



AFGE's Representation Training

Course Materials

- Participant Workbook
- Steward Handbook
- Title 5 U.S.C. Chapter 71





Course Objective

- By the end of this course, you will be able to identify the various roles of a Steward, practice skills needed to perform your role effectively, and become aware of the resources available to help you be successful in your Union role.



What norms can we abide
by in this learning
community?

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Introductions

- Name
- Local
- Describe one (1) reason why you got involved with your Union



REPRESENTATION
(Grievances, Meetings, Bargaining)

ORGANIZING
(Internal and External)



**ROLE OF THE
UNION**

MOBILIZATION

(Community, Legislative, Political)

The Shop Steward is the Key Link



Local Union
Officers
and Staff



Local Union
Members



Community

Management



Knowledge and Resources

- What Must a Steward Know?
- What Materials Does a Steward Need?



Steward Best Practices

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Close Corporate Tax Loopholes

Close Corporate Tax Loopholes



How To Be An Effective Steward

- Know the employees you represent
- Know how to use the Collective Bargaining Agreement, the Statute, and your Local Constitution and By-Laws.
- Give pertinent information when a member asks for it.
- Keep your fellow employees informed and let them know the source of your information.



Work Group Roster

| NAME | DEPARTMENT/ POSITION | MEMBER (Y/N) | WORK #/ HOME # | HOME EMAIL | COMMENTS |
|------|-------------------------|-----------------|-------------------|---------------|----------|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

How To Be An Effective Steward

- Meet new employees early, inform them, educate them, help them become members; get them to be active not just dues payers.





How To Be An Effective Steward

Tips for initial face-to-face contact

- Make contact at the right time. (The sooner the better, preferably at a New Employee Orientation)
- Introduce yourself.
- Make eye contact.
- Be polite, frank and don't "preach".
- Listen to employee.

How To Be An Effective Steward

- A Steward isn't expected to know all the answers, but must be the type of person who enjoys finding them.
- Don't be afraid to ask questions, and to keep asking them.
- If you have questions or problems, don't be afraid to use the phone or visit an experienced Steward or Officer.



How To Be An Effective Steward

- Become known as someone who asks when you don't know, rather than someone who tries to bluff or hide.
- Remember your goal is to be the best Steward or Activist that you can be. Always strive for this goal. Excellence has no substitute.

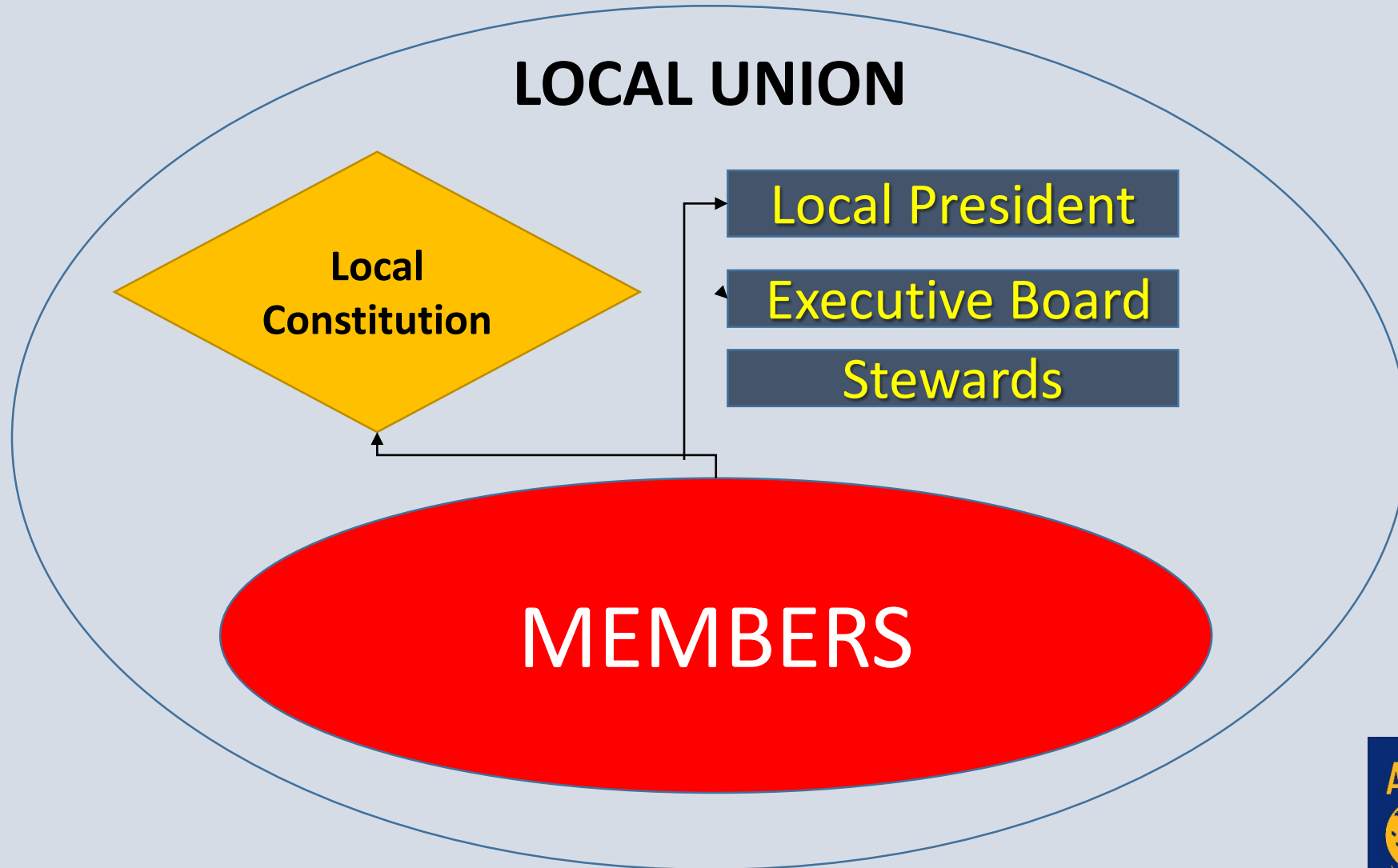


How To Be An Effective Steward

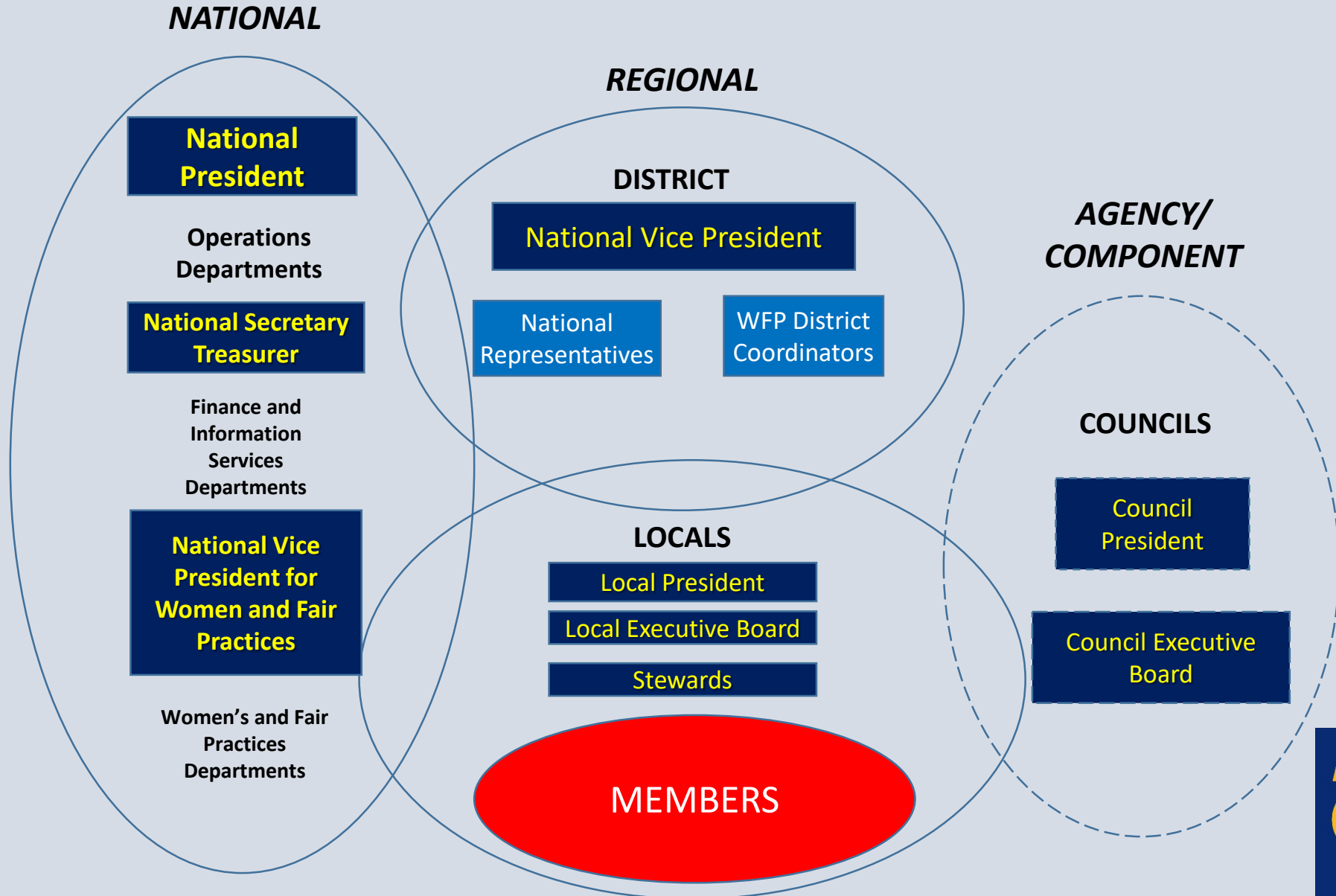
- Be proud of your position and serve your members well.
- As a Local representative you are affiliated with the support of tens of thousands of AFGE Union members.



