

Comments on proposed National Security Personnel System Regulations--RIN 3206-AK76/0790-AH82

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FROM

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The proposed National Security Personnel System (NSPS) will undermine the Civil Service System and erode worker and union rights at the Department of Defense (DOD).

Subpart D Performance Management - 9901.401 to 9901.409: The proposal doesn't adequately address employee needs to redress. Employees should be able to appeal any performance rating through an independent grievance and arbitration process.

Subpart F Workforce Shaping - 9901.6012 to 9901.611: Current layoff/RIF rules, which give balanced credit to performance, veteran's service and the employees valuable years of committed service, should be retained.

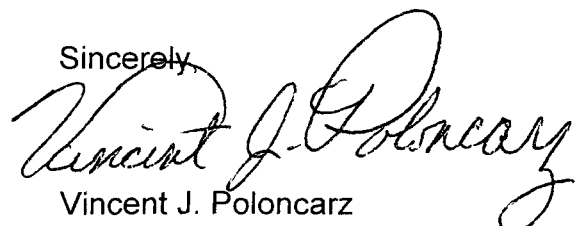
Subpart G Adverse Actions - 9901.701 to 9901.810: Due process and fairness demand that the independent body reviewing a major suspension or termination be allowed to alter the proposed penalty if they deem it to be unreasonable. The current standards approved by the courts to guide such bodies should continue to be used.

Subpart I Labor-Management Relations - 9901.901 to 9901.929: The management rights portion of the proposed regulations is a repudiation of collective bargaining. As proposed, management expands its exclusive rights to make decisions without bargaining such that they will not be required to negotiate even over the "impact and implementation" of most of its decisions and thus management could simply implement a decision, with no advance notice to the union and no opportunity for negotiations of any kind. There is no compelling reason to take away most of the collective bargaining rights or grievance rights.

NSPS's proposal to deny the union a right to a ratification vote before a collective bargaining agreement may go into effect, is an unjust infringement on the internal business of a union. Further, to grant DOD the power to veto an agreement within 30 days or to allow an official at any time to void any part of an agreement that conflicts with agency regulations is not an agreement at all.

The NSPS is not about a national security issue. The NSPS is about DOD seeking the flexibility to trample on worker and union rights and I am opposed to it.

Sincerely,


Vincent J. Poloncarz

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