



INTERNATIONAL FEDERATION OF PROFESSIONAL & TECHNICAL ENGINEERS AFL-CIO & CLC

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Hon. Trey Gowdy, Chairman
Oversight & Government Reform Committee
U.S. House of Representatives
2157 Rayburn House Office Building

Hon. Elijah Cummings, Ranking Member
Oversight & Government Reform Committee
U.S. House of Representatives
2471 Rayburn House Office Building

Dear Chairman Gowdy and Ranking member Cummings:

The International Federation of Professional and Technical Engineers (IFPTE) respectfully requests that you submit the following statement to be inserted into the record as a part of your May 24th Oversight & Government Reform Committee hearing regarding the use of official time:

As a matter of law and historical context, federal labor unions are required under title 5 to provide full representation to all members of a bargaining unit, whether-or-not the worker chooses to pay voluntary union dues. In exchange for being compelled to provide representation to dues payers and non-dues payers alike, the Civil Service Reform Act of 1978 permits federal unions to bargain for official-time arrangements to the mutual benefit of the represented employees and management. Where those arrangements have been agreed to by management, locally elected union officials can use official time to fulfill representational obligations, to represent employees who are reporting allegations of misconduct or even illegal behavior by rogue managers, to engage in negotiations to improve workplace conditions especially safety, to promote efficiency and greater productivity by bringing critical rank-and-file concerns and proposals directly to the attention of agency leadership for resolution, and to provide an independent pathway for critical information to reach the attention of Congressional committees to assist in their oversight responsibilities. Title 5 already does not permit the use of Official Time for Union business, nor does it allow the use of Union dues for political action, and the Hatch Act makes it unlawful for any federal worker to engage in political activity on the clock or on government property. Official time is thus used exclusively for agency-related business whereby the perspective and wisdom of rank-and-file employees can be better harnessed for the benefit of the government and the taxpayers. The continued sloganeering and deliberate misrepresentation of Official Time as supporting Union activities, and not the public interest, is both dishonest and harmful to the American people. Even worse, when the deliberate misrepresentation of facts is promulgated by Administration Officials in their official capacities using taxpayer dollars, it amounts to Political Slime on the People's Dime.

The fundamental untruth behind all of the propaganda against Official Time is the premise that management's interest is somehow always in the public interest. Nothing could be further from the truth. Management and rank-and-file represent two equally important parts of any federal Agency where individuals on either side can go astray, but together, in partnership, these two parts can best protect the people's interest. Our founding fathers relied on three fundamental concepts when they established the country's system of governance: balance of power, democracy, and maximum local control. Unless management's power is balanced by a well-represented rank-and-file workforce, the potential for management corruption and abuse will remain a serious problem and relying on management self-policing is dangerously naïve. And, the best way for the rank-and-file to be well represented is through a democratic process. Indeed, Union leaders are elected by the employees they serve and are therefore held accountable for actions they take on behalf of employees. Lastly, just as America is well served by leaving government local when appropriate, title 5 leaves the decision about Official Time for local management officials to negotiate because the system can function best when worked out by people familiar with the local issues and constraints and not by political appointees in Washington with little or no relevant knowledge or experience. For example, one local installation may choose to have more union officials working part time while another may choose to have fewer working longer a hours because that is what makes sense locally. The taxpayer is best served by leaving local managers and union officials to make such decisions.

Official time is thus part of a carefully crafted system of checks and balances that remains absolutely critical for protecting the American people from an otherwise largely unaccountable federal management system. Taxpayers benefit enormously when whistleblowers have a trusted mechanism for reporting management wrongdoing confidentially, have defenders who will protect them from retaliation, have allies who can bring issues to the attention of the IG or Congress when necessary. Union stewards also provide extremely cost effective due-process as well as trusted peer-counseling for fellow employees in time of need, often avoiding needless conflict or costly litigation. The recent accounting of the cost of official time is thus missing key information about the increased efficiency, safety, and accountability it provides for the taxpayer and is missing crucial context about the time and cost of its management counterpart (i.e. the cost of labor relations officers, lawyers, and subsidized liability insurance to protect management's interests, which are often misaligned with those of the taxpayer). Any fair and complete analysis would show that Official Time is providing the equivalent representation at a tiny fraction of the cost of the expensive human resource officials and lawyers hired to defend managers, and sometimes very bad actors at that.

Sincerely,



Paul Shearon,
Secretary-Treasurer

