

## Beat the Heat at Our Summer Stress Buster

By Robert Holland, Executive Vice President

It's that time again!!! The NTEU Summer Stress Buster is happening on July 8th at Buffalo Wild Wings in Detroit, starting at 5:00 pm and ending at Midnight. The January event was the largest yet and we expect the next one to be even bigger. As always, two drink tickets and a meal of your choice for you and your spouse/significant other will be included. The raffle was such a great success last time, we decided to do it again! (See flyer for details)

For those who will be working a shift that covers the entire timespan of the party, (i.e. 4:00 pm to 12:00 am, 4:00 pm to 2:00 am, etc.) which prevents you from being able to attend, we will be in contact with you to work out a carry out order process so you can enjoy some wings at work. If you haven't come out to one of the previous



events, I highly encourage you give it a try. This location has an entire second floor that is sectioned off for a private party. This is a great way to let loose, enjoy the company of friends and get to know both new and old co-workers. I pride myself on trying to make the work place an enjoyable environment. The best

way to do that is to get to know each other, not only on a professional level, but on a personal one too.

We're a family and have each other's backs in the line of duty. Why shouldn't we sit down and have a beer (or beverage of your choice) and enjoy each other's company? These events have been a lot of fun and everyone who attends them has had a great time! Hope to see you there!

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## Chapter Participates in Bring Your Child to Work Day

NTEU Chapter 173 was asked to participate in the Bring Your Child to Work Day event at the Port of Detroit which was held on April 28<sup>th</sup>. Chapter board members discussed it over and voted that this was an excellent opportunity for the chapter to give back to our members and their families. Chapter 173 volunteers put together an NTEU snack pack for the over 120 kids that came to work with their parents for the day. The snack pack included a juice box, granola bar, fruit snacks, and a sweet treat. The kids rushed the table and were very excited to get their snack pack! NTEU Chapter 173 is happy to have been a part of this great event.



# Peer Support

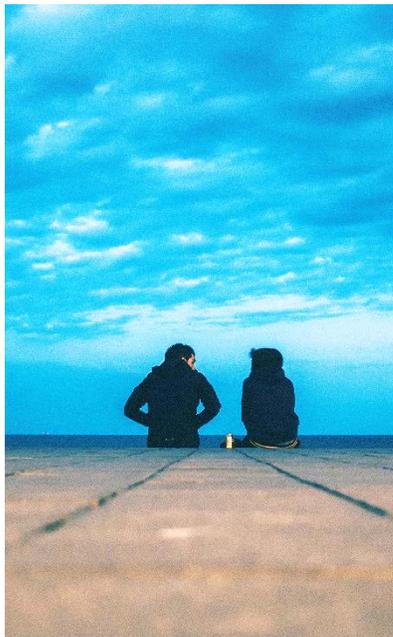
By David Wood, Vice President –Border

I'd like to take this opportunity to introduce everyone to the Peer Support Team and let you know what they're all about. Some of you may have seen officers walking around with the Peer Support pin and wondered what it was. The Peer Support program was founded by Hugh Lydiard who is currently the National Peer Support Manager in DC.

The Peer Support Team was developed with the idea of creating a group of Individuals that would act in the capacity of a "shoulder to lean on" or someone to just be there for you. Hugh realized that while many Fire Departments and Police Departments had a group of fellow Firefighters and Police Officers acting in support roles for their co-workers, CBP did not have this type of support unit and spent a lot of time creating one.

While there are options when it comes to looking for some personal support through official chains, there was no type of support from those that did the same job, had the same concerns or someone that could relate to what you might be seeking out support with. There were co-workers that would reach out and support their friends that were co-workers and some senior employees would be accessible, but if you didn't know who they were, you had no one that quite understood what you could possibly be experiencing or going through. The Peer Support Team was born.

To be a Peer Support Member (PSM) you reply to the solicitation that comes out via e-mail, go through an interview and then the 5 day training course at Charleston FLETC. The training is conducted by a company whose



sole specialty is training those to be Peer Support. The key to the Peer Support Team is confidentiality.



