

# RESOLUTION 15

## SUPPORT THE FEDERAL WORKFORCE

Submitted by the Committee on Legislation/Policy and the Executive Council

Following a decade of falling real wages, government shutdowns, pension cuts and executive actions undermining union rights and civil service protections, it is time for all members of Congress to recognize federal workers as a valued resource that makes America work.

During the pandemic, hundreds of thousands of federal workers worked on the front lines without appropriate personal protective equipment or hazard pay. These workers, coupled with the telework of their colleagues, kept the government running for more than two years. The federal workforce has continued to work for the public good under constant threats of contracting out their work, elimination of union rights and pay cuts.

The purchasing power of federal pay has fallen behind during the last decade, and the gap between public and private sector salaries and wages remains in excess of 20%. Inequities in the treatment of hourly and salaried federal workers for purposes of locality pay put hourly workers at a disadvantage. Federal unions have had to fight off numerous attempts to replace federal pay systems based on market data with systems that give managers discretion over whether, and by how much, to adjust each worker's pay.

The VA MISSION Act of 2018 created the Asset and Infrastructure Review Commission (AIR Commission) to consider closing some Veterans Administration (VA) medical centers and clinics and possibly renovating, repurposing or building others. The VA secretary has submitted a list of recommendations that the commission must consider. These recommendations are based on "market assessments" that use pre-pandemic data and superficial analysis and are fatally flawed; they were compiled without any input from its unionized workforce. If implemented, these recommendations would result in widespread privatization of veteran health care at hundreds of locations across the country, and the

destruction of tens of thousands of union jobs. The VA's recommendations completely ignore the fact that in-house care at the VA is less costly and produces better health outcomes for veterans compared with private care. If the commission and President Biden approve these recommendations, Congress will have to take an "up or down" vote—no amendments allowed—on the list. Only closures will proceed from this vote, as further congressional action would be required to build new facilities.

The loss of union jobs from AIR Commission closures would disproportionately hurt workers who are among the federal government's lowest paid; these workers often are veterans with service-connected illnesses and injuries. In fact, veterans make up one-third of the VA workforce. Most VA health care workers are covered by collective bargaining agreements.

During his first week in office, President Biden signed an executive order rescinding previous rollbacks of federal worker collective bargaining and union rights. Yet hundreds of thousands of federal workers are still fighting for the same collective bargaining and union rights that other workers have. Transportation security officers (TSOs) have always had second-class status in the federal workforce, lacking the union rights, civil service rights and compensation of other federal employees. The Transportation Security Administration (TSA) has delayed collective bargaining rights and locality pay. VA health care professionals hired under Title 38 (including doctors, registered nurses, and physical and respiratory therapists) have been unable to exercise full union representational duties and have only been allowed to negotiate on a drastically narrowed range of subjects. The collective bargaining rights and civil service protections of these and other federal workers are often based on the political preferences of administrations.

In partnership with affiliated unions, the AFL-CIO therefore resolves to do the following:

- **Advocate for the restoration of federal worker pay losses, including enactment of the Federal Adjustment of Income Rates (FAIR) Act.** The AFL-CIO will continue fighting for objective federal pay systems that are not subject to discriminatory or nonmerit factors, and for a General Schedule and federal wage system that meets market comparability rates. The FAIR Act (H.R. 6398/S. 3518) would guarantee a 5.1% pay increase, which would help federal worker families keep up with inflation.
- **Advocate for Congress to maintain federal civil service protections, the Federal Service Labor-Management Relations Statute and merit principles, and ensure that inherently governmental functions are performed by federal government employees.** The AFL-CIO will oppose efforts in Congress to undermine federal worker union rights, to restrict unions' abilities to bargain and represent federal employees, to inappropriately privatize government activities and employees, or to reclassify federal workers outside of merit systems principles.
- **Oppose the AIR Commission's recommendations.** The AFL-CIO stands with veterans and the VA workforce and will work with both to stop the closures of hundreds of VA clinics and medical centers, and the privatization of VA health care.
- **Advocate for passage of the Rights for the Transportation Security Administration Workforce Act and the VA Employee Fairness Act.** The Rights for the Transportation Security Administration Workforce Act (H.R. 903/S. 1856) elevates TSOs to first-class status as federal employees with full union and due

process rights and the same pay system as other federal employees. The VA Employee Fairness Act (H.R. 1948/S. 771) ensures the medical clinicians who care for our veterans have full collective bargaining rights by statute. The AFL-CIO will work to enact both bills and bring an end to the separate and unequal status of TSOs and VA medical professionals.

- **Advocate for a stable, predictable funding stream for the Federal Aviation Administration (FAA).** Government shutdowns, the threat of shutdowns and short-term continuing resolutions negatively affect the safety and efficiency of the National Airspace System. The FAA requires a stable, predictable funding stream that supports air traffic control services, staffing, hiring and training, long-term modernization, preventive maintenance and ongoing modernization of the physical infrastructure that maintains a dynamic aviation system to provide services to all users, areas of the country and all segments of the aviation community.
- **Ensure highly qualified and vetted presidential appointments and timely Senate confirmation of nominees for Federal Labor Relations Authority (FLRA) members and general counsel, and Merit Systems Protection Board members.** Appointments to these federal authorities play a critical role in protecting federal workers' union rights, and in promoting constructive labor-management relations in the federal government.
- **Advocate for the passage of legislation that automatically authorizes hazard pay for federal and postal workers who are required to work in close quarters where physical distancing is not possible or in close proximity to the public during national public health emergencies.**