



Presidential Candidate Questionnaire

2020 National Election

Campaign Information

Candidate's Name: _____

Campaign Address: _____

Phone #/Email: _____

Campaign Manager: _____

Email: _____

Labor Contact: _____

Email: _____

Return Instructions

Please return your completed survey by October 1, 2019 to:

2020endorsements@afge.org

OR

American Federation of Government Employees, AFL-CIO

Attn: Cory Bythrow

80 F Street, NW

Washington, DC 20001

202-639-6457

About the American Federation of Government Employees

The American Federation of Government Employees, AFL-CIO (AFGE) is a labor union proudly representing 700,000 federal and D.C. government workers in 65 agencies across the nation and overseas. These hardworking Americans inspect our food and water, secure our borders, airports, and federal buildings, care for veterans, and connect the elderly, disabled, and students with vital benefits. They preserve our national heritage in parks and seashores, care for and supply active duty troops, research and prevent the spread of disease, keep dangerous criminals off our streets, and so much more.

The federal workforce is the most diverse workforce in the United States – and proud to be so. Eighty-five percent of federal employees live and work outside the DC-Maryland-Virginia region, supporting local economies in every corner of all 50 states. Federal workers are highly trained with over thirty percent having obtained a master's degree or higher, two-thirds having completed at least their bachelor's degree, and an additional ten percent with an associate's degree or skilled trade certification. One in four federal employees are veterans of the armed services.

It is impossible to sustain a democracy without a professional and committed civil service to deliver the public services that meet the needs of the American people. And it is impossible to develop an apolitical, professional civil service if federal employees are disregarded, demonized, and economically disadvantaged by their boss, the President of the United States, or by Members of Congress. The constant attacks on this workforce have taken a tremendous toll on agencies' ability to accomplish their vital missions.

Through executive orders, bad-faith bargaining, and regulatory mischief, the current Administration has loosed a direct attack on our members' union rights and dignity on the job. This includes purging lawful representational activity from government worksites and equipment, weaponizing the bargaining process to propose, and in some cases impose, one-sided contracts, attacking our statutory right to collect voluntary dues, crippling our ability to mediate disputes on duty time, and more. Taken together, these attacks constitute more than just a threat to our members' livelihoods, they threaten the survival of the merit-based civil service system on which our government is built.

When federal and D.C. government employees go to the polls, they elect more than just a President, but a CEO. How the President chooses to wield their considerable influence over the workforce bears a tremendous influence on the day-to-day lives of our members and their families. We present you with this questionnaire to better understand how you, if elected, intend to use that influence. Federal employees are ready, capable, and motivated to build a better future for our fellow Americans. With the proper leadership from an engaged executive who truly understands the value of her/his workforce, there is truly no limit to what this nation can accomplish.

Questions on Governmentwide Issues

1. Due Process and Collective Bargaining Rights

Background: In order to protect against politicization and other forms of corruption, federal personnel policy has been based on a set of “merit system” principles that guarantee that federal employees are hired, managed, and fired solely on the basis of objective factors or “merit.” Thus, federal employees have due process rights of appeal of adverse actions and the right to collective bargaining over non-economic conditions of employment. The latter has involved the right to negotiate and utilize a grievance and arbitration process for resolution of workplace issues. The Trump administration has used its authorities to undermine these rights in numerous instances.

Question on Due Process and Collective Bargaining Rights:

Do you commit to reversing the Trump administration’s executive orders and policy directives aimed at weakening federal employees’ due process and collective bargaining rights on your first day in office?

2. Federal Employee Pay and Benefits

Background: Federal employees have been forced to relinquish more than \$300 billion in pay and benefits since 2011, mostly in the name of fiscal austerity. This aggregate loss reflects the three-year pay freeze followed by years of nominal pay adjustments during the Obama presidency, as well as two separate pieces of legislation that shifted the cost of the Federal Employees Retirement System (FERS) to employees hired after 2013.

President Trump’s budgets have all included proposals to freeze federal pay, impose drastic cuts to federal retirement benefits while shifting costs for the diminished benefit onto employees and eliminating the FERS defined benefit altogether for newly hired employees. He has also proposed reducing the government’s share of the premium for health insurance under the Federal Employees Health Benefit Program (FEHBP). President Trump has attempted to distort the data that show a large and persistent gap between federal salaries and those paid to workers who perform similar jobs in the private sector and state and local government.

