



THE FORCE

A Publication of NTEU Chapter 73

June 2018 Edition

The Privilege To Serve

My mother always told me I should become a lawyer because I like to argue.

I prefer the terms debate, negotiate, persuade, or convince. It's not necessarily arguing, but presenting factual arguments in order to achieve a desired outcome. While my life path didn't lead me to law school, I have been given the opportunity to take my mom's advice, without the degree, decades of student-loan debt, and high-paying salary.

For the first 9 years of my IRS career, I never gave NTEU a second thought.

During that time, the relationship between management and their employees, including myself, was one of compromise, assistance, understanding, fairness, and "family-friendly"ness. That was one of the best perks of working here. Managers understood the concept of "work/life balance." In most cases, management worked positively with employees when addressing work/life issues, by discussing reasonable options, making helpful suggestions, and offering needed support. Once upon a time, front-line managers had their employee's backs, pleading to upper management on their behalf, when necessary.

Their first reaction used to be to help their employees, even when ordered to harm them. They'd at least give their employees - who were obviously already struggling in some facet of their lives- a fighting chance, by making the decisions on issues that front-line managers are contractually permitted to make, without consulting upper management on EVERYTHING (whom often instructed them to harm rather than help the employee). This meant that front-line managers would now have to actively defy their boss, putting their own jobs on the line, if they went against what their boss do. Upper management sees the employees the same way they see equipment, faceless furniture. Front-line managers, who observed their employees daily, used to make these types of decisions while taking personal circumstance

into consideration, often displaying a semblance of empathy. Once upon a time, this was the reality in most situations.

My own experiences with management were positive. I worked hard in each job, often becoming an OJI or Classroom Instructor, volunteering for committees and special projects, and acting as lead/manager. I had good relationships with my managers. They recognized my potential and appreciated my hard work, and rewarded it by being understanding and supportive during times of work/life imbalance. These interactions and experiences with management resulted in high morale and personal pride. I enjoyed my job. More importantly, I respected and trusted management. They played by the rules, so I saw no need to join NTEU.

In recent years, management has gone rogue. Maybe it's "pay for performance," otherwise known as pay banding, which encourages politicized behavior. The knee-jerk reaction for any situation is to harm the employee, often in violation of the National Agreement. The term "managerial discretion" automatically meant "No," and "case-by-case basis" became obsolete. Managers discarded empathy and understanding. They no longer offered reasonable solutions, helpful suggestions, or needed support. Instead, they often found themselves crossing their fingers that the employee they harmed would continue to take the abuse, so as not to make waves. Employees who did choose to make waves, those who dared to question management by filing a grievance, were answered with retaliation-whether they were the employee, the steward, or both- in order to evoke fear and stifle any future wave-making. These employees are made "examples of" in their work areas, a warning to their coworkers. After all, management controls their work, their leave, their appraisal, their job. Control equals power, and power can be abused. When these abuses go unchecked, or in worst cases are actually allowed or ignored by the upper management chain, once "model-employees" are finding

themselves in deep water. Coworkers often sit silent, afraid to stick their own necks out by speaking out against management, which enables the abuses to continue. There are, however, employees who choose to serve as "life preservers" for coworkers being harmed by management, refusing to let their coworkers drown under questionable actions and decisions made by management, unafraid to make waves: Union Stewards.

My own personal experiences of managerial abuse (after many successful and wave-free years with the Service) it resulted in my realization that I needed NTEU73 membership. My skills at debate, negotiation and persuasion, combined with my refusal to sit idly by while my coworkers are being harmed, resulted in the realization that I wanted to serve as an NTEU73 steward. It is an honor and privilege to serve as a Union Steward.

Sarah Corea

Inside This Issue:

- ◆ The Privilege to Serve.....1
- ◆ From the Desk of The President.....2
- ◆ Stewards Working for Members.....3
- ◆ Join NTEU.....3
- ◆ Member Benefits.....4
- ◆ Canteen Shutdown.....5
- ◆ United We Bargain, Divided We Beg.....5
- ◆ NTEU National Spring Training.....6
- ◆ Federal Workers Under Attack.....7
- ◆ What Can you do About Morale?.....7

NTEU Chapter 73

Fourth Street Office

Monday—Friday,
6 a.m. —1 a.m.
(859) 320-4649

Gateway Office Room 111

Monday—Friday,
6 a.m. —1 a.m.
(859) 320-3617

Industrial Road Retention Center

Monday—Friday,
7 a.m.—9 a.m.
(859) 594-6138

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Chapter Web Site
nteu73.org

Twitter

www.twitter.com/nteu73

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P.O. Box 12389
Covington, KY 41011
www.nteu73.org

Editor

Tonya Morris

Co-Editors

**Sarah Corea
Shannon Lovins
Tanesha McCants**

From the Desk of The President

United We Bargain, Divided We Beg!



