

# USDA Labor Management Forum

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July 22, 2015 Minutes

## I. ADMINISTRATIVE ITEMS

The USDA Labor-Management Forum (LMF) Meeting was called to order at 1:04 p.m.

### Member Roll Call:

Labor and Designated Alternates:	Management and Designated Alternates:
Chris Ketner, AFSCME, Labor Co-chair	Bryan Knowles, DM, Management Co-Chair
Chris Berry, NFFE	William P. Milton, Jr., CHCO, DM
Johanna Eckley, NTEU	Steve Placek, NAD
Rosalyn Livingston, AFGE	Jacqueline Myers, FSIS
	Philip Brown, FSIS
	Mark Rucker, FFAS
	Robyn Ford, FNCS
	Marsha Wiggins, MRP

**Other Attendees:** Chris Nelson-OBPA, Edwin Cierpial-OHRM, Curtis Wilburn-OO, Gilbert Stokes-OO, Dianna Parker-OCFO, Debbie Clark-OHRM, Peter Brownell-APHIS,

**Note Taker(s):** Adrian Lindsey and Myron Greenhow

## II. DISCUSSION

**Introduction:** The Employee and Labor Relations Director **Bryan Knowles**, also USDA LMF Management Co-chair, called the meeting to order. All participants introduced themselves. In the outset, **Knowles** informed the Forum of a couple of items that did not make the agenda, the updated 2015 Departmental PDI Spreadsheet and the South Building Access at C Street Wing 5. Concerning the 2015 Departmental PDI Spreadsheet, **Knowles** noted the most recent initiative engaged in by Labor is the Volunteer Program. He assured the Forum the information would be posted to the LR website. Labor Co-chair and an American Federation of State County and Municipal Employees Union Representative **Chris Ketner**, had no comments at the opening of the meeting. **Knowles** made a motion to accept the minutes of the April 22, 2015 USDA LMF Meeting; **Chris Berry**, President, NFFE Forest Service Council, seconded the motion.

**2015 Federal Employee Viewpoint Survey Results:** Knowles introduced Virtual University's Education and Training Specialist **Edwin Cierpial**. **Cierpial** noted the following:

- USDA's FEVS Survey began in OPM's Wave 2 of the survey administration beginning on May 4<sup>th</sup> and ending on June 12<sup>th</sup>, giving us a six week survey administration period.
- USDA had on the rolls as of October 31<sup>st</sup> 2014, 73,563 permanent: full-time and part-time eligible employees for the survey, OPM conducted a random sample of our employee population. OPM had notified us that our random sample base was 34,003 or roughly 46.2% of eligible employees.
- Our survey sample started with 34,003, after administering the survey OPM conducted the data scrub, this data scrub removed 2,868 respondents for various reasons but mostly due to retirements that occurred after 31<sup>st</sup> October 2014. Our final survey sample population was 31,135 of which we had 20,264 employees respond to the survey.
- **2015 Federal Employee Viewpoint Survey (FEVS) final adjusted response rate USDA-wide is 66.2% which was 16.5% higher than the government-wide response rate.**
- The way ahead has been marked out by OPM, before releasing any more reports OPM has approximate 49,000 reports to create, review and ensure accuracy.
- OPM will begin tentatively releasing reports in August 2015– to include sub-agency comparison reports; annual employee survey reports; and sub-agency breakout reports.
- The USDA Agency Management Report (AMR) is expected to be released in September 2015.
- As OPM releases reports OHRM will contact agency POCs to let them know when and what is available.

For those union representatives that are government employees and who wish access to "Unlocktalent", which is the OPM website tool for Employee Engagement, they must have a government email account to access and participate. **Cierpial** request that you send him an email and he will get your account established. Remember, this will be the last portal populated with data. **Knowles** wanted to know more about "Unlocktalent." **Cierpial** explained that the portal displays data by state, agency and trends. The results are displayed in pictorial chart format.

The Farm Services Agency's Deputy Administrator for Management **Mark Rucker** asked when the reports would become available, **Cierpial** indicated they should be available the end of September. **Ketner** asked **Cierpial** if he said 49,000 OPM Reports. **Cierpial** indicated that is correct and that USDA generates about 400 such reports.

**Knowles** asked if there were any further questions or concerns; hearing none, the Forum proceeded to the next agenda topic.

