



Firebird 24
Reborn From Our Ashes
NTEU Chapter 24 Newsletter

Volume 7

August 2006

AN OPEN LETTER TO NON-MEMBERS from Dan Itchue, Pontiac POD Steward.

We have a problem that only you, non-members, can solve!

We, as a union, are not fully utilizing our power (membership) in our never-ending fight to win and maintain basic rights as employees, and as human beings, with IRS and the Federal Government. You see, with our membership rate being less than 75% of the eligible bargaining unit employees, we employees, as a whole, are telling management, Congress, and the country at large, that they don't have to take us as seriously as they should. Why should they, they say, when there are over 25,000 IRS employees that don't think that they need NTEU's protection and advocacy?

NTEU is the exclusive representative of all bargaining unit employees at the Internal Revenue Service. As such, NTEU has an obligation to provide fair and equitable representation for all employees covered by the National Agreement (the contract) between IRS and NTEU. This means that we act as each and every employee's representative in bargaining for employee benefits, rights and pay. As such, one could say that we are your only official advocate in the work place. Advocacy is an umbrella term for organized activism related to a particular set of issues. NTEU's advocacy has won benefits for all IRS employees to include bargaining for Flexiplace, Alternative Work Schedules, annual appraisal bonuses, fair ranking of promotion packages, winning overtime pay for many classes of employees, and winning Congressional support for pay parity raises 19 of the last 21 years. These are just a few of the things that NTEU has won or helped bring to IRS employees. There are also innumerable daily victories won by NTEU at the local level ranging from work place safety issues, fair seating arrangements, locally bargained expansions on National Flexiplace and AWS agreements, etc.

One thing that many employees may not realize is that NTEU's Advocacy is not a "Free" activity. NTEU incurs many expenses as your exclusive representative including legal fees, printing fees, travel fees, lobbying fees, educational fees, wages, rents, utilities, etc. All of these fees are paid for by the dues collected from employee members. Obviously, the more members that pay dues, the more resources NTEU has to fight with to win and maintain your benefits and employee rights. This is especially important right now. We at IRS are facing a management team that is becoming more and more aggressive in trying to take away our hard won rights. I'm sure we have all heard about the fact that our National Agreement (the contract) has expired and that IRS Management has unilaterally decided to simply negate many benefits and rights previously won and covered in that contract. We simply can't allow this to happen.

There is another type of "cost" related to advocacy that may not be so evident. This is a representational cost. In our form of Government, the groups (advocates) that represent the greater portion of a membership get more attention from law makers (Congress) and employers (IRS) than small member splinter groups or individuals do. When NTEU visits with Congress, or talks with the Director of OPM, or holds a news conference on employee issues, or sits down at the bargaining table with IRS management, it would make a huge impression if we were able to say "We are from NTEU and we represent 100% of the

bargaining unit employees from over 38 Government Agencies, and as such, we represent well over 150,000 families of voters”.

This is where you come in. This is where you can help solve a problem. Don't be a free rider.

Free riders are users who consume more than their fair share of a resource, or shoulder less than a fair share of the costs of its production.

Look at NTEU this way; we are YOUR defense. Without NTEU, you would be utterly on your own and would be one singular voice against the full weight and might of the Federal Government. We have to rely on your good faith and sense of fairness. Please, don't enjoy the benefits of all of our hard work without contributing to the cost of the fight.

REWARD

Your Picture Here

\$100.00

**RECRUITMENT OF NEW MEMBERS
TO**

NTEU

Between now and September 30, 2006, NTEU and Chapter 24 will pay \$100.00 to any member who induces a non-member to join NTEU. This offer does not apply to new employees.

Fighting For You

In the last issue of this newsletter, we promised to demonstrate that NTEU has won for its members, and non-members, rights, benefits, and privileges that would not have been granted otherwise, either through Internal Revenue Service, Congress, or the President. In this edition, we hope to demonstrate that the rights and benefits of the Flexiplace program has been fundamentally shaped and protected by NTEU, both nationally, and locally.

Flexiplace was first offered to employees of Internal Revenue Service in April 1995.

Flexiplace is covered in Article 50 of the National Agreement, better known as the contract. In Michigan, the Flexiplace agreement in effect was negotiated locally, between Chapter 24, and local IRS management. This would no longer be possible, for those of you following the agency's abrogation of the National Agreement.

