

USDA LABOR-MANAGEMENT FORUM

MEETING MINUTES

August 25, 2010

Approved October 19, 2010

Roll Call and Adoption of Minutes.

The meeting commenced at 1:05pm in Room 108-A of the Whitten Building in Washington, DC, Co-chair Debra Arnold called the roll. The sign-in sheet is attached.

The July 29, 2010, Forum meeting minutes were corrected and approved.

Teleconference Attendance.

Forum member Phil Short made a motion to allow teleconference attendance at future face-to-face Forum meetings. It was observed that the Forum was now moving to quarterly meetings and that the USDA LMR Forum Charter currently mandates two of the quarterly meetings be face-to-face. Forum members accepted the motion and agreed to allow teleconference attendance at future meetings, including face-to-face meetings, as opposed to requiring physical presence.

Metrics: A Facilitated Discussion.

Joe Swerdzewski facilitated the discussion focusing the group's attention on the Executive Order's requirement for federal Departments, in consultation with their unions, to evaluate and document "changes in employee satisfaction, manager satisfaction, and organizational performance resulting from the labor-management forums."

Noting that the National Council of Federal LM Relations to-date has provided no usable guidance on the Order's metrics requirement, Swerdzewski presented three fundamental questions USDA Forum(s) will need to consider: (1) need to define the standard—what will be measured (for example, improved productivity, cost savings or employee satisfaction); (2) what measures will be used to show change (for example, using existing measurement tools vs. creating new tools from scratch); and (3) how/when measurements will be taken. Members then considered the difficulties involved in developing measures that connect organizational performance to Forum activities. Forum members established a Metrics Work Group to consider draft metrics, guidelines, and/or recommendations for the Forum to consider. **Metrics Work Group** members are: Marcus Brownrigg, Melissa Baumann, Paula Lucak and Joe Swerdzewski.

Responding to a request for direction regarding the Work Group's task, members offered a number of comments. Mr. Joon Park suggested tying down and defining terms, for example, identifying two or three factors that would define "productivity" and how it would be measured. Member Melissa Baumann suggested that coming up with uniform metrics that would apply across the Department posed real difficulties in light of the vast differences in agency missions. Member Phil Short recommended the Work Group look at and coordinate

metrics with the Secretary's Strategic Plan 2010-2015. Such an alignment could help inform the Forum in deciding how success could be measured. The group was reminded that new instruments need not be created, and the Work Group should review existing measures and metrics (e.g., Annual Training Plans, IDPs, etc).

Labor-Management Relations Climate Assessment Survey.

Member Ron James updated members on the status of the Forum's labor-management relations climate assessment. Phase 1 involves targeted focused interviews, and Phase 2 will electronically survey the Department's broader labor-management relations community.

With regard to Phase 1, Forum members were provided with a table presenting the current status of the focused interviews: 17 interviews completed, 10 interview dates scheduled, and 19 additional interviews being tied down. A report on the findings of the Phase 1 focused interviews should be completed by and presented to the Forum's next meeting.

Regarding Phase 2, a sample electronic survey questionnaire was distributed for the Forum's consideration. Beyond finalizing an electronic questionnaire, other issues identified as needing to be resolved surrounding the Phase 2 electronic survey were: tying down the IT distribution and survey response mechanisms that will be used, and precisely identifying the "labor-management relations community" to be surveyed and determining the organizational level at which data will be analyzed. A **Phase 2 Assessment Work Group** was named to consider these issues. Its members are: Debra Arnold, Henry Schmick, Bryan Knowles, Joe Swerdzewski, and Ron James.

Implementation of Mission Area Labor-Management Forums.

The Forum heard reports from the Mission Areas regarding on their progress in standing up Mission Area, agency, and staff office forums.

FFAS (FSA, FAS, RMA) - Mr. Short reported substantial movement for the FFAS Mission Area towards setting up Forums at agency, State Office, and bargaining unit levels. His detailed report is attached.

MRP (APHIS, AMS) - Member Joanne Munno reported for the MRP Mission Area. Her detailed report is attached.

FS (FSIS) - Member Anthony Thompson reported FSIS recently held its first meeting with AFGE in Huntsville, AL. The parties established a forum that consists of 3 management and 3 union representatives. Mr. Thompson, a Field Operation representative, and the Labor Relations Chief are the permanent management members. Further, the agency's Administrator is an alternate. A second meeting is scheduled for October in Albany, NY. The parties' current bargaining over the Public Health Inspection System temporarily prevents them parties from moving more aggressively.

