

THE TECHNICIAN

Election Edition 2022 | *Keep the Faith*

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JANUARY – FEBRUARY – MARCH 2022

We Have A Voice

PAGE

05

John Sappington

Matewan: Required Viewing

PAGE

08

Chris Searcy

Duty • Dignity • Dedication



MISSION STATEMENT FOR THE THE ASSOCIATION OF CIVILIAN TECHNICIANS

Mr. Vincent J. Paterno founded the Association of Civilian Technicians (ACT) in 1960.

The Association's intent was to set forth a mission of representing National Guard Civilian Technicians regarding their conditions of employment. Since the founding of ACT, all Federal Employees now have an opportunity to join and be represented by the Association. These Federal employees, through membership, have elected to unite and to associate with one another to intelligently and democratically consider and process their common labor problems, and to select representatives from their membership to achieve their goals.

ACT provides National Field Representatives to assist the chapters in all facets of representation not only to provide training to officers and stewards but to include training and understanding of unfair labor practice charges, grievance and arbitrations, contract negotiations, third party proceedings and other types of representation procedures necessary to work labor relations issues and to maintain and improve the conditions of employment of its membership.

ACT is also dedicated to promoting legislation designed to meet the needs of its membership.

These Federal Employees when standing together as the Association of Civilian Technicians cannot be rightfully denied those reasonable demands necessary for maintaining their conditions of employment.

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LM REPORTS DUE BY MARCH 31ST

&

990N'S DUE BY MAY 15TH

ELECTION 2022

NOMINATIONS NOTICE FOR ACT'S BOARD OF DIRECTORS

Nominations open April 1, 2022 and will close May 16, 2022

As of **April 1, 2022** The Election Committee will begin accepting Nominations for the positions of National:

Executive Vice President
Secretary
Vice President SE
Vice President SW

Only written nominations will be accepted electronically. All nominations must be date stamped by the e-mail server not later than **May 16, 2022**. To be eligible for office a nominee must have been a member in good standing and on the membership rolls since July 1, 2021.

When submitting your nomination, include the name / home mailing address / chapter name and number / e-mail address of the nominee as well as your name / home mailing address / chapter name and number / e-mail address. This complete information is necessary in order to validate the nomination. Failure to provide this information could result in a nomination not being validated. Prior to submitting your nomination, it is advisable to confirm that the individual is willing to accept the nomination.

All nominations are to be e-mailed to 2022 ACT Election Committee at the following e-mail address:

2022.ACT.ELECTION.COMMITTEE@actnat.com

Once nominations are validated, the Election Committee Chairman will contact the nominees by e-mail to obtain acceptance and biographical information which will be printed in the ACT Technician newspaper prior to the ballot being e-mailed to eligible ACT voters.

We Have A Voice

John Sappington
ACT Vice President NW

We, as the Union, are the exclusive representative for our title 32 and title 5 members. This is what we're told, right? What gives power and legitimacy to that claim? Chapter 71 of 5 USC, specifically §7111 addresses "Exclusive recognition of labor organizations" and this is where we get our chance to speak to the issues that our members face.

We all know that we are the voice in the first line supervisor's office, as well as in the Wing, Battalion commander and Manager's office. Indeed, many Title 32 employees are well acquainted with the TAG (The Adjutant General) of our respective states and many Title 5 employees are well acquainted with the Management chain in the work areas.

What I may have heard, but, didn't fully grasp was that we had a voice on the national scene as well. Yes, many of us have made trips to DC to visit our Congressional Representatives on the Hill during our time at the ACT National Rally, but, that's not the national voice that I'm referring to. When my Field Rep, or Vice President would tell me that we had a national voice, what they were referring to was our National Consultation Rights (NCR). Under that same section of 5 USC 71 §7113 provides for the appropriate representatives to have an impact on policy and regulation changes.



5 USC 71 §7113. National consultation rights

(a) If, in connection with any agency, no labor organization has been accorded exclusive recognition on an agency basis, a labor organization which is the exclusive representative of a substantial number of the employees of the agency, as determined in accordance with criteria prescribed by the Authority, shall be granted national consultation rights by the agency. National consultation rights shall terminate when the labor organization no longer meets the criteria prescribed by the Authority. Any issue relating to any labor organization's eligibility for, or continuation of, national consultation rights shall be subject to determination by the Authority.



