



## In-Person Labor Management Forum October 21 – 23, 2014

### Department of Energy

Labor Management Forum  
Washington, DC 20585

Department of Energy  
In Cooperation with:

American Federation of  
Government Employees

Columbia Power Trades  
Council

International Brotherhood  
of Electrical Workers

International Federation  
of Professional and  
Technical Engineers

Laborers' International  
Union of North America-  
Professional Division

National Treasury  
Employees Union

Office and Professional  
Employees International  
Union

10/21/2014

9:00 am

CARTER: WELCOME

KLAUS: WELCOME. There are three very good reasons for our being here today:

1. The President issued an Executive Order directing Federal Executive Agencies to form labor-management forums with labor organizations at the level of recognition.
2. Secretary Moniz issued a memorandum directing that we join together and form such a forum.
3. We have a goal to think about ways to do things better.

The real reason for a Labor-Management Forum is to get better ideas – to think from an employee's perspective. What is the worker's perspective? We can get caught up in a context where we think we know; but sometimes it is not what we think.

INTRODUCTION OF CHIEF OF STAFF KEVIN KNOBLOCH.

INTRODUCTION OF SECRETARY MONIZ.

MONIZ: The standard joke is that the second coming is the triumph of hope over experience. I would like to thank all of you for coming together for this Labor-Management Forum. The Chief Human Capital Officer is central to the whole activity. Dave Foster and Natasha Campbell are functioning as advisors to the Secretary's Office, broadly looking at the area of jobs – looking at establishing a job council – and technology transfer. They are not part of line management in Human Resources, but they are critical parts of the team. You are a critical part of the whole team. I would like to acknowledge the participation and assistance of FMCS Commissioners Scott Blake and Kurt Saunders in facilitating our progression to this point. I would also like to express my appreciation to the Writing Team, to the Acting Co-Chairs, and to Bob Gibbs. All are part of an important team here at the Department of Energy, the whole Federal workforce throughout the Country. Our portfolio has been described as "Windmills, Weapons, Quarks, and Quagmires." It is important to the President to promote and convey our achievements. Newspapers have captured the fact that the Energy sector is the biggest driver in the Country. It is not just the fuels, but the infrastructure as well. A jobs revolution is happening, and sometimes at such speed that it is a challenge to successfully address collateral issues. We have brought down carbon dioxide emissions. DOE is having tremendous success in bringing down the cost of alternative energy sources. The Nuclear Security Deterrent – the stockpile – has been managed. We have gone 22 years without testing, and we will go another 22 years without testing. The whole process had to be re-thought and re-designed. We have provided nuclear Navy support. Critical uses of energy are the backbone of the security of the Nation. We have





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cleaned up 90% of the sites; but those remaining are very tough. We have taken steps to improve and we recognize the tremendous progress we have made. These accomplishments include you and the employees you represent. That is where this Forum has critical importance to the Nation. The President issued an Executive Order to establish a cooperative and productive form of labor-management relations throughout the Executive Branch, a nonadversarial forum for managers, employees, and employees' union representatives to discuss Government operations, promote satisfactory labor relations and improve productivity and effectiveness of the Federal Government. This is a grand dialogue between the parties. Last week he did a little speech on conflict resolution. Today I want to be able to execute the President's vision. He hammered it home at the end of a Cabinet meeting. The Ebola problem prompted him to bring it up.

GIBBS: The Labor-Management Forum is very important. I would like to relay a quick story. Recently while I was playing hockey with my son on our driveway, he asked me "What do you do?" I answered, "I help people." While I was feeling proud to have given such a good answer, my son scored, declaring "I beat you again!" I need to give help. That is what I'm here for.

PRESENTATION OF CHARTERS BY PANSKY AND WALKOWIAK TO MONIZ AND GIBBS.

GIBBS: As a pre-decisional involvement, I would like to offer a briefing on the HR Service Delivery options which are being discussed. Before I begin I want to express my particular appreciation to Jennifer Carter, to Tom Pansky, and to Erin Walkowiak who have worked so hard to put together this in-person meeting. Currently, service delivery is very decentralized: I have re-delegated my HR authority 17 times. DOE is the most expensive in Government [SEE SLIDES].

- 6,100 represented employees and 10 HR staffers who service them are impacted by the service delivery program.
- Secretary Moniz has agreed to migration to a shared service center service delivery program.
- Labor relations issues are local issues, those folks remain on site.
- Service Centers will be no more than 30 people.

Currently some Offices are doing 3 transactions per year, while others do 3 per week. Our cost is \$6,200.00 per employee per year, while the Government average cost is \$2,600.00. We are ranked low in effectiveness. We need to be more effective. We will be standing up the management level first, then applying the lessons learned to establishing the Service Centers. The original stand-up schedule was called for July. That was too tight; we have pushed that date off to October. The site recommendations we are proposing to the Secretary are:

- EMCBC
- Oak Ridge





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- WAPA (for the PMA's)
- Albuquerque (for NNSA)

BPA has separate systems. In order to have someone else service them or them to service someone else, it would be problematic as the two systems don't talk to each other.

CARTER: The slides will be sent out to each of you.

GIBBS: There are 10 impacted HR staffers – 525 HR staff overall – plus the shadow staff. Unless we improve policies, procedures, and relationships, nothing else will improve. Labor relations staff will be left on site, other agencies who have moved to a shared services model have not found that it has worked to move LR staff to shared service centers. We are not going to RIF; I don't think that we will need to. We have started managing the backfill process. Folks who are on site will not be forced to move, they will not be involuntarily reassigned to alternative duty stations. This is not time limited. We have to be certain that we provide needed services. Managers don't care if the person doing the work is on site or not.

DIGIOVANNI: There will still be advisory persons on site.

GIBBS: They will still have authority: some will be 201's, some 203's, some 343's. We are interested in having folks who are senior business partners on site. It works well when they know the customer. One can never really understand what is going on in 5 or 6 different areas. They will not have to apply for a new job; only if a promotion is involved will people have to apply for a job. We will see opportunities across the agency for the first time. I don't know of any other agency investing this amount in talent development. We are working with Lockheed. In times of fiscal constraints, too often training has been thrown off the boat. We are not going to do that. In the process you will see what we are looking at in the play phase.

...: What are you willing to change?

GIBBS: Give me a better idea and I will change. When we fail 45% of audits, we must improve. We have had groups looking at what could be done at service centers: back office activities (e.g., processing SF-52's, maintaining e-OPF's). Currently we do not share lessons learned. If we are smarter in our approach it will be better.

EAGAN: Can we get demographics of impacted staff?

GIBBS: We will do that. Fundamentally the positions are Federal employees. In transition we have been using contractor employees, but fundamentally the positions are Federal employees. I have spoken with every employee in the field and with every employee at Headquarters. Tomorrow I head out on travel again.

...: I have a complaint: I feel the IDP is a useless process.

GIBBS: There is a problem with filling out the form with no intent to follow through on what is listed on it. I have the Chief Learning Officer looking at the





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process to see does anyone look at the process to see what happened after the form is filled out.

...: Do you want comments?

GIBBS: Never be afraid to email me directly.

CARTER: Or you can communicate with your Co-Chair.

GIBBS: That is a good idea. That is what the Labor-Management Forum is for.

EAGAN: Would you be available for a special video follow-up?

GIBBS: Absolutely. I have asked Jennifer Carter to set it up.

EAGAN: You are trying to cut costs, save money, improve service, start up new sites, all at once. Each one has some risk.

GIBBS: It sure does. The decision about BPA brought an extra risk. The decision not to attach the IT backbone at service centers is an extra risk. It is more complex than building a nuclear reactor. If we don't do it, it will be imposed on us. We have consulted at staff level with the Congress. We have consulted with the Department's Congressional Liaison. We have presented our recommendations to the Secretary – the Deloitte proposal. Locations were proposed in the Deloitte study. I have personally talked with every HR employee, every leader, every supervisor. Some of their ideas have been incorporated.

