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# THE GOVERNMENT STANDARD

March/April 2007

*for current and retired government workers and their families since 1933*  
American Federation of Government Employees, AFL-CIO

## Bargaining Rights for TSA Closer to Reality

**T**hanks to AFGE's aggressive lobbying efforts, Transportation Security Officers are closer than ever to obtaining full collective bargaining rights. In January, the House of Representatives voted to grant TSO's collective bargaining and appeal rights, in addition to whistleblower protections.

In February, after a successful grassroots lobbying effort by AFGE members and a face-to-face meeting between AFGE President John Gage and Sen. Joe Lieberman (I-Conn.), the Senate also acted on the issue. Lieberman, chair of the powerful Senate Homeland Security

and Governmental Affairs Committee, was persuaded by AFGE's arguments and added to the Senate bill an amendment that serves to repeal a footnote in the legislation that allowed TSA to deny collective bargaining rights in the first place. The footnote in the Aviation and Transportation Security Act (ATSA) gave the TSA

**The Lieberman amendment passed on a party-line vote, and the entire bill was approved by the committee unanimously.**

administrator sole authority over deciding on the issue of union rights for federalized TSA employees. The Lieberman amendment passed on a party-line vote, and

the entire bill—dubbed the Improving American's Security Act—was unanimously approved by the committee.

"These are the men and women on the frontlines of Homeland Security.... literally the faces of homeland security. Yet TSA embarrassingly leads all other federal agencies with injury and attrition rates and EEOC complaints," said AFGE President John Gage. "Without collective bargaining, TSA has subjected its employees to workplace discrimination, retaliation, adverse actions, unscheduled mandatory overtime, and fear of speaking out on issues of security."

By voting to repeal the ATSA footnote, key committees in both houses of Congress have now said that TSA no longer will be allowed to deny its workers basic labor rights. And, allowing for collective bargaining, whistleblower

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**TSO Steve Gallagher with Senator Lieberman and National President John Gage.**



A MESSAGE FROM NATIONAL **PRESIDENT JOHN GAGE**

# Making the Connections

The 2006 elections resulted in many opportunities for progress for government employees. A new Congress more dedicated to a professional civil service and a strong public sector has begun enacting positive legislation and conducting needed oversight of federal agencies.

But for AFGE, maximizing these opportunities is not just a matter of sending more lobbyists to Capitol Hill or even mobilizing our members to make calls, send e-mails and meet with their elected officials, important as that is. It also requires improving every other aspect of our operations—representation, communications, education and training—and aligning them into one seamless force for change.

These are not separate functions existing in a vacuum. They are all part of one great union. Indeed, the success of each fuels the success of everything we do.

For example, when our legislative, political and field operations win collective bargaining rights for TSA officers—as legislation we helped pass in the House would achieve—that leads to more members.

When we win grievances and lawsuits for members who were denied fair compensation, leave, whistleblower protections, or promotions due to age, sex or racial discrimination, that makes clear why AFGE membership means so much for government employees.

When we do a good job communicating with members about what their union is doing for them and what they can do for their union, that strengthens our political action operations and our organizing.

And when we organize and gain members—as we have for five consecutive years and counting—that makes us more powerful in the halls of Congress, in the corridors of the executive branch and everywhere we operate.

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These operational reforms are essential—but equally important is the spirit we bring to our work.

Thus, we must be proactive, not reactive; strategic, not scattershot; and fully connected with one another, not isolated.

It's equally important that we not fall victim to complacency or complaining; not permit ourselves to engage in turf battles; and not be reactive or unimaginative.

Rather, we must always pull together in the same direction to move our members forward.

We must achieve unity. And when I say unity, I don't just mean the absence of infighting. I mean all of us working in sync

**We must be proactive, not reactive; strategic, not scattershot; and fully connected with one another, not isolated.**

as part of one program, providing the same service, striving jointly for the same goals. I mean total commitment, total teamwork.

In doing so, we must always remember that our cause—justice, equal opportunity, democracy, good government, civil rights—is far bigger than any one of us.

We will need these qualities more than ever because we have a great positive agenda to move through Congress and new opportunities to make federal agencies more responsive to our concerns. At the same time, we must keep fighting assaults on the independent civil service still coming out of this unrepentant administration.

And while we're doing all this, we must keep an eye on 2008 when we will have a chance to expand our pro-government worker majorities in Congress and recapture the White House.

It's going to take one great union with one clear vision and one strong voice.

