

## President's Corner

**W**ell, as predicted in the first newsletter of 2014, this is going to be a busy year for NTEU Chapter 173. While I am happy to state that while it seems that the dust is settling in regards to some of the big ticket items (e.g. contract interpretation, AWS, etc.) that NTEU and management have been dealing with, we have witnessed a drastic increase in the amount of discipline cases.

While each and every one of these cases are complex and sensitive in nature, I can assure you that our stewards are working diligently to find some resolution in the more than ten suspension cases we are currently addressing. These cases range from a two-day suspension all the way up to

fourteen days, as well as two termination cases that we are handling. NTEU Chapter 173 has also seen a spike in the amount of missed overtime assignments that we are grieving.

It seems the stewards of the chapter can relate to the expression "No rest for the weary", and yet they still find the time to address the everyday issues that arise at their duty stations. Hopefully, we will see the revolving door of discipline come to an end soon. But until then, know that NTEU Chapter 173 is going to do our best at making sure our members are protected.

## Moments of Truth & Improving Morale

*Excerpts from: The Employment Times, January 19, 2014 | The Police Chief, vol. LXXVII, no. 6, June 2010*

**O**ne of the questions that I am most frequently asked is, "How can we improve employee morale?", because morale affects every aspect of CBP; it's an important question to ask.



CBP has determined that the repeatedly low scores it receives from its employees when asked their opinions in the U.S. Office of Personnel Management's annual Federal Employee Viewpoint Survey (FEVS) requires a response. CBP has made this decision because, according to

documents it has shared with NTEU, the agency has concluded that:

- Motivating employees and facilitating their engagement in all facets of the organization is essential to maintaining a committed and dedicated workforce and essential to achieving its mission;
- There is strong evidence that employee morale is correlated with employee's job performance, attrition, and an organization's success; and
- The morale of an agency's current workforce can impact its ability to recruit new employees.

As a result, CBP is developing five initiatives improve employee morale: (Federal Employee Engagement Advisory Council (FEAC), Workforce

Transformation Initiatives, CBP-NTEU Collaborative Problem-Solving Workshop, Professionalism in Action-Leading by Example and OFO-CBP Labor-Management Relations Forum). While I am pleased that CBP is moving from surveying bargaining unit employees to trying to address their concerns, here's the problem though, most managers start off their quest to improve morale on the wrong foot. They doom their morale building efforts from the beginning by asking the wrong question. It usually goes something like this: "We need to improve morale. What program would you recommend that doesn't cost much (or anything)?" This question offers a clue as to why morale might be a problem in the first place. People who say they want to improve morale, but aren't willing to invest in it, need to examine both their sincerity and their logic.

[Article Continued on NTEU173.org](#)

## Legislative Committee

It's been quite some time since the legislative committee for Chapter 173 has met, and we would like to announce the reformation of this key committee. As you may already know, former Legislative Committee Coordinator, Rodney Reamer stepped down to focus his efforts on other projects that CBPO Reamer is involved with. The Chapter is grateful for his dedication, and time he put into the success of the legislative activities as the chapter truly benefited from his service.

With this, we are calling on our members to take part in a newly formed Legislative Committee. We also invite our previous legislative committee members back to take part in this important committee. If you are interested in taking part Chapter 173's legislative activities, please log on to [www.nteu173.org](http://www.nteu173.org) and follow the link to express your desire to take part in the Legislative Committee. Please submit your application no later than May 2, 2014.

## Financial Obligations

To steal a line most often heard during the CBP investigation process, “Are you aware that CBP Standards of Conduct 6.13.5 states that employees will satisfy all just financial obligations in a timely manner, especially Federal, state or local taxes that are imposed by law?”

It is not only there. It is in the standards of ethical conduct for federal employees and also in the Code of Federal Regulations.

Over the past few months, NTEU has been fielding questions from our members that have arisen since the housing market downturn and whether an “underwater” mortgage would still be considered a just financial obligation. On January 31, 2014, the President of the United States issued a [memo](#) to the heads of the agencies. In part, it provides, “...agencies shall not remove, suspend, or demote a current Federal



employee if the basis of the action is that the employee has experienced, or is experiencing, financial difficulty through no fault of the employee, and the employee has undertaken a good-faith effort to meet his or her financial obligations.

Knowing that anyone going through financial problems is a difficult experience, worrying about your job should not be an added burden. Hopefully, no one will need to utilize this guidance

as NTEU is hopeful management would attempt to be compassionate and understanding before levying discipline on an employee for a financial difficulty that occurred through no fault of their own. If you have any specific questions or concerns, please contact a steward for assistance

## Address Update



We have all experienced the chaos that ensues when moving. Even a local move entails a long list of address changes involving driver’s licenses, utilities, and notification to friends, family, and your agency of your new address. **Entering a change of address with an agency does not result in an address change in NTEU’s records.** Failure to notify NTEU of a new address will prevent members from receiving a membership card, the *Bulletin*, and other written communications from NTEU that get mailed via U.S. Mail as all mail from NTEU will continue to be addressed to the previous address.

