

MEMORANDUM

To: FMA Regional Directors

From: Greg Stanford and Katie Maddocks

Re: FMA Government Affairs Update for March 2015

Date: April 10, 2015

The purpose of this memorandum is to provide a brief narrative and status of ongoing government relations and public affairs activities the FMA government relations department worked on in March 2015 on behalf of FMA members. Please share this information with chapter presidents, legislative action team leaders and others in your region.

FMA National President Niehaus Speaks Out Against Damaging House Budget Proposal

FMA National President Patricia Niehaus was critical of the budget proposal adopted by the House of Representatives and spoke out against it on March 26, 2015. The budget resolution (H. Con. Res 27) includes \$318 billion in cuts to the federal workforce through: extreme increases to retirement contributions; attrition; reductions to returns within the Thrift Savings Plan; changes to the Federal Employee Health Benefit Plan; and, other cuts to pay and benefits.

After noting some of the more egregious provisions of the budget, President Niehaus outlined her goal to Congress, stating, "We need to sit down and have a frank discussion of what we want and expect from our federal government, and appropriately fund our missions and priorities, and the people who carry them out. It is unacceptable to expect the federal workforce to accomplish its critical missions without sufficient resources and investment in these men and women. Congress regularly refers to the need to operate the federal government like a business. But if any business budgeted the way H. Con. Res 27 does, by attacking its workers and their earned benefits, the business would sink."

FMA's Wounded Warrior Legislation Passes Senate Committee

On March 4, the Senate Homeland Security and Governmental Affairs Committee unanimously passed FMA's initiative, the Wounded Warriors Federal Leave Act (S. 242), which would provide 104 hours of sick leave up front to first year federal employees who qualify under the Department of Veterans Affairs (VA) as thirty percent or more disabled due to a service-related disability. The bill, introduced by Senator Jon Tester (D-MT), is cosponsored by Senator Jerry Moran (R-KS), would provide necessary leave to attend medical appointments for service-related injuries without exhausting both sick and annual leave.

FMA Government Affairs Representative Katie Maddocks attended the hearing. In a press release following the committee passage, FMA National President Patricia Niehaus commented, "FMA is

grateful for the bipartisan efforts of Senators Tester and Moran, and for their dedication to the federal workforce and its disabled veterans. We look forward to S. 242 advancing through the Senate. The House Oversight and Government Affairs Committee already passed the companion, H.R. 313, in January, and FMA will continue to work with members of the House of Representatives to move the bill to a full House vote. We are also very grateful to Renee Johnson, Region 2 Director, and all of our members at Chapter 21, Cherry Point Marine Corps Air Station, who brought this issue to our attention. They exemplify the mission of our Association - to advocate excellence in public service. The Wounded Warriors Federal Leave Act will ensure that federal agencies and departments' missions and goals will be met while treating our disabled veteran first year federal employees with the treatment they deserve."

FMA National President Niehaus Slams Pay Cut Proposal

Representative Tom Rice (R-SC) recently introduced the Promoting Accountability in Decisions (PAID) for Progress Act (H.R. 1137), which would cut the salaries of all federal employees earning more than \$100,000 by 8.7 percent. If enacted, the legislation would take effect immediately. FMA National President Patricia Niehaus weighed in upon introduction, stating, "If your goal is to hinder recruiting and retaining the best and the brightest, particularly at the higher grade levels which require extensive knowledge and experience, then by all means enact this pay cut. The notion of somehow linking federal employee compensation with the country's economic woes may score political points, but it is uninformed and absurd."

"Instead of mindlessly punishing hard working civil servants for something they have no control over, Congress should be working on real solutions to address the rising health care and education costs every taxpayer faces. Congress often talks about running the federal workforce like a business, but if any business treated its employees the way this bill does, it would run that business into the ground," Niehaus continued.

77th Annual National Convention: Niehaus Day on the Hill meetings

The FMA government affairs department scheduled meetings for National President Patricia Niehaus to attend during FMA's Day on the Hill. FMA Director of Government Affairs Greg Stanford provided staff support at these meetings.

- Office of Senator Jim Lankford (R-OK), Chairman, Federal Management Subcommittee
 - Topics of discussion included an extension of the probationary period, supervisory training, FMA's Wounded Warrior legislation, FECA reform, and a congressional hearing on federal employee issues Chairman Lankford intends to hold in May 2015. There is a potential opportunity for President Niehaus to testify on behalf of FMA at this hearing.

- Office of Senator Jon Tester (D-MT)
 - Senator Tester is the lead sponsor of FMA's Wounded Warrior legislation in the Senate. We discussed the status of the bill, celebrating its passage in committee the week prior. Other topics included succession planning, the Competitive Service Act, and administrative leave.
- House Oversight and Government Reform Committee, Majority staff
 - We discussed a variety of FMA's 2015 issue briefs, including the probationary period, and FMA's Wounded Warrior legislation. Other topics included recently introduced legislation that would shift pension calculations from a High 3 to a High 5, and 2016 budget proposals.

