Union Power:
SSA employee Union linked to budget boost

After bouncing from CR to CR (Continuing Resolution) since October 1, 2017, President Donald Trump signed into law the 2018 Omnibus Appropriations Act on March 23, 2018. It is a 1.3 trillion dollar spending bill that will fund the Federal Government through September 30, 2018. Last year, President Trump proposed a cut of $248 million to SSA, Congress defied his request by appropriating $12.86 billion - an increase of $480 million from last year. This is even $728 million more than what SSA asked Congress for in their FY 2018 budget request. So, why the spending boost? Two reasons seem to be at play: One, SSA is a fundamental government program in the minds and hearts of Congress and the American people. Two, the SSA Union and its allies worked tirelessly to lobby Congress for the increase.

On Friday, February 9, 2018 Congress reached a bipartisan agreement to increase non-defense discretionary spending by over $60 billion a year for the next 2 years. SSA was amongst eight agencies considered a priority to get a boost. The reason for this is simple - Social Security is among the most important government services our communities receive and unquestionably the most popular government program in this country’s history.

After having years of underfunded operating budgets, Congress owed it to their constituents and Social Security employees to properly fund SSA so employees can serve their communities. This is why by the following Monday, February 12, over a 100 dedicated SSA Employee Union Representatives swarmed Capitol Hill, alongside the AFGE Council 220 Executive Board and SSA Union Lobbyist Eric Shulman and allies such as Social Security Works, to deliver a simple message: fund SSA to the tune of $14.2 billion, and dedicate $440 million to staffing the front line. The Union justified this based on former Acting Commissioner Colvin's independent request for $13.8 billion for FY 17. The Union's $14.2 billion target for FY 18 included $400 million for increased costs such as payroll, benefits and rent. This budget would also restore staffing to 2010 levels.

Congress heard the Union's message loud and clear and acted in an unprecedented fashion by increasing SSAs budget and including language in the bill that requires SSA to submit a report within 90 days outlining a plan to insure field office, TSCs, hearings offices, and processing centers receive sufficient resources to deal with the higher volumes of work and longer wait times Agency wide.

Continued on page 2

Notice - Convention Call and Elections

You are hereby notified in compliance with the AFGE Council 220 Constitution, that the 2018 National Convention will be held:

Fri., August 10- Sat., August 11, 2018
Paris Las Vegas
3655 S Las Vegas Boulevard
Las Vegas, NV 89109
www.caesars.com/paris-las-vegas
877)796-2096

Nominations and elections for all AFGE Council 220 Executive Office positions will be held at the Convention.

These include: President, Executive Vice President, 1st Vice President, 2nd Vice President, 3rd Vice President, 4th Vice President of TSC, Secretary & Treasurer. The term of office is 3 years ending with the installation of officers following the regularly scheduled elections in 2018. The President and Executive VP are delegates by virtue of office to the 2021 AFGE convention. Nominations will be accepted from the floor. A second nomination is not required. Self nominations are permissible. Candidates must accept nomination at the meeting or, if not in attendance, submit a written acceptance to the Elections Committee Chair before the close of nominations. Placement on the ballot will be determined following nominations. A runoff election will be held, if necessary, following the counting of ballots at a time and place determined by the Elections Committee. All protests to the election must be in writing and received by the Elections Committee prior to, during, or within ten days after the election. This election is governed by the AFGE Rules of Conduct for an Election, set forth in Appendix A of the AFGE National Constitution. Voting and delegate representation will be in accordance with Article IV and Article XII of the AFGE Council 220 Council Constitution.

QUALIFICATIONS FOR OFFICE:

◊ You must be a member in good standing of this Council.
◊ You must be a member of at least one year of an AFGE Local, immediately preceding the closing of the nomination process.
◊ You must not be a member of any labor organization not affiliated with the AFL-CIO.

Continued on page 2
Trump’s SSA Agency Head Nominees: Who are these guys?

Shawn Halloran, Staff Writer

On Friday, April 13, 2018, SSA informed employees that President Trump will nominate Andrew Saul as Commissioner of Social Security (COSS) and David Black as the Deputy COSS. SSA has been without a Senate confirmed leader since the conclusion of Michael Astrue’s term in early 2013.

