



## CHAPTER 97 PRESIDENT JOINS NEGOTIATION TEAM

After two weeks in Washington D.C negotiating articles in the new contract, Chapter 97 President Jason Sisk, returns to Fresno reassured that management wants no part of being accountable to the employees who do the work of the agency.

"The agency wants to make changes to the detriment of the employees, but we (NTEU) are there to ensure the decisions made are in the best interest of the employees. It's sad to see the agency is trying to mandate changes to the articles they previously agreed to, yet continually violated. Why? They are tired of NTEU pointing out the agency's violations of the contract and arbitrators agreeing with NTEU," said President Jason Sisk.

Issues brought to the table in this round of negotiations were as followed:

- Article 11- Facilities and Services
- Article 12-Performance Appraisals
- Article 13- Promotions/Competitive Actions
- Article 18- Awards
- Article 19-Reduction in Force (RIF)
- Article 24-Overtime

NTEU's negotiating team is made up of 26 Chapter Presidents nationwide including Chapter 97's Jason Sisk. A panel of three arbitrators have also been assigned to hear both sides and to make rulings on articles and areas of disagreement.

Prior to contract negotiations, President Jason Sisk spent a second week in D.C negotiating over managements **CCCFS proposal which would put AM paper only people on the Aspect Phone System.** One would have to ask themselves "why?" Paper only means paper only, aspects are what the Telephone Contact Representatives use to take calls. What would be the purpose to put a paper only employee on the aspect system? To monitor? To put employees (who even downgraded to get off the phone) back on in a pinch? Nah, management wouldn't do that, right? At this time, no agreement has been reached with NTEU!



Front: Chapter 97 President Jason Sisk and NTEU's Contract Negotiating Team

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## CHAPTER 97 TAKES THIRD IN RECRUITMENT RACE

From July 1st through September 27th, NTEU nationwide participated in a Summer Recruitment Race.

Locally, Chapter 97 issued a choice of a \$20.00 gas card or two movie tickets to employees who joined NTEU during the recruitment bonus time.

After the finish line was crossed, and all the new members were counted, NTEU is proud to welcome the 2,091 new members nationwide!

Members should be proud to know that Chapter 97 placed third in this recruitment race! Remember, the more members we have- the louder our voice will be!

NTEU's mission is not only to increase membership, it is to inform employees of their rights and the importance of being in a unionized job. Without NTEU employees would not benefit from larger raises year after year, employees would not be represented locally or on capital hill, and employees would not have someone to ensure their rights are not violated.

## **Issue: Detail**

### **Area: AM-Swing**

Employee was temp promoted to a higher graded duty but was abruptly informed while on the detail, that the temp promote was being canceled. AM Steward Catalina Flores immediately filed the grievance based on the *Article 16* violation and was successful at getting the agency to pay the employee for agreed time of the detail at the pay of the higher graded duty.

## **Issue: Altered 3081**

### **Area: AM-Swing**

Employee became aware their 3081 was changed without prior notification. AM Steward Jerry Zarate met with the Department Manager and the employee's manager and was successful at getting the 3081 fixed to it's original codes.

*Article 5*

## **Issue: Within Grade Increase**

### **Area: AM- Swing**

Employee contacted NTEU after management refused to input employee's WIGI. Employee was advised to complete an ERC ticket to determine the date the employee became eligible for the WIGI.

AM Steward Chantha Svay contacted the Department Manager (who also agreed the WIGI was due) and was successful at getting the employee's WIGI input with the correct effective date (\$\$ in the bank)

*Article 17*

## **Issue: AWOL**

### **Area: AM-Swing**

Employee was charged AWOL after her request to change her TOD (for educational purposes) was denied. The employee was not informed of the AWOL until after the day shift work schedule was worked. AM Swing Assistant Chief Steward Dawn Donovan filed the grievance and was successful at getting the AWOL removed. *Article 22*

## **Issue: Prime Shift List**

### **Area: AM Swing**

Employee contacted NTEU after becoming aware management was not properly selecting employees from the Prime Shift List and learning that employees with a later date were being selected before employees with a better EOD. AM Steward Jerry Zarate met with the Department Manager and Prime Shift Staff and was successful at getting the employee elevated to her proper slot on the Prime Shift List.

*Article 23*

## **Issue: AWOL**

### **Area: AM-Swing**

Employee contacted NTEU after being charged with AWOL for allegedly not following the manager's reporting policy.

