

National Partnership Council Meeting Minutes
San Diego, CA
October 13-14, 2010

Susan Anderson (NAGE)
MJ Burke (AFGE)
Robert W. Callahan (VHA)
Walt Frederickson (UAN/NNU)
Elaine Gerace (SEIU)
Walt Hall (GC)
Alma Lee (AFGE)
Lindee Lennox (NCA)
Brian McVeigh (VHA)
Bonnie Miranda (VBA)

Robert Redding (NFFE)
Cathy Rick, R.N. (VHA)
William Schoenhard (VHA)
Donna Terrell (VBA)
Richard Thomesen (NFFE)
Michael Walcoff (VBA)
Alberta Franklin (AFGE)
Veronica Wales (VBA)
Irma Westmoreland, R.N. (UAN/NNU)
William Wetmore (AFGE)

Claudia Moore (NAGE)
Leslie Wiggins (LMR)
Christine Polnak (SEIU)
Ryan Fulcher (LMR)
Stephen Warren (OIT)
Anitra Jones (LMR)

Introduction/Welcome

Leslie Wiggins, Deputy Assistant Secretary for Labor-Management Relations (Management Co-Chair) and Alma Lee, President, AFGE National VA Council (Union Co-Chair), welcomed the group and there were introductions around the table. There were new council members in attendance: William Schoenhard (Deputy Under Secretary for Health for Operations and Management), Robert Callahan (Director VAMC Lebanon), Stephen Warren (Principal Deputy Assistant Secretary for OI&T). Also, Walt Frederickson (UAN/NNU) was in attendance as a guest of UAN.

Telework Bill (H.R.1722)-NPC Discussion

Susan Anderson expressed that there has been resistance to Telework at the local level. She suggested that the NPC develop a Letter of Endorsement. Stephen Warren also mentioned that there are risks concerning Telework. For example a patients records being left at home. Not putting the veterans at risk is of major concern. Although the Telework bill has not been signed into law, the National Council on Federal Labor-Management Relations (NCFLMR) has formed a subgroup that will develop recommendations for advancing Telework. VA volunteered to sit on the subgroup and Tonya Deanes (Deputy Assistant Secretary for Human Resources Management) in VA Central Office is the VA representative. The VA NPC will review these recommendations and create a NPC Letter of Endorsement for Telework.



Senate passes
bill boosting Telev

ACTION ITEMS: Telework Letter of Endorsement, NPC will look at history of data usage, risks vs. benefits. MJ Burke volunteered to review how telework compliments the Federal-wide green initiative and the cost savings associated with it. Include: National Council on Federal Labor-Management Relations website: <http://www.lmrcouncil.gov/>

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DFAS-Roy Coles

Mr. Coles presented on the major issues and concerns associated with DFAS. He will be the Department's spokesperson for DFAS at future NPC meetings either in person or telephonically. Mr. Coles emphasized that two of the major issues regarding DFAS are local HR stations submitting incomplete/late actions and timecards. He stressed that more accountability is needed at the local HR level. Compensatory time for 26 pay periods is now in the system unless the facility fails to upload the patch. For local issues regarding comp time, LMR can be contacted who will route to Mr. Coles. The 72/80 operational policy is currently pending approval. ETA will be replaced with a target date of 2012 and Mr. Coles will set up calls through LMR to funnel information to the unions and NPC.



NPC DFAS
Briefing - October

ACTION ITEMS: Individual station pay issues should be sent to Roy directly by email, titled NPC Query. MJ requested additional error rate data regarding how many employees have been issued debt letter, Mr. Coles will provide the report. Mr. Coles will draft a Leave Buy Back Roles and Responsibilities document and all current issues should be routed through Donna Goode who will follow-up with guidance to the field. Mr. William Schoenhard and Brian McVeigh and will set up a subgroup to review a report generated by Mr. Coles that shows the root causes of local HR/Payroll station errors prior to the next NPC meeting.

National Council for Labor-Management Relation & E.O. Update-Leslie Wiggins

The National Council on Federal Labor Management Relations (NCFLMR) held its 7th meeting on October 6, 2010. The 8th meeting will be on Nov 3, 2010. The Social Security Administration (SSA) is the only Department whose plan has not been approved. FMCS will work with SSA to work through differences of their implementation plan. The NCFLMR meeting minutes are located on their website. There is an 18 month time period before reports are sent to President Obama concerning the b1 pilot programs. A Subgroup was formed by the National Council regarding definitions of key phrases and words in the Executive Order. The subgroup determined that definitions should be agreed upon locally. NPC members expressed concern that implementation of forums and training was taking too long and inquired on what NPC could do to address it. NPC reached consensus that the original survey sent to labor and management in February, 2010, will be an annual survey sent out again in February, 2011, along with a 5 question survey sent out to labor and management prior to the next NPC meeting. Discussion also touched on how to incorporate VCS and OIT into these surveys.



