

United DoD
Workers
Coalition
(UDWC)

Meet & Confer Update Washington, DC

This Week's Schedule (Meet and Confer to Run April 18th to May 19th)

Monday – Workday

Tuesday to Thursday, 9-5

Friday, 9-12

Developments from the May 2nd & 3rd Meetings -- From the Coalition

- 1.) UDWC and DoD/OPM open the week by agreeing to designate Monday as a workday. The UDWC, in an effort to continue to engage in Meet & Confer in good faith, developed a proposal on national level bargaining to be presented during this week's sessions.
 - The full UDWC national level bargaining proposal was presented to management on Tuesday.
 - The UDWC, at the close of last week, presented for management's review an existing contract, to be reviewed by management during Monday's work day period, and to be discussed with UDWC representatives on Tuesday. In particular, the UDWC requested that management describe, in detail, the impact that NSPS will have on all aspects of the contract.
 - Both the UDWC national level bargaining proposal, and contract, can be viewed on the UDWC webpage at www.uniteddodworkerscoalition.org. Each document will be posted by the close of business, Wednesday, May 4th.
 - Ron Ault, speaking on behalf of the UDWC, continues to request in depth discussions on scope of bargaining issues. To date however, management has yet to discuss, in good faith, scope of bargaining concerns.
 - The UDWC will continue to attempt to bring the issue of scope of bargaining to the agenda in the coming days.

- 2.) Management's interpretation of UDWC provided contract.
 - Business as usual from management. Little to nothing of consequence incorporated in sample contract is negotiable.
 - Management displayed little ability to answer specific coalition questions with respect to UDWC inquiries as to what exactly would be impacted by NSPS.
 - Tim Curry, who led today's discussions for DoD, and Ron Sanders, who took the lead for OPM, were seemingly miffed as to how NSPS impacts some aspects of the sample contract.
 - In short, management, led by both Curry and Sanders, contended that anything negotiated in any contract can be later overridden through "implementing issuances".
 - As described by management, implementing issuances, which can be unilaterally determined by management at anytime after negotiations, can override entire contracts that have been previously negotiated.
 - As stipulated and determined by today's discussions, implementing issuances can and will be put into practice at the sole discretion of the Secretary of Defense, and, depending on the scope of the issuance, can trump all

previously negotiated contracts.

3.) UDWC attempts to meet management halfway.

- Ron Ault, President of the AFL-CIO's Metal Trades Department, and a leading voice within the UDWC, asked the question, "is there something we [UDWC] we can agree to that meet's your needs without stripping away the rights of the employees?"
- Management refused to respond to Ault's question. Implementing issuances are, seemingly, non-negotiable.

4.) UDWC Presentation of national level bargaining and management's response.

- All details of UDWC proposal can be viewed on the UDWC website.
- Mary Lacey, commenting on the UDWC proposal, said, "I appreciate the proposal", but also stipulated that management needed time to review it.
- Mark Roth, commenting on the UDWC proposal, said this will, "achieve management's goal of uniformity without the brutality of what is currently proposed by NSPS."
- UDWC representatives expressed a strong desire to also discuss and come to agreement on scope of bargaining issues in addition to national level bargaining.
- Again, management expressed little interest in the scope of bargaining discussion.
- Management indicated an interest in taking the UDWC proposal back to the Secretary of Defense for review before providing detailed comments to the UDWC.

Show Me the Money?

On Monday, May 2nd, *The Washington Post* reported on Pentagon and OPM contentions that the TOTAL cost of implementing the NSPS, through Fiscal Year 2008, will amount to a paltry \$158 million (http://www.washingtonpost.com/wp-dyn/content/article/2005/05/01/AR2005050101042_2.html). However, after countless requests to Pentagon and OPM leadership to learn the true monetary impact of NSPS, the UDWC, along with many in Congress and GAO, have yet to get concrete numbers from the Pentagon confirming these public statements.

As a result, the UDWC, in the coming days, will release its own cost estimate with respect to how much monies the NSPS drain from DoD coffers. Stay tuned...

Implementing Issuances and the March 2004 Kay Coles James Letter on NSPS – A Blueprint for Implementation

DOD, fueled by a March 9, 2004 letter from OPM Director Kay Coles James to Secretary Rumsfeld in which she stated "we strongly support the objective of DOD's discretion to act without being burdened by collective bargaining obligations", believed they could simply ignore Congress while dismantling the rights of DoD's workforce. The James letter and accompanying memo went on to coach Secretary Rumsfeld as to how he could achieve his ideologically fueled objectives absent any public, union or Congressional scrutiny. Today's and past discussions with respect to "implementing issuances" only furthers speculation that management is following the letter of then OPM Director Kay Coles James directive.

The UDWC, continuing to attempt to follow Congressional directives to work in good faith during the Congressionally mandated meet and confer process, remains skeptical of the true intention of management. Will management reverse course and ultimately follow the letter of the law and the directive of Congress, or will they continue to fulfill the direction of the Kay Coles James directive?

To view the Coles James letter and memo, please visit the UDWC website.

Next UDWC update will be published on Friday, May 6, 2005.

Note: The UDWC will attempt to provide member unions with an update twice a week throughout the 30-day Meet & Confer process. For more information on the 36-member coalition, you can visit their webpage at www.uniteddodworkerscoalition.org.