

## BACKGROUND

1. DOD & OPM may have spent the past year engaged in a design process, but employees down at the local level have not been able to participate—only at the highest level.
2. DHS & DOD have not been completely tested on the NSPS yet so why is it being implemented without full study before going through the whole government?
3. It seems that implementation of NSPS will set back unions back 50 years. Unions may have been consulted, but if this new system is implemented, unions at the local level will cease to exist. How can someone be consulted, who is not does not even know what's going on at your particular installation?

## WHY NSPS?

1. It seems that implementation of NSPS will set back unions back 50 years. Unions may have been consulted, but if this new system is implemented, unions at the local level will cease to exist. How can someone be consulted, who does not even know what's going on at your particular installation?
2. The current rules don't hinder DOD's ability to act expeditiously; the way the rules are interpreted by various management officials do.
3. Currently, even when workplace issues are resolved in a timely manner, various members of management seem to still persist in their own interpretation and implementation of their own agenda.
4. NSPS will not modernize a 50 year old system, because of efforts to implement it government-wide before its been fully tested.

## HIGHLIGHTS

1. As I read your proposed regulations, employees can be put anywhere management wants, any time they want. I've already seen what management can do now, much less when they get even more authority.
2. Pay increases based on performance, rather than longevity? That sounds too good to be true. It sounds like nepotism, which labor has worked so long to eliminate. A labor relations system that preserves collective bargaining rights of employees while recognizing our national security mission and the need to act swiftly to execute that mission. If NSPS does that, the whole Government, including Congress, will need to be overhauled. Under NSPS there is no collective bargaining. According to everything I've seen so far, NSPS will be implemented whether or not employee unions are consulted and even then, only at the national level—not local level.

## **WHAT DOES NOT CHANGE**

1. I've never seen any protection for those employees who blew the whistle on bad practices.
2. I've never seen where rules (of any kind) kept prohibited personnel practices from occurring or once discovered, that anything was ever done to the people who performed them.
3. Training--That is always the first area to be cut in a budget. What guarantees that this will not continue to occur?

## **KEY ELEMENTS OF NSPS PROPOSAL**

### Classification

1. What makes the NSPS system simpler than the old GS system?
2. What rules guarantee that management will give fair & equal treatment to all the employees that they supervise—not just their “favorites”?

### Pay/Compensation

1. What steps have been included to ensure that “outstanding performers” are truly outstanding, rather than those employees who are a supervisor's favorite?
2. How would employee pay upon promotion, reassignment, be determined and who would make the decision?

### Performance Management

1. None of these things has happened before. What's different about this system that would cause these things to occur?
2. Recognition of conduct—So far, only those who cow-tow to their supervisor (rating official) get anything.
3. Meaningful distinctions in employee performance? How will this be accomplished?

### Hiring/Staffing

1. Hiring authorities tailored to DOD's needs—what is different in this area?
2. What is going to change in the hiring process and how will it affect those currently doing the job?

### Reduction in Force

1. How will this process be simplified?
2. How will the RIF disruption be minimized?
3. How will emphasis be placed on performance (in a fair & equitable manner) in retention?

4. Won't emphasis on performance cause more disgruntled employees or is it your intention to "get rid" of those employees who questions management's decisions?

#### Adverse Actions

1. How are you going to ensure due process?
2. Allowing the Secretary to designate MRO's (with input from employee representatives). You are allowing input, but not bargaining so aren't you adding another level of bureaucracy?

#### Appeals

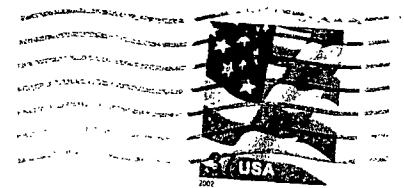
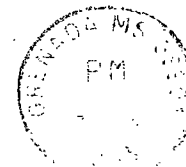
1. What "improved" procedures?
2. If management cannot currently meet the deadline in 30 days, how will they do it in 20 days?
3. What good is it to have appeals if DOD may remand, modify, affirm, or even reverse the decision? What "stringent" criteria?
4. How can you "limit" the MSPB's review authority? Are you trying to get employees to just accept the initial decision?
5. Burden of proof has (at least at our installation) always been preponderance.
6. Why is the MSPB only permitted when the penalty is without justification? Who decides when a penalty is wholly without justification?
7. If judicial review is provided, whose is it? Seems as though you are limiting the review to just one side.

#### Labor Relations

1. Seems as though you're expanding management's rights and eliminating the union's rights. Extremely one-sided and certainly not fair and just.
2. Why does nothing delay management's ability to act? Is there a fear that labor might actually be correct?
3. What good is it to have negotiated grievance procedures, particularly only at a national lever, when you've just stated that "Nothing delays management's ability to act"?

#### Other Provisions

1. According to your statements, labor will be allowed to participate in the collaboration process, but what good is that if "nothing delays management's ability to act". It seems as though you're only including labor because you "have to".



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