REE (ARS) - Mr. Park reported that REE/ARS has communicated to the field sending the message out to establish forums at the agency and/or bargaining unit levels. Agency employees participated in FLRA/FMCS's joint labor-management training and are now moving to next steps, providing guidance, and making sure forums at the appropriate levels of the Mission Area are stood up.

NRE (NRCS) - Ms. Yvette Gray reported on NRCS's bargaining units. There are three locals in three different states and term bargaining is starting for each of them. Interest in establishing forums is high. The Puerto Rico bargaining unit recently held its first meeting with the next meeting scheduled for September. The agency intends to use the Department Forum model. Also, recent in-sourcing is an added complication for one of the units because of representational issues raised by the situation. The agency intends to first work out the representational issues and follow-up with the FMCS/FLRA training designed to assist parties to implement the Executive Order.

RD (RD) - Rural Development reported its Washington, DC Headquarters bargaining unit continues to operate under a Partnership Council that was begun about 2 years ago. The Council will serve as the agency's Forum. The Council holds quarterly face-to-face meetings with the next meeting scheduled for mid-September. The Council is in the process of writing a new charter that will be presented at that meeting for adoption, as well as considering the Executive Order's metrics requirement.

FNCS (FNS) - Member Marcus Brownrigg reported that FNCS was actively engaged with NTEU in establishing an agency-wide Forum. Preliminary discussions have been followed by an exchange of draft charter documents, modeled in major part on the USDA Forum Charter. FNCS envisions reaching a meeting of the minds with NTEU regarding the Forum framework and then reaching out to its single AFGE local with an invitation to review the suggested framework and propose how best AFGE might effectively participate in the FNCS Forum. FNCS continues to look to the USDA Forum for additional guidance on metrics and surveys.

NRE (FS) - Mr. Ron Hooper reported that the Forest Service had maintained its Partnership Council with NFFE over the years. There is a national Council and 48 sub-councils. The national Council meets quarterly and is composed of four management and four union members. The Council's current considerations are focused on improving labor-management relations and enhancing employee work-life with a special emphasis on non-traditional organizational structure (detached and virtual employees). The Council is also moving on LMR and Executive Order training, specifically looking at a program targeting Forest Service managers.

Cultural Transformation Initiative, Employee Viewpoint Survey, Pre-Decisional Involvement. Co-Chair Billy Milton led a discussion on the draft Cultural Transformation Action Matrices handout. Mr. Milton said the more than 80 action items it contained were developed in response to overarching concerns expressed in the one union-only and six employee listening sessions. Mr. Milton noted that OHRM has the lead on a significant number of the action items and said that as those issues were worked, they would be brought to the Forum for pre-

decisional input, including a request for volunteers to serve on workgroups as appropriate and permitted by circumstances. Mr. Milton asked members to review the draft action items and solicited their feedback and interest in participating on workgroups that might be set up.

Ms. Baumann expressed concern that little or no information is getting out to the field regarding the Cultural Transformation Initiative and that a lot of what she's seen in a Cultural Transformation report, which apparently was pulled of USDA's webpage and almost impossible to get a copy of, caused great union concerns. Mr. Milton confirmed the report was pulled from the web and said that action was in response to those types of concerns. He repeated his invitation to the unions to submit their ideas on the action items. Mr. Tony Thompson (also a member of the Secretary's Senior Team for Cultural Transformation) noted each agency has only recently been tasked with providing training on the Cultural Transformation Initiative and the unions should expect more direct involvement through their agency level forums. Mr. Short noted the Secretary's subcabinet, political appointees, and agency heads were only just getting a briefing on the action items this week. Mr. Schmick expressed concern that several of the action items listed in the draft Cultural Transformation Action matrices were marked as already having been completed—without the unions having been informed or involved. Mr. Milton assured the labor members that many of these “completed” action steps involved issues already addressed prior to the listening sessions. Mr. Tony Thompson further noted that the “completed” characterization on some of the action steps needed to be qualified because additional activity surrounding a particular issue might be of an on-going nature. In these cases, unions will have opportunities to be pre-decisionally involved.

