



The Four Winds

National Weather Service Employees Organization

NWS Wastes Taxpayer Dollars Appealing a Decision that Promotes Employee Health and Safety

(June 5, 2014) Promoting employee health and safety or attorney fees on a meritless appeal - Where would you target your efforts and resources if you were the Assistant Administrator of the National Weather Service?



This stack of papers is the NWS's appeal filed by the General Counsel of the Department of Commerce in an attempt to overturn Arbitrator Mariann Schick's decision that orders the NWS to reinstate the disposable kitchen items in your break rooms.

Arbitrator Schick determined that the NWS violated an agreement with NWSEO when it unilaterally terminated the purchase of disposable cups, plates, utensils, napkins and other kitchen items in March 2013. Ms. Schick also found that the agency committed an unfair labor practice, in violation of the Federal Service Labor Management Relations Statute, when it illegally repudiated the September 2009 agreement to provide these supplies. She ordered the NWS to restore these items to NWS offices in her May 5 decision.

NWSEO went to great lengths to work with NWS in order to avoid the initial arbitration. In March 2013, the NWS's Acting Chief Financial Officer, John Longenecker, directed NWS managers stop purchasing disposable kitchen items because he determined that it was illegal to use appropriated funds to purchase items "for the personal convenience, comfort or protection" of employees. His order relied on a 1924 decision of the Comptroller General, *issued during the Coolidge Administration*. NWSEO immediately filed a grievance that was denied by NWS management.

In an effort to avoid arbitration and the waste of your tax dollars, NWSEO met with Dr. Louis Uccellini and agency counsel to provide them with a stack of decisions made since 1924 which proved the legality of purchasing these items for NWS offices (many of which Ms. Schick used for her decision). The NWS, instead, decided to spend your tax dollars on this unnecessary arbitration in spite of the overwhelming evidence presented to them. Now, even more of the agency's resources will be wasted in the filing of this appeal which also has additional costs to the Federal Labor Relations Authority, which must adjudicate it.

It is hard to imagine that with current international trade violations, international piracy of American intellectual property, and commercial espionage, the General Counsel of DOC would rather spend its efforts to make sure that NWS employees don't get paper plates and utensils.

-NWSEO-

**No one cares more for National Weather Service employees than
National Weather Service employees.
No one works harder for National Weather Service employees than
National Weather Service employees.
We are NWSEO.**