

## **FLRA sides with Union Over TSC leave issue**

**The Federal Labor Relations Authority (FLRA) recently issued a decision that will dramatically improve the working lives of 800-number agents across the United States.**

**The Authority agreed with an arbitrator who ruled several years ago that Social Security imposed a very restrictive cap on the number of Teleservice Representatives (TSRs) who were allowed to take leave on “peak” and “non-peak” call days.**

**Social Security filed “exceptions” to the arbitrator’s decision (meaning the agency disagreed with all or part of it), but FLRA denied all of them. It’s now expected management will change the way that leave issues are dealt with at 800-number sites.**

**“While the agency’s appeal was pending before the FLRA, it continued to deny TSC employees their contractual rights to take leave,” said Council 220 President Witold Skwierczynski.**

**“The practice of severely restricting leave opportunities for 800-number employees during the appeal process was another indication of the hostile attitude that the agency has displayed and continues to display toward employee rights and benefits,” he added.**

**“The agency’s original policy was a direct violation of the national contract,” said Charlie Estudillo, the First Vice President of Council 220 and the Union’s representative during the grievance and arbitration. “The agreement clearly states that Social Security will make every effort to allow the maximum number of employees to use leave, but some managers and supervisors decided to do just the opposite.”**

**The agency unilaterally imposed quotas in April, 2006 and would only allow up to ten per cent of bargaining unit employees in the TSCs to take annual leave on “peak” days and up to 15% on “non-peak days.” That means there could not be more than 10% or 15% of employees on annual leave at any given time.**

**During the arbitration hearing, Estudillo noted that SSA extended its restrictive policy to all types of leave (not just annual).**

**“Some managers were demanding that employees bring in obituaries for bereavement leave, notes for tire repairs or broken water heaters, notes from schools and policemen,” he added. “TSRs were also required to bring in notes from doctors and one employee was denied two hours of leave to take her son to his first day of school.”**

**One TSR was accused of being AWOL until she provided a doctor’s note for her appendectomy; she was later given a reprimand for using Family Friendly Leave to care for her sick grandmother.**

**“This created a devastating effect for all employees, and despite the fact that the Union has informed management of the confusion and misapplication of the contract, they continue to wrongly apply the policy to this day,” Estudillo said.**