Mr. Milton advised members the Department had not received any feedback requested at its last meeting in July on the summary findings of the Department's Employee Viewpoint Survey. He urged the Mission Areas, agencies, and staff offices to take the Survey results up as part of their Forums' deliberations. He also noted that OHRM received little or no feedback on the draft Departmental Regulations distributed to Forum members at it July meeting.¹

The Forum's labor members then focused the discussion on pre-decisional involvement (PDI). Co-Chair Arnold expressed concern that unions were not being brought in at the early stages of management's decision-making processes. Ms. Baumann emphasized the need to be brought in on the writing of Departmental Regulations, rather than being provided with fully-developed documents for comment. Additionally, Ms. Baumann requested that members be provided with electronic copies of documents prior to meetings, as opposed to hard copy distribution at Forum meetings. Member Stan Painter characterized the process of being presented with draft regulations and a request for comment as falling short of what pre-decisional involvement means as far as the unions were concerned. Member Henry Schmick distinguished PDI as being something different from union participation in the regulatory clearance process. Union members did, however, recognize that the distributed draft regulations were likely too far down the road to allow for the unions' pre-decisional involvement in their development. Mr.

¹ After the meeting, Member Henry Schmick submitted written comments on behalf of the American Foreign Service Association regarding the draft revision of the Telework Departmental Regulation.

Milton said that unions would be extended invitations for earlier involvement in the process of revising existing and writing new Departmental Regulations whenever possible. He explained further that the draft Departmental Regulations on Telework and IDPs were rushed through to the Forum for union input because of the urgency of employees' concerns expressed during the listening sessions and the fact that less than 10,000 USDA employees were teleworking and more than 80,000 were without IDPs. Mr. Milton clarified the issue of union volunteers on work groups by saying that such volunteers were not restricted to Forum members. Mr. Milton also said that to the extent documents could be provided electronically in advance of Forum meetings they would be.

Meeting Minutes—Designating Note Takers for Future Meetings.

Concern over timely completion and delivery of meeting minutes to Forum members led to agreement on scheduling joint Mission Area union-management note-taker pairs to handle future Forum meeting minutes. Mr. Clyde Thompson and Co-Chair Arnold volunteered on behalf of Rural Development to provide note-takers for the Forum's October meeting.

Open Discussion.

The discussion that followed touched upon a number of issues, summarized below:

Training—a question was raised as to whether the Department will take Executive Order training out to the regions. Mr. James said that the expectation was that local training would be a matter for the local level forums to consider and decide, though OHRM will assist Agencies through its connections with the FLRA to set training up.

OneUSDA—Ms. Baumann stated her interest in getting a better understanding of what OneUSDA involved and how it is likely to affect employees. Mr. Milton stated that currently USDA uses more than 20 different HR systems and that OneUSDA is tasked with rationalizing and/or consolidating the often redundant systems into a single USDA HR enterprise system. Mr. Milton further advised members that the OneUSDA concept had been under consideration for over a year. Ms. Baumann expressed her particular concern about whether OneUSDA would perform as poorly as the last consolidation attempt whose failure was a major inconvenience to employees.

Forum Website—Mr. Schmick said the Forum should consider setting up a website for communicating the department-level Forum's activities and guidance to employees, the Mission Areas and Agencies. The use of SharePoint or the USDA portal was suggested as potential tools the Forum might consider.

Details—Ms. Baumann reported continuing to hear Forest Service employee anecdotes/complaints regarding details. Mr. Milton recommended the groups review the current Departmental Regulation covering details and present amendments or changes for the Department's consideration.

Employee Development—Mr. Painter noted concerns regarding long-term employees not getting the training and development to advance their careers while expending extensive resources on training career-interns who usually leave the Department after the investment is made. Ms. Baumann added that intern and training opportunities are unadvertised, resulting in current employees not getting the opportunity to apply. The perceived preference for developing newer employees and career interns was characterized as a substantial source of morale problems for employees.

Mr. Milton stated that OPM mandates that interns be under a two-year training program. He also advised Forum members that the Agencies have been ordered to raise their training budgets by 2 percent. Mr. Milton said further that IDPs could be used by employees to access training. Ms. Baumann observed that an employee was refused approval to take a class included in her IDP because of cost consideration even though the class cost \$150. Mr. Milton recommended that such cases might be elevated through the agency's labor relations process for resolution.

FSIS Grievances-Mr. Painter said that his agency had effectively shut down the grievance system by refusing to respond to or discuss settling grievances at the Labor and Employee Relations Division level. Mr. Milton said that if the situation is as described and the matter could not be resolved by the union working with appropriate agency executives, the union might need to consider its enforcement options.

Next Forum Meeting Scheduled.

The next meeting of the USDA Forum was set for Tuesday, October 19, 2010.