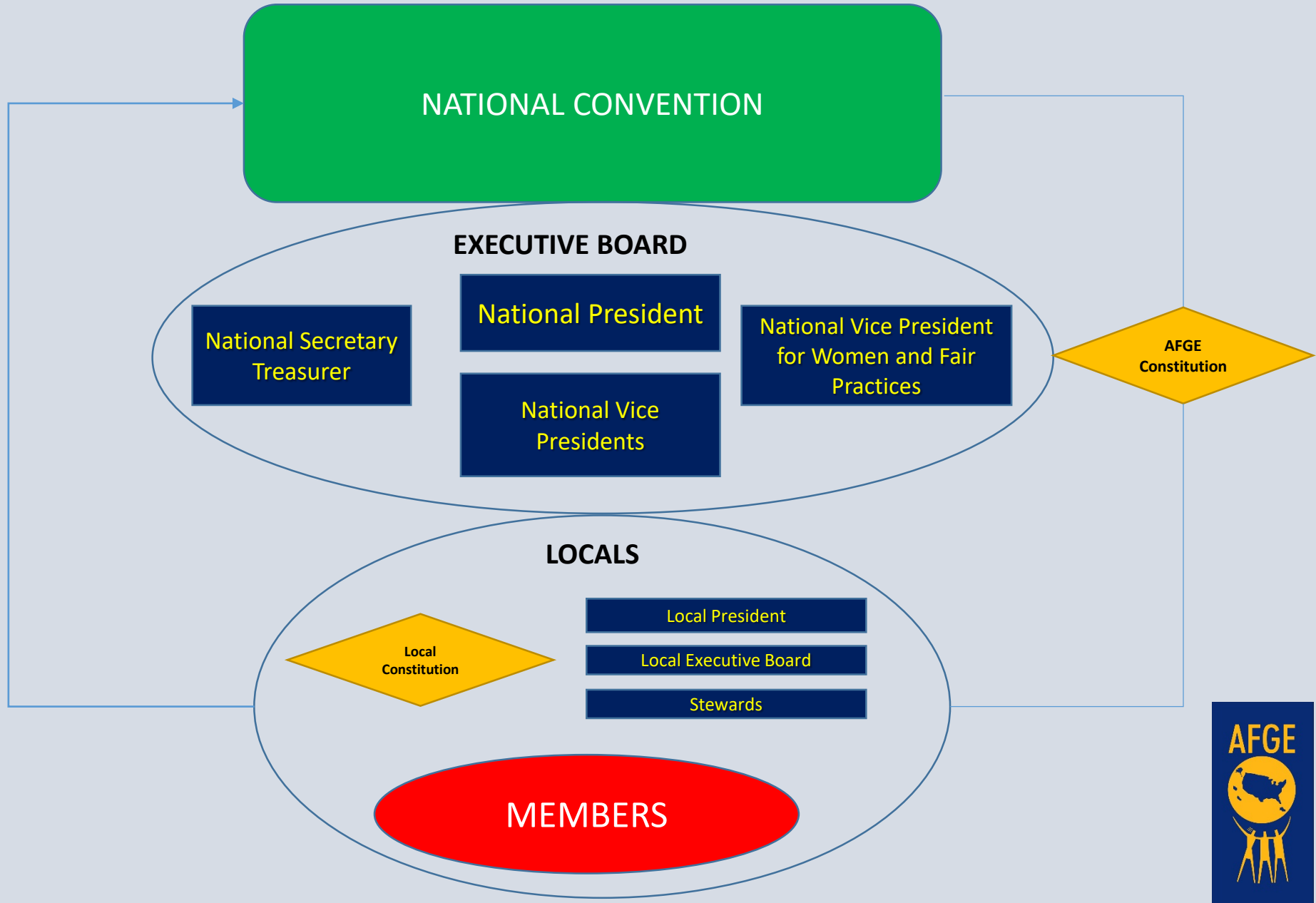
AFGE ORGANIZATIONAL STRUCTURE

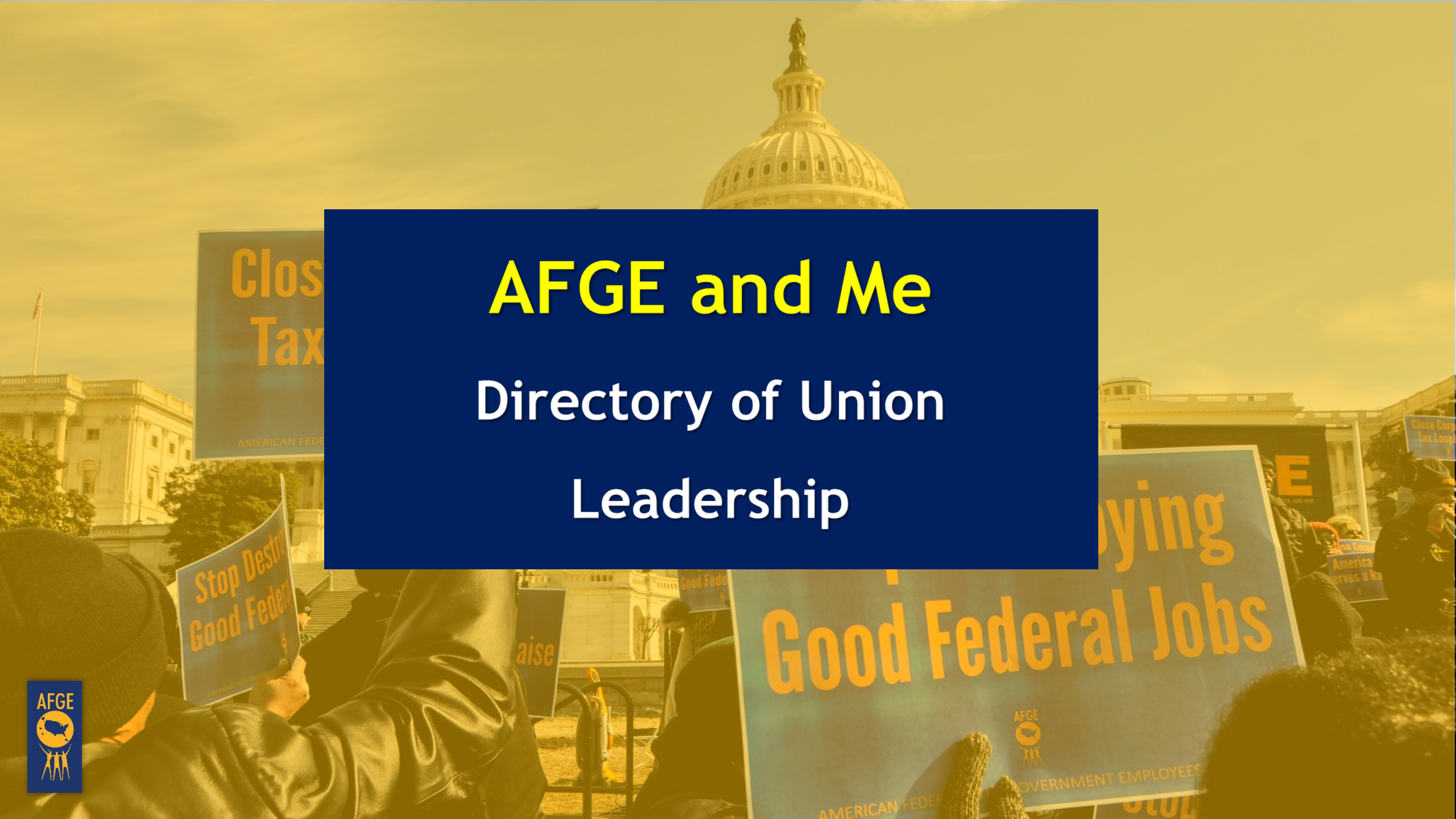


AFGE ORGANIZATIONAL STRUCTURE



AFGE GOVERNING STRUCTURE





AFGE and Me

Directory of Union Leadership



AFL-CIO

www.aflcio.org

Allied Groups

Constituency Groups

Area Labor Federations

State Federations

Central Labor Councils

Affiliate Unions

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What do you say when.....

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A bargaining unit member comes up to you and says that he doesn't ever want to join the Union because:

“Unions protect the lazy, the people who should be fired...”



The Statute

THE FEDERAL SERVICE
LABOR-MANAGEMENT
RELATIONS STATUTE



The Civil Service Reform Act of 1978 led to the creation of Title 5 U.S. Code Chapter 71.

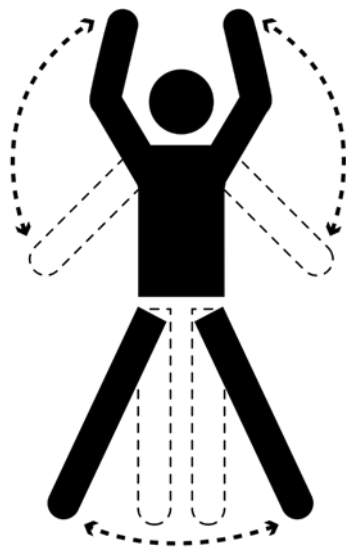
Agencies and Unions commonly refer to it as “the Statute” as it defines the legal framework for federal labor relations.



The Statute establishes the rules for:

- Union representation
- Information requests
- Collective bargaining
- Standards for labor organizations
- Unfair Labor Practices (ULPs)

Exercise: What's in the Statute?



Learning Activity: What's in the Statute

1. **Grab your** Participant Workbook.
2. **Research the assigned questions using the 5 USC Chapter 71** handout.
3. Write down the answer **to your assigned question(s)**.
4. Identify the citation **and the page number where the answer is located**.
5. Summarize the answer **whenever possible (use plain language and bullets)**



1. Why did Congress enact a law establishing the right of employees to organize, bargain collectively, and participate in unions in the Federal Sector?

Citation: § 7101(a)



1. Why did Congress enact a law establishing the right of employees to organize, bargain collectively, and participate in unions in the Federal Sector?

