

Comments on proposed National Security Personnel System Regulations

RIN 3206-AK76/0790-AH82

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The proposed National Security Personnel System (NSPS) will gut the Civil Service System and bargaining rights of Department of Defense (DOD) workers. It's virtual elimination of collective bargaining and other worker protections will hinder DOD in its mission.

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, as it is presently proposed, is unacceptable and not suitable for implementation. It is lacking in detail and specificity, and where details are given it tramples on collective bargaining and other worker protections vital to this democracy.

Sincerely,



Workers' rights are being eliminated. Why was the filing deadline for Merit Systems Protection Board cut from 30 to 20 days? Department of Defense could reverse an MSPB decision due to national security issues. Employees need a better way to challenge performance ratings and a way to appeal performance pay decisions. Why have these employee rights been limited or taken away? Is it because DoD realizes that the NSPS system is unfair? Why not let employees rate their supervisors? Why should they be afraid of that?

It sure looks like employees' wages and rights will be lessened under NSPS and that the new system is a way to avoid paying the annual raises that federal employees have received in the past. It reminds me of some advice I received years ago: When management tells you that they're doing something to help you, keep one hand on your wallet. Thank you.