

THE FORCE

It's Filing Season Again!



It is again that time of the year. As IRS employees, we are required to timely file our taxes every year. After all, since we collect taxes, we should be required to file and pay our personal federal and state taxes timely. We do this to protect our job, but this also protects the integrity of the Internal Revenue Service. Even if you expect a refund, you should still file timely.

How can you prove you filed a timely return? Most people now file an electronic return using a tax site. After

filing your return, print the return and the confirmation number that says the return was sent. Two or three days later, the IRS website should tell you that your return was received. Print the screen saying that IRS received the return, and save it for your records. As long as you have proof of filing, you should not have a tax compliance issue later.

An exam audit or an under-reporter's audit could happen one or two years after the filing of the original return. If this happens, don't think that this is only your business and that your manager does not need to know about it. Report it to your manager as soon as you get a letter about an additional assessment because if you receive notification of an additional assessment, you can bet that management has already been notified or will soon be notified. Do not hesitate to let management aware of the letter or notification you received. It is better to notify management of the potential additional liability, than have management find out without you letting them know. The difference between the two can often lead to a mere admonishment versus your removal from service.

This is a serious violation. Many employees are disciplined up to termination for tax return issues every year, so be sure to file and tell management if you have any filing or payment issues. If you are under a payment plan agreement, this is not considered compliant according to our responsibilities to file and pay timely. It is, however, management's responsibility to prove that you willfully intended to make the mistake on your return.

Janet Colwell

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Telework During Inclement Weather

BURRR..... It's that time of year when we have office closures and delays, and what we must remember, is that if there is bad weather, we will receive an emergency notification through your desktop/laptop, work email, and government issued mobile devices. We will also receive text messages from phone number (333) 477-2578 or an email to our personal email. Alerts that are emailed will come from IRS Emergency.ALERT@AtHoe.gov. Additionally, you can also find out about closures and delays by calling the IRS Emergency Information Hotline at 866-743-5748 and pressing option 3. If you are hearing impaired, you can connect to the hotline via the Federal Relay System at 800-877-8339. If you are an employee with an approved Telework Agreement, Article 50, Section 7(C)-(D) applies to you, which states the following:

C. When an employee with an approved Telework Agreement may reasonably anticipate that a weather or other safety-related condition may force the closure of their IRS facility (e.g. forecasted snow storm), the employee must take reasonable steps (within an employee's control) to become Telework-ready – i.e., take necessary work equipment and necessary work files to their Telework location – for the anticipated day(s) the facility may be closed. In such circumstances, managers may authorize employees who are not in their POD to travel on administrative time (duty time) to their POD to obtain necessary work equipment or files to become Telework-ready.

D. When an employee is Telework-ready and a weather or other safety-related condition forces the closure of their IRS facility, the employee is expected to perform work at their approved Telework location for their entire TOD.

For additional information on Telework Requirements During Weather and Safety-Related Conditions, please see Article 50, Section 7 (A)-(K) or contact Chapter 73 for assistance.

Loretha Hudson



The Chapter is looking for NTEU members interested in serving as Union Stewards beginning October 1, 2021! Appointed stewards will serve as advocates on behalf of NTEU members in management-employee disputes, write newsletter articles regarding workplace issues, and attend NTEU events and trainings on labor law and various workplace issues and policies.

If interested, please send Chapter President, Debbie Mullikin and Chief Steward, Shannon Lovins a short statement of interest (5-8 sentences) at Debora.j.Mullikin@irs.gov and Shannon.K.Lovins@irs.gov expressing why you would like to be a Union Steward, how long you've been working for the IRS, and what building you are working in. Prior experience is not required. Stewards will be trained by the Chapter President, Chief Steward, and NTEU attorney prior to handling any cases.

