

## AFGE SSA Contract News

### Wells Message to Employees is Misleading

On Friday, June 5, 2009 Reggie Wells, SSA Deputy Commissioner for Human Resources, sent an e-mail to all SSA employees regarding the upcoming contract negotiations between AFGE and SSA. This e-mail was sent in response to a recent flyer that the Union distributed regarding SSA's May 13 notice to the Union to reopen the contract.

Deputy Commissioner Wells states in his e-mail message to employees that "SSA is committed to a collaborative and productive labor-management relationship that leads to a stable work environment for all employees. To that end all provisions in the current SSA/AFGE National Agreement will remain in effect until we have concluded...bargaining."

Keeping the contract in effect while the parties are bargaining is a legal requirement. It has nothing to do with SSA's commitment to labor-relations or a stable work environment. What is disturbing is that Wells makes no commitment that SSA will not propose reductions in employee benefits in its contract proposals like they did in the last negotiations. That's when SSA proposed cuts in flextime, 5-4-9 coverage and credit hours limitations. They also proposed radical changes in merit promotion, awards and appraisal procedures which eliminated employee involvement in all 3 areas and removed key oversight and employee protections from management abuses. The

result has been wide spread management abuses in the merit promotion and awards process and an appraisal system which is grossly unfair.

In the last contract management proposed cuts in entitlements to leave, overtime, child care benefits, drastic reductions in health and safety guarantees and a dress code. SSA even proposed to eliminate employee protections for fair and equitable treatment and sexual orientation non-discrimination provisions.

Why doesn't Wells tell you that SSA is committed to no cuts in employee benefits and rights? Why doesn't he guarantee more employee involvement in the decision making process? Why doesn't he guarantee that SSA won't seek further limits on the Union's ability to provide you with representational services? Why doesn't he guarantee restoring a more open and honest appraisal, awards and merit promotion system in the Agency's contract proposals?

The fact is that SSA's May 13 contract reopener uses similar language to the contract reopener that SSA sent the Union before the last negotiations. Management's May 13 reopener states that as far as they are concerned all agreements that the Union negotiated with SSA since 1982 are "terminated". (The Union has negotiated literally thousands of agreements since 1982 in between contracts regarding national, regional and local issues.) The May 13 notice from SSA states that they consider all agreements reached between 4/07/04 and 08/15/09 terminated as of 8/15/09. The notice also states that "upon the

expiration date of the National Agreement, August 15, 2009, the agency elects to terminate the National Agreement”.

Why is the agency’s decision to “terminate any negotiated agreement that was executed and approved from June 1982 through August 15, 2009” and their declaration that the contract will “cease to exist as a negotiated agreement on August 15, 2009” significant?

It’s significant because SSA is telling us that the Union must renegotiate every single agreement that we have reached in the last 27 years. In previous contracts SSA readily agreed to keep in place mid-term agreements and negotiated agreements in grievances, EEO complaints and Unfair Labor Practices as long as they didn’t conflict with the contract. Now they are all “terminated” according to SSA. This will force the Union to put on the bargaining table thousands of agreements that we have reached through the years with SSA - including grievance/EEO settlements that may have been negotiated on your behalf. If we don’t, SSA’s position is that these agreements are terminated. The same applies to the contract.

SSA wants to force the Union to renegotiate every benefit and clause of these agreements. The normal routine of contract negotiations is that the parties reopen the contract to seek changes and improvements. The union proposes enhanced benefits and management might want a few changes in areas that cause them problems. However, SSA now

wants everything that has ever been negotiated wiped out. The parties start from scratch. Trades the Union may have made in previous negotiations to obtain a certain benefit are no longer relevant. We must start with a blank slate and renegotiate every benefit and every employee and union right again.

This SSA position shows bad faith and indicates a desire to cut and slash employee and union benefits. We all must protest this Agency hard line position. Make no mistake every employee benefit and privilege is now on the table and in danger of being terminated. Every settlement agreement regarding a grievance or EEO complaint is in danger of being wiped out.

Wells states in his Friday e-mail that “SSA is committed to a collaborative and productive labor-management relationship”. That’s an interesting statement. The facts would indicate that SSA has no such commitment. Prior to the current contract, the Union met with SSA leadership at a national level on a monthly basis regarding a wide range of issues. The Union also met with Agency leadership at the component and regional levels. In addition, union representatives met frequently with SSA management at the local office level and engaged in consultation and/or negotiations on various local issues. SSA has terminated virtually all such meetings. SSA refuses to meet with the union at all levels except nationally but only with labor relations representatives - not with SSA leadership. After the Obama election, the Union proposed resumption of meetings at the component,

regional and local levels. Management refused. So much for collaboration.

As part of the stimulus spending package, Congress authorized Agencies to double the transit subsidy that they paid to government commuters. AFGE requested that SSA adopt the increased transit subsidies for SSA employees. Not only did SSA refuse, they refused to even talk about it. So much for collaboration.

SSA has spent an enormous amount of taxpayer dollars flying in scores of managers to Baltimore to assist in putting together their anti-employee and anti-union contract proposals. When the union made a simple request for budget information regarding the amount of money SSA has spent and intends to spend on their contract negotiations effort, SSA refused to provide the information. Such refusal was made with the full knowledge that any member of the public is entitled to such budget information under the Freedom of Information Act. So much for collaboration.

It's clear that the Union does not expect SSA to conduct "collaborative and productive" negotiations, instead we expect the same anti-employee and anti-union approach from SSA at the bargaining table that we saw in the contract negotiations of 2004 and 2005. Although we have a new pro-labor President, Bush appointee Commissioner Astrue is using the Independent Agency provision of the law to stay in

office. The Union needs your active support to succeed in forcing SSA to change their attitude and start thinking of ways to reward hard working SSA employees with an enhanced benefit package, greater employee rights and the respect that SSA employees deserve.

Let Deputy Commissioner Wells know what you think about his refusal to guarantee the employees that SSA will not seek cuts in employee rights, and benefits and union rights. His address is [reginald.wells@ssa.gov](mailto:reginald.wells@ssa.gov). Let us know how he responds. Contact us at [witold1@attglobal.net](mailto:witold1@attglobal.net).