(b)(1) Any labor organization having national consultation rights in connection with any agency under subsection (a) of this section shall--

(A) be informed of any substantive change in conditions of employment proposed by the agency, and

(B) be permitted reasonable time to present its views and recommendations regarding the changes.

(2) If any views or recommendations are presented under paragraph (1) of this subsection to an agency by any labor organization--

(A) the agency shall consider the views or recommendations before taking final action on any matter with respect to which the views or recommendations are presented; and

(B) the agency shall provide the labor organization a written statement of the reasons for taking the final action.

(c) Nothing in this section shall be construed to limit the right of any agency or exclusive representative to engage in collective bargaining.

That is a voice at the source of change that directly affects us as employees, an important tool in our inventory of influence. With that voice comes the responsibility to keep an eye on the changes being proposed by the Agency. If there is a change that impacts employees, but the Union fails to see the change and in turn has no input on the change, the Union has silenced itself. There are too many management officials hoping that the Union will remain silent on



the issues that affect employees, we as Union Representatives shouldn't be handing management the duct tape to put over our mouths, by neglecting our responsibility of awareness. The Union receives notification(s) from the respective agencies, when a change to policy is being prepared, the Union is given the opportunity to read the draft language of the proposed change to a regulation / policy etc. and offer its insight, and finally, recommend language that more readily aligns with the Union's objectives as a representative of its members.

It's a fact that some very important changes to key policies / regulations got past the Union gatekeepers in the month's past. It is incumbent upon those of us with visibility of these changes that affect employees, to communicate with our ACT General Counsel and respond to the agency NCR request in a timely manner so that YOUR voice is heard and given the chance to better protect the members that ACT represents.

Remember we / You have a voice and when we fail to use our combined voice, we do a disservice to our fellow Member's. We can affect change if we maintain vigilance and employ every tool in our inventory, anything less is halfhearted.

ATTENTION

All ACT Members

If ACT National does NOT have your current personal email address (not .mil)

You will NOT be able to vote in the upcoming election scheduled for August 1 - 31, 2022

Please send in your email address to
ACT National
to the following email address

admin@actnat.com

to update your membership email
address

THANK YOU!

Matewan: A movie that ought to be required viewing

“Those who do not remember the past are condemned to repeat it”

–George Santayana

Chris Searcy
National Field Representative, Southeast Region

In this time of “alternative facts” and other oxymoronic thinking, I often find respite from the overly busy world in watching and re-watching movies. I’m a history buff, so any “period piece” is going to get priority consideration from me, and since my mother’s people hail from the coalfields of Eastern Kentucky, the movie *Matewan*, although set in West Virginia, is one that I re-watch on a regular basis. *Matewan* is not just good, it’s movie quote worthy, especially if you’re

a real union person.

The movie begins and ends in a coal mine with plenty of instructive lessons from the early days of organizing. Collective bargaining was the desired end goal of early union members, but before any managers came to the table, the workers had to be convinced that their voice was loudest when it included all of their voices.

Matewan focuses on the Herculean task of bringing together different people from markedly different

backgrounds: Most Americans don’t realize that the effort to mine coal from the sparsely populated mountains of Appalachia required that the coal companies import great numbers of European immigrants and African Americans in order to meet the intense labor demands of the industry. The managers of the coal companies believed that by importing a vastly diverse population, the differences between the groups would, through exploitation of the prejudices of each group,

be able to overcome any infiltration from the budding organized labor movement.

The defining moment of the movie is a scene in which the union organizer, played by Chris Cooper (*Matewan* is Cooper's first movie), Joe Kenehan, after listening to the complaints of the local miners, explains that each of them is the same as shovel or



a pick to the management of the local mining interest, Stone Mountain Mining Company, and that after management had "used them all up," they would simply replace them just as they would any worn piece of equipment. Cooper overcomes the prejudices of the local miners by explaining that any organization that

wouldn't include every worker, "...there ain't but two sides in this world-them that work and them that don't," wasn't a union, but rather "...a club."