Without complete confidentiality, the team would never last. If a PSM is found to have shared any information learned while in the role of a PSM, they are immediately removed from the Peer Support Team.

Now that you know what Peer Support is, let me tell you what they do, and what their goals are. PSM's are trained to assist those that have experienced some form of traumatic experience or

event. A traumatic experience is personal and therefore varies from person to person. What may be traumatic for me, may not be traumatic for you. Though they are trained for these situations they tend to be the type of individual that has had experience in being a shoulder to lean on or a person that people seek out for help or information. Many of them have had some traumatic experiences in their personal life that others have helped them through and they want to reciprocate that assistance. PSM's are not there to tell you what to do, but to assist you in understanding what has or is happening to you. If they can't assist you in understanding then their job becomes one of helping you get the help they feel you might need such as EAP.

So please, if you are having any issues (work, family, money, career, etc.) and just want to talk, please seek out a PSM and let them be there for you.★★★

## Detroit Peer Support Members

Christopher Acosta	Joe Bazner	Rick Adlen	Shelia Appling	Shalynn Berry	Ethan Best	Monique Bulkley
Maxine Chandler	Emma Hall	Skye Harkins	David Lira	Kristi Miller	DeAnn Porter	Audrey Rucker
Amber Tackett	Candy Watkins	David Wood	Harold James	Neil Johnson	Al Rasch	Stephanie Lingo

## Monthly Meetings

*By Robert Holland, Executive Vice President*

Every month the Chapter meets with Port management to discuss the local issues that are going on at the port in hopes of resolving the issues before they grow into problems. We have had some success in addressing matters raised in the meetings and it has opened the door of communication between management and the Chapter. One of the most notable successes that came from these meetings were the live bid for Annual Leave. What started as a talking point in these meetings became reality to much of the satisfaction of everybody at the port!

During April's meeting we covered many topics and have already seen changes due to this discussion. One of them is the 'two Lead Outs'. Officers at the passenger processing locations have asked for continuity with the Lead Out position and feel that leaving just one person out alone is a safety issue, and had the potential to open the door for other problems to arise. We raised this issue to management and they agreed that having two Lead Outs for a four hour block, and two in cold weather conditions was a good idea. We have already seen the change take effect at the Ambassador Bridge and the officers there seem happy to have it back. Please keep in mind, management does not want it to create order outs. So we have to be flexible. If a Lead Out is needed during extremely busy times to cover a lane shot in order to avoid order outs, then we have to be willing to do so.

Management and the union also discussed preparations for the closure of the Detroit/Windsor Tunnel, scheduled to happen this summer. Some reports had the tunnel closing on midnights as early as May. Speaking with management it seems as though the tunnel closures will begin in August and last until December. The tunnel will close from 9:00 p.m. and reopen at 5:30 a.m. during those months. NTEU questioned what management was planning on doing with staffing during the closure and at this time the only answer was that the FLEX team would be moved elsewhere and they were still figuring out the numbers as far as how many they would need to leave at the tunnel during the closed hours. The chapter will continue to follow up on this topic and keep you all apprised of whatever information we receive.

Next on our list was the roll out of TECS MOD. The chapter was curious to know if any information would be shared with the officers on the new system or if training would be provided prior to roll out. Also, since this new system requires that you use your PIV card, we inquired if the generic login process on primary would continue. Management stated that they would put together more information about TECS MOD to send out to the officers and they would need to look into the policy regarding the manner in which officers will access the system on primary. NTEU understands the need for officers to access to these systems on primary

and will continue to work with management on this topic to ensure you have the tools necessary to do your job properly.

Fort Street Overtime was also discussed; NTEU stated that the shifts at Fort Street is not consistent with the issuance of overtime and advised management that it needs to be done in a fair and impartial manner along with being consistent. Both parties agreed with that idea. How the overtime distribution will be handled going forward is still being looked into at this time.

