



AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO

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March 7, 2017

The Honorable Jason Chaffetz
Chairman
House Oversight and Government
Reform Committee
Washington, DC 20515

The Honorable Elijah E. Cummings
Ranking Member
House Oversight and Government
Reform Committee
Washington, DC 20515

Dear Chairman Chaffetz and Ranking Member Cummings:

On behalf of the American Federation of Government Employees, AFL-CIO (AFGE), which represents 700,000 federal and District of Columbia government employees, in approximately 70 agencies, I strongly urge you to oppose the “Official Time Reform Act of 2017,” during the House Oversight and Government Reform Committee legislative markup tomorrow. This legislation would impose a penalty of reduced pension accrual on those who agree to serve as employee representatives. It is yet another attempt by anti-federal employee legislators to eliminate the legitimate use of official time for representational purposes and silence the voice of federal workers.

Official time is not used for union business. Current law prohibits that, and our union adheres scrupulously to that law. Federal employees conduct official agency business while on official time. The use of official time is a longstanding, necessary tool that gives agencies and their employees the means to expeditiously and effectively utilize employee input to address mission-related challenges, as well as bring quick closure to conflicts that arise in all workplaces. The law limits official time to that which the union and the agency both agree is reasonable, necessary, and in the public interest. Therefore, agency officials are able to oversee the use, management, and scheduling of official time based on the immediate needs of the workplace.

The “Official Time Reform Act of 2017” proposes to amend current law and arbitrarily cap the amount of time that can be used per day for official time duties without taking into consideration individual agency working conditions or needs. Further, and most egregious, this legislation proposes to cut federal employees’ retirement, by taking away creditable service for any time spent conducting official representational duties in excess of that cap. This legislation creates a form of micromanaging that will tie the hands of supervisors and agency officials when it comes to scheduling meetings, legal proceedings, and non-official time work for union representatives, ultimately discouraging the use of official time.

We believe that the pension penalty, along with changes in how official time can be used within the federal workplace will effectively eliminate the use of official time. The union would retain the duty of fair representation, but the enormous financial disincentive for employees to serve as union representatives will guarantee that no one will volunteer to serve. It is too steep a price to



pay, even for those who would otherwise step forward to help their colleagues in mediation hearings and cases of discrimination, or promoting worker safety, and working with management to increase the effectiveness and efficiency of government.

Federal managers and their employees are fully competent to negotiate the terms of official time, when it is needed, how much is needed, and where it should be used to address unique agency and workplace issues. The “Official Time Reform Act of 2017,” undermines agencies’ ability to assign work, to utilize official time in the most efficient way, and it would prevent agencies from deciding either the schedules or the best use of employee representatives. It is unconscionable to reduce federal employees’ pensions in an attempt to eliminate the use of official time in the workplace. **Please oppose, the “Official Time Reform Act of 2017.”**

AFGE also opposes H.R. 1293, legislation that would require the Office of Personnel Management to submit an annual report to Congress on the use of official time within the federal government. AFGE fully supports accurate accounting and timely reporting of official time data. H.R. 1293 is unnecessary as Federal agencies that use official time already track and report the use of official time to the Office of Personnel Management which publishes a government-wide report that provides the cost and the number of official time hours used within the federal government. AFGE takes very seriously the reasonable and judicious use of official time, but must oppose any attempts to undermine or eliminate its use and the representation rights of federal employees under the guise of insuring accurate accounting.

Lastly, AFGE objects to H. Res. 38, a resolution aimed at moving the central office of federal agencies outside of the District of Columbia. This resolution is unnecessary, costly to the taxpayer, and only promotes inefficiency. The District of Columbia has been our nation’s capital since 1790, and as a result the DC-area has the infrastructure in place to effectively house the headquarters of federal agencies. This resolution would be one step closer to creating a totally politicized federal workforce, a scenario that would could lead to Members of Congress vying to move federal agencies to their home state or district for reasons other than most efficient delivery of quality, public services.

AFGE strongly urges you to oppose these pieces of legislation, and work in a bipartisan manner to find real solutions for the problems facing the federal government and federal workers. If you have any questions, please contact Alethea Predeoux at alethea.predeoux@afge.org.

Sincerely,



Alethea Predeoux
Legislative Representative