

February 23, 2005

Program Executive Office
National Security Personnel System
Attn: Bradley B. Bunn
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I write to express my concerns about changes to work rules in the Department of Defense (DoD). The proposed regulations, known as the National Security Personnel System (NSPS), were printed in the Federal Register on February 14, 2005.

I am upset that these proposals seem to treat the employees who help defend our country as the enemy. Most DoD employees work hard and are committed. I believe that mistreating the employees will hurt the agency's mission. This system will change the way workers are paid, evaluated, promoted, fired, and treated. These rules would create a system in which bureaucrats are influenced by favoritism rather than serving the civil concerns of the American people.

Annual Pay Raises

Under the General Schedule and FWS, employee pay was clear. It was funded by Congress and could not be taken away. However, NSPS will take away this certainty. Salaries and bonuses are funded by DoD. In the past – as recently as just last year – DoD did not fund its awards program. Given the agency's miserable record on this issue, how can employees feel confident that salaries and bonuses will be funded fairly in the future?

“Friend of the Supervisor” Pay System

With the new patronage pay system, which DoD calls “pay for performance,” the amount of a worker's salary will depend almost completely on the personal judgment of his or her manager. This system will force workers to compete with one another for pay raises, which will destroy teamwork, increase conflict among employees, and reward short-term outcomes. There is no guarantee that even the best workers will receive a pay raise or that the pay offered will be fair or competitive. This system in which workers are afraid to speak out about harassment, violations of the law, and workplace safety problems. Furthermore, there will be no impartial appeal system to assure that everyone is treated fairly.

Schedules and Overtime

NSPS will allow managers to schedule employees to work without sufficient advance notice of schedule changes. This will make it extremely difficult for working parents to care for their children and family. It will also mean that abusive managers could harass employees with bad schedules or short notice. Overtime rotations can be canceled, which means that employees may not be able to plan adequately for childcare and other important responsibilities.

Additionally, this rule is unclear as to how it intends to handle premium pay. The existing Civil Service System was developed over years of use into a system that clearly explains how premium

pay is calculated, by eliminating these procedures the new system will be inundated in premium pay disputes

Civilian Deployment

Federal employees could be assigned anywhere in the world, even into a war zone, with little or no notice. Public employees are proud to serve our country, but they are also responsible for caring for their families and personal obligations.

America is at war and we are fighting for democracy abroad. However, these regulations are an attack on workers' basic rights, here in America. Furthermore, NSPS will divert the attention of defense workers from the soldiers' welfare to protecting themselves from abuse on the job. I urge DoD to rethink this proposal. We need work rules that preserve fairness, serve the American people, and respect the rights of Defense Department workers.

Subpart F (FIF): Reduction in Force. It is shocking that of all the Government Agencies it is the DoD proposing to take away advantages that the Civil Service system provided to disabled veterans in a RIF situation.

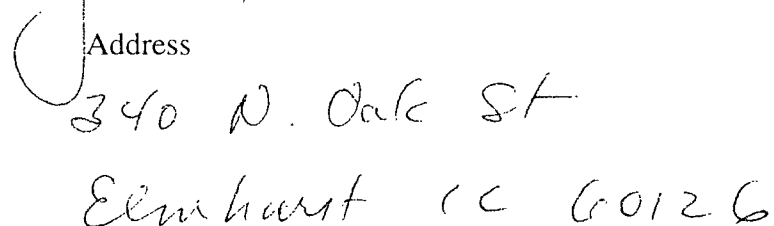
Union Attack: In the authorizing legislation Congress made it clear that DoD employees should retain the right to collective bargaining. However, these rules effectively strip DoD employees of any meaningful collective bargaining and in so doing appear contrary to law.

The implication that the nation's security is threatened by government employees is absurd. In fact there was a public outcry for additional government control of security at airports after nine/eleven not less. These regulations should not be put into force and the existing Civil Service System should be maintained. If nine/eleven has caused America to change the way it does business, than the Civil Service System should be modified to accommodate these changes, but the baby shouldn't be thrown out with the bath water.

Sincerely,

James F W Clark III

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