EAGAN: Would this start the clock for I&I bargaining?

CARTER: This is PDI. A decision has not been made.

EAGAN: You are going out to tell people what the decision will be.

CARTER: You can start discussing, but you have to keep in mind what can be done. Costs are extraordinary, something has to be done. If we don't fix it ourselves, someone else will impose a fix on us.

PANSKY: There is a fairly well-baked proposal on the Secretary's desk. Anyone who has any questions or concerns, this is the time to make suggestions and voice those concerns.

...: Can we see your cost estimates?

GIBBS: They are from the CF's Office.

CARTER: We will see what we can get for you.

GIBBS: OMB doesn't do these things for something to do. They released their findings to the agencies. I don't know what they released to the public, but I am very comfortable with the findings. Any errors are on the margin.

...: We are to assume that shared service centers will not impact working conditions?

...: CBA's are with Administrative Directors.

GIBBS: We have to comply with CBA's.

CARTER: FLRA is the only entity that can change recognition. All statutory rights stand. Having LMER folks remain on site is a step in that direction.

PANSKY: Confusion and fuzziness. Do you see Department-wide orders being consistent in the future? We have been given Orders that are within number 11.





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GIBBS: We have Policy at Department level. We have identified some latitude for BPA to follow.

CARTER: Management has the right to make policy. There are some issues that you may want to discuss at the local level.

...: There are certain things that are negotiated and are individual to a locality. We have to hold onto that latitude.

GIBBS: Thank you. I appreciate your comments. Jennifer Carter will pass them on to me.

10:16 am BREAK

10:36 am

CARTER: READS MISSION STATEMENT. Keep in mind how this can help.

WALKOWIAK: When we put together an Agenda, we wanted to have meaty issues. We need to select Co-Chairs; we need to select a Steering Committee.

PANSKY: Start thinking about it. Kurt Saunders will tell you some more about it. Some of you have heard this before, while some are new to the Forum. We want to refresh those who are returning and brief those who are new faces to the Forum. Now is when the work starts to be done.

SAUNDERS: We will be transferring rooms: there will be "plenary" sessions and there will be caucus times. A Caucus is private; then you come back together for a plenary session. In your caucuses, give consideration to task forces and sub-committees. For example: how will we decide how and what metrics we will be using? If you don't get to metrics yourself, Jennifer Carter will have to decide for you.

- Please turn off or airplane mode all cell phones.
- Treat each other with respect.
- Everyone has equal standing.
- Everyone has made a commitment to the process.
- We don't have traditional bargaining; Labor and Management have put aside traditional limits. You have embarked on a sort of modified team-work basis.
- Try to keep side-bars to a minimum.
- Try to wait until breaks for personal needs.

This is a fairly large group. I suggest raising your hand when you have an issue. I will stay up front and try to recognize people who have questions. This afternoon we will have training, a briefing. If the subject is brand new for you, you may need a longer course. Everybody is supposed to rotate. The introduction will be presented by Mike Wolfe, an expert on interest-based bargaining.

CARTER: Over lunch you will be assigned to a group. There will be DOE facilitators in each room. The presenters are foremost experts in the Federal Government. We will also be having some web-ex sessions for those who are elsewhere. I would suggest that call-ins say their name, location, union, etc., when they comment or ask a question.





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SAUNDERS: Jennifer Carter will do what is next. Then I come on for a talk about the Steering Committee.

CARTER: We felt it was important to go over, to refresh/remind all of us. This Charter is our foundation [SEE SLIDES]. We are going to try to show that we are achieving positive results in PDI. We are going to keep on hitting on collaborative relations. We want to serve as a model to local LMF's. Official time and Federal labor relations have a value and we need to assist in making that case to Congress: why official time should not be reduced. We look at and discuss Department-wide matters, but we do not override local issues at the level of recognition. There are 2 representatives per bargaining unit for unions and 2 for management. If you have questions or concerns, send them up through your Co-Chairs. Collaborativeness is important. The true boots on the ground are the task forces and their members. We will be going out to separate dinners tonight, hopefully the dinner conversation will include discussions of how we can better support the LMF and improve collaboration. Tentatively the Acting Co-Chairs and I have come up with 3 sub-committees:

- Metrics
- Communications
- Joint Solutions

Please take a look back at the Charter.

CLARK: Everything we put forth goes through Gibbs.

CARTER: Through the Co-Chairs to Gibbs. It is by consensus, very collaborative.

EAGAN: We have asked for a briefing for 11 months – LMF asked.

CARTER: Mr. Gibbs wants to get an opportunity to get your input.

EAGAN: He has been all over the complex, neither NTEU Chapter has been notified that bargaining unit employees would be meeting with Gibbs.

CARTER: We have people asking for things that may be contrary to law or regulation. The goal is something that will improve the Department.

WALKOWIAK: This gives us more opportunity than we would otherwise not have. We have an opportunity to move forward on this.

EAGAN: We were told 3 months ago that we couldn't have a briefing because we were going to be getting one today. I don't want this to be an excuse to do less.

CARTER: The CHCO is travelling a lot. He took the time to come and benefit everyone with the briefing. He has invited you to pick up the cards.

PANSKY: This is our group. We will elect 2 Co-Chairs, if we can come to a consensus. That's the beauty of this group.

...: After the job structure report is written is it submitted up?

CARTER: Yes. The Task Force writes the Report, sends it to the Steering Committee. They send it to the Co-Chairs.





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SAUNDERS: Each party picks its own members to the Steering Committee. We will come back and ask for any concerns from the other side. The Steering Committee is to assist the Co-Chairs. The Co-Chairs are on the Steering Committee.

EAGAN: Why not have the Co-Chairs as ex officio?

SAUNDERS: We could do that, but we didn't decide on that.

...: 6 is not that different from 8. It sounds like we could go ahead.

SAUNDERS: Look at it. If it is really flawed, we can change it.

WALKOWIAK: We have decided to do it this way. We don't know if it is flawed, because we have not yet tried it.

SAUNDERS: We can see if it works. If not, we can fix it. We can impanel people over the short term, but we need to have the LMF approve it over the long term. Co-Chairs have to have leadership experience, competence, and availability. There is no veto from the other side, but we hope we can have consensus. On the Steering Committee we will have 3 management members and 3 labor members. It is 11:29 am. Let's caucus and return at 1:00 pm.

1:00 pm

CARTER: There is a list over on the table. We are going to break up into groups. The list specifies which group will be yours.

4:07 pm

SAUNDERS: Training was great. Ramona talked about consent decision-making. Mike talked about being disruptive, and don't do something unless it makes a difference (e.g., Is this how you want to spend your time? In order for me to win, you must win too – the mutual gain process. The only way to do that is if you have a plan for assuming that you both win). Denise had team-building; she started by telling you about herself, then got into the weeds. The key word in collective bargaining is wariness. Opposite parties are taught to mislead. All things today were briefings, we gave you a few nuggets. Tomorrow we will announce the decisions on the Steering Committee.

EAGAN: We still have a place or 2 for dinner for the labor side.

SAUNDERS: Gibbs invited the unions to PDI. He said "If you come up with good ideas, I'll adopt them." The invitation is there. The agenda tomorrow is soft. If you want to come up with suggestions, do so. We start tomorrow at 9:00 am.

4:14 pm

10/22/2014

9:00 am

SAUNDERS: Just to review: yesterday dignitaries came in and reaffirmed a commitment to the process. The CHCO came in and took some tough questions. I sat in with Labor and they arrived at a Steering Committee. I understand that Management did too. We had some good briefings. First I want the designees to





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self-identify. Today we will have a presentation from Lorrenda Buckner. If you have ideas, tell us. If you need some time, we can caucus. Give it everything, they want PDI. This afternoon we have more PDI, but first there will be a discussion of the differences between policies, directives, etc., by Chris Tirado. I want to explain today's speakers, their topics, and time frames.

