

USDA Labor Management Forum

January 23, 2012 Minutes

Approved April 25, 2012

Roll Call:

Labor Members and Designated Alternates:	Management Members and Designated Alternates:	Subject Matter Experts:
Melissa Baumann, NFFE	William P. Milton, Jr. CHCO	Chris Nelson, ASA's Office
Chris Berry, NFFE (alternate)	Robin Bailey, FNCS	Karen Messmore, OHRM
Luke Chesek, NTEU	Lisa Baldus, REE	Louise Fox, DM
Patricia Maggi, NTEU	Telora Dean, RD	
Sharon Cooney-Smith, AFGE	Ralph Linden, OGC	
Stan Painter, AFGE	Steven Placek, NAD	
Pamela Steed, AFSCME	Rick Swenson, NRE-NRCS	
Carl Goldman, AFSCME	Dan Kline, LRO (alternate)	
Dave Mergen, AFSA	Phil Short, FFAS	
Doreen Lewis, NAPPOSE	Arthur Bryant, NRE-FS (alternate)	
Sarah Rehberg, NAAE	Lorena Carrasco, FSIS (alternate)	
	Marilyn Holland, MRP (alternate)	

Member Organizations Not Attending: None

Invited Guest: The Honorable Thomas J. Vilsack, Secretary of Agriculture

Other Attendees: Leslie Violette, Ed Rall, Debbie Burns, Sarah Summerville, Keith Adams, Frank McDonough, Mike Young, Jamie Wadzinck, Oscar Gonzales, Esther Lin, Sarah Scanlon.

Facilitator: None

Note Takers: Luke Chesek and Adrian D. Lindsey

Minutes from October 2011 meeting

October 2011 meeting minutes were approved with suggested changes.

Blueprint for Stronger Service, Strengthening Service, and Administrative Solutions

Chris Nelson, Project Lead for the Administrative Solutions Project, gave an overview of these three initiatives and their relationship. The Administrative Solutions Project is one portion of the Blueprint for Stronger Service. The "Administrative Solutions Project" started as the "Administrative Services Project" as an effort to look at how the USDA currently receives administrative services in seven areas (Human Resources, Information Technology, Budget and Finance, Procurement, Property, Homeland Security, and Civil Rights) and how it can be done better. It was initiated in June 2011 and there were 379 recommendations made regarding various functions within these service areas. 133 of the recommendations were for no change; 27 were considered to be things that could be adopted very quickly (for example, consolidation of cell phone plans and standardization of background check processes); and work is continuing

on implementation of the remaining items. Integrated Project Teams (IPTs), including union representation, are continuing to work on these items to determine how to reorganize them into Centers of Excellence and Shared Service Centers for provision of service across USDA. The IPTs are looking at quick implementation of the initial 27 items. Beyond the 27, they are looking at phasing in other options, lessons learned from past consolidations, and developing implementation plans. There is also an Organizational Modeling TEAM (OMT) that is looking at the organizational structure for how the shared service centers and centers of excellence will be structured.

Questions and answers for Chris Nelson:

What is a Center of Excellence? Generally, a Center of Excellence refers to a situation where just a few agencies have the expertise and have made the investment in a function and may do it very well. Examples of this are geospatial information and construction contracting.

What is a Shared Service Center? A shared service center will provide the types of services that are delivered across USDA to all or most agencies. These will help provide consistency.

What's what? What is the Strengthening Service initiative and what is the Blueprint for Stronger Service? The initial project was Administrative Services Project, which was then renamed Administrative Solutions Project. Then the term "Strengthening Services" was introduced to encompass three initiatives: Administrative Solutions, Cultural Transformation, and budget issues. The Blueprint for Stronger Service is now the overarching name for these three initiatives.

How do we defend these decisions from the charge of "arbitrary and capricious?" There are concerns that the data being used is out of date, there is no cost benefit analysis, etc. When the proposals result in a change in employment, we will need to do a civil rights impact analysis (CRIA) and a cost benefit analysis. We realize that the timing is tight, but we are committed to doing these.

