

# AFSCME ME ABOUT IT:

## INFORMING A MORE PERFECT UNION

### AFSCME LOCAL 2830 NEWSLETTER

#### HAPPY HOLIDAYS

The holiday season is here. This time of year is not only about hustle and bustle but also about time with loved ones. Reconnecting with family and friends recharges us. Let's not forget about the food. The food not only nourishes us, but also provides fellowship. We strongly recommend disconnecting and reconnecting this holiday season.

#### OFFICER'S CORNER

Andrea R. Coleman, President

As winter approaches, OJP has typically just wrapped up the fiscal year and is preparing for the next. However, Fiscal Year 2025 was unprecedented, and not in a good way. We lost employees to the Deferred Resignation Program (DRP), retirements, and through normal attrition. The flurry of Executive Orders, policy changes, terminations of grants and contracts, and delays in approving Notice of Funding Opportunities (NOFOs) has not only adversely affected OJP's critical mission but also impacted Bargaining Unit Employees' (BUEs) working conditions. Let's not even talk about the partial shutdown, which was the longest in history.

BUEs are working harder with fewer resources and limited telework. The Union and BUEs have observed senior OJP leaders walking through the building to ensure that employees are working in booked spaces and remote employees are not teleworking or have flexible schedules. To top it off, OJP will not engage in collective bargaining with the Union due to the pending temporary stay.

While we are in the midst of this storm, the Union continues to represent employees, including on Reasonable Accommodation (RA) requests and labor-management issues. In the spirit of the Union's current work, this issue looks back on 2024 accomplishments through the State of the OJP Union Report and other helpful information. So, dig in!



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## STATE OF THE OJP UNION: AFSCME LOCAL 2830 2024 ANNUAL REPORT

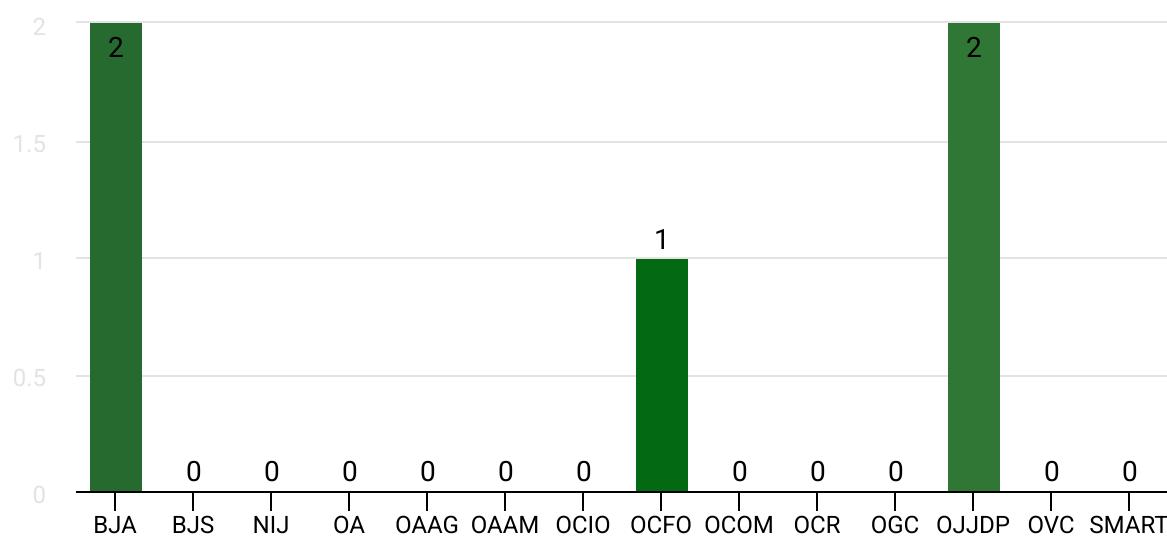
Welcome to AFSCME Local 2830 's annual report. In calendar year 2024, the Union continued to represent OJP Bargaining Unit Employees (BUEs) with various labor-management issues. We continued to raise your concerns regarding the return to on-site work, hiring, "999" building issues (e.g., parking, inoperable wave functions in the restrooms, issues with the gym), telework, Reasonable Accommodation (RA), and more.