Lastly, we discussed the results of the Federal Employee Viewpoint Survey. A question was raised by management as to why officers don't complete the survey. Our quick answer was because they probably feel at this point that it won't change anything. Then as we discussed further, we talked about how officers are on the go throughout the day, they probably have not had the time to complete the surveys. The Chapter suggested to management that if officers were selected to complete the survey, time for completion should be scheduled in order to promote a good response rate. Management agreed to this. So with that resolved, if you are selected to complete the Federal Employee Viewpoint Survey, you can show your 1<sup>st</sup> line supervisor that you have been selected and be scheduled for a half hour to complete the survey.

If you have concerns, please email [robert.a.holland@cbp.dhs.gov](mailto:robert.a.holland@cbp.dhs.gov) and I will raise it at the next meeting.

## Bills That Matter

### Federal Pay Legislation

H.R. 4585 (Rep. Connolly-VA) and S. 2699 (Sen. Schatz-HI)-provide federal employees with a 5.3% pay raise in 2017. **NTEU Supports.**

H.R. 1137 (Rep. Rice-SC)-cuts certain federal salaries immediately by 8.7% and limits future pay raises. **NTEU Opposes.**

### Retirement & Health Care Benefits

H. Con. Res. 125-Proposed House Budget for FY2017 (Price-GA) –disproportionately targets federal employee benefit programs, resulting in significantly higher retirement and health care employee contributions; including requiring current employees to contribute approximately 6% of salaries into FERS, reducing the value of the TSP's G fund, eliminating the FERS supplement, transitioning to TSP-only and basing FEHBP health care premiums on years of service and lowering the government's share of premiums.

**NTEU Opposes.**

H.R. 1230 (Rep. Westerman-AR)-reduces federal pensions by basing annuity calculations on high-5 versus the current high-3 formula. **NTEU Opposes.**

H.R. 785 (Rep. Edwards-MD)-rolls back the increased employee retirement contributions for federal workers hired since 2013. **NTEU Supports.**

H.R. 2175 (Rep. Lynch-MA) –requires more transparency and oversight over prescription drug costs in the Federal Employees Health Benefits Program, lowering overall costs and premiums. **NTEU Supports.**

### Workforce Reductions & Agency Funding

H.R. 417 (Rep. Lummis-WY)-cuts the federal workforce by 10% over two years, and requires three employees to depart in order to fill one position. **NTEU Opposes.**

H. Con. Res. 125-Proposed House Budget for FY2017 (Price-GA) –reinstates sequestration in FY 2018 and significantly cuts most federal agencies' funding over the next ten years, also cuts the federal workforce by 10% and limits new hires. **NTEU Opposes.**

### Workplace Fairness Legislation

H.R. 4461 (Price-GA)-seeks to prevent federal employees from **voluntarily** joining unions—by not allowing them to deduct labor organization dues from their pay checks and by significantly raising the standard for union recognition. **NTEU Opposes.**

H.R. 1658 (Hice-GA)-weakens federal employee labor rights by restricting employees' abilities to receive workplace representation. **NTEU Opposes.**

H.R. 4083 (Gosar-AZ), S. 2245 (Gardner-CO), and S. 2246 (Scott-SC) would prohibit employees at the Internal Revenue Service (IRS) from being represented by a union. **NTEU Opposes.**

H.R. 4361 (Palmer-AL) could eliminate the ability for a union at a federal agency to bargain over any Information Technology (IT) issues. **NTEU Opposes.**

H.R. 3023 (Buck-CO) would significantly expand the required probationary period for newly-hired federal employees. **NTEU Opposes.**

S. 303 (Sen. Roberts-KS)-eliminates bonuses for federal employees who are behind in paying their taxes; compromises federal workers' private taxpayer information.

