

Volume 13 Number 2

December 2014

## Fifty Years of Service

By Gabrielle Martin, Council 216 President

In 2015 we will mark 50 years since EEOC opened its doors for service. We the employees of the EEOC are proud to be federal employees. Over the years, we have contributed mightily to the landscape of workers in America. Ensuring that workplaces are free from illegal discrimination is a never ending job. It is a job we have done for 50 years now. It is a job we have done with the Union since it was chartered in 1976. Over the years, employees have been the mainstay of the organization.

Employees are the constant at EEOC. Whether we had Democratic or Republican Presidents, and whether Democrats or Republicans controlled the House or Senate, employees were here, working to eradicate illegal discrimination in the workplace.

The journey has not been easy as there are times when funding for the agency has been limited, encumbered or the agency has otherwise been restricted in its ability to perform its work. There are times when more work comes in the door than could possibly be processed. The agency went

from enforcing only Title VII to all the laws we enforce today. From its early days when the Supreme Court issued landmark decisions to the current day Supreme Court decisions, bargaining unit employees have been at the forefront. We have worked lots of unpaid overtime, uncompensated hours and weekends in support of the agency's mission. We have put forth great ideas to make the agency more effective and to accomplish the work more efficiently.

*Continued on page 5*

## Step Up or Be Stepped on By the New Congress

By Rachel Shonfield, AFGE Local 3599

Elections have consequences- serious consequences now for EEOC and its workers. The new Congress has the plans and the power – through oversight and control of the purse strings - to make things difficult for EEOC and the Federal workforce. Prepare to do EEOC's important work with fewer on the job resources and less in your pocket- or step up now to stop the harm.

Expect EEOC's budget under the new Congress to go from bad to worse. EEOC's current funding is already \$3M lower than it was in FY10. And it's not like the cost of gas, airline tickets, postage, paper, or leases went down since 2010. The new Congress is certain to leave EEOC at flat-funding and reject the outgoing Democratic led Senate committee recommendation for a \$1M increase. The new Congress may also pass appropriations riders. Flat funding or cuts mean more hiring freezes, so more worked dumped on the shrinking workforce.

On October 1, 2015, prepare for the return of sequestration and unpaid furlough days. Last year's compromise reopening government shoved the ten year law into temporary hibernation. When sequestration rears its ugly head again, the across the board cuts will be even deeper.

In FY13, EEOC passed the sequester cuts along to employees, costing them a week's pay with five furlough days, and continuing a hiring freeze. The Union's campaign for more sensible cuts stopped more furloughs- proof that solidarity can make a difference. Get ready to speak up again in ten months, to make EEOC think twice about dusting off its rotten old furlough plans.

In the new Congress we are losing to retirement several oversight Committee leaders, who have really understood and cared about EEOC's civil rights mission and the issues faced by EEOC's workers: George Miller (CA-D), Ranking Member of House Committee on Education and Workforce; Rep. Frank Wolf (VA-R),

Chairman of EEOC's appropriations subcommittee; and Senator Harkin (IA-D), Chairman of the HELP Committee. These will be hard shoes to fill.

Sen. Ron Johnson (WI-R), the new Chair of the Homeland Security and Governmental Affairs Committee will hold hearings on whether Feds are paid too much. A return to pay freezes is surely next. He does not believe Federal workers should be unionized. A 2011 Minority Staff Report for Sen. Johnson recommended consolidating EEOC with OPM. In the unlikely event that happens, can you spell RIF?

All Feds should get ready for the new Congress to embrace House Budget Chairman Paul Ryan's plan to make Federal workers pay 5.5% more of their salary toward retirement, amounting to a 5.5% pay cut. Also, prepare to push back retirement, as the Ryan plan does away with the FERS early retirement supplement for those eligible to retire before 62. And expect your

*Continued on page 3*

# The Good Boss Lottery

By Gabrielle Martin, President Council 216



This summer, I was invited to attend the White House Summit on Working Families. The summit on June 23, 2014, was an amazing opportunity to hear from this nation's corporate and government leaders, including the President of the United States, on family friendly policies to improve workplaces. It was an ironic twist listening to these speakers and knowing here at the EEOC, the "Model Employer," is blocking workplace flexibilities such as the new CBA's extra telework day.

