

FEDERAL WORKERS ALLIANCE

19 UNIONS COLLECTIVELY REPRESENTING 300,000 FEDERAL EMPLOYEES

April 24, 2017

U.S. House of Representatives
Washington, DC 20515

Re: FWA Opposition to H.R. 1461

Dear Representative:

We, the undersigned unions of the Federal Workers Alliance (FWA), collectively representing more than 300,000 federal workers, urge you to **VOTE NO on the Veterans, Employees, and Taxpayers Act of 2017 (H.R. 1461)**, introduced by Representative Jodey Arrington (R-TX). This legislation is a blatant attempt to weaken federal employee unions' ability to adequately service the Department of Veterans Affairs workers they represent, including more than 120,000 veterans of our armed forces, by limiting the use of official time. Representative Arrington claims the purpose of this legislation is to improve the quality of care for veterans at VA Medical Centers. However, if enacted, this bill will not follow through with that promise.

In summary, this bill targets federal employees and the unions that represent them by significantly restricting the amount of official time that democratically-elected local union representatives can use. If this bill is passed and signed by the President, it will place a 50% cap on official time for all union officials, and a 25% cap on official time for union officials who serve in direct patient care positions, or who rank GS-13 or higher. H.R. 1461 would prohibit doctors, dentists, podiatrists, chiropractors, and optometrists from using any amount of official time. Also, union officials would be forbidden from using official time to contacting members of Congress, even if the outreach is used to represent and protect whistleblowers.

We would like you to understand the facts about H.R. 1461 and official time:

- Official time is not “union time.” Activities such as political action, political fundraising, and internal union business like membership organizing are already prohibited. When these activities do take place, union officials and members are required to be on their personal time or on leave while conducting or participating in these events.
- Official time is used to address important workplace concerns, including issues regarding safety, efficiency, mission effectiveness, employee engagement, and supporting management in the implementation of new initiatives.
- Official time is used to advise employees, and to represent them in personnel matters, often saving the agency time and money by avoiding costly litigation.
- Official time is carefully tracked by agency representatives to ensure it is used prudently, and in a way that benefits the workforce and agency mission. Union representative can only utilize the amount of official time that agencies and unions agree is necessary and in the public interest.

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This legislation also extends probationary periods for new hires at the VA from 12 months to 18 months, unfairly extending their at-will employment status, without any due process rights to protect them from potential management violations. Extending probationary periods and limiting appeal rights will not resolve any issues that may exist revolving around patient care needs. If employees are forced to serve an extended probationary period, while at the same time having little to no appeal rights, the VA will be unable to retain and recruit top talent in medical professions, leading to a future at the Administration with a lower standard of care for our nation's veterans.

Furthermore, H.R. 1461 allows VA employees to revoke their union membership at any time. Currently, when employees voluntarily join the union, they are agreeing to a one year term of membership. If enacted, employees will join and leave the union whenever it benefits them. Frequent ups-and-downs in membership will directly affect federal employee unions' ability to meet their legal requirement to represent all employees regardless of union membership, because these unions rely on membership dues to cover costs related to representation such as arbitrators, attorneys' fees and court costs. The free rider problem this would create is what has led to lower union membership in so-called "right-to-work" states, that can be directly correlated poorer working conditions and lower employee morale, which can harm an employee's ability to provide a high standard of healthcare to their patients.

We understand that it may be politically convenient for some of your colleagues to target VA employees and the unions that represent them for some of the trials and tribulations the Agency has faced in recent years. However, we hope that this brief overview of the good that official time and union rights at the VA does has made you aware of how crucial it is that we keep these systems intact, for not only the good of the employees of the VA, but the millions of our nation's bravest men and women who served us faithfully. Again, we ask you to **VOTE NO on H.R. 1461**, the Veterans, Employees, and Taxpayers Act of 2017.

Thank you for your consideration of our concerns, and we hope you will help us stand up to this unfair attack on the employees of the VA.

Sincerely,

/ FWA Membership /