Saul graduated from the Wharton School of the University of Pennsylvania in 1968, making him a classmate of Donald Trump. Saul has a record of activity and fund raising in Republican Party politics, including a brief run for a seat in the House of Representatives in his native New York state. Saul saw previous federal service as George W. Bush’s appointee to chair the Federal Retirement Thrift Investment Board - tabbed with overseeing the Federal employee Thrift Savings Plan (TSP). During Saul’s tenure at the TSP the number of participants grew by 50 percent, funds in the account nearly tripled and it added features such as daily valuation and life-cycle funds.

Thus far, there is little media coverage in regards to Andrew Saul’s ideology or the direction he would take SSA. However, in 2005, President Bush called for the privatization of Social Security, with a plan similar to the federal worker TSP structure - with Saul chairing the board. Another of Saul’s prior affiliations may shed some insight into his viewpoint. He was a board member of the Manhattan Institute (MI) - a conservative, non-profit research group devoted to “limited government.” A recent op-ed published by the MI claims, “The American polity recently tore itself apart debating the morality of adding $1.5 trillion in tax cuts to the national debt. Yet the $82 trillion avalanche of Social Security and Medicare deficits that will come over the next three decades elicits a collective shrug. ...More realistically, Social Security can be addressed by gradually raising the eligibility age and more aggressively means-testing benefits for wealthy retirees.”

David Black is currently serving as Advisor to the Office of the Commissioner and previously served as General Counsel of Social Security from 2007-2015.

Though not yet scheduled, Senate confirmation hearings will be a wealth of information for employees in terms of who these guys are and what they want for the Agency. The next Commissioner of SSA will find the Agency at a critical juncture, in terms of service, as front-line employees struggle to compensate for the loss of staff and field office closures in the face of increasing workloads.

Union Power:
SSA employee Union linked to budget boost (con’t)

Though SSA workloads have increased by over 15%, since 2010, SSA’s operating budget has been cut by 15% and the Agency has suffered a loss of almost 5,000 full-time employees. It has also closed 71 field offices since 2010 and announced it will close two more in June. Therefore, Congress also instructed SSA, through the bill, to halt field office closures pending the results of an OIG investigation into whether SSA is following it's own policies regarding office closings that require a 180 day public advanced notice of a proposed closing. Such notice would include the reason for the closing, demographic information regarding the service area, distance to other offices, access to public transit to other offices, availability of services for the public including bilingual assistance, other plans to mitigate the loss of face-to-face service.

As a result of previous Congressional failure to fund the Agency properly, more and more folks cannot access SSA services and information. Many folks have no choice but to attempt to file claims on-line, which often results in recipients making uninformed decisions regarding SSA’s complex programs on issues such as when to apply for benefits. The wrong decision will cost them money for the rest of their lives.

Caller’s to SSA’s national 800# received a busy signal over 17.4% of the time and had an average wait time of over 28 minutes. In fiscal year 2017, only 48% of calls to the 800# were handled by an SSA representative. In turn, SSA offices are were flooded with walk-in visitors who simply could not wait to have their issue addressed. Yet, SSA continues to close offices, stripping communities of vital resources that protect them from homelessness, hunger and illness. Furthermore, the stress of more work with fewer staff is causing employees to take more sick leave, early retirement or to quit.

Here is perhaps the most jarring statistic: the Washington Post reports that 10,000 people died in the last year while waiting for a Social Security disability hearing. It takes over 800 days, on average, from the initial claim to hearing's decision to process a disability claim that is appealed. That's bad service and hopefully the additional appropriation will be used by SSA to hire sufficient staff to change this situation.
New Performance Quality Reviews Rupture Rank and File

Monique Buchanan, Staff Writer

In November 2017, the Agency informed the Union that it was implementing a new initiative to support its pursuit of excellence in quality—Performance Quality Reviews (PQRs). PQRs are set to begin in May 2018. The initial rollout is for field offices (FO), payment centers and Workload Support Units. All other components will be added beginning FY 2019. PQRs will require bargaining unit employee positions to evaluate their peers’ work, and with supervisory approval, the review will be housed in the employee’s 7B file. The culmination of reviews will then be used by supervisors or managers to evaluate the employee’s performance, and integrate into PACs discussions and ratings – ultimately affecting promotion and award potential. Management informed the Union that PQRs will be done by Technical Experts (TE), and lead SRs (LCSRs) on standardized evaluation forms. The employee’s supervisor will have to agree with the review before signing off on it. The employee is afforded the opportunity to rebut the evaluation.

