

Contract Update—February 16, 2010

SSA: So What's Wrong With A Little Discrimination?

It was on a warm summer day in 1963 that Dr. Martin Luther King, Jr. told the world that "I have a dream." Speaking on the steps of the Lincoln Memorial in Washington, D.C., he spoke of freedom, equality, and an end to discrimination. That speech was among the most powerful of the 20th century – but Dr. King's sentiment has apparently been lost on Social Security's top management.

During recent contract negotiations, SSA representatives proposed that there should be NO Union (and therefore employee) involvement in the creation of affirmative action plans.

"This is a very dangerous precedent," said Witold Skwierczynski, the Union's Chief Negotiator, "and what does management hope to accomplish by cutting the employees' representatives out of the process?"

He also pointed out that SSA has lost class-action discrimination lawsuits dealing with gender and race and there are now two other national class-action lawsuits pending: one on gender and race and another on disability discrimination.

Social Security also wants to reduce the amount of information it gives to the Union about the agency's success or failure in achieving Equal Employment Opportunity (EEO) objectives.

"It's also been suggested – by SSA's contract negotiators – that employees should lose the right to

select their own EEO counselor," Skwierczynski added. "That would give the agency even more power and would certainly disadvantage the bargaining unit in ways that are inconsistent with the intent of EEO laws and regulations."

Management officials have proposed the elimination of face-to-face meetings with the Union over EEO issues and to limit the definition of sexual harassment (apparently as a way to protect their own).

"One management official was severely criticized in an EEO decision," Skwierczynski said.

The Administrative Judge handling that case wrote in his 17-page decision that the manager "embraces and hugs female employees. He likes to startle them by leaping out from behind cabinets or sneaking up behind female employees and poking them in the ribs.

"The assistant district manager... testified that she has seen (the manager) walk up behind females standing at the copier and, quote, 'goose' them..."

"To make matters worse, that manager was later selected for a detail as a Deputy Area Director *and* he received large amounts of award money after the Judge issued his decision," Skwierczynski said. "If he'd been a member of the bargaining unit, he would have been fired!

"Imagine what this agency would be like if SSA could limit the definition of sexual harassment? Longstanding rules and regulations – as well as common sense and decency -- would literally be thrown out the window."

You can let SSA management know how you feel about their proposals by contacting Ken Powell, Social Security's Chief Negotiator. His agency email address is Ken.Powell@ssa.gov.