Frequently Asked Questions on COVID Leave and Child-care Subsidy

Q. If I am feeling sick after my Covid vaccine, is there leave I can take? Do I have to use my own leave?

A. The time code 990-85540, Administrative Leave for COVID-19 Vaccination Recovery, can be used. This time code can be used up to 2 workdays for recovery per dose if unable to work. This only Requires self-certification. This leave is only to recover from the COVID-19 vaccination; proof of vaccination is required.

Q. Is there a time code to use for my booster for COVID?

A. 990-85541, Administrative Leave for COVID-19 Booster and/or Recovery. Requires self-certification that leave will be used to get COVID-19 booster and/or recover from the booster.

Q. Can I get admin time to take my kids to get a Covid Vaccination?

A. 990-85545, Administrative Leave to Accompany a Family Member Getting COVID-19 Vaccination or Booster. Up to 4 hours for each dose of vaccine or booster (per family member).

Q. While the federal government is not enforcing the vaccine mandate, may I take any admin leave, if I decide to get vaccinated anyway?

Yes, employees who seek any authorized dose of a COVID-19 vaccination during work hours (including primary series doses, authorized boosters, and authorized additional doses), should be granted administrative leave of up to four-hours for any-non-required primary series COVID-19 vaccination. The Texas Court's decision on the vaccine mandate does not change your entitlement to admin leave for vaccination purposes.

Q. Are there any updates on the Daycare Subsidy at this time?

No, the IRS continues to work with the third-party vendor on finalizing the implementation of the Childcare Subsidy and does not have any updates for NTEU at this time. We will share additional information to members as soon as we received them from the Agency.

Q. My manager stopped me at lunch and said that she seen on my Facebook that my husband keeps posting political things on my page. Does the Hatch Act apply to him?

A. No, the Hatch Act only applies to active federal government employees. This means that spouses and other members of an employee's family may engage in all forms of partisan political activities. It may just be a good idea to remove your manager from your Facebook or make your profile private.

Shannon Lovins

STEWARDS' CORNER

Your NTEU Stewards are here to fight for you! We are available in person, by phone, email, or skype!

GATEWAY STEWARDS

President: Debbie Mullikin

Vice President: Chris Pierce

Secretary/Chief Steward:

Shannon Lovins

Day Shift Full Time Stewards:

Loretha Hudson, Rachel Lovins,
Angela Moore

Day Shift Part Time Stewards:

Tonya Morris, Nicole Guethlein, Jennifer Smith, Hope Osborne, Thomas Bayer, Brandi Riggs

Swing Shift Chief Steward:

Alex Walker

Swing Shift Part Time Stewards:

Brandy Belew

ISO BUILDING

Treasurer/Full Time Steward:

Janet Colwell

NTEU EMAIL

ctr.cov.cirsc.nteu.73.covington@irs.gov

Using Your Leave

If I have said it once I will say it a million times. One of the biggest perks we have as federal employees is the flexibility it provides when we need to be away from our post. Our Union has fought hard to make sure this is a standard across the agency. Our contract explains the available options when it comes to taking leave, and it also explains how to communicate that need to Management. With our work dynamic changing so much over the last 2 years, it is important that you effectively communicate with your manager when you are not going to be at work or on post. As a steward, I have seen a trend in AWOL cases simply because the communication was not done to the manager's standards. An easy fix is to stick with what our contract outlines. When you need to utilize your leave, no matter what the situation is, employees need contact their managers via phone and leave a voicemail on the managers work line. You may also report your absences via email. This should be through your work email to ensure your manager receives it. It is not recommended to use your personal email when communicating with managers, as IRS may block those emails from coming through.

Skype is also not a form of effective communication.

Your email or phone call can be short and sweet. All that needs to be stated is:

1. Your Name;
2. The type of leave you are using; and
3. the number of hours you are requesting.

It is not necessary for you to go into details on your need for the leave. Just always remember, it is your responsibility to ensure your manager knows of your need for leave and that management has timely received any necessary doctors' notes or documentations.

Rachel Lovins

Voluntary Relocation Program

The 2022 Voluntary Relocation Program (VRP) is open through July 20, 2022. The IRS will consider eligible applicants through December 31, 2022.