KEY TERMS AND
PHRASES WORKIP



Metrics
presentation for



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ACTION ITEMS: Annual survey originally sent 2/10 will be resent to local management and unions in 2/11. Five questions developed by MJ will be sent out prior to next NPC meeting. Brian McVeigh will send the question to local management and the unions will send out the questions on their respective conference calls. The five questions were:

1. Have you attended E.O. training?
2. Have you started your local forum?
3. Have you defined the 5 W's?
4. Has your forum identified a project to work on?
5. Would you like or need do you need assistance in setting up your forum?

The Council also agreed that the original data collected from the survey sent 2/10 should be reviewed and discussed at the next NPC meeting.

UAN/NNU

Alma Lee and other labor council members questioned NNU's recognition and seat on the NPC. Leslie Wiggins responded that the Department does not currently recognize NNU since it is awaiting certification from the FLRA but that it does recognize UAN, which has certification. Additionally, Leslie stated that for the remainder of the NPC meeting, UAN had a seat. Irma Westmoreland stated that FLRA certification for NNU should come through on October 15, 2010.

VHA Update-William Schoenhard

Mr. Schoenhard began his presentation by drawing attention to the importance of VA's mission and the dedication he has seen among employees in fulfilling that mission since coming to VA. Many hurdles are in place, especially with OIF/OEF veterans and the needs surrounding them. Mr. Schoenhard emphasized that in the past we've worked around the health care organization's needs but the Department needs to focus on working around the veteran's needs. The VA runs the risk of being left behind as private health care starts innovating and embracing new practices. With the economy and loss of jobs, our veterans are relying on VHA.

OIT Update-Mr. Stephen Warren

Mr. Warren began his presentation by addressing the 5 major areas of concern following OI&T's consolidation. They include

- **Customer service** - local and national surveys to collect data and start influencing local leadership
- **Product Delivery** - OIT will not take on projects that cannot produce product delivery within 6 months. This approach has led to an 80% timely product delivery rate.

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- **Operations Metrics** - This will eliminate redundant systems that are currently in use.
- **Financial Reporting** - Building a financial budget that will track every dollar OIT receives and where it is directed.
- **Security** - Safeguarding veterans identity, especially with increased Telework.

NCA Update-Lindee Lennox

NCA is dedicated to moving toward more Telework positions. Lindee announced that she will be retiring soon. Glen Powers (Director Memorial Service Network, Region IV, Indianapolis) will be her replacement for NCA. She introduced the Director of Rosecrans National Cemetery, Kirk Leopard. He directed the group on a tour of the Miramar Cemetery. The cemetery tour of Miramar National Cemetery, which is currently under construction, was a joint effort with AFGE, who was brought in early in the process. Miramar Cemetery will begin burials in November, 2010.

Veterans Relationships Management-Leo Phelan, Director, Veterans Relationship Management PMO Office of Facilities, Access & Administration

Mr. Phelan presented on 'Enabling 21st century benefits delivery and convenient and seamless interactions,' from the viewpoint of the veteran. VRM is moving toward more self-service so repeated calls are minimized and empower veterans in accessing their claim information while improving speed and accuracy. The online self-service for veterans for benefit claims, eBenefits, is the online portal which will also go mobile with applications. VRM is also improving services with the Virtual Call Center which provides unified desktops streamlining VA staff access to veteran data and contact history. VRM phone enhancements will also provide seamless transference of calls instead of forcing veteran to call new numbers (ex. VBA to VHA transfer). Establishing a National call queue to improve efficiency and call recording to provide training models will also be implemented by VRM. Timeframes: by 2012 VRM should have a lot of this stuff coming online. Pilots will be rolled out for the first quarter of calendar year 2011 for the Virtual Call Center. Leslie suggested that Mr. Phelan return with the pilot outcome and brief NPC to determine involvement. Susan Anderson would like to see a timeline for when pilots are rolled out and finished up. It was suggested that a quarterly update to provide information and determine NPC's role could be the next step.



Nat Partnership
Council - VRM Pre

ACTION ITEMS: The Virtual Call Center pilot will begin in February, 2011, and Mr. Phelan was invited to return to provide updates at the next NPC meeting the week of January 24, 2011. Mr. Walcoff will send out the list of the 16 Initiatives before the next NPC meeting.

