

# USDA Labor Management Forum

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February 4, 2015 Minutes

Draft

## I. ADMINISTRATIVE ITEMS

The USDA Labor-Management Forum Meeting was called to order at 1:05 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	Marilyn Holland, APHIS
Johanna Eckley, NTEU	Dan Kline, DM
Dave Mergen, AFSA	Adrian Lindsey, DM
Sarah Rehberg, NAAE	Randolph Wilkinson, DM
	John Blanchard, FFAS
	Ed Rall, FFAS
	Steven Placek, NAD
	Edna Primrose, RD

**Other Attendees:** Kelly Moore-OPPM, Chris Nelson-OSEC, Karlease Kelly-OHRM, Frank King-APHIS, Zina Sutch-OHRM, Jeff L'Heureux-GIPSA, Jae-Hoon Lee-OHRM

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

## II. DISCUSSION

**Introduction:** **Bryan Knowles**, Management Co-chair, called the meeting to order. All participants introduced themselves. **Bryan** made a motion to accept the minutes of the October 22, 2014 Forum Meeting; **Chris Ketner**, Labor Co-chair, and **Chris Berry** seconded the motion.

**Strategic Sourcing for 2015:** **Bryan** introduced OSEC's **Chris Nelson**, who updated the LMF on the progress of the Blueprint for Stronger Service and recent efforts in Strategic Sourcing. **Chris N.** noted the Department has been successful in saving \$5 - \$6 million a year. Yet the Administrative Business Initiative Council (ABIC) is looking for ways to more efficiently leverage the Department's buying power. Though ABIC had some success with cellphone consolidation, the immediate question is whether more can be done through Strategic Sourcing? With that, **Chris N.** introduced **Kelly Moore**, Acquisition Management Branch Chief, with the Office of

Procurement and Property Management . **Kelly** has been delegated the Department's Lead for the Strategic Sourcing Initiative (SSI). Participating telephonically, **Kelly** greeted everyone and conveyed SSI's primary goal to define a continuous process for maximizing the USDA's buying power.

**Kelly** continued by stating that SSI was gearing up for deep analysis, "Wave One." This process would take 20 to 22 weeks. SSI was looking at the sourcing of five elements: IT hardware, software, fleet management, lab equipment, and real property. **Kelly** stressed that Strategic Sourcing should be a "continuous sustainable process." The development and use of such a process should be applicable to the need to source for any product or services- including the need to contract out. SSI anticipated that Wave Two would begin sometime in 2016. **Chris Berry** wanted to know how the Department was balancing the use of Strategic Sourcing between the Washington Metropolitan Area and the Field. **Chris N.** responded that he encountered this while visiting his extended family in Minnesota. He also noted that it is considerably cheaper to walk down to the store and purchase supplies versus going through the chain to acquire a ream of paper.

**Kelly** stated the Strategic Sourcing Team consisted of employees from across the nation. **Chris Ketner** wanted to know whether SSI saw fleet management as a concern, and why the Department doesn't simply deal with the General Services Administration (GSA). **Kelly** noted that it is more than just relying on GSA; the question is, "How can we partner with the GSA?" **Chris N.** noted that USDA leans heavily toward owning vehicles versus leasing them because for some agencies, like Forest Service for example, it makes more sense to purchase. However, where the mission only requires the occasional use of a sedan, the USDA will continue to lease.

**Chris B.** indicated he was happy to hear that USDA was addressing one of the policy requirements. **Kelly** responded that this is being done under Wave One and that SSI is continuing to examine the root causes of things presently going on. **Chris N.** noted that he would be remiss if he did not renew his effort to request the assistance of Labor in this effort. **Chris N.** continued by stating that Labor did not have a representative serving on ABIC. **Chris N.** concluded the conversation by stating that Labor's representation on ABIC would be appreciated, and by asking if Labor would like to caucus to identify an ABIC Representative. (No response from Labor).

As there were no further questions, **Bryan** introduced **William (Billy) Milton**, USDA Chief Human Capital Officer.