- Safeguards the public trust
- Contributes to effective public business
- Facilitates and encourages settlement of disputes

2. What rights do employees have?

Citation: § 7102

2. What rights do employees have?

- To form, join, or assist any labor organization, or to refrain, freely and without fear of penalty or reprisal.
- To act for a labor organization in the capacity of a representative and to present the views of the labor organization
- To engage in collective bargaining

3. What is a “grievance”?

Citation: §7103(a)(9)

3. What is a “grievance”?

Any complaint -

- by an employee concerning any matter relating to the employment of the employee;
- by any labor organization on any matter relating to the employment of any employee; or the effect or interpretation, or a claim of a breach of the CBA; or affecting conditions of employment;
- by any employee, labor organization, or agency concerning -
the effect or interpretation, or a claim of breach, of a CBA; or law, rule or applicable regulation.

4. What is a “collective bargaining”?

Citation: § 7103(a)(12)

4. What is a “collective bargaining”?

Performance of the mutual obligation of the representative of an agency and the exclusive representative...to meet at reasonable times and to consult and bargain in good faith effort to reach agreement with respect to the conditions of employment.... and to execute.... a written document incorporating any collective bargaining agreement (CBA) but this does not compel either side to agree to a proposal or make a concession...

5. What are 3 examples of a “conditions of employment”?

Citation: § 7103(a)(14)

5. What are 3 examples of a “condition of employment”?

- Personnel policies
- Personnel practices
- Personnel matters

6. List 4 rights the Agency does not have to negotiate with the Union:

Citation: § 7106(a)

6. List 4 rights the Agency does not have to negotiate with the Union:

- Determine the mission, budget, organization, number of employees and internal security practices
- Hire, assign, direct, layoff, retain and discipline
- Assign work, contract out
- Take action during emergencies

7. List 3 items the Union can negotiate with the Agency:

Citation: § 7106(b)

7. List 3 items the Union can negotiate with the Agency:

Permissive topics:

- At the election of the agency - number, types, and grades of employees or positions assigned or the technology, methods, and means of performing work

Impact and implementation (I & I):

- Procedures which management officials observe in exercising any authority
- Appropriate arrangements for employees adversely affected by the exercise of any authority by management officials.

8. Who is the Union required to represent and negotiate for:

Citation: §7114(a)(1)

8. Who is the Union required to represent and negotiate for:

All employees in the bargaining unit, whether or not they are members of the Union.

9. When must the Agency provide the Union with the opportunity to represent employees:

Citation: §7114(a)(2)

9. When must the Agency provide the Union with the opportunity to represent employees:

- 1. Any formal discussion between one or more representatives of the agency and one or more employees in the unit or their representatives concerning any grievance or any personnel policy or practices or other general condition of employment.**

9. When must the Agency provide the Union with the opportunity to represent employees:

2. Any examination of an employee in the unit by a representative of the Union in connection with an investigation if -
 - the employee reasonably believes that the examination may result in disciplinary action against the employee; and
 - the employee requests its representation

10. Describe 2 requirements for “good faith” negotiations:

Citation: §7114(b)



10. Describe 2 requirements for “good faith” negotiations:

- Approach negotiations with a sincere resolve to reach agreement
- Be prepared to discuss and negotiate on any condition of employment.
- Meet at reasonable times and places as frequently as necessary and to avoid unnecessary delays.

10. Describe 2 requirements for “good faith” negotiations:

- In the case of the agency, furnish data to the union upon request and to the extent not prohibited by law (*request for information*):
 - Data which is normally maintained by the agency in the regular course of business
 - Reasonably available and necessary for full and proper discussion, understanding and negotiation of subjects within the scope of bargaining, and
 - Which does not constitute guidance, advice, counsel or training provided for management officials or supervisors, relating to collective bargaining

10. Describe 2 requirements for “good faith” negotiations:

- If an agreement is reached, to execute on the request of any party to the negotiation a written document embodying the agreed terms and to take such steps as necessary to implement such agreement.

11. Describe 2 actions that would be an Unfair Labor Practice (ULP) by the Agency:

Citation: §7116(a)



11. Describe 2 actions that would be an Unfair Labor Practice (ULP) by the Agency:

- To interfere, restrain, or coerce any employee in the exercise of any right under this chapter
- To encourage, discourage membership in any labor organization by discrimination in hiring, tenure, promotion or other conditions of employment
- to sponsor, control, or otherwise assist any labor organization

11. Describe 2 actions that would be a ULP by the Agency:

- to discipline or otherwise discriminate against an employee because the employee has filed a complaint, affidavit, or petition, or has given any information or testimony under this chapter;

11. Describe 2 actions that would be a ULP by the Agency:

- to refuse to consult or negotiate in good faith as required
- to fail or refuse to cooperate in impasse procedures and decisions as required
- to enforce any rule or regulation in conflict with an applicable collective bargaining agreement
- if the agreement was in effect before the rule or regulation
- to other fail or refuse to comply with the Statute.

12. What is the primary document for grievance & arbitration:

Citation: §7121(a)

12. What is the primary document for grievance & arbitration:

The Collective Bargaining Agreement (CBA) between the Agency and the Union.

Roles, Rights, and Resources

- A member tells you that she and 3 other employees are always coughing and sneezing at work. She says their symptoms get better when they are out of the office.
- All of the employees work in a mold-infested office that has not been renovated for years.





Roles, Rights, and Resources

- What type of problem is the employee raising?
- What actions can you take as a Steward to help?
- What rights do you have under the Statute to help these members?
- What resources are available to help with this situation?



Which Hat Do You Identify With and Why?



Steward's Roles

- Worksite Leader
- Educator & Communicator
 - Organizer
- Legislative & Political Activists
 - Problem Solver

Attitude Reflects Leadership

https://www.youtube.com/watch?v=guA_4AzXqh0

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Attitude Reflects Leadership

- Julius asks Gerry if, as a Captain, he was also a leader and Gerry says yes. Do you agree with this? Why or why not?
- Julius has a bad attitude about the team; is this a reflection or poor leadership?
- What can you do to be a leader?
- How can you manage your attitude during challenging times?

Challenges of Leadership Scenarios

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- Scenario 1: You are the chairperson of your local's membership committee. You just found out that one of the other members of your committee got caught signing up a member on duty time. The committee member, during a meeting of the committee, disrupts the meeting and loudly tells you that you don't have the guts to do what he did. How might you deal with that person?

- Scenario 2: You've been asked by your local president to serve on your local's bargaining committee. While planning your local's proposals, an argument arises between two members of the committee. The argument concerns whether to propose a 4-10 or 5-4-9 compressed work schedule arrangement. What might you do to help resolve the issue and involve the disagreeing team members in the process?

- Scenario 3: You've been appointed by your local's president to chair a labor and management health and safety problem-solving committee. One of the local's other Stewards comes to you and complains that he was not considered for the committee despite the fact that he has been interested in health and safety issues for years. He's concerned that some of the members of the committee are "Johnnie come lately" members who seem to be getting better treatment than long-time activists. As a local leader, how might you respond?

- Scenario 4: You are the chairperson of the local's Legislative Action Fund Committee. As a result of your committee's actions, the local has been awarded a LAF certificate for its participation in the program. During a regular meeting of the local, and much to your surprise, the president calls you to the front of the room and praises your leadership of the committee. The local president turns to the membership and asks for a round of applause. How might you, as an effective leader, deal with that situation?

Steward Leadership Traits

- Listening to others
- Making others feel important
- Promoting a vision
- Following the “Golden Rule”
- Admitting mistakes
- Criticizing others only in private
- Staying close to the action

Problem Solver

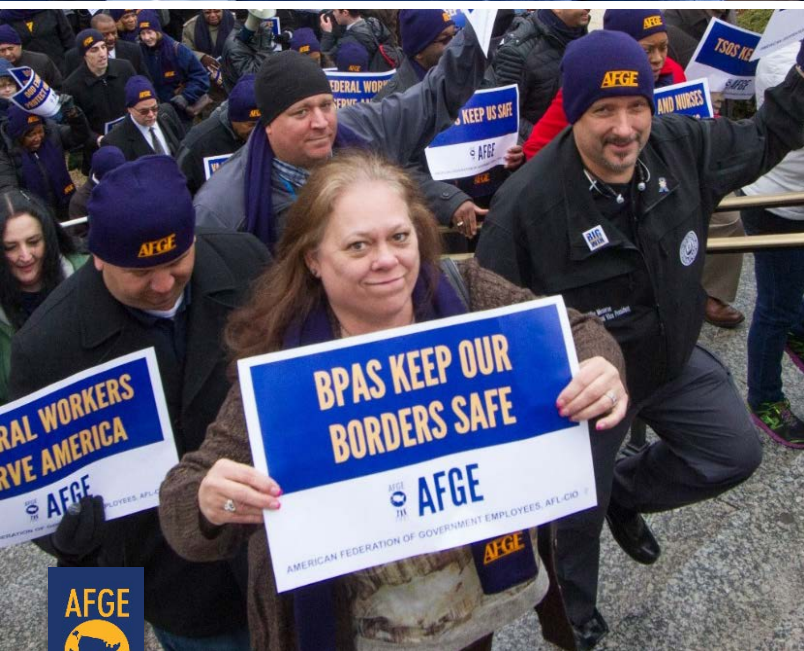


Problem Solver

- Identify the requirements of a formal meeting
- Determine when a situation involves Weingarten Rights
- Describe process and requirements for handling a grievance
- Discuss the basic criteria for an information request

Formal Discussions



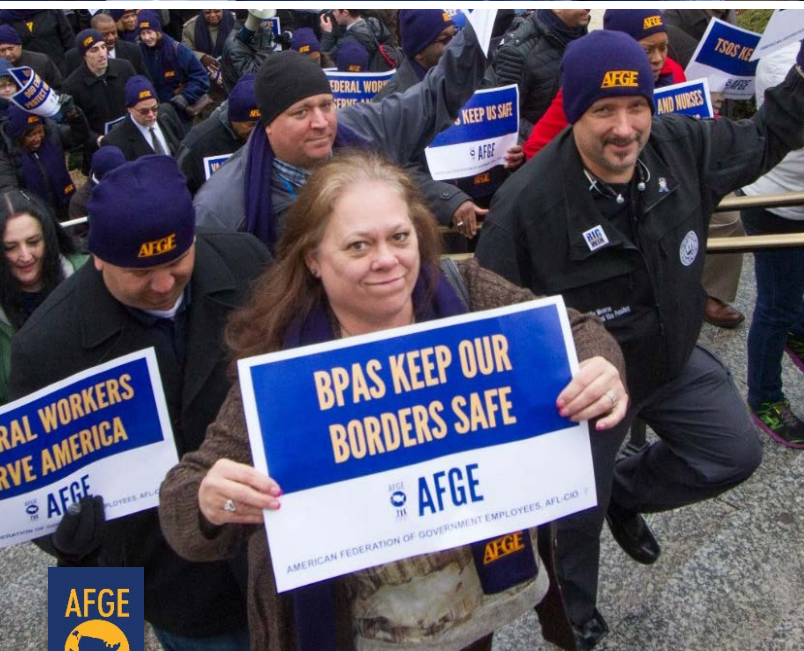


Formal Discussions

Criteria for a Formal Discussion:

- Who is involved in the meeting?
- Was there a “give and take” - were questions addressed?
- Did the meeting concern ‘conditions of employment’?
- Did the meeting concern a grievance?