...: Last year in August I thought there was a definition and agreement on PDI. We defined it as early, upfront engagement. Please understand this is not a personal thing. We are not engaged against Mr. Gibbs, this is the process. SAUNDERS: Anybody in the room can suggest a topic. The Co-Chairs can decide to add a topic.

CARTER: We had a PDI briefing in August. PDI is not defined in the Executive Order. We took the FLRA information in the August briefing. PDI is not a requirement at the department level due to no national recognition, but the Secretary has made a commitment to the process. It is going to be what Management determines is practicable. Regarding the HRSD, some decisions have been made and experts have made their recommendations; but not all decisions have been made. Bob Gibbs made himself available, to brief today and has asked for pre-decisional input on those decisions that have not been made

WALKOWIAK: Things are changing. If we can show Management that there is value, if we stop being negative, we can get Management to see a value in PDI. ...: Can we get a definition?

CARTER: If anything is before the final decision, it is PDI.

HAIRSTON: The Forum is set up to discuss matters. If we stay with the agenda, we can work through it.

PANSKY: These are appropriate comments. PDI is 3 words. For example we are going to have PDI on Performance Management this morning. Maybe the Performance Management PDI is going to be different from the PDI for HRSD.

CLARK: There are experts from all over. Management doesn't feel there is expertise in HR in this room.

CARTER: Most of the people in this room don't have an extensive background in HR.

CLARK: I have 5 years in Classification and I understand Staffing.

WALKOWIAK: I'm sorry that things did not work out as you wanted, but we have a great opportunity here. If we did something wrong, let's figure out what it is and go forward in the future.

EAGAN: Union selections were by secret ballot.

PANSKY: Labor Steering Committee members are:

Dan Doyle

Kim Parker

Tom Pansky

PARKER: I'm from Germantown. I have many years of Federal service, and I'm from NTEU.







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DOYLE: I'm from NETL, Morgantown. I've been the President since 1998.

This is a great opportunity to try to move the process forward.

PANSKY: I'm a Physical Scientist at BPA. We extract power from the rivers, rather than from coal or oil; my job makes us more compatible with the environment. I'm with the Professional Division of LIUNA. We have about 450 professionals in the bargaining unit. I've been the President since the 90's.

WALKOWIAK: Management Steering Committee members are:

Bruce Wynn – NETL

John Hairston – BPA

Erin Walkowiak -- Idaho

WYNN: In a former life I was a union steward in Orange County, Florida. I've been with DOE for 8 years. The HR Delivery study is a great thing. It is fabulous, embrace it! I am the HRD for NETL, and have direct involvement with our staff.

HAIRSTON: I have been with BPA for 18 years. Currently I am an Acting Vice President. I think that there are a few things for us to look at, particularly safety of employees. I'm looking for ideas for all employees on those things. I look forward to working with employees. I have worked with employees and unions. I think another thing that is important for discussion is discipline. No one likes it, but we have got to figure out how to deal with it. It will help us to be more efficient and effective. I am on the Steering Committee for HRSD: there are going to be improvements for employees, and that is going to be very interesting.

WALKOWIAK: I am an attorney at DOE, Idaho. It is exciting to see people make things better and have an opportunity to have a voice.

SAUNDERS: I would like to see the Acting Co-Chairs get together.

ACKERMAN: INTRODUCTION OF CYNDI MAYS.

Loretta Robinson and Ken Venuto will be in and out.

INTRODUCTION OF LORENDA BUCKNER.

We thought that you might want an update on Performance Management. That is an area where we have a lot of latitude to make changes.

BUCKNER: This briefing was tailored from the one in July. I have gotten feedback from customers. For 3 years we have gotten feedback and taken notes. Richland was the last one phoned in. [SEE SLIDES]. I take all the feedback: I take it; I want it; and I want to note it. I have received and reviewed all the unedited comments we have received.

SCHOENBERG: Reviewed conceptually, we don't have a mandatory leadership element at the GS-13, 14, and 15 levels. I have personal leadership responsibility for particular projects. If we don't have a leadership element, it is a missed conversation.

BUCKNER: That is covered by the Supervisory element.





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ACKERMAN: Tom Pansky brought up that they have local supplements that do not conflict with that.

BUCKNER: It is up to each site if they want to do that.

SCHOENBERG: Management has the right to assign, but if we don't feel we are being measured, we have an opportunity to voice that with the supervisor when critical elements are being used.

PARKER: There is a critical element for leadership.

BUCKNER: If HR goes to other HR offices, we can get examples.

PANSKY: Maybe if we have a growing library of possible elements with one set of instructions and one piece which is a library of good critical elements.

BUCKNER: We can do that. We would have to tweak it. We would have to capture that information. At BPA you can load in specific elements. No one has submitted anything to me. You have to let me know.

PANSKY: I suggest to the group that we might want to take this on. We could get a notice out asking what would be the perfect rating plan.

WYNN: Even within NETL there is a difference between goals, missions differ. NETL is different than BPA.

PANSKY: How many levels do we need?

BUCKNER: That's what we will talk about.

WYNN: OPM has to approve it.

BUCKNER: Our system has been approved by OPM, so we can do what we need to do.

EAGAN: We have seen the same response, sometimes in terms of resignation, cynicism, and withdrawal. We are driving the perfect to "Meets." It drives away from "Exceeds." We have in our CBA the right to ask for a definition of "Exceeds."

BUCKNER: By law, all we have to define is "Meets." We don't want the supervisor to box anything in. We need to keep in mind that, with the pay pool process, if all ratings are inflated, that decreases the value of the points.

EAGAN: You are looking for a disconnect.

BUCKNER: If everyone gets "SE," OMB will say "How can everyone be "SE?"

COLLINS: Performance Management systems are geared to the 1<sup>st</sup> line supervisor's bias. DOE is a top-rated organization. If someone gets a "Meets," they ought to have to justify it. How do you support the money to make employees feel good about themselves?

...: I recommend that we go down the agenda.

...: "Exceeds." One of the things that makes someone "Exceeds" is they have a creative contribution they bring. I have worked with several agencies, but I have never seen a 5 level system without critical elements. I think that if you make it 3 or 4 levels, that would be preferable.

BUCKNER: Right now the approved period runs from 10/1 through 9/30. We don't currently extend the rating period to make a 90 day period. Currently we





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add that on to next year (*e.g.*, a 15 month rating period). We put that in offer letters.

CLARK: When you add that to the next year you don't get 15 months' worth of money.

DURBIN: If we have someone come in in August, there is not enough time to get the person into the system. If we extend it, we are extending into the next fiscal year. If an employee has done well, we can consider an on-the-spot award or some other way to compensate the employee. If we hold up the system for one employee, it holds up everyone else. It would delay everyone's award.

CLARK: Just extend the rating period. The employee is not going to get an award.

DURBIN: The point was made that if you extend the rating period you won't get more money for 15 months than you do for 12.

...: I don't understand. You are just learning to do the job in the first month or two.

...: Separate awards from performance. If you come in as a GS-5, but are now able to apply for a new job, you don't have a rating of record and can't apply.

...: If you transfer, you should pick up the rating of record from the prior agency. If you are new, you should continue in your new job.

BUCKNER: We will not be going back to Pass/Fail.

...: They are so expensive to deal with and manage. A good part of the HRSD money comes out of the rating process.

DOYLE: Too many raters wait until the end of the year to make comments. They should be doing it all throughout the year. No one gets the job done by himself.

...: If you have a summary rating from a former agency, do we have a way to work with the old agency to get the pay-out or to count that rating?

BUCKNER: If you transfer to DOE, we will give a pro-rated rating within the last 90 days. The minimum period is 90 days. If you are on a PAP or PIP, should we extend the rating period until the end of the PAP/PIP or give a rating at the end of the rating period? I'm thinking about delaying the 9/30 rating of record to see if the PAP or PIP brings up the rating.

DURBIN: If they bring up their rating, are they then in the pay pool?

BUCKNER: We will have to look at it from both sides. Is it fair to everyone else?

DOYLE: The pool is so miniscule, I don't think that it is a motivator.

