

AFGE Local 2199

Newsletter 4/1/23

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Calling all AFGE 2199 members!! We are looking for people that want to become stewards for the CBOCS and for the main campus. Leadership goal is to try to get a steward in all departments and in every CBOC. If you are interested, please contact Rob Johnson or Jeff VanCuren at (801) 582-1565 ext 1086. We are looking for self-driven individuals that have a passion to help others and to make the VA a safer, better, place to be employed.



Upcoming Events

Coming in February we have the LegCon convention in Washington DC we will be attending and will provide updates on that convention. This gives us a chance to meet with our state and national reps to lobby on your behalf. Please be on the lookout for election information.

Membership Meeting

Membership meetings are held every 2nd Wednesday of the month. We welcome all to attend. Team links will be provided 48 hours in advance for those that are unable to attend in person. We are also considering changing the time for the meetings to make it more available for the masses to attend. More to come!!

Lunch & Learn

New Year, new dates for leadership to be swinging by all CBOCS to check in and see how things are going and for questions and info sessions.

You only fail
when you stop
trying.

-Albert Einstein

Largest Veterans Affairs Employee Union Calls on VA to 'Do Better' After Arbitrator Finds Agency Guilty of Violating Federal Labor Law



Decision comes as union and agency mark one year of contract negotiations with zero agreements reached on contract articles.

WASHINGTON – The American Federation of Government Employees (AFGE), the largest union representing 291,000 Department of Veterans Affairs (VA) employees applauds a recent arbitrator's decision finding the VA, led by Secretary Denis McDonough, in violation of the Federal Service Labor-Management Relations Statute, the parties' ground rules, and a 2021 settlement agreement for failing to bargain in good faith over the federal government's largest master collective bargaining

agreement.

“For over a year, AFGE negotiators have shown up ready to negotiate a fair contract that helps VA employees and the veterans we serve. But due to the bad faith tactics in these negotiations, we have been unable to reach a deal,” said AFGE National VA Council President and chief negotiator Alma Lee. “This arbitration decision is proof that our previous criticisms of the VA negotiating team were valid and that Secretary McDonough’s VA is acting in a way totally contrary to President Biden’s commitment to be the most pro-union president in history.”

Prior to the start of contract negotiations in March 2022, AFGE and the VA reached an historic settlement agreement in July 2021 that restored employee representational rights, rolled back anti-worker actions taken by the previous administration, resolved pending litigation, and set ground rules for then forthcoming negotiations. After spending six weeks at the negotiating table AFGE National VA Council filed a national grievance against the VA over violations of the July 2021 settlement agreement, the ground rules, and federal labor law, after the agency repeatedly bargained in bad faith.

Secretary McDonough recently claimed that “good faith bargaining” was progressing with AFGE and that “tentative agreements” were reached at every bargaining session. However, in the award, the arbitrator directed VA to cease and desist from bargaining in bad faith and required that Secretary McDonough himself sign and post a notice to employees affirming that they will do so.

“President Biden’s executive order encouraging collective bargaining within the federal government was crystal clear – it is totally unacceptable that the VA has failed to follow through on his commitment and has instead continued with the same anti-union tactics employed by the previous administration,” said AFGE National President Everett Kelley. “On behalf of the 291,000 VA employees represented by AFGE – a third of whom are veterans themselves – I am calling on the VA to do better by negotiating in good faith with our union. VA employees work tirelessly to care of our nation’s heroes, and they deserve more action and less lip service from their leadership.”

AFGE Wins Arbitration Against VA Over Bad Faith

Major victory for AFGE National VA Council, an arbitrator recently ruled that the Department of Veterans Affairs has engaged in bad faith bargaining and ordered the agency to cease and desist its pattern of unlawful conduct and go back to the bargaining table to negotiate in good faith with the largest union of VA workers.

Following a historic settlement agreement in July 2021, NVAC and the VA have been in contract negotiations on a “limited reopener” of the 2011 Master Agreement since March 2022. Instead of fulfilling the promise of the Biden-Harris Administration to expand collective bargaining rights and empower federal workers, VA negotiators are demanding that the union accept concessions in nearly every article of the contract.

The parties have completed 19 weeks of bargaining and exchanged nearly 100 counterproposals but have not reached an agreement on a single article as the VA has engaged in bad faith bargaining.

The agency, for example, insisted that all existing local supplement agreements (LSAs) and Memorandum of Understandings be terminated. It will not agree to provide performance improvement plans (PIPs) to employees whose adverse actions are taken under the 2017 VA Accountability Act even though the Federal Labor Relations Authority held that PIPs were not conflicting with the law. VA negotiators also refuse to recognize FLRA precedent or provide data to support its bargaining proposals.

