



*(January 13, 2016)*

In order to further improve the lines of communication and to respond to the concerns between the National VA Council and you our members, I have established a National VA Council Briefing. This NVAC Briefing will bring you the latest news and developments within DVA and provide you with the current status of issues this Council is currently addressing. I believe that this NVAC Briefing will greatly enhance the way in which we communicate and the way in which we share new information, keeping you better informed.

**Alma L. Lee**  
National VA Council, President

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**In This Briefing: Federal Times: Bill to lengthen probation for new feds passes House panel**  
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The House Oversight Committee has cleared the way for a bill that would double the probationary period for new federal employees, despite concerns from employee associations and ranking members.

[H.R. 3023](#), which seeks to extend the probationary period from one year to two, passed with a 20-16 vote in a Jan. 12 markup session.

The bill survived two amendment attempts from ranking member Rep. Elijah Cummings, D-Md., and Rep. Brenda Lawrence, D-Mich., who argued that the bill opened new employees to a higher risk of dismissal without ensuring better evaluations for management.

“This is one step closer to making federal employees at-will employees,” said Cummings. “Some of my colleagues believe the probationary period is critical and even necessary for removing poor reformers, but even after the probationary period ends, agencies can still fire poor performers.”

Lawrence offered up an amendment that would keep the probationary period at a year, but would require managers to submit written confirmation of acceptable employee performance, rather than hire on underperforming employees, but it was defeated on a voice vote.

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A former human resources officer for U.S. Postal Service, Lawrence argued that managers should know after a year whether the probationary employees are qualified to continue, but the breakdowns didn't often occur on the employee side, but the manager's side.

"I spent a lot of time training managers on how to properly document employee performance issues," she said. "And yet, I still found that some managers simply took the path of less resistance and complained without ever documenting those issues, allowing the employee to go from probationary to permanent."

Cummings offered an amendment to require the Government Accountability Office to produce a study on the effects of extending the probationary period before making it law, but it was defeated in a 20-14 vote.

The National Active and Retired Federal Employees Association, as part of the Government Managers Coalition, penned a letter on Jan. 11 urging the committee to consider a more flexible solution than simply doubling the time period. Some jobs, in highly specialized or technical fields, may require a longer period of time to adequately assess an employee's abilities, while others need no such extension, NARFE argued.

"For some jobs, a one-year probationary period is completely adequate," the organization wrote. Committee chair Jason Chaffetz, R-Utah, said that while he agreed with Lawrence, the extension would allow for jobs that require more training to have more time and give managers more of an opportunity to evaluate workers once they are trained.

"You'll hear no argument from me that management needs to do a better job training," he said. "There are some very complex jobs out there. And you really don't know how somebody is going to act until they get out into the field. You may go through training and getting a familiarization with how an agency and organization works, but when you are actually put out on the line and have to go out and do it yourself, that's a whole other set of circumstances. Some people do pretty well and other don't do pretty well."

The bills moved to the motion to reconsider, and members will have two days to suggest changes.