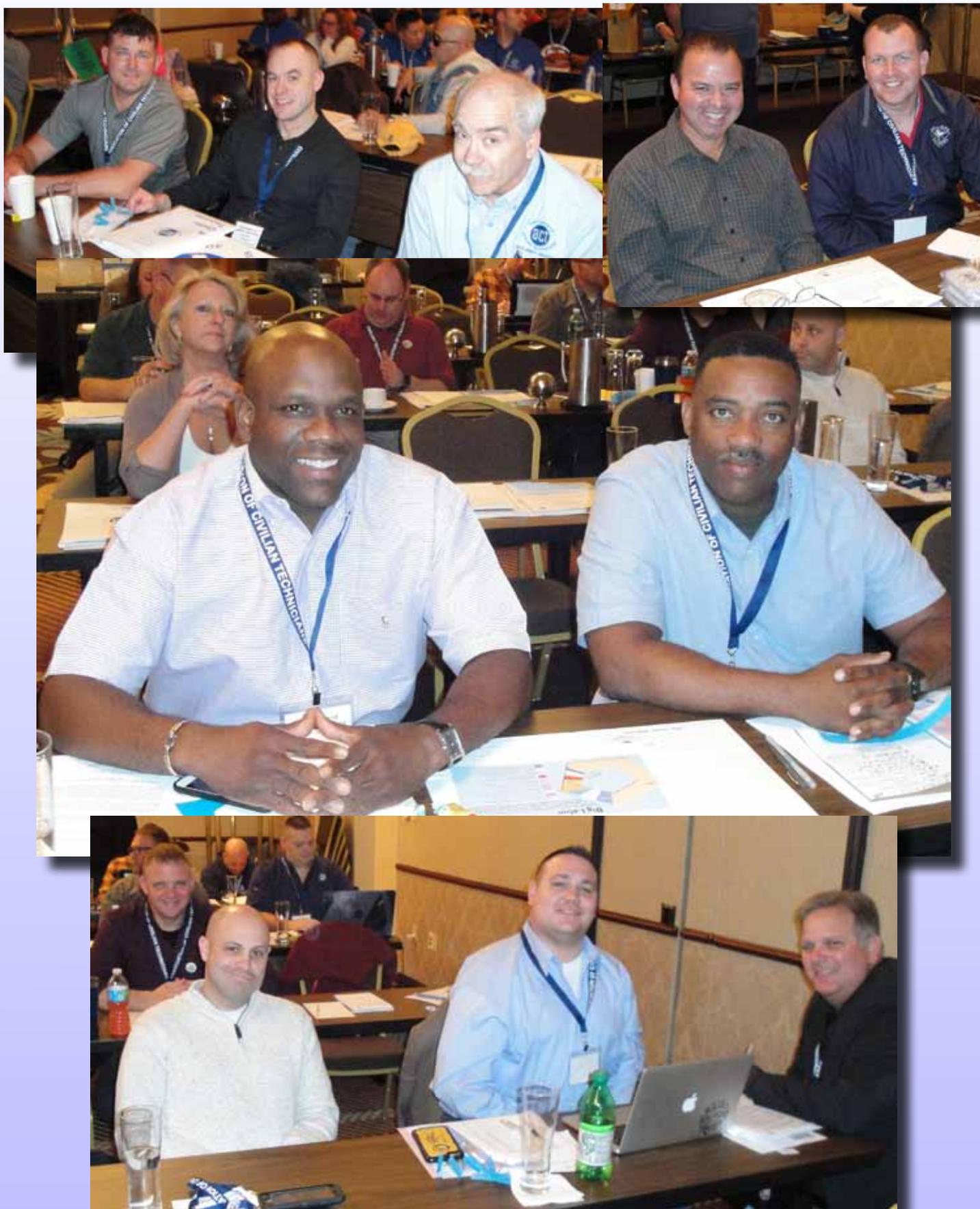
ACT Swag
give-aways



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MEMBERS FROM WV, MN, CA, KY, AND GA



MEMBERS FROM MN, PA, KS, MO, CO, TX, NY, PR, AND NH



John Hunter Award Winners

Duty...Dignity...Dedication



Carl Sontowski Washington State, Tom Tritelli Delaware, Steve Landis
New Jersey, Kevin Staring Oklahoma

Collins Award Winners

Keep the Faith



Dan Sielaff Colorado, Bob Francis Missouri, Lee Bowles Florida, and
Justin Likens Arkansas



Money \$\$ Money \$\$ Money



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TRAINING DAY



ACT General Counsel Dan Schember and Assistant General Counsel Susan Dunham and National Field Rep Les Hackett discuss ACT's 2017 Legislation with the members.



TRAINING DAY



Tell us what is going on in your chapters



Send articles, ideas, and pictures to membership.info@actnat.com

ACT's AD&D Policy Update

The Executive Board voted to raise Accidental Death and Dismemberment Insurance for ACT members from \$10,000 to \$15,000 at the National Rally in Washington D.C.

The change is geared toward providing as much assistance as possible during our members toughest times.

No change is necessary to your existing account and the currently in-use AD&D form will stay in effect.

Do yourself and your family a favor and make sure that you have updated your beneficiary to reflect your current desires as they change with your life. If you have questions please contact the ACT National Office or use the AD&D form to make any updates and send to the National Office.



Thank you everyone for all of your hard work and everything you do to make ACT the organization that it is!



ACT National Executive Board Guy Reinecke, Steve Olguin, Julie Curtis, Terry Garnett, Bob Niemer, and Shane Barva (not pictured: Jose Tereso and Bill Brown)

Dates for the 2018 National Rally will be announced soon.

See you at the
2018 National Rally!