The theme of the day was the "Good Boss," who cares about and provides flexibilities for work life balance, and trusts employees to get their job done in the office or working from home. The "Good Boss" is rewarded by inspired, efficient, and productive employees who improve the bottom line.

White House Senior Advisor Valarie Jarrett opened, calling for a minimum wage increase. Dr. Jill Biden addressed the "sandwich generation" caregivers. Vice-President Joe Biden recalled missing votes in the Senate to take the train home to his sons after he lost his wife and daughter in a car crash.

President Obama, the luncheon keynote speaker, talked about work as a basic dignity and recognized families as the bedrock of our nation, saying that working families improve the economy and the future. Noting that the U.S. is the only developed country without paid maternity leave, he wants all parents to have the opportunity he had to take the baby "night

shift" and get to know his daughters.

In her own speech, Michelle Obama, finished a story the President had started about when she took four month old Sasha in a car seat to a job interview after just losing their babysitter. Mrs. Obama explained, "I thought, look, this is who I am. I've got a husband who's away. I've got two little babies. They are my priority.

---

**President Obama, the luncheon keynote speaker, talked about work as a basic dignity and recognized families as the bedrock of our nation, saying that working families improve the economy and the future.**

---

If you want me to do the job, you've got to pay me to do the job and you've got to give me flexibility." She got the job, but recognizes that not all employers are as understanding.

Following up on the previous day's Summit Labor Rally, Liz Shuler, AFL-CIO Secretary-Treasurer, stressed the importance of unions in ensuring good paying jobs that benefit women and their families. Minority Leader Pelosi spoke to the needs of working families. Male and female CEOs from companies large and small, talked about the times in their careers they won the "GOOD BOSS" lottery. The "Good Bosses" who inspired them, worked with them to take leave or miss meetings to honor family commitments. They trusted their workers, who then exceeded their expectations.

The CEOs stressed the costs of lost production and resources when employees quit because companies fail to address issues such as fair pay, affordable child-care, paid time off, flexible work schedules, and telework. Attending economists firmly stated that the business case for flexibilities has been made. All recognized our nation is greater when workers are granted what they need to take care of their families.

Hailed as a beginning of a larger movement, the Summit seeks to see the workplace and laws transformed to reflect the

reality that in the 21<sup>st</sup> century all Americans should be able to have both a job and a family. The President immediately issued an executive order for agencies to review and expand their workplace flexibilities. Certainly this means EEOC should stop blocking expanded telework.

EEOC ranked last among midsized agencies for "work-life balance" in the 2013 Best Places to Work in the Federal Government. It is my hope that EEOC will heed this order and the lessons from this summit – trusting employees, providing flexibilities for employees, providing for work life balance, and paying overtime. EEOC should aspire that its own employees win the "Good Boss" lottery.

## National Council of EEOC Locals No. 216 Officers

**Gabrielle Martin**  
*President*

**Rachel H. Shonfield**  
*1st Vice-President*

**Stephanie Perkins**  
*2nd Vice-President*

**Darrick Anderson**  
*Treasurer*

**Lisa Powell**  
*Secretary*

### Local Presidents

**Patricia Floyd**  
*Local 2667*

**Gabrielle Martin**  
*Local 3230*

**Stephanie Perkins**  
*Local 3504*

**Rodney Plummer**  
*Local 3555*

**Sharon Baker**  
*Local 3599*

**Regina Andrew**  
*Local 3614*

**Sean Oliveira**  
*Local 3629*

**Cecil Warren**  
*Local 3637*

## 216 WORKS

Official Publication of the National Council of  
EEOC Locals No. 216 AFGE/AFL-CIO