- As part of the negotiations for the 1998 NORD contract, between IRS and NTEU, "IRS must fund the installation of an extra phone and phone line in a flexiplace employee's home if it is cost effective."
 - In 1998, NTEU and IRS went to arbitration over term negotiations. One of the issues was that IRS tried to prove that flexiplace was not beneficial when measured against costs. It was demonstrated during the arbitration that the benefits outweighed the costs by \$31 million.
 - In the 2000 negotiations over the National Agreement, NTEU succeeded in keeping local agreements for Alternate Work Schedules and Flexiplace (as we have in Michigan) in effect.
 - In 2004, NTEU went to the Federal Service Impasses Panel over the Maxiflex Pilot program. As a result, the FSIP's findings included:
 - Employees on flexiplace are eligible to participate in the Maxiflex Pilot
 - Pilot participants can work up to 12 hour days, including credit hours with prior supervisory approval
 - Pilot participants may have two non-core days per pay period
 - In the 2005 negotiations, IRS sought to increase the number of shared workspace for field personnel from 3-to-1 to 5-to-1. Also, workspaces would be 5 feet by 5 feet. NTEU fought off these proposals.
- Also in 2005, IRS sought to modify the flexiplace agreement by:
 - 1) Requiring the same tour of duty hours to be worked on Flexiplace as in the office—NTEU held this was inconsistent with Article 50 of the contract
 - 2) Flexiplacers must record time daily, comply with sign in/out requirements of the group, and obtain pre-approval for the type of work done each day on flexiplace. Again, NTEU opposed this as inconsistent with the National Agreement.
 - 3) If an employee refused a security visit to the flexiplace location, the refusal would result in cancellation of flexiplace. Again, in conflict with Article 50 of the contract.
 - 4) Employees would not be permitted to request, transport, or retain copies of taxpayer data for the purpose of either working at, or facilitating flexiplace work.
 - 5) An employee was obligated to address with his or her manager any decrease in performance that results from or occurs during participation in flexiplace. However, the National Agreement only requires the employee maintain a fully successful performance.
 - 6) Group managers could rescind flexiplace "for cause". NTEU pointed out that Article 50 of the National Agreement gave specific guidelines for eligibility for flexiplace, and specific requirements that must be met before rescinding eligibility.
 - 7) Splitting a day between office and flexiplace was discouraged. Article 50 states employees may work at home or office full days, or portions thereof.
 - In 2006, IRS required that employees keep track of their time spent on flexiplace, by recording the time on Web-SETR. NTEU filed a grievance charging management had violated the contract by not negotiating this change, and violating the Privacy Act, for not publishing their purpose in collecting this information.
 - NTEU has also filed in 2006 two additional National Grievances against IRS,

for management's position that no one can work flexiplace outside the commuting area, and barring union officials from using official time while at a flex location.

In April 2006, IRS notified NTEU that they wanted to re-open negotiations on the entire agreement. In June, IRS declared the entire contract null and void.

Obtaining and retaining our rights in Flexiplace has been a long and continuous struggle for NTEU, for its members, and non-members. In an anti-employee and anti-union administration, that flexiplace has been retained at all is testimony to the efforts of NTEU.

Contract Chicanery



For those of us who have worked awhile for IRS in the Detroit metro area, the story of the (now retired) CID group manager accidentally shooting himself in the butt at the target range always evokes mirth. Well, apparently IRS management at the national office has decided that when you've got a good thing, stick with it, and have, metaphorically, shot themselves in their collective butts when they unilaterally nullified the National Agreement. By law, most of our rights still remain in effect. However, many the things that have changed require decisions to be made **only** at the national office when they previously could be made at the local level. Among those all important decisions that will now be made by the Commissioner, or his immediate staff are:

- An employee moving their physical location (cubicle) within a POD
- Where the IRS proposes to reassign/realign employees within a POD that might require a physical change of the employees' location
- Selection of employees for positions that are rotational in nature, e.g., recruiters
- All Safety Advisory Committees and Diversity and EEO Committees
- All negotiations regarding Alternate Work Schedules(AWS)

- Matters regarding facilities and equipment for the local union chapters.
- Reassignment of employees from one POD to another
- Negotiations regarding Flexiplace
- Assigned parking spaces
- So let it be written, So let it be done

However, as of July 10, the IRS is attempting to crawlfish on their decision, claiming they meant only to cancel some of the contract. The impact of stripping local IRS management of the authority to make decisions, and ship all the day to day operations to the National Office apparently only occurred to them well after their little gaffe. Too late! The milk is spilt.

