

HHS UPDATE

NTEU National Treasury Employees Union

FSIP Decision Forces HHS to the Bargaining Table

Throughout this prolonged bargaining dispute, NTEU has sought to get HHS to the table to negotiate over a new contract in good faith. A decision this week from the Federal Service Impasses Panel (FSIP) will at least force HHS to resume bargaining over the remaining five contract articles.

The remaining articles include alternative work schedules and hours of work, and the **grievance procedure, which allows NTEU to enforce your contract. The FSIP's decision also means employees' current AWS schedules remain in place.**

In May, HHS filed a request for assistance with the FSIP, even though the parties were not at impasse and several HHS proposals contained permissive subjects of bargaining. There is no duty to bargain over a permissive subject, and the matter cannot be pursued to the point of impasse.

The FSIP chose not to intervene in this dispute, agreeing with NTEU that there was no impasse and that the Panel has no authority to resolve the permissive subjects. This is good news for employees, because, at a minimum, it requires HHS to resume bargaining and resolve the duty-to-bargain issues raised by NTEU before the matter may be resubmitted to the FSIP.

NTEU maintains that your current contract remains in effect until negotiations are completed over an successor agreement.

Given office closures from COVID-19, there is no scheduled date for resuming bargaining. We will continue to keep you informed of our fight to negotiate a fair contract.

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"...to ensure that every federal employee is treated with dignity and respect."