Employee made a reasonable effort to contact the team leader within the 2 hour timeframe (from the ER pay phone) but due to management's inability to be at their desk within the first 2 hours and not able to answer any calls or not having the voice-mail on, the employee was charged with AWOL. AM Steward John Durnya and Swing Assistant Chief Steward Dawn Donovan immediately set up a meeting with the team leader and was told by management the employee should have continued to call or call the team leaders cell phone, and refused to remove the AWOL. John & Dawn met with the DM who instructed the team leader to remove the AWOL once the proof of the ER visit was submitted.

*Article 32, Article 34, Time & Leave Handbook*

## **Issue: AWOL**

### **Area: AM Swing**

Employee was charged with AWOL when current and former managers tag teamed and alleged the employee took too long for lunch. Assistant Chief Steward Dawn Donovan spoke with the DM who approved then disapproved the removal of the AWOL. The matter was then brought to upper management who agreed to remove the AWOL. *Article 32*

## **Issue: Hostile Work Environment**

### **Area: AM Swing**

AM employee alleged a hostile work environment stating her manager was over supervising/monitoring her even after the manager was moved to another floor. Assistant Chief Steward Dawn Donovan tried to resolve the issue with the manager and DM but had to elevate the issue to upper management who agreed to move the employee to a different unit. *Article 5*

**Note:** This was the same manager who claimed we don't have a strong union!

## **Issue: Sick Leave Restriction Letter**

### **Area: AM- Swing**

Employee was told by former manger that she was placed on a sick leave restriction letter due to the fact she was on one in her previous assignment. Research showed previous manager had a habit of misinforming employees of being on sick leave restriction letters. Assistant Dawn Donovan reviewed the employee's file, and found no sick leave restriction letters in the employee folder. Current manger agreed to keep the employee updated on leave usage and any potential disciplinary action. The current manager stated the employee had a good work ethic and leave balance. *Article 34*

## **Issue: Training**

### **Area: AM Swing**

AM employee returned from a six month leave of absence and was told someone would sit with them for a few days to get the employee up to speed with the new procedures. Management refused to allow the employee to attend the refresher classes being offered at the time. Assistant Chief Steward Dawn Donovan set up a meeting with the Department Manager who agreed the employee should be allowed to make up any missed classes and all refresher classes.

*Article 30*



**Issue: AWOL**

**Area: DCO-Days**

Data Transcriber employee was charged with 8 hours of AWOL for not being able to work a full time schedule. The employee previously requested a part time schedule due to the recent birth of a child but was denied by management. Submission Steward Keith Richards filed the grievance on behalf of the employee and informed management of their violations of *Article 22 Section 3b* and *Article 33 Section 5* and was successful at getting all 8 hours of AWOL removed as well as the counseling.

**Issue: Release Recall**

**Area: Submission-Accounting**

Two employees new to the Accounting Branch were not given Ad-hoc evaluations for Release/Recall purposes, which would disadvantage them on their return to duty dates. Submission Day Shift Assistant Chief Steward Susan Vasquez-Quiroz contacted the department manager regarding the importance of an Ad-hoc evaluation and their violation of *Article 14 Section 2A6* and was successful at getting Ad-Hoc evaluations for both employees and 2 days of back pay.

**Issue: Evaluation**

**Area: TAS**

Taxpayer Advocate employee contacted NTEU after being notified their evaluation was lowered without counseling. Compliance Steward MaryAnn Galindo filed the grievance based on the *Article 12 Section 5,7 &9* violation and was contacted prior to the meeting with a proposal. If the employee's evaluation would be raised from a "2" to a "4" and from a "3" to a "5", would NTEU withdraw the grievance? MaryAnn met with the employee who was in favor of the proposal therefore the grievance was withdrawn.

NTEU is still receiving suspension and removal letters where the employee never contacted NTEU to try to save their job!

**Issue: AWOL**

**Area: DCO-Swing**

DCO employee was charged with 16 hours of AWOL for an absence that due to a death in the family. The team leader went one step further by requesting that the employee bring in medical documentation for the time off. Swing Chief Steward Cindy Delatorre filed the grievance on behalf of the employee and informed management of their right to use sick leave for bereavement purposes and the inappropriateness of the medical documentation. Management agreed to remove the AWOL and replace it with 16 hours of LWOP. *Article 34*

**Issue: Reduction in Rates**

**Area: Submission-Entity-Days**

Entity employee contacted NTEU after the team leader lowered the error rates by 20%. The Team Leader was also having the QR clerk take 5 samples vs. 20 samples on the employee which would change her accuracy percentage from 86% to 66%. A valid and indicative QR sample should be used. Employee's may also request cases they choose to be reviewed per *Article 12*. Submission Steward Keith Richards immediately set up a meeting with management to discuss the *Article 12* violations. Management agreed to remove the pull from the employee's rates and not to count the error against her.

