

SSA IMPLEMENTATION PLAN CREATING LABOR-MANAGEMENT FORUMS

The Social Security Administration (SSA or agency), in consultation with its labor unions and management associations, is pleased to submit the following implementation plan to the National Council on Federal Labor-Management Relations (National Council) in response to President Obama's Executive Order Creating Labor-Management Forums to Improve Delivery of Government Services dated December 9, 2009.

Introduction:

SSA employs approximately 65,000 employees throughout the nation who are responsible for administering the agency's programs, including Retirement, Survivors and Disability Insurance (RSDI), and Supplemental Security Income (SSI), to the public. SSA bargaining unit employees are represented by four different unions: the American Federation of Government Employees (AFGE), the International Federation of Professional and Technical Engineers (IFPTE), the National Treasury Employees Union (NTEU), and the National Federation of Federal Employees (NFFE). AFGE, which represents the majority of SSA employees, is recognized at the national level. IFPTE, NTEU, and NFFE are recognized at the deputy component level. SSA also recognizes the National Council of Social Security Management Associations (NCSSMA) and the Federal Managers Association (FMA). SSA management associations represent the voice of front-line managers across the country on matters pertaining to improving management and program administration at SSA.

SSA and its unions are committed to fulfilling the purpose of the Executive Order which is to establish a cooperative and productive form of labor-management relations. The Executive Order specifies that management should discuss workplace challenges and problems with labor and endeavor to develop solutions jointly, rather than advise union representatives of predetermined solutions to problems and then engage in bargaining over the impact and implementation of the predetermined solutions. SSA and its unions recognize that the Executive Order requires that to the extent permitted by law, the agency allow employees and their union representatives to have pre-decisional involvement in all workplace matters to the fullest extent practicable, without regard to whether those matters are negotiable subjects of bargaining under 5 U.S.C. 7106.

SSA is committed to fostering a collaborative labor-management relationship with its four unions and two management associations to promote the four goals of its Strategic Plan for Fiscal Years 2008-2013 (Strategic Plan) focusing on long-term public service improvements. SSA is also committed to providing its employees and their union representatives with pre-decisional involvement in all workplace matters to the extent permitted by law and to the fullest extent practicable and providing its employees with the resources needed to ensure these goals are met. SSA's Strategic Plan concentrates on four major long-term public service goals: 1) eliminate the hearings backlog and prevent its recurrence; 2) improve the speed and quality of

SSA IMPLEMENTATION PLAN CREATING LABOR-MANAGEMENT FORUMS

the disability process; 3) improve retiree and other core services; and 4) preserve the public's trust in SSA programs. *See Strategic Plan attached as Exhibit 1.* SSA recognizes the importance of open dialogue with its unions and management associations to ensure that the public receives quality service and that the agency operational mission is achieved. The input and support of SSA employees and management is critical to meeting SSA's long-term public service commitment.

To foster dialogue, SSA invited all of its labor unions (AFGE, IFPTE, NTEU, and NFFE) and management associations (NCSSMA and FMA) to attend a two-day session to engage in pre-decisional involvement and consultation for ideas on developing the agency's plan for establishing labor-management forums. Originally, all four unions agreed to participate in this meeting. On the eve of the meeting, and at the direction of AFGE National President, John Gage, AFGE withdrew its decision to participate. Mr. Gage stated that all AFGE components were meeting at the national level to discuss the Executive Order and AFGE would provide suggestions to the agency in the future. To date, SSA has not received AFGE's suggestions for the implementation plan. SSA proceeded with the implementation plan meetings with the other unions and management associations as planned.

SSA management officials met with representatives from IFPTE, NTEU, NFFE, NCSSMA and FMA on January 20-21, 2010, to discuss ideas for developing the agency's implementation plan. *See Participant List attached as Exhibit 2.* The discussions were collaborative and productive. At this meeting, the parties recognized the benefits of effective and productive communication and started important conversations about what the labor-management forums might look like, how they will operate, and how they will contribute to improving public service. The parties are committed to open dialogue and working together on options to improve service to the American public.

The parties reached common ground on the four implementation plan requirements of the Executive Order, reflected in the agency's plan as described below.

SSA IMPLEMENTATION PLAN CREATING LABOR-MANAGEMENT FORUMS

IMPLEMENTATION PLAN REQUIREMENT #1:

Section 3(b)(i) - describe how the department or agency will conduct a baseline assessment of the current state of labor relations within the department or agency;

SSA will conduct a baseline survey to assess the current state of labor relations within the agency. The agency plans to use web-based technology to provide the most convenient and efficient survey tool. The agency's Office of Quality Performance (OQP) will develop an appropriate survey to meet these needs. OQP will work with the SSA Agency-Level Forum¹ to consider survey questions. SSA will release the automated survey before the end of the third quarter of calendar year 2010. SSA will re-issue a survey the following year to measure changes in the state of labor relations.