Matewan also serves as a reminder that collective bargaining rights, those rights that so many of us today take for granted, came at high price. Armed conflict in the coalfields of Appalachia between miners, private security hired by the mining interests, and state militias cost hundreds of lives. We enjoy many of the benefits of collective bargaining because of the sacrifices of those who stood for the union movement before us.

Of course, no ninety-minute film can cover all of the nuances and complexities of a national crisis such as the early days of the organized

VOTE

labor effort and there were certainly other equally important chapters in the fight. But if you're looking for a rainy-day movie that just might serve to inform as well as entertain, give *Matewan* a try.



ACT Official Grievance Form

Chapter Name:

Chapter Number:

Date Received

(MM/DD/YYYY)

INFORMAL STEP — Shop Steward Completes This Section (See ACT Official Grievance Form Instructions on Last Page)

1. Grievant's Name (<i>last, first, middle initial</i>)			2. Grievant's Telephone No. (<i>Include area code</i>)		
3. Seniority Date (<i>MM/DD/YYYY</i>)		4. Status (<i>Check one</i>) <input type="checkbox"/> Fulltime <input type="checkbox"/> Indefinite <input type="checkbox"/> Temp		5. Grievant's Employee Identification Number	
6. Work Section Location			7. Work Telephone No.		
8. Cell Phone No.	9. ACT Grievance No.	10. Incident Date (<i>MM/DD/YYYY</i>)		11. Date Discussed With Supervisor (<i>Filing date</i>)	
12a. MSPB Appeal? <input type="checkbox"/> Yes <input type="checkbox"/> No			12b. EEO Appeal? <input type="checkbox"/> Yes <input type="checkbox"/> No		
13a. Supervisor's Printed Name, Initials, and Telephone No.			13b. Steward's Printed Name, Initials, and Telephone No.		

FORMAL STEP 1 — Parties Complete This Section (See ACT Official Grievance Form Instructions on Last Page)

14. Mgmt. Grievance No.: Obtain prior to Formal Step 1 meeting.

15. Issue Statement: Provide contract provision(s) and frame the issue(s).

16. Undisputed Facts: List and attach **all** supporting documents. Use additional paper if necessary. Attachments? No Yes Number ____

17. **UNION'S** full, detailed statement of disputed facts and contentions: List and attach **all** supporting documents. Use additional paper if necessary. Attachments? No Yes Number ____

18. **MANAGEMENT'S** full, detailed statement of disputed facts and contentions: List and attach **all** supporting documents. Use additional paper if necessary. Attachments? No Yes Number ____

19a. Union Representative: Enter the remedy requested by the Union.

19b. Settlement Offer: List any settlement offers by either party on page 3.

20. Disposition (*Check one*) Resolved Withdrawn Not Resolved Date of Formal Step 1 Meeting (*MM/DD/YYYY*)

21a. Mgmt. Representative's Name		21b. Telephone No. (<i>Include area code</i>)	
21c. Mgmt. Representative's Signature		21d. Date (<i>MM/DD/YYYY</i>)	
22a. ACT Representative's Name		22b. Telephone No. (<i>Include area code</i>)	
22c. ACT Representative's Signature		22d. Date (<i>MM/DD/YYYY</i>)	

ACT Official Grievance Form Step #

ACT Official Grievance Form Instructions

If the initial filing discussion between the steward (and/or employee) and the supervisor at Informal Step does not resolve the grievance, the union steward may appeal the grievance by:

- Completing the Informal Step section at the top of page 1;
- Obtaining the supervisor's initials in Item 13; and
- Forwarding the form along with all relevant documents that were shared and discussed at the Informal Step meeting to Union and management Formal Step 1 representatives (**Contractual Time LIMITS**) of the discussion.