There is anecdotal evidence that the analysis in at least one situation has simply been "cut 20% in staffing." I hadn't heard that. I was hoping more analysis was being done.

Are the recommendations more of actual centralization or just standardization of services? The IPTs are still working on final decisions on what the outcome will be.

Is the Department considering consolidating Procurement? Management has not considered it as of yet. We are focused on how to deliver procurement services through Shared Service Centers. A lot of work still needs to be done.

Karen Messmore, Office of Human Resources, discussed the plans for managing the organizational changes associated with the office closures that were announced on January 9, 2011. The CRIsAs have not been completed, but they will be done as part of the decision package. Agencies still have work to do on developing realignment packages, and some are required to do public meetings, etc. prior to final implementation. USDA may offer further VERA/VSIP to employees in the affected agencies if needed to manage the closures.

Secretary Tom Vilsack addressed the forum regarding the Administrative Solutions project and the office closures. USDA is facing a very difficult set of challenges with the current budget and Congressional climate, and there is a sense that our fiscal house needs to be in better order. We have seen a 12.5% cut in operating budgets over the last two years and between 9% and 18% cut in salaries. There have been particularly significant cuts in Departmental Management (DM) budgets, owing to the fact that functions like DM have no political constituency and can't put political pressure on Congress.

The Agency has been doing some good things over recent times, and these are in our favor:

- Reduction in travel – We were out ahead of the Executive order on reducing travel
- Process improvements – For example, APHIS has noted improvements in customer service and in streamlining paperwork
- USDA has processed record numbers of loans in recent years, even with declining staffing.

But, we are now in a position with fewer workers and less budget and no less work. For example, FSA has lost a third of its workforce in the last two years. Additionally, USDA has the largest footprint of all the Departments with the exception of DOD and DHS. In light of these facts, the Secretary instructed each undersecretary to look at their agencies' footprints and come back with a plan that was announced on January 9. Within FSA, the focus is on closing offices of only 1-2 employees and which are within 20 miles of another office. Within ARS, the closures had already been approved by Congress. The Secretary apologized that the USDA LM forum was not included in discussions and notifications about the plans. Although Agencies talked to local union folks and he contacted the national union presidents, communication should also have been made also at the Forum level.

The Secretary indicated that if the office closures are not able to go forward, other cost saving measures may be necessary, including furloughs, layoffs, reductions in commitments to technology, etc. These measures don't solve the problems long term, and they reduce the ability for USDA to provide service while also being very damaging to employee morale. The decisions being made now are an attempt to minimize job loss through restructuring, incentives for people to leave voluntarily, and efficiencies.

The Secretary mentioned that we are beginning to see a response from Congress about the office closures. It appears that some are beginning to realize that further budget cuts will have impact on services provided because the budget cuts are so severe.

The Secretary made it clear that the office closure announcement is different from the Administrative Solutions project. They are separate strategies to address the serious budget situation that USDA is in.

The ASP is continuing to move forward with implementation in a thoughtful and consistent way. We are preparing for the subsequent group of recommendations to be submitted to the IPTs as the first group of 27 move to the next phase of the process. We will continue to collaborate with the Unions as the ASP moves forward.

Questions for the Secretary

Why such the hurry/panic now? We've been living with low budgets for years. The Secretary addressed some specific concerns regarding Food and Nutrition Service, but then also went on to say that this is not like past times. The budget cuts are deeper and wider than in the past, and we can no longer move money around to cover areas where there are shortfalls in a particular year.

We are concerned about the magnitude of this effort. The Forest Service did 3 areas over a period of nearly 6 years. USDA is looking at 7 areas all at once. The Secretary indicated that they are looking at the Forest Service experience and the lessons learned from it. They are moving forward thoughtfully and systematically. People have spent a lot of time on this effort.

