



American Federation of Government Employees Local 789

DECEMBER 2023

MEMBERSHIP NEWSLETTER

AFGE Local 789 represents you in negotiating with the management at the Jesse Brown VA Medical Center and the surrounding CBOCs. Lately, we have noticed a pattern that some managers are not offering a choice of comp or overtime pay to bargaining unit members. We believe it is important for you to be informed about your rights as a bargaining unit employee. AFGE Local 789 has been fighting on your behalf to ensure that your rights to choose overtime pay or comp time is protected, which is in our contract, otherwise known at the 2023 AFGE Master Agreement.

Your rights explained:

- The contract has provisions on the topic of overtime pay. Management has been restricting the use of overtime by offering bargaining members only comp time pay. You are entitled to the choice of overtime **or** comp time pay.
- As a bargaining unit employee, you decide if you want overtime pay or comp time. The choice is yours and not management's.
- Every time you work additional hours outside of your tour of duty, you get to choose overtime pay or comp time.
- Your supervisor, Chief, Medical Center Director, etc. does not get to choose if you receive overtime or comp time for additional hours worked outside of your tour of duty.

Frequently Asked Questions:

Article 21, Section 4 of your contract says: Supervisors shall not require employees to take compensatory time in lieu of overtime pay.

1. Are there exceptions to this right? **Answer: NO**
2. Are some Title 38 Employees exempt from this Article (Article 21, Section 4) of the contract? **Answer: NO**



Important News!

You have a new contract that was ratified this year!

Knowing more about your rights as a AFGE bargaining unit employee starts with reading the contract.

Here is the link to the contract:

<https://www.va.gov/LMR/docs/Agreements/AFGE/VA-AFGE-2023-Master-Agreement.pdf>



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3. Does this Article (Article 21, Section 4) apply to all bargaining unit employees? **Answer: YES!**
4. Does this apply to any forced overtime?
Answer: YES!
5. Does this Article (Article 21, Section 4) apply to voluntary overtime? **Answer: YES!**
6. Can management cancel the overtime pay (after you chose the overtime pay option) and force me to work comp time?
Answer: You tell management you will work the overtime for comp time under protest. Then work with your AFGE Local 789 representative to file a grievance. Overtime is Your Right!

We are here to fight for you. Spread the word. Tell others in your work areas about their right to overtime **or** comp time pay!

YOU HAVE THE RIGHT TO REPRESENTATION!

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If you are interrogated or interviewed by a supervisor or management and reasonably fear it may result in discipline against you **READ THIS STATEMENT:**

“If this discussion could in any way lead to me being disciplined, fired, or cause an adverse effect on my employment, I respectfully request my union representative to be present during our meeting.”

Under these circumstances:

- You have the right to have a Union Representative present with you during the meeting, but **you must ask for one.**
- The meeting must be postponed for a reasonable time to allow your Union Representative to be present.
- Threatening reprisal for requesting a representative or refusing to allow your representative to be present are unfair labor practices.