President Niehaus Washington, DC, visit – Week of March 16

The FMA government affairs office scheduled and attended several productive meetings for President Niehaus with staff from both the House and the Senate during the week of March 16:

- Office of Senator Heidi Heitkamp (D-ND), Ranking Member, Federal Management Subcommittee
 - Senator Tester's former staffer is now working with Senator Heitkamp, and is already familiar with FMA issues. Discussion included: examining admin leave; the extension of the probationary period; Public Service Recognition Week, and Sen. Heitkamp cosponsoring a Senate resolution recognizing PSRW; recruitment and retention efforts in the federal workforce; and, possible cosponsorship of S. 242
- Representative Mark Meadows (R-NC) fundraiser – Chairman of OGR Subcommittee on Government Operations
 - Rep. Meadows in the past has been a vocal opponent of the federal workforce, however, as of late, he has been more receptive of FMA initiatives, including supervisor training and extension of the probationary period.
- House Oversight and Government Reform Chairman Jason Chaffetz (R-UT)
 - Topics addressed in this meeting including supervisor training and the probationary period, as well as thanks for supporting Wounded Warrior bill and including it on the first committee markup of the 114th Congress.
- Representative Buddy Carter (R-GA)
 - This meeting was primarily to introduce FMA to Carter's office. Carter is a freshman member of Congress, and a member of House Oversight and Government Reform

Subcommittee on Government Operations. He is a possible supporter of extension of the probationary period.

- National Council on Labor-Management Relations
 - The main point of topic during this month's National Council on Federal Labor-Management Relations was the General Services Administration's (GSA) efforts in pre-decisional involvement regarding space management. GSA saw space management as solution to budgetary reductions; however, it was important to still meet the needs of employees. GSA participated in early engagement with employees on the issue to ensure the agency could meet budgetary and real estate restraints while promoting employee engagement. GSA developed a tool kit for other agencies to utilize to assist with space management.
 - The Council also discussed Public Service Recognition Week, which will be held May 3-9. This year will be the 30th anniversary of the event. The PSRW website, www.publicservicerecognitionweek.org, provides resources for federal employees across the country to promote the week and the good work of feds.
- Partnership for Public Service
 - Met with Max Stier, President and CEO of the Partnership for Public Service, as well as John Palguta, Vice President for Policy, and Margot Conrad, Senior Manager. We had a lengthy discussion of several issues FMA can work together with the Partnership on, including: Hiring proposals (Competitive Service Act); supervisor training; probationary period; VA hiring preference; reinvigorating the Public Service Caucus; PSRW resolution; and, civil service reform.
- House Oversight and Government Reform Committee, Minority Staff
 - We had an extensive overview and broad discussion of all of FMA's 2015 issue briefs.
 - OGR Ranking Member Elijah Cummings (D-MD) will introduce a bill amending the Federal Employee Antidiscrimination and Retaliation Act of 2002 to strengthen antidiscrimination laws; requires federal agencies to submit a report to the Equal Employee Opportunity Commission within sixty days after issuing a finding of a discriminatory/retaliatory act. Additionally, findings of discrimination/retaliation will be posted to both the federal agency's and EEOC's websites.
- Office of Representative Ken Buck (R-CO) – Rep. Buck is a freshman member of OGR and will introduce legislation to extend the probationary period. Most likely it will be the same language introduced by Representative Dennis Ross (R-FL) during the 112th Congress (H.R. 1470).

- This language is not in line with the new issue brief from FMA, calling for a one year probationary period to begin after the training period is complete. We have talked with committee staff about doing a pilot program in the FAA and Social Security Administration.

FEHB Advisory Group

Greg attended the biannual FEHB Advisory Group meeting. FMA is a member of this group of stakeholders, including unions and other management groups, whose members utilize the FEHB. This forum allows the Association to make recommendations to the Office of Personnel Management about changes to FEHB and to hear firsthand about the status of FEHB-related issues. At the March meeting, OPM provided a status update on pending regulations and the new Self Plus One option, which will be available in November 2015 for the 2016 plan year. Other agenda items included a briefing on FEHB's performance assessment, as well as a discussion of the 2016 Call Letter.

If FMA members have any comments or questions about the FEHBP you would like relayed directly to the officials in charge of the program at OPM, please send them to Greg at gstanford@fedmanagers.org.

OPM/GMC meeting on telework and remote workers

Along with other members of the Government Managers Coalition, FMA met with representatives of the Office of Personnel Management to discuss issues pertaining to oversight of telework and remote employees. The primary topics of discussion centered on OPM guidance, tools, and resources for managers to use concerning performance management and time and attendance signoff for remote and teleworking employees. The GMC expressed concerns about managers getting in trouble for signing off on falsified time and attendance reports.

OPM has some tools available, including videos available in the Manager's Corner on HRU.gov. They are also working on additional guidance on managing remote work.