

**USDA LABOR-MANAGEMENT FORUM
MEETING MINUTES
April 28, 2011**

Approved July 21, 2011

Roll Call and Adoption of Minutes.

The meeting commenced at 1:00 pm in the Whitten Building, Room 104-A Conference room at 1400 Independence Avenue, SW, Washington DC. Co-Chair Debra Arnold called the roll. The sign-in sheet is attached.

Attendance.

Labor Forum Members: Melissa Baumann, Luke Chesek, Debra Arnold, Sharon Church, Sharon Church, Sharon Cooney-Smith, Patricia Maggi, Henry Schmick.

Management Forum Members: William Milton, Jr., Ted Gutman (alternate for Joanne Munno), Mark Rucker, Phil Short, Wendy Moore (alternate for Clyde Thompson), Chuck Meyers, James Bradley, Ralph Linden, Eloris Speight, Lorena Carrasco (alternate for Anthony Thompson), Richard Swenson, Ralph Linden, Ron James.

Member Organizations Absent: NAAE and NAD.

SMEs: Mika Cross (OHRM) and Mike Young (OBPA).

Facilitator: Joseph Swerdzewski was not able to make the meeting because the Huntsville, Al airport was closed due to tornado activity.

Note Taker: Doreen Lewis and Bertina Adams

The January 27, 2011 forum meeting minutes were approved as written.

Budget Briefing FY 2011-2012

Michael Young, Director, Office of Budget and Program Analysis (OBPA) gave an overview of the approved FY 2011 budget and on the Continuing Resolutions. He also gave an overview of the FY 2012 Budget submitted to Congress by the President and stated that the budget has a number of reductions in program funding levels continued from FY 2011.¹ **Furloughs**

Concerns were expressed by labor members on how the budget issues of FY 2011 and the threat of an emergency furlough were handled. Co-Chair Billy Milton responded by saying that the Department's hands were tied by OMB which had instructed Departments not to share information with employees. Member Phil Short also stated that since we just underwent the 2011 process of addressing a

¹ The FY 2011 USDA Budget Summary can be found at: <http://www.obpa.usda.gov/budsum/FY11budsum.pdf>. The FY 2012 USDA Budget Summary is at: <http://www.obpa.usda.gov/budsum/FY12budsum.pdf>.

government wide shutdown, the Department should be better prepared to implement a plan of action if necessary in the future.

Member Patricia Maggi stated that Unions need to be provided with enough information to ensure that employees' rights are protected. She suggested local leaders be given parameters as to what could be shared.

Ms. Arnold requested continued openness and discussion with labor leaders by management in the event of another go around in 2012.

Early Out/Buyouts

Members of the Forum inquired as to the possibility of buyouts/early outs. Mr. Milton stated that all agencies had been instructed to submit a plan to the Department on how they would handle the budget reductions, including, as a last resort, the possibility of reduction-in-force. This plan was to include numbers of employees that could be considered for a buyout. The Department would compile the information and forward requests to OPM for possible buyouts. OPM has given the Department assurance to work with them on their requests due to the serious nature of the budget reductions.

Mr. Schmick mentioned that Union Members can go to Capital Hill to discuss concerns. Mr. Milton said he can not tell the Union Members not to go to Capitol Hill. It's a decision which needs to be made by Union Members.

Ms. Arnold thanked Mr. Milton, Member Ron James, and staff for sharing as much information as they could to keep the employees abreast of what was going on during the possible shutdown.

Cultural Transformation Milestones and Metrics

Mr. James provided a current copy of the Cultural Transformation Milestones and Metrics spreadsheet. Question was asked, what does 80% of an eligible USDA employee mean referenced on page 4 of 5 regarding Individual Development Plans (IDP). Mr. Milton said that an employee would be someone other than a manager, supervisor, or an executive or non-supervisory.

Member Melissa Baumann inquired as to whether or not the Forum would be able to obtain a copy of the regular weekly reports submitted to the Secretary. Mr. Milton stated that the Secretary is requiring weekly reports on progress. Mr. Milton said he would follow up on how a report might be formatted for quarterly submission to the Forum.

Mr. Milton informed the Forum that we are making progress in exceeding hiring reform targets in hiring employees with targeted disabilities. He also explained that the Department now has an Equal Employment Opportunity accountability unit that reviews adverse EEO decisions against the Department in order to assure that managers who were found responsible for discrimination are held accountable.

Forum Metrics Reports Submitted to National Council

Mr. James provided a copy of the Forum Metrics report submitted to the National Council on Federal Labor Management Relations. In addition, Mr. James said he would follow up with electronic copies to Forum members.

Ms. Arnold asked if we will receive feedback from the National Council. Mr. James said there will be no feedback from the National Council on the Department's metric report. Mr. James said that the metric report was the initial report that was a summary of the number of forums created and their level of work around metrics in the Department. A progress report on forum activity will be submitted to the National Council in the fall.