**Strengthening Employee Engagement and Organizational Performance:** **Billy** began by inquiring as to whether the participants had received and reviewed a copy of the Office of Management and Budget (OMB) and Office of Personnel Management (OPM) Memorandum, dated December 23, 2014. **Billy** shared that one of the earliest requirements concerned agencies identifying their action plan by January 2015. **Marilyn Holland**, APHIS Deputy Administrator for Management, noted that the Marketing and Regulatory Programs (MRP) have been regularly engaging their labor organizations on the subject of employee engagement. **Billy** pointed out that **Dr. Gregory Parham**, Assistant Secretary for Administration (ASA), has

assigned him to the position of the Senior Accountable Official pursuant to the OMB & OPM Guidance. **Chris B.** congratulated him on the appointment. **Billy** extended the opportunity for members of the Labor-Management Forum (LMF) to serve on the Employee Engagement Working Group. **Billy** requested that interest be communicated to **Bryan Knowles** or **Karlease Kelly**. **Johanna Eckley** subsequently expressed an interest in serving.

**Billy** then asked the LMF to identify their issues with senior leadership and expressed his hope that agency heads were improving action plans to address Labor's concerns. **Chris B.** wanted to know what **Billy** expected and stated his commitment to having this topic discussed at their next agency level forum meeting. **Chris B.** also stated that their next agency level forum meeting was not scheduled to occur until July 2015. **Billy** suggested not waiting until July but initiating a meeting with **Lenise Lago** and **Mary Beth Lepore** in the interim. **Chris B.** pointed out that Labor and Management are not fighting; they simply are not talking. **Billy** requested that Labor's specific concerns be communicated to **Karlease Kelly** and that he and Karlease would bring their concerns to the ASA Office's attention. **Johanna Eckley** agreed and pointed out the same thing was happening in the Food and Nutrition Service. **Dave Mergen** wanted to know if the specific agencies that were dragging the Department's Federal Employment Viewpoint Survey (FEVS) score down would be dealt with, and **Billy** said "No." It was asked that labor's concerns within FSIS be brought to the ASA Office's attention as well. **Billy** pointed out that the FSIS paper surveys were not counted. **Chris B.** noted that the Forest Service has a multitude of seasonal employees. **Billy** stressed that even though FSIS paper surveys and some Forest Service seasonal employees were not counted, including those omissions would probably not improve USDA's score. **Chris B.** noted they do not feel included. **Billy** suggested that a post employment survey and analysis may help USDA to better understand the concerns of these employees.

**Bryan** noted as there were no further questions for **Billy** and introduced **Karlease Kelly** Virtual University Provost.

**FY 2015 Federal Employee Viewpoint Survey Action Plan:** **Karlease** indicated the Department is in the process of accomplishing organizational mapping. The survey will run from April to June 2015. The Department was awaiting a response from OPM regarding their request that the survey be launched at a later date. **Chris B.** asked for an explanation for the later launch request. **Karlease** explained that it gave the Department more time to prepare due to the USDA's large size. **Karlease** further explained that the USDA can add questions to this year's survey and solicited Labor's input.

**Karlease** also introduced two new Aglearn courses, Maximizing Employee Engagement and Working Collaboratively with Labor Organizations, to the LMF and stated that the Department would be requesting that all managers and supervisors take the courses. While the courses are intended for Management, Karlease invited Labor to take either course as well.

**Chris Ketner** wanted to know what the participation rate was for the last survey. **Karlease** indicated 68%; the Department's goal was 70%. OPM only sampled 30% of employees. **Chris K.** wanted to know if there was a great variance between agency scores and the Department's.

**Karlease** noted that there was some variance and reiterated that Leadership is an area the Department needs to improve upon.

There being no further comments or questions, **Bryan** introduced **Zina Sutch**, Director of Diversity, Recruitment, & Work/Life Division.

**Transit Subsidy Update:** **Zina** reported that she had little information to offer Labor regarding how the Department will address the retroactive transit subsidies that employees were entitled to receive when the American Taxpayer Relief Act was reauthorized. **Zina** also let the LMF know that the Department of Transportation would not be issuing any guidance to address the administration of the retroactive entitlement. **Zina** noted that given the ambiguity of tracking what was spent, what was reimbursed to the Treasury Department, and what the employee supplied through their own funds made it difficult to define a claims process. Because of this, the Department has been reaching out to other agencies to assess how they may have handled a claims process for reimbursement.

**Chris B.** wanted to know if there was a time limit as to when the entitlement was to be completed under the reauthorization. **Bryan** responded that this was not the first time that this had been addressed. He noted that, during the earlier occurrence, DOT side-stepped issuing guidance. The Treasury Department had begun issuing guidance, but the guidance has ceased. **Chris K.** wanted to know how employees could expect reimbursement if the agencies did not have the money and how retired employees would be reimbursed.

As there were no further comments or questions, **Bryan** introduced **Dan Kline**, Senior Labor Relations Specialist.