...: You should be on notice prior to August. You should not pass through 2 reviews successfully, then suddenly you are on a PAP/PIP in August.

CARTER: Send in your thoughts through your Co-Chairs.

PANSKY: I would suggest that no one be put on a PAP or PIP within the last 90 days.

CARTER: We can't violate the CFR.





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BUCKNER: We know that we should have plans in place within 30-45 days. Should the rating period begin at EOD or when you sign the plan?

...: When you sign the plan.

...: Are you getting paid?

BUCKNER: If you have not yet signed the plan, how can we hold you accountable?

...: The supervisor is responsible. If the supervisor does not get the plan signed, it is the supervisor's fault.

BUCKNER: If you come on in October and finally sign the plan in December in that window we can't hold anything against the employee, but whatever he/she did that is favorable is counted.

PANSKY: If you want a person to do good things and he/she does without being told, you can still recognize those things.

DURBIN: Under e-Performance it is easy to tell what a manager is doing and hold him/her accountable.

BUCKNER: Bear in mind contract factors.

DURBIN: We don't go into the indicators in training and it is not in the handbook. If we don't have the indicators spelled out, supervisors are making up their own. We should have them in e-Performance training. You have to know to look in the Supervisor's Handbook.

...: Is our customer internal or external? We are going to lean in that direction.

...: A lot of behavior-based factors have been turned into contributing factors.

BUCKNER: We have Communications and things like that that go with a particular job.

SAUNDERS: Let's take a break. It's 10:36 am.

.....  
10:51 am

BUCKNER: There will be no advisory rating for employees reassigning within DOE.

...: We have in one CBA that we will do that. We want to recognize what the employee has done.

BUCKNER: How many ratings does an employee receive in one year?

...: In our CBA, there will be 1 final and 3 meetings.

BUCKNER: How many levels should there be: 3, 4, or 5?

ACKERMAN: When we do the policy, we will benchmark other agencies.

BUCKNER: 97% of agencies have 5 levels.

...: What is your favorite?

BUCKNER: I have heard that everyone wants a level between "Meets" and "Exceeds."

...: I think that is an arbitrary way for someone to distinguish. For "NI" I think it is a good wake-up call rather than going to DEFCON 5. I think it is a more palatable discussion than between "Exceeds" and "Significantly Exceeds."





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....: The difference is how many elements are exceeding. If you meet 3 but are only exceeding 2, you are not exceeding.

BUCKNER: It is not that you only do something one time, but that you do it for the whole year.

....: You can be "Needs Improvement" forever. At what point do you get off that?  
SAUNDERS: Can it go on forever?

BUCKNER: Yes, it can. We have had this discussion. Some employees do come off of it.

DURBIN: You may consider, if it is an "NI" on a critical element can you still get a WGI? Should you then get a 3½% pay increase? I have not yet had formal instructions, but there have been at least 4 cases where employees have gotten WGI's.

....: I'm having problems with the performance plan. You can't consistently do more than is required all year long. If you do exceed for a few times at the beginning of the year, why bother for the rest of the year? You can't do it all year long.

JACKSON: For "NI," it is an acceptable level, so it would not preclude a WGI.  
CARTER: In light of a lot of press on the issue, do we want DOE reported to be giving Incentive Awards to employees who need improvement?

DURBIN: "ME" is not a "C." "ME" is your contract with the taxpayer to do your job.

....: We need to wordsmith. We hire the best and brightest, then give them an "ME." It is considered a "C."

BUCKNER: Details. Should they be longer than 90 days (e.g., 120 days)? If you are on a temporary assignment, and spend a short amount of time in your principal position, should we just adopt the temporary supervisor's rating, or just have it considered and the permanent supervisor gives the rating?

DURBIN: I think that there is a problem with the standards at other (temporary) jobs. It can give the appearance of unfairness and put problems into the workforce at the old position.

....: It is usually either/or, or could we consolidate/pro-rate the two ratings?

PANSKY: A formulaire rating: 2 ratings of record which are combined.

BUCKNER: Put that in your recommendation.

JACKSON: Are we changing the Delegation of Authority?

BUCKNER: We are trying to meet a happy balance.

....: When someone comes in from another agency without time-in-grade for the full performance level, if he/she completes time-in-grade, is that a rating of record?

SAUNDERS: Take down that recommendation and send it in.

PANSKY: Individually?





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CARTER: We would ask that you go through your Co-Chairs. We receive hundreds of comments.

BUCKNER: At DOE, up to 50% of critical elements are rated as "NI," and overall is still considered a "Meets." If 50% get "NI," we know that the policy is not necessarily in line with CFR. It should stay as is or stay the same. You cannot get a WGI and a QSI at the same time. If you are promoted to the full performance level you will not get extra money because you just got a promotion. Right now we are frozen at FY'10 levels. Everybody is different.

...: I have gotten more QSI's than most. I have an entrepreneurial spirit.

DURBIN: Look at the impact on the budget. If everybody jumps to Step 10, it impacts the budget and we will have to stop hiring.

BUCKNER: Federal law says that you must get the highest rating to get a QSI.

...: What is the intent? If you are going to limit QSI's, what is the alternative?

BUCKNER: Retention Bonuses.

...: QSI's are the gift that keeps on giving.

BUCKNER: Feedback was that Performance and Awards should be in separate Orders.

PANSKY: Why are they together now?

BUCKNER: They were that way before and we did not change it.

PANSKY: I suggest that we separate the contract for what we are doing from the awards – 2 orders is a step in that direction.

BUCKNER: We got feedback expressing the feeling that it would be better to go to a formal performance memo than a PAP with its limitations. If we retain the "NI," do we want to retain the formalized PAP?

...: All organizations have their own culture. We need to have as much flexibility in this procedure as we can.

EAGAN: I like to have more tools based on particular needs.

...: The whole 90 day thing seems pretty stringent. Maybe some language that allows for a different period. We may not need a 90 day minimum.

DURBIN: right now it is just as hard to do a PAP as a PIP. It should not be so hard to do a PAP.

...: For Project Leaders, 90 days is reasonable.

BUCKNER: We want to bring everybody up to "ME."

...: The understanding is that a PAP is informal. It does not go into the record. Why is it so formal?

BUCKNER: That's the feedback we have gotten: a PAP is too formal.

DURBIN: The purpose is to improve performance, not get rid of people. I think managers and some union officials have missed the point.

...: Does data exist that the system works?

BUCKNER: Yes. It does work.

...: The problem I have seen is that a lot of managers are feeling that they have to wait 90 days on a PIP. They don't understand that an employee can be let go





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while on a PIP before the passage of 90 days and it goes to "NI." Most supervisors don't understand that "NI" is different than "Fails to Meet," and from "Meets." A lot of people get "Exceeds" when they merely "Meet." A lot of people get "Meets" when they are "NI."

BUCKNER: That is the same scenario as extending the rating period.

PANSKY: We need to remind supervisors that they cannot wait until the last 90 days. They need to be kept in constant control.

JACKSON: Are you saying "Do not give the rating at the end of the rating period?"

BUCKNER: The only way an "FME" comes out of the rating is by a grievance settlement.

...: How do you get a final rating without a PIP?

CARTER: End of year PIP's without prior performance counseling's are rare. If by the year-end appraisal an employee fails to perform satisfactorily, such as an accountant not finalizing a major duty end of fiscal year report, consisting of a large portion of their satisfactory performance, and the failure is so egregious that an "FME" can be given, you would give the FME rating then take the PIP action and follow it through.

...: In the system, if the employee is failing to meet expectations, you have to give an opportunity to improve. You can't just take final action.

BUCKNER: Put in your emails.

SAUNDERS: We are close to lunch

CARTER: Thanks Lorrenda.

11:46 am

1:05 pm

SAUNDERS: INTRODUCTION OF CHRIS TIRADO

ACKERMAN: We are fortunate to have Chris and Camille. When guidance comes to us from OPM to get a directive out, they help us with our needs.

