



(February 17, 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: Sick Leave, Union Investments & Crediting Plans-  
FEDSMILL Articles**

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**FEDSMILL - "Respect for Employee Rights, Ideas, Insights,
Participation and Unions Generates the Power to Improve Government"**

Posted on February 15, 2016 by AdminUN

COURT PENALIZES NTEU IN CHALLENGE TO FLRA DENIAL OF CREDITING PLANS

Just days before the Charlotte Panthers fumbled their way to a loss in the Super Bowl, the U.S. Court of Appeals whistled NTEU for a foul and sent it all the way back to the goal line to start the 100-yard march up the field anew. The union was there trying to convince the court to rule negotiable a bargaining proposal that would require an agency to give the union specific advance notice whenever it changes the crediting plan for a position and bargain to completion before implementing the changes. (Today, agencies make changes in the crediting plans constantly and never tell the union.) The court dismissed the appeal without addressing the merits because NTEU had failed to respond to one of the agency's arguments before the FLRA when

the Authority was considering the negotiability briefs months ago. The court bluntly reminded NTEU that it will not let parties respond to an opponent's arguments for the first time before the court—something it has said many times before. So, the challenge to the FLRA's near-perfect refusal to date to let unions have access to crediting plans, even when needed to fulfill the union's representational obligations, will have to start all over again. Agencies may be rejoicing, but they shouldn't. This decision just increased the odds that every selection decision they make from now until the court does decide this issue will be reversed. Here why. [Continue reading →](#)

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OFFICIAL TIME, TRAVEL REIMBURSEMENT AND UNION INVESTMENTS

Even a quick review of the latest LM-2 and IRS 990 reports filed by unions reveals that some federal sector unions have a lot of money in the bank at not just the national level, but also at the council and local level. We are talking millions and tens of millions. We applaud the political and investment skills it must have taken to generate these assets from dues and other sources. But, unions should not be blind to the fact that fat investments accounts year-after-year are only begging for agencies to use that unspent nest egg against unions when they propose agencies pay the expense of their official time, travel and per diem costs. [Continue reading →](#)

Posted in [Union Administration](#) | Tagged [Union abuse](#), [Union millions](#) | [Leave a comment](#)

Posted on [February 8, 2016](#) by [AdminUN](#)

I DON'T GET NO ADVANCE SICK LEAVE RESPECT

An employee asked for 88 hours of advance sick leave due to incapacitation and doctor appointments. When the agency denied the request, she was given no reason for the decision. When her representative looked into the matter he found that the employee's supervisor had forwarded the request to the Assistant Special-Agent-in-Charge (ASAC) and received a hand-written note back denying the request—without any explanation. When the employee's rep dug deeper, he found that the ASAC said he merely relied on advice from LR who told him not to approve the request. LR also made its decision without any recording any basis for it. When the agency tried to explain its actions, it stated that the denial was “due to issues concerning leave;” however, no one could find any record that the employee had been counseled about her leave usage or otherwise penalized. The agency obviously just expected the employee

to talk her medicine and not ask any questions. But it got that wrong, too. [Continue reading →](#)

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MEDICAL PRIVACY QUIZ

An employee informs her manager that she will need some sick leave because of pending knee replacement surgery. Her supervisor passes on that information on to her supervisors so that they are aware of a potential need to reassign the absent employee's work. Has the Americans With Disabilities Act or Rehabilitation Act been violated? [Continue reading →](#)

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HOW TO WASTE, ABUSE AND MAYBE EVEN DEFRAUD UNION FUNDS

We are not talking about what everyone would consider outright theft, e.g., reimbursing a dummy company for fictional services and shipping the money to the Caymans. We are not even thinking about excesses that seem sleazy, e.g., the union president buying a Bentley rather than Ford Fusion as his union car or renting office space overlooking the ocean in the Florida Keys as the union's "winter headquarters." Our focus here is on the type of things that a union president can get away with when the local leaders have a Madoff mindset? What is it? [Continue reading →](#)

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