

From: Morton, Gary

Sent: Tuesday, June 25, 2019 7:47 PM

To: James, Nathaniel; Coryell, Mark; Stout, Dan; Calder, Steven; Tseng, Antony; Owens Powell, Marie; Myers, Dianna; Schulze, Jeanne; Cantello, Nicole; Watterson, Sarah; Copt, Britta; Greaves, Natasha; Gebhardt, Chris; Dreyfus, Bethany

Subject: FW: AFGE-EPA Negotiations

Good Evening EPA Employees

On Tuesday, June 25, 2019 the Agency transmitted a unilaterally imposed anti employee contract to the American Federation of Government Employees which effects all Bargaining Unit Employees (BUEs), that means **YOU!** The Agency intends to implement this contract on July 8, 2019. AFGE has filed an Unfair Labor Practice trying to reverse this action. If nothing changes, BUEs will need to comply with these sweeping changes until resolution through the courts is achieved.

You will find a copy of this message and the anti-employee "contract" attached to this email.

Below is a list of just some of the changes AFGE views as extreme changes to work life balance, working conditions and terms of employment

- All Bargaining Unit Employees (BUEs) will be required to work in the office a minimum of four (4) days per week. All BUEs will be limited to one (1) telework day per week. ***What does this mean? If you work four 10 hour days, you can no longer telework; you can only telework one day per week. Part time employees will be severely restricted. This virtually eliminates telework.***
- The anti-employee contract has removed the Performance Assistance Plan. ***What does this mean? If a supervisor believes an employee's performance is unsatisfactory, you can be place on a Performance Improvement Plan which may lead to dismissal of an employee. We are losing rights we currently enjoy.***
- Severe limitations have been placed on what is grievable. ***What does this mean? You can no longer grieve progress reviews, disciplinary actions, telework decisions, work schedules, etc.***
- Union representatives can no longer use work time to prepare grievances, EEO complaints or generally negotiate for BUEs. ***What does this mean? Employees will need to do their own contract research, file their own grievances and Union***

representatives will be available to assist only during nonworking hours and as they are able to do without pay.

- AFGE will be evicted from all office space within the Agency and prohibited from using the Agency email within 30 days of July 8, 2019. ***What does this mean? You will need to find a location outside of the EPA office space to meet with Union representatives. Get your personal email address to your Local Union representatives if you want to stay in the know!***

Please stay tuned as more information becomes available. Stay in contact with your local union representatives.

In Solidarity,

Gary Morton

President

AFGE Council 238

From: Coomber, Robert

Sent: Monday, June 24, 2019 5:56 PM

To: Greaves, Natasha

Cc: Morton, Gary; Corbett, Krysti

Subject: AFGE-EPA Negotiations

Natasha,

For over a year, the Agency has unsuccessfully attempted to bring AFGE to the bargaining table to negotiate a new Master Collective Bargaining Agreement (MCBA).

On May 31, 2018, the Agency gave the Union notice to renegotiate the 2007 MCBA. Between then and now, the Agency has sent the Union written communications (July 25, 2018 and May 8, 2019) and engaged in multiple discussions with the Union's two Chief Negotiators describing the

Agency's position that the entirety of the MCBA is subject to negotiation. AFGE has continuously asserted that only five articles – previously opened pursuant to 2013 Ground Rules – are subject to negotiation. This includes the Union's most recent communication on June 17, 2019 in which it said "there is a disagreement between the Agency and Council 238 on what should be negotiated" and in which it disagrees with the Agency "want[ing] to increase the number of articles to be reopened" and in which it sought that "the agency cease[] and desist all action attempting to re-open articles not previously agreed to."

With the Union's most recent statement regarding the scope of negotiations and its' statement that "we decline to negotiate new ground rules," which would have been a predicate to negotiations over a new contract, the Agency provides the Union with the attached to replace in its entirety the 2007 MCBA. The Agency intends to implement this on July 8, 2019.

Regards,

Bob

Robert D. Coomber

Senior Labor Attorney

Labor and Employee Relations Division