TIRADO: My topic is the roles and responsibilities of Department Directives. We will talk about: what is a Directive; Directive types; how to find particular Directives; and I will give you contact directions. We are the honest brokers in the Directives Program: We do not write Directives, but we monitor and issue them. We manage the RevCom process and the Directive Inventory. Directives are used to achieve DOE goals and mission, and are a means to foster sound management. We provide oversight of DOE guidance documents known as "policy." Within DOE, all are Directives, while there is a particular directive known as "Policy." Directive types are: Policy, Order, Notice Manual, and Guides. Manuals are being phased out. When an Order is revised, if there is a related manual, we ask that the manual be incorporated into the Order. There are only 15 Manuals left. A new website was rolled out last year and "Directives" is one of the tabs. There are other tools for writing directives, the subject-matter of existing directives, who produced them, etc. You can switch between current,





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draft, and archive versions of particular directives. Supplemental directives are not on that site. Supplemental directives are only used by one element/office. We do get requests for specific supplemental directives, sometimes we can find them, sometimes we cannot. You can sign up for notifications. Anyone can sign up, the site is available to the public. Anyone of us can sign up and help ourselves to the content.

JOHN CLARK: Basic Question. In the field, where does it become mandatory and when are there negotiations at the level of recognition?

CARTER: Making policy is a management right. There may be provisions in a CBA that require more notice and opportunity. We may provide situational awareness, but really the PDI opportunity is here in the LMF.

PANSKY: Guidance is not required?

TIRADO: Policy is a Directive.

PANSKY: At the Directive website is there an "Order" with a capital "O?"

TIRADO: Everything is a Directive. Guides are not Directives as they are "best practice." Supplemental policies, guides, SOP's are not in our World.

BEBEN: At one point in time we had "Road Directives." We have no control over them. HR came to us about Pathways. We do not get involved.

PANSKY: Typically whatever requirements are agreed to are required?

TIRADO: Not from our perspective. We would call it a "road directive."

CARTER: We did have an organization with an instruction. They came to us and the instruction was taken before the Directives Review Board. As the instruction connected to everyone, it became an Order.

DURBIN: The Supervisor's Handbook is not on your website?

TIRADO: Correct.

DURBIN: It does apply to all supervisors, but it is not a requirement?

TIRADO: Correct.

BEBEN: HC has a list of Directives in the pipeline now. We can't speak to everything in the process.

CARTER: At the local level there is latitude to issue supplements of your own, so long as you don't come into conflict with higher level directives. Think of it as State law versus Federal law.

ACKERMAN: There is a lot of stuff in desk references. We want to hold that out. We have been holding people accountable. EJ/EK hiring is an example. A person might not want something made an Order because it might change. We have a lot of work to do. We are trying to complete Orders first, then get to lower level documents. Orders are kind of like your Bible. Desk references are recommended best practices.

EAGAN: It would be helpful if we occasionally got short briefings.

ACKERMAN: We are still struggling with how to find the right way to best communicate and to get input.

EAGAN: RevCom can be very handy. It is very robust.







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ACKERMAN: We want comments. Some comments come from a different perspective and we will decide not to include them. We are doing a desk reference on Position Classification; most guidelines are in law or CFR, so it will be brief and refer to the citation. We want to show website access.

### Workplace Violence

ACKERMAN: Have you seen a Workplace Violence Directive at DOE? It's not there. Beau Newman is in my office and we are working on one. We need to put something out. The FBI, DHS, and others have lots of material on the subject. Some DOE sites have Security assets, some do not. I don't know what happened in the 1990's, but there was a lot of disagreement. There is one Department-wide guideline, one for this building, and another for Germantown. We will provide background for this building and Germantown, but not write the guideline (AU will). A copy of the draft was approved as DOE P 444.1. If you are going through a difficult time, is telework an option or are there other options? OPM has a huge document on that.

...: Could the policy give definitions?

ACKERMAN: In guides we give definitions on more common ones. Resources differ: is an LMER available, GC, other resources. The local plan will be site-specific; the Policy will say that each site will have a plan in place.

...: When?

ACKERMAN: Effective when the Secretary signs it. Each site will need to start work on a site plan.

...: Why is domestic violence in the workplace violence plan?

ACKERMAN: OPM mandated that we have the workplace violence plan. One bled into the other.

...: As a manager, if an employee misses a couple of days of work, then comes in with visible injuries, what is the manager's obligation?

ACKERMAN: EAP. If you have a situation, you are not in the military where you can direct a member to report somewhere.

NEWMAN: In domestic violence, it can bleed into the workplace. Where you have a victim, the victimizer can come into the workplace to finish the job.

...: If I get into a fight off the job, it is not the job's business.

ACKERMAN: That's not what we are saying. If it is encroaching on employees' personal lives, we are not wanting to infringe, but we are aware of the OPM guide on stalking and domestic violence. We don't want to take it outside the scope of a manager's duties.

CARTER: OPM felt that there were problems that we could address.

JACKSON: We have to look at the connection to the outside behavior to the job. If you are assaulting your spouse or fighting off the job, there may be a connection.

...: I don't know how the policy is written.





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JACKSON: The policy may not say that you can't be arrested for domestic violence.

ACKERMAN: If there is a problem which prompts someone to ask to work from home, we may investigate to find out if there is a job-related problem.

EAGAN: A key word was used: Safety. Now we are expanding the definition of safety to include other kinds of behavior that make employees unsafe. I think this has gotten more comprehensive, particularly at Headquarters.

...: Workplace violence bleed-over. Will there be some situations where an employee can go beyond the immediate supervisor?

ACKERMAN: If you go to the supervisor and don't get what you think you need, where do you go?

...: I've never had that come up. The guide should tell you.

ACKERMAN: We do list the other offices where you can go (e.g., the supervisor, ombudsman, EEO, Security). There may need to be more advanced training for supervisors.

...: Sometimes workplace violence is not taken seriously enough.

ACKERMAN: We need to take it seriously. We need to have that in the plan, and site plans need to be in place.

...: Are Unions a place to go?

ACKERMAN: Unions are a place to go if you have a union.

...: Do you have definitions for bullying?

ACKERMAN: We took that from the OPM guide.

...: Who investigates these matters?

CARTER: It involves the LMER, but it depends on the situation. If it does not deal with administrative discipline; than it should not be a LMER issue.

...: We have had someone come out to investigate the incident, but we did not have to try to investigate that type of incident ourselves.

ACKERMAN: How was it handled?

...: Not always the same. It might be Security, it might be someone else.

ACKERMAN: It is a local management issue.

...: If we have no local level training, how will they fix it?

ACKERMAN: We can't mandate that Idaho will have 20 people on the threat response program, we don't know how many people they have – 20 people might take out the entire office.

#### Desk References

ACKERMAN: At the bottom of the DOE website, go to the "Offices" tab, then go to the "Office of the Chief Human Capital Officer," then go to "Policies." We have stuff regarding veterans preference, nepotism, whistle-blowing, etc. Most of that material will be incorporated into an Order. You would have to work with your local HR Office, but this is a wealth of information.

CARTER: Send questions and concerns up through your Co-Chairs.





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DURBIN: If there are mistakes in Handbooks, who do I tell?

ACKERMAN: Tell me, but don't all of you tell me at once.

2:15 pm – Break

3:02 pm

CARTER: INTRODUCTION OF LYNETTE JOHNSON. Ms. Johnson has more than 20 years of experience in Retirements and Benefits. She took all the comments that Tom Pansky had consolidated and has tailored this briefing to address those concerns.

INTRODUCTION OF JUNE ROBINSON. Ms. Robinson has been with DOE for 10 years.

INTRODUCTION OF BRUCE MURRAY. Mr. Murray has been here since DOE was created and has a wealth of knowledge on a variety of subjects.