**Update on National Academy of Public Administration's Review of USDA: Knowles** introduced OBPA's Supervisory Program Analyst **Chris Nelson**, for an update on the efforts of the National Academy of Public Administration's (NAPA) study of the proposed reorganization of international trade functions for imports and exports of the Department of Agriculture. **Nelson** thanked the Forum for inviting him to provide updates on the NAPA Study and the Strategic Sourcing Initiative. He proceeded to remind the Labor-Management Forum (hereafter, LMF or Forum) of the provision within the 2014 Farm Bill establishing an undersecretary for Trade. Congress provided supplemental funding to USDA, USDA in turn secured the services of NAPA to perform an independent review of existing trade functions. Further, Nelson re-emphasized the following:

## Key Elements of the Academy's Review

The Panel and Study Team were tasked with proposing a reorganization of the international trade functions of USDA, including a plan for the establishment of a U/S for Trade and Foreign Agricultural Affairs. There is more than one way to do this. To achieve this result, the Academy will produce a report that:

1. Evaluates issues that the reorganization is intended to address.
2. Identifies the most feasible options for how USDA could structure and organize the U/S for Trade and Foreign Agricultural Affairs (U/S T&FAA) and, by necessity, any other departmental reorganization connected thereto.
3. Identifies the issues and challenges of creating such a position under the most feasible options.
4. Identifies the issues and challenges likely to occur in implementation.
5. Issues recommendations for how this organization should be established within USDA.

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## Project Status Project Phases

**Phase 1 (completed):** Describe:

- the “as-is” state of how trade and foreign agricultural affairs operates at USDA/USTR
- USDA authorities to implement reorganization
- stakeholder arguments for creating a U/S T&FAA

**Phase 2 (ongoing):** Devise and evaluate various options to:

- create a U/S T&FAA
- reorganize trade-related functions
- address the organization of agencies not included in the trade mission area, as appropriate

**Phase 3 (July and August):** Test and finalize recommendations:

- receive feedback on USDA reorganization options from USDA officials and external stakeholders

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## Project Status Key Workplan Tasks

1. Project Start-Up Activities (Completed)
  - Appointed Panel members to direct and guide the study
  - Assembled Project Study Team to perform research, analysis, and writing
  - Developed Work-In-Progress Summary of project
  - Developed project Work Plan
  - Conducted Kick-Off meeting with USDA officials
2. Data Collection and Assessment (Ongoing)
  - Reviewed relevant literature and data on agricultural trade and organizational design
  - Reviewed and analyzed data received from USDA
  - Met with congressional stakeholders
  - Interviewed USDA officials and external stakeholders
3. Academy Panel Meetings (Ongoing)
  - Convened first two Panel meetings (4/8 and 7/1)
4. Identify Options and Recommendations (Ongoing)
5. Report Development and Publication (Not Yet Initiated)

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## Options Development Key Considerations

- Splitting or moving agencies can have unintended consequences.
- The organization of some non-trade, domestic agencies will likely be affected by the creation of a U/S T&FAA.
- Reorganization has the potential to impact USDA for decades to come; trade irritants may arise in the future that should be addressed by the U/S T&FAA in addition to SPS.
- Organizational structure changes have transition costs (e.g., lost productivity).
- Other non-structural changes (e.g., improvements in transparency/communication, FAS organization, formal and informal coordination mechanisms) may be needed to address the problem of coordination.

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**Nelson** wanted to know from **Berry** if NAPA reached out to him for an interview. **Ketner** noted that both of them had expressed such an interest. **Nelson** indicated that he would follow up.

**Nelson** noted that NAPA has been working on the development of a number of reports that evaluate the available options for reorganizing in creating the Trade Office. This will in turn possibly address those existing offices that stand to be diminished. The Department stands to receive their final report in September. There are different opinions regarding the path forward. Obviously, this will entail tradeoffs such as “expanding trade opportunities versus ensuring the protection of food currently produced.” What will be the impact of splitting agencies and creating new ones? Also, what are the unintended consequences; any unintended consequences will be realized for decades to follow. 1994 was the last time the USDA underwent reorganization. We do not know the dynamics for Trade in the years to come. Some of the other concerns include:

- What will be the transition cost?
- What will be the coordination plan; or the results of a lack of coordination planning?
- How do we achieve the dynamics of transparency?

Those that stand to be impacted include: FSA, RMA, MRP and Food Safety. The other mission areas sit on the periphery and do not stand to be imminently affected. There being no further comments or questions regarding the NAPA Update, **Nelson** proceeded on to the Strategic Sourcing Initiative Update.

**Update on Strategic Sourcing:** **Nelson** informed the Forum that the Department is still looking for ways to increase cost savings. He noted that as a Department we spend over \$5.5 billion buying stuff. USDA structurally has been decentralized to ensure the timely delivery of services. As you may recall from our previous conversations, we are strategically reviewing how we can be smarter about what we buy. The areas we have been concentrating on are: lab supplies, fleet services (40,000 vehicles), real estate (\$500 million), IT hardware and IT software.

