



May 22, 2025

VIA ELECTRONIC MAIL

Mr. Max R. Wyche
Acting Chief Human Capital Officer
Internal Revenue Service
1111 Constitution Avenue, NW
Washington, DC 20224

**RE: National Grievance and Unfair Labor Practice Charge — Agency’s
Unilateral Termination of the Employee Referral Bonus Program**

Dear Mr. Wyche:

The National Treasury Employees Union (NTEU) hereby files this national grievance against the Internal Revenue Service (IRS or agency) pursuant to Article 42, Sections 2 and 3 of the parties’ 2022 National Agreement (2022 NA) and the 2025 Addendum to the 2022 NA for its unilateral termination of the parties’ agreement concerning the Employee Referral Bonus Program. Because the violations NTEU alleges are continuing each day and/or week, the grievance and requested remedies are continuing in nature.

In August 2021, the parties negotiated over the Referral Bonus Program and reached an agreement on August 18, 2021. The agreement was memorialized in a Memorandum of Understanding (MOU) of that date. Under the MOU, an employee is to be paid a referral bonus of \$500 when the employee refers a job candidate who is hired into a “hard-to-fill” position, based on the availability of funds. The list of “hard-to-fill” positions and grades was posted on IRS Source. An eligible employee who referred a new hire to the IRS would receive two \$250 payments, one at the six-month mark of the new hire’s IRS employment and the second at the end of 12 months.

In an agency memorandum to all employees dated May 15, 2025, the agency stated that it was terminating all Employee Referral Bonus agreements and stopping future payments, purportedly in accordance with the management’s right to determine the budget of the agency. The cutoff date for the program was May 17, 2025. The agency did not state the specific reason for the termination.

The agency’s unilateral termination of the Referral Bonus Program constitutes a breach of the parties’ August 18, 2001 MOU. In addition, the agency’s actions are a patent breach of the Referral Bonus Program MOU, which constitutes a repudiation of the MOU and, therefore, an unfair labor practice under 5 U.S.C. § 7116(a)(1), (5) and (8) of the Federal Service Labor-Management Relations Statute (statute).

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To remedy these violations, NTEU requests that the agency (1) immediately cease and desist from breaching the Referral Bonus Program MOU; (2) return to *status quo ante*; (3) post a notice in the workplace and transmit it via electronic mail, drafted by NTEU and signed by the head of the IRS, to all bargaining unit employees in which the Acting Commissioner of Commissioner of the IRS admits that, by its actions, the agency has violated the statute; (4) provide make whole relief to every adversely affected bargaining unit employee, i.e., continue making the agreed-upon payments to employees who are or become eligible for such payments in accordance with the Referral Bonus Program MOU; and (5) grant NTEU all other appropriate remedies to which it is entitled under the law.

NTEU requests a meeting pursuant to Article 42, Section 3 of the 2022 NA within twenty (20) workdays of this filing. Our representative in this matter will be National Negotiator John-Paul Proctor, who may be reached via e-mail at john-paul.proctor@nteu.org.

Sincerely,



Doreen P. Greenwald
National President

cc: Geralda Larkins, IRS
John-Paul Proctor, NTEU
Ken Moffett, NTEU
Ryan Soon, NTEU