Denver District Office #410,  
303 E. 17th Avenue, Denver, CO 80203

ATTN: Gabrielle Martin, President

Phone: 1-303-866-1337

e-mail: [Prez216@gmail.com](mailto:Prez216@gmail.com)

## Chief Negotiators Report—In the Know

By Sharon Baker, Local 3599,  
Council 216 Chief Negotiator



Sharon Baker

A year after the new CBA went into effect, sadly there are still offices that currently do not have a signed Hours of Work and Telework MOU. (See Side Bar) Your local Presidents and representatives have been working to negotiate MOUs that are consistent with the CBA, i.e., allow everyone upon hire to select from the available tours of duty, an additional telework day, and 6 a.m. to 6:00 p.m. hours of work. We are seeking Directors who trust their employees and are committed to allow these additional benefits that were negotiated and approved by the Chair and Council 216.

We now have established an unscheduled telework policy for all offices to follow when conditions may delay or prevent employees from being able to get to work. You must have a signed emergency telework agreement to participate. The policy and agreement are on inSite.

The agency was anxious to roll-out new deeply flawed performance standards for all employees at the beginning of FY 2015, but thanks to the Union, plans are pushed back. The new standards were drafted by a contractor, who had little sense of our work. The Union emphatically expressed our concerns to Human Resources and the Performance Standards workgroup about using “competencies” as a performance measurement. Council President Martin stressed that performance measurement is about the work product and not the skills used to produce

the product. President Martin and I also questioned how ambiguous descriptions for critical elements can be measured, e.g., how do you measure “viewed by others as being an expert?”

Significantly, OPM agrees with the Union in not supporting the use of competencies as performance standards. At EEOC’s invitation Stephanie Perkins, Council 2<sup>nd</sup> VP and myself attended OPM performance standards training, from September 29-October 3, 2014. There, OPM affirmed standards should be based on the most critical component of the job first, then identify general measures for each element (quantity, quality, timeliness, cost-effectiveness), then assign and write specific measures for each element. The standard should be checked against the SMART framework: **S**pecific, **M**easurable, **A**ligned with organizational goals and priorities, **R**ealistic to accomplish during the performance cycle, bound to an accurate **T**imeframe, express the quality of work that is needed to be successful, and describe an accomplishment or outcome of the work rather than an activity.

President Martin attended the follow-up OPM training. OPM is now reviewing EEOC’s proposed standards and will advise on their quality. The Agency is still pushing to roll out the new standards in January 2015. This is unrealistic considering that the standards have not been finalized and managers, supervisors and employees are not trained on the new plans. EEOC should do it right, not rush to meet an arbitrary timeframe that does not allow for proper training.

Stay tuned for news on the Staff Development Enhancement Program (SDEP) that will offer up to six (6) employee slots a year for career development (Article 17.16). *Now you know.*



Council 216 met in August for its biannual meeting that included strategic planning and training.

## New Congress

Continued from page 1

annuity to be lower, if plans succeed to base it on a high five salary rather than high three.

We all must make this new Congress know that we too are their constituents. Step up when the Union asks you to send emails and make calls. Even better, make appointments to meet up with your reps in their home offices. Your lawmakers will be taking action on issues that affect you, your family, and your job. Make sure before they take action they know who you are- not a faceless bureaucrat- but a constituent whose job helps Americans get a fairshot in the workplace.

### *Districts behind the curve:*

EEOC tells courts and the public to maximize workplace flexibilities, like telework. Yet, a year after the effective date of the CBA, these districts still have offices that still do not have jointly approved agreements for telework and hour of work. It’s time to walk the walk the EEOC!

Birmingham DO inclusive of Jackson AO and Mobile LO; Milwaukee AO, Minneapolis AO, Houston DO, New Orleans FO, Miami DO inclusive of Tampa FO and San Juan LO, Phoenix DO inclusive of Denver FO and Albuquerque AO; Philadelphia DO inclusive of Baltimore FO, Cleveland FO, and Pittsburg AO; Washington FO, Headquarters Offices (OFP, OGC, OEO, ORIP, OIT, OFO, OHR), New York DO, inclusive of Buffalo LO, Newark AO and Boston AO; Norfolk LO and Richmond LO.

