



February 4, 2021

VIA ELECTRONIC MAIL

The Honorable Norris Cochran
Acting Secretary of Health and Human Services
Room 102F
200 Independence Avenue, S.W.
Washington, DC 20201

Dear Acting Secretary Cochran:

As President of the National Treasury Employees Union (NTEU), the exclusive representative of a bargaining unit of approximately 15,000 employees in eight Operating Divisions (FDA, SAMHSA, ACF, ACL, DAB, HRSA, OMHA and IHS) of the Department of Health and Human Services (DHHS), I am asking you to take immediate steps to implement President Biden's Executive Order 14003. Section 1 of that Order states that it is "the policy of the United States to encourage union organizing and collective bargaining." The Order goes on to rescind the former president's Executive Orders 13837, 13837 and 13839 and, among other things, directs agency heads to "suspend, revise or rescind" actions taken to implement those orders, "as soon as practicable".

I will not detail, in this letter, all the actions HHS has taken to implement these now rescinded EOs, actions which are the subject of much litigation pending between the parties, as I am sure DHHS' representatives are able to fill you in. I am asking that you direct appropriate DHHS' representatives and officials to take the following immediate and practicable steps to comply with EO 14003:

- restore the official time entitlements of NTEU representatives under the parties' 2010 Collective Bargaining Agreement;
- restore NTEU representatives' access to DHHS equipment, facilities (including DHHS email) and space (including union office space, without charging rent) under the 2010 Agreement;
- otherwise rescind the illegal implementation of the Federal Service Impasses Panel's April 2019 Order (including refunding rent payments collected from NTEU chapters for office space) and;
- return to the term bargaining table to bargain, in good faith, a new term agreement.

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Although not entirely, these immediate steps will go a long way toward resolving the pending litigation I referenced and put us on the path toward a healthier collective bargaining relationship that is consistent with U.S. policy, as set forth in Section 1 of EO 14003. I am sure our representatives can work out the remaining resolution terms of our pending disputes.

I fully intend to request a meeting with the new Secretary of the Department of Health and Human Services, once confirmed. But I did not want to wait until that meeting to raise the specific measures outlined above. Rather, I am hopeful that by that meeting much of the damage that has been done has been rectified and the NTEU/DHHS relationship is moving in a positive direction. Thank you and I look forward to hearing from you.

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