Questions on Federal Employee Pay and Benefits:

- (A) ***Do you commit to support the repeal of cost-shifting in FERS that was enacted to mitigate the effect of budget deficits caused by stimulus spending during the 2007-2009 recession?***
- (B) ***Do you commit to support pay adjustments that align with the Federal Employee Pay Comparability Act (FEPCA) and which aim to restore the lost purchasing power of federal pay since 2011?***
- (C) ***Do you commit to oppose any and all efforts to reduce benefits under FERS and FEHBP?***

3. Federal Employee Job Security

Background: The job security of federal employees is threatened on two fronts, privatization and the attempt to replace career tenure with “gig” or temporary contract employment. Privatization or outsourcing in the federal government has grown enormously over the past two decades. The size of federal service contract workforce is unknown, but academic research suggests it now stands at roughly three times the size of the in-house workforce and numbers around six million. Independent estimates of the relative cost of federal employees as compared to service contractors find that contractors cost from between 25% to 50% more than federal employees who perform the same work.

The decision to outsource work that has been identified as “commercial” is supposed to be made according to cost, as measured through a process set forth in OMB Circular A-76. Congress has prohibited agencies from outsourcing through the A-76 process, however, because of the Circular’s severe flaws as described by both the Government Accountability Office (GAO) and the DoD Inspector General, the privatization or outsourcing of federal jobs continues to increase.

Question on Federal Employee Job Security:

If elected, would you preserve the prohibition on the use of OMB Circular A-76 unless and until the flaws identified in Congress’s moratorium are rectified?

4. Federal Employee Job Quality/Job Tenure

Background: President Trump’s “President’s Management Agenda” proposed that most new hiring in the federal government be restricted to renewable temporary and term appointments. Temporary employees have no civil service protections (no due process rights) and thus cannot appeal an adverse action such as a suspension or termination even if it is for a reason that would be illegal for a career employee. Temporary employees are not covered under FERS, and term employees are unlikely to work long enough (at least five years) to vest in the system.

The FY 2017 National Defense Authorization Act (NDAA) authorized a pilot program to allow all of DoD's attorneys and "cyber" employees to be hired for terms of between two and eight-year terms with the possibility of renewal at agency discretion.

Question on Federal Job Quality/Tenure:

If elected, would you commit to maintaining a career federal workforce and resist efforts to transform federal employment into a series of "gigs" that risks possible politicization in hiring and firing, deprives agencies of institutional memory and continuity, and leaves employees with few rights and no economic security?

5. Federal Employee Union Rights: Collective Bargaining, Payroll Dues Deduction, and Official Time

Collective Bargaining

Background: The Civil Service Reform Act of 1978 codified collective bargaining rights for federal employees, arguing that collective bargaining "safeguards the public interest." The statute excludes pay and benefits as subjects of bargaining and prohibits federal employees from striking. The law requires agencies and federal employee unions to bargain "in good faith" over a grievance and arbitration procedure, and the conditions of employment. Agencies and unions *may* bargain over numbers, types, and grades of positions, technology, methods, and means of performing work, and appropriate arrangements for employees affected by the exercise of management authority.

Question on Collective Bargaining:

If elected, would you require executive branch agencies to bargain in good faith over both mandatory and permissive subjects of bargaining as described in Chapter 71 of Title 5?

Payroll Dues Deduction

Background: In the last Congress, legislation was introduced to eliminate automatic dues deduction for federal employee union members. All federal employee unions, including AFGE, are voluntary organizations; dues are only paid by those federal employees who have chosen in writing to join the union. Payroll dues deduction is an efficient means of collecting dues and imposes virtually no cost on federal payroll administrators. This legislation would not save the taxpayers one penny. Payroll dues deduction is almost universal in unionized private sector and state and local government

workplaces. Indeed, the sole purpose of this legislation is to deprive federal unions of the resources their members have elected to provide to them. cripple federal employee unions.

The Trump Administration is compelling all agencies to impose contract articles requiring a union member to formally affirm permission for payroll dues deduction to one year, at which point it would need to be manually renewed by each member each year. That is, the union would have to sign up each of its members every single year. The effect of this legally questionable policy would be to have the agency decide for the employee to quit the union each year until the employee overruled the cancellation of membership and rejoined. This policy would kick every single union member off the dues rolls every single year in an effort to limit participation in union membership, irrespective of their desire to remain a member.

Question on Payroll Dues Deduction:

If elected, would you oppose all efforts, legislative and administrative, to eliminate or burden voluntary payroll dues deduction? Would you repeal all provisions in collective bargaining agreement contracts that involve a requirement for annual cancellation of a union member's authorization of dues deduction?

Official time

Background: By law, federal employee unions are required to provide representation on duty time for all employees in bargaining work units that have elected union representation, even including for those who choose not to join the union and pay dues. Fulfilling this legal obligation is in the public interest because it serves to resolve countless workplace issues before they escalate to the point of litigation or cause costly turnover when employees have no recourse other than to quit, ensuring the harmony of the workforce and keeping the focus on serving the public.