Formal Discussions

Union's Rights at a Formal Discussion

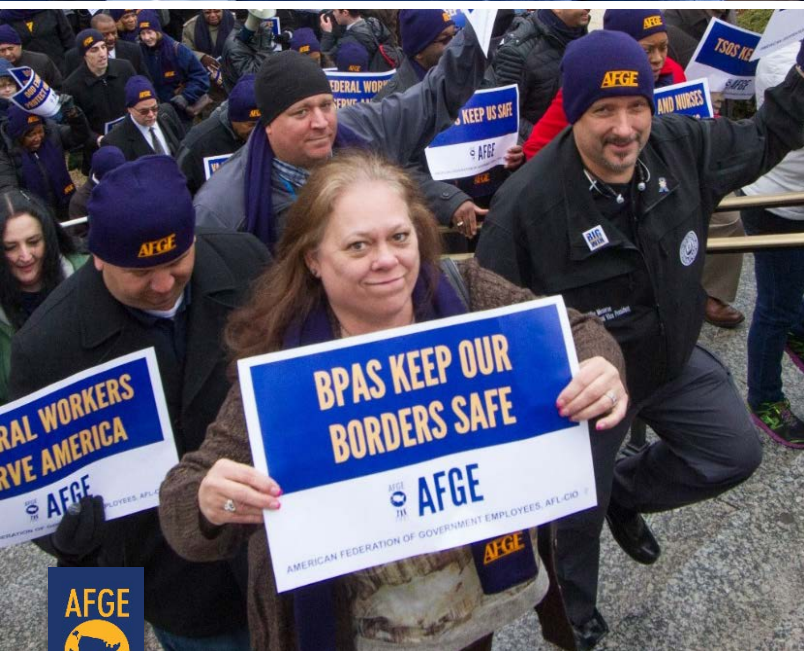
- Asking questions related to matters under discussion at the meeting
- Making relevant remarks concerning those matters
- Stating the Union's position(s) on the matters under discussion





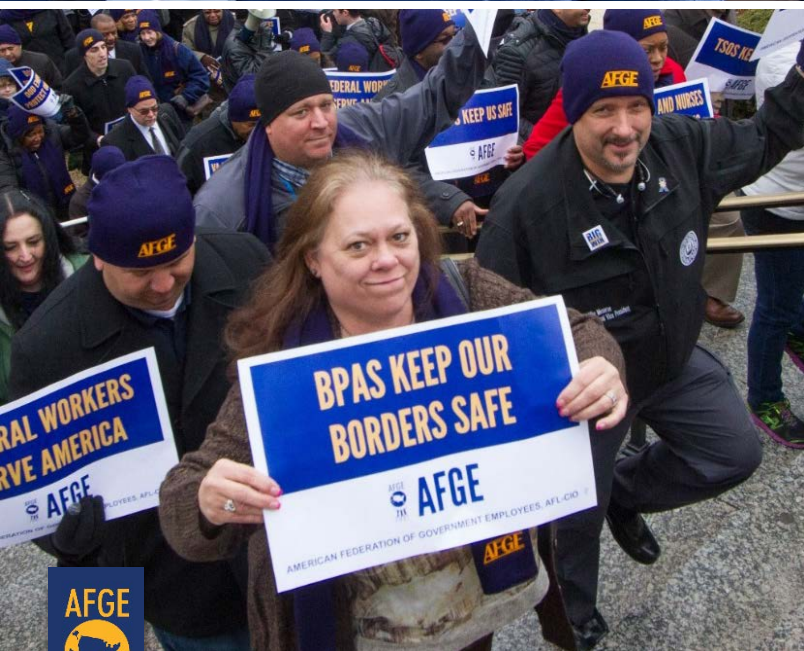
How Formal is this Discussion?





Formal Discussions: Yes or No?

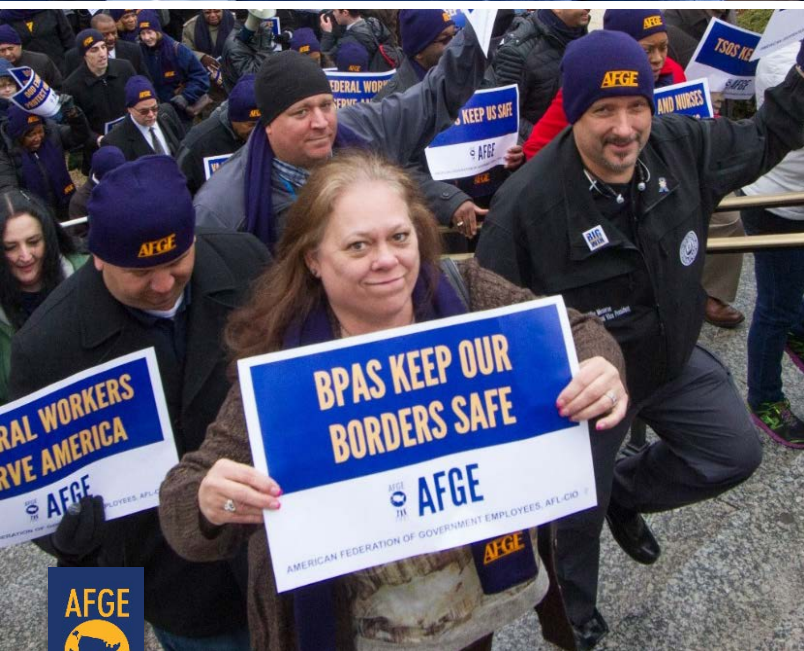
Terry's office is short-staffed because of a recent large turnover of employees. As the Steward for the office, he has expressed concern about the matter and manager promised new employees were to be hired for the entry-level jobs. Last week, three new employees showed up. A couple of days later, Terry overheard the new employees in the supervisor's office being briefed about parking policy, leave request issues, and frequency of performance ratings.



Formal Discussions: Yes or No?

Susan is a Steward who works with David. David has requested a meeting with the supervisor to review claims processing procedures since he's having trouble doing them correctly. Susan passes the supervisor's office and sees David being "walked-through" the claims process by the supervisor.

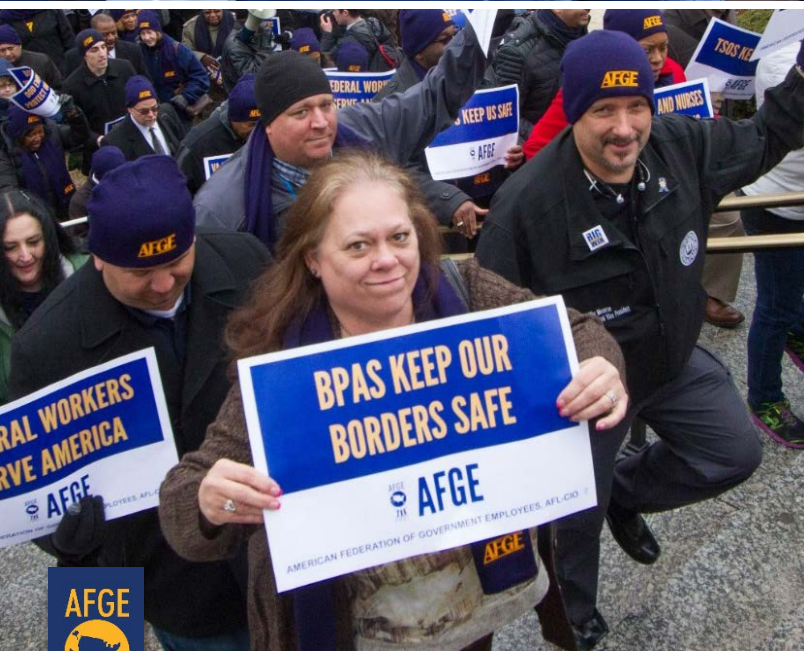




Formal Discussions: Yes or No?

One of the employee's in Terry's office has filed a grievance, without his assistance, over an annual leave denial. One afternoon, Terry passes the supervisor's office and hears him discussing the leave issue with the employee.





Formal Discussions: Yes or No?

Dawn is representing an employee in a performance appraisal grievance. The grievance wasn't resolved and is scheduled for hearing at arbitration. Two weeks before the hearing, the grievant, Robert, tells Susan that the agency's attorney called him. Robert tells Susan the attorney asked about his performance and said from what he knew he wasn't that good a worker. He also told him that his case looked "weak." Robert says the agency's attorney was rude to him and he wants Susan to speak with him about being more considerate.



Investigatory Examinations (*Weingarten Rights*)

"If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working conditions, I request that my steward or union officer be present at the meeting. Without representation, I choose not to answer any questions."

(This is my right under a Supreme Court decision called Weingarten.)