JOHNSON: Bruce was very instrumental in phased retirement planning. It is here. If you will write down your questions, I will give the answers to Jennifer Carter. I want all questions and answers as a manager's tool to use as an operations tool. I want to charm those with a wealth of knowledge into staying and mentoring the next generation and enable DOE to manage its workforce. Eligibility requirements differ with different retirement systems. OPM could not modify regulations for employees who are 62 years of age with at least 5 years of service, as there is not a wealth of experience built up. Phased retirees must have been employed on a full-time basis for not less than 3 years prior to retirement. VERA eligibles are not eligible for phased retirement. LEO's and Nuclear Materials Couriers are not eligible to participate in phased retirement. Participation is voluntary, requiring the mutual consent of the agency and the employee. We encourage that you receive counseling prior to entry into the program. A work plan must be developed before an eligible employee enters into an agreement (a Service Agreement). The Service Agreement must identify the possible period of service (at least 2 years, but not more than 3 years), the work schedule (not to exceed 50%) – overtime is very limited and the need must be heavily documented (life or death). OPM will require reports; if hours exceed 50%, there will be a problem with OPM. Benefits continue: worklife benefits, conditions of work. If the employee does not sign the agreement, he/she cannot work. Regulations limit the same position to ½ time.

MURRAY: The expectation is that the person will stay on his/her own job. It is up to the agency what to do with the other ½ of the job and the money for that position. You will be training replacements, so there will be FTE issues.

JOHNSON: You can participate in all insurance programs; however, this is not a permissible change event. Premiums remain the same. The FEGLI amount is based upon the full-time employee rate.

MURRAY: FEHBA and FEGLI are exceptions to part-time employee regulations.

JOHNSON: A phased retiree must spend 20% of work time mentoring.





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JUNE ROBINSON: We have a key tool for mentoring. It is not limited to one-on-one mentoring, we do group mentoring and executives willing to mentor top-down. We have an instructional document to help organizations develop and manage their own programs. Initially they must identify their goals. The program is very structured. We have identified the tools, schedule, monthly monitoring programs, and courses available.

MURRAY: What does it really mean? The expectation is that it will start right away. If you have a one-of-a-kind job, the phased retiree may go out and work with others. You may have directives that have needed to be written for a long time. You should have a person with responsibility to monitor the time keeping obligation, similar to an attorney tracking billable hours.

JOHNSON: You have to track to assure that the time requirements are met.

...: There is a 20% minimum. Can the time spent mentoring exceed 20%?

MURRAY: Sure. That is a minimum. Telework is also going to be an option.

...: In the OPM review there was a waiver. For example when the agency wants to phase out the position.

MURRAY: You are correct. That would require senior-level approval. It would be on a case-by-case basis.

...: On what basis?

MURRAY: It would depend on the current work schedule.

PANSKY: Does it have to be 40 hours per pay period?

MURRAY: It is 50% of a normal work schedule. The current work schedule includes leave; that would be OK.

PANSKY: Could it be 1 month on, 1 month off?

MURRAY: I don't know of any DOE schedule that does that.

...: Do you have the opportunity to bid on it?

JOHNSON: It won't be marketed.

MURRAY: It is a case-by-case decision. It is more a case of position management. It is designed to mentor a replacement. I don't know if there will be competition.

PANSKY: How do you decide who will be the protégé?

MURRAY: If there are too many applicants, one may have more knowledge than another. The denial would have to be in writing. If you already have a selectee for the replacement, the phased retiree could retire early, for the convenience of the Government or other reasons. The program is designed for the short-term. It is designed with up to 1 additional year if there is a special need.

...: For the Service Agreement, can management terminate it at any time?

MURRAY: There is an annual review to determine if there is good reason to continue it. Other reasons to terminate the agreement could include misconduct, poor performance, or loss of clearance. The phased retiree still has Chapter 43 and Chapter 75 rights as a part-time employee.





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JOHNSON: As a part-time employee, the employee's bargaining unit status could change depending on the CBA and the Certificate of Representative.

MURRAY: Phased retirees may return to full-time status by mutual agreement. If the agency has already back-filled the old job, he/she cannot return.

JOHNSON: Phased retirees may apply for a job with another agency.

MURRAY: Phased retirees may move within DOE or another agency at 50%. If they apply for and are selected for a full-time position elsewhere; however, they can only be a phased retiree once. They cannot go back to phased retirement ever again.

...: They signed an agreement. Are they not held to it?

MURRAY: If they decide they want to change a phased retirement, they can do so at any time. It is a good faith agreement between both the agency and the employee. Most managers will probably find other work if they complete the phased retirement work. At the end of phased retirement, if they are within 3 days of the end, the retiree may transfer somewhere else. It is kind of like waivers for reemployed annuitants; but the program is a little softer than reemployed annuitant.

...: If the Mentor cuts out before completion of the training, how do you expect the Mentee to fill in behind him or her.

MURRAY: We have tried to minimize the impact on the Mentee.

...: Is the work plan the performance plan?

JUNE ROBINSON: There need to be a set of goals. Mentoring is not for everyone.

...: If you are going to revise the performance plan to include a mentoring element, that is not necessarily a new performance plan.

JUNE ROBINSON: They are all separate documents.

JOHNSON: At full retirement, there is a composite retirement annuity with elections for survivor annuity, credit for unused sick leave, and an annual leave lump sum payment.

MURRAY: The retirement is re-calculated to include the phased retirement period.

JOHNSON: Phased retirees will have 2 retirement cards, but will only have the opportunity to make any deposits or re-deposits prior to the phased retirement. It is too late to make deposit or re-deposit while on phased retirement. There is no salary offset during the phased retirement period. Reemployed annuitants serve at the will of the agency and may be approved to receive their full salary.

MURRAY: You can't apply for a waiver of the offset if you are reemployed after the phased retirement period.

CARTER: Are there additional revisions to what we have already seen?

MURRAY: Not big changes. It is a better document now. The last comments are seeking union input. Once we get that, there will be a Policy Guidance memo,





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then we will institutionalize it into a Desk Reference. OPM has not yet given us the form to file with them. On 11/6 DFAS will be able to accept applications. The major obstacle is CHRIS. They had hoped to be ready to process applications by 11/6; CHRIS now says it will be ready in February. We will keep everybody informed. The real issue will come up in December: "Can I do that?" The answer is "Probably not."

JOHNSON: We will be training/counseling for those wanting to participate or where there is a death-in-service.

MURRAY: Open houses will have to be done at the local level.

JOHNSON: Other Benefits Officers are farther behind than we are.

SAUNDERS: That ends today. Tomorrow we have one small training segment on metrics, and we will be talking about the Steering Committee and Sub-committees.

4:06 pm

10/23/2014

9:00 am

SAUNDERS: We have a list of Co-Chair attributes. Once selections have been made we will announce them and invite them to make a brief statement about themselves. The caucus will be to talk about Task Forces or Sub-committees.

CARTER: We need to propose Sub-committees. There is an annual report which must be made and metrics need to be developed and tracked.

...: There are always administrative issues. Who keeps track of them and who updates them?

CARTER: I have been keeping them, just because that has been easier.

SAUNDERS: Operations is Jennifer Carter. We will talk about 3 groups. What will they be? It would be a good idea to have a Steering Committee meeting.

CARTER: I have a room near Dunkin' Doughnuts; I think they could meet at lunch time.

SAUNDERS: They can decide how many Sub-committees they will need. I have a surprise speaker who is very brilliant and an excellent speaker. The Charter requires that we open it up at the end to discuss topics for the next meeting.

SAUNDERS: Let's finish up the announcements from the Co-Chairs.

WALKOWIAK: John Hairston from BPA is the Management candidate for Co-Chair.

HAIRSTON: I am currently the Acting Vice President for Business Services for BPA. I'm looking forward to working with everyone.

EAGAN: You bat left and throw right?

HAIRSTON: That's true. My family is in baseball. I played pro for a while but didn't make it to the show.

SAUNDERS: Look at the characteristics for Co-Chair.





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PANSKY: Tom Pansky is the nominee. I went to work for BPA right out of college. I played hockey growing up. Is the Forum going to feel OK with 2 leaders coming out of the same element and the same side of the country?