## New Chair

# New Day or More of the Same Frustrations?

As soon as the news broke that Jenny Yang was to become EEOC's new Chair, Council 216 issued a "Top 10 Challenges for the New Agency Chair." While a similar list was issued when Jacqueline Berrien was named EEOC Chair, many unaddressed items rolled over to Chair Yang.

At the top of the list is whether Chair Yang will ensure employees are finally paid per a 2009 Federal arbitrator's decision that EEOC had willfully violated overtime laws. The new Chair should put this ugly chapter behind the "Model Employer" and pay employees' claims.

Another top Union issue is overhauling intake. Council 216's Full Service Intake Plan would staff each field office with a compliment of positions and grades (GS-5 through GS-9), including investigator support assistants (ISAs). These employees would advance the intake process from pre-charge counseling through charge filing and address the flood of intake questionnaires and long hold times for

the public. Investigators will be able to focus on investigating cases and reducing the backlogs. Chair Yang has signaled her interest in utilizing ISAs in the intake process.

Chair Yang is on the record supporting telework, saying that EEOC will root out unfair treatment of women in the workplace and push employers to consider flexible schedules and telecommuting to accommodate parents. As Chair, she should push EEOC to allow its employees to telework 5 days in a biweekly period, in accordance with the new CBA.

In a recent radio interview, the new Chair indicated she is an advocate for the ongoing pilots of a new EEOC Federal Case Management System. These pilots could signal a permanent triage system that threatens judicial independence in favor of numbers. Chair Yang must ensure Federal employees do not lose their rights to discovery and a hearing. A newer challenge is also ensuring that EEOC itself and all federal agencies follow the regulations

and provide timely processing of federal sector claims.

Chair Yang has begun a weekly email where she reports on her activities, often recognizing employees by name for accomplishments. A positive gesture, but more is needed to improve morale and truly make EEOC a model workplace. EEOC ranks third on its own list of agencies most accused of discrimination. More is at play than a "communication" issue. The Chair should review Employee Viewpoint Results and offices and units plagued by turnover and a high volume of formal employee complaints. She should investigate and remedy these hot spots, so EEOC's employees are not abused in the workplace.

Chair Yang does not defer to staff to lead the discussion during calls with the Union and is knowledgeable about the issues. Hopefully she will apply this strong leadership style and expertise as she addresses the Union's top ten challenges and others down the road.

## EEOC Mentorship Program

By Rodney Plummer, President Local 3555

During the period of 2013-2014, I participated in EEOC's Mentorship Program. This hands-on training program is now a part of the new CBA and more information can be learned in Article 17.28 about applying. The CBA provides for 2-4 hours a month to work with your partner for developmental purposes for a 12 month period.

My experience as a Mentee in the EEOC Mentorship program was extremely rewarding and beneficial to me as well as the mission of the Commission. As a mentee, I was afforded a great opportunity to spend time working alongside Bryan White, New York Program Analyst. He provided me with a wealth of information and practical experience pertaining to his job.

Mr. White took his responsibility as a Mentor seriously and tasked me with essential functions of the position of Program Analyst, under his close supervision.

Performing these responsibilities brought me into contact with historical icons that I probably otherwise would never have met. In particular, during a TAPS (Technical Assistance Program), which I played a significant role in organizing, I transported our guest speaker, Dr. Joseph McNeil, who is one of the "Greensboro Four." Also, during this year's EXCEL Conference, I was up close and personal with Dr. Merle Evers, the widow of Medgar Evers.

Simply put, this experience is PRICELESS. I would like to thank the Commission and the Union for the development of the Mentorship Program. I am also grateful to Kevin Berry, District Director, and Judy Keenan, Deputy Director, for their commitment to the mentorship program



Rodney Plummer with Dr. Joseph McNeil of the "Greensboro Four"

and allowing me the time and flexibility to participate in a real way in order to complete deadlines and tasks agreed upon by my mentor and me. Last but certainly not least, I thank my mentor Bryan White for his dedication, support and encouragement, and for holding me to extremely high standards and never letting me waiver from them.