We also filed employee and Union grievances and met with the Office of the Assistant Attorney General (OAAG). Ah, those were the days. On a lighter note, positive activities included strengthening the Union's administrative infrastructure, recruiting more dues-paying members, publishing the Spotlight, and presenting the 2024 Elaine Snyder Labor Award to six OJP employees.

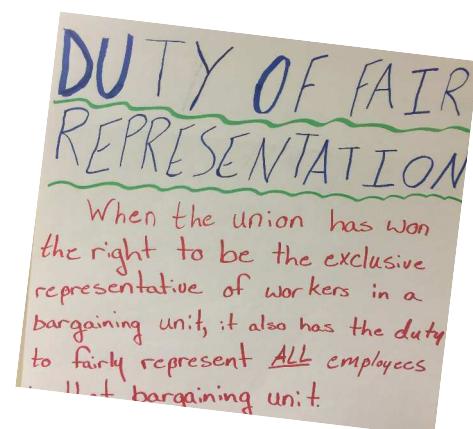
The following charts reflect all labor-management and Union activities in the 2024 calendar year. Thanks to employees who supported the Union's work through their dues; we couldn't do this work without your support.

In 2024, AFSCME Local 2830 filed 5 employee grievances per the Collective Bargaining Agreement.

**Employee Grievances filed by OJP Component**



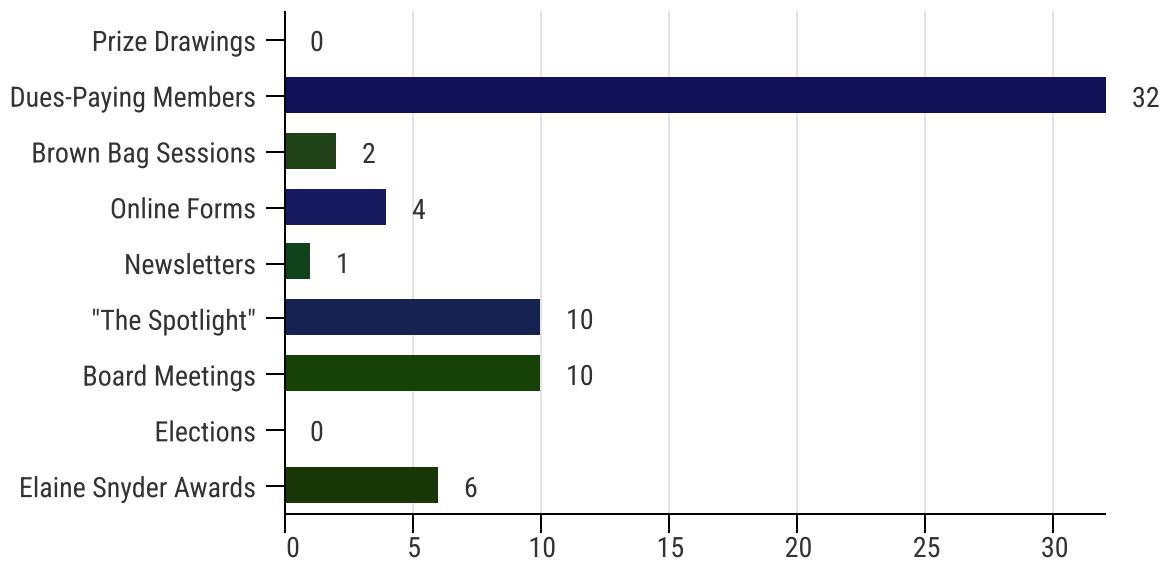
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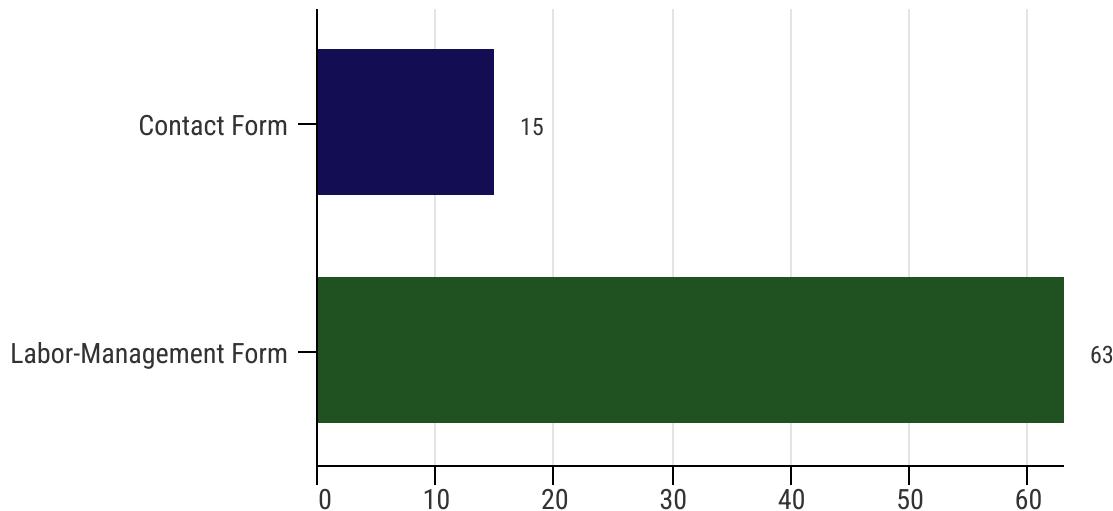
## STATE OF THE OJP UNION: 2024 AFSCME 2830 ANNUAL REPORT (CONTINUED)

