



August 24, 2020

VIA E-MAIL

The Honorable Ajit Pai
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Dear Chairman Pai,

I have been receiving regular reports about the current negotiations on a new collective bargaining agreement between NTEU Chapter 209 and the Federal Communications Commission (FCC). What those reports indicate is the lack of a good faith effort on the part of the FCC bargaining team to reach agreement with NTEU. I wanted to share a few of my concerns to illustrate how the FCC proposals will work against the employees, and ultimately the work of the Commission.

The current contract contains a telework program that has worked well for FCC employees. When the coronavirus pandemic hit earlier this year, FCC appropriately sent employees into the safety of their homes with maximum telework. NTEU Chapter 209 conducted a survey of bargaining unit employees to gauge their satisfaction, or unhappiness, with telework. More than 60 percent of respondents indicated a desire to continue teleworking fulltime and 90 percent are concerned about their health should they have to return to an FCC worksite while the pandemic continues. Despite this, in negotiating a telework provision, the FCC team has taken a hardline approach of only allowing three days of telework per week. Attempts to compromise on this have repeatedly failed despite the clear desire of your agency's employees and public safety considerations.

FCC employees want a workplace where everyone is treated fairly. Should a complaint arise, they also want a meaningful and accessible process for raising their objections. At the bargaining table, the FCC team is attempting to block the choice of forums for all types of civil rights complaints, as well as conditions of employment such as awards, promotions, and recruitment that have historically impacted minorities disparately. Often, employees with equal opportunity issues may prefer to file grievances through NTEU rather than to pursue the EEO process, which is complicated and slow. They may also want experienced representatives, rather than trying to navigate an unknown EEO process. At a minimum, they should be given a choice of forum. The FCC negotiators have taken a firm position excluding grievances as a resolution path for discrimination claims, as well as other forms of grievances which, as noted above, have historically impacted minorities adversely. These restrictions will harm employees and make the FCC a less desirable place to work. The grievance process has proven to be an efficient way to resolve disputes and provide outcomes that benefit the FCC and employees.

The Honorable Ajit Pai
August 24, 2020
Page Two

Along with a telework program that works and a workplace that allows employees access to a negotiated process to raise issues and settle disputes, employees deserve a certain amount of privacy. FCC itself promotes strong protections of consumer's personally identifiable information. So why is the FCC refusing to notify employees when the agency accesses their medical files?

I am asking that the FCC reconsider these and other proposals and agree to sit down at the bargaining table and make a good faith effort, as required by federal law, to reach agreement on a new collective bargaining agreement. FCC employees are experts in their field and have chosen to work in public service. In return, they ask for a fair shake from management and a contract that does not strip them of their rights and workplace programs that help them accomplish their jobs.

I look forward to hearing from you and I am available for a discussion on these issues.

Sincerely,

A handwritten signature in black ink, reading "Anthony M. Reardon". The signature is fluid and cursive, with the first name "Anthony" being more prominent and the last name "Reardon" following in a similar style.

Anthony M. Reardon
National President