You can teach monkeys to lead better than that. On the serious side of this issue, however, any one who has been following these events should recognize that IRS is playing fast and dirty, with a loaded deck, and is not afraid to be mean-spirited toward NTEU, and IRS employees. If this were not the case, it would not find the need to issue "IRS Communications" press releases, attacking Colleen Kelly and NTEU. It would not have unilaterally changed long established rules, thereby making it easier for employees to withdraw from the union. If employees have followed these events, or even if they haven't, now is not the time to be withdrawing from NTEU. The opposite seems a much safer bet. IRS clearly has its finger on the trigger, and is anxious to let loose with an indiscriminant burst of anti-union, anti-employee antipathy.

Message to Members On the Contract

**-Ronald E. Woytalewicz
Chapter President**

By now most of you should have seen the various messages and emails sent out by the Agency regarding the contract expiration. These messages have come from Beverly Babers as well as the commissioner. In this message I want to provide an explanation of what has happened and what this is really about.

First let me assure you that although the contract has expired, your rights under the contract remain in force. The expiration of a contract for federal employees is not that unusual and by law the rights of a contract continue until a new contract is adopted that changes those rights. In the past we have had several instances where our contract

expired and we simply continued negotiating until we came to an agreement and put the new contract into place. We have heard all sorts of wild statements and rumors. Things like employees can no longer work flex; that AWS is no longer in place; that the Chapter can't file grievances; that Stewards can't attend group meetings, etc. etc. These statements are not true. These rights as well as the myriad of other rights in the contract are still in place. There have been some changes as a result of the expiration but they are very limited exceptions (instructor bonuses and health insurance for newly hired seasonal employees are the two most notable).

Amazing, isn't it. You would have thought that the workplace was coming to a screeching halt with all the employee fact sheets and agency mis-information in reference to this. But NO, your rights remain intact due to one very important reason: YOU, the NTEU members. Your continuing support and the solidarity we have are more than sufficient to counter the blather and the attacks being posed by those in high places who have evidenced their contempt for the workforce with these actions.

That brings me to the real reason for all this chaos. Our solidarity is exactly what is being attacked. Ms. Babers recent email attempt to encourage union membership withdrawal is a glaring example of what this is really about. This was at best, small-minded and petty, and at worst, an illegal attack on NTEU which has since been addressed by a national grievance filed by Colleen Kelley. In my 32 plus years here, I have never seen such down in the dirt tactics. This type of agency behavior is offensively transparent to the IRS workforce. The agency continues to attack and is consistently beaten by the professional expertise of NTEU supported by members like you. In example after example NTEU has taken the agency to task and won the day. In matters such as the employees refusal to cooperate in the "Survey" process; our \$5 million victory for performance awards; our close working relationship with Congress in matters like the annual raise and last year's failed effort by the agency to close 68 walk-in sites, etc., etc. Since the agency consistently loses they now appear to be employing tactics of mis-information in an effort to level the playing field.

I will be forwarding you updates as this most recent attack evolves in an effort to keep you informed. If you have any questions, please feel free to contact me. Thanks for your support especially now during these trying times.

**Did You Know
-Marianne Gordon**

Chapter Secretary and Steward

Watching out for you money:

If you are a member of AARP, and insure your car through AAA, you can get an additional discount on your car insurance because you are a member of AARP.

All employees need to contribute to the Thrift Savings Plan, TSP. The pension under the Federal Employees Retirement System, FERS, is only one percent (1%) above Social Security. Without putting money into the TSP, employees under FERS will find themselves in financial difficulty when they look to retire. Employees under the Civil Service Retirement System, CSRS, can likewise contribute. Perhaps you are unable to contribute the maximum, but something is better than nothing. At least try designating any Step increase, and cost of living increase, toward TSP. And, younger employees might want to consider designating more of their contributions to the higher risk investments, such as the C Fund and I Fund. Don't be condemned to work for the IRS forever, because you can't afford to retire.