### Union Activities

In 2024, AFSCME Local 2830 continued improving its administrative structure, recruited dues-paying members, issued labor-management summaries and newsletters, awarded the annual Elaine Snyder Labor Awards, and more, totaling 65 activities.



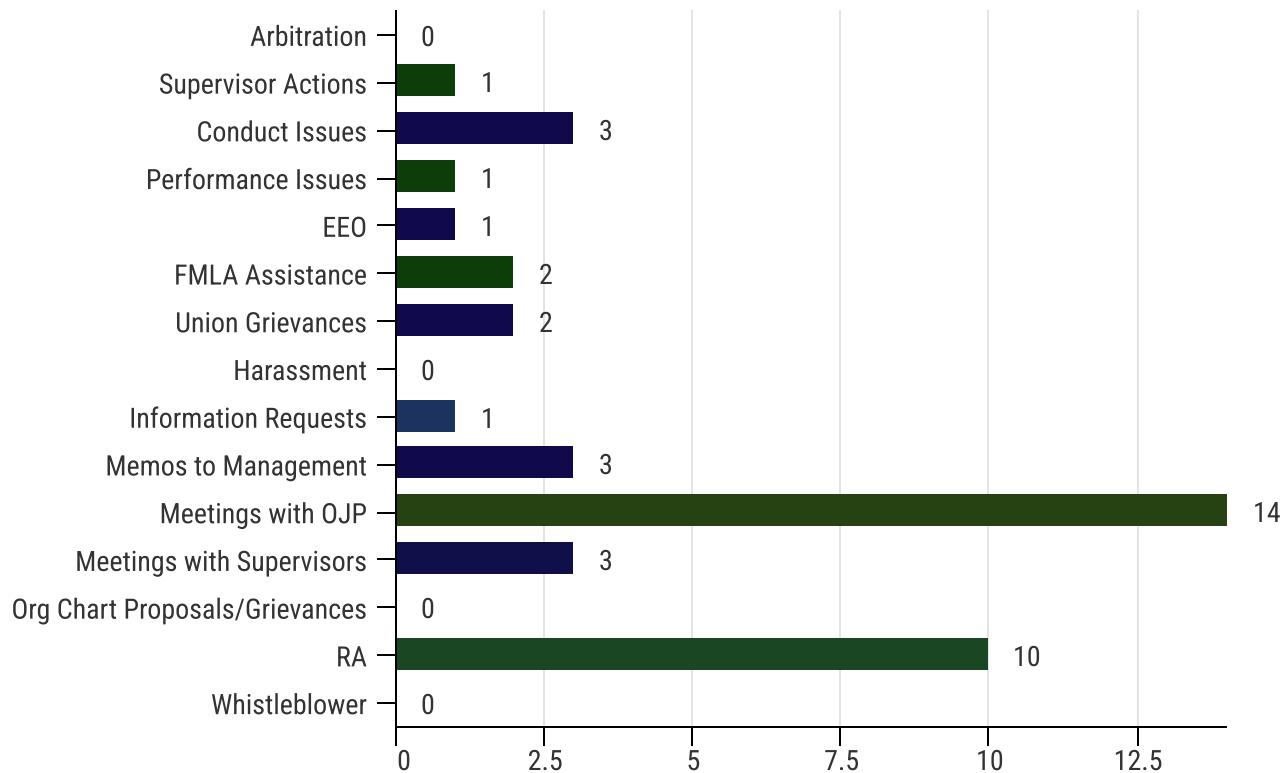
As AFSCME Local 2830 continued to improve its administrative structure, we received 78 submissions via the online forms. The Labor-Management Form represented 80% of the submissions.



