

# NTEU73

*United We Bargain, Divided We Beg!*

# THE FORCE

A Publication of NTEU Chapter

April 2019

## Annual Memorial Day Picnic

NTEU73 has listened to its members and this year our Annual Memorial Day picnic will be at Coney Island instead of Stricker's Grove. This event will be open to all members, in good standing. The picnic is on **Saturday, May 25th from 11am-6pm**. Each member can receive up to 4 tickets free. This will include parking, entry to the amusement park, and a lunch buffet from 1-2:30 pm. For an additional \$5 you can purchase entry to the pool. If you need additional tickets they can be purchased for \$13 per child ages 2-7. \$17.45 for 8 and up and will include the buffet. The member must

be present with a photo ID and the name on the ID. must match the name on the ticket for entry, no exceptions. As always we will have raffles throughout the day, you must be present to win. We will also have corn hole, putt-putt golf and loads of other fun activities. Tickets will be distributed **Tuesday, April 30th 11-1 in the 4th Street main canteen. In Florence, ISO Canteen Wednesday, May 1st 11-1. Thursday, May 2nd in Gateway 11-1 and 7-9pm, in the 3rd floor canteen.** You can also pick up your tickets in The Gateway Union office or call us and we can make arrangements to get your tickets to you. Future distribution dates to come, look for

fliers listing these dates. If you are not a member and would like to join us, come and fill out an 1187 and we will sign you up.

**Membership has its privileges.**



## NTEU Chapter 73

### Fourth Street Office

Monday-Friday 6:00am-4:00pm or  
by appointment

859-320-4649

### Gateway Office (1st Floor)

Monday-Friday, 6:00am-1:00am

859-320-3617

### Florence

Monday-Friday by appointment

859-320-3617

### Facebook

Official NTEU Chapter 73

[facebook.com/nteu73](https://facebook.com/nteu73)

### Chapter Website

[nteu73.org](http://nteu73.org)

### Twitter

[twitter.com/nteu73](https://twitter.com/nteu73)

## Membership Campaign

Coney Island opening day is coming up quickly. Soon the Cannonball splashes, thrilling screams and delicious smells of pizza will be in the air. With the gates preparing to open, Don't forget to take advantage of our **Summer Membership Incentive** Please stop in, grab an 1187, and make sure that your name is listed as the recruiter on the bottom of the form. Starting April 1st, 2019, any new member will receive a check for \$50 and the recruiter will receive a check for \$30. You will also be entered into a drawing for an Xbox One, or a pair of Coney Island tickets (general admission tickets to be used any time during our regular operating season). Don't forget as an NTEU73 member you are eligible to receive discounts for summer fun. Coney Island is just one of the many discounts that we have to offer.



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## Legislative Conference

NTEU73 stewards were in Washington, D.C. for the annual legislative conference last month. During this week our chapter along with other NTEU chapters met with local legislators to remind them that federal employees are voters too. In D.C. it is hard to ignore the presence of the union, with The Teamsters "marble palace," just blocks from The Capital. While The 116th Congress was in session, NTEU rallied outside on The Capital lawn; The bullhorns calling out, "they say cutback, we say fight back," and "we want fair pay now," it's difficult to ignore. Meeting with our congressional leaders, NTEU becomes the voice of its members. We brought up the issues of pay equality, protecting retirement, ensuring affordable health care and family benefits, along with guaranteeing workplace fairness. In Ohio, we represent 91,816 federal employees and in Kentucky, 44,591 and with the longest shut-down in history being just a month behind us, many legislators were eager to listen. As many employees were casualties in this bureaucratic mess, we assured them that federal employees are not pawns, we are people.

To-





## FMLA

Key Points to remember under Family Medical Leave Act (FMLA), Maternity and Paternity leave per Article 33 of the 2019 National Agreement.