Mr. Milton said he will work with the facilitator, Joe Swerdzewski on how performance can be extrapolated from future progress reports for feedback to the Forum members. Ms. Arnold said the USDA L-M Forum should serve as a mentor to subordinate forums to provide guidance and assistance to get charters and ground rules established.

Telework Implementation

Mika Cross, Work Life and Wellness Program Manager for the Department gave a presentation on Telework initiatives at the department level. She explained how the Department is preparing to implement a telework program to encourage consistency across all agencies. The Department is working on several fronts to eliminate the barriers to teleworking including ongoing reporting requirements at agency levels, developing tracking systems to track many aspects of telework such as the reduction in transit benefits, travel time, etc., working with the OCIO in removing technical obstacles, and monitoring participation in the telework program.

Mr. Milton said approximately 6,000 USDA employees participated last year in telework. There are approximately 20,000 employees eligible for telework. Mr. Milton emphatically stated there are only three (3) reasons an employee would not be eligible for telework: 1) security position, 2) job requires contact with the public, and/or 3) disciplinary action was taken in the last 3 months.

Break for 15 minutes from 2:30 to 2:45 p.m.

Subordinate LMF implementation and Processes

Mr. James provided statistics on subordinate labor forums reported to the National Council as follows:

- Ninety-one (91) bargaining units are eligible to participate in mission area forums
- Thirty-eight (38) or 42% have provided a metric report for their forum
- Five (5) indicated a strong partnership council exists and provided no report
- The remaining (48) areas are being reviewed to determine reasons of non-participation

Concerns were expressed that numerous mission areas are not participating in the forums under the President's Executive Order 13522. Mr. James stated that talks are ongoing to engage unions in this effort.

Several options are being considered to address these concerns including the implementation of a 'Fact Finding Team'. Mr. James stated that Ms. Arnold had volunteered to work with his staff to develop a procedure in working with subordinate LMFs in collaborating, discussing, implementing, and monitoring forums at the mission area level. Additional information on this will be provided as it is developed.

Sharon Cooney-Smith recommended putting together a mini version of the FLRA training on how to work in a collaborative mode and processes of Labor-Management Forums. This could be a part of the Fact Finding Teams tasks. Suggestion well received and noted.

LMF Work Group Process

Ms. Arnold said we need to get a list of all the management work groups that have been developed. The list should include participants names, contact information, and position. Ms. Arnold also indicated she would like to see the Department develop a standard set of guidance on what is expected from the work group participants. Ms. Arnold stated the Forest Service has developed some guidance at their agency level and forwarded it to her. She will work with Mr. James in developing some guidance at the LMF level.

Ms. Arnold also stated the process used for work groups at the Department forum level could serve as a 'best practice' to be used as a guide for subordinate forums. "Why reinvent the wheel," stated Ms. Arnold.

Review Reasonable Accommodations DR

Ms. Arnold suggested that the Department take a look at the current DR on Reasonable Accommodations. There is some ambiguity in the language regarding final decision and appeal rights: when do negotiations stop?; when is the final decision made?;, and when are appeal rights inacted? The department stated it was on the list for revision in 2012.

Melissa Baumann requested the DR be moved to the top of the priority list of DRs for revision and the Forum agreed.

Implementation of Systems/Software not 508 Compliant

Melissa Baumann expressed concerns with Department/agency software and programs being rolled out without ensuring they are 508 compliant. This causing problems down the line when agencies have to request additional software to system and profiles employees with disabilities unnecessarily.

Ms. Arnold stated that contract solicitations should stress the importance of software/programs being 508 compliant and that no award should be made until that criteria is certified.

Luke Chesek recommended that the Department look into obtaining programs that can be used government wide and include 508 compliance requirements for equipment/software purchases.

Forum Web Presence and Sharepoint Site

Ron James advised the Forum that a USDA Connect site and web page are in development to house all information discussed through the department's LMF. This would include minutes, reports, Directives, charter, etc. Access information would be sent to members so that they could comment on the progress thus far.

Consensus to Move Forum Progress Report Date

Mr. James reminded the members of the consensus reached electronically between the last two quarterly Forum meetings to move the report date for subordinate forum progress reports from April 30, 2011 to May 31, 2011.

OMB/OPM Guidance on Awards for 2011 and 2012

Mr. Milton provided members a copy of a joint memo from the Office of Management and Budget (OMB) and the Office of Personnel Management (OPM) on the cost effective management of performance awards. Mr. Milton pointed out that the OMB/OPM guidance instructed agencies to reduce their spending on performance awards for calendar years 2011 and 2012 to no more than 1% (one percent) for non-Senior Executive Service (SES) employees and to no more than 5% (five percent) for SES employees.

Revised Charter and Photo

Members of the forum were presented with the revised charter and gathered for official photograph.

Meeting adjourned at 4:00pm.