Also, if you are considering contributing the maximum allowable, currently \$15,000 (\$20,000 if you're over 50), to Thrift Savings, and are wondering how to calculate how much per pay period, divide the amount by 26, and err on the side of too much. Once you reach the maximum, the agency will stop the deduction. FERS employees need to structure their contributions so that they to continue to contribute at least 5% throughout the year to receive the matching amount from the government.

Agony of DeFEET



The results are in; Jeri 27, Linda 16. "Jeri holds the title, fair and square," Linda conceded.

Consumer Watch
Butter vs. Margarine
-Timmierae Sharp-Boyd

Margarine was originally manufactured to fatten turkeys. When it killed the turkeys, the creators, wanting to get a return on their research funds, marketed it to people as a butter substitute.

Butter and margarine have the same amount of calories; butter being slightly higher in saturated fats. Butter increases absorption of other nutrients, and enhances the flavor of foods.

As for margarine, it is:

- high in Trans fatty acids
- triples the risk of heart disease
- increases LDL (bad) cholesterol while decreasing HDL (good) cholesterol
- increases the risk of cancer five fold
- lowers quality of breast milk
- decreases insulin response
- decreases immune response, AND
- is one molecule away from being plastic.

Try this: leave an open tub of margarine in your garage or a shaded area. Within a couple days, there will be no flies, no microorganisms, nor any rot or smell. Why? Because it is nearly plastic.

Pass the butter, please.

Grinch



Awards

-Ronald Woytalewicz
Chapter President

--A manager in ACS decided to allow an ACS employee one hour of time to travel from Detroit to Flint, interview there for another job with IRS, and then drive back to Detroit to resume work. Chapter 24 got involved, pointing out that just because it is the **Enterprise** Computing Center, the transporter from **Star Trek** was really just a prop, and got the employee reasonable time to attend the interview.

--A manager in Clinton Twp sat on an employee's inventory for 9 months (the employee was off duty) before reassigning the cases—by this time the cases were overage—the manager then proceeded to write up the employees who

received the cases for having too many overage cases.

--A manager in ACS insisted that an employee provide a death certificate in order to receive bereavement leave. Kind of reminds you of the **Seinfeld** episode where George is at the funeral home trying to get a death certificate so he can get a discounted airfare.

Question: Is ACS an acronym for *Asylum for Crazy Supervisors*?

POD Happenings

Steward **Karen Johnson** reports that the Clinton Twp POD held a picnic July 27th. Chapter 24 provided paper supplies and plastic ware. Pontiac held a lunch and learn for members. Attending were Chapter 24 president **Ronald Woytalewicz**, Vice President and Chief Steward **Jeri Burger**, as well as Stewards **David Hauenstein** and **Daniel Itchue**. Through a very dynamic presentation, Dan informed members of the zero tolerance of IRS to UNAX and non-work related use of agency computers.

Steward **Marcia Pratt** reports that the Traverse City Post of Duty had a picnic. **Chapter 24** contributed funds to help pay for the sandwiches.

Retirements

A retirement luncheon was held for Revenue Officer **Michael Rogala** at Claddagh Irish Pub July 28th. Mike's official retirement date was July 28th. He has been with Internal Revenue Service for 33 years, always a Revenue Officer. His advice to newer employees: find a job someplace else.

Dolores Greer, Revenue Agent in Pontiac, retired at the end of June.

Barbara Sheeley, SB/SE Tax Specialist, retired July 31. An open house was held for her July 20th in the McNamara Building.

Follow-Ups

Have you started working on that self-assessment?

Free Dinner—We still have not selected the winner for the free dinner contest on your idea for idea to get non-members to join NTEU. Send your entry to: Ronald.E.Woytalewicz@irs.gov.

We Get Letters

From a recently retiree: *The Union has done a great job of representing me and all of the IRS employees. Our pay and benefits have been substantially affected by the Union's involvement.*

Overheard



A manager in reporting the flooding in the IRS National Office to the group stated, "...the National Office is all wet."

Insensitive manager indeed: A certain manager, not physically located in Michigan, refused to send out notice of an employee's loss of their mother, stating she didn't think it was necessary. The information was distributed by another manager.

Eating Crow



In the previous newsletter Steward **Marcia Pratt's** name was inexcusably misspelled. Marcia, General **William Tecumseh Sherman** said, "I think we understand what military fame is: to be killed on the field of battle, and **have our names misspelled in the newspapers.**" Sorry for the mistake.



Firebird 24

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NTEU
The National Treasury Employees Union