# Surveys Shows Strong Support for Maxiflex – While EEOC Dithers

By Matthew Albucher, Local 3504

One of the most important components of the new collective bargaining agreement is the establishment of a pilot program to test out a new maxiflex work schedule option at EEOC.

Maxiflex is a schedule that enables employees to flexibly vary their hours on a given workday or workweek, as long as 80 hours are worked during a pay period. Maxiflex schedules may vary from day-to-day or week-to-week, whereas 5/4/9 and 4/10 generally require set schedules.

Before negotiations to implement the pilot, the National Council wanted to hear from employees. So the Union surveyed employees nationwide, via an anonymous online survey. The survey showed that maxiflex will greatly enhance employees' ability to perform their jobs and meet personal and professional goals.

More than 80% of survey respondents nationwide would either probably or definitely try a maxiflex schedule if it became available. Crucially, 80% indicated that maxiflex would either probably or definitely help them better perform their jobs. Survey respondents also gave specific examples of how maxiflex would better enable them to contribute to the Agency's mission.

For example, a Chicago District investigator noted, "There are days where we need to spend more time at work to do things like prepare for interviews or on-sites... I think this type of schedule will enable us to plan our weeks a bit more efficiently, allowing us to load the longer days with the more intensive or time-sensitive work and balance out the shorter days with other tasks." An Investigator in the Atlanta District wrote, "Witness contact is often a challenge when the person works the same hours as the Investigator. Having the opportunity to work a longer work shift to accomplish various investigatory tasks will ultimately benefit those we serve, and maximize productivity of employees."

The National Council believes the survey results support a broad pilot. The Union's proposal allows most employees (Mediators, Investigators, ISAs, Trial Attorneys, Paralegals, and Administra-

tive Judges) to try maxiflex, with no limit on which offices may participate. The Union adopted the Office of Personnel Management's definition of maxiflex that one's work schedule should be able to be adjusted on a flexible basis.

The National Council has rejected a counterproposal from EEOC management which arbitrarily limits participation to two offices. This limitation would unnecessarily stifle the benefits and the amount of data that could be obtained to gauge the effectiveness of the program.

The Union also opposes management's counter proposal to establish so-called "maxiflex 5/4/9" and "maxiflex 4/10" work schedules, which inappropriately

limit employees' ability to compress their work hours to set 5/4/9 or 4/10 schedules. This undermines the core definition of maxiflex, which is that employees should be able to flexibly adjust work in accordance with workloads.

Maxiflex is natural fit for EEOC, where the work often requires changing work hours to better serve the public. OPM's Handbook on Alternative Work Schedules, dated December 1996, includes the maxiflex schedule. The Union will continue to fight for EEOC to adopt a robust pilot of a workplace flexibility other Federal agencies have been utilizing for almost 20 years.

## Staying the Course; Fifty Years and Counting

### Continued from page 1

We have listened to countless stories from employees and witnesses who feel they have been discriminated against in the workplace. These stories make us want to work even harder to find justice for these workers. We have cheered when juries or courts returned favorable verdicts and we have picked ourselves up and moved on to the next case when juries found against the agency in litigation. Mediators have assisted in reaching solutions to a large number of these workplace discrimination complaints. Federal sector employees have been buoyed when agencies address their determinations of illegal discrimination. The valued work of the support staff make it all happen.

We stay the course, year in and year out, in an effort to make life better for workers and applicants. Because our lives are tied to Congress, we will always be tied to the policies made by lawmakers and executives in Washington, D.C. Likewise, we are tied to the shifting political winds. The changes in governance that we will see in January of 2015 are part of the road we always have traveled. Some stretches will continue to bear fruit as

we find lawmakers on both sides of the aisle who demonstrate support for our civil rights mission and the concerns of our own employees. Some stretches also will continue be bumpy, such as sequestration, potential shutdowns and furloughs, oversight hearings to address agency backlogs, policies and litigation.