**NTEU Opposes.**

H.R. 1563 (Rep. Chaffetz-UT)-requires agencies to fire federal workers who fall behind in paying their taxes; compromises federal employees' confidential taxpayer information. **NTEU Opposes.**

H.R. 1206 (Rep. Rouzer-NC)-prohibits hiring any new IRS employees until the Treasury Secretary certifies that no IRS employee owes back taxes. **NTEU Opposes.**

S. 742 (Sens. Ayotte-NH and McCaskill-MO)-restricts certain employee bonuses for five years and requires re-payment of some bonuses. **NTEU Opposes.**

H.R. 532 (Rep. Maloney-NY)-extends six weeks of paid parental leave to federal workers. **NTEU Supports.**

Visit [capwiz.com/nteu](http://capwiz.com/nteu) to take action on these important legislative measures

FRIDAY, JULY 8, 2016



NTEU  
**STRESS BUSTER**  
CHAPTER 173



BUFFALO  
WILD  
WINGS

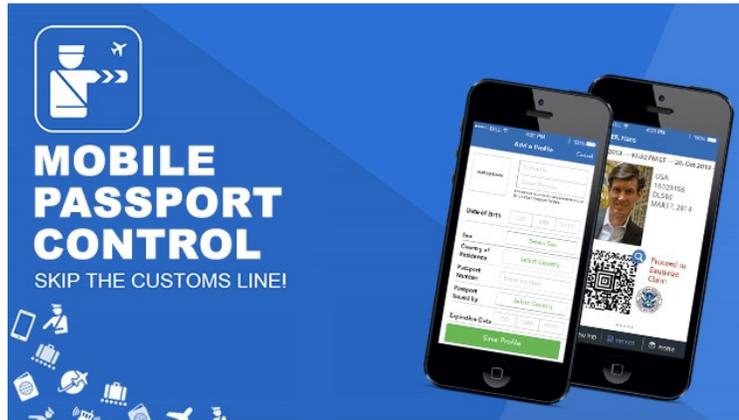
#NTEUSTRESSBUSTER

## National Mobile Passport Control MOU

**N**TEU and CBP have just negotiated an MOU to address the implementation procedures for an initiative which will modify the APC process to permit passengers to use a smartphone app to answer and submit responses to four questions and to take a self-photo.

The terms of the MOU include:

- Officers will be provided the discretion to handle the traveler's smartphone device if they so choose and to scan the smartphone for verification. Alternatively, the Officer can direct the traveler to scan his or her smartphone for verification;
- Upon request, CBP will provide a demonstration of this initiative to the local NTEU Chapter and impacted Officers. After the demonstration, the parties, upon the request of either party, will engage in mutual agreement bargaining in order to address either party's concerns with this initiative;



- Officers will receive sufficient training prior to the implementation of this change; and

- CBP acknowledges its obligation to bargain over NTEU's proposal to permit officers to sit at the APC podiums and over NTEU's proposal to place barriers between

the officers and the passengers being interviewed at the APC podiums if both proposals are found to be within CBP's duty to bargain by the Federal Labor Relations Authority.

While CBP continues to refuse to bargain over NTEU's proposal to increase Officer-safety by the placement of a barrier between the Officer at the APC podium and the travelers being interviewed, during MPC bargaining, CBP acknowledged in writing that Officers at the APC podiums always have the discretion to direct passengers to step away from the podiums at a sufficient distance to address their safety concerns. ★★★

## NTEU Submits Testimony on CBP Trade Operations

The Senate Committee on Finance held an oversight hearing on May 11<sup>th</sup> regarding CBP commercial trade operations and other issues under the committee's jurisdiction. CBP Commissioner Kerlikowske was the sole witness to testify at this hearing; however, NTEU submitted testimony on behalf of our NTEU CBP members who work in non-uniform trade operations.

NTEU stated that CBP's trade functions are being chronically shortchanged. As of January 2016, CBP had 2,463 employees in revenue occupations—214 below the level Congress has authorized for that staffing category.

There were 984 Import Specialists on board when CBP was created in March 2003, and there has been no increase in this number even though inbound trade volume grew by more than 24 percent between 2010 and 2014. Staffing levels clearly haven't kept up with rising trade volumes since Congress created CBP 13 years ago, and NTEU will continue to push hard to correct this inadequate level of staffing.