You can apply to announcement number 21-11308844K-VRB-9999-5T15 through USAJobs for relocation consideration to three locations of your choice that are within your business unit as defined by Article 15, Section 6 of the 2022 National Agreement. The position must be the same as your current home position on record, and you must have a rating of Exceeds Fully Successful or above on your last rating of record.

After December 31, 2022, you will need to apply for consideration through the January 2023 VRP announcement.

Business units interested in using the provisions of Article 15 Section 7 to realign voluntary relocation applicants may contact the VRP program manager Tiffany L. Jones for a list of their VRP candidates. The decision to use the procedures in Article 15 Section 7 is entirely at the BU's discretion. IRS does not require use of these procedures.

Texas Court Blocks Enforcement of the Vaccine

As you know, on September 9, 2021, President Biden issued an executive order requiring all federal workers be vaccinated against COVID-19. The mandate required a full vaccination deadline of November 22, 2021; and failure to comply would have resulted in an employee's suspension, and ultimately termination. A moratorium on discipline was then issued prior to the holiday season, and IRS resumed enforcement of the mandate after the Holidays, issuing three-day suspensions to non-compliant employees.

However, on January 21, 2022, a federal judge in Texas blocked the enforcement of the vaccine mandate on all federal government employees. The government has since filed an appeal of the Texas decision to the Fifth Circuit Court of Appeals, which could reverse the decision of the Texas Judge. While litigation of the mandate continues, at this time, all federal agencies are required to comply with the Texas Court decision, stopping enforcement of the mandate. This means that, at this time, the federal government will take no action to implement or enforce the COVID-19 vaccination requirement pursuant to Executive Order 14043 (vaccine mandate). Below are some frequently asked questions and answers, provided by the federal government, regarding the status of the vaccine mandate, following the injunction imposed by the Texas Court.

Though the Texas Court has temporarily stopped enforcement of the mandate, NTEU maintains that there is no viable path forward to any legal challenge to the federal employee vaccine mandate, and that the Texas Court decision is not likely to survive legal challenges in higher courts. NTEU 73 will continue to update members on developments as they arise.

Q: Can agencies continue to require and receive submission of vaccination information and documentation (including proof of primary series vaccination, additional doses, and booster shots) from employees to maintain, review, and use that information and documentation for the purposes of implementing safety protocols based on vaccination status such as masking, distancing, testing, travel, and quarantine?

A: Yes, agencies can continue to require and receive submission of vaccination information and documentation (including proof of primary series vaccination, additional doses, and booster shots) from employees and potential employees who have received an offer of employment, and maintain, review, and use that information and documentation for the purposes of implementing safety protocols based on vaccination status such as masking, distancing, testing, travel, and quarantine. This includes reviewing vaccination documentation and information that was submitted to the agency during implementation of the mandate, prior to issuance of the injunction, for the purposes of using that information to implement other safety protocols that are based on vaccination status. If an employee does not submit their vaccination information and documentation, they should be treated as not fully vaccinated for the purposes of implementing safety protocols that are based on vaccination status.

Q: Can agencies continue to process requests for disability or religious exceptions to the COVID-19 vaccination requirement pursuant to E.O.

14043 while the applicable preliminary nationwide injunction is in place?

A: No, agencies should not continue to process requests they have already received for disability or religious exceptions to the COVID-19 vaccination requirement pursuant to the vaccine mandate. They also should not ask employees for additional information that may be required to process previously submitted exception requests, or take any other steps related to adjudication of exception requests. Agencies also should notify employees with pending exception requests that implementation or enforcement of the COVID-19 vaccination requirement pursuant to the vaccine mandate is currently enjoined and that an exception therefore is not necessary so long as the nationwide injunction is in place.

Q: What should agencies do regarding disciplinary actions already in progress associated with enforcement of the COVID-19 vaccination requirement pursuant to E.O. 14043 while the applicable preliminary nationwide injunction is in place?

