

## **NIH Labor-Management Partnership Council Meeting Minutes Thursday, March 20, 2003**

Attendees: Joseph D'Ambrosio, John Bede, Faye Harbrant, Charles Palmer, Walter Jones, William Horn, Steve Rivero, Howard Hochman, Tony Clifford, Leonard Taylor, Mike Showers, Tom Fitzpatrick, Richard Laubach, Rita Sweeney

Facilitator: Fern Kaufman

Old Business: Minutes of the January 21, 2003 meeting were reviewed and approved.

New Business:

A-76 Update: Mr. Tom Fitzpatrick told the Council that there are two studies on going: Facilities Management and Grants Management. They are on schedule for the MEO. Mr. D'Ambrosia asked about the Fire Prevention and Safety. Mr. Fitzpatrick stated that nothing had changed and it is scheduled for FY04 completion. Mr. Taylor said AFGE is formally participating on the MEO team for the facilities study. Mr. Taylor feels that they need to participate because they represent parties that are being reviewed. Mr. Fitzpatrick understands that there is a Draft MOU out and that this MOU will tell us where the union can be involved. Mr. Rivero feels that they should participate but are not currently participating. Mr. Fitzpatrick mentioned that the senior management ranks have "fire wall" issues that if you are involved in creating the MEO you can't be involved in the evaluation. Mr. Taylor has requested that when the MOU is worked out, it be shared with the Union. Mr. Taylor has also requested that the Labor Relations staff come back with interpretation of regulations on what are the rights of collective Bargaining Unit employees concerning their participation in the A-76 (MEO) process.

Labor Management Cooperation Award Proposal: Mr. Taylor mentioned that during a recent HHS Labor-Management Cooperative Council meeting, an FDA representative presented a briefing on a management award that the Cooperative Council and the Department thought was nice. Mr. Taylor would like to see if this type of award would be appropriate here at NIH and if so, determine if this committee would be interested in instituting this type of award. The consensus was that it was a great idea and wanted to know the next step. A draft of the selection criteria was handed out. Faye Harbrant, Performance Management and Recognition Branch, Division of Employee Relations and Training, OHR, presented the process and discussed several issues that need to be resolved. Management and each bargaining unit will review the draft criteria and submit comments to Barry Kevin. Mr. Taylor will also check with the FDA to see exactly how they handle this award. At the next meeting, the committee will discuss the FDA information, comments made by committee and answer questions on how issues are going to be resolved.

Updating and Signing a New Partnership Agreement - Continued: Fern Kaufman facilitated a discussion on updating the latest agreement. She stated that the last time the committee met they had stopped at Representation. Charles Palmer said that there would be four members and management was to discuss amongst themselves who those four were. The following changes to the existing document were recommended and agreed to:

- Under Day/Time of Meetings change "...first Tuesday..." to "...3<sup>rd</sup> Thursday...."
- Under Duration and Changes change "...Labor-Management Partnership" to "...Cooperation Council". Also, delete "...signed on or about." Date will be added when Agreement is signed.

At the next meeting, management will decide on the four members.

Miscellaneous Issues:

Mr. Taylor mentioned that at a recent HHS LMCC meeting a Fact Sheet was handed out which talked about A-76, restructuring. He will distribute to the committee.

Mr. Taylor told the committee that the FOP is not represented at the Agency Table. A request was made that the NIH Labor Relations Office see if the HHS Cooperative Council would like to have representatives from the Fire Department Union and Police Union since they (like AFGE and NTEU) are unions who represent HHS employees.

Human Resources Management Index (HRMI) – Mr. Taylor will distribute to the committee a draft of the questionnaire, which will be sent to all employees to assess climate.

Mr. Rivera is concerned about the statement "HHS is committed to making sure that everyone has a job." Mr. Taylor will distribute minutes from a December HHS meeting which addresses that "Peoples employment and income will not be at risk as a consequence of A-76."

Mr. Fitzpatrick feels that John Czajkowski should come to a meeting to discuss this. Barry Kevin will invite Mr. Czajkowski to come to a meeting.

It was requested that the Labor Relations office provide the committee a brief on how the positions in an MEO will be filled.

Mr. Laubach said that NIH should be sure that when they speak to employees on A-76 to clarify that cuts are not necessarily equal to losing jobs. Also, in the event of a post-MEO agency win of the Property Management function under A-76, AFGE desires and has formally requested from the agency that the staffing procedures to be used to staff the new organization (the MEO) comply with Reduction in Force (RIF) procedures. If a RIF is not conducted, AFGE has requested that a mock-RIF be conducted and used to staff the new organization.