Chillin'

The NTEU73 Executive Board was having a meeting, (on our own time.) My phone started buzzing. A Steward was letting me know Inspector Shelton was in the office staring at a female steward making both stewards very uncomfortable. He had been there for 15 minutes and she wanted someone to come get him to leave. Her telling him we were in a meeting hadn't been enough. Vice President, Chris Pierce left our meeting and went to the office to investigate. Inspector Shelton claimed to have stopped by to greet the new administration. Chris brought him to our meeting and he stayed for an hour. He spent that hour explaining that the IRS doesn't have the authority to hire a guard service so he will soon be in charge and when he is, our contract will mean nothing because he has the law on his side and he has them all memorized, even the most minute. Inspector Shelton is that special kind of law enforcement that frightens even law abiding citizens. If he chooses to, he will find an infraction. I am not suggesting he makes them up, however, if a police officer follows you around all day, every day, sooner or later, you will make a mistake and he will be there to catch you. Inspector Shelton works for the Federal Protective Service, an agency of the Department of Homeland Security. It is his responsibility to protect federal employees, the facility, equipment and information. He believes the biggest risk to all of that, is the employees, themselves.

NTEU73 has had to pay the attorney fees for a steward who, in the course of her steward duties, was involved in a workplace disruption. The steward didn't cause the disruption, nor was she loud or disruptive in the workplace. Inspector Shelton was so determined to get his man, he was willing to force the issue. He heard about the situation. He wasn't there. He called the manager involved into his office for an interview on her scheduled day off. He didn't bother to interview anyone else. Based on that one perspective of a tense situation, he wrote tickets to the steward and the employee. This should have been an administrative issue, at most. Instead, it was a court proceeding. The charges were dropped in court but it was expensive. Inspector Shelton's interest in the employee was the employee's political activity, off duty and off site. I know this because of his last comment when he finally left our meeting. He said he would bet I didn't know the employee was involved with a particular political group. I believe that federal employees do not give up their right to free speech on their own time. Inspector Shelton does not feel the same way. This is why I believe Inspector Shelton is dangerous to his employer, Federal Protective Service, Department of Homeland Security, to IRS employees and to the United States of America. Inspector Shelton's brand of extreme policing is the type of law enforcement that envelopes the innocent and slides down that slippery slope to a police state.

It starts with keeping federal employees from driving 11 miles per hour in the parking lot and works its way to harassing private citizens about their politics, religion, race, ethnicity or whatever he can fit in a box and check off. As chilling as all that was, 15 minutes of his conversation was about risks to children. He believes children are safer in institutions than at home. He proceeded to explain his interest in legal history and that it wasn't illegal to have sex with a child anywhere in the world until the 1800s when Great Britain's Parliament passed a law. I disagree that children should be institutionalized from an early age for their own safety. But that theory has been floated before by a dictator in a police state. I hope Inspector Shelton's reign of terror doesn't happen. I believe his visit to our office, and our meeting, was intended to have a chilling effect on our administration. Possibly, he intended to intimidate us, But NTEU73 will be here doing what we can to stop him in his war against federal employees. If you are not a member, we hope you will join us in our fight to keep your workplace fair and equitable. If you are a member, we thank you. United We Bargain, Divided We Beg. In Solidarity, djm



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 **Sarah Corea, Tonya Morris, Tanesha McCants and Shannon Lovins**
Swing Chief Steward **Charlene Keith**
Swing Steward **Jim Gregory**

Fourth Street Center:

Steward **Quiana McCoy**
Steward **Will Kohler**

Florence: Stewards **Janet Colwell and Robyn Johnson**

Chris Pierce worked actively with ACS employees to get issues resolved.

Karen Walsh has been attending negotiation meetings and is currently working on 2 evaluation grievances.

Sarah Corea got an employee's annual performance appraisal raised.

Debbie Mullikin assisted 2 employees with getting their retirement benefits.

Tonya Morris was able to get 2 employees' evaluations raised and recruited 2 new members.

Shannon Lovins: was able to informally get an employee's AWOL converted to LWOP. She also assisted an employee with getting her T.O.D changed. She also worked with management to get employees their pay for overtime they worked.

Alison Bower recruited 2 new members.