A: Agencies should hold in abeyance all disciplinary actions related to enforcement of the COVID-19 vaccination requirement pursuant to the vaccine mandate. This includes temporarily halting active suspensions as of January 21, 2022 and holding proposals to suspend or terminate non-compliant employees in abeyance.

Alex Walker

Weather Admin Leave for Non Teleworking Employees

While Every Field Office in Ohio, Kentucky and Indiana was closed 2/3/22, due to impending weather, **CIRSC Campus employees were required to report for duty or request leave.**

Per Article 36 of the 2022 National Agreement, “The Employer has determined that if a weather or other safety-related conditions described above exists and prevents an employee from safely traveling to work and the post-of-duty is not closed, the employee will be granted weather and safety leave for all or part of the day only if he or she is prevented from safely traveling to his/her POD.”

- Call your manager as soon as you know there is a problem reporting to work. If that's 4 A.M. because your electricity went off waking you up with the cold and quiet, then call at 4A.M. and leave a message or send an email.
- Tell your manager the problem you are having. “The ice pulled down live electric wires and they are blocking the only road into the cul de sac.” Do NOT tell you manager you can watch the news and you have more sense than to go out in this. You will not get admin.
- Tell your manager how you are trying to fix the problem or why you can't. “I am not a Lineman for the County, so I called Duke, the recording estimates they will fix it by 9 a.m. “Do Not say you aren't going out in this mess even if they fix it. You will not get admin.
- Tell your manager when you expect to arrive. “Duke said they would be here at 9, I should be there by 10 due to bad roads.” Do Not say sometime in late May. You will not get admin.
- Request Admin Leave!! If you request sick, annual in lieu of sick, credit, comp, annual, LWOP or AWOL, you will get that, you will not get admin.
- Take pictures of the problem, if you can do so safely. Do not take/post pictures of you tubing down the driveway because you discovered you could get air if you hit the curb just right.
- Call your manager again when it gets near the time you told him/her you would arrive.
- Go through all the steps above, again. Yes, tell your manager the electric wire is still down, you called Duke again, you still aren't a lineman, they expect to be there by noon, request admin, take more pics. Repeat this again when you get near the next Estimated Time of Arrival. Until your manager tells you to stop bothering her or your tod is over. Management will deny your admin if/when you stop trying to get to work. “My tour was half over, why bother.” Management will deny admin if you didn't make any effort to get to work. “I looked out the window, saw the ice and thought ‘I ain't risking my life for that job.’” Management will deny admin if your reason is limited to you. “I live on a steep hill.” Management will deny admin if you say you are sick and request sick leave. “I ain't feelin' it, today. I need to use 8 hours of sick.” Management will deny admin if you are on scheduled leave and do not call and cancel that and follow all the above.

If you live in an area under a level 3 emergency and it's illegal to drive to work, take screenshots of the news report or warning and read it, closely. Sometimes the snow emergencies say only essential travel. Management believes going to work is essential and they will deny admin if you say you didn't come in because there was a snow emergency.

If your manager tells you he/she can't grant admin or that you will be given AWOL or LWOP if you don't request paid leave, tell her you are requesting annual until it can be changed to admin.

Expect to wait for the time to be changed to Admin. Even though management said, in the contract, they would trust their front-line managers to decide if the request is legitimate, CIRSC had decided a committee must make the determination on requests for more than 59 minutes. If there are a lot of requests, it will take a while.

Please see management's guidance to itself regarding inclement weather admin.

If you came to work and need to leave early to safely travel home, request admin. If your manager denies it, ask them how they will accommodate you if you cannot leave the building due to the emergency called by the counties you must travel through. Please document the response in an email to your manager restating their response as you understand it. BE SAFE! NTEU73 believes surviving is more important than admin leave even if management doesn't.