HUD Headquarters, Weaver Building, Room 3143
451 7th Street, S.W., Washington, D.C. 20410
Telephone: 202-402-3077

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OPEIU/Washington Council of Labor Training on Weingarten

<https://youtu.be/s8gmmx9eXI?list=PLBBBwx0b96b6x6tbozEbTVWplu7rhPQZs>



FLRA Factors

The following factors determine if a meeting is an investigatory examination:

1. Designed to ask questions and solicit information from the employee
2. Conducted in a confrontational manner
3. Designed to secure an admission from the employee of wrongdoing
4. Requires the employee to explain his/her conduct

Investigatory Examination (*Weingarten*) Rules



Rule 1:

- Investigatory examination

Rule 2:

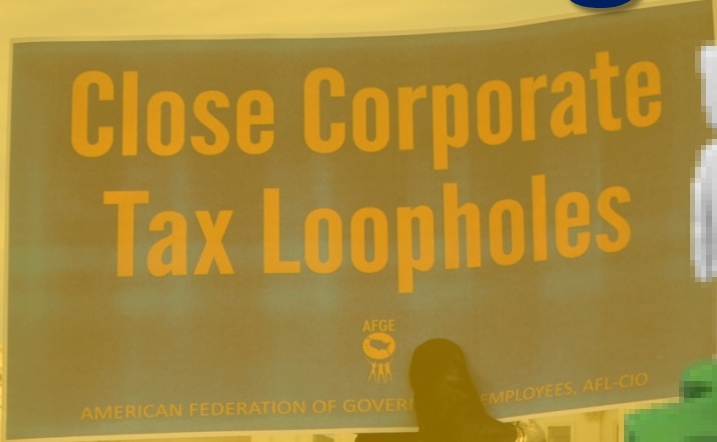
- Grant and delay
- Deny and end
- Give a choice
 - Continue without representation or end the interview



Weingarten Rules

Rule 3: Refusal to honor the request =
Unfair Labor Practice (ULP)

Weingarten or Not





Weingarten or Not

Last week, Malcolm had a verbal disagreement with his manager over an assignment. While he was walking to his desk today after lunch, the supervisor called Malcolm into his office to discuss the incident.

During the course of the conversation, Malcolm asks for a Union Representative to attend the meeting. The supervisor refuses. *Is this a violation of his Weingarten Rights?*

What if anything should Malcolm do?



Weingarten or Not

John is called into the supervisor's office for a discussion of his work performance. John's Steward is out sick so John asks that the interview be delayed until his Steward returns.

Is John entitled to representation? Does management have to wait until the requested Steward/Representative returns to work? Explain.



Weingarten or Not

You, an employee who happens to be a Union Steward, are called into the office to discuss an incident that occurred between you and between you and another employee.

Are you entitled to union representation under the Statute?

Why or why not?



Weingarten or Not

Jane is called to her supervisor's office and questioned about a fight she witnessed between two other co-workers in her area.

Is Jane required to have Union representation?

Explain.



LUNCH TIME!

GRIEVANCES

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Grievances Defined

Complaint by:

- Employee
- Union
- Agency



Grievances Defined

- Any matter relating to employment
- Effect, interpretation, or claim of breach, of a collective bargaining agreement
- Law, rule or applicable regulation



A Grievance Cannot Concern:

- Any claimed violation of Subchapter II of Title 5, United States Code (pertaining to prohibited political activities);
- Retirement, life insurance, or health benefits;
- Suspension or removal under Section 7532 of Title 5, United States Code (concerning national security);



A Grievance Cannot Concern:

- Any examination, certification, or appointment.
- Classification of any positions (does not result in the reduction in grade or pay of an employee)
- Any other matter the parties have agreed to exclude.



5 USC Chapter 71

Subchapter III:

Negotiated Grievance Procedure requirements:

- Fair and simple
- Provide for expeditious processing
- Assure the union the right to present and process grievances
- Assure the employee the right to present a grievance and assure the Union's right to be present during the proceeding.



5 USC Chapter 71 Subchapter III:

Negotiated Grievance Procedure requirements:

- Assure the employee the right to present a grievance and assure the Union's right to be present during the proceeding.
- Provide that any grievance not satisfactorily settled shall be subject to binding arbitration that can be invoked by either the Union or the Agency.



Issues may be raised under the grievance procedure or as an unfair labor practice, but not under both procedures.

5 USC 7116(d)



Complaint, Grievance or ULP



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AFGE's Field Services and Education Department



Complaint, Grievance or ULP

Robert comes to you to complain that he was injured on the job and the Workers Compensation program denied him benefits.

Does he have a grievance? Why or why not?



Complaint, Grievance or ULP

As the Union Representative, you were denied official time to organize a lunch and learn.

Is this a grievance? Why or why not?



Complaint, Grievance or ULP

Cynthia recently requested a temporary telework schedule to provide elderly care for her mother who just got out of the rest home. Her request was denied and she wants to file a grievance.

Is this a grievance? Why or why not?



Complaint, Grievance or ULP

Jessie comes to you to complain that a manager just sexually harassed her. She went to the EEO counselor but was told that it would take years to get a hearing. She wants the union to file a grievance now.

Is this a grievance? Why or why not?



Complaint, Grievance or ULP

You just received a letter from the agency that effective in two weeks; they are going to stop subsidizing the monthly parking fee.

Is this a grievance? Why or why not?

Your Grievance Procedure

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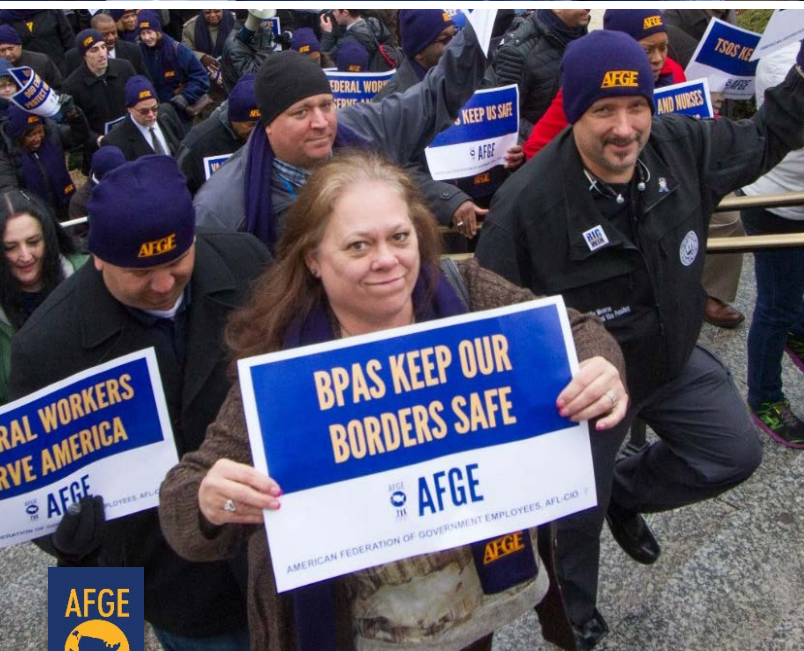


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Grievance Handling Model

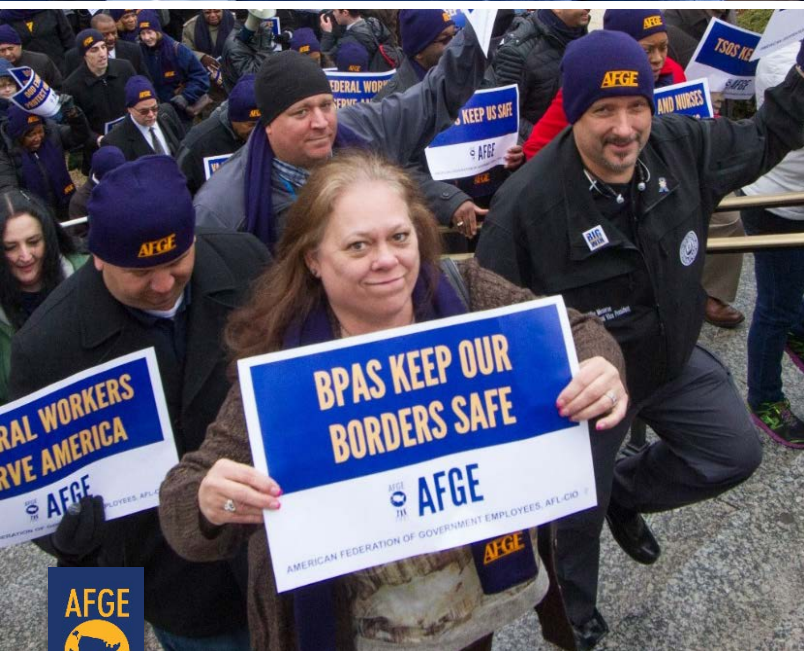
1. Identification
2. Investigation
3. Documentation
4. Preparation
5. Presentation





1. Identification

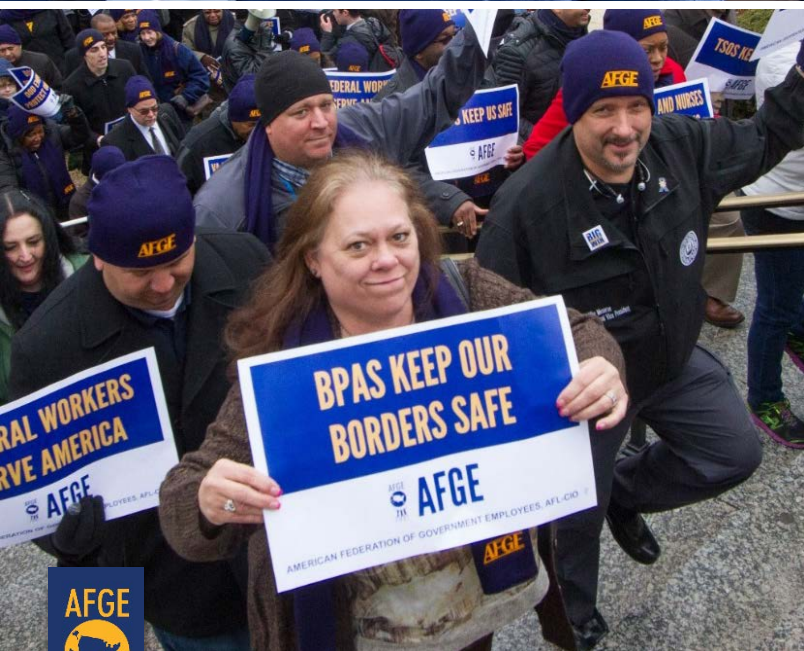
- Violation (*e.g., CBA, policy, rule, regulation*)
- Time limits
- Past Practice