How do I request (invoke) FMLA leave? You must request leave under FMLA by notifying your immediate manager either in writing (letter or email) or orally. IRS recommend you use Form 9611, application but it is not required. If you don't want your manager to know your specific medical condition and would like your medical information confidential, you may submit your FMLA documents to the Federal Occupational Health (FOH), with the required transmittal form 14256. Your medical condition should not be shared with management in this instance. Nevertheless, it is not required to submit your medical documentation to FOH. As an alternative, you may submit your medical certification directly to your manager who may review and approve your request for family leave immediately. Respectfully, it is your choice which method work best for you.

Employees often wonder who approves their FMLA request FOH or management? Your manager is responsible for approving your FMLA request. If you decide to submit your medical information directly to FOH, this could delay the approval of your request, as the manager must then wait until he/she receives a medical recommendation from FOH to make a final determination.

There has been some conflicting information regarding form FOH-6. Which is the Authorization for Disclosure of Information from the Department of Health and Human Services. The use of this form is voluntary. This form is used by FOH to obtain medical certification related to your Family Medical Leave Act (FMLA) and Reasonable Accommodation request from your health care provider. By providing the information requested on this form, FOH will be able to obtain information from your medical provider. FOH will use this medical information to develop a medical recommendation that will be provided to your IRS Point of Contact (POC). IRS has designated six (6)

Labor Relations Assistants to handle FMLA requests and twenty-five (25) Reasonable Accommodation Coordinators to handle ergonomic and reasonable accommodation requests. Your IRS POC will forward the FOH recommendation to your manager who will then make the final determination on your request. FOH will only share the necessary medical information required for your manager or supervisor to make a decision on your request. All other medical documentation will be kept in your case file at FOH.

FOH does not make the decision but medically recommends and provides a consultation based on the information you provided from your healthcare provider. In section 4 on the form FOH-6 clearly indicates your authorization as follows: "I authorize the disclosure of my medical



information, related to my FMLA or RA request made on to FOH Services located in Bethesda, MD.

I am allowing my doctor or primary health care provider to release medical information pertaining to my condition for which I am seeking FMLA or RA and only for medical records dated:" However, section 5 on the FOH-6 gives the employee the right to revoke this authorization only if FOH had not relied upon it to send management recommendations concerning your FMLA. This section indicates the following: "This authorization is subject to revocation by the employee at any time except to the extent that FOH has already taken action in reliance on it. Ultimately, as an employee you have the right to decline submitting the disclosure form because it is voluntary. Keep in mind every time you accrue 80 hours of LWOP (FMLA LWOP/

Leave Without Pay), annual and sick leave accruals are cut back in the current pay period." In other words, you will lose your accruals.

Additional information under FMLA is Maternity Leave in section 5. The Employer will make a reasonable effort to accommodate a pregnant employee's request for a modification of duties or a temporary assignment when the request is supported by acceptable medical evidence.

In addition to any leave to which the employee may be entitled under the FMLA, employees may be granted an additional six (6) months of leave for maternity reasons. The Employer will not ordinarily require the employee to return to duty earlier than nine (9) months after childbirth. The employee is not required to invoke entitlement to FMLA in order to request up to nine (9) months of maternity leave.

### Paternity Leave section 6

In addition to any entitlement to which a father may have under the FMLA or sick leave, a male employee, who has provided the Employer with reasonable advance notice, may be absent on part-time or full-time approved annual leave or approved leave without pay for a reasonable period of time for the purpose of assisting or caring for his minor children or the mother of his newborn child while she is incapacitated for maternity reasons.

Lastly, you can track your FMLA usage by using the FMLA tracking worksheet. You may visit, <http://ogden.web.irs.gov/fmla.html> click on the site coordinator link, then FMLA and you will see the FMLA tracking worksheet. You will be aware if you are nearing your allotted FMLA hours.