EAGAN: Is there any reason that they both got selected?

SAUNDERS: All in favor raise your hands. It's unanimous.

...: Should we talk about sub-teams?

CARTER: The Acting Co-Chairs and I identified 3 Sub-committees, there can be more.

1. Metrics and Forum Report (the "pulse" committee)
2. Operations
3. Communications

The first provides the data to document that the LMF is making a positive contribution: improving labor relations; improving employee productivity; and reporting joint solutions.

The second needs help insuring that a minutes taker is available. I have proposed that responsibility rotate between management and labor. It can be the same person if they have the skillset. It would be great to demonstrate how use of technology has saved money and be able to recommend to the Department how other meetings can similarly save money. We are to post minutes on the website, along with photographs, write-ups, etc. The goal is to have it up by Christmas. We would submit it to the Forum Head for approval. This Sub-committee would keep a slate of Co-Chair nominees for election on an annual basis. This Sub-committee would also keep a pulse on desired in-person Forum meeting locations, and provide justifications for the recommended locations.

The third should seek out quick wins so that we can show that we are making progress.

...: We will need data.

CARTER: If you need data, request it through the Co-Chairs, and I'll see if I can obtain it. There are some Safety concerns; a tasker could be to work with employee concerns on safety issues and quality of life.

SCHOENBERG: It appears it is for multiple achievements. What is your sense?

CARTER: We would have to talk about it in the caucus. Sub-committees are "boots on the ground." The Steering Committee may think a recommendation is over-broad and may focus it more. When a Sub-committee submits a report to the Steering Committee, the Steering Committee refines the report and submits it to the Forum Head.

EAGAN: The Forum Head is Mr. Gibbs?

CARTER: No. It is the Co-Chairs and Mr. Gibbs. Mr. Gibbs is the Secretary's appointee. He is very busy, so I am his designee. The more results we show for the Department, the better. We will bring all concerns to the Secretary. It is Department-wide. We will try to tailor and direct the concerns.





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SAUNDERS: The Steering Committee will need to draft its own guidelines and submit them to the LMF for approval. Who are the people, how many sites? Take a leadership role to decide what the LMF will talk about. They have to do scope and they have to look at PDI. It is something that is a management right that management wants to discuss with the LMF. You can interact with local LMF's. You are the National, responsible for all the local LMF's. Discuss any issue with Department-wide relevance. If it is not Department-wide, it is not yours. You can provide reasonable support, but it is not yours. Find out what is important to the Department. Have they established any goals? Ask if there is a part that you can play. The Department can work on that and you can work on your part and get together with the results. The purpose is not just to meet every once in a while and do PDI. You have to look at and see if it has Department-wide relevance.

EAGAN: The local union pulled out of the local LMF. Is restarting that relationship a role of the National LMF?

SAUNDERS: Yes. The Executive Order applies to the Department, but it has no authority over unions. If you can assist, you can do that. The work would be done by the parties locally. There is only a limited amount of time. Hopefully, you can do some of this off-line with teleconferences and other means.

PANSKY: The discussion yesterday helped us to understand something we had not heard before. Looking at Performance Management, at some level things are pretty much the same. Would it be more cost-effective to look at it once in the LMF rather than 15 times at each locality. Jennifer Carter, you referred to an operations document. Can we get a copy?

CARTER: I will get it out.

SAUNDERS: What are the sub-committees? Should we have at least 3, but no more than 4?

SCHOENBERG: I think that number 3 could use more people.

SAUNDERS: Can you think who the sub-committee chair would be?

PANSKY: One of our learnings from Mr. Blake was to always work in pairs, so that it is not just labor or management. We are not limited to the people in this room.

CLARK: I have noticed that DOE is moving toward Lean Six Sigma. One manager was unsure if he wanted union involvement. If DOE is going that direction, we want to solve real problems.

SAUNDERS: We are going to bring up a speaker this afternoon. Labor can keep this room.

9:49 am – Caucus

1:00 pm

SAUNDERS: [SEE HANDOUT] NCLMR Webinar. The link to NCLMR Webinars will be sent out.

HAIRSTON: Tony is a very talented guy. It's good to have him.





NGUYEN: From what I understand your metrics will be focused on the Agency mission, employee satisfaction, and labor relations improvements. Chris Johns is dual-hatted as the PIO and the Fiscal Officer.

LORETTA ROBINSON: The big bucket issues are at the top (*e.g.*, Safety) [SEE SLIDES].

NGUYEN: In 2014 (April) we issued the latest Strategic Plan. It is aligned under the Under Secretaries portfolios. DOE needs a fully engaged and high performing Federal workforce.

PANSKY: We have asset management plans for everything else. If staff are our most important asset, we should have an asset management plan for staff.

NGUYEN: A plan is written to meet DOE's needs. The DOE plan has 5 performance goals, combined for HR into 3 broad areas: Leadership, People, and HR Service Delivery. Employee surveys are given annually in April by OPM. It is a Government-wide tool that can be used to compare agencies.

EAGAN: Will you make office-level data available this year?

NGUYEN: I wanted to open that up for discussion. The President's second term agenda is creating a 21<sup>st</sup> Century government. We have that overarching goal. The website is very useful, it lists agency priority goals. The Government-wide target is to improve on employee engagement by 2016. We want more than 64% positive responses. Currently we are just under 64%. We want to move up by 3%.

PANSKY: There is a new website: [unblocktalent.gov](http://unblocktalent.gov). When can we get access to it?

NGUYEN: That is a good subject for discussion. It is intended to inform. Access to it is good.

...: The answers are based on the number of people who are actually engaging.

NGUYEN: It is a very valuable management tool for looking at symptoms, not causes. If an organization is going through tremendous change, you can expect to see a lot of changes in the data. Bob Gibbs has stood up the Office of Metrics to analyze the data and better understand the results. We have sent out data (over 340 break-out reports). The powerful thing is that it gives us results. They have to have 10 or more responses. Each link is unique, so if you forward it to someone else, he or she will be answering for you. There is no break-out if there are less than 10 responses because it will be possible to identify the respondents too easily. In terms of having the best responses, we want to stress that we need to get at least 10 responses to get any results at all.

LORETTA ROBINSON: We are looking at issues that we can take on a Department-wide basis. If we can work collectively on a Department-wide issue, we can look next year to see if there have been improvements.

NGUYEN: An employee can be satisfied, yet not engaged. Engagement is caring about the organization and the mission. We all know who will get the job



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done no matter how late the task comes in. When we look at survey results, we can pull out how safe an employee feels in the job. We can pull out an employee engagement index. In the 2014 results, over 50% of DOE employees responded (versus 47% across Government). In the last 6 months supervisors have talked about positivity, but there is a gap in the meaningfulness of the discussion. Partnership for Public Service is a good place to look for analyses. In DOE the "Best Places to Work" are NNSA? and BPA?

DURBIN: Have you looked for agencies with similarities?

NGUYEN: Yes, we have. OPM now gets the data out more promptly. OPM generates a management report and an overall management report, but beneath is just raw data.

EAGAN: Recently an Acting Assistant Director called the Offices that were highly regarded. I think those scores will go up next year.

LORETTA ROBINSON: If we look at those kinds of things as an LMF, we can encourage everyone to look at that, too.

NGUYEN: It would be good to see that. Question 41 is very powerful. If we do something but don't communicate it to employees, then no one becomes aware.

PANSKY: We tried to brainstorm areas that might go with our topics. Could you stay a few minutes longer?

NGUYEN: This is where we could all come together. In this year's agency report, 0 increased and only 4 hit 65% or more. The rest stayed the same or went down. It gives a snapshot in time. Like a credit score, it is only an indication of good credit. You want good management procedures before you go in for an evaluation. The purpose of the tool is what leads to the higher score. We will send you a link.

.....  
2:23 pm

HAIRSTON: Tom and I wanted to share the results. Hopefully we can lay it out. We are talking 4 meetings per year, 1 of which is in-person. We will have Sub-committees. We will have to be sensitive to folks' time. We want time spent to be well spent.