In addition to the survey, the SSA Agency-Level Forum will look at qualitative as well as quantitative measurements. For example, this group (AFGE, IFPTE, NTEU, NFFE, NCSSMA, FMA and SSA management) may also choose to supplement this survey with a written submission regarding the state of labor relations on an as-needed basis. This plan encourages the parties to engage in ongoing conversations about labor-management relationships at SSA Agency-Level Forum meetings, in keeping with Executive Order 13522.

¹ Consistent with Section 3(b)(ii) of the Executive Order, as more fully set forth in Implementation Plan Requirement #2, the soon to be SSA Agency-Level Forum is a forum consisting of representatives from AFGE, NTEU, IFPTE, NFFE, NCSSMA, FMA, management and executive staff.

SSA IMPLEMENTATION PLAN CREATING LABOR-MANAGEMENT FORUMS

IMPLEMENTATION PLAN REQUIREMENT #2:

Section 3(b)(ii) - report to the extent to which the department or agency has established labor-management forums, as set forth in subsection (a)(i) of this section, or may participate in the pilot projects as described in section 4 of this order;

SSA will create a new agency-level forum (SSA Agency-Level Forum) where representatives from AFGE, NTEU, IFPTE, NFFE, NCSSMA, FMA, management and executive staff will participate. The SSA Agency-Level Forum will identify multi-component issues and those issues impacting SSA as a whole and discuss proposed solutions. This forum will ensure that the agency is in compliance with the Executive Order. This forum will reexamine the Agency's Strategic Plan to ensure that the implementation of the plan is consistent with the Executive Order. This forum will discuss workplace challenges and problems and endeavor to develop solutions jointly. The Commissioner will attend the SSA Agency-Level Forum meetings and may at his/her discretion designate senior executives to attend forum meetings. The group will meet in July 2010 and every six months thereafter.

Subsequent to the establishment of the SSA Agency-Level Forum, the agency will create two deputy-level forums. The first will be a deputy-level Office of Disability Adjudication and Review Forum (ODAR Forum) in which representatives from AFGE, NTEU, NFFE, IFPTE, FMA, and management will participate.² The ODAR Forum shall establish standing committees that may or may not be "union specific", that work on a continuing basis on specific projects or areas of concern. The forum will establish temporary workgroups to deal with specific situations as advisable. To the extent permitted by law, particular emphasis will be placed on ensuring pre-decisional involvement by the unions and employees in all workplace matters to the fullest extent practicable. Deputy Commissioners will attend the meetings and may designate senior executives to attend forum meetings. Should AFGE choose to participate, a deputy-level forum will be created with the Office of Operations (Operations Forum). The ODAR and Operations Forums will meet four times a year, beginning in September 2010.

² IFPTE urges that, in addition to an ODAR Deputy Commissioner level forum consisting of all four unions, an additional ODAR Deputy Commissioner level forum be established with IFPTE to address issues unique to administrative law judges. NTEU and NFFE vigorously oppose the creation of any forum for a single union.

SSA IMPLEMENTATION PLAN CREATING LABOR-MANAGEMENT FORUMS

The forums will meet to determine how best to effectuate Executive Order 13522. In round-table discussions for this implementation plan, the parties made some progress on how the labor-management forums will operate.

The SSA Agency-Level Forum will develop recommendations for the Commissioner's consideration regarding SSA's possible participation in 5 U.S.C. § 7106(b)(1) bargaining pilot projects.

SSA IMPLEMENTATION PLAN CREATING LABOR-MANAGEMENT FORUMS

IMPLEMENTATION PLAN REQUIREMENT #3:

Section 3(b)(iii) - address how the department or agency will work with the exclusive representatives of its employees through its labor-management forums to develop department-, agency-, or bargaining unit-specific metrics to monitor improvements in areas such as labor-management satisfaction, productivity gains, cost savings, and other areas identified by the relevant labor-management forum's participants; and

SSA/OQP will work with the SSA Agency-Level Forum to consider questions for an assessment survey to measure labor-management satisfaction as described in the response to (b)(i).

Consistent with Executive Order 13522, the forum will monitor improvements in areas such as labor-management satisfaction, productivity gains, cost savings, and other areas identified by the relevant labor-management forum's participants. Activities conducted by bargaining unit employees in support of the Executive Order or the forums will not be classified as "Official Time" for the purpose of tracking union official time. The forum will assess productivity and employee satisfaction to identify effects that result from labor-management forums consistent with Executive Order 13522. The ODAR and Operations Forums will provide, on a yearly basis, a written report to the SSA Agency-Level Forum identifying the impact of these forums on their components, employees, and operations.

SSA IMPLEMENTATION PLAN CREATING LABOR-MANAGEMENT FORUMS

IMPLEMENTATION PLAN REQUIREMENT #4:

Section 3(b)(iv) - explain the department's or agency's plan for devoting sufficient resources to the implementation of the plan.

SSA will include in its budget execution a commitment of funds necessary to support the implementation of this plan. These funds will cover travel expenses, meetings costs, and costs associated with personnel resources.