Charlene Robinson

## CORE

Looking for ways to boost your resume or maybe haven't done a resume in a while? NTEU along with the Consolidation team, have put together the C.O.R.E room for you. The CORE room was created to allow employees to work on resumes, USA jobs, job research, GRB and anything else that would help you in your job search or retirement. If your area is slow reach out to your manager and ask if you can go to the CORE room. Perhaps you are just looking for additional training opportunities. NTEU will conduct a lunch and learn for you. Yes, a lunch and learn where you and some of your co-workers can attend and get the additional information to help you gain employment. If we can't do it for you, we will work together with management to get it done. Currently Kentucky Career Center is in the CORE room helping you search for outside employment. The goal is to get approximately 670 employees employed or retired whatever is best for your individual situation. Please stop by the Fourth street union office and speak with Quiana or any of our NTEU stewards who

are more than happy to assist you or get you the assistance that you're looking for.

Current jobs listed on USA Jobs just to name a few

**Contact Representative (Collection)** GS 05-08 Closes 01/02/2020 (12 month Roster)

**Human Resources Assistant** 12/02/2019 GS 5-8, 2/11/2020 (12 Month Roster)

**Tax Examining Technician** GS 05-07 closes 10/3/2019 (12 month Roster)

Keep in mind when applying for jobs your are able to go up two grades as long as you've been in your current grade for a year and the series allows you. When using your CTAP or RPN letters it only works with your current grade. There are 250 jobs listed for Campus Support and another 200 or so for Customer Service. Also apply external if you must internal doesn't assure that you get the job when you're in a lower grade. Use outside experience also if you have it. Review the job PD ask yourself questions that may relate to your current job or the job your trying to get. Finally apply, apply, apply no one is going to give you a job!

GRB/ Retirement

The Benefits and Services Team (BEST) has a new tool to help employees with Retirement Planning and in preparing retirement estimates. The program is called "The Platform". It is a comprehensive program that provides estimate calculators, learning modules on your federal benefits in retirement, and information on TSP and Social Security. The Platform will allow you to prepare your own retirement annuity estimates using the same information that the BEST Specialists use. If you are eligible to have a manual estimate prepared by BEST, you will now use the Platform to submit your request. The Platform also allows you and BEST to be able to directly share information using this new tool. To start using The Platform, simply click on the link, create a new user account, and you are ready to go begin your retirement readiness planning.

The platform link is: <https://platform.grbinc.com/Admin/NewUser.aspx?License=1112>

Quiana McCoy

## Working Together

During an unprecedented shutdown that lasted 35 days, and no pay checks for 40 days. NTEU73 organized, and served 2,460 meals and several dozen pizzas to IRS employees and management over a two week period. This was a God Send that Cincinnati State college, and La Soup reached out to help our hungry employees. This was for the employees that have to live paycheck to paycheck, who did not have any money to buy food, and gas to get to work.

Employees and management didn't get paid for 40 days. There was no money for their families, for food, gas, and medicine, and other expenses such as doctor bills, home mortgages, and car payments. This was a horrible shutdown for everyone of the 800,000 Employees who work in the federal system. This shutdown should not have had occurred. Hopefully this will not happen again. Several bills have been introduced into congress to stop this sort of action from reoccurring. Too many lives and family members were affected by this nonsense. Hopefully cooler heads will prevail, and

this legislation will be passed, and no government employee will ever be subjected to no pay checks, and no job. What is more important than your job, nothing!

Special shout out to all the Companies, non

profits and Cincinnati state university, and La Soup, we could not of done this without their help. These generous people and companies provided 2,460 meals free of charge. They also provided the plates, spoons, forks, and napkins, and the delicious hot foods they prepared each day for us here at the IRS. Thank goodness for these folks in our time of need.

Special thanks to NTEU73 for all their help, and managements assistance in help serving the

food to our hungry employees. We have a great group of employees here in the Union and management. Without everyone's help, we NTEU73, and the IRS management could not of pulled this off and fed so many employees. Special thanks to Debbie Mullikin, Union President, Chris Pierce V. P. Shannon Lovins, Tonya Morris, Charlene Robinson, Chief Steward, Janet Colwell, Dan Kaspar NTEU field representative, Jim Gregory, and other stewards. Also special thanks to Mia Sylve, Director, Barb Crapser, Kim Billups, Sue O'Neal, Robert Bruce, Sandy Horton, Gloria Collini, Julie Meister, Victoria King, and, Samantha Burke, anyone I have forgotten I'm sorry, but thank you. I have received numerous Thanks for NTEU73 putting this unprecedented food event together during the Shutdown. We will be putting a giant Thank You card up on the NTEU73 bulletin board in the 3rd floor canteen for all to sign and a small personal note from you, to these kind people.