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Nursing Services Update-Cathy Rick, R.N.

With all transformation initiatives. 4 Goals: Leadership Excellence, career development, workforce management and providing service to the field. Framework is patient driven, making nursing a learning environment coupled with quality and safety. New models of care, primary care initiatives, specialty care initiatives, women's health, homelessness, and mental health all have nursing elements. Standardized patient assessment tool and flow sheets or clinical observations which will be rolled out and have been in development for a long time. Virtual training on staffing methodology and NPC has been invited, they are receiving good feedback on validity of approach and usefulness of the tools. RN residency program has had a significant impact on retention and they are looking at way to divert some of the funding usually used for physician residency programs to fund nursing residency. Let's Get Certified Campaign, which refers to a high level of quality and has been proven to have an impact on quality and safety, those with the greatest level of improvement have a means to be recognized. VA Nursing Academy is going well and is still in evaluation phase of 5 year pilot and early findings are very positive in the numbers of those who have enrolled and those applying. Nurse Executives are certified mentors for new nurse execs and ONS has received a lot of positive feedback. Innovations Award, pick a focus area to support and there were four recipients of the award this year. The Institute of Medicine also put out a report on the future of nursing that Ms. Ricks volunteered to send to the group. Ms. Ricks stated that the Nursing Handbook is in the process of being written, which is something the unions received in August, 2010. Irma Westmoreland did not recall receiving the Handbook so Ms. Ricks volunteered to resend it. NFFE requested a briefing

about the Handbook but would follow up with Larry Bennett. Ms. Westmoreland inquired on how staff nurses and the unions have been involved with the standardized assessment tool and Ms. Ricks responded that although staff nurses have been involved, she was unsure of whether labor was involved with the committees. Ms. Ricks said she would follow up with Leslie Wiggins and Brian McVeigh on how to best uphold the intent of pre-decisional involvement regarding the standardized assessment tool. Elaine Gerace stated that during a briefing in Chicago regarding The Daily Plan, the unions argued that it was not a de minimis issue but increased workload significantly. However, these concerns were not addressed and the number of piloting sites is increasing. MJ also commented that nurses feel frustrated because they feel they spend too much time doing notes and working on a computer instead of providing care. Ms. Ricks agreed that the workload increases need to be addressed and will check on whether it is being rolled out. Ms. Westmoreland had questions regarding the Residency Program, specifically how the sites were chosen and what sites currently have the program. Ms. Ricks agreed to bring the implementation plan to the next NPC meeting in January. MJ Burke suggested an item for the next NPC meeting be the Staffing Methodology Expert Panel and how the unions can be involved since it is an area of concern.

ACTION ITEMS: Ms. Ricks will send to the group the Institute of Medicine report on the future of nursing. Ms. Ricks will also resend the current version of the Nursing Handbook

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that is under development. Ms. Ricks will follow-up with Leslie Wiggins and Brian McVeigh on how to involve the unions in pre-decisional involvement regarding the Standardized Assessment Tool. Regarding the Nursing Residency Program, Ms. Ricks will bring the Implementation Plan to the next NPC meeting the week of January 24, 2011. An item for discussion at the next NPC meeting will be the Staffing Methodology Expert Panel.

Follow-up Items: Ms. Ricks will see if The Daily Plan is being rolled out

NCA Update -Michael Walcoff

Mr. Walcoff stated there are many positive developments this fall compared to last year and he remains hopeful that advance checks will not be sent out. The IT system along with an outside contractor put out a demo. VBA is planning on keeping the temporary employees to the end of the FY 2011 and many have been turned into permanent employees. Mr. Walcoff discussed the media backlash surrounding a failure of payment for a veteran beneficiary following the veteran's death. VBA has worked with Prudential Insurance and they will offer the option of immediate payment or placement of the payment into a money market account. We're in a continuing resolution, and VBA has much to lose with a 27% increase in funding. Mr. Walcoff also spoke at United Auto Workers convention on behalf of the Secretary. There has been no movement for a nomination from the White House to Congress on the appointment of an Under Secretary for Benefits.

Next Meeting Location:

The NPC reached consensus on the next location for their quarterly meeting: The meeting will take place the week of January 24, 2011. Travel dates will be Monday 1/24 and Friday 1/28. The host city will be: New Orleans, VBA Regional Office or 2nd West Palm Beach, FL or, 3rd Orlando, FL.