This new process is a concern for the Union. Previous quality reviews were used to assist employees by identifying training needs. Now, the Agency will be using Bargaining Unit Employees (BUEs) to evaluate other BUEs work with results that will directly affect ratings and promotions. This raises questions and concerns. What if the reviewer is the office Union Representative or an elected official on the Union Local board of directors? How will co-worker and Union relationships transform now that peers are reviewing peers?

Lori Tarvin, a TE in the Grand River, Michigan FO, shares these concerns, “As a TE, it’s my job to provide assistance and training to co-workers. I have personal relationships with them and at times we share work frustrations, which management is not privy to. I feel PQRs will change our work relationships by putting up boundaries. My co-workers may feel any questions asked, or assistance they seek, will be seen as a performance issue.” Lori further states, “I believe [employees] will now view TEs as supervisors, and not as coworkers. They possibly won’t seek assistance, fearing this may come back to haunt them on a performance review.” The Agency and Union negotiated a Memorandum of Understanding (MOU), dated March 8, 2018. It covers many aspects of the PQR that will provide protections and guidance.

MOU Highlights include:
- Reviewers will reference policy with critiques;
- Positive comments can be included;
- Reviews will be shared with the employee within 7 days;
- Employees may rebut and grieve the review.
- Employees will be afforded reasonable amount of duty time to rebut reviews
- The Union at each worksite has the ability to negotiate time for CTes and LCSRs to conduct the reviews.

If the MOU does not cover something, or there is disagreement about its meaning, employees should contact their AFGE representative for advice and assistance.

Join or Recruit Someone Today!

Membership Form: afgec220.org/1187-f.pdf

The DIGEST
A guide for Reps!
Afgec220.org
SSA gave AFGE notice on 12/07/17 that it was terminating all articles of the current contract and 1070 Memorandum of Understandings (MOUs), that were negotiated over a 14-year period. This is troublesome in light of what appears to be a Trump Administration strategy of reducing the influence of unions across the federal sector. The Department of Education (DOE) has recently unilaterally imposed a contract on DOE employees that eliminates all union official time and office space and virtually all of the previously negotiated contract provisions, including stripping the grievance procedure. The Veterans Administration (VA) appears to have a similar strategy. Although the AFGE VA Union represents over 200,000 employees, the VA is demanding that AFGE have a small team and a short bargaining schedule. These demands appear to be motivated by the Trump Administration’s appointments to the Federal Services Impasse Panel (FSIP), who have anti-union backgrounds and are issuing rulings on negotiating disputes that are overwhelmingly supportive of management. AFGE hopes that SSA is not on a similar path.

After receiving the contract re-opener notice from SSA, the parties met and negotiated ground rules for negotiating the next contract. A ground rules agreement was reached on 03/16/18. UNITY sat down with AFGE Council 220 President, and chief negotiator, Witold Skwierczynski, to discuss Contract negotiations thus far.

UNITY: How did ground rules bargaining go?

Witold: The Agency terminated all 1070 MOUs negotiated over a 14-year period. We argued that, according to Article 4 of the Contract, we would have to renegotiate all MOUs at their original level. This became a sticking point. We decided to remove this from the table to continue and address the issue through a grievance instead.

UNITY: What were the Agency’s proposals during Ground Rules negotiations, which you recently termed as “Neanderthal”?

Witold: SSA proposed a prohibition from communicating any proposals beyond the negotiating team. The Union is a democratic organization run by its members so we could not agree to secret bargaining.

UNITY: How does contract bargaining differ when a Republican holds the Presidency in comparison to Democrat run eras of Contract bargaining.

Witold: Since it is illegal for federal employees to strike, Congress created the Federal Services Impasse Panel (FSIP) with members appointed by the President. The FSIP makes determinations about contract language when the parties can’t reach an agreement. Republican Presidents have historically appointed anti-union Panel members. Democrats tend to appoint labor sympathizers. The current FSIP has been consistently ruling in management’s favor on disputes brought before them. Agencies then have an incentive to stonewall in bargaining and head directly to the FSIP as soon as possible to get favorable decisions. This happened in 2005, in the Bush era, with CMS when the FSIP ruled for management on 35 Articles in dispute and for AFGE on only 1 Article. During the Obama era, the FSIP rulings were more even handed.