AFGE subsequently filed four national grievances against the VA. On March 9, Arbitrator Felice Busto issued her decision regarding NVAC's first two national grievances, ruling that the VA indeed negotiated in bad faith in violation of the parties' agreements and law.

Arbitrator Busto found that VA violated the parties' ground rules by repeatedly attempting to negotiate over subjects outside the scope of the "limited reopener." For the PIPs issue, for example, the arbitrator agreed with AFGE that the agency ignored the FLRA ruling that said there was no conflict between the Accountability Act and the union contract requiring PIPs. The arbitrator also agreed with the union on the local supplements issue, finding that the VA cannot force AFGE to negotiate over a waiver of its right to bargain. She also concluded that a pattern of bad faith behavior amounted to "surface bargaining" in violation of the law.

"Although the Agency had the right to negotiate regarding the procedures for LSAs it did not have the right to unilaterally insist that all such agreements expired. It is well settled that while a party may seek to renegotiate the terms of an agreement it cannot insist that provisions of the agreement are "expired" or "no longer enforceable," the arbitrator said. "The Agency's proposals on [Articles 14 and 46] were regressive and attempted to remove longstanding provisions of the Agreement regarding Discipline/Adverse Action and LSAs from the Agreement."

The arbitrator ordered the VA to withdraw its proposals in multiple articles, cease and desist from further violations of the law and agreements, and return to the bargaining table to negotiate in good faith. She also ordered VA Secretary Denis McDonough to sign a written posting acknowledging VA's bad faith bargaining, with a copy provided to all 291,000 AFGE bargaining unit employees.

Secretary McDonough recently claimed that "good faith bargaining" was progressing with AFGE and that "tentative agreements" were reached at every bargaining session.

Here is a [link](#) to the press conference. His comments about AFGE begin around the 12:45min mark.

AFGE Applauds White House's 5.2% Pay Raise for Feds But Seeks 8.7%

AFGE commends President Biden for proposing a 5.2% pay increase for federal workers next year but insists more needs to be done to keep up with inflation and address the double-digit pay gap between public and private sectors.

“AFGE applauds President Biden’s reported inclusion of a proposed 5.2% pay adjustment for federal employees in his proposed 2024 budget. Not only would this be the largest increase since 1980, it would also be a significant step in the right direction for efforts to recruit and retain the next generation of federal workers,” said AFGE President Everett Kelley.

“While we applaud the President’s proposal, it is not enough. More must be done to make serious progress in closing the double-digit pay gap between federal employees and their private-sector counterparts. Congress should pass the FAIR Act’s 8.7% adjustment.”

The Federal Adjustment of Income Rates (FAIR) Act has been updated and reintroduced by Congressman Gerry Connolly, D-Va., in the House and Senator Brian Schatz, D-Hawaii, in the Senate.

Our government needs to fairly compensate federal government workers. These dedicated public servants care for our veterans, protect our borders, keep our food supply safe and our air and water clean. Despite this critical work, federal salaries remain 23% lower on average than those who do similarly skilled work in the private sector and state and local government.

“For more than a decade, this pay gap has caused high turnover and difficulty filling positions at some of our most important federal agencies. Recent inflation has only made that problem worse,” Kelley added.

“Better pay for federal employees will help attract more workers to a career in public service, making government services more efficient for all Americans.”



Your partnership with AFGE doesn't have to end when you retire.

AFGE Retirees are front and center in our efforts to honor and defend government employees. That means advocating for a productive, healthy, and secure retirement as well as good jobs, pay, and benefits

for those who are still working.

- Stay connected with friends through social activities and volunteer opportunities
- Keep informed about issues affecting retired and active government employees
- Take action to protect retirement security, jobs, and government employee pay
- Save money on a host of benefits – Retirees receive all AFGE discounts and benefits
- Share your skills with the next generation of union leaders and activists



From the President's Desk

To the Members of Local 2199,

It was requested by my fellow E Board Officers to introduce myself and to share some of my background and accomplishments with you so you may get to know me a little better. I would also like to formally invite you to the AFGE Union office in building 590. Come by and introduce yourselves so that we may get to know each other.

After high school, I married my first wife, and shortly after we were expecting our first child. Having no insurance, I turned towards the military because I knew it was the right choice for my family. After joining the US Navy in 1980, I began studying to become a corpsman at Balboa Naval Hospital in San Diego. Upon completion of my training at Balboa, I was sent to Camp Pendleton, USMRCD where I was assigned to the Marine Corps Amphibious Assault Command and served onboard the USS New Jersey BB-62 as a corpsman. Returning stateside in 1984 and being discharged by 1985.