Again Thanks to all of you!

Sincerely,  
Jim Gregory

## Know When You're Being Disciplined!

Most people think that managers make it clear when an employee is receiving a disciplinary action notice. This sort of thing should be common knowledge or obvious but, in some cases it's not. The coming of the long-awaited performance awards brought to light an issue that must be addressed. It appears managers are giving out admonishment letters and written reprimands to employees under the guise that these small infractions are not disciplinary in nature. This is a sham, and goes against the National Agreement.

Article 38 of the National Agreement clearly states that A disciplinary action is defined as an admonishment, a written reprimand, or a suspension of fourteen (14) days or less. If you're given an admonishment or a written reprimand for something that you believe is unwarranted you have a right to use the grievance process to mitigate these charges. It is not in any employee's best interest to accept one of these letters without at least seeking the advice of a Union Representative.

If your manager presents you with a proposal letter to discipline you, request to come down to the union office. Your manager should let you come down immediately or schedule you time to come down, unless there is a business reason that delays them from releasing you immedi-

ately. These notices are time sensitive, in most instances we have 15 workdays to file a grievance, but for more severe disciplinary actions we may have as little as 7 workdays.

The best decision is an informed decision, you have a right to be informed of the potential consequences of receiving a disciplinary action. Unfortunately, a lot of employees did not find this out until they were denied a performance award due to an admonishment or written reprimand they received. Although NTEU used this opportunity to educate employees, this was too little too late in most cases because too much time had elapsed and we were unable to grieve these issues.

If you have questions, or are unsure NTEU is always available to help. Managers are not always clear, sometimes due to a lack of knowledge in certain areas, and sometimes for more nefarious reasons. It's easier to hand someone a piece of paper, pat them on the back and say everything will be ok rather than to sit down and have the hard conversation with them. This is management's responsibility but they have been caught on many occasions not living up to this responsibility.

Know your rights, stay informed, be empowered, and if all else fails, GRIEVE IT!

Tanesha McCants

## They Want to Take Our Performance Awards Away!

### NTEU Fighting Harmful Changes

#### IRS Proposal Eliminates NPAA Payouts for Thousands

NTEU is fighting proposed changes to the National Performance Awards Agreement (NPAA) that would result in thousands of employees who previously received awards from getting them in the future, even though they maintain their current performance ratings.

The IRS proposal—oversimplifying the awards pool structure—was made during midterm negotiations. Here is a closer look at what's at stake:

#### What is the pool structure?

Pools in each business division are broken down by division, major occupation and then geography. Employees in the top 55 percent of ratings in a given pool receive an award for the year. This structure was designed to ensure that employees throughout the IRS have a chance to earn an award despite differences in how employees are rated across the country, even if they are in the same business division.

#### What changes are the IRS proposing?

Now, the IRS wants to completely eliminate any geographical distinction in awards pools, reducing the number of pools from 822 to 51. Preliminary data show that more than 2,200 employees who received an award in 2018 would no longer receive a performance award under the IRS' proposed structure, even if their performance was the same.

Despite this being a \$38 million program, the IRS' justification for this drastic reduction is that it doesn't wish to invest resources into automating changes to awards pools due to personnel changes and organi-

zational changes, work that is now manually performed by one or two employees.

#### What is NTEU's proposal?

NTEU proposes streamlining the awards pool process by combining pools and introducing larger geographical areas without causing massive numbers of employees to lose out on awards. The union also proposes that the IRS automate the pool structure so it could more easily make changes. The IRS has rejected both proposals.

