



## EPA Talking Points

### TOPLINES

- EPA's move to unilaterally impose a management directive in place of a union contract is illegal and part of a pattern by this administration of outright hostility to union rights, federal employees, and the mission of the EPA.
- EPA leaders appointed by the administration accused the union of bargaining in bad faith, but they failed to pursue any remedy for this baseless charge through the appropriate administrative procedure, which both the agency and union are bound to follow. Instead, management illegally walked away from the table and announced it was unilaterally implementing its own proposals as an edict.
- AFGE is pursuing every legal and legislative option available to oppose the EPA's illegal edict and unlawful conduct. As we do so, we remain willing, as we have been throughout this entire process, to return to the table and negotiate a fair and lawful contract for EPA workers.

### HOW EPA MANAGEMENT'S EDICT HURTS WORKERS AND EPA'S MISSION

- The professional civil servants at EPA who are tasked with protecting the environment and human health deserve to be treated with dignity, fairness, and respect at the worksite, and this unilateral management directive meets none of those tests.
- EPA management has gone all in on anti-union zealotry, making moves that will hurt the union and employees even if that means contradicting the agency's own mission. For instance, they have slashed telework in their directive – a move that is wreaking havoc in employees' lives and will directly lead to more emissions from longer commutes.
- Examples like this show that this directive isn't about better serving Americans, better fulfilling the mission of the EPA, or any of the other lines that management likes to use. It's about hurting the union, punishing career civil servants who have dedicated their lives to science and protecting the environment, and preventing the agency from effectively carrying out its mission by driving away employees.
- The administration is pursuing this type of action across the federal government. They are throwing out union contracts, trampling over workers' rights, and retaliating against federal employees whose job is to find the facts – especially when those facts reveal inconvenient truths.
- All Americans deserve an EPA that works hard to protect our environment and human health and tackle the major environmental crises facing our nation, like climate change.
- This kind of management action will make it harder for EPA to recruit and retain the high-caliber talent we need to fulfill that mission.



## BACKGROUND

On July 8, 2019, EPA management made the decision to replace the previously negotiated collective bargaining agreement between the agency and AFGE Council 238, which represents about 8,000 employees nationwide, with a management edict that:

- Allows management to unilaterally exclude employees from telework and limit the types of work schedules employees may have, disrupting their lives and schedules;
- Prevents AFGE from providing fair representation to employees by slashing the amount of time union representatives can spend representing employees by 75%, including prohibiting the use of official time to represent employees in MSPB and EEO matters and through the negotiated grievance procedure;
- Limits employees' access to their union representatives by evicting union representatives from the office space that the agency agreed to provide as a result of prior contract negotiations;
- Eliminates many memorandums of understanding and supplemental agreements used to enforce employment laws and policies at the worksite; and
- Imposes the contract terms for seven years.