# STATE OF THE OJP UNION: AFSCME LOCAL 2830 2024 ANNUAL REPORT (CONTINUED)

## Union Labor-Management Actions

In 2024, AFSCME Local 2830 facilitated and filed **41** informal and formal actions. These actions included assisting with Reasonable Accommodation (RA) requests, filing Union grievances, and initiating negotiations to renegotiate the CBA and address supervisory issues. We also filed a Union grievance regarding the return-to-on-site-work policy, initially issued in December 2023. Meetings with OJP, assisting with RA requests, memos to management, representing employees on conduct issues, and discussions with supervisors accounted for **80%** of the Union's labor-management actions.



# INSIDE THE ISSUE (continued)

## STATE OF THE UNION 2024 ANNUAL REPORT:

### BEHIND THE NUMBERS

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While numbers never tell the whole story, they remain one of the clearest indicators of AFSCME Local 2830's continued advocacy for OJP employees. As in last year's report, these data reflect the Union's ongoing work on grievances, labor-management meetings, and employee support activities throughout 2024.

#### Employee Matters

##### Employee Grievances Filed by Component

In 2024, AFSCME Local 2830 filed six (6) employee grievances, two each in BJA, OCFO, and OJJDP. These filings reflect issues raised per the Collective Bargaining Agreement, including disputes about working conditions, classification, and supervisory actions.

#### Union Activities

##### Labor-Management Meetings

The Union had 13 meetings with OJP leadership to address a wide range of working conditions. Discussions included:

- The return to onsite work and adherence to applicable policy requirements
- Ongoing "999" building issues, including facility readiness and employee safety
- Supervisor issues

These meetings remained one of the most important tools for resolving issues informally.

##### Meetings with Supervisors

The Union met with several OJP supervisors to discuss and/or resolve labor-management and other issues, including scheduling, Time and Attendance (T&A), annual and sick leave, and employee maltreatment.

##### Reasonable Accommodation (RA)

The Americans with Disabilities Act Amendments Act of 2008 and § 501 of the Rehabilitation Act of 1973, 29 U.S.C. § 791, require OJP to provide reasonable accommodations to qualified individuals with disabilities so they can perform the essential functions of their positions or enjoy the privileges and benefits of employment.

AFSCME Local 2830 assisted six (6) employees with RA requests, including:

- Drafting and submitting initial RA forms and medical documentation
- Ensuring medical documentation met statutory requirements
- Following up with HRD on delayed processing

##### Elaine Snyder Labor Award

Due to the Union's responses to the new administration, we did not hold the annual ceremony. However, we awarded plaques and \$250 cash awards to six (6) employees from BJA, OCOM, OCR, OCFO, and OJJDP. Elaine was the previous Union President who successfully negotiated the 2013 CBA. She also volunteered with the Union for several years after she retired.

# INSIDE THE ISSUE (continued)

## KNOW YOUR RIGHTS: WEINGARTEN PROTECTIONS FOR OJP EMPLOYEES

Every OJP Bargaining Unit Employee (BUE) has rights when facing meetings that could result in discipline. One of the most important of these is your Weingarten Right, which is the right to request Union representation during any investigatory interview that you reasonably believe may lead to disciplinary action. These rights stem from the U.S. Supreme Court's decision in *NLRB v. J. Weingarten, Inc.* (1975), and Title 5 labor law applies them to federal employees.

While these rights are well-established, many employees are unsure when they apply or how to invoke them. Understanding these protections can make the difference between a fair process and one where you face questioning alone.

### When Weingarten Rights Apply

You have Weingarten Rights when all three conditions are met:

1. The meeting is investigatory—A supervisor, manager, HR official, attorney, or investigator is questioning you to gather facts or determine what happened.
2. You believe the meeting may result in discipline—The standard is reasonable belief, not certainty. If a meeting could potentially lead to counseling, reprimand, suspension, or removal, the right applies.
3. You request Union representation—Management is not required to offer representation automatically; you must ask.

