

Issue # Q2 2024

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Chapter 242 Quarterly Newsletter

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Telework Update



FDIC and NTEU were unable to reach an agreement through mediation, and NTEU asked for assistance from the FLRA [Impasses Panel](#) (FSIP) for a final binding decision. Because of the impending July 15th deadline for return to office (RTO) requirements, the FSIP had expedited our case, and had introductory meetings with both sides the

week of June 17th. During these introductory meetings, the FSIP stated it would begin the process the week of June 24th with the intent to resolve the case before July 15th. Shortly after these introductory meetings, the FDIC abruptly withdrew its proposals to change Article 20 (Telework Agreement) of the CBA to remove the case from FSIP jurisdiction. Instead, FDIC is now imposing a slightly more lenient two days a week reporting requirement for RO and HQ employees that will go into effect July 15th. It argues it can do this under the current Article 20 because of the “mission, staffing, and workload” language contained in that article. Given that FDIC is implementing across the board mandatory reporting for HQ and RO employees regardless of mission, staffing, and workload requirements within different work units, NTEU vehemently disagrees with this interpretation.

NTEU will file an unfair labor practice (ULP) charge with the FLRA if FDIC unilaterally implements RTO on July 15th as planned. It will take some time for the ULP process to work out, and you may remember we lost our previous ULP charge when FDIC implemented the one day a pay period reporting requirement in 2022. The outcome of this ULP charge depends on who the arbitrator is and what law/logic they choose to rely upon. In the meantime, NTEU has appealed to FSIP to retain the case and attempt to resolve the dispute before July 15th, as we expect a more favorable resolution at FSIP than what the FDIC plans to implement. We strongly believe that the FDIC withdrew its proposals out of concern that the FSIP might side with NTEU. Employees should still be prepared for FDIC’s proposed reporting requirements to go into effect on July 15th, but we are pursuing every available avenue to maintain telework flexibilities and minimize mandatory reporting requirements.

2024 Summer Campaign

Runs through September 7th- see p. 3 for details on this year’s incentives

CAN WE REACH YOU?

UPDATE YOUR PERSONAL CONTACT INFORMATION

NTEU communicates important member-only information through personal email accounts. To check or update your information, log into [NTEU.org](#) and click on “Manage Account” in the yellow box. There, you can change or add contact information to help ensure you get breaking news from NTEU.

NTEU Recap

[Legislative Conference](#)

[NTEU's Checklist to Make Federal Jobs More Attractive](#)

LEGISLATIVE ACTION

Take action to support favorable legislation and oppose harmful bills. NTEU makes it easy with the legislative action center!

<https://www.nteu.org/legislative-action>

In addition, NTEU and FDIC have negotiated a separate Memorandum of Understanding addressing exceptions to the reporting requirements for limited positions and situations (e.g. WIP and HDS employees), allowing employees who accepted a position and did not relocate to either relocate or return to their previous position, and establishing a process for submitting an individual request for an exception due to hardship. Please keep in mind that the individual requests are reviewed at the executive management level and are expected to apply in unique situations (i.e. not just because your commute is long). Please review the [MOU](#) for more detail and reach out to your local steward if you have any questions.

The FDIC plans to release FAQs soon that will address the process to request individual hardship exceptions. Anyone who has previously sent an exception request will need to resubmit based on new guidance in those FAQs. NTEU requested that these employees get temporary approval while the FDIC considers the requests, and FDIC is allowing employees to make short term requests for exceptions (less than 90 days) as a “stop gap” while they await formal decision from the WO. Local supervisors have the authority to approve these “stop gap” requests so employees should make those requests as soon as the FAQs come out.

NTEU at the FDIC

Updates Regarding New Incentives Announced by FDIC in January

Career Ladder (Journeyman 13)

Despite announcing the career ladder changes back in January, management has still not provided an implementation timeline or finalized benchmarks to determine when CG-12 examiners can receive a non-competitive promotion to a grade 13. While NTEU cannot bargain over grade changes (it is considered a “management right”), for years we have encouraged the FDIC to make this career ladder change as we contend that the requirements for commissioned examiners support a grade 13. However, we are also mindful of the impact to morale for existing premium grade examiners and continue to make suggestions to address these concerns and improve pay for the employees, including expanding the number of grade 14 and 15 examiners. We will also keep these concerns in mind when bargaining begins for the next compensation agreement (current agreement ends in 2025).

Bonuses for LFI Examiners

Dedicated EICs in RMS will be upgraded from Grade 14 to Grade 15, and Deputy EICs will be added to all Tier 1 and Tier 2 banks. NTEU is still awaiting details from management on the implementation of these changes, including the new PDs and the expected date of when these changes will occur.

Childcare Subsidy

While more details will be coming, FDIC has shared plans for a childcare subsidy that it hopes to implement beginning in July. The benefit will be \$400 per employee per month for use on childcare. Unlike some other benefits, this will not be an automatic payment. Employees will be required to maintain documentation and receipts and will only be reimbursed for actual childcare expenses paid up to \$400. These payments will be taxable. Every employee will be eligible and no continued service agreement will be required. We have asked FDIC to consider expanding this benefit to include disabled adult children and elder care.