UNITY: Are the parties negotiating in good faith?

Witold: Both parties verbally accused the other of bad faith bargaining. Each party, however, dropped some of their initial proposals. The agreement mirrors the one that was used in 2009 for the lengthy bargaining that resulted in the 2012 contract.

UNITY: Is the Union asking for employee input in developing its proposals?

Witold: Yes. We sent the bargaining unit a survey to get their input on what we should propose based on issues that are most important to employees.

UNITY: What is the bargaining schedule?

Witold: We start in July and meet with the employer to talk concepts. On August 9 we exchange proposals. We are scheduled to negotiate 2 weeks per month through February, 2019.

UNITY: Will you be communicating the progress of the negotiations to the bargaining unit employees?

Witold: Yes. We will be posting updates of bargaining progress on a website that we are now creating. In addition, we will be visiting work sites to talk about contract negotiations with employees and to get their input.

UNITY: Do you expect problems in negotiations?

Witold: Yes. This is an anti-federal employee environment. It is essential to have employee engagement. If we see that SSA wants benefit or rights give backs we will be asking employees to display their opposition. That could mean signing a petition, making a phone call, displaying a union support symbol or holding a sign and marching in front of their office during lunch. If employees support the negotiators it will be more likely that we will achieve a good contract.
The Union Wins Marine Veteran’s Job Back

Amad Ali, Guest Writer

The AFGE SSA Union Attorney, Patricia McGowan, won a hero his job back. As a Marine of 24 years, the veteran joined the SSA workforce in 2010 as a GS-9 Bilingual Claims Representative (CR) on the West Coast. In 2016, the Agency terminated the CR as a GS-9 due to alleged performance related issues. Citing negligible delays and termination procedure missteps, the Arbitrator decided the Agency set the employee up for failure by acting in violation of Article 21 of the Contract. The decision awarded the employee’s job back with a fresh start, back pay, proper training and relocation without hardship.

The Agency’s delays and treatment were proven harmful to the employee. The Arbitrator assigned fault to the Agency for the case taking almost 22 months to go to hearing after the employee’s termination. With children entering college, the termination exhausted the civil servant’s savings and, according to testimony, “emotionally broke” the employee. The arbitrator wrote into the decision, “The delay in getting to hearing was truly unconscionable and grossly unfair to the grievant. … Work life is very important to employees and a disruption of life for years is just not right. … The employee is entitled to get on with life. … ‘Justice delayed is justice denied.’”

It was particularly hard to ignore the hypocrisy within the Agency on timeliness. It was their expectation that employees handle the public’s needs swiftly, while managing multiple workloads. Timeliness was paramount and stressed in PACS reviews and with monthly Public Service Indicator announcements. Yet, they themselves failed to deliver the expeditious servicing of this employee’s needs for training, fair evaluation of work, and grievance handling. At the hearing, the Union argued that management failed to make a sound argument for termination when they notified the employee of the Opportunity to Perform Successfully (OPS) failure yet continued the employee in the CR GS-9 position for the next eight months with a complete workload, and assigning duties at a GS-11 grade level.

In that time, they also gave the employee a raise (WIGI), which, “by law signaled that an employee’s performance was at an acceptable level,” according to the arbitration decision.

The Union also argued that the employee’s performance plans all failed contractual requirements by not documenting discussions in writing, nor establishing standards, or benchmarks, of measurable progress. They argued that the performance plans did not take into consideration the considerable extra duties the grievant took on as a bilingual employee. The OPS plan also failed the grievant because the employee was not allowed to go to coworkers for assistance while placed on a 100% review. The grievant also testified that the assigned mentor was not approachable.

While reading through the arbitration decision, the reader gains sympathy for the employee and an understanding of the Agency’s failure in their commitment to train and retain our Nation’s veterans. Union Brother, and fellow retired Marine, Pat Collins stated, “The arbitrator got it right. These inefficient, poorly trained managers continue to remove good employees who end up without any perceived recourse. Hopefully this will take management down a notch on their pedestal.”