Despite the changes, our challenges with Congress remain the same – to fight for better funding to enforce the civil rights laws entrusted to us, so that our workloads are manageable and can be handled in reasonable amounts of time, to fight to have a voice in our workplace through our Union, to fight to make the workplaces of better for all workers.

Despite the ups and downs and the changes in Washington, there will be lots of days when we, the extraordinary employees of EEOC come to our workplaces, roll up our sleeves and work extremely hard to make the work life better for others. Fifty years later, it remains the American way to serve our country and improve the lives of its citizens.

# Union Welcomes New Hires at EEOC Training

By Gabrielle Martin, Council 216 President

Florida is the sunshine state. Despite a gloomy and rainy day in September, the excitement was palpable at the two week investigator training. The buzz was that this was a class of highly skilled investigators, whom EEOC was fortunate to hire over the course of the summer of 2014. It seemed that this group of 120 employees was off to a good start, yet among them were looks of concern.

The Union requested to meet with the new investigators and management agreed to give us an hour near the end of the two week training. Sharon Baker and I traveled to Tampa, Florida to provide a Union orientation. Since the Council has fought tirelessly for more needed frontline staffing, we welcomed the opportunity to meet the new hires and share information about the Union and CBA.

Working with Tampa steward David Hamilton, we put together treat bags for the newest Investigator hires, with AFGE trinkets, snacks, and fruit infused water. We distributed the Council's new "Welcome" literature, which tells about AFGE, Council 216 and the benefits of Union membership.

Sharon and I presented information on Council 216. We highlighted areas of the new CBA, spoke briefly about benefits and focused on the work schedule opportunities and telework as a future option.

The many inquiring minds had lots of questions. A large concern for many folks with prior federal service was why EEOC is taking so long to update their leave and



Sharon Baker and Gabrielle Martin attending Tampa Union Meeting

service computation dates, causing them to lose pay. The Union has demanded that management fix this immediately. The agency is in danger of losing a number of these talented employees, who need their earnings to support themselves and their families. The additional loss of pay suffered by these individuals, including veterans, many of whom took downgrades to come work for EEOC, is entirely unacceptable.

Following the orientation, we went down the street to the Tampa office for a meeting with the Tampa employees. Once again, Sharon spearheaded the hospitality, ensuring a nice lunch for our meeting. A tour of the Tampa office raised questions about why EEOC's first responders, the tireless Intake Information Representatives (IIRs), were relocated to a hallway area next to a main copier and the break room. It is unclear how these folks who sit in cubicles are supposed to talk to the public in such a noisy open space. We suggested that the issue be raised with Chair Berrien, who was set to visit soon, but nothing

changed after she too saw this bizarre set-up. Perhaps the idea is that the background noise will deter callers from staying on the phone, helping IIRs make their 6 minute call length quota.

At the end of the day, we returned to the hotel to talk one-on-one with a number of our newest investigators and signed up several new members.

Although I did not find much sunshine while in Florida, it was well worth the effort to demonstrate the need for a Union and the power of Solidarity. The question remains what additional training will these new hires get once they return to their offices to prepare them to be successful? Also, will Tampa's IIRs be returned to a conducive work space?

## WHY I JOINED THE UNION

*Cynthia Wilson, Las Vegas Local Office*

The Union gives employees a voice; it allows management and staff to work together towards a common goal of creating a fair and ethical working environment. I believe all employees should have a team of advocates that allow them to continue to do a job they enjoy, while knowing their rights are protected. I joined the Union with the belief I can be the voice, an advocate and part of the process to create a healthy and balanced work environment.