Commissioned Examiner and Case Manager / Review Examiner Retention Bonus

Management is offering a \$25,000 per year retention bonus for commissioned examiners, Case Managers, and Review Examiners who are eligible to retire, announce their planned retirement date, and instead decide to sign a service agreement to stay another year (\$25k) or two years (\$50k). These payments are taxable. While management has discretion to offer these bonuses based on their assessment of the employee's behavior, performance, and willingness to train, we want to ensure that the program is implemented fairly. Please contact your local steward if you applied for this bonus and are denied.

NTEU in the Chicago Region

Summer Campaign

Our summer membership campaign has officially begun and runs through September 7th this year. We have great incentives to offer any new member that joins, and we have additional incentives for current members who help with recruiting. New members receive a \$150 for joining. Current members who help us recruit a new member will get a \$100 bonus for each individual that joins. While our chapter enjoys high membership rates, we need to actively recruit new members given the retirements on the horizon. Remember our strength comes from our numbers.

Disciplinary Actions and Adverse Actions

We have noticed an uptick in employees receiving disciplinary action, particularly for CSIRT incidents, in the last few months. Notice of a pending disciplinary action can be stressful and confusing, but please understand that you don't have to face this alone. Reach out to your local union steward as soon as you receive notice of a possible disciplinary action. Even if you agree that you did something wrong, it's important to get NTEU involved so we can ensure the proposed disciplinary action is appropriate and consistent with how other employees are treated.

We also ensure that FDIC considers all relevant factors ([“Douglas factors”](#)) including any mitigating circumstances when determining the penalty.

To address some of the confusion around the different levels of discipline, here's a refresher on the various penalties (listed from least severe to most severe):

- **Letter of Counseling and warning letters**- these are technically not considered disciplinary actions per the CBA. Employees have right to respond in writing and the letter is removed from the employee's file one year after the date of issuance.
- **Letter of Admonishment**- least severe disciplinary action that can be taken. Employees have five workdays to respond to the charges in the letter and 20 workdays to file a grievance. Retained in personnel file for one year from date of issuance.
- **Letter of Reprimand**- More severe, but same employee response procedure as letter of admonishment (five workdays to respond, 20 workdays to file a grievance). Retained in personnel file for two years from date of issuance.
- **Suspension (Up to 14 days)**- Employee gets 10 workdays advance notice prior to suspension. Employee has right to make an oral or written reply within 10 workdays of notice of proposed suspension.
- **Adverse Action (includes removal, suspensions over 14 days, or reduction in grade or pay)**- Employee gets 30 calendar days advance notice. Employee has right to make oral or written reply within 10 workdays of notice of proposed action. If the adverse action is canceled, documentation related to that action will be destroyed.

Your union reps can help you navigate any of the situations listed above- so please don't hesitate to reach out. Please also note that employees have the right to request confirmation that letters of admonishment and reprimand have been removed from their personnel file after the

required timeframe (one or two years as noted above). Because FDIC uses progressive discipline, it is important that these letters are removed timely and not unfairly relied upon to enforce harsher penalties for subsequent offenses.

Because CSIRT incidents are on the rise, please also familiarize yourself with the [table of penalties](#) for violations of FDIC policies related to data protection. We've noticed a trend toward the harsher end of the penalty range with recent discipline so please keep data protection top of mind when sending emails or printing documents.

Field Office Furniture

Several field offices in our region will be getting new furniture in the near future, and local stewards work with management to make decisions for furniture selection and placement. Local stewards work to ensure these decisions consider employee needs and preferences so that the workspace is usable and conducive to training and collaboration. Often a challenge for local stewards is getting employees engaged in the process, which leaves stewards guessing what employees would prefer. So please don't hesitate to contact your steward to provide input for the furniture selection process to help ensure the field office is set up to meet local needs.

Do you know your local steward?

Ch. 242 Steward List

	Dawn Sleva, President		
Daniel Peters	Chief Steward	Rachel Penn	EVP-LEX
Darrin Nelson	Secretary-PRI	Steven Houlden	RO (Alt)
Minette Sternke	VP-IL-CHA	Brian Lundh	RO (Alt)
Jordan Agan	VP-IN-IND	Jerry Andersen	APP (Alt)
Cameron Eichberger	VP-KY-LOU	Matt Fritscher	CHA (Alt)
Andy Lau	VP-WI-EAU	Melissa Wilson	WIX (Alt)
Cheryl Bilinski	VP-OH-COL	Jeff Johnson	CHI FO (Alt)
Chloe Sommers	VP-MI-WIX	David Koder	CHI FO (Alt)
Lisa Brinston	ACS-CHI FO	Eric Wiechert	EAU (Alt)
Christy Shallenberger	CHI RO	Brian Pigott	IND (Alt)
Abbey Rhodes	APP	Stephanie Bissell	LEX (Alt)
Lisa Sorge	MAD	Cathy Burgmeier	MIL (Alt)
Blake Edwards	MIL	Marlon Dunn	MTV (Alt)
Angela Bishop	MTV	Austin Stearns	MTV (Alt)
Randy McFadden	DIT/SPR	Duane Lohse	PRI (Alt)
Samantha Usher	WIX	Bill Browning	SPR (Alt)
Brian Hiller	CHI FO (Alt)		