Thankfully, our Union, at the hands of our skillful attorney, Ms. McGowan, was able to bring justice to our brave Marine and Union member.
SSA Creates Social InSecurity, Closes Milwaukee’s Only Southside Field Office

In October 1936, just 14 months after President Roosevelt signed the Social Security Act into existence, the Agency erected a community-based field office in Milwaukee’s South Side Historic Mitchell Street neighborhood, according to their intranet website. As of March 2018, the Agency decided, without public input, and in opposition from elected officials, community partners, and AFGE, to close its only South Side field office location and withdraw its vital services from the community. In early March 2018, the Agency informed AFGE Council 220 President, Witold Skwierczynski, of plans to close two more offices in June 2018 - Baltimore Rotunda and Arlington, Virginia.

Once known as “Polish Grand Avenue,” Mitchell Street has had a long tradition of servicing a large and diverse, mostly immigrant, working class people. It is currently home to the largest concentrated Latino population in the State with a household medium income of $23k a year.

Social Security employees serviced around 2,200 people a month at the Mitchell St. (D07) branch. Some employees, who chose to remain anonymous, spoke with candor about the situation, “We mourn for the closing of our office, for the personal loss we feel, but more so for the Mitchell Street community that is already starving for basic services. Five of us on staff speak Spanish (including managers), we also provide face-to-face service in Hmong, Polish, and Somali - to meet the unique needs of this community.

Elected officials, AFGE, community partners, and city residents continue to express grave concerns for the exodus of Social Security's physical presence in the community. Doug Nguyen, SSAs Regional Communications Director, responded to these concerns by announcing the installation of a “self-help” computer at the Hispanic Chamber of Commerce of Wisconsin (HCCW).

Carmen Cabrera, the communities HUD service coordinator, explained to Nguyen and SSA Area Director Chris Churchill, during a meeting with the Southside Organizing Center (SOC), why this option will not fill the void of community based face-to-face service.

“We tell [our clients] to go to the Social Security Administration [Mitchell Branch] and they can handle that because of the personal contact. Some of them are on scooters, they live near by, they can get themselves there. I have taken some myself, personally, and they go before that screen and there is a digital divide. When you say they can go online. For this community, they are not equipped at this point.”

The computer kiosk with potential for video service at the HCCW was not bargained with the AFGE and appears to be another attempt for the Agency to outsource inherent government work. On March 19, the HCCW sent this statement in an email to Milwaukee elected officials, “we plan to request a Mayor’s Letter of Support and whatever emergency funding, i.e., $25,000, $50,000 etc., could be allocated by the Mayor to help staff the new HCCW-SSA Express Center of Excellence,... The HCCW will not have any SSA employees at the Chamber, and the HCCW’s outreach of assistance to the South-side community, City leadership, and other regional residents is completely by the Chamber.”

With concerns of racial and socio-economic injustices at play, on March 5, 2018, Congresswoman Gwen Moore launched an Office of Inspector General (OIG) investigation into the closure. She raised further questions with OIG as to why SSA was not following their own procedures. Procedures that required a 180 day advanced notice of a proposed closing including the reason, demographic information of the service area, distance to other offices, access to public transit to other offices, availability of services in other offices - like bilingual assistance, and other plans to mitigate the loss of face-to-face service in the community.

On March 22, 2018, Senator Baldwin, who serves on the Senate Appropriations Committee, with the help of Rep. Moore, offered language that was included in the 2018 Omnibus Appropriations Act instructing SSA to halt office closures pending OIGs investigative results.

On April 6, 2018, the SOC, represented by Attorney Carlos Castrana, submitted a Freedom of Information Act (FOIA) request to SSA, GSA, and OIG in a quest to find the truth, as well.

“We have had a failure to our imagination and it is linked to a failure of our compassion.”
-Matthew Desmond, founder of The Eviction Lab, www.evictionlab.org
In Memoriam

In memory of the 168 lives lost, including 16 Social Security brothers and sisters, on April 19, 1995 in Oklahoma City. We stand in solidarity with you. We will never forget your value and importance to your loved ones, co-workers, and the public. Thank you for your civil service to our country and your community.