Item Explanation

- 1-9 Self-explanatory. All items are essential.
- 10 Enter the date when the event causing the grievance occurred or when the employee or union first became aware of the event.
Enter the date the employee and/or the union first discussed the grievance with the immediate supervisor at the Informal Step. **Some of the**
- 11 **contracts may differ.**
Determine whether the grievant has filed an MSPB appeal on the same issue. Indicate "yes" or "no." Determine whether the
- 12a grievant has filed an EEO appeal on the same issue. Indicate "yes" or "no."
- 12b To be completed by supervisor, whose printed name and initials confirm the date of the Informal Step discussion. To be completed by
- 13a steward, whose printed name and initials confirm the date of the Informal Step discussion.

Item Explanation **{NOTE: For Grievance steps past FORMAL Step 1 just add more Step(s) on a NEW PAGE(s)}**

- 14 Management Representative: Obtain the Grievance Tracking Number from the LRS before the Formal Step 1 meeting. If necessary, call HRO / LRS for assistance. Record Grievance Tracking Number.
- 15 Frame the issue statement in the form of a question. For example:
- Was there just cause for the letter of warning dated 7/15/2011 issued to the grievant for unsatisfactory work performance, and if not, what is the appropriate remedy?
 - Did management violate **(What GRIEVANCE ARTICLE)** when the grievant was required to work overtime on 8/15/2011, and if so, what is the appropriate remedy?
 - List specific contractual / statute / regulation provisions that apply to the grievance. If discipline is involved:
 - Always indicate the type of discipline (letter of warning, 7-day suspension, indefinite suspension, etc.) in the issue statement.
- The Union steward may write a suggested issue in Item 15 when appealing to Formal Step 1. The parties at Formal Step 1 are responsible for defining the issue as they see fit.

Note: **If the grievance is resolved at Formal Step 1, skip to Item 20, note the principles of the agreement, and complete items 21-22. If the grievance is not resolved at Formal Step 1, complete Items 16 through 22.**

- 16 Management and / or Union Representative: List all relevant facts not in dispute.
- 17 Union Representative: List any facts in dispute based on your understanding of the facts. Provide concise, descriptive statements outlining the Union's position on the grievance.
- 18 Management Representative: List any facts in dispute based on your understanding of the facts. Provide concise, descriptive statements outlining managements' position on the grievance.
- 19a Union Representative: Enter the remedy requested by the Union.
- 19b Management and/or Union Representative: On page 3, list any settlement offers made at Formal Step 1.
- 20 Management and/or Union Representative: Note whether the case is resolved, withdrawn, or not resolved. If resolved, note the principles of the agreement.
- 21-22 Formal Step 1 parties must enter names, telephone numbers, signatures, and date form is completed.



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LM REPORT'S DUE BY MARCH 31st

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Welcome to the Office of Labor-Management Standards Electronic Forms System (EFS)

Existing and New User Account Management	LM-1, LM-2, LM-3, LM-4 and Simplified Report	LM-10, LM-20, LM-21 and LM-30
<p>Register for an EFS User ID and Password</p> <p>Edit your account information</p> <hr/> <p>Forgot your password?</p> <p>To reset your password, you must have the user ID and email address you provided when registering with the EFS system.</p> <hr/> <p>Forgot your User ID?</p> <p>To retrieve your user ID, you must have the email address, First Name, and Last Name you provided when registering with the EFS System.</p>	<p>User ID: <input type="text"/></p> <p>User Password: <input type="password"/></p> <p>*File No/Registration ID <input type="text"/> - <input type="text"/></p> <p>Union PIN <input type="text"/></p> <p style="text-align: center;"><input type="button" value="Sign In"/></p> <p style="text-align: center;">Request a new PIN</p> <p>To get a new PIN, you must have your User ID, password, and organization's file number. You can only reset the PIN if it is expired. If you forgot the PIN, please contact EFS Helpdesk.</p> <p style="text-align: center;">Obtain an Initial LM-1 Registration ID and PIN</p> <p>* Use this link to obtain an organizational Registration ID and PIN in order to file an initial LM-1. Do not use this link if you have already registered with OLMS and have an existing organization file number.</p>	<p>User ID: <input type="text"/></p> <p>User Password: <input type="password"/></p> <p style="text-align: center;"><input type="button" value="Sign In"/></p>

Recommended browsers are - IE 11.0 or higher, Google Chrome or Mozilla Firefox



U.S. DEPARTMENT OF LABOR

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