

PowerPost

Social Security, HUD act on Trump's orders in move to emasculate unions

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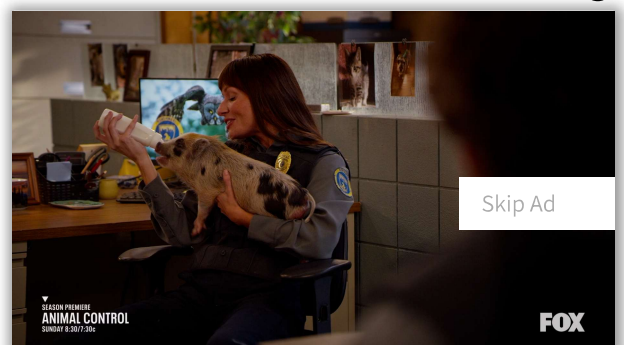


Perspective by Joe Davidson

Enforcing President Trump's crusade against federal labor organizations, his lieutenants at two large agencies have opened new fronts against government unions.

The Department of Housing and Urban Development (HUD) wants to evict all union offices from agency facilities, while the Social Security Administration (SSA) plans to "revise" 21 points in its union contract.

His actions are part of a coordinated, broad-based aggression against organizations representing federal employees and specifically their collective bargaining agreements.



If Trump is successful — his moves are being challenged in court — he would upset long-standing labor-management relationships that largely have existed in an atmosphere of cooperation rather than the confrontation he favors.

Federal employees are unlikely to appreciate contract revisions sought by an administration that also proposed to freeze their pay next year and cut their retirement benefits by \$143.5 billion over 10 years.

The current dispute, however, is not over pay and benefits directly, but rather it focuses on Trump's desire to emasculate federal labor organizations. So far, the agencies leading the charge have primarily targeted units of the American Federation of Government Employees (AFGE), the largest federal union. The Department of Health and Human Services, however, told the National Treasury Employees Union it should begin paying rent for office space in department facilities. "We will contest this at the negotiating table," said NTEU President Tony Reardon.



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A HUD proposal in a June 14 email to AFGE says: “The union shall have until July 15, 2018 to vacate all offices they currently occupy, return all government property they currently possess and cease using government resources. This applies to field and HQ.”

Referring to executive orders issued by Trump, a June 5 letter from Social Security to AFGE gives “notice of the Agency’s decision to implement all three Orders effective July 9, 2018,” even as it couches the decision as a proposal.

That letter provides a list of 21 contract items Social Security wants to change, including office space, employee rights, child care, elder care, equal opportunity, leave, training, health, safety, performance, discipline, grievance procedures, promotions — almost anything anyone can imagine.

The HUD proposal says the current collective bargaining agreement “is not in accordance with the text or spirit of Executive Order 13837,” which hit the federal workforce on May 25 along with two others.



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That executive order, however, says agencies “shall implement the requirements of this order ... to the extent permitted by law and consistent with their obligations under collective bargaining agreements in force on the date of this order.”

The current HUD contract allows the union to use agency facilities and does not expire until after the date HUD wants union offices vacated. The SSA contract was extended after expiring in 2015, and that extension does not end until a new agreement is reached.

Ashaki Robinson Johns, president of HUD Local 476, which includes headquarters and the Washington field office, said the department’s eviction notice is a “clear violation of the current contract as well as federal labor relations law. Office space is clearly covered by our current contract.”

HUD blames AFGE.

In a Thursday email to the union, Sonya Gaither, HUD’s deputy director of employee and labor relations, said: “AFGE has declined to consult on EO 13837. Therefore, please accept the attached as management’s notice of proposed mid-term changes relating to AFGE’s use of government property. We would have preferred to have AFGE’s input prior to making these proposals but you rejected management’s repeated invitations to meet and discuss. Please note that these proposals are mid-term and are totally distinct from the pending term renegotiations. The intended change is scheduled to occur within the duration of our current contract.”



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Holly Salamido, president of AFGE Council 222 of HUD Locals, which represents all AFGE HUD locals in more than 50 offices nationwide, rejected that.

“We are starting ground rules negotiations for negotiation of a new term contract on Tuesday,” she said by email. “We have repeatedly told the agency that we are ready and willing to negotiate the terms of new contract provisions on space at that time. There is nothing to ‘consult’ on, because we have existing contractual provisions in place on space, and the Executive Orders say that those contractual provisions remain in place ...

“It is an unfair labor practice,” she continued, “to insist on midterm bargaining on a matter that is already covered by the contract; where provisions are already ‘covered by’ they can only be re-opened by mutual consent — we have not agreed to waive those rights and, again, have repeatedly said we’ll negotiate this during the term contract negotiations that begin next week.”

HUD spokesman Jereon M. Brown said “utilizing that space for employees assisting in housing families in need would be a much more efficient use of taxpayer dollars.” The new bargaining agreement allows HUD to make proposed changes.



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HUD's and SSA's actions come amid Republican and Democratic criticism of the executive orders and as unions have moved to block implementation of the directives in court. On Thursday, AFGE requested a U.S. District Court preliminary injunction against the executive order cited by HUD. AFGE said "the order plainly conflicts with the Congressionally enacted framework that governs labor-management relations for executive agencies, federal employees, and their labor organizations." AFGE's brief included the letter from Social Security.

The three executive orders were a major advance in Trump's far-reaching attacks against federal labor organizations. One order slashes "official time," which allows union officials to engage in activities for an entire bargaining unit, not just union members, while being paid by the government. Another directive claims collective bargaining agreements make "it harder for agencies to reward high performers, hold low-performers accountable, or flexibly respond to operational needs." Firing feds faster is the aim of the third order.

Trump's fight with unions began before his orders were issued. The Education Department took a major step against its AFGE local in March when officials informed union members.

David I. Cann, AFGE's director of bargaining, said Trump's actions are a "major step" in the president's fight against federal unions.



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“It’s aimed at choking the union out of existence,” he said. “The overarching desire is to kill the union.”

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