Will Kohler got an employee's annual evaluation raised. Was able to get 2 hours of AWOL removed. Helped an employee get out of an incompatible detail.

Tanesha McCants is currently working on 2 evaluation grievances and an Oral Reply.

Charlene Keith won a grievance getting 16 hours of AWOL converted to LWOP.

Janet Colwell got an employee's evaluation raised from a 4.8 to a 5.0!

If you have any issues or concerns, call an NTEU73 office at (Gateway) 859-320-3617, (4th Street) 859-320-4649, Florence 859-594-6138

Join NTEU

Why Join NTEU? Here are Five Reasons

There's real strength in numbers. The many rights and benefits enjoyed by federal employees didn't come easily. No one handed them to us, not Congress, not the White House, not any federal agency. NTEU members won them, at the bargaining table, through legislation, and by having a voice in the workplace where policies are implemented on a day-to-day basis.

NTEU can help you be successful in your workplace. Because management knows we speak for everyone in the bargaining unit, we can influence workplace rules in ways that make sense for employees and America's taxpayers. We turn back legislative attempts that harm federal employees and advocate for policies and laws that support you and help you do your job more successfully.

We take on big picture issues like pay and the smaller stuff that gets under your skin at work. NTEU leads the way in fighting to retain and improve your pay and benefits, and our day-to-day workplace representation is second to none. No one does it better than NTEU.

With NTEU, your opinion matters. As a member, you have a vote in electing your chapter leaders; you can play an active role in your chapter's affairs; and you ratify new contracts NTEU has bargained on your behalf.

You receive substantive information on what's going on, both in your workplace and throughout the federal sector. There's a print newsletter— **The Force**—to put issues in context. For more immediate news, NTEU has a web page, www.NTEU73.org. We also have a national web page, www.NTEU.org there are also a number of specialized electronic publications and updates on such key issues as where bargaining stands. Be sure to find the official NTEU 73 page on Facebook as well.

Joining is easy

Simply stop by the NTEU office in the Gateway or Flat top building. If you aren't available to stop by the office you can also Download an 1187, from OPM. When you join before September you will receive an \$80 incentive check. You can also recruit a co-worker and you both will receive an \$80 incentive.



You may be required to present your member ID.

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Step 4: Enter your Promo Code: **MEM7318** (case sensitive)

Step 5: Click APPLY and your discount pricing will appear

Step 6: Select ticket quantities, click Continue

Step 7: Verify Order in Shopping Cart, click Continue

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Step 8: Check Out—Choose delivery method

Step 9: Enter Payment and Billing Information and Click Continue

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Canteen Shutdown Management Meltdown

Since the beginning of March, the employees of GWC have not had access to adequately stocked canteens, or vending machines. For over 60 days employees have been asked to make due with substandard conditions, and remain productive when they are being denied access to food and water! While we can appreciate the email sent out over 8 weeks after the shutdown announcing that "legal restraints are currently preventing the KBA (Kentucky Blind Association) from placing a permanent vendor in the Gateway Center Canteens." This late declaration also stated that "The KBA planned to have a temporary vendor in next week to keep the vending machines operational until the legal issues are resolved," well it's next week and the vending machines remain empty.

It is now clear, Management does not have this situation solved. At this point with the failed temporary vendors, and promises of stocked vending machines that remain hollow, we must move forward with implementing solutions!

You have rights!

In the 2016 National Agreement Under Article 27 Section 1G states that the employer is to provide employees access to refrigerators, and similar appliances, i.e. coffee pots. If these items are not provided in the canteens, you have a right to have them in the work area. Such items must be inspected and approved in advance.

To obtain approval go to OS GETSERVICES from IRWEB, click on FACILITIES then click Safety Accident reporting then click Ergonomic Evaluation.

IRM 6.610.1.2.7 (07-30-2015) Lunch (or Meal Period) and Break An approved period of time (normally 30 minutes, 45 minutes, or 1 hour) in a non-pay and nonwork status.

Lunch or meal period schedules may vary by office based upon work requirements, and the availability and convenience of eating establishments.

Not only have the Canteens/vending machines shutdown, we've also had the closing of Skyline, leaving employees with minimal affordable options. Due to the change in availability, and convenience of eating establishments in the Covington area, employees that require additional time to eat or engage in permitted personal activities should request to extend their lunch breaks. You are required to change your TOD (Tour of Duty) when extending your lunch break, to either come in early or leave later to make up for that additional time.

