



## Contract Connect

### *Highlights*

- Fifth Remote Negotiations Session Brings Slight Progress
- Counter Proposals Exchanged for Articles 6, 13, 17 and 22
- Union notifies Management the Union will not Waive its Right to Meet Employees in Non-Work Areas on Non-Work Time
- Management Proposes Discriminating Against Union Representatives in its Facilities Article

(June 11, 2019) Negotiations for the new NWS-NWSEO Collective Bargaining Agreement (CBA) continued during a partial two-week remote session May 28<sup>th</sup> through May 30<sup>th</sup> and on June 6<sup>th</sup>, 2019 (Management recessed negotiations on June 4<sup>th</sup> and 5<sup>th</sup> due to a meeting conflict). NWSEO still prefers face to face negotiations over the current, challenging GoToWebinar negotiations.

The Parties made slight progress on Article 13, titled "Performance Management" (NWS) and "Performance Appraisals and Within Grade Increases" (NWSEO). There were productive discussions concerning employees on temporary details, and several counter proposals made by both Parties. NWSEO did accept part of two (2) NWS Sub-Sections with regards to the critical elements in an employee's performance plan within Article 13.

Article 6, Rights of the Union, was also discussed with most of the attention on Management's willingness to provide the Union with a roster of bargaining unit employees and allowing NWSEO Union Officials visit NWS facilities to perform representational duties. While a roster of employees appears to be a simple request, Management was insisting that each of these requests be made in the form of a "**particularized need**", specifying why the Union needs the information; how it will use the information; and how its use of the information relates to carrying out its representational responsibilities under the Federal Statute. With regards to allowing the NWSEO Union officials permission to visit NWS facilities, NWSEO proposed that Union representatives not assigned to the facility receive advance clearance from Management of the facility being visited to perform its representational duties, and nothing shall affect the right of the Union to meet employees in non-work areas on non-work time. Management would not accept the Union's proposal, in which the wording is very similar to wording that has been in the CBA since the first CBA was signed over 40 years ago. NWSEO said time and time again, **the Union has the statutory right to meet employees in non-work areas on non-work time.**

Article 17, Training and Career Development was also discussed. **NWSEO made a major counter proposal** and rewrote many of its original proposals. There was an extended discussion with regards to bargaining unit employee mandatory training and having enough time to complete the training, especially with regards vacancies, workload requirements and unforeseen circumstances. Discussions were productive, but no agreements were reached. NWSEO is eager to have further discussion on this topic at future negotiation sessions.

Since the majority of the Union's CBA Negotiating Team was at NWS Headquarters for a prior meeting, NWSEO proposed to have a face-to-face negotiating session (between some members of both Parties) on June 6th. Unfortunately, the NWS Chief Negotiator refused this request, which is his right under the agreed upon negotiation ground rules. NWSEO saw this as a wasted opportunity, was disappointed and decided to have all but one negotiator meet in a conference room at NWS Headquarters on the 6<sup>th</sup>. Discussions centered on Article 22, Facilities, which Management had previously sent counter proposals to the Union away from the bargaining table. One of those proposals struck language that was previously proposed – **"Past practice with respect to allowing NWSEO representatives to request to use current NWS facilities and equipment shall remain."** In Article 25 of the current CBA it reads, "NWSEO representatives may use certain NWS equipment and basic office supplies for representational purposes..." Management's newest proposal means that NWS bargaining unit employees who are Union representatives cannot use Government equipment to conduct NWSEO business of any kind, even though current NOAA policy and previously agreed to language in the Parties' new CBA allows use of equipment for limited personal use as long as it does not impact operations. NWSEO demanded that Management withdraw this clearly discriminatory proposal, but the NWS Chief Negotiator said, "Not gonna happen." Negotiations were eventually recessed by management.

The next remote CBA negotiation session is scheduled for June 25th-27th, 2019. NWSEO will continue to negotiate with Management and through consensus, provide counter proposals to try to reach agreement on a new CBA.

**The NWSEO Negotiation Team for this session included:**

1. JoAnn Becker, NWSEO Chief Negotiator May 28-30, NWSEO NCEP Region Chair, Senior Aviation Meteorologist, Aviation Weather Center, Kansas City, MO.
2. Mike Dion, NWSEO Headquarters Region Chair, Digital and Graphical Information Support Branch, NWS Headquarters, Silver Spring, MD.
3. Lauren Nash, Lead Meteorologist, WFO Tallahassee, FL (May 28-30).
4. Karleisa Rogacheski, Journey Meteorologist, WFO Sacramento, CA (May 28-30).
5. David Solano, NWSEO Secretary/Treasurer and Eastern Region Chair, Senior Hydro-Meteorologist, Middle Atlantic River Forecast Center, State College, PA (May 28-30).
6. Daniel Sobien, NWSEO Chief Negotiator June 6, NWSEO President, Meteorologist, Tampa Bay Area, WFO Ruskin, FL.

7. Delyne Kirkham, NWSEO Western Region Vice-Chair, Observations Program Leader, WFO Elko, NV (June 6).
8. Mike Ottenweller, NWSEO Alaska Region Chair, Lead Meteorologist, WFO Anchorage, AK (June 6).

**The Agency/NWS Negotiation Team for this session included:**

1. Kenneth Brown, J.D., NOAA Attorney, National Weather Service Chief Negotiator.
2. David Murray, NWS Labor-Management Relations (LMR) Liaison, Silver Spring, MD.
3. Sally Pavlow Johnson, Meteorologist in Charge, WFO St. Louis, MO. (May 28 and 29)
4. Ken Harding, Deputy Director, NWS Central Region Headquarters, Kansas City, MO (May 28, 30)
5. Sam Albanese, Meteorologist in Charge, WFO Anchorage, AK.

**Contract Connect**, the negotiation newsletter for bargaining unit employees from bargaining unit employees, brings the latest news from the negotiations table to you. It is distributed as quickly as possible after each CBA negotiation session.

**-NWSEO-**

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**No one works harder for National Weather Service employees than National Weather Service employees.**

**We are NWSEO.**