The USDA policy is for a 1:9 supervisory ratio, and we've seen no progress on this issue. Now we are seeing even more cuts at lower levels. Also, records indicate that plants are operating at a 67% deficiency level. (This comment was in relation to specific changes recently announced at FSIS). We are addressing the supervisory ratio across USDA. The proposed plans at FSIS have worked in 25 model plants. The new method has been shown to reduce food-borne illness and it has been peer-reviewed; they are going forward. There is actually a possibility grade increases for bargaining unit employees.

Why are management negotiators always given great big awards, when they are just doing their jobs? (This comment was specific to FSIS). Billy Milton responded that local issues should be dealt with in the right forum. However, the Secretary used this opportunity to discuss the Cultural Transformation efforts. The CT initiative is aimed at reducing USDA's exposure to liability due to complaints of discrimination both from inside and outside the Agency.

Comment: Bargaining unit employees are afraid that consolidation is going to result in cuts at the bottom, with no commensurate cuts for the higher graded managerial positions. The Secretary responded that this was a fair comment, and that the ASP effort started with the understanding that the DC staffs were going to be impacted also. We must remember that the magnitude of the current situation far exceeds anything we've ever seen.

Why hasn't there been a listening session in the DC area? An ASP listening session will be scheduled in the DC Metro area.

Comment: The communications that have gone out about ASP and the office closures have not told the story that you told here. There is not the same sense of urgency or your commitment to minimize impacts on the employees.

Comment: If functions are transferred between agencies, be sure that the budget transfers, too. Stop the Greenbook assessments, as this does not result in efficient management of the functions and costs.

After the Secretary left the meeting further discussion continued among the participants.

How will the Union be involved in the Blueprint office closures? Generally, it should go union involvement should be at the local level.

What if the local agency won't involve the union? Billy Milton responded that it should go through the local forum. Melissa Baumann suggested that perhaps something should come from the national level to remind subordinate managers that they are expected to involve the union pre-decisionally. Billy responded that if there are issues locally with management not engaging with the union, the USDA LM Forum can do fact-finding as in the past. The Department might also take steps to engage the unions and notify the ASA of the Agency's refusal to engage its unions.

We've been told that supervisors coded as "4" do not count in the 1:9 supervisory ratio. Is this true? Yes. Generally, only the supervisors whose grade is based on their supervisory duties (using the Supervisory Grade Evaluation Guide) are included in the ratio.

Are we dealing with Transfers of Function in the ASP process? No. The OPM rules for transfer of function only apply when the receiving organization does not currently perform the functions that are being transferred.

Melissa Baumann, Union LM Forum Chairperson, provided a status update on union involvement in the ASP efforts.

Union representatives are serving on the Steering and Cross-Cutting Committees. However, labor did not feel that involvement was optimal. Consequently, a meeting was held during the November off-site ASP meeting discuss improving Union involvement in ASP. Unions were represented at the Secretary's listening sessions held throughout the United States in December. 14 Union Representatives are participating in ASP through the Committees. Committees are progressing at different rates and receiving different levels of involvement from the Unions. Agencies should continue to ensure that Unions are afforded time to participate on these committees and now the IPTs. If any concerns arise in regards to affording the Unions time to participate, they should contact LMF Co-Chair and USDA LRO, Ronald S. James.

Cultural Transformation (CT)

Billy Milton, Management LM Forum Chairperson, introduced this agenda topic stating that there are agency metrics on cultural transformation milestones. In the FY12 Action Plan with metrics, there are about 40 measurements. The scores on the FY11 report was used during the performance evaluations of senior executives. The metrics reports are issued monthly, with report cards issued quarterly.

Management asked that several topics related to CT be put on the Agenda, to hear feedback from labor representatives about barriers to further implementation on the following topics:

- Telework
- On-Boarding
- Individual development plans (IDPs)
- Communication with employees

- In addition, the Union asked that labor-management relations be discussed.

