



## LEGISLATIVE ALERT

February 2, 2022

Honorable Gary Peters  
Chairman  
U.S. Senate Homeland Security and Governmental Affairs Committee  
340 Dirksen Senate Office Building  
Washington, D.C.

Honorable Rob Portman  
Ranking Member  
U.S. Senate Homeland Security and Governmental Affairs Committee  
340 Dirksen Senate Office Building  
Washington, D.C.

Dear Chairman Peters and Ranking Member Portman:

The AFL-CIO urges you to vote to support the nominations of Ernest Dubester and Susan Grundman to be members and Kurt Rumsfeld to serve as general counsel of the Federal Labor Relations Authority (FLRA). These three experienced nominees will bring a commitment to the federal workforce and public service that will restore the appropriate balance to the FLRA.

A fully functioning FLRA is necessary for the effective and efficient administration of federal labor-management relations. The FLRA facilitates the right of federal workers to form and join unions, bargain with agencies and resolve unfair labor practice complaints. A fully operational FLRA ensures that the workers providing the services relied on by the public and their unions have the protection of the law.

The past four years saw a limitation of the functions of the FLRA and decades of precedent ignored. Federal workers have endured the unilateral imposition of contracts, unwarranted restrictions on union dues and official time, and rollbacks of collective bargaining rights. The general counsel vacancy resulted in hundreds of unfair labor practice complaints languishing without adjudication. These actions hampered the ability of many federal workers to perform their duties in service to the public. Perhaps there is no worse example of this dysfunction than the refusal of two holdover FLRA members to accept an agreement recognizing the union between the National Association of Immigration Judges and the Department of Justice Executive Office for Immigration Review.

The nominations of Ernest Dubester, Susan Grundman and Kurt Rumsfeld present a welcome return to the ability of the FLRA to provide stability and fairness in the conduct of federal labor relations. Nominated by four Presidents, Ernest Dubester has been confirmed by unanimous consent each time. He has served as an FLRA member since 2009 and twice served as Chair, most recently beginning in January, 2021.

Susan Grundman brings an extensive background in the representation of federal worker unions prior to serving as both a member and Chair of the Merit Systems Protection Board. Kurt Rumsfeld previously served as Assistant General Counsel for Operations and Legal Policy and as Chief Counsel to Chair DuBester.

Ernest Dubester, Susan Grundman and Kurt Rumsfeld are experienced and well qualified to serve as members and general counsel of the Federal Labor Relations Authority. The AFL-CIO urges you to favorably report their nominations.

Sincerely,



William Samuel  
Director, Government Affairs

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**American Federation of Labor and Congress of Industrial Organizations**

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