**USDA 2014 LMF Metrics Report:** **Dan** noted that Executive Order 13522 requires agencies to submit Metrics Reports to OPM on behalf of the National Council on Federal Labor-Management Relations (Council). Additionally, **Dan** stated that the Council developed three metrics for measuring the effectiveness of labor-management forums in agencies. **Dan** continued by stating the Department continues to stress pre-decisional involvement (PDI) at the behest of the Secretary of Agriculture. **Dan** also said that PDI policy and guidance was developed through the Department's LMF and that the majority of the reports reflect the amount of PDI accomplished for the calendar year. **Dan** concluded his introduction by stating that "Ultimately, the report speaks for itself."

**Myron** noted several cases of forums either not submitting a PDI report or attempting to resubmit a previously accomplished PDI report for subsequent credit. **Myron** reiterated that a PDI initiative will only be credited once during a calendar year. **Chris K.** wanted to know if the Department believed that more PDI needed to be accomplished by agency level forums. **Dan** responded that we intend to review the last four years of Labor-Management Climate Assessment Survey results to identify trends; the Department will note the successes and where greater effort is needed to address the failures.

**Bryan** indicated that there are forums that excelled in PDI and identified APHIS as a trend setter. Bryan also informed the LMF that APHIS's **Frank King** and NAAE's **Sarah Rehberg** recently presented many of their PDI success stories to the Council. **Chris B.** expressed his concern that Metrics Reporting has become a "check the box exercise," and suggested that the Department begin to measure what is actually getting done. **Dan** conceded that while there was evidence of some agencies "just checking the box," there were more agencies that identified more than the minimum and accomplished hundreds of PDI Initiatives, including APHIS. **Dan** reemphasized that the Department's Labor Relations Office cannot identify what PDI is and how it will work for the parties involved; they must determine this for themselves. **Bryan**, weighing in, shared that he agreed with **Dan**. **Bryan** continued by stating that the Department now has four years of data to analyze and determine where PDI is versus where PDI needs to go. **Bryan** thanked **Dan**, **Myron** and the agency Labor Relations Officers for their support throughout the year.

There being no further comments or questions, **Bryan** introduced the last agenda item.

**PDI Confidentiality Update:** **Bryan** addressed the Forum concerning the recently developed PDI Confidentiality Guidance and form letter. While this guidance and form letter pertained to sensitive budget issues, Bryan stressed that forums can choose whether to have a written confidentiality agreement. **Chris K.** asked if this was an example, and **Bryan** responded that it is a tool available to the parties. **Chris B.** noted that no information was shared regarding this during the recent Sequestration Furlough.

**Chris K.** wanted to know if there was more information on Phased Retirement. **Myron** shared that it has yet to be implemented and has been communicated to the Labor Organizations with national consultation rights within the Department.

There being no further comment, **Bryan** began to address some of the concerns raised regarding the Presidential and Federal Records Act Amendment of 2014, though not identified in the meeting agenda.

**Presidential and Federal Records Act Amendments of 2014:** **Bryan** focused the Forum's attention on the recently enacted legislation that prohibits federal employees from creating an official record through their own personal messaging device. **Bryan** further noted that violators may be subject to disciplinary action. **Bryan** continued by stating that OGC had distributed a notice regarding this legislation to the Department through a USDA E-Blast on December 29, 2014. **Bryan** further commented that the legislation was being administered by the National Archives and Records Administration (NARA), and OCIO has the ability to monitor and police this requirement. Bryan acknowledged that he did not know how OCIO intended to do this; He also stated the Department was aware that some Bargaining Unit Employees (BUEs) use their personal laptops and devices to perform representational work.

**Chris B.** shared that after discussion with the Department's legal counsel, their bargaining unit entered into an agreement with the Forest Service that gave their bargaining unit the right to use their own personal account and that doing so would not constitute a new record. **Bryan**

requested a copy of that agreement. **Chris B.** said he would send it to him or to the Forum if preferred.

**Open Microphone:** **Bryan** reemphasized the need for volunteers for the ABIC and the Employee Engagement Working Group. **Chris K.** and **Johanna Eckley** noted their interest in the Employee Engagement Working Group.

**Wrap Up and Confirmation of Meeting Dates:** **Bryan** noted that the next Forum meetings are tentatively scheduled for April 22, 2015, July 22, 2015, and October 21 2015.

**Adjournment:** The meeting adjourned at approximately 2:52 p.m.