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

December 9, 2009

EXECUTIVE ORDER

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CREATING LABOR-MANAGEMENT FORUMS TO IMPROVE DELIVERY
OF GOVERNMENT SERVICES

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to establish a cooperative and productive form of labor-management relations throughout the executive branch, it is hereby ordered as follows:

Section 1. Policy. Federal employees and their union representatives are an essential source of front-line ideas and information about the realities of delivering Government services to the American people. A nonadversarial forum for managers, employees, and employees' union representatives to discuss Government operations will promote satisfactory labor relations and improve the productivity and effectiveness of the Federal Government. Labor-management forums, as complements to the existing collective bargaining process, will allow managers and employees to collaborate in continuing to deliver the highest quality services to the American people. Management should discuss workplace challenges and problems with labor and endeavor to develop solutions jointly, rather than advise union representatives of predetermined solutions to problems and then engage in bargaining over the impact and implementation of the predetermined solutions.

The purpose of this order is to establish a cooperative and productive form of labor-management relations throughout the executive branch.

Sec. 2. The National Council on Federal Labor-Management Relations. There is established the National Council on Federal Labor-Management Relations (Council).

(a) Membership. The Council shall be composed of the following members appointed or designated by the President:

- (i) the Director of the Office of Personnel Management (OPM) and Deputy Director for Management of the Office of Management and Budget (OMB), who shall serve as Co-Chairs of the Council;
- (ii) the Chair of the Federal Labor Relations Authority;
- (iii) a Deputy Secretary or other officer with department- or agency-wide authority from each

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of five executive departments or agencies not otherwise represented on the Council, who shall serve for terms of 2 years;

- (iv) the President of the American Federation of Government Employees, AFL-CIO;
- (v) the President of the National Federation of Federal Employees;
- (vi) the President of the National Treasury Employees Union;
- (vii) the President of the International Federation of Professional and Technical Engineers, AFL-CIO;
- (viii) the heads of three other labor unions that represent Federal employees and are not otherwise represented on the Council, who shall serve for terms of 2 years;
- (ix) the President of the Senior Executives Association; and
- (x) the President of the Federal Managers Association.

(b) Responsibilities and Functions. The Council shall advise the President on matters involving labor-management relations in the executive branch. Its activities shall include, to the extent permitted by law:

- (i) supporting the creation of department- or agency-level labor-management forums and promoting partnership efforts between labor and management in the executive branch;
- (ii) developing suggested measurements and metrics for the evaluation of the effectiveness of the Council and department or agency labor-management forums in order to promote consistent, appropriate, and administratively efficient measurement and evaluation processes across departments and agencies;
- (iii) collecting and disseminating information about, and providing guidance on, labor-management relations improvement efforts in the executive branch, including results achieved;
- (iv) utilizing the expertise of individuals both within and outside the Federal Government to foster successful labor-management relations, including through training of department and agency personnel in methods of dispute resolution and cooperative methods of labor-management relations;
- (v) developing recommendations for innovative ways to improve delivery of services and products to

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the public while cutting costs and advancing employee interests;

- (vi) serving as a venue for addressing systemic failures of department- or agency-level forums established pursuant to section 3 of this order; and
- (vii) providing recommendations to the President for the implementation of several pilot programs within the executive branch, described in section 4 of this order, for bargaining over subjects set forth in 5 U.S.C. 7106(b)(1).

(c) Administration.

- (i) The Co-Chairs shall convene and preside at meetings of the Council, determine its agenda, and direct its work.
- (ii) The Council shall seek input from nonmember executive departments and agencies, particularly smaller agencies. It also may, from time to time, invite persons from the private and public sectors to submit information. The Council shall also seek input from Federal manager and professional associations, companies, nonprofit organizations, State and local governments, Federal employees, and customers of Federal services, as needed.
- (iii) To the extent permitted by law and subject to the availability of appropriations, OPM shall provide such facilities, support, and administrative services to the Council as the Director of OPM deems appropriate.
- (iv) Members of the Council shall serve without compensation for their work on the Council, but may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in Government service (5 U.S.C. 5701-5707), consistent with the availability of funds.
- (v) The heads of executive departments and agencies shall, to the extent permitted by law, provide to the Council such assistance, information, and advice as the Council may require for purposes of carrying out its functions.
- (vi) Insofar as the Federal Advisory Committee Act, as amended (5 U.S.C. App.), may apply to the Council, any functions of the President under that Act, except that of reporting to the Congress, shall be performed by the Director of OPM in accordance with the guidelines that have been issued by the Administrator of General Services.