### How to Invoke Your Rights

You can assert your Weingarten Rights with a simple statement:

*"If this discussion could lead to discipline, I respectfully request Union representation."*

Once you request representation:

- Management must pause the interview until a representative is available.
- They may choose to terminate the interview entirely.
- Or they may offer you the choice to continue without representation. You do not have to continue.

AFSCME Local 2830 strongly recommends that you never continue without a Union representative present. A representative helps ensure the meeting is fair, lawful, and consistent with the Collective Bargaining Agreement (CBA). If management refuses your request and continues to question you, calmly restate your request. Do not refuse to appear, but you may decline to answer substantive questions. Contact us immediately.

We're here to ensure you are never navigating these situations without support.

# INSIDE THE ISSUE (continued)

## KNOW THE DIFFERENCE: DISCIPLINE, CONDUCT, AND PERFORMANCE

Understanding the type of issue you are facing at work is essential to protecting your rights. Many OJP employees are unsure whether a conversation with a supervisor is about conduct, performance, or discipline. Each category triggers different rights under the Collective Bargaining Agreement (CBA), Title 5, and federal regulations. Knowing the difference ensures that you know when to request Union representation and how the Union can assist.

### Conduct Issues

- Conduct relates to how you behave at work, such as following reasonable and lawful instructions, attendance, or complying with policies.
- Governed by Title 5 and the [Douglas Factors](#)
- Can lead to reprimands, suspension, or removal
- You have Weingarten Rights in any investigatory meeting

### Performance Issues

- Performance relates to how well you meet the critical elements of your job.
- Governed by Chapter 43 of Title 5
- Requires a Performance Improvement Plan (PIP) before action
- Management must give time and support to improve

### Disciplinary Actions

- Disciplinary actions are formal penalties (reprimands, suspensions, removals) that may follow conduct or performance issues.
- Require written notice and an opportunity to respond
- Employees may grieve, appeal, or seek arbitration
- The Union can help prepare responses and attend meetings

### When in Doubt, Ask:

- "Could this meeting lead to discipline?"
- "Is this investigatory?"
- "May I have union representation?"

AFSCME Local 2830 is here to ensure that the process is fair, that your rights are protected, and that OJP follows the CBA and federal law.

# INSIDE THE ISSUE (continued)

## THE COLLECTIVE BARGAINING AGREEMENT AND YOU: RECOGNITION AND DEFINITION OF UNIT

The OJP AFSCME Local 2830 Collective Bargaining Agreement (CBA) protects your rights and working conditions. The CBA covers various topics that include:

- Rights and obligations of OJP employees;
- Merit promotions;
- Health, Safety, and Related Services;
- Reduction in Force;
- Disciplinary and Adverse Actions; and
- Performance evaluations

As OJP refuses to recognize the Union, we remind employees that the CBA remains in effect until the Ninth Circuit rules otherwise. Article 1 outlines OJP's responsibilities to recognize AFSCME Local 2830 as the exclusive representative of OJP Bargaining Unit Employees (BUEs).

### Article 1

Section 1. The Employer hereby recognizes Local 2830 of AFSCME as the exclusive representative of all employees in the unit (as defined below). The Union recognizes the responsibilities of representing the interest of all such employees, without discrimination and without regard to Union membership, with respect to grievances, personnel policies, practices and procedures, or other matters affecting their general working conditions.

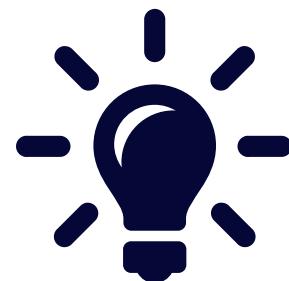
Section 2. The Federal Labor Relations Authority (FLRA) has certified the Union as the exclusive representative of the bargaining unit as follows:

**INCLUDED:** All full-time and regularly scheduled part-time professional and non-professional General Schedule and Wage Grade employees and employees with temporary appointments of more than 90 days, employed by the Office of Justice Programs, Washington, D.C.

**EXCLUDED:** All Field Office employees, summer employees, student aides, employees with temporary appointments of 90 days or less, and employees described by 5 U.S.C. § 7112(b)(2),(3), (4), (6), and (7).

