



Appeals Court Greenlights Anti-Worker Executive Orders

On July 16, 2019, the U.S. Court of Appeals for the District of Columbia ruled that the lower District Court did not have proper jurisdiction to hear our union's lawsuit against the administration's anti-worker executive orders (EOs). As a result, the Appeals Court reversed the lower court's August 2018 decision that enjoined the bulk of the executive orders.

The administration is currently seeking the court's permission to immediately implement the EOs without waiting for our union to pursue further court action.

What does this mean to you?

If the court allows the administration to implement the EOs, your career will be jeopardized since the EOs take away your protections against discrimination, retaliation, and unfair treatment, including unjust disciplinary actions. The EOs seek to purge our union and thus your right to have a say in workplace issues and protect yourself against unfair treatment.

Here are a few examples of what will happen if the EOs are implemented:

- Agencies will open all union contracts at the soonest possible opportunity, throw them out, and replace them with management directives. This is already happening at several agencies. Management will declare an impasse early in contract negotiations and send their directives to be rubber-stamped by the president-appointed impasses panel. If you think about filing an unfair labor practice charge, your chance of winning is slim as the person nominated to be the new general counsel of the Federal Labor Relations Authority has insisted on anti-worker provisions agency contracts with several ULPs filed against the agencies because of her actions.
- Your manager can discipline one employee and not another for the same offense, opening the door to favoritism and corruption. Your manager can terminate you anytime without giving you a chance to improve your performance. During a Reduction in Force, your manager is given discretion to decide whom to let go as seniority will not be a factor.
- You won't be allowed to file a grievance challenging an unfair performance evaluation, pay raise, bonus, or any form of incentive pay. This means if your boss doesn't like you for any reason, you may not get a pay raise regardless of your performance – and you can't do anything about it.
- Your agency will limit your access to your union reps by cutting or eliminating entirely the union reps' official time so they have fewer hours to aid you in filing grievances or other necessary response. They also remove your union from your facility. This is already happening.

Visit www.afge.org/fightback for more information about our campaign against the EOs.