USDA has not been organized in its efforts; so for the last five months, A.T. Kearney was retained as a consultant to assist in the review of data to determine how we can realize additional savings.

**Nelson** turned the Forum's attention to fleet services; USDA owns most of the vehicles currently in use. USDA needs to consider what is the advantage of leasing versus owning the vehicles in its fleet? This is one of the reasons USDA has been in significant dialogue with the General Service Administration (GSA). We're looking at ways of reducing the cost incurred for securing the services of GSA in this area.

Another concern is trying to lock down the cost typically incurred given that we are three quarters of the way through the fiscal year. This is when everyone begins spending the remainder of their budget. Even if GSA is able to give us a good deal on leasing, this will not be easy to implement. A number of factors that will have to be addressed are personalities, programmatic concerns, geographic issues and others.

Now about IT, we have a blanket agreement at the Department. USDA currently employs approximately 600 different configurations for computers. We are unique in this respect, but there are things we could do to find a better deal. **Nelson** remarked that the hard part is yet to come. **Nelson** assured the Forum they would be hearing more as the Department continues to move forward. **Berry** shared that the Forest Service is in a constant state of "data collection." He expressed his hope that the Department would be more deliberate in how it proceeds with reporting out to Congress. He went on, keeping with the subject at hand, to point out that GSA will "nickel and dime you to death." **Nelson** pointed out that there would be no dealing with GSA for servicing where not feasible. This is part of the dialogue with them, previously mentioned. **Knowles** inquired if the Department may entertain employing a pilot program. **Nelson** indicated the Department is looking at utilizing pilots. Three agencies are presently sharing vehicles. However, this is not taking place on a department-wide basis at this time. **Ketner** asked whether the Department was seriously considering increasing its use of leases. **Nelson** responded that we have been looking at leasing more intelligently than we have in the past.

As there were no further comments or questions, **Nelson** asked when the next Forum meeting is scheduled for and that he would be available to participate. **Knowles** requested that **Nelson's** remark be captured in the minutes.

**Update on the Office of Personnel Management Cybersecurity Breach:** **Knowles** proceeded to give an update regarding some of the steps taken in response to the recent OPM Breach. He noted that at a recent National Capital Meeting, the first notification process was almost complete. He maintained that the CSID process is moving along relatively well. He indicated that the Background Investigation Breach presently reveals approximately 21.5 million individuals' information has been compromised. OPM has indicated that many of them were minors. **Knowles** stated a final plan is being developed that will include the efforts of DOD, OPM and OMB. No contractor has been awarded the solicitation for the Background Investigation Breach. The National Treasury Employees Union Chapter 226 President **Johanna Eckley** asked **Knowles** if he stated that **Dr. Gregory Parham**, USDA Assistant Administrator for Management, sent out an All Employees Notice regarding an update on the efforts since the Breach. **Knowles** indicated he received the All Employee Notice last night; he emphasized, "It's a question of when someone hits the send button." **Knowles** pointed out to **Berry** that we discussed this during the last meeting due to the concerns in the Forest Service. **Berry** pointed out that we may need to address this as a future agenda item. **Knowles** indicated that when the Secretary sends something out, he intends everyone to receive it. **Eckley** remarked that they have gotten very little. **Knowles** responded to **Eckley** to please provide him with the ones she has received and he'll let her know what she may have missed. (At this point the Office of Operations Director **Curtis Wilburn** enters the meeting). There being no further comment or question, **Knowles** turns the meeting over to **Wilburn**.

**Wing 5 C Street Access:** **Wilburn** informed the Forum that at the last meeting there was discussion regarding the number of initiatives concerning egress on C Street. He indicated that his team had obtained additional resources to open up Wing 5; this is significant given the size of the South Building which covers two city blocks. He continued by sharing that Wing 5 can be up and running by August 3<sup>rd</sup>. **Wilburn** suggested to the Forum that if it's convenient for their usage, please do so; but if it is not, then do not. **Berry** inquired about the Yates Building where he works. **Wilburn** informed him that Wing 7 is the primary entrance for that facility. He asked **Berry** if he was using that access point. **Berry** responded that he was.

**Ketner** wanted to know what was being done about the freight elevator that he raised as a concern during the last meeting. **Wilburn** shared that he has received a number of complaints about that elevator. **Wilburn** noted that they tried to convert it from freight to a passenger elevator, but this proved unsuccessful. This is part of the reason they have sought to open Wing 5. Elevators are a challenge due to limited funding. **Berry** noted that management is in no position to lobby Congress, but they can. They (NFFE) can raise the issue of funding directly with Congress.

**Knowles** thanked **Wilburn** for his presentation and time; and he indicated that he would be interested in hearing about his (**Wilburn's**) modernization plan.