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(d) Termination. The Council shall terminate 2 years after the date of this order unless extended by the President.

Sec. 3. Implementation of Labor-Management Forums Throughout the Executive Branch.

(a) The head of each executive department or agency that is subject to the provisions of the Federal Service Labor-Management Relations Act (5 U.S.C. 7101 *et seq.*), or any other authority permitting employees of such department or agency to select an exclusive representative shall, to the extent permitted by law:

- (i) establish department- or agency-level labor-management forums by creating labor-management committees or councils at the levels of recognition and other appropriate levels agreed to by labor and management, or adapting existing councils or committees if such groups exist, to help identify problems and propose solutions to better serve the public and agency missions;
- (ii) allow employees and their union representatives to have pre-decisional involvement in all workplace matters to the fullest extent practicable, without regard to whether those matters are negotiable subjects of bargaining under 5 U.S.C. 7106; provide adequate information on such matters expeditiously to union representatives where not prohibited by law; and make a good-faith attempt to resolve issues concerning proposed changes in conditions of employment, including those involving the subjects set forth in 5 U.S.C. 7106(b)(1), through discussions in its labor-management forums; and
- (iii) evaluate and document, in consultation with union representatives and consistent with the purposes of this order and any further guidance provided by the Council, changes in employee satisfaction, manager satisfaction, and organizational performance resulting from the labor-management forums.

(b) Each head of an executive department or agency in which there exists one or more exclusive representatives shall, in consultation with union representatives, prepare and submit for approval, within 90 days of the date of this order, a written implementation plan to the Council. The plan shall:

- (i) describe how the department or agency will conduct a baseline assessment of the current state of labor relations within the department or agency;
- (ii) report the extent to which the department or agency has established labor-management forums, as set forth in subsection (a)(i) of this section, or may participate in the pilot projects described in section 4 of this order;

- (iii) address how the department or agency will work with the exclusive representatives of its employees through its labor-management forums to develop department-, agency-, or bargaining unit-specific metrics to monitor improvements in areas such as labor-management satisfaction, productivity gains, cost savings, and other areas as identified by the relevant labor-management forum's participants; and
- (iv) explain the department's or agency's plan for devoting sufficient resources to the implementation of the plan.

(c) The Council shall review each executive department or agency implementation plan within 30 days of receipt and provide a recommendation to the Co-Chairs as to whether to certify that the plan satisfies all requirements of this order. Plans that are determined by the Co-Chairs to be insufficient will be returned to the department or agency with guidance for improvement and resubmission within 30 days. Each department or agency covered by subsection (b) of this section must have a certified implementation plan in place no later than 150 days after the date of this order, unless the Co-Chairs of the Council authorize an extension of the deadline.

Sec. 4. Negotiation over Permissive Subjects of Bargaining.

(a) In order to evaluate the impact of bargaining over permissive subjects, several pilot projects of specified duration shall be established in which some executive departments or agencies elect to bargain over some or all of the subjects set forth in 5 U.S.C. 7106(b)(1) and waive any objection to participating in impasse procedures set forth in 5 U.S.C. 7119 that is based on the subjects being permissive. The Council shall develop recommendations for establishing the pilot projects, including (i) recommendations for evaluating such pilot projects on the basis, among other things, of their impacts on organizational performance, employee satisfaction, and labor relations of the affected departments or agencies; (ii) recommended methods for evaluating the effectiveness of dispute resolution procedures adopted and followed in the course of the pilot projects; and (iii) a recommended timeline for expeditious implementation of the pilot programs.

(b) The Council shall present its recommendations to the President within 150 days after the date of this order.

(c) No later than 18 months after implementation of the pilot projects, the Council shall submit a report to the President evaluating the results of the pilots and recommending appropriate next steps with respect to agency bargaining over the subjects set forth in 5 U.S.C. 7106(b)(1).

Sec. 5. General Provisions.

(a) Nothing in this order shall abrogate any collective bargaining agreements in effect on the date of this order.

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(b) Nothing in this order shall be construed to limit, preclude, or prohibit any head of an executive department or agency from electing to negotiate over any or all of the subjects set forth in 5 U.S.C. 7106(b)(1) in any negotiation.

(c) Nothing in this order shall be construed to impair or otherwise affect:

- (i) authority granted by law to an executive department, agency, or the head thereof; or
- (ii) functions of the Director of OMB relating to budgetary, administrative, or legislative proposals.

(d) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(e) This order is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right to administrative or judicial review, or any other right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

BARACK OBAMA

THE WHITE HOUSE,
December 9, 2009.

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