#### Where Things Stand

Late last week, IRS negotiators declared impasse in the bargaining process and contacted a neutral mediator and factfinder.

NTEU is prepared to fight back, and we are filing a request for information about the employees who received awards last year and those who will be disqualified from an award under IRS' proposal. The IRS is wrong in pursuing a one-size-fits all, take-it-or-leave-it approach that will harm employees and drive down morale across the agency.

We will continue to keep you updated on our determined efforts to protect the NPAA program that has rewarded deserving, hardworking employees for more than 20 years.

Thank you for your service to our country during this very busy tax season.



## NTEU73 Stewards Working for Members

Your NTEU Stewards work for you, and are available if not in person, by phone or email. There are multiple stewards throughout Cincinnati IRS center locations. Here is a list of stewards currently in NTEU offices:

### **Gateway:**

Chapter President **Debbie Mullikin**

Vice President **Chris Pierce**

Office Staff/Stewards: **Tonya Morris, Shannon Lovins and Tanesha McCants**

Swing Stewards **Charlene Robinson** and **Jim Gregory**

### **Fourth Street Center:**

Office Staff Stewards: **Quiana McCoy, Will Kohler and Jennifer Smith**

### **Florence:**

Stewards: **Janet Colwell**

**Debbie Mullikin** worked diligently to get three employee's evaluations raised. She also was able to get employees backpay for overtime.

**Chris Pierce** was able to get an a removal reduced to a 3 day suspension. He also was able to get an employee's evaluation raised to a 4.6.

**Janet Colwell** was able to get an employee's evaluation raised to a 5.0, outstanding!

**Tanesha McCants** was able to get an employee converted from a seasonal to permanent. She also worked to get an employee's evaluation raised to a 4.4.

**Shannon Lovins** worked to get an employee's FMLA approved. She was also successful at getting an employee's evaluation raised to a 5.0, outstanding!

**Tonya Morris** won a grievance granting employee's in TE/GE preferred shifts. She also was able to get an employee's evaluation raised to 5.0, outstanding!

**Quiana McCoy** was able to get an employee's AWOL removed. She was also able to get a 14 day suspension reduced to a 3 day.

**Michael Reeves** worked to get a 5 day suspension reduced to an admonishment letter. He was also able to get an employee's AWOL removed.

**Will Kohler** was able to get an employee's AWOL removed. He was also successful at getting an employee's evaluation raised.

**Hope Towe** worked to get an employee's AWOL removed. She was also able to get an employee's evaluation raised to all 5's, outstanding!

**Rachel Lovins** was able to get an employee pre approved for LWOP for his vacation. She was also successful at getting an employee's AWOL removed.

**Rebekah Taylor** was able to get an employee's evaluation raised to a 4.8. She was also able to get management to grant an

employee LWOP instead of AWOL.

**Loretha Hudson** was able to have an employee's removal changed to a 30 day suspension. She also worked to get an employee a 4.6 on their evaluation.

**Jackie Johnson** helped an employee get their evaluation raised to a 4.8. She has also helped numerous employees with their retirement.

**Ronnie Clemons** was able to get an employees evaluation raised from a 2.8 to 4.4. He also has helped an employee with their FMLA.

**Charlene Robinson** was able to get a letter of admonishment rescinded. She also worked to get an employee's evaluation raised to a 4.6.

**Jim Gregory** worked to get an employee's advanced sick leave approved. He also was able to get an employee's AWOL removed.

**Erin Cooper** was able to get an employee's evaluation raised from a 2.8 to a 3.4. She was also able to get an employee's AWOL removed, even after the employee was terminated.

**Trisha Lawrence** was successful in getting a swing shift employee moved to days through a reasonable accommodation. She was also able to get an employee a reduced suspension from 14 days to 5 for a barred assessment.

**Stephanie Cooke** was able to get an employee who had a barred assessment a letter of reprimand instead of the proposed suspension. She was also able to get an employee's FMLA approved.

**Brandy Belew** was able to help an employee get a within grade increase.