That is the AFGE we must all build together. ●

# Eye for Detail Pays On and Off the Job for AFGE Member

Rita V. Hurst's high level of scrutiny as an AFGE Local 2422 consumer safety inspector has helped to keep the nation's food supply safe and secure. But it was while she was shopping for a home mortgage that Hurst discovered her unwavering attention to detail could pay off for her personally.

Hurst was tending to the last pieces of paperwork that would bring her one step closer to buying a home of her own when two words popped out from the page: "union member." Turns out, her mortgage with Chase, the lender for the Union Plus Mortgage program, offered special benefits to union members who were first-time homebuyers.

The mother of two qualified for the benefit as an AFGE member through a simple verification of her union membership. "I just filled out basic paperwork and provided a copy of my union card," Hurst said. In little time, Hurst's dream of buying a home turned into a reality. She did more than fulfill the "American Dream" of owning a home, however. With her marriage at an end, Hurst embarked on a fresh start to her new life in her new home.

"I had a home my whole life, but this is the first one that I bought on my

**Her mortgage with Chase, the lender for the Union Plus Mortgage program, offered special benefits to union members who were first-time homebuyers.**

own, so it's very special. I love everything about it, but my favorite room is my kitchen," Hurst said. An added benefit is that her home is just a short commute to her duty station at Allen Family Foods, where she works for the USDA ensuring that the company is in compliance with meat and poultry regulations, which includes making sure the company maintains correct product temperatures, reviewing com-



Rita Hurst of Local 2422 found her union card came in handy when buying her first home.

pany records and observing tasks being performed by company technicians. It is work that people across the country depend on for their health.

As a union member since 2000, Hurst knew first-hand the many benefits of AFGE membership, but she was unaware of the benefits available to first-time homebuyers. She now has made it her mission to inform her co-workers about how AFGE's Union Plus programs can work in their favor and how they, like she, could qualify for a \$500 gift certificate to a unionized grocery store from the Union Plus program for being a first-time home buyer.

In fact, just in the past year, two AFGE members from Texas and New York have also been awarded \$500 gift certificates to help stock the refrigerators and pantries in their new homes. Since the program's inception in 1996, 1,160 AFGE members have used the mortgage program to finance more than \$136.3 million in home mortgages.

The benefits of the Union Plus Mortgage program are numerous and they became tangible on the day of her home

settlement when Hurst saw the break on closing costs and on fees (capped at \$100). AFGE members have saved more than \$752,000 in fees because of the Union Plus Mortgage program.

Additionally, the Union Plus Mortgage program provides other benefits uniquely tailored to union members. Specifically, it provides interest-free loans and grants to union members who are out of work due to unemployment, disability, or lockout. These unique benefits – not offered by any other mortgage companies – have provided more than \$3 million to help union families since the program's inception.

"It's nice to know that other added membership benefits include layoff and disability assistance. Speaking as someone who has had health concerns, this certainly adds a measure of security if ever needed," says Hurst.

The Union Plus Mortgage program is available to AFGE members, their parents and children. To learn more about this program and other please call **1-888-844-AFGE** or visit [www.afge.org](http://www.afge.org).

# AFGE Requests Presidential Pardon for Convicted Border Patrol Agents

*Punishment too harsh for on-the-job shooting, says union*

The American Federation of Government Employees in January sent a letter to President Bush asking him to pardon two border patrol agents who recently began serving prison sentences for an on-the-job shooting of an alien drug smuggler. AFGE is joined in its call for a pardon by members of Congress, who will be conducting a full investigation into the case.

The Feb. 9 letter from National President John Gage states that "[Ignacio Ramos and Jose Alonso Compean] were punished for actions taken in the course of their duty. Moreover, three jurors recently signed affidavits saying they were unduly pressured to reach a guilty verdict."

While on duty, Ramos and Compean shot Osbaldo Aldrete-Davila, a non-citizen drug smuggler who was transporting some 700 pounds of marijuana at the Mexico/U.S. border. Both were convicted and in

January began their 11- and 12-year sentences, respectively. Ramos recently was beaten in his sleep in a planned attack by five or six inmates who saw him on an episode of "America's Most Wanted."