EEOC's new class of investigators at work at their training

## AFGE Y.O.U.N.G. Seeks Next Generation of Union Activists

By *Matthew Albucher, Local 3504*

AFGE's Y.O.U.N.G. (Young Organizing Unionists for the Next Generation) Program attracts and trains younger members to take more active roles in leading the Union into the future. The Y.O.U.N.G. Program links aspiring AFGE union members under the age of 40 with mentors, in order to pass on the knowledge and skills of current AFGE leaders to the next generation.

Last August, AFGE held a Y.O.U.N.G. training summit in Minneapolis, Minnesota, in conjunction with the Women and Fair Practices Diversity Week. AFGE President J. David Cox expressed the importance of empowering young union members into positions of influence in their workplaces. Younger employees should be directly involved in negotiating workplace issues, and should seek election and appointment to positions of responsibility in their locals.

With the support of Y.O.U.N.G., the next generation of union leaders is emerging. At the training I had the opportunity to meet Local Presidents and Chief

Stewards in their 20s and 30s from AFGE locals around the country. Their accomplishments in their locals and knowledge of Federal employee issues was particularly inspiring

To empower more Y.O.U.N.G. leaders, participants received training from experts in representational subjects, including collective bargaining, organizing, EEO complaints, being a Steward, and using social media to attract new members and get out information about the union. The training on Robert's Rules of Order was very practical, because the National Council of EEOC Locals conducts its meetings in accordance with these procedures.

A useful organizing theme from the training that I have successfully employed in my Local since returning is communicating the benefits of union membership to new employees, many of whom are under 40. Our most recent wave of new hires should be aware that even probationary employees enjoy rights, such as choosing from the office's hours of work schedules.

Our Union's future is dependent on actively reaching out to new people and



*Matt Albucher with AFGE President J. David Cox at YOUNG conference*

enabling them to participate in our efforts to improve the workplace. The Y.O.U.N.G. program is particularly needed now. AFGE reported that as of last year, 70 percent of our members are over the age of 40, and 63 percent will be eligible to retire in the next 10 years. As the Federal workforce ages, our Union must ensure that new and future employees are equipped to lead the union, especially when escalating attacks on workers' rights and collective bargaining are likely to continue.

## EEOC: Telework in Your Office with a Friend

By *Rachel Shonfield, Local 3599*

EEOC's new strategy for reducing space while ignoring telework makes no sense. Be prepared to say hello to an office mate and goodbye to a few square feet. Can telework help you with this squeeze? EEOC's answer is telewhat? Instead, EEOC's new space guidelines mandate quotas of small shared offices, while snapping the traditional cord between space savings and telework.

The reality is that the White House is requiring government offices to shrink their footprints. But other Federal agencies utilize telework as a smart means to save costs by reducing leased space. Not EEOC, which is now running away from the CBA it signed in 2013, that adds a day of telework per pay period in the same section 33.08 that discusses space savings.

In 2014, EEOC became inexplicably hostile towards telework. First, EEOC came out with a tortured interpretation that blocks the new CBA's extra telework day.

Next, EEOC generated new space guidelines that mandate a quota of shared office, but no longer make shared offices contingent on telework.

In contrast, EEOC's old Space Allocation Guidelines (2011) explicitly linked shared space to telework: "Shared Office Space (e.g., telecommuting) 140 sq. ft. per 2 staff." This is fairly small space for two employees, furniture, equipment and files, when compared to the 100-120 sq. feet allocated for one professional employee. Employees' duties involve work that requires privacy for concentrating and analyzing and the frequent need to make lengthy telephone calls to members of the public that would be disturbed by a second occupant doing the same a couple feet away. However, the old space guidelines limited shared space to telecommuters, who could alternate their schedules and not be in the office at the same time.

EEOC's new Space Allocation Guidelines (2014) force offices to have a quota of shared 140 square foot offices, without

regard to telework. As a matter of fact, the new space guidelines delete every single mention of the term telecommuting from the previous version.

EEOC's new space guidelines require district offices to create 5 shared 140 square foot offices when they move or reconfigure space. This means 10 employees per district office will be relegated to these pod farms. Without telework, this space savings means crowding employees into smaller offices without the relief of alternating office days. EEOC apparently does not care that this will harm employee efficiency, work quality and productivity.

