



The Four Winds

National Weather Service Employees Organization

NWS Violates the Collective Bargaining Agreement in an Attempt to Terminate It

(July 26, 2017) NWSEO filed a union grievance in response to the improper termination of the 2001 Collective Bargaining Agreement by the National Weather Service. The NWS willfully chose to ignore Article 29 Section 3 of the CBA, which states in part: "If at the end of the 90-calendar day period an agreement has not been reached and the services of neither FMCS nor FSIP have been invoked, either party may, upon written notification to the other, terminate any or all sections of the Agreement." The NWS cited this section in their attempted CBA termination. Recent attempts by the NWSEO to involve the FMCS in the stalled negotiations have failed because the NWS refused the services stating that "the parties are making progress in negotiations on their own." "The NWS all-hands email states, you should continue business as usual," stated Dan Sobien, NWSEO President.

Sobien notes: "We find it very disturbing that even allowing for their misreading of our CBA, that the NWS would send out a press release, contact Congress, send an all hands email and involve the Secretary of Commerce in something that is old news since the CBA was actually re-opened two years ago and we contacted FMCS during the timeframe specified in the CBA."

A recent email to NWS employees state, "Renegotiating the agreement with NWSEO is about enhancing the rights and opportunities that all of you deserve... Our proposals for the new contract do not propose a decrease in the number of forecast offices or that any employees lose their job." While no CBA proposals addresses specifics as in the exact number of offices or that any employees will lose their jobs, these agreements cover issues such as scheduling which directly impact employee conditions of employment. "As for enhancing your rights and opportunities, none of their proposals presented us to do that, and many of their proposals take away the rights you now have. For instance, the NWS's home leave proposal would remove the rights for home leave from employees in Puerto Rico, while keeping it for Pacific Islanders. It also made home leave subject to termination completely at management's discretion. We have made proposals that will enhance your working conditions and so far, at the bargaining table they have pushed back very hard against our proposals." says Sobien.

The NWSEO Negotiation team is contributing not only hours, days, but months and years of their personal life to make this a better CBA for all employees. They spend half of their lives in hotels in addition to absorbing a financial toll such as losing shift differential, awards, etc. Sobien notes: "Should any of you know a CBA bargaining team member, please thank them. The group comes to the table as a team with case law and examples of articles from other federal contracts. They care about our members and your working conditions for the years to come."

In July 2015, the NWS sent NWSEO notification to open and renegotiate the CBA. At that time, the union put together a diverse team with skill sets needed for these negotiations and forwarded the team list to NWS. They objected, and declared impasse which caused a delay of four months. Ground rule negotiations began in November 2015 where NWS demanded that NWSEO agree to their ground rules and refused to

negotiate with the union. NWS declared impasse with FSIP and filed an unfair labor practice (ULP) charge. NWSEO filed a ULP charge against the NWS. The Federal Labor Relations Authority (FLRA) sustained the NWSEO ULP complaint and filed a charge against the agency, and dismissed the NWS complaint. The FSIP agreed with NWSEO and ruled the parties were not at impasse, and ordered all back to the table. Four months later in March 2016, the negotiations resumed. In May 2016 ground rule negotiations concluded for all but one section. NWS again declared impasse, which was resolved in December of 2016, a seven-month delay.

Contract negotiations have occurred for three months. NWSEO has delivered all proposals according to the schedule agreed to by NWS. The ground rules schedule specifies that NWSEO will submit five proposals per month for a maximum of 45 proposals. "We are not going to apologize for it. At one point during ground rule negotiations we sat across the table from four attorneys. Not just any attorneys, but specialists in the field including one attorney who at one point was the General Counsel for the FLRA. We are not going to apologize for any advantages we may have gained during those ground rules negotiations and we are certainly not going to give away these advantages just because NWS is trying to pressure us through all hands emails." stated Sobien.

At the end of each negotiation session, we compile the *Contract Connect* for our employees. *Contract Connect* is your best source of timely information about what is happening at the bargaining table and its impact on your work life.

-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.**