NTEU73 will continue to work to ensure employees needs are met. We understand the hardship this is causing especially to those employees working the phones, or have mobility issues. If you need additional assistance or have any issues getting approval for appliances or extended lunch breaks, please notify us immediately! You can come into the union office or send us an email at, ask@nteu73.org.

Tanesha McCants

United We Bargain, Divided We Beg

The Supreme Court's upcoming decision in Janus v. American Federal of State, County, and Municipal Employees (2018) could impact the fight over official time. The issue is state and local government employees having to pay union dues, regardless of membership. This does not directly impact federal collective bargaining, but it still could motivate the enemies of labor in Congress to claim official time is not only bad policy but prima facie unconstitutional. OPM has implied that the costs for union representation goes beyond mere payroll costs and most accounting data does not include the cost of taxpayer funded facilities, equipment and travel costs agencies incur as the result of labor organizations. Congress is working in the name of those who line their pockets with cash, cash, cash. In the words of Gordon Gecko from the Oliver Stone movie Wall Street circa 1987, "Greed is good."

A divided Supreme Court gave businesses the power to block employees from joining together to file claims for wage theft and other work-related violations, upholding employer-written rules requiring that each case be limited to a single employee. The decision overturns the position of the National Labor Relations Board and resolves the split among federal appeals rulings and gives teeth to employment "yellow dog" contracts drawn up to minimize corporate exposure to public trials and class action suits. The Court has snuffed out employee rights to band together to enforce laws providing for minimum wages and maximum hours, prohibitions against discrimination for race, sex, religion or age and other protections such as wrongful discharge action. Employers aware that employees will be unable to pursue small-value claims when having to proceed one-by-one will see the cost-benefit balance of underpaying workers in favor of shirking their legal obligations. Divided we beg.

There may be a silver lining to this ominous cloud. The sole remaining entity recognized by the courts who can band together and collectively bargain is the unions. The Supreme Court's current conservative majority has handed the unions a golden opportunity to recruit membership. Freeloading would no longer be an option. We do not require lawyers, doctors, accountants and large corporations to provide services for free. We don't forbid them from using fees collected for political purpose. Unions could shake off the judicial activism which required them to live up to unreasonably high standards. Open shop employees will realize that being a rat is no longer beneficial to them and, "put their money where their mouths are." Non-bargaining employees will realize their only option to protect their rights is to organize. A favorable ruling in Janus would be paramount for a labor Renaissance. A consistent decline in membership would become a thing of the past. United we bargain; United we prosper.

Chris Pierce

NTEU Spring National Training Conference

Once a year, each NTEU chapter attends a National Training Conference. The training is crucial for stewards, new and seasoned, because it gives us information directly from NTEU National. One of the big topics this year was the changes to the contract. The new contract comes out in October this year and in training we discussed the changes with NTEU, National Vice President Jim Bailey. This gives each chapter the opportunity to review the changes and prepare to defend them to management. We were also trained on NTEU's congressional role and how to get members involved at the grassroots level. Congress has the authority to set and make changes to your pay and your retirement. It is important for NTEU leaders to play a role in educating its members on how we can work to influence the outcomes of the issues that affect Federal employees. We have also witnessed an increase in investigatory interviews (ie, TIGTA) and were trained on how to best represent employees in these situations. Under the CSRA, Civil Service Reform Act, Unions have the right to represent employees in two types of meetings, formal and investigatory. These rights are commonly referred to as the Weingarten right and entitles the employee to representation during the investigatory meeting if the employee has a reasonable fear that discipline may ensue. I have been a steward for more than three years and these trainings never fail to teach me things I thought I already knew. Having NTEU National Office on hand to give advice and answer questions is priceless.

Tonya Morris



Federal Workers and Retirees Are Still Under Attack Now More Than Ever

The President's Management Agenda released by the administration in March, calls for reduction in staff, and the cutting of paychecks, benefits and workplace rights of federal employees around the country with a special focus on the IRS.

"With agencies not able to compete with the private sector on pay and salaries, retirement, health care, and leave are its chief recruitment and retention tools, and actively engaging in a race to the bottom in these areas will do great damage to the quality and skill of the federal workforce," Reardon wrote in testimony to the House Oversight and Government Reform Committee. "I urge members of this Committee to reject these proposals and instead find ways to increase the federal government's ability to be an employer of choice."

NTEU strongly disagrees with the agenda's premise that federal employees are overpaid and that their salaries are not tied to performance. The most recent Federal Salary Council's analysis of government data shows federal employees on average make 31.86 percent LESS than their private sector counterparts. And the existing General Schedule has built-in provisions for rewarding employees for outstanding performance, but unfortunately those rewards have been getting smaller year after year.