In exchange for the legal obligation to provide the same service to those who pay union dues as well as those who choose not to pay, the Civil Service Reform Act of 1978 provides for collective bargaining between federal employee unions and agencies to bargain over appropriate amounts of “official time” – the right to duty time used for the purpose of representing employees at unionized workplaces. Official time is only used for specific representational activities, and does not and cannot, involve any, be used for any type of internal union business. Official time may only be used to resolve conflicts in the workplace, for purposes such as implementing new training programs and new policies, ensuring workplace safety, resolving workplace disputes, and achieve administrative efficiencies. Simply put, official time is a fundamental part of the collective bargaining and employee engagement structure in the federal sector.

Use of official time has come under severe attack under the current Administration in the form of a failed executive order (which was enjoined by a federal court), weaponization of the bargaining process, and from anti-union Members of Congress who have introduced legislation and offered amendments to severely restrict or in some cases, eliminate it completely.

Question on Official Time:

If elected, would you repeal all executive actions and provisions of imposed agreements that place severe restrictions on the legal, proper and reasonable use of official time? Would you oppose Congressional efforts to do the same?

6. Funding Lapses, Spending Caps, and Federal Employee Furloughs

Background: The 35-day shutdown that began in December 2018 and carried over into February 2019, the three-day shutdown in January 2018, the 16-day shutdown in 2013 and the 5-day and 21-day shutdowns in 1995 and 1996 all inflicted tremendous harm on federal employees. Even though in each case Congress provided backpay to both excepted and non-excepted employees, the period of going without a paycheck had negative consequences from their inability to stay current on rent, mortgages, credit card payments, childcare and child support, alimony, and other financial obligations. In no case was a funding lapse in any way caused by federal employees, but federal employees have been forced to bear the brunt of the budget impasses.

Question on Funding Lapses and Federal Employee Furloughs:

If elected, would you support legislation that provides for a permanent and indefinite appropriation for the payment of federal salaries during agency funding lapses?

7. Preventing Discrimination Against Federal Employees

Background: President Trump has questioned the political loyalties of federal employees and has attempted to undermine the scientific integrity of the work performed by scientists in numerous agencies. The administration has actively supported hiring, firing and pay “reforms” that create the kind of managerial discretion and lack of accountability that create avenues for discrimination. Specifically, the administration has supported “direct hiring” over open competition for federal jobs. It has endorsed restrictions on the right of federal employees to appeal adverse actions and the lowering of evidentiary standards for managers to justify their actions against employees. And it supports replacing the highly non-discriminatory federal pay system, which assigns pay on the basis of job duties rather than the personal characteristics of job holders, with one that lets managers vary salaries individual by individual.

Question on Preventing Discrimination Against Federal Employees:

If elected, would you support the measures to protect federal employees from all attempts to allow political considerations to affect their hiring, firing, assignments, or performance assessments? Would you support allowing federal scientists full academic freedom and the right to absolute integrity in their scientific endeavors? Would you support retaining the federal pay system's approach of assigning salaries based on job duties rather than the individual characteristics of employees?

Questions on Agency-Specific Issues

Department of Veterans Affairs

Background: For over a decade, AFGE has decried the persistent understaffing of the Veterans Administration and the risk this poses to the agency's vital mission. As of March 2019, the VA reported over 50,000 vacant positions across the system – an increase of several thousand over the previous year. Since 2014, VA's access crisis has triggered increased scrutiny from Congress, but the solution has been terribly misguided. Rather than place more doctors, nurses, mental health professionals and other on the wards at VA medical centers across the nation, politicians responded by significantly increasing the use of private sector care and private sector provider networks under the deceptively-named "Choice" program.

In the five years since, the VA has been consistently starved of much needed staff and infrastructure dollars in order to prop up the costly, wasteful, and unaccountable "Choice" privatization program. In 2018, the Administration's agenda to privatize our country's largest, best, and most cost-effective health care system advanced significantly with the passage of the VA Mission Act. This law threatens to undermine veterans' health care through massive privatization and depletes the Department's core capacity. If the Mission Act is not reversed, we believe that VA healthcare will be harmed to the point of no return.

No other health care system in the country offers the comprehensive, integrated veteran-centric care, clinician training and medical research available through the VA, and maintaining this unique health care community is a core part of the promise our country has made to veterans. It is AFGE's firm belief that no person or company should extract a profit from caring for America's veterans.

Question on the Department of Veterans' Affairs:

Do you support full staffing and funding of VA in-house medical care and related services at levels that recognize the true cost of war and the complex, unique needs of veterans of all generations who have earned the right to integrated, veteran-centric care with their service? Do you support rolling back wholesale privatization of veterans' care and expanding the expert, veteran-centric, integrated care they receive in the VA system?

Department of Defense

Background: The Trump Administration has pressed Congress to establish a separate civilian personnel system for Department of Defense (DOD) employees under title 10, removing DOD

civilians from current and longstanding rights and protections provided to most other federal civilian employees under title 5, relating to civil service laws.

