

HHS UPDATE

NTEU National Treasury Employees Union

NTEU Wins Back Telework Schedule for Employee

NTEU continues to fight vigorously for telework on the national and local levels.

The union recently went to bat for a member of Chapter 254 (FDA Kansas City) who had been working a five-day recurring telework schedule for years when a new supervisor came and ended the agreement. The supervisor forced the employee, a Consumer Safety Officer, to instead ask permission every week under an episodic telework arrangement. Management argued that the inspectional duties of a Consumer Safety Officer do not allow for a recurring telework arrangement even though they regularly perform both field and office work.

In siding with NTEU, the arbitrator rejected this nonsensical argument and ordered management to restore the employee's recurring telework agreement.

Coronavirus Letter to HHS; Response from FDA

The FDA [responded](#) to NTEU's letter sent weeks ago expressing concerns about inspection trips to China and employee health. The response arrived on the same day National President Tony Reardon sent a separate letter to HHS Secretary Alex Azar concerning FDA and ACF employees.

The FDA response from Chief Operating Officer James Sigg said that FDA employees stationed in China are being repatriated to the United States and that FDA is following State Department and CDC guidelines. It did not fully answer questions regarding inspection travel to China.

Scheduling of inspection trips to China, and the safety of those employees, were among the questions outlined in the letter to Secretary Azar. Similar concerns were detailed on behalf of workers at the Administration for Children and Families who may be deployed to quarantine sites to oversee those efforts and assist citizens undergoing mandatory quarantine.

NTEU will continue to follow up and insist that the FDA and HHS provide the information necessary so the union can ensure appropriate precautions are being taken to protect employees.

NTEU Challenges Changes to PMAPs

NTEU has challenged unilateral changes HHS made to the Performance Management Appraisal Program (PMAP) in several op-divs. The union filed a grievance after learning that HHS issued PMAPs that contained new language and different elements from previous PMAPs in ACF, FDA, OMHA and SAMHSA. The 2010 consolidated contract requires that HHS provide NTEU with notice of the changes and the opportunity to bargain before they are implemented. NTEU is requesting that the agency return to the original PMAP and make whole any employees harmed by the changes.

Grievance Filed After HHS Again Refuses to Bargain

HHS refused to bargain over the first 28 articles of the contract, and now the agency is again refusing to come to the table to negotiate the remaining five articles. NTEU was forced to file yet another grievance against the agency for its illegal actions.

Last spring and summer, HHS and NTEU negotiated with a mediator and reached agreement over one of the outstanding articles not imposed by the impasses panel. The parties exchanged proposals on the other articles and then NTEU contacted HHS to schedule additional bargaining sessions to discuss the agency's counterproposals. Although no dates were scheduled, HHS submitted last best offers and declared an impasse.

NTEU's grievance calls for HHS to follow the law and resume bargaining with NTEU over the rest of the contract.

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