In 2011 I started the on boarding process at the Salt Lake City VA Hospital to become one of several Lab Technicians after completion of the National and State Certified Medical Technicians. A few years after my employment and my membership with AFGE Local 2199, I was selected to be the Chief Steward. I began taking courses through our AFGE .org website and in 2020 during the pandemic, I took

every opportunity there was to educate myself. While working as a Lab Technician at the SLC Laboratory, then becoming the Lab Technician at the West Valley CBOC, and finally landing at the South Jordan CBOC after the closure of the West Valley CBOC. I began learning what was important to our members as I had ample opportunities to listen to the voices of our concerned employees. While taking the time to listen to your concerns, I began to build a solid foundation towards some much needed and positive changes within our local. With your voices, and the action taken by the local, we have made great strides to improve the workplace for Local 2199 members and employees.

Since 2020, I have been proudly serving you as the Executive Vice President, until April when I was sworn in as your acting President, then in May I was fully sworn in as the President of L2199. During my time as President, I have worked diligently with the executive body and membership to ensure the voices of all employees are heard. I have chosen to run for President of our AFGE Local 2199 because I strongly believe in our local and look forward to meeting the needs of our members and employees. We have a lot of work to do!

This past spring, I took your collective voices to Washington D.C. I knocked on every door of our Utah Congressmen in the House. Your National AFGE and local union leadership collectively got ALL VHA employees a 4.6% raise you all saw beginning in January 2023!

As many of you know, I have always been concerned about equality. I believe there are circumstances to all situations that require dignity and respect towards each other. Over the past couple of years, we have seen the struggles of our brothers and sisters, and it is time to stand up and do what we know is right! I would like to see a partnership between management and the employees who serve our veterans. We have to learn to support one another and lift each other up as often as possible.

Together we have an obligation to defend the rights of ALL employees! The Master Agreement is a legally binding contract between the Agency (Department of Veteran Affairs) and the American Federation of Government Employees (AFGE), to which the Department and the Union agree that a constructive and cooperative working relationship is essential to achieving a quality work environment for all! We must continue to hold management accountable for the decisions they make towards employees, essentially causing detrimental harm to individuals, careers, and most importantly our employees that so diligently and humbly care for our veteran heroes! We must also remember to hold each other accountable. We have an obligation to create a cohesive working environment with our coworkers and our supervisors.

Local 2199 has many opportunities for leadership roles. We have taken great strides in establishing relationships with all members. Recently we have invited Kendra Childs to be our B.L.A.C.K. Coordinator, and she is looking for Co-Coordinators. Taylor Wensel is serving as our Y.O.U.N.G. and Fair Practices Coordinator and serves as the District 11 Y.O.U.N.G. Coordinator. Eli Blevins is our P.R.I.D.E. Coordinator. Tina Dameron serves as your Treasurer/Secretary, Women's Coordinator, and serves on the District 11 AFGE Retiree Board. Jeff VanCuren works tirelessly as your Executive Vice President. Our local also has elected Susan Nielsen and Lisa Maria Manning to work primarily with the VBA and VHA as your Vice Presidents. We are currently seeking to fill additional coordinator positions for our H.I.S.C.O. (Hispanic Coalition) group, and many more steering committees within our local, so this is my plea to you! We need your help to become the strongest local within our district! Your voice matters, and your local is here to listen to fight if need be. Right now is the time to fight. Please send

your views to your Director and the Associate Directors, letting them know that on the new MOU regarding AWOL's, YOU DO NOT AGREE TO! And as your President, I will not sign it!

Let us stand together in solidarity, strength, and unity!

I will continue to strive towards transparency and will always have an open door policy to listen to my brother's and sister's concerns. I have already been able to accomplish these above said things in three months, imagine what we can do for this Local in the NEXT THREE YEARS!

In Solidarity,

Rob J. Johnson, President

Local 2199

District 13 Ch 219 NVAC Trustee

District 11

AFL-CIO

Transparency and Availability

Union officers are to provide more transparency and availability. What does this mean for the members? This means that if you need a rep to assist you then you will get one quickly. If you want to know what is happening in the local chapter, then we will have a monthly briefing to inform you of upcoming events. Our goal is to keep everyone informed of local events and events happening on the national level that will affect the VA and the employees.

AFGE LOCAL 2199

Union

President — Robert Johnson
Treasurer/Secretary- Tina Dameron
Executive Vice President - Jeff VanCuren
VHA Vice President - Lisa-Marie Manning
VBA Vice President -Susan (Jackie) Neilsen
Sergeant At Arms - Caitlinn Tanaka
Chief Steward - Robert Malone
Fair Practice/YOUNG Cord. - Taylor Wensel
PRIDE Coordinator- Eli Blevins
B.L.A.C.K.- Coordinator-Kendra Childs
APOWER Coordinator-Caitlinn Tanaka
HISCO Coordinator- VACANT

AFGE Local 2199 Contact Info:

801-582-1565 ext 1086

<https://www.afge.org>

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