**Issue: Promotion/ Competitive Action**

**Area: Input Correction-Days**

Input Corrections employee was selected and offered a perm position on a Roster Announcement but declined the offer but wanted to be considered for future selections. Employee was told by HR Specialist that due to declining the first offer she would be removed completely from any future selections. Submission Assistant Chief Steward Susan Vasquez-Quiroz contacted the HR Specialist and referred them to NTEU Contract *Article 13 Section 4A1*. After review, the HR Specialist agreed that the employee would be considered on that roster's future selections and would not be removed.

**Issue: Sick Leave Restriction**

**Area: Compliance**

Employee was placed on a sick leave restriction letter that was unwarranted. Compliance Steward Mary Ann Galindo filed the grievance and requested AWS for the employee, the sick leave restriction being removed from the employees file, and the opportunity to change her day off once a month to allow for doctor appointments. Management agreed to allow AWS for the employee, and remove the sick leave restriction letter if no other AWOL charges occurred if the grievance was withdrawn. After meeting with the employee, NTEU accepted the relief and withdrew the grievance. *Article 34 & 23*

**Issue: Advance Sick Leave**

**Area: Input Correction**

Employee contacted NTEU after the request for advanced sick leave was denied even though the conditions were met under *Article 34 Section 5A 1-6*. Assistant Chief Steward Susan Vasquez Quiroz set up a meeting with a the Operations Manager to review the regulations of the contract and to show management the employee met the requirements. Management agreed and provided paid relief for the employee.

**Issue: AWOL**

**Area: AM-Swing**

Employee was charged with 8 hours of AWOL for taking the day off due to a family emergency. AM steward, Ilene Lee contacted the front line manager who was not willing to remove the AWOL citing the AM Leave Policy. Ilene then met with the Department Manager to stress the rights granted under FFLA and was granted relief on behalf of the employee to remove the AWOL and replace it with LWOP.

**NATIONAL TREASURY  
EMPLOYEES UNION  
CHAPTER 97**

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**WE'RE ON THE WEB!**  
**WWW.NTEU-97.ORG**

NTEU Chapter 97 can also be found on myspace. Please visit our site, view our pictures, leave us comments or request to be friends!  
[www.myspace.com/nteu97](http://www.myspace.com/nteu97)

**UPCOMING EVENT**

DEAR NTEU MEMBERS,

YOU (AND YOUR IMMEDIATE HOUSEHOLD) ARE CORDIALLY INVITED TO ATTEND THE 3RD ANNUAL CHRISTMAS DINNER HOSTED BY NTEU.

DATE: DECEMBER 6TH 2008 (SATURDAY)

PLACE: VFW HALL (ASHLAN/BLYTHE)

TIME: 6:00PM-10:00PM

PLEASE JOIN US FOR AN EVENING FILLED WITH HOLIDAY CHEER, LAUGHTER, OPPORTUNITIES TO WIN GREAT PRIZES, AND MORE.

**TICKETS ARE AVAILABLE BY RSVP ONLY AND ARE LIMITED TO 6 PER FAMILY.** PLEASE CONTACT MARCELLA GUTIERREZ AFTER 4PM AT 454-6626 OR VIA EMAIL AT [marcella.m.gutierrez@irs.gov](mailto:marcella.m.gutierrez@irs.gov) TO REQUEST YOUR TICKETS. EVERYONE MUST HAVE A TICKET AT THE DOOR. RSVP EARLY!!!

**Deadline to request tickets is Dec. 1st, 2008.**

**Does NTEU always have to represent non-members?**

**NO!**

The Federal Labor Relations Authority has ruled that the union does not have to represent an employee in an oral reply in connection with a proposed disciplinary action such as a suspension, removal, or an unacceptable performance action such as dismissal.

This means if you are a nonmember, NTEU can refuse to represent you in an oral reply if you are suspended, removed, or demoted based on:

- Misconduct
- Insubordination
- Unacceptable performance
- AWOL
- Errors on SF-71 employment applications
- Errors on tax returns of IRS employees
- Misuse of government vehicle
- And others

**Protect Yourself! Join NTEU!**

**NTEU**  
The National Treasury Employees Union