Since the moving process is so hectic, we have devised a way for members to change their addresses directly in our membership records without having to call, e-mail, or complete yet another form. On the NTEU web site, the Personal Contact Info section is located under Union Office. Be sure you are registered and logged in, and then click on the Personal Contact Info menu button. Note: This button will not appear until you have logged in.

Individuals will immediately see their own specific contact information. By clicking on the Edit button in the upper corner of the page, one can make changes to his/her membership record. The changes are immediately saved to our Membership Record System when the Save Changes button is pressed. This is also a great way to submit your e-mail address to NTEU.

So, if you have moved within the past 12 months, please update your address by May 3, 2014, as we have some important events occurring this summer that will be sent to your home address. [Update your address now](#)

### NTEU Chapter 173

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*Executive Vice President*

Roger Amodio

*Vice President - Airport*

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*Vice President - Border*

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*Vice President - Trade*

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#### NTEU Newsletter Committee

Youssef Fawaz

*Executive Editor*

Janet Ebel

*Editor*

[www.NTEU173.org](http://www.NTEU173.org)

## Chapter 173 Delegation Represents CBP Employees on the Hill

**Washington, D.C.** - On February 25, 2014 hundreds of members of the National Treasury Employees Union (NTEU), including representatives from Chapter 173 kicked off the start of a three-day lobbying effort to discuss with their members of Congress issues of concern to federal employees.

“There are major challenges facing the federal workforce,” President Colleen M. Kelley told the NTEU members at the opening session of the union’s annual Legislative Conference. She likened the federal government to a structure with a weakening foundation and warned that ongoing budget cuts and a workforce under fire have shaken the country’s foundation.

“As a result, the very essence of our government is at risk,” Kelley warned.

Sen. Jon Tester (D-Mont.) joined President Kelley in addressing the conference opening session. “We all know it’s not easy to be a federal employee these days,” he said, pointing to recent federal employee furloughs and the harmful effects of sequestration. As a consequence, low employee morale has become a serious issue in federal workplaces and one that Tester said he intends to address in Congress. “Federal employees should feel valued at their jobs,” he said.

In addition, Sen. Tester vowed to persist in fighting against proposed cuts to federal workers’ compensation and benefits, telling NTEU members “I will continue to have your backs.”

The NTEU members gathered in Washington, D.C., from across the country and from agencies throughout the government. NTEU Chapter 173 President Ryan Gibson, VP-Trade Youssef Fawaz, Secretary Sean Gibson, and Chief Steward Rob Holland met with representatives from the Michigan Congressional delegation in the House and Senate

on these priority issues:

- Ending sequestration and providing adequate agency funding;
- Securing an adequate federal employee pay raise in 2015;
- Protecting the current employer-sponsored Federal Employees Health Benefits Program;
- Opposing efforts to reduce the value of federal employee retirement; and
- Eliminating unnecessary federal contracting and lowering the contractor reimbursement cap to the salary of the Vice President.



“Since we last met, we have engaged in endless battles to protect the federal workforce and save our agencies from decimation,” President Kelley said. “NTEU has been around for more than 75 years. We know how to fight. We know what it takes to win. And one of the ways we do that is by putting all our effort, all our energy and all our focus on a key set of issues that directly affect the lives of our members.”

**NTEU CHAPTER 173**  
**GENERAL MEMBERSHIP MEETING**  
**Monday, April 14, 2014 | 6:00 PM**  
**Doubletree Hotel | 5801 Southfield Fwy | Detroit**  
**OPEN TO DUES PAYING MEMBERS OF NTEU CHAPTER 173**

## New CEE Memorandum of Understanding

By Now, you have already heard of the transformation that will soon be coming to the structure of the commodity teams across the country due to the latest Memorandum of Understanding (MOU) that came out regarding integrating Import Specialist Teams with the 10 Centers of Excellence and Expertise (CEE) across the country. So what does this mean for Import Specialists, and when will this take effect? The chapter and our stewards have been taking a long, hard look into the MOU that came out in early March, and this is what we were able to decipher from some of the questions our members have asked.

### ***So what's happening?***

Ports of Entry will realign the Commodity Teams by industry sector. If possible, ports will establish ten teams covering the ten Center industry sectors.

### ***How will my seniority be affected?***

NTEU has always had the notion, if you put in the time, that time and dedication should have its benefits. However there will be some issues we will need to iron out. Per the MOU, solicitations for the first 50% of Import Specialists who bid for an industry team will need to have experience as it relates to their team of their preference. *What does that mean?* It means, before the initial bid, CBP will fill slots via "Qualified Volunteers" by developing a standardized Center qualification statement and bid form that will outline the format for CBP to fairly consider qualified volunteers and allow employees to prioritize their bid/Center selections. Before this process is finalized, NTEU National will provide input to CBP on this standardized bid form.

### ***What does this mean in plain language?***

It means that you will be able to submit your preference based upon experience for the first half of the bid. The bid form has not been released yet, however NTEU has learned that this process may be done by providing a statement of your current duties, your commodity experience, and letting CBP know of your current status with a CEE, (i.e. if you are a current matrix member of one of the 10 CEE's.)

