

HHS UPDATE

NTEU National Treasury Employees Union

NTEU Notches Another Victory for Employee Rights

NTEU has won a significant victory in our fight to make HHS properly negotiate a new contract for its employees.

In December, NTEU won an arbitration decision supporting our position that HHS had no legal right to impose contract terms before bargaining was complete over a successor agreement. The arbitrator further agreed with NTEU's claim that the 2010 consolidated collective bargaining agreement continues to be in effect until a new, complete collective bargaining agreement is in place.

HHS appealed that decision to the Federal Labor Relations Authority (FLRA), which ruled in NTEU's favor and dismissed the agency's exceptions.

NTEU is wasting no time in immediately seeking enforcement of this decision. The arbitrator calls for the parties to "meet, discuss and negotiate" over the harm the agency caused. To that end, we are currently working with our chapters to gather instances in your workplace where HHS violated the terms of the 2010/2014 national agreement and instead applied the terms of the April 1, 2019 FSIP Decision. If both parties are unable to reach an agreement on what harm was caused by the Agency's actions within 90 days, there will be another hearing.

Unfortunately, HHS does not seem to learn from the multiple grievances NTEU continues to win concerning its illegal bargaining conduct. The agency has yet to indicate any change in its anti-employee, anti-union approach to negotiating with employees. But NTEU is committed to staying the course in this ongoing legal battle.

FDA Issues New Leave Guidelines for Child/Eldercare

NTEU is pleased that the FDA has announced some paid administrative leave for employees managing work responsibilities with the need to care for small children or older family members.

Under the new [guidance on leave flexibilities](#) FDA workers can request up to 20 hours of administrative leave per pay period. To request administrative leave (an excused

absence) of 20 or fewer hours per pay period, employees should [complete this form](#) and email it to their manager.

If the request is for more than 20 hours in the pay period, the supervisor will send the employee an ORA COVID-19 Admin Leave Form to return completed. The Assistant Commissioner for Regulatory Management Operations will have final approval.

See the guidance for complete instructions on submitting a request.

NTEU is urging the department to adopt these guidelines for all HHS employees. The guidance urges ORA managers and supervisors to be flexible when it comes to both leave and tours of duty. Employees with questions or concerns should contact their NTEU representative.

Coronavirus Resources

NTEU continues working aggressively to get the federal government to take the necessary steps to protect its workforce amid the coronavirus pandemic. In [our updated checklist](#), federal agencies have fully completed only one of the eight items on the list: halting international and domestic travel. In three other areas, NTEU reports partial progress: expanding telework, authorizing weather and safety leave for certain employees who are unable to telework, and extending the tax-filing deadline.

"Federal employees do essential work related to public health, stabilizing the economy and providing security, and this checklist is designed to allow that work to continue but in a way that keeps them out of harm's way as much as possible," National President Tony Reardon said.

Every day, NTEU is updating our website to provide the latest information for employees, including [a dedicated webpage](#) for agency updates on the coronavirus. Here is what's new this week:

-[A new video message](#) from National President Tony Reardon

-NTEU [Disaster Relief Fund](#) for those who have exhausted their leave because they or a family member are suffering from COVID-19

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