Manager Throws Blind Employee Out in the Cold

Patti Davis-Sato, Guest Writer

Social Security Administration management obtained a new low with respect to the treatment of employees with disabilities (EWD). In December 2017, purportedly, a Chicago Region District Manager (DM), instructed a Security Officer to escort a blind Bargaining Unit Employee out of the building. Allegedly, the DM unilaterally determined that the employee was acting “unruly,” by placing a stack of mail on the manager’s desk. After issuing a directive, the DM further instructed the employee to wait outside in 20-degree weather for a ride home.

Immediately after being escorted outside by the Security Officer, the employee called local media to denounce the mistreatment. The employee asserted, “you can get in trouble for keeping your pet dog out in this weather.” The guard overheard this conversation and reported it back to management. This triggered the manager to allow the employee to wait inside the building for transportation.

The manager’s untenable action represents just one example of discrimination and retaliation towards the EWD. Among other issues, during the previous two years, the DM denied a Reasonable Accommodation request, terminated a Reader, and violated privacy by putting the employees personal medical report on the office shared drive.

The Chicago Region transferred the manager to another office in December 2017. The Union is currently litigating all pending matters.

Know Your Rights

Voting Leave is an Excused Absence!

2012 National Agreement between AFGE and SSA
Article 31 Section 3D:

“The Employer will excuse employees for a reasonable time, when practicable to do so without seriously interfering with operations, to vote or register in any election or referendum on a civic matter in his/her community. An employee will be excused from duty so as to permit him/her to report for work 3 hours after the polls open or to leave work 3 hours before the polls close, whichever results in the lesser amount of time off. Under unusual circumstances, an employee can be excused up to the full day. The Employer will notify employees of this right at the beginning of each fiscal year and shall encourage employees to avail themselves of the right to register and vote.”

For example: In Wisconsin, the pools are open from 7 am to 8 pm. If you enter work at 9 am, under the flextime provisions, you get an excused absence starting at 5 pm to vote.

Voting Leave Calculator by State:
http://s328a5e/vote/Request.aspx
The S.S.A. Titanic:
Will on-line fraud sink America’s ship of dreams?

Letter to the Editor

William Price, AFGE Local 3571 President

The Social Security Administration (SSA) is fully aware of the fact that their iClaims process is susceptible to fraud. Fraudsters can use stolen identities, and the SSA iClaims process, to steal money from the Social Security program by filing claims on the identities they steal. When SSA identifies a potentially fraudulent iClaim, they flag the claim as “Anomalous.” Members of the public are then required to visit their local Social Security office, present a photo ID, state they did not file on-line for benefits, and engage in a lengthy un-weaving of identity theft with SSA staff.

Over the past eight years, the Social Security Administration (America’s social safety net) has used the on-line claims filing process to justify the closing of more than 70 field offices and 530 contact stations and staff reduction by almost 5000 people. The office closures, and staff reductions, make it difficult for the victims of on-line fraud to visit a Social Security office in person and receive the services they need.

Even though the Agency knows SSA’s on-line claims filing process isn't secure, it hasn't stopped them from charging full speed ahead with their on-line services initiatives (i.e. online replacement card applications). This process makes it possible for fraudsters to steal identities by obtaining authentic Social Security (SS) cards. The fraudsters can then take the stolen authentic SS cards and use them to obtain valid photo IDs, walk into SSA offices to state that the “Anomalous” iClaim was actually valid, or fraudulently file for benefits in person.

If on-line fraud reaches a point where the Agency has to take down their on-line services, they would be hard pressed to replace the losses to their field office infrastructure to responsibly handle the increases in appointments, walk-in customers and phone traffic.

The AFGE SSA employee Union has warned the Agency about the current fraud risks associated with their on-line efforts, yet they continue to ignore the danger signs by ordering an expansion of their on-line services, closing offices and reducing staffing levels.

This is likened to Captain Smith knowing the threats of icebergs in the Titanic’s path, yet ordering the last boilers to be fired up and speed increased. At 2:30 am on April 15, 1912, the Unsinkable Ship hit the ocean floor taking more than 1500 lives with it. How many of America’s most vulnerable will fall victim in SSAs sinking Ship of Dreams?

Editor's note: AFGE attempted to address SSAs fraud issues at both the April and May 2018 SSA Union Management monthly meetings in Baltimore. SSA refused to discuss the issues.