"This punishment has demoralized the Border Patrol and compromised the security of the nation," Gage added. "There were three eyewitnesses to the event—Ramos, Compean, and Aldrete-Davila—and in the end, a known drug smuggler's word was taken over those of two U.S. border patrol agents. With that precedent, other



**"Three jurors recently signed affidavits saying they were unduly pressured to reach a guilty verdict."**

—President John Gage

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border patrol agents are going to think twice when it comes to defending our borders. And that's not a risk worth taking." ●

## FPS Plan Could Leave Federal Buildings Unsafe

AFGE is fighting a FY08 Budget Proposal, and subsequently, a Federal Protective Service (FPS) initiative that essentially would cut jobs and restructure the agency.

FPS law enforcement currently is comprised of inspectors and police officers. Inspectors generally spend about 25 percent of their time on law enforcement patrol and response, and 75 percent

on security assessments, or office work. Police officers, on the other hand, are 100 percent dedicated to law enforcement patrol, response and preliminary investigations. The Bush proposal would eliminate the police officer position.

"This all came about because there is a \$65 million deficit for the remainder of FY07," said David Wright, president of AFGE Local 918, which represents almost 1,000 FPS employees. "Instead of working with Congress to remedy the deficit, FPS is moving forward with a convoluted plan that will result in the loss of jobs and jeopardize the nation's safety. This not only won't fix the deficit, but will cause problems for the future of FPS."

AFGE additionally is concerned that the FPS memo sent to employees regarding its new plan insinuates that AFGE Local 918 supports the FPS plan, which it does not. In fact, Wright has met with members of Congress to ask for a cease-

**"This all came about because there is a \$65 million deficit for the remainder of FY07."**

—David Wright

and-desist order so that FPS cannot implement its plan.

AFGE represents some 80 percent of the FPS workforce, which provides security for approximately 8,800 federal buildings, including federal courthouses. In addition, FPS assists in emergency situations, such as after Hurricane Katrina when FPS officers were among the first on the scene in New Orleans. ●

**IF YOU ARE AN AFGE MEMBER CONCERNED ABOUT THIS PROPOSAL GO TO [www.afge.org](http://www.afge.org)**

**LOCAL PRESIDENTS, STEWARDS and COUNCIL LEADERS**

# Did you know

there is a tool to help you manage information for member grievances?

AFGE's online **CaseTrack** system not only lets you store your case information but allows you to search for information that might help your case including arbitrations, contracts and bargaining governances.

CaseTrack also lets you store your contracts by agency and view other contracts as well.

CaseTrack...For AFGE local president, stewards and council leaders to help support our members.

**FOR MORE INFORMATION VISIT [afge-casetrack.org](http://afge-casetrack.org)**

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## New Features to CaseTrack

CaseTrack, the online database system managed by the Field Services Department for AFGE local presidents, stewards and council leaders, has several new features that make it easier to retrieve information.

Now not only does CaseTrack allow for local presidents and stewards to have easy access to a number of cases, contracts and arbitrations, but drastically improved and secured delivery of guidance is only a mouse-click away. Furthermore, upon signing up for CaseTrack, new members can follow an easy-to-use tutorial training on how to use the website.

"CaseTrack is an electronic filing cabinet that is very effective in storing and protecting very important information," said Field Services Director Joe Henderson. "Our local and council leaders can search for contracts and cases by specific search terms or words, seek and obtain bargaining guidance, and accept or deny registration requests from union stewards."

CaseTrack works as follows: an AFGE local president or designated council leader can contact headquarters to establish a login for his or her use only. The local president or council leader can then sign up stewards to have access to cases involving their local or council.

AFGE local presidents, stewards and council leaders wanting more information can email [casetrack@afge.org](mailto:casetrack@afge.org) or [fieldservices@afge.org](mailto:fieldservices@afge.org). ●

# INSIDE GOVERNMENT

AFGE's weekly radio show  
“Inside Government,”  
with host Ward Morrow,  
AFGE assistant general counsel.

Hear the latest from the nation's top  
lawmakers, celebrities, journalists,  
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## DC WASA Employees Win Back Jobs

After two years of legal wrangling and multiple arbitration rulings, AFGE recently won a decision by the District of Columbia Public Employee Relations Board (PERB) to reinstate two terminated District of Columbia Water and Sewer Authority (WASA) employees and grant nearly a year's back pay with interest. PERB held that WASA committed an unfair labor practice and failed to bargain in good faith with AFGE Local 872 in refusing to implement an earlier arbitration ruling to revert the employees' terminations to unpaid six month suspensions.

The award stems from the second ruling of Arbitrator Jane Rigler after a two year struggle with WASA that included the agency's blatant refusal to comply with the arbitrator's first ruling.