Past Practice

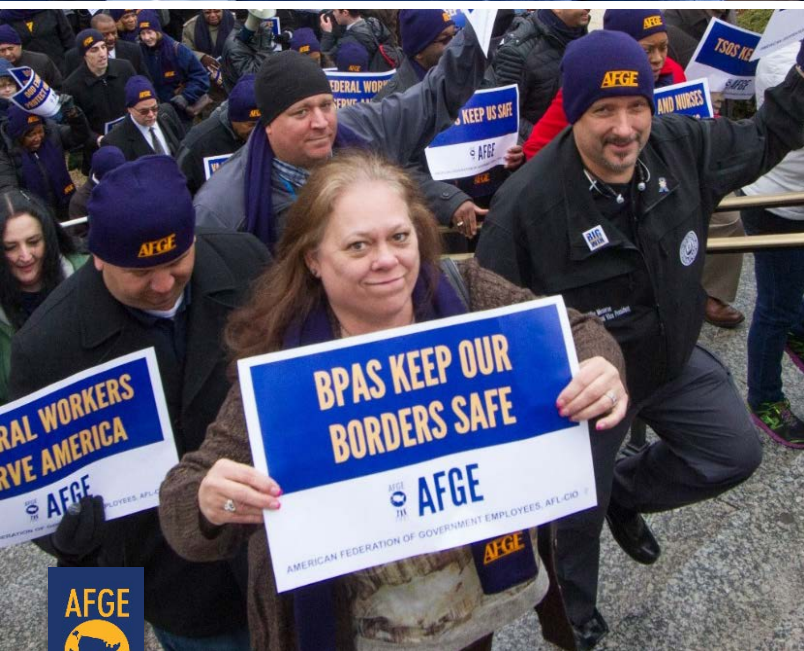
Existing practices sanctioned by use and acceptance that are not specifically included in the CBA.





Past Practice

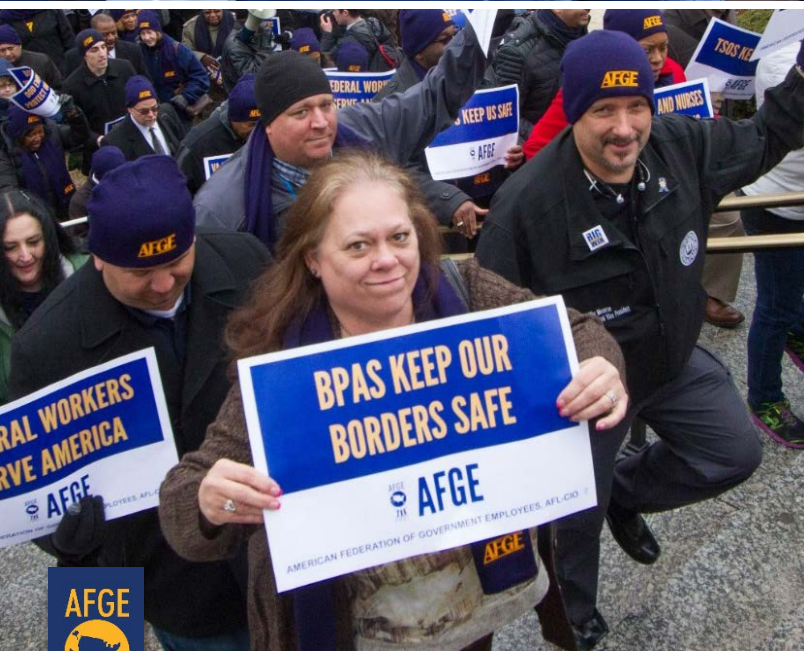
- Clear and consistent course of action
- Reasonable duration
- Full knowledge
- Contract is silent or ambiguous
- Employee harmed by change of practice (*Union must show*)



2. Investigation

- Talking to the right person/people
- 5 W's
- Standardized Form
- Follow up

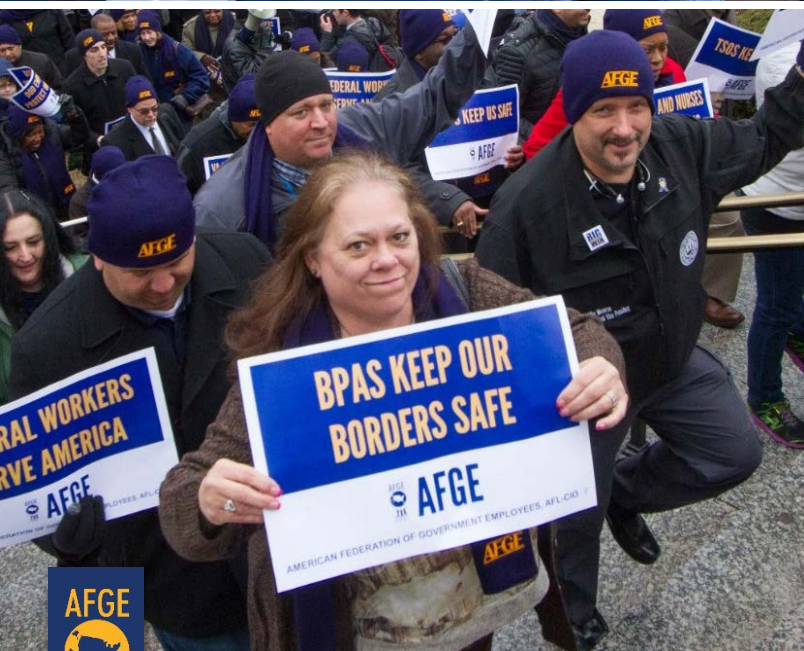




3. Documentation

- Physical Evidence
- Particularized Need
 - Why
 - How
 - Relevancy

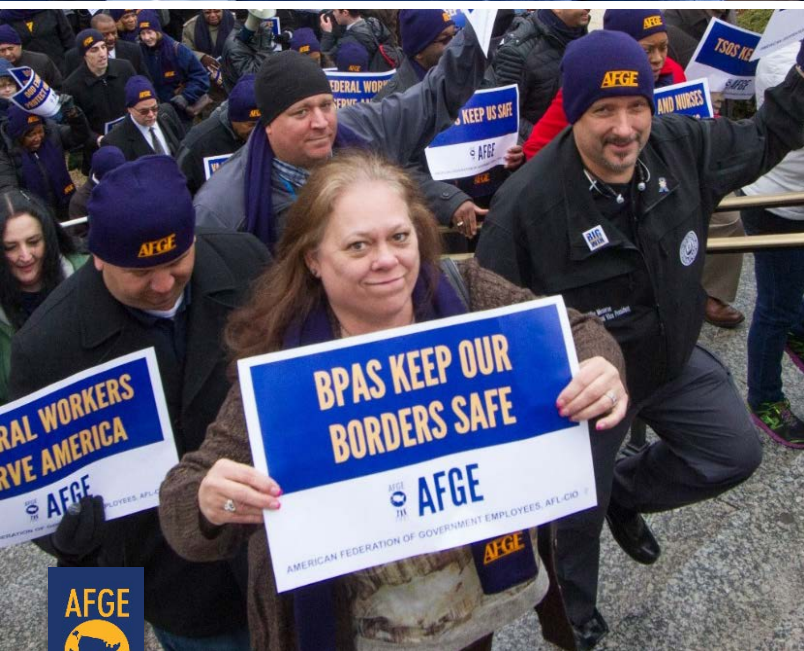




Particularized Need

Information requested must be:

- Normally maintained in the regular course of business by the Agency
- Reasonably available
- Necessary



