



Letter to Nancy Berryhill

Dear Acting Commissioner Berryhill,

We are writing to you as bargaining unit employees out of grave concern that management has prematurely requested to be released to the Federal Service Impasse Panel (FSIP) during contract negotiations. We are respectfully requesting that you send Social Security Administration (SSA) contract negotiators back to the table and bargain in good faith with our employee union, the American Federation of Government Employees (AFGE). SSA has a long tradition of having a model relationship with employees, a relationship we should all be proud of. SSA's drastically damaging contract proposals do not benefit the Agency, public, taxpayer, nor employees. We believe it is in everyone's best interest for the Union and SSA to work out a fair agreement. We are particularly concerned about Agency proposals that place restrictions on grievance topics, rollbacks on telework, elimination of the vision program, and employee access to their union representatives.

SSA's Article 24 proposal to exclude performance discussions, ratings, awards, performance plans, and removals from the negotiated grievance process is dishonorable to employees and will be devastating to their morale. Throughout the years, the Union and SSA have both demonstrated a need for these topics to remain in the contractually enforceable grievance process. For example, every year for the last five years, AFGE has submitted a grievance to SSA requesting to make minority, disabled, and lower graded employees whole after Agency PACS rating data exposed unlawful discrimination and bias to these groups. Your contract proposal to eliminate the employee's ability to grieve these managerial mistakes will take away their reliable and timely method and framework for seeking justice. Further, your proposals that leave contract protections unenforceable will lead to increased unfair treatment, discrimination, and abuse of managerial discretion in SSA. Aside from harming employees and their families, the Agency, public, and taxpayers will also lose their investment in SSA's workforce. No one wins if you strip employees of their basic rights and contract protections.

SSA's Article 41 telework proposal and unwillingness to negotiate it further per 5 U.S.C. 71 is deeply disheartening to us as employees. Your proposal to leave most of the decisions of telework up to the discretion of each Deputy Commissioner will cause uncertainty and chaos for the employees that utilize the benefit, managers that are tasked with administering it fairly and equitably under Article 3, and the public who rely on operations to run smoothly. Unwillingness to negotiate the program's expansion would also risk violating the Telework Enhancement Act of 2010, which Congress designed to maximize yearly telework participation in the Federal workforce. Four years ago, you approved the historic commencement of the SSA Telework Pilot for field operations. Since, the pilot has provided consistent guidance and structure for managers and employees in the field. The Agency's proposal would tear up not only this, but also two decades of telework experience and benefits enjoyed by employees in hearing offices, the appeals council, and quality review offices alike.

Employees all over the agency want an expanded telework program that will benefit the Agency, public, taxpayers and employees. You once said that you witnessed employees quit SSA to work for other agencies that offered telework. The program is indeed a recruitment tool that attracts and retains good, hardworking people. It also aligns with the Agency's long tradition of offering a flexible work environment that promotes family first and work life balance. Aside from the added benefits of helping the environment and employee pocket books, telework benefits the Agency and taxpayer by saving on space costs. It benefits the public by keeping employees productive for longer hours in the work day and during weather related office closures. This is why we are requesting that you send your negotiators back to the table to expand our current Article 41 telework agreement. Everyone will win.

Another important employee benefit we are asking you to save is the Vision Program. For thirty years, SSA has seen the value of reimbursing employees' time and money for eye examinations and corrective lenses upon doctor and manager signature. Currently, around 10,000 employees a year utilize this benefit to mitigate the harm and financial burden SSA's equipment is causing them. SSA has now decided to end this program to save money that will still be spent on worker's compensation claims the Agency will have to process and pay. Please preserve the Vision Program. We need it.

SSA's Article 30 and Article 11 proposal to drastically reduce union representational time and use of Agency space and equipment will make office environments less productive and disrupt public service. Please listen to the perspective of a disabled military veteran who now serves as an SSA field office employee:

The Union has an important role in offices to ensure the health and safety of employees. They are trained to negotiate respectfully with management on behalf of the employees, which creates an effective team that allows all to have a voice. If they went away, management will have more upset employees and no one has time for that. The union management relationship allows for crucial conversations to take place which brings a higher level of professionalism and peace to my office. It saves everyone time.

Please accept our sincere request for the Agency to return and bargain with AFGE over the valuable rights and protections in the grievance process, the benefits of telework and the Vision program, and the ability for employees to have access to their union during work hours. Please listen to the words of your workers and the 71 Federal lawmakers that have already asked you to return and bargain in good faith. On the eve of his birthday, please listen to the words of Dr. Martin Luther King Jr., "Morality cannot be legislated, but behavior can be regulated. Judicial decrees may not change the heart, but they can restrain the heartless." We ask that we all act with heart, for the good of the public we serve, and work out an agreement. Thank you in advance for your consideration.

Sincerely,

The Social Security Administration Bargaining Unit Employees