The gist of the Administration's proposal would be to allow DOD to write its own personnel rules, stripping civilian employees of many due process protections, and pay and tenure rights. The proposal would encourage DOD to make employment "gig" oriented (temporary or term appointments), and abolish employees' rights to bargain over conditions of employment. DOD attempted to roll out this proposed new civilian personnel law through the "Space Force," a legislative proposal that the Administration championed.

Fortunately, the Administration's proposal to establish a "Space Force" met heavy resistance in Congress. Nevertheless, the Administration is doing all it can to undercut federal employee due process rights, including the right to unionize and bargain.

Question on Department of Defense:

Would you oppose the establishment of a separate civilian personnel system for DOD, as well as other agencies?

Bureau of Prisons

Background: Federal correctional workers are often called the forgotten law enforcement because they go to work every day locked behind the walls and fences of our federal prisons. These men and women do a very dangerous job every day, supervising more than 180,000 federal inmates at 122 federal prisons across the country. Chronic understaffing has been a problem at federal prisons for years and has contributed to the death of at least one of the three correctional workers who have been killed in the line of duty since 2008.

Understaffing has also led the Bureau of Prisons to rely on augmentation to meet their staffing needs. Augmentation is when a correctional worker such as a teacher, secretary or nurse is made to work as a correctional officer instead of their assigned duties. This creates a safety issue for all workers in the prison, as well as inmates, since there are less staff on duty to respond to an emergency and inmates are left frustrated when their programming has been cancelled because the teacher of the GED class, for example, has been augmented into another job for the day.

Question on Bureau of Prisons:

If elected, will you ensure there are sufficient appropriations to hire adequate staff for our federal prisons? Will you ensure that Congress continues to include language in appropriations bills to direct the Bureau of Prisons to end its overreliance on augmentation and instead hire full time correctional officers?

Department of Homeland Security

Transportation Security Administration

Background: Seventeen years after Congress created the Transportation Security Administration (TSA) and professionalized the screening workforce in the aftermath of the terrorist attacks of September 11th, 2001, the 42,000-member Transportation Security Officer (TSO) workforce remains without the statutory workplace rights and protections enjoyed by nearly all other federal workers. Instead, TSOs work under the whim of the TSA Administrator who issues a “determination” of what rights they will have during his or her tenure. These rights vary by administration, the very antithesis of what should be a statutory, apolitical personnel system.

TSOs are a professional and dedicated workforce. They have proven their worth by preventing another act of terrorism against the U.S. with expertise earned by extensive training, upholding a standardized set of security procedures, and meeting the requirements of thorough background checks. Yet Congress and successive administrations have failed to recognize TSOs as holding a status equal to other federal employees by according full Title 5 coverage. Title 5 coverage would bring them under the General Schedule pay system and grant them the same collective bargaining rights as other federal employees, including federal law enforcement officers. It is long past time for Congress and the President to grant the same statutory rights and protections to TSOs as other federal workers.

Question on TSA:

If elected, will you support legislation ensuring Title 5 rights and protections to the TSO workforce?

Overtime Pay for Border Patrol and Immigration and Customs Enforcement (ICE)

Background: In 2016, Congress passed a law that replaced Border Patrol agents eligibility for Administratively Uncontrolled Overtime (AUO) Pay with a system that requires agents to choose a biweekly schedule of 80 hours, 90 hours with a 12.5 percent increase in base pay, or 100 hours with a 25 percent increase. If an agent works hours in excess of his/her chosen schedule, the only option is compensatory time off. There is no eligibility for FLSA-based time and a half overtime pay. DHS has tried legislatively to replace ICE agents’ eligibility for AUO with a similar overtime pay plan that likewise denies FLSA overtime eligibility.

Question on Border Patrol and ICE:

If elected, will you support the restoration of FLSA overtime eligibility for Border Patrol Agents and similar eligibility for ICE agents who choose an alternative to AUO?

Social Security Administration

Background: Between FY 2010 and FY 2018 the number of employees working in Social Security field offices and teleservice centers has dropped alarmingly, despite the increases in claims and a steady level of calls to the 800-number and visits to field offices. Teleservice center employees have been reduced by 13% and field offices by 10%, resulting in a deterioration of in-person services. In addition to staff reductions, SSA has closed at least 67 field offices from FY 2010 to present. Recent closures have happened despite a failure to follow protocols regarding both Congressional and public notice or provide a rationale for closure. Polling has consistently shown that the public prefers in-person service, particularly when navigating complicated benefit needs or facing the loss of the family breadwinner. Further, low-income families and individuals often have limited access to a secure internet.

Question on Social Security Administration:

If elected, will you ensure adequate funding for field offices in order to maintain timely services provided to the public? Will you further ensure that funding for teleservice centers is maintained at current or greater levels?