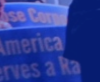
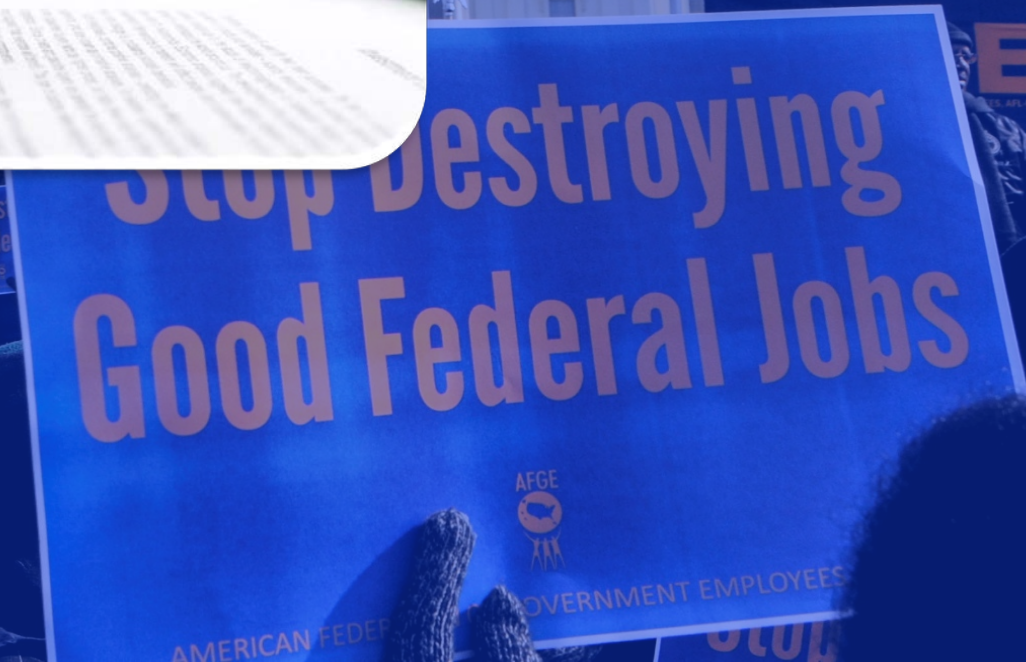
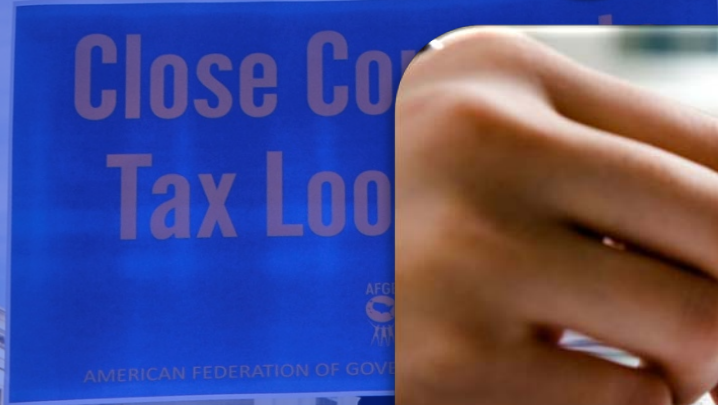
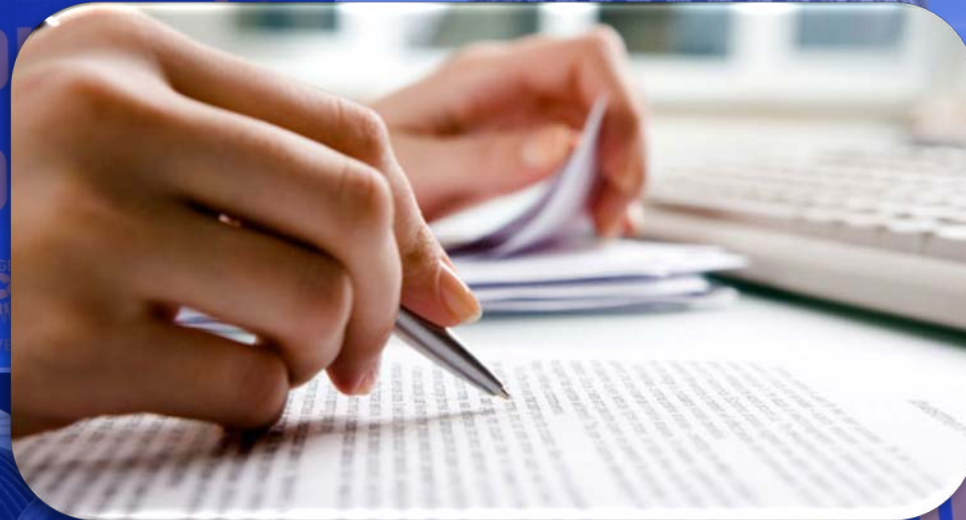
Particularized Need

Union cannot request information that is:

- Under the Privacy Act
- Collective bargaining guidance, advice, counsel, or training for management
- Prohibited by other laws



Getting the Information



Getting the Information

Consider the facts presented and decide if the situation would require the agency to provide the requested information.

Situation 1: Several members of your Local have come to you with concerns about the way the city bus lines are changing schedules. Because of the schedule changes, a number of them have been late reporting to work. Several employees have been admonished for tardiness. One member asks the Local to have Personnel Office provide a copy of the bus schedules in order to prove his point.



Getting the Information

Consider the facts presented and decide if the situation would require the agency to provide the requested information.

Situation 2: A member comes to you to ask for help with a proposed removal for unsatisfactory performance. The reason stated is that the member did not process the minimum vouchers during his performance improvement period. The member insists he did meet the requirement and that the records of his performance maintained in the Division will prove his claim.



4. Preparation

- Review
- Research
- Discuss with Other Stewards/Officers
- Write the Grievance



Writing the Grievance

1. Statement of grievance
2. Statement of violation
3. Statement of remedy



4. Preparation

- Prepare the Witness/Grievant
- Anticipate Arguments



5. Presentation

- Remember, you are on equal ground
- Attack the issue; not the individual
- Take notes and document the agency's response



Effective Grievance Writing

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Grievance Writing Pointers



- **Consult the grievant throughout**
- **Limit details to basic information**
- **Don't limit contract violations**
- **State the Union's position, not personal**
- **Don't limit the remedy**
- **File in a timely manner!**



Grievance Writing Pointers



- **Solidarity**
- **Feedback and more feedback**
- **Plan for arbitration**

Mobilization



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ANOTHER TSA EMPLOYEE
FIGHTING FOR
A BETTER CONTRACT

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Your Local

What is a one major issue that your members are, or should be, worried about?

Why?



Issue Mobilization

Describe 3 specific ideas to mobilize employees around this issue.

Identify the resources that the Local will need to be successful.



Mobilization 3-2-1

- **Identify 3 ways to keep employees informed about what the Local is doing**
- **List 2 methods the Steward can use to get feedback from employees on current worksite problems, concerns, and celebrations**
- **Describe 1 strategy to encourage Union involvement**

Organizing

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ACT NOW,
ALWAYS!

UNION
TIME!

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TSA
IT'S
UNION
TIME!

IT'S
UNION
TIME!

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Local Union Best Practices

- One advantage of a large membership
- One disadvantage of a small membership

Steward as Organizer

The reason most non-members give for why they are not a member is that no one talked to them about the Union or told them why they should join.

Why Employees Don't Join (*CESS*)

Cost

Experience

Status

Security

Getting Closer

The Art of Face to Face *(Role Play)*



|

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Official Time and the Union Steward



Official Time under the Statute

5 USC Section 7131

Any employee representing an exclusive representative in the negotiation of a collective bargaining agreement under this chapter shall be authorized official time for such purposes, including attendance at impasse proceeding, during the time the employee otherwise would be in a duty status. The number of employees for whom official time is authorized under this subsection shall not exceed the number of individuals designated as representing the agency for such purposes.

Official Time

The law requires that the amount of time that may be used be limited to that which the labor organization and employing agency agree is *reasonable, necessary, and in the public interest*.

As pointed out in a Congressional Research Service report, “(a)ny activities performed by an employee relating to the internal business of the labor organization must be performed while in a non-duty status.”

Official Time - Permitted representational activities are limited to:

- Representing bargaining unit employees
- Negotiating collective bargaining agreements
- Enforcing law, rules and regulations, and CBAs.
- Providing workers with a voice in determining their working conditions

Official Time Activities (Permitted)

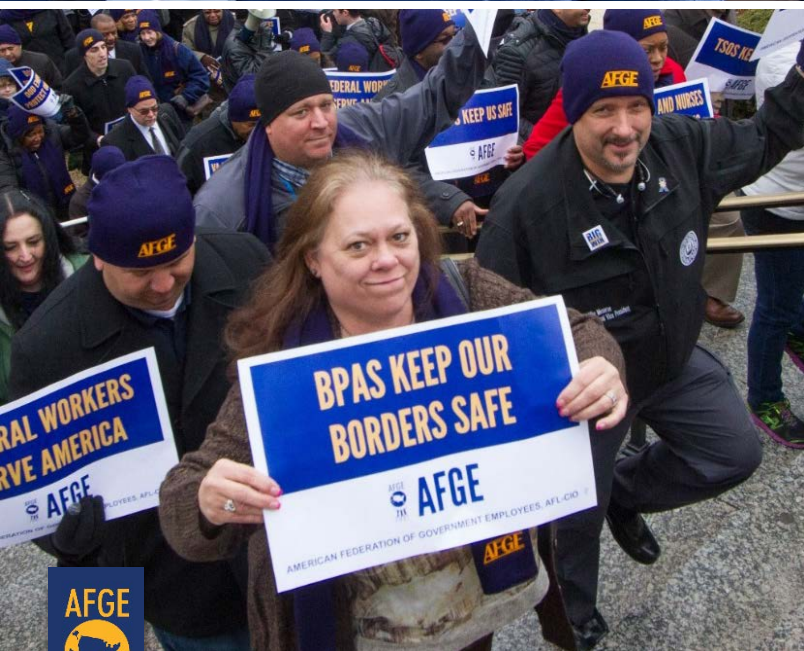
- Setting procedures that protect employees from on-the-job hazards, such as those arising from working with dangerous chemicals and munitions
- Participating in improvement of work processes
- Creating fair promotion procedures that require that selections be based on merit, so as to allow employees to advance their careers
- Establishing flexible work hours that enhance agencies' service to the public while allowing employees some control over their schedules

Activities which may not be conducted on official time include:

- solicitation of membership
- internal union meetings
- elections of officers
- any partisan political activities

Exercise: Official Time Scenarios



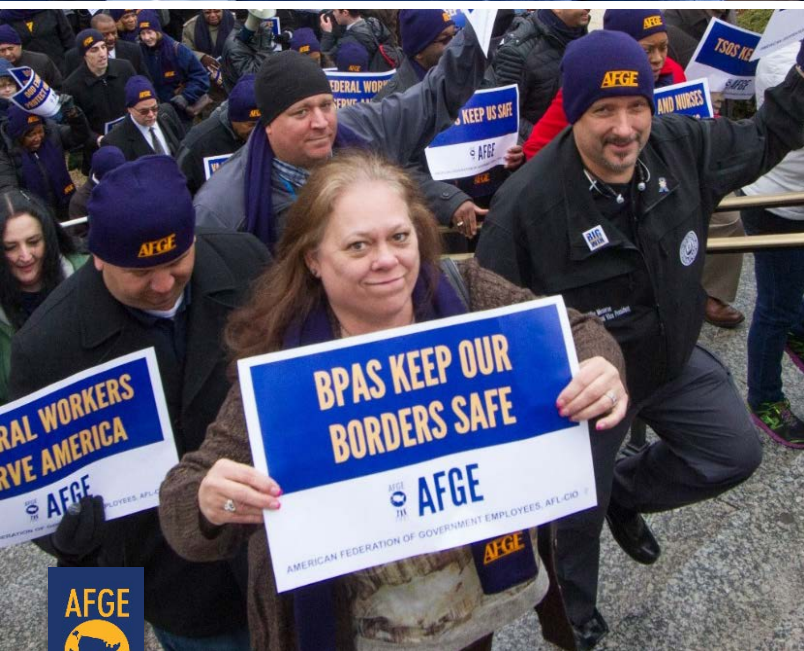


OFFICIAL TIME- Scenario 1

Andrea, a steward for Local 12300, has been asked to investigate a water leak that is affecting three employees on the 3rd floor. The supervisor stated that he would address the issue two weeks ago but nothing has happened.