IRS Evacuation and COVID-19 Updates

Vaccine Mandate – The IRS advised NTEU that as of Jan. 17, 2022, 97 percent of IRS employees are in compliance with the vaccine mandate. On January 21, 2022, as a result of the nationwide injunction issued by a federal court, federal agencies paused all actions enforcing the vaccination requirement, including the processing of reasonable accommodation requests, pending further actions by the courts in the ongoing litigation.

Testing Strategy – The IRS reports that it is working on establishing a testing program. It is in the preliminary phase. They expect to have a testing strategy in place by February 15, 2022 and will brief NTEU about it once the plan is developed. The agency does not anticipate having the testing ready to go by February 15, 2022.

New Hires – We again raised with the IRS concerns about the onboarding of new hires and whether maximum telework was being offered to new hires. The IRS said that in most cases, employees with portable work are being required to report for one to two days in their post of duty to set up their equipment and perform orientation and onboarding activities before they are approved for telework. NTEU reminded the IRS that when new hires are required to report in person to their POD for orientation, face-to-face orientations should be conducted in lieu of the virtual orientation. NTEU also raised concerns that the new hire data is incomplete and provided an example of new hires excluded from the lists. The IRS has agreed to meet with NTEU separately on this topic to address these concerns.

Cleaning Concerns – We shared with the IRS and FMSS concerns that cleaning of a work area is not being done timely where an employee has tested positive for COVID-19. From our discussions, it appears that there are delays in the reporting of the positive COVID-19 results into the SAMC system. To improve the reporting and cleaning response time, we asked the IRS to provide us with information as to how employees may report positive COVID test results directly into the SAMC system to help reduce the delays. Below is the information the IRS shared with us:

Incident Reporting Form (SAMC website portal) at:

- a. <https://tscc.enterprise.irs.gov/irc/>
- b. telephone at 202-317-6124
- c. toll free hotline at 1-866-216-4809
- d. fax at 202-317-6129
- e. e-mail samc@irs.gov

Medical Documentation – NTEU shared with the IRS examples of managers requesting medical documentation after an employee reports that they have tested positive for COVID-19 using a home test kit. The IRS indicated that it has now advised managers that they should accept home test results and not require further medical documentation, in situations where such documentation is required. An additional question was raised about what documentation is necessary to approve advanced sick leave if the employee requests advanced sick leave after testing positive for COVID-19. HCO said it would need to research this further and will provide further guidance.

Telework Agreements – We asked the IRS why some employees are reporting that managers are not processing their requests for frequent or other types of telework, in anticipation that the evacuation order will be lifted at some point. The IRS states that managers should be accepting and making determinations on telework requests as they come in; and there has not been any communication to managers indicating that such requests be held in abeyance during the evacuation order. If any chapters are aware that employees' telework requests have not been acted on, let Ken Moffett know so we can address it.

Workers Compensation – As a reminder, employees who believe they have contracted COVID-19 in the workplace may file a claim for workers compensation.

Phase 1 – Return to the Workplace- We shared with the IRS that managers have started to communicate different dates as to when the evacuation orders will be lifted, and employees will be required to return to the workplace from telework. The IRS confirmed that a firm date has not been established. Negotiations between the IRS and NTEU continue on this topic.

New Life Insurance Program for Federal Employees

This policy provides up to **\$150,000 of coverage** for federal employees. In addition, there are options available to cover spouses, children, and grandchildren ranging from \$25,000 to \$50,000.

Life Insurance Policy Highlights

- Permanent coverage
- No physical required
- Dividend-paying policy
- Locked-in price with constant premiums that will never increase
- Payroll deducted

Additional United Benefits Services

- Retirement Assistance
- Short Term Disability
- Accident
- Cancer
- Critical Illness
- Dental & Vision

Get in Touch with Your Benefit Specialists

Paul & Roxie Thornton

paul@unitedbenefits.com

Call: 423-309-2758

Christopher Lee

chris@unitedbenefits.com

Call/Text: 256-740-2166



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