### ***What if more than one person qualifies and there aren't enough slots?***

It is our understanding that if there is a more qualified person(s) than there are slots available, then seniority will take precedence in the selection process of the "Qualified Volunteers" selection of the bid. The second half of the bid will be based upon your preference through seniority as an Import Specialist per Article 13 Part B of the CBP/NTEU Collective Bargaining Agreement.



### ***Does my Senior Import Specialist time count in this instance?***

At this time, based upon Section 20 of the MOU, we believe it's only based upon your time as an Import Specialist (Series 1889). We have sent this message forward for clarification, and are awaiting a definitive answer.

### ***Do I have to participate in the bid?***

No. But you may eventually be placed in a team without any preference. Also, Current Core CEE members can opt out of the bid and remain as a Core member of their respective CEE.

### ***I'm a newly hired Import Specialist; can I bid for a team?***

Newly hired Import Specialists will be placed on teams, either at management discretion, or via a preference after bid eligible Import Specialists have all been placed. This will most likely be determined by mutual agreement at the local level.

### ***I work at the Airport; will my work location possibly be changed?***

Although we haven't sat at the table to hash out the details of the realignment locally; we have received constant reassurances from CBP that you will not be required to change where you report to work.

### ***When will this all take place?***

We don't have an exact date just yet. NTEU is aware however, that CBP intends to roll this out as soon as possible. Once as we get more information, we will be sure to disclose this to our members.

### ***I have more questions!***

As we are sure you do. Please feel free to send any of your questions to NTEU Chapter 173 Trade VP, Youssef Fawaz via e-mail to [youssef.fawaz@dhs.gov](mailto:youssef.fawaz@dhs.gov). We will try to get all your questions answered. If we can't answer your questions, we will be sure to forward your questions up to CBP management and through our NTEU network.

## Telework

*Opinion Editorial by Youssef Fawaz, NTEU Chapter 173 Vice President - Trade*

Finally, I can report that Telework is available, and people are happily Teleworking. But don't think it was as simple as turning on a switch, and poof we can all Telework. Although the Telework Program is a matter of law, and afforded to our employees in the Collective Bargaining Agreement, we have had to fight for it every step of the way.

The journey to obtain the option to Telework has been a long and at times, tiring journey. It started out with only one member willing to step up and endure the process of working out a Telework Agreement. Going through what seemed like an endless process of red tape and hurdles thrown at us from every direction to get Telework to become a viable option for our members.

The first challenge we had was funding. CBP never considered funding the program for equipment and maintenance costs. They only had one available MobiKey, and wanted employees to share this piece of equipment. The next issue was managers discouraging employees from Teleworking, requiring taxing explanations and minute by minute accounting of every activity the employees were going to do while on Telework, further discouraging employees from the application process.

Once these issues were addressed, we found ourselves dealing with a new set of hurdles. As we all know, this winter was one of the harshest on record. School closings, hazardous roads, and dangerously low temperatures seemed to be the norm. We had a member who requested to work a Situational/Episodic Telework day, an option that is available to employees due to inclement weather. The member was denied without justification, so NTEU filed a Step 1 Grievance. Due to our grievance, management reversed their decision and started permitting Situational/Episodic Telework for weather related purposes.

A few weeks later, a bargaining unit member wanted to work a Situational/Episodic Telework day in order to attend to a medical situation, and management again decided to deny the request without a reasonable justification. At that point Management approached NTEU, asking to put together a "Workgroup" of sorts, to decide on

how "Situational/Episodic" Telework was going to be approved. The union agreed that this might be beneficial. The 'workgroup' was unfortunately unsuccessful due to management's adamant stance which I believe to be, "If your supervisor can't see you, you probably aren't doing any work". NTEU was prepared to file a grievance on behalf of our member, however shortly before we submitted grievance paperwork to the supervisor, the employee was approved for a Situational/Episodic Telework day for the very reason they were denied initially.

It is my opinion that management is being forced to comply with something they really don't want to take part in. So what I am asking is that if you are dealing with a roadblock set up by your supervisor when it comes to a Telework Request, please keep the chapter informed. Maybe we can work it out, and if necessary, the chapter has decided to take an aggressive approach in your right to Telework.

Management will point out that in the CBA that Telework is a privilege and not a right; however we have a different idea, and would like to share this thought with you, our members:

*Driving in the State of Michigan is considered a privilege. If I meet the eligibility requirements of obtaining a Driver's License; being of age, took my tests, paid the fees, etc. I am eligible to have my license and drive. The only way that privilege can be taken away is if I violate the rules/standards set for keeping this privilege.*

Some managers think that they can pick and choose who gets this privilege. With that being said, it is reasonable to understand that the CBPO's are not eligible to work Telework on a core basis due to their mission and responsibilities of their position.

However, when you have a support staff member who has met the criteria, and is Telework 'ready and eligible', NTEU believes that you cannot take that away from them if they haven't violated any rules or regulations. I am ready to stand up and protect the interests of our members.

*Opinions posted in our publication, "In The Loop" are not necessarily endorsements by NTEU, or Chapter 173.*