Can Andrea use official time to investigate this issue?



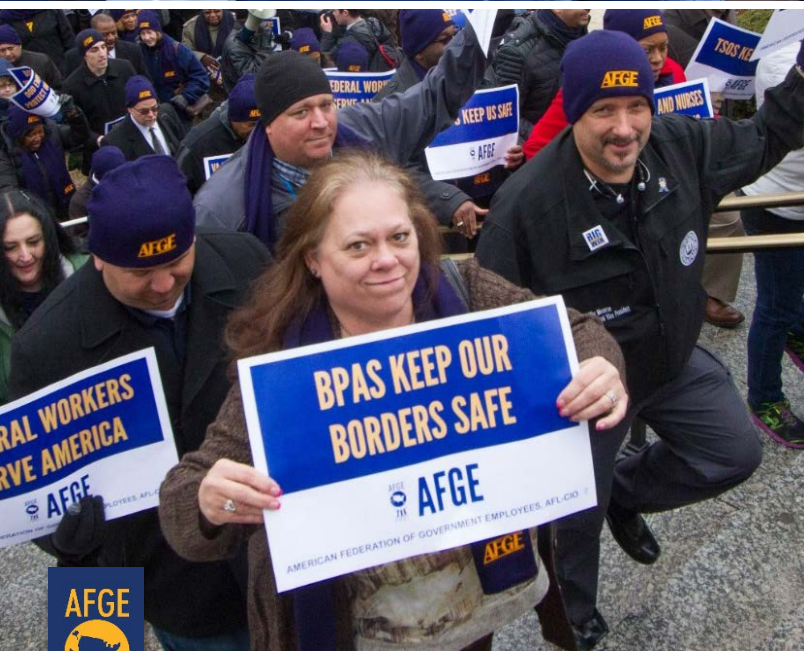


OFFICIAL TIME- Scenario 2

Barbara, a steward for Local 32100, wants to set up a meeting with two other stewards to create campaign materials for the Local President reelection.

Can Barbara use official time to develop campaign materials for the Local President's reelection?



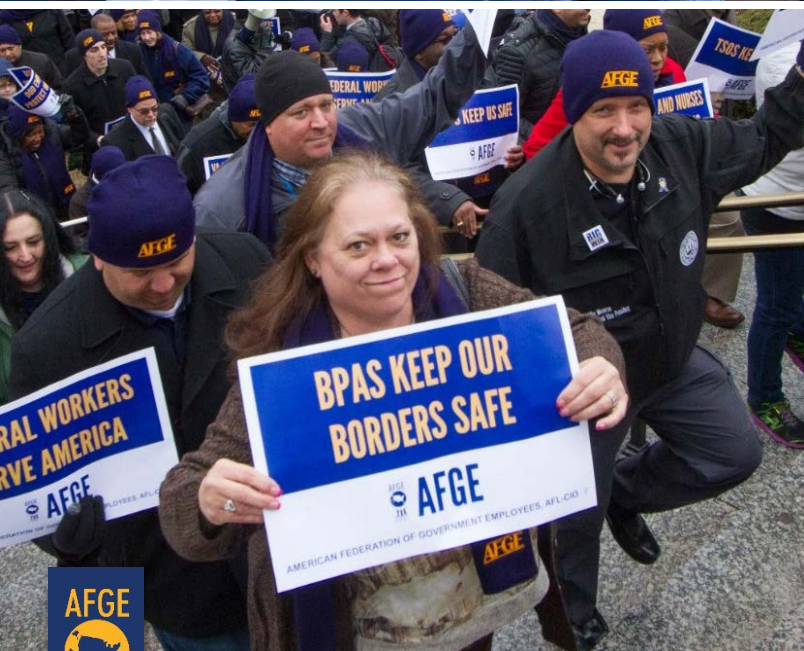


OFFICIAL TIME- Scenario 3

Latisha, a steward for Local 11100, has received a request to attend a meeting with Hector Ramirez and his supervisor. Hector's boss wants to ask him questions about a recent project that received negative comments from headquarters.

Can Latisha use official time to attend the meeting with Hector?





OFFICIAL TIME- Scenario 4

Tony, a steward for Local 22200, received an email from employee on another shift that were interested in learning more about the union. Tony wants to use official time for meeting with the employees after his regular shift has ended.

Can Tony use official time to attend the meeting?



LEGISLATIVE AND POLITICAL MOBILIZATION





Legislative and Political Action

- AFGE, as a federal union, has rights to protect employees under current laws such as 5 U.S.C. Chapter 71.
- Worker rights are controlled by politicians who can protect or eliminate these laws.
- Inaction will eliminate our rights.

Stewards are the front line *Mobilizing employees to fight for their rights!*





Skills needed for successful legislative and political mobilization

- Differentiate between legislative and political activities.
- Identify ways to get members more involved in the legislative process.
- Determine if a situation is a violation of the Hatch Act



Legislative vs Political Activities

- Legislative = governing
 - Issues → Proposed law
 - House & Senate bills
- Political = elections
 - Candidates
 - Political parties
 - Fundraising



Member Involvement

- What challenges could you face in getting members involved with legislative and political activities?
- What are some ways to overcome these challenges?

Legislative & Political Mobilization and the Hatch Act



Hatch Act Guidelines

OK

- Issue and legislative activity
- Personal actions away from government facility or identification
- Non-partisan political activity (not related to any party)
- PAC fundraising

Not OK

- Candidate and election activity
- Government duty time, facility, or identification
- Partisan campaigns (party affiliated)
- Candidate fundraising

Hatch Act DO's and DONT's

Employees May:

1. Register and vote as they choose;
2. Assist in voter registration drives;
3. Express opinions about all candidates and issues, privately and publicly;
4. Run for election to a non-partisan office;



Hatch Act DO's and DONT's

Employees May:

5. Contribute money to political organizations or attend a political fund raising function;
6. Sign petitions, including nominating petitions;
7. Wear political badges or buttons (except in government buildings or on uniforms);
8. Run for office within party organizations and affiliate groups;
9. Attend political conventions, rallies and meetings as an elected representative of a partisan organization;



Hatch Act DO's and DONT's

10. Take an active part in political management of campaigns;
11. Solicit contributions to the political action committee of the organization to which employees belong provided that the contributor is not a subordinate employee;
12. Conduct voter registration drives on-site prior to AFGE's endorsement of a candidate.



Hatch Act DO's and DONT's

- *Spouses and other members of an employee's family may engage in all forms of partisan political activities.*
- *Non-federal unions in the private sector are not covered by the Hatch Act.*



Hatch Act DO's and DONT's

Employees May Not:

1. Be candidates for public office in partisan politics;
2. Use their official position to influence or coerce colleagues or election results;
3. Wear partisan political buttons or stickers while on duty;



Hatch Act DO's and DONT's

Employees May Not:

4. Collect, solicit, receive, handle, disburse or account for contributions from the general public (NO FUNDRAISING);
5. Wear a government uniform or government insignia while engaged in political activities;
6. Sell tickets to a political fund raising function to the general public;
7. Use government equipment such as email for political activities.



Exercise:

Hatch Act Scenarios



Close Corporate Tax Loopholes

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HATCH ACT - Scenario 1

You have a conversation with another AFGE member in the lunchroom about how budget cuts are undermining the Agency. You ask the member, who works in a different part of the facility, to speak with other co-workers about opposing H.R. Bill 1001 which will cut the Agency's budget by 10%.

Question 1: Is this acceptable under the Hatch Act?

Question 2: Are there any guidelines or restrictions that may affect this action?

Question 3: What other actions could the member take to help fight against H.R. Bill 1001?

HATCH ACT - Scenario 2

You are talking with several people at work about how the agency is getting less effective and a co-worker suggests that the Union send a letter to the congressional representative requesting that the Secretary of the Department reconsider several cuts to agency staffing. Another co-worker recommends inviting the congressional representative to meet with the union at the facility to discuss their concerns.

Question 1: Is this acceptable under the Hatch Act?

Question 2: Are there any guidelines or restrictions that may affect this action?

Question 3: What other actions could the Local take?

HATCH ACT - Scenario 3

An AFGE member invites several co-workers in the department out for a happy hour event at a local tavern. One of the Local VPs is also invited. At the happy hour, the conversation gets into politics, which ends in the VP asking the dozen or so employees who are there to “do what you can and volunteer to help elect Sue Mallory!” Sue Mallory is a candidate for the 3rd District Congressional seat. The outburst was then followed by a round of drinks to toast the candidate.

Question 1: Is this acceptable under the Hatch Act?

Question 2: Are there any guidelines or restrictions that may affect this action?

Question 3: What other actions could the Local take?

HATCH ACT - Scenario 4

The U.S. presidential election is underway and the AFGGE Executive Board has endorsed a candidate. Your Local votes to hold a voter registration drive in the cafeteria every month until the election.

Question 1: Is this acceptable under the Hatch Act?

Question 2: Are there any guidelines or restrictions that may affect this action?

Question 3: What other actions could the Local take?

2 Key Rules to Remember

- # 1 - You may pursue legislative activity on official time (if provided by your contract) and on site (if not prohibited by your contract), but you may not perform political or electoral work on site or on official time.
- # 2 - You may solicit financial contributions to the AFGE PAC off-site only and you may only ask other AFGE members to give.

Review and Wrap Up

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