NTEU testimony also included NTEU member comments and recommendations on the implementation of the Centers for Excellence and Expertise (CEEs).★★★

## NTEU Continues to Address CEE issues in Negotiations

**D**uring two weeks of negotiations focusing on the Centers, CBP Center management continues to dismiss identified Center problems that have been raised by employees and their managers alike, while resisting attempts to put in place a meaningful Bid Rotation and Placement process for Import Specialists similar to the one in place for CBP Officers.



Earlier in the year, NTEU had requested to bargain over various Centers issues including Bid Rotation and Placement (BRP) within the Centers, BRP between the Centers and reports NTEU has received for months from chapter leaders, our members, and CBP managers and supervisors about the many problems associated with the rollout of the Centers. In March, NTEU completed two weeks of negotiations over the Centers and, unfortunately, very little progress was made in this round of negotiations.

At the table, NTEU raised numerous problems associated with the Centers that included: issues associated with remote supervision; the inability of ACE to support the Center initiative, resulting in wasteful inefficient work-around practices; a lack of uniformity between the Centers in terms of workload and work practices; managers either ignoring or unaware of local agreements addressing subjects such as AWS, leave, and telework; catering to the trade at the expense of revenue recovery; employees having to take direction from supervisors within and outside their chain of command; lack of clear guidance as to what is Center work and what is port work; and, insufficient training for both employees and supervisors.

In response, CBP denied that there were any major problems associated with the rollout of the Centers while also stating that if there were, future ACE releases would take care of the problems. Of course, Customs and CBP employees have been waiting decades for ACE to operate as promised. Rather than waiting for ACE to fix Center problems sometime in the indefinite future, NTEU pointed out that many of these problems could be eliminated or at least mitigated by more onsite supervision. Because CBP's

position is that the Centers are working well, it showed no interest in revisiting any Center issue, including remote supervision. Instead, Center management took the position that employees and their supervisors are misguided about their criticism of the Centers.

Not only was CBP uninterested in addressing the adverse impact of its operational decisions on

Center employees, its resistance to a meaningful BRP process for Import Specialists lends credence to the widespread view that non-uniformed employee issues are not a priority for CBP. For example, while CBP has agreed that the BRP process for Officers in the new contract will allow for, at a minimum, a 50% rotation in and out of their work units, CBP would only agree to rotate 0% to 25% of the Import Specialists working in a Center's three work units/divisions. Similarly, Center management refused to even consider a BRP process that would enable Import Specialists to rotate between Centers even though Import Specialists have been working different parts of the tariff for years. Instead, CBP proposed that when there is a Center vacancy, Import Specialists could apply to fill the vacancy, even though in many cases the selected Import Specialist would have to re-locate to a different port in order to work in a different Center.

When pressed on why Import Specialists do not deserve the same meaningful BRP as the uniformed workforce, Center management gave two reasons: 1) a BRP process may bump some Import Specialists from their current Center assignments; and 2) time-zone coverage issues arising from the Center structure and remote supervision.

In terms of BRP qualifications, while OFO considers it's Officers sufficiently qualified to work in most work units once they have completed FLETC and post-academy training, the Centers refuse to acknowledge that even Journeyman, and Senior Import Specialists are qualified to work in all three Center divisions. Similarly, CBP's Center representatives argued that Journeyman and Senior

***(Continued on Next Page)***

## CEE Negotiations *(Continued)*

Import Specialists were also not necessarily qualified to work in all ten Centers. When NTEU pointed out that by the time an Import Specialist becomes a Journeyman or a Senior Import Specialist their classification, value, and admissibility skill sets make them qualified to work in any Center, CBP responded that the focus of qualifications should be on a Center industry and not on the traditional Import Specialist skill set.

NTEU has requested mediation assistance from the Federal Mediation and Conciliation Service in these negotiations. Because the host of problems associated with the Centers are a direct outcome of how CBP has exercised its management rights, NTEU will also continue to raise these issues with senior CBP leadership, urging them to reevaluate the Center structure and its

unwarranted detrimental impact on employee interests. On a final note, whereas CBP Officers received their deserved upgrades to a GS-11 and then a GS-12 based on an executive decision of senior CBP leadership, CBP still insists that Import Specialists must first go through a classification review before it will consider upgrading their position. Nevertheless, NTEU expects to trigger the Import Specialist grade review sometime this calendar year, assuming the Centers are fully functional and there is enough ACE functionality to support an upgrade to a journeyman GS-12. NTEU will follow the same approach as other positions are transitioned to the Centers.