Also on the administration's hit list are retirement cuts that will slash the paychecks of current and future federal workers and reduce ALL pensions. The cuts will also worsen the nation's retirement crisis.

They have proposed: eliminating supplements for Federal Employees Retirement System (FERS) annuitants who retire before being eligible for Social Security benefits.

Reducing federal pensions by basing them on workers' basic pay five-year averages instead of three years.

Increasing employee retirement contributions with no increase in benefits. The plan would sharply boost the 0.8 percent of basic pay most FERS employees contribute. The letter makes the impact on federal retirees clear. "Under this proposal, FERS employee deduction rates will increase by 1 percent per year until they reach 7.25 percent of basic pay. ... This proposal would require FERS employees to fund a greater portion of their retirement benefit." Reducing or eliminating retirement cost-of-living adjustments. The administration plans "to reduce the cost-of-living adjustments (COLAs) under the Civil Service Retirement System (CSRS) by one half of one percent and to eliminate COLAs under the Federal Employees' Retirement System (PERS) for current and future retirees."

"To be clear, the overall goal of these changes is to make federal workers pay more for their retirement benefits while getting less, further contributing to the retirement insecurity of the nation," Reardon wrote. "These middle-class workers can ill afford a six to seven percent pay cut or a retirement benefit that fails to keep up with inflation, and ultimately these changes will require them to work longer at agencies into their senior years."

The agenda also makes plain that the administration is intent on rolling back due process for federal workers and weakening the ability of federal sector unions to represent frontline employees and plans to give agencies the power to "fire at will."

"Undermining the ability for career, non-partisan civil servants to appeal adverse employment actions turns federal workers into political employees who are hired and fired based on personal loyalty oaths, not their ability to do a job and makes them unwilling and unable to come forward to disclose government waste, fraud, and abuse," Reardon wrote. "A merit-based civil service that works for the people, and not expressly for one individual, is a cornerstone of our republic, and eliminating the ability of employees to challenge a removal, would threaten our government, and the public's confidence that employees' service is performed in the interest of our nation, and not for personal gain or interests."

Make no mistake. Internal Revenue Service employees are under a brutal attack by the powers that be in Washington DC. But rest assured that NTEU is fighting these attacks to protect and save the pay, benefits, and careers of all IRS employees.

How can you help?

Join the Union. If you are already a member and know someone who isn't ask them to join. There is strength in numbers. Remember: United We Bargain. Divided We Beg. Get involved! NTEU73 is deeply involved with the legislative process. We run letter writing campaigns, run phone banks at election time, send in petitions and also help register voters. We can always use help and hope that everyone will get involved. Consider becoming a Union Steward and fighting the good fight. Remember you are not only fighting for others but also for yourself. (Come to the Union Office for details!) This is a battle that we must all fight together. Get involved! Stand up! Fight back!

Will Kohler

What Can You Do About Morale?

With the closing of the Submission Processing Center fast approaching, the continual complaint I hear from employees is that morale is in the toilet. The stress that employees are experiencing from knowing their positions will be gone forever in September 2019 has caused anxiety, fear and dread. Management is constantly changing and this only adds to the distress the employees are experiencing.

Accounts Management employees, while not in fear of losing their jobs, have been and continue to be under undue stress. Whether they are being timed on restroom breaks or experiencing retaliation and intimidation from some in management, they are feeling anxiety, as well.

Compliance does not escape this either. While many employees applied for and received jobs recently in the ACS Call Center, many of them preferred to go back to Submission Processing and an uncertain future rather than continue in that position. However, after a recent meeting with Director Rocco Steco, he said, he is committed to seeing how to improve morale with his employees. We look forward to seeing how that develops.

What is the answer? Years ago there were committees comprised of employees to answer the question of morale. NTEU has met with Account's Management Operation to see what can be done. We've asked for the leadership to meet with employees to gain their input on how to improve morale. I think this should and could be done throughout the campus. When employees feel valued, it is only natural that they will

want to work harder and enjoy what they are doing.

NTEU has a Mission Statement, "To organize federal employees to work together to ensure that every federal employee is treated with dignity and respect." Rest assured that this is exactly what we strive to do.

I would like to challenge the IRS Leadership with this one task. Find out directly from your employees what can be done to improve their work life. Do this in a tangible and meaningful way. Happy employees are productive employees. The IRS should lead the way in making this a desirable place to spend your day and make an impact on those around you.

Karen Walsh