Originally terminated on Feb. 14, 2005, the two employees filed grievances. Arbitrator Rigler ruled on Aug. 16, 2005 that though WASA had grounds to discipline the employees, their termination was "an unreasonable sanction." The arbitrator concluded that the employees should be reinstated, without pay, within 10 days of her ruling and that between Feb. 14, 2005 and their reinstatement date of Aug. 26, 2005, their employment status was suspended without pay.

WASA appealed Arbitrator Rigler's ruling and refused to reinstate the two employees until July 24, 2006. AFGE followed WASA's refusal to comply and filed an unfair labor practice complaint seeking to enforce Rigler's first ruling with back pay and interest for the employees.

"The PERB decision underscored the general rule that an agency may not avoid compliance with a final and binding arbitration award merely because the agency disagrees with the award's outcome," said AFGE General Counsel Mark Roth.

Backed by AFGE's General Counsel Office, the two WASA employees were finally allowed to return to work with the second ruling of Arbitrator Rigler that stated: "WASA's failure to comply with the terms of the award is not based on a genuine dispute over the terms of the award, but rather on a flat refusal to comply with the award...WASA has no 'legitimate reason' for its on-going refusal to provide [the affected employees] with compensation."

# 2007

## Organizing and Mobilization Conference

More than 200 AFGE leaders, activists and staff met for the 2007

"Smart with Heart" Organizing and Mobilization Conference in Houston. AFL-CIO Secretary-Treasurer Richard Trumka and U.S. Rep. Ciro Rodriguez (D-Texas) were among those in attendance.



LPO Bob Mechan, and PAC Director Bob Nicklas



Congressman Ciro Rodriguez (D-Texas) and MVP Andrea E. Brooks



Don Thomas and Kathy Thompson, AFGE TSA Local 1, and President Gage



Pictured are Dave Gonzales, Tina House, 10th District NVP Roy Flores, Walter Greeley, Congressman Ciro Rodriguez (D-Texas), Bob Meehan and Arla Johnson.

# A Call to Arms to Stop Outsourcing of VA Jobs

**A**FGE has joined forces with veterans' groups to fight "Project HERO," a new Veterans Affairs proposal to pay private contractors to coordinate VA contract medical care that could increase VA contract care by up to 500 percent.

The groups and AFGE legislative representatives are coordinating "24/7" watch on contracting out by the VA. The coalition has sent a series of reports to educate House and Senate members on the perils of contracting out at VA hospital and facilities.

AFGE locals across the country are demanding participation in studies under VA's Business Process Reengineering Initiative that is looking at consolidation of laundries and food service. "We are urging members of Congress representing rural areas to seek alternatives to contracting out to increase access to VA health care in rural areas," said Beth Moten, AFGE Legislative and Political Director.



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Lawmakers from both parties have long recognized the importance of shielding Veterans Affairs health care dollars from wasteful cost comparison studies that lead to contracting out. In 1981, legislation was passed making it illegal to use dollars intended for VA medical care for these studies, unless Congress provided additional dollars through separate appropriations. Over the next 25 years, Congress only provided these extra funds on a few occasions. In 2005, the Bush administration and the Office of Management and Budget decided to try again, using VA health legislation to push a proposal to repeal this spending ban. AFGE members conducted an extraordinary grassroots effort that year to beat back the proposal.

Last year, a more limited proposal to use \$15 million in VA health care dollars to conduct cost comparison studies reached the conference committee negotiating House and Senate VA health care legislation. AFGE again applied pressure to strip the health care bill of any contracting out legislation. Thanks to AFGE intervention, the final health care bill was "contracting out free!" ●

**FOR MORE INFORMATION:** [www.afge.org](http://www.afge.org) or [www.afgenvac.org](http://www.afgenvac.org)

# SSA Budget Woes Continue

**A**FE's National Social Security Council continues to be concerned about budget cuts at the Social Security Administration (SSA). The SSA serves millions of American's monthly but will remain grossly underfunded if Congress does not act soon to restore the agency's 2007 appropriations, says AFGE's National Council of SSA Field Operations Locals President Witold Skwierczynski.

Successive budget cuts since 2005 have left SSA without the staffing capabilities and resources required to serve the more than 49 million beneficiaries who rely on SSA funds for food, clothing and shelter. President Bush requested \$9.59 billion for SSA's 2007 budget of which \$400 million was initially cut during congressional consideration, potentially causing SSA to furlough employees for 10 days and disrupt SSA operations. AFGE lauded the Senate Finance Committee in January for reinstating \$200 million to SSA to prevent furloughs, but continues to push for additional funding.

