



(February 2, 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: Retaliation, Attorney Fee Abuses & Bargaining Experts -Fedsmill Articles**  
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FEDSMILL - *"Respect for Employee Rights, Ideas, Insights, Participation and Unions Generates the Power to Improve Government"*

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EEO RETALIATION QUIZ

In which of the following situations will EEOC argue that the employee has been the victim of illegal retaliation under the Civil Rights laws? (1) An EEO Specialist was reprimanded for telling her manager that she thought the office did not fight national origin discrimination hard enough; (2) A manager told an employee to never again go outside the chain of command to complain about what he perceived as sexual harassment of women elsewhere in the office; and (3) An employee witness in an EEO complaint said she "Agreed" that her manager was fair to all minorities, but said she

could not say, Strongly Agree,” and when her manager found out he expressed his regret that she did not support him more forcefully. For the answers, check out the post from EMPLOYMENT & LABOR INSIDER entitled, [“EEOC Retaliation Guidance, Part 1: You Gotta Be “Protected”! EEOC is taking a very broad view of what constitutes retaliation.](#)

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Posted on February 1, 2016 by [AdminUN](#)

UNIONS NEED AGENCY HELP ON ATTORNEY FEES

There are more and more signs that employee attorneys, including union attorneys, are getting greedy on attorney fees. Not long ago we posted a story entitled, [“The \\$796.00 Per Hour Federal Job”](#) to share that the Dept. of Justice now considers it acceptable for attorneys with over 20 years of experience to charge that per hour, including those representing federal employees in adverse actions and grievances. We think it is time that union attorneys who are paid annual salaries from members’ dues do something to avoid handing Senator Grassley, Congressman Issa, or even the Rush Limbaughs of the world a big, multi-spiked, poison-tipped club to beat federal unions into giving up any fee entitlement via an obscure midnight rider on some bill about Inter-Galactic, Trans-Genus, Penguin Husbandry or other totally unrelated piece of legislation. Because unions are understandably reluctant to solve a problem most do not think they have, agencies should be leading the reform effort. After all the agencies paying outlandish hourly rate fees also will be dragged through the mud in the process which means they need to do something to protect their own flanks. Here is how agencies could protect themselves at the bargaining table—and patch a few gaping holes in the Attorney Fee statute. [Continue reading →](#)

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Posted on January 30, 2016 by [AdminUN](#)

WE COULD NOT AGREE MORE

A whole new area of HR/ER/LR knowledge is opening up that creates the potential for union leaders to fall even farther behind the expertise curve. Once managers get up to speed with it, do not be surprised to see them swat away union bargaining proposals like one-wing flies. Unions will be at the table arguing for contract changes based on logic and a few examples of why they are needed. Managers will sit back, take it all in, smile smugly, and when the union concludes its presentation unleash a torrent of spreadsheet data and statistics washing the union demands far out to sea, over the

horizon and lost forever. If your union's negotiators and trainers are not already taking steps to understand and dive into the world of HR Analytics, toss them some overtime and tell them to catch up. A fellow blogger posted a story we could not agree with more. It's entitled, "[HR Intel – The Age of HR Analytics is Upon Us.](#)" HR may not yet be "rocket surgery," but it is more and more about data, numbers, correlations, etc. [See also "[People Analytics- Where HR Meets Science at Google.](#)"]