**Ketner** inquired as to whether the random searches had commenced. **Wilburn** intimated that he expects searches will commence sometime in August. **Wilburn** reminded the Forum that this matter was discussed in previous meetings. **Berry** indicated they (Labor) would be willing

to sign off on it. **Knowles** voiced his agreement with **Berry** in doing a joint communication to the workforce of the impending implementation. **Berry** responded that this would make this successful. **Knowles** requested that **Wilburn** send the Forum a draft. **Wilburn** asked where it should be sent. **Knowles** indicated that it should be sent to his attention.

*(The Forum took a brief ten minute break.)*

As the meeting reconvened, **Knowles** moved the meeting on to the next item.

**National Council on Federal Labor-Management Relations LMF Reporting Tool (2015):** **Knowles** noted that the National Council on Federal Labor-Management Relations (Council) has sought to advertise through as many diverse vehicles as possible in getting the word out on its latest Labor-Management Forum (LMF) Reporting Tool:

[https://tags.fmcs.gov/4DAction/FC/DoAsynchTop?User-8EJ5\\*2T8L\\*1523/16661](https://tags.fmcs.gov/4DAction/FC/DoAsynchTop?User-8EJ5*2T8L*1523/16661).

He informed the Forum that as many as 400 bargaining units provided reports under the LMF Reporting Tool for 2014. The LMF Reporting Tool is well intentioned and it's the Council's hope to develop questions that may lead to the development of additional resources for the Federal Labor Relations community. The Council noted the following in its communication to the agencies:

*The information gathered will be used by the National Council to continue to develop and provide guidance on collaborative efforts by labor and management in the executive branch, including results achieved and best practices.*

*To facilitate the National Council in gaining a comprehensive picture of your agency's labor-management group's activities and potential needs, we ask both management and union respondents to submit individual reports for each labor-management group that you participate in within your respective organizations. Please feel free to distribute to your individual forums as appropriate. Responses will be tracked by the bargaining unit status (BUS) code assigned to each bargaining unit. Completed reports must be **submitted no later than August 28, 2015.***

**Annual Labor-Management Relations Climate Assessment Survey:** There being no further comments or questions, **Knowles** introduced the last agenda item. Labor Relations Specialist **Myron Greenhow** gave the update. He shared that notice of the survey and solicitation for volunteers/recommendations was distributed on July 8, 2015. Responses were due by close of business July 20, 2015. The kickoff is scheduled for some time in September. An additional request was made for a working group to review the survey and modify as may be needed; the last day to volunteer to participate in the working group is July 30, 2015. The survey's content will be the focus of the working group (determining whether or not anything needs to be changed/ updated). **Berry** stated that because agencies do not have counterparts solely dedicated to handling LR issues; they need more time to find the help requested and provide feedback. However, **Knowles** conveyed that the LR team is not solely dedicated to LR issues and reiterated the need for more union participation. **Berry** and **Eckley** volunteered to

be on the working group. Agencies are responsible for working in concert with Labor to devise an accurate list for distribution.

**Knowles** noted in response to an uncaptured question that the USDA Labor-Management Forum determines what the USDA Climate Survey looks like, not OPM. **Berry** interjected that we (the U.S. Forest Service) have a lot going on; you guys (ELRD) do this every day. Yet the Labor Relations in the U.S. Forest Service does not care. They are not even participating in the USDA LM Forum for at least the last year. **Knowles** requested that **Berry's** last statement be captured for the record. **Berry** asked that if his Council wanted to participate in the survey, could his entire bargaining unit participate by taking the Survey. **Knowles** cited that to allow any entire bargaining unit to participate in such a manner would cause any pertinent result to be skewed (misleading). The intent is to capture the labor-management relations climate. By allowing bargaining unit employees to participate that do not engage in labor representational activities with management would not reflect the actual day-to-day relationship experienced by those that are responsible for labor representational dealings. **Ketner** noted that the Forum is looking for a working group to review/revise the Climate Survey. **Berry** voiced his desire to serve on the Survey Working Group with **Ketner**. **Ketner** responded that they can both make themselves available to serve.

**Open Microphone:** As there were no questions, **Knowles** moved on to Open Mic. He let everyone know he had two points he wanted to make, but he first offered **Ketner** the opportunity to address the room with any thoughts or points he would like to share. **Ketner** having no comment turned the room over to **Knowles**. (No further comments were captured.)

**Wrap Up and Confirmation of Meeting Dates:** **Knowles** informed the Forum the next meetings are tentatively scheduled for October 21, 2015.

**Adjournment:** The meeting adjourned at approximately 3:16 p.m.