"Not fully funding the SSA is a disservice to millions of tax-paying Americans who rely on Social Security benefits every month. Without these additional resources, SSA will be backlogged with claims, which in turn will cause delays in payments to beneficiaries. That is not acceptable," said Skwierczynski.

At press time, AFGE continued to urge Congress to authorize an additional \$200 million to fully fund SSA's proposed 2007 budget. ●



# AFGE Launches Model Contract Training

**A**FGE's Field Services Department continues to arm members with much needed tools to ensure collective bargaining agreements produce fair and equitable contracts. Since filing suit against the Department of Defense in 2005, AFGE has continued to fight the legality of the National Security Personnel System that would strip labor negotiations and collective bargaining, and now awaits a ruling from the United States District Court on the future of NSPS.

AFGE debuted a new model collective bargaining agreement at a mandatory training session for all National Representatives, select locals, councils and NVP's at the conclusion of the AFGE Legislative Conference, March 1–3 at the National Labor College, George Meany Center, in Silver Spring, Maryland.

The model agreement is intended to guide AFGE labor negotiations and includes basic provisions and options specific to different agencies. All training attendees have had an opportunity to provide feedback and comments on the model contract to be incorporated in the final template that will be made available to all locals and councils on a new, secure website to be launched after the District Courts NSPS ruling. ●

## Additional Training Dates

**May 13–14**

St. Petersburg, FL  
(5<sup>th</sup> and 6<sup>th</sup> Districts)

**June 4–8**

San Diego, CA (12<sup>th</sup> District)

**TBA**

San Antonio, TX

**TBA**

Norfolk, VA



**Congressman Nita Lowey, AFGE President Gage and Congressman Bennie Thompson at a post-House vote media briefing.**

## TSO Rights

continued from the front page

protection and appeal rights will help improve security by stabilizing the work-force and improving morale.

### A History of Representation for TSO Workers

"AFGE has been the only union to provide workplace representation to TSOs before the Disciplinary Review Board, EEOC, courts, in Congress and in the media," Gage said. "Our union, with strong support from the AFL-CIO, has been there for TSOs since the creation of TSA, and has been active in the fight for collective bargaining while other federal sector unions sat on the sidelines and watched."

As an active member of a prominent Whistleblower Coalition, AFGE also has been instrumental in ensuring that specific language covering TSOs was included in the bipartisan Whistleblower Protection Enhancement Act (H.R. 985), now being considered in the House of Representatives. "Whistleblower protection is essential for TSA employees, who currently have

**"AFGE has been the only union to provide workplace representation to TSOs before the Disciplinary Review Board, EEOC, courts, in Congress and in the media."**

—AFGE National President John Gage

no protection against management retaliation when they bring to light breaches of security or other wrongdoings," said AFGE General Counsel Mark Roth. "It is imperative for the safety of this nation that these employees feel free to speak out on issues of security."

TSOs and other AFGE members who want to learn more about joining the fight to bring union rights to TSA should contact us via email at [tsa@afge.org](mailto:tsa@afge.org) or visit us at [www.afge.org](http://www.afge.org). ●

**FOR MORE INFORMATION: (866)392-6832 Toll Free**



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When you file your taxes with the AFGE Union Plus Online Tax Service

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- You can file your federal return for **\$14.95** and your state return for **\$14.95** for a total cost of **\$29.90**.
- If your adjusted gross income is below \$29,000, you can file both your federal and state returns for **\$14.95**.
- You are not charged until you either file or print your return.

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- Provided through CCH Incorporated and TaxEdge.com.
- Company founded in 1913 and has been providing Web-based tax services directly to consumers for 5 years.
- CCH software is used by many tax preparation professionals.

#### Built-in customer service

- Offers an extensive online help system.
- E-mail CCH and receive a response within 24 hours or chat direct online with a customer service representative for \$4.95 per session.

#### Rapid refunds

- You can print and mail your return or file electronically.
- Refunds can be direct deposited to a checking or savings account or sent via a check.
- If you are eligible for the earned income tax credit the AFGE Union Plus Online Tax Program fills out and files all the forms for you.



For more benefit information be sure to visit  
**[www.afge.org](http://www.afge.org)** Or call **1-888-844-2343**

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