Dumping telework from the equation flies in the face of a decade of EEOC inspector general reports and a Deloitte study that link telework to cost-savings through space reduction. EEOC needs to get back to reason, get back in line with the way the rest of the government is reducing space, and get back to telework.

# 'Suffer in Place' is not a Safety Plan

EEOC's safety and workplace violence programs seem focused on checking boxes, not ensuring safety. While some EEOC offices may be more proactive, all EEOC employees should have the benefit of a safe office.

Shelter in Place (SIP) kits: Checkmark. No matter that the kits were provided only one time, in 2010, and now contain expired food, water and glow sticks. Employees hired after 2010 have not received kits, nor have temps or interns. One solution is that SIP kits be issued to workspaces not individuals. If EEOC continues to deny its responsibility to provide and maintain up-to-date kits, employees should be told they are on their own to obtain supplies or suffer in place.

Emergency Plans: In most emergencies, it will either be safer to evacuate (leave the building) or shelter in place (SIP)(remain inside). If the individual EEOC office has no plan, it apparently defaults to the building's plan. Leaving EEOC employees vulnerable to a poor building plan should not score a checkmark.

Evacuation and SIP drills: It should not earn a checkmark if your building staff has simply tested the alarm system or had their own drill. EEOC employees should be made aware of evacuation and SIP instructions and actually participate in drills so they know where to go and what to do if they are disabled. Rosters and floor captains should be kept up to date. New plans should be communicated immediately

when offices change space. If an emergency occurs in the interim it will not be good enough to say, 'we are still working on it, you are on your own.'

Safety training: When is the last time your manager was trained on the plan for fire or active shooter or other emergencies? Employees should also have the benefit of safety and workplace violence training before a checkmark fills the training box.

Employees are given a false sense of security because someone somewhere completed a checklist of inadequate untested safety operating procedures. EEOC should promote safety awareness and not a safety checklist.



*A 2010 SIP Kit, including expired emergency rations*

## Overtime Update

Tick tock, tick tock. The clock ticks on. At this point, the overtime case remains alive and slowly winding down. The Union attorney contacted the arbitrator and received word that he has been busy, but he hopes to issue decisions on the claims in first quarter of calendar year 2015. We remind everyone that we have decisions from the arbitrator finding that there were overtime violations and that the violations were willful. The arbitrator is making determinations on the claims submitted which can include requiring the agency to pay claims, whether hearings will be held on any claims, and/or whether all or part of any claim will be denied. We continue to look forward to receiving his decision.

## POINTS TO PONDER

### Points to Ponder

- How much pay do new employees have to lose while EEOC delays updating SCD dates?
- When will the LA Director stop blocking new hires from getting their badges and ID?
- Why years later do some managers still not know how to manage not micromanage telework?
- Will the upcoming systemic pilots result in a realistic Systemic Program?
- Whether EEOC will be a Model Employer and timely investigate EEO and harassment claims?
- Why do EEOC employees have to wait more than a year to have EEO hearing judges assigned?
- Whether EEOC will address its revolving door of reasonable accommodation requests?
- Whether offices will make changes to address Chair Yang's concerns about poor morale?
- When will EEOC start a clean slate by paying overtime claims?
- How many items in your shelter in place bag have expired?
- Do you have a shelter in place bag?
- Will EEOC finally implement the Union's dedicated intake plan when the last IIR quits?
- Why does the EEOC promote telework to the public but discourage it for its own employees?
- Did your office celebrate Disability Awareness Month? Hispanic Month? Any Month?
- More than a year after the CBA went into affect why do some offices not have local MOUs?
- When will EEOC admit that a quality control plan has not replaced the race for numbers?
- Why does EEOC want to jam through a new performance plan that makes no sense to anyone except maybe the contractor who drafted it?
- How quickly will Chair Yang address the Union's Top 10 Challenges?