In accordance with 5 U.S.C. § 7112, a bargaining unit may not contain:

1. any management official or supervisor;
2. a confidential employee;
3. an employee engaged in personnel work in other than a purely clerical capacity;
4. an employee engaged in administering the Federal Service Labor-Management Relations Statute;

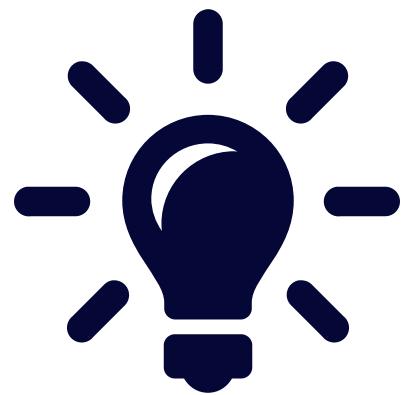


# INSIDE THE ISSUE (continued)

## THE COLLECTIVE BARGAINING AGREEMENT AND YOU: RECOGNITION AND DEFINITION OF UNIT (continued)

5. both professional employees and other employees, unless a majority of the professional employees vote or inclusion in the unit;
6. any employee engaged in intelligence, counterintelligence, investigative, or security work which directly affects national security; or
7. any employee primarily engaged in investigation or audit functions relating to the work of individuals employed by an agency whose duties directly affect the internal security of the agency, but only if the function is undertaken to ensure that the duties are discharged honestly and with integrity.

Section 3. This Agreement covers only those positions included in the bargaining unit. Where the term employee(s) is used it is understood to mean bargaining unit employee(s). Section 4. The Employer shall recognize the Union President as the primary point of contact for matters affecting the Union, unless otherwise designated. In addition, the Union Vice President shall serve in the absence of the President.



**Check out AFSCME Local 2830's [website](#) for the latest news and alerts!**



# WHAT OJP EMPLOYEES NEED TO KNOW

## Need Assistance with an EEO Complaint?

OJP's Equal Employment Opportunity Office assists Bargaining Unit Employees (BUEs) with workplace discrimination claims based on race, color, religion, sex, age, national origin, sexual orientation, and physical or mental disability. The Equal Employment Opportunity Commission (EEOC) regulations and statutes permit a complainant to represent themselves, a lawyer, a person of their choice, or a union representative. OJP's Union has successfully represented several current and former OJP employees with their claims.

For additional information, contact:

- Laura Colon-Marrero, OJP's EEO Director, at (202) 598-9177

## The Union Wants Whistleblowers

If you suspect waste, fraud, or abuse, the Union has worked successfully with OJP whistleblowers and helped them retain free legal representation through the Government Accountability Project. Public service is both an honor and a responsibility. Taxpayers entrust us with a fiduciary responsibility, and we must be worthy of that trust. If you see something, say something. The Union keeps all communication confidential. Contact Andrea R. Coleman, President, to assist with reporting violations of any law, rule, or regulation, gross mismanagement, gross waste of funds, abuse of authority, and substantial and specific danger to public health or safety.



To become a dues-paying member, contact us via the [AFSCME Local 2830 Contact Form](#).

## How AFSCME Local 2830 Spends Your Dues

As a dues-paying member, you might ask, Where does the money go? Your dues pay for things like:

- Supporting litigation to preserve collective bargaining and other labor rights.
- Receiving administrative support from AFSCME Council District 20 as a member of federal unions.
- Receiving legal advice and guidance via AFSCME District Council 20 for various issues such as negotiating the CBA, Reasonable Accommodations, Unfair Labor Practices (ULPs), and arbitration.
- Supporting Federal legislative efforts via AFSCME International and District Council 20, resulting in paid parental leave for federal employees, pay raises, and protecting benefits.
- When needed, facilitate arbitration between OJP management and employees.
- Providing OJP employees with health and bereavement emergency resources.
- Providing training and certification for AFSCME Local 2830 officers.
- Supporting administration, such as Zoom, and publishing platforms.
- Sponsoring events for employees like the "Commemoration of the Memphis Sanitation Workers' Strike of 1968 and Martin Luther King, Jr.'s Support of the Strikers and attending the Baltimore Museum of Industry's Bull & Oyster Roast.