Telework: There was significant discussion about telework issues. Union representatives reported that employees were being denied telework, restricted to ad hoc agreements, or restricted to a limited number of days per pay period. In some situations employees and their supervisors were OK with telework, but higher level managers were denying it. One Agency expressed concern that the ratings were based on how many people were actually teleworking, and some of their employees only have agreements in place in case of weather or emergencies; the employees choose not to telework. Billy Milton felt this was a minority of the situations, and he expressed frustration that some agencies weren't getting telework above 12%. Some members were concerned that the numbers might not be scored accurately because some employees do not want to telework and opt out and some agencies don't have the technical capacity to meet the goal of 45% teleworkers. Union representatives expressed that the issues with telework were primarily ones of accountability: top management must hold subordinate levels accountable for increasing use of telework throughout the agencies. In general, labor representatives were encouraged to work with their Agencies through their forums or by elevating issues within the Agency. If unsuccessful within the Agency, the issues should be elevated to Billy Milton or Ron James.

On-Boarding: Regarding on-boarding, Louise Fox, Human Resources Director for Departmental Management explained that on-boarding is an OPM-lead initiative and that the Office of the General Counsel views on-boarding as a compliance issue. The on-boarding data is reported to OPM on a monthly basis and anything less than 100% is unacceptable. Louise also explained that new employees are offered the opportunity to go through the on-boarding process as described on the On-Boarding Portal: <http://www.usda.gov/obp>. There was some discussion about how this is measured and how the use of the USDA portal intersects with Agency orientation efforts.

Performance Appraisals: Billy Milton stated that with respect to completion of performance appraisals, anything less than 100% is failure. All employees should be receiving timely performance appraisals.

IDPs: Union representatives expressed frustration that the IDP measurement was simply a box for management to check off. The presence of an IDP did not mean that employees were actually receiving any training. Travel restrictions and tight budgets have caused significant cutbacks in training for employees. Management members of the Forum responded that training was still available through AgLearn and more informal methods that don't involve registration fees and travel. Union representatives suggested that a better measure than IDP completion would be training completion.

Communication: Billy stated that Agencies were required to implement two-way communication between leadership and employees. Methods of doing this might include blogs, staff meetings, town hall meetings, newsletters that include a way to respond, etc. Billy noted that the Secretary had issued 13 all-employee emails over the last six months regarding

the ASP. Melissa expressed concern there are no metrics for how effective the communication is.

Melissa Baumann asked if there was something that the forum might do to help move Agencies forward on areas where they are not meeting the metrics, particularly telework. A suggestion was made to publicize how poorly some of the Agencies are doing. Billy stated that the report card and metrics reports can be shared. Melissa asked if these were confidential, as we previously had been told. Billy stated that they are NOT confidential and can be shared at this point.

Labor-Management Relations:

Carl Goldman raised an issue related to an organizing effort that AFSCME has undertaken in the Foreign Agriculture Service (FAS). Although the FAS had said they would not oppose the effort, they have continued to throw up roadblocks in the process, in spite of the Secretary's and USDA's commitments to allow employees to be represented by a union, if they so desire. Billy Milton asked the Labor Relations staff to look into the issues.

Melissa Baumann reported that she has heard back from several union representatives that they had little or no input into the metrics report scores for labor relations. Billy expressed surprise, given the metrics are fairly cut and dry. Melissa indicated that in places where there was no forum, the reasons were a matter of opinion and only the agency's opinion had been expressed. She had heard specifically that the ARS locals were not in agreement with the report card assessment. Billy responded that if the unions had evidence of issues, they could raise them to Ron James and/or the Forum. In another situation (FSIS) the Forum had done fact-finding and assisted the parties with developing a better relationship.

In response to a question regarding labor-management collaborating issue the subject of a Forum fact-finding, Lorena Carrasco replied that the fact-finding brought about a change in culture. Prior to the fact-finding managers had not been expected to participate in collaborative LM relations.

Adjournment

On a motion for adjournment, the meeting adjourned at 4:03 p.m.