We will continue to keep you updated on our progress with the CEE transitions as this matter continues to be discussed. ★★

## Polygraph Examinations & the Anti-Border Corruption Act of 2010

### *Polygraph Examinations for Employees Applying to be an Agriculture, Import, or Seized Property Specialist*

In March, NTEU invoked the assistance of the FSIP to resolve the parties' bargaining impasse on this issue. First, CBP notified NTEU that pursuant to the Anti-Border Corruption Act of 2010, it would be administering polygraph examinations to current employees who apply for CBP law enforcement positions. In response, NTEU agreed to post-implementation bargaining to enable employees who choose to risk the polygraph examination to apply for the CBPO position. The main areas of dispute are over NTEU's proposals to allow a NTEU representative to attend the polygraph sessions if requested by the employee applicant and to allow a second polygraph examination for an employee who fails the initial examination. (See chapter presidents' memorandum dated August 27, 2012.)

After receiving the polygraph notice as applied to CBPOs, the Office of Personnel Management granted CBP's request to administer polygraph examinations to those CBP employees applying to become Agriculture, Import, or Seized Property Specialists.

CBP duly notified NTEU of its intention to expand its polygraph program for applicants to these three positions. However, inasmuch as these polygraph examinations are



not required by law, NTEU has not agreed to post-implementation bargaining for the three Specialist positions. In addition, NTEU is also challenging CBP's right to polygraph employee applicants to these three positions in light of the agency's failure to provide any evidence to support its rationale that employees in these three positions are "vulnerable to corruption." ★★

## Chapter Files Telework Equipment Grievance

In March, Chapter 173 filed a grievance on behalf of several members who were approved for the Telework program, however were waiting for equipment in order to begin teleworking. In several instances, this included employees waiting for over a year just to obtain equipment to be able to telework.

NTEU Stewards met with APD Beculheimer who was receptive to NTEU's concerns. APD Beulheimer was

able to resolve the matter; CBP Trade employees in Detroit have received their equipment and are teleworking successfully.

The chapter continues to monitor telework issues on behalf of our employees. If you have any questions or concerns regarding the Telework program, please see a steward who can help you with your issue. ★★★

## Microsoft Lync/Skype Cannot Be Used to Track Employees

Back in May of 2012, NTEU and CBP had entered into a Memorandum of Understanding (MOU) with respect to Microsoft Office Communicator. The MOU specifically stated that: If a bargaining unit employee utilizes Office Communicator, CBP will not utilize Office Communicator to track its bargaining unit employees' attendance or performance. A Bargaining unit employee's 'status' on Office Communicator cannot be utilized by a supervisor or management official as a tool to determine or indicate the bargaining unit employee's performance, work status, or location.

When CBP switched over to Microsoft Lync/Skype for Business, the MOUs in effect for Office Communicator would rollover to Lync. As such, no supervisor may require a bargaining unit employee to change their Lync status light as a means to determine if an employee is at their computer. This memorandum remains in effect, and we wanted to remind our members of this important MOU.

If you have a supervisor that is tracking your work status via Microsoft Lync/Skype for Business, please contact a steward regarding your concerns. ★★★

## Outstanding Steward!

NTEU Chapter 173 would like to take a moment to recognize Chewana Lee for her outstanding service to the chapter and our members. Chewana has been a steward for six years; since the beginning she has shown a commitment and dedication to our members that has not faltered. Recently the chapter recognized her efforts by awarding Chewana with a certificate for her hard work on behalf of our members. Some of Chewana's accomplishments include handling issues with telework, reasonable accommodation requests on behalf of members, oral replies, and arbitration cases. On behalf of a grateful chapter, we would like to express our many thanks to Chewana Lee. ★★★