ADDENDUM TO MINUTES: SIGN IN ROSTER

USDA LABOR-MANAGEMENT FORUM

August 25, 2010

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ADDENDUM TO MINUTES:**Implementation Status of Labor – Management Forums in the FFAS Mission Area**

FAS AFSCME Local 3976 AFSA	Management team members have been identified (Bob McGary, Karen Darden and Gary Groves). Management and the union partners attended the FLRA training August 9 and 10.
FSA/RMA HQ AFSCME Local 3925	Phil Short, DAM and Francine Smith, RMA with their union partners attended the FLRA training August 9 and 10. The management team members for the joint FSA/RMA forum have been identified. Francine Smith will be the RMA management representative and the management representatives for FSA are: Ed Rall, Ezekiel Dennison, Mike Hinton, Bob Stephenson, Vicki Larson, and Louis Iacoletti. An invitation to the union will be extended soon.
RMA/KC NFFE Local 858	Rodger Matthews, Assistant Deputy Administrator, Research and Development and Mirjana Kamatovic, NFFE Local President met to discuss the formation of a labor/management forum. Both parties verbally agreed to meet on an ad hoc basis.
FSA/KC NTEU Chapter 264	Management has determined the management team members (Greg Borchert, Darrel Davis, Bill Hardrict, Angela Sieg and Cheryl Vukas). The management team met August 19 and has another meeting scheduled for August 26. After their meeting an invitation will be extended to the union.
FSA/St. Louis AFGE Local 3354	Invitation issued July 21, 2010. First meeting held August 4, 2010. Working on developing the charter.
FSA Arkansas AFGE Local 108	Arkansas has an existing partnership council that meets on a quarterly basis.
FSA Colorado AFGE Local 3499	Union accepted management's invitation on July 28, 2010 and the parties will be meeting soon to draft the charter.
FSA Kansas AFGE Local 3354	Invitation sent to union and associations. Union agreed to association involvement.
FSA Mississippi AFGE Local 1031	Invitation sent to the union August 9, 2010. First meeting scheduled for August 25, 2010.
FSA Montana AFGE Local 1585	Montana has an existing partnership council that meets on a monthly basis.
FSA North Dakota AFGE Local 888	Attended the unionized states teleconference on July 21, 2010. Invitation was extended to the union on August 17, 2010.
FSA New Jersey AFGE Local 2831	First meeting held July 26, 2010. Parties working on developing a charter.
FSA New Mexico AFGE Local 1019	AFGE Local 1019 currently only has 3 dues paying members, one of whom will be retiring at the end of the year. The parties have verbally agreed to meet on an ad hoc basis.
FSA New York AFGE Local 2831	SED & AO discussed with union week of August 2, 2010. Parties looking a date in September for their first meeting.
FSA Oklahoma AFGE Local 3354	SED and AO discussed with union. Union not interested in having the associations as part of the forum. Management and the union will meet next week to discuss further.
FSA Puerto Rico AFGE Local 0055	Invitation issued August 6, 2010. First meeting held August 13, 2010.
FSA Texas AFGE Local 571	Invitation issued August 5, 2010. First meet held August 11, 2010.

**ADDENDUM TO MINUTES:
MRP Mission Area Labor Management Forums Status Report**

<p>Veterinary Services, Tick Riders</p>	<p>The parties have restarted the Joint Cooperative Improvement Committee which is made up of management and union representatives. This committee was formed due to collective bargaining agreement language. Management shares programs issues and improvements; local Union representatives share problems and concerns. The local parties met recently to discuss implementation of the Executive Order.</p>
<p>Veterinary Services, Ames, IA</p>	<p>The parties have on-going quarterly Labor Management Committee Meetings that exist as a result of collective bargaining agreement language. VS Administrators have been advised to integrate pre-decisional involvement with the Unions into these committees.</p>
<p>PPQ, NAAE/NAPPQOSE</p>	<p>The parties met and decided to create a program level forum for pre-decisional involvement and Union issues comprised of one or more representatives from DA's office, RD's office (both ER and WR), NAAE and NAPPQOSE presidents, and Chief, Labor Relations. For the time being, it was agreed to use the national model to encourage more local discussions in lieu of setting up additional forums at the local level. NAPPQOSE has unique concerns that may require an APHIS representative's presence at the forum. PPQ has already met with NAAE and NAPPQOSE to begin these conversations. In fact, PPQ has the first forum meeting scheduled for August 23rd. Veterinary Services may rely on processes already in place due to collective bargaining agreement language, as long as the Unions are in agreement.</p>
<p>Livestock and Seed/AMS/Meat Graders' Council</p>	<p>Expand the existing Labor-Management Partnership Council with the Meat Graders' Council into a Labor-Management Forum. L&S is considering sending the Union President and a management official to FLRA/FMCS training asap.</p>