PANSKY: We do appreciate the enthusiasm.

HAIRSTON: I thought lunch was great. We had some constructive communication. We have laid out a footprint for how the meeting would go, and we are pretty much in line. We thought we could live with what had been laid out. This Forum is tasked with workplace improvement. We felt that falls under the Joint Solutions piece. How does it come to the attention of the Joint Solutions Sub-committee? We felt comfortable with having that fall under Joint Solutions. There is a lot of enthusiasm, but we wanted to narrow it down to about 3 initiatives at first. We changed Operations Sub-committee to Administration and Public Affairs Sub-Committee. The Metrics and Forum Report Sub-committee will engage the group to see what are the measurable aspects. We have added a





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Procedures Working Group within the Steering Committee to govern how we make decisions and get where we are going.

PANSKY: Subjects of interest were tossed into Joint Solutions. We thought we would formulate the membership and toss it to the body.

HAIRSTON: We have to have a criteria for when to include something: the Secretary's approval/emphasis. How many will take on something, and who will take it on. For Joint Solutions Sub-committee we have 2 Steering Committee members and 4 other members to work on the deliverable. We want to assure that we bring the Secretary the correct rock.

EAGAN: We need more hands on Joint Solutions.

PANSKY: The 6 people are not the ones who will work on the individual issues.

SCHOENBERG: I would like to take the 4 to 6. The Sub-committee should not be overshadowed by the task.

WYNN: Steering Committee members are appointed to each Sub-committee. If you roll it up, those members will be able to double up.

...: I thought that the Sub-committee was going to recommend that a work group be appointed which would be answerable to the Steering Committee. It may not be necessary to go from 6 to 8.

BLACKSTONE: Nothing says that we can't come to a consensus to move forward and add more later if we need to.

HAIRSTON: We have assigned a Steering Committee member to each Sub-committee. We would then add 2 members each from the body. We want to assure that each is well-informed.

SCHOENBERG: I'm concerned about overwhelming them.

WYNN: We did not want a lot of side-bars going on. We can't go ahead without a quorum.

DOYLE: If we go with 2 plus 6, it allows the Steering Committee members to be go-betweens. More gets more buy-in. If in 1 week or 6 months we need to change it, we can.

...: I don't know why there are so many levels if we don't use them.

HAIRSTON: We may have to discuss about how much we take on.

DURBIN: It is important not to take on too much to be successful. If you make Joint Solutions bigger, there is a tendency to take on more than you can handle.

...: I think the Steering Committee is a liaison.

...: When it comes to the size of groups, some are looking at a small group as a bottleneck. In fact the larger the group, the more difficult it will be to reach a consensus.

HAIRSTON: At the end of the year if we show little or no results, we will have overdone earlier.

PARKER: We are getting too far into the weeds. We need to get the names up there. We are taking too long.





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CARTER: For Metrics and Forum Reports we have John Hairston and Kim Parker from the Steering Committee, and Keith Collins, Mark Lusk, Doug Aoyama, and Steve Durbin. For Administration and Public Affairs Sub-committee we have Erin Walkowiak and Dan Doyle from the Steering Committee, and Keith Blackstone, Ron Freeman, John Clark, and Lilas Soukup. For Joint Solutions Sub-committee we have Bruce Wynn and Tom Pansky from the Steering Committee, and Wayne Davison, Heather Quedenfeld, and 2 labor participants. The remaining labor delegates could be on working groups.

HAIRSTON: The management preference is to stick with 4.

ROGERS: I think that Joint Solutions is the most important. We can't have 4 people represent the whole LMF.

HAIRSTON: The only thing I would say is will we really be able to work with that approach (by "we" I mean the Steering Committee)? It is pretty organic.

ROGERS: That is a serious committee there.

HAIRSTON: Do you think 4 or 6 will be how ideas are pared down?

CARTER: Can you identify what issues interest you?

GRIFFIN: PDI and FTE.

ROGERS: Performance Management and Telework.

GARNER: Making sure that things are done correctly.

KENNEDY: Making sure that things are done correctly.

SCHOENBERG: Safety and Performance.

EILER: Make sure employees are protected.

CARTER: If you identify suggested items of importance, they could be work groups. Tony talked about more participants on the employee survey. If we can show that there is an increase in participants as a result of the LMF, that will be a tremendous public relations credit: a high visibility win that will get the Secretary's attention.

...: We could put 2 in and put the rest as alternates.

PANSKY & HAIRSTON: We can agree to all the union participants with only 3 management members on the Joint Solutions Sub-committee. The union participants will participate as they want to do.

.....  
3:28 pm

CARTER: We have had some Big Wins!

- We have selected the Co-Chairs.
- We have selected the Steering Committee.
- We have selected the Sub-Committees (and worked past the imbalance in the number of members).

Now I propose that we put out a chart designating the Co-Chairs and others in their various positions. Something to think about: the LMF can be as big or as small as you need it to be. Some labor-management forum chores:

- The number of participants taking the employee survey.





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- If the number of participants increases by 3% because of union push at union meetings and management push at management meetings, we can push that up to Tony, who will pass that on to the Secretary.
- PDI.

Hopefully, we have some folks on the line. I'm going to turn it over to Kurt.

SAUNDERS:

PARKER: For the Sub-committees, we need procedures for the Sub-committees.

CARTER: When can you deliver?

HAIRSTON: For the next meeting or earlier?

...: I'm perfectly confident that the Steering Committee can do it earlier.

DOYLE: I thought that the Public Affairs Sub-committee could assess or help along the local LMF's.

PANSKY: All 3 Sub-committees can report out for next meeting. The Steering Committee will determine Sub-committee procedures not later than the next meeting (SOP's and Standard Charter). The Steering Committee has provided 3 pages to start. You Sub-committees can flesh out what the actual roles will be.

DOYLE: I will get a draft of the communication and circulate it to the other Sub-committee members.

SCHOENBERG: We need to get a web page and/or facebook page up, then get everybody's Sub-committee charters up and the roles of each.

PANSKY: If we get this done before the next meeting, we will have more time to do other things.

HAIRSTON: 1. Reporting out

2. Evolving issues

PANSKY: 3. Upcoming issues from the Steering Committee

4. HRSD Briefing.

CARTER: If we can do the briefing before that are you interested?

...: Yes.

EAGAN: We don't want to have briefings at our meetings.

PANSKY: There might be updated news that happens the day before the meeting.

CARTER: The last time we did 11:00 am to 3:00 pm. Today I will get the slides out. They were drafted from your previously provided PDI notes.

SAUNDERS: Are we done with PDI on Performance Management?

ROGERS: I have more ideas from yesterday's briefing.

ACKERMAN: Any recommended solutions can be forwarded.

ROGERS: We have a Sub-committee; we can work up through that.

PANSKY: That makes perfect sense to me. Any new issues or new business?

EAGAN: Can we sponsor something with Bob prior to the end of the year?

CARTER: I have promised to try. I don't keep his calendar.

...: What about the minutes? Does the body approve them?





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CARTER: Robert's Rules would require it. We should do that (accept the minutes by a vote).

...: Could we email the response/vote?

PANSKY: That does not work on a different server.

SULLIVAN: I have a recommendation for new business.

PANSKY: New business, go ahead.

SULLIVAN: I recommend adding an agenda item to the next meeting to establish a method to recognize the participants of the forum, contributors who present to the forum and for local LM forums.

PANSKY: Sounds like a great idea, thank you.

CARTER: That is a good idea, we had a lot of people work hard and there is no funding for the forum, so recognition is an important way to show appreciation.

SULLIVAN: Receiving something from the DOE nationwide forum could be a significant way to say thank you.

PANSKY: Folks at Headquarters have made us a letterhead of our own.

HAIRSTON: We may need a dashboard to demonstrate what the Forum has done.

PANSKY: I think that I can write up a summary if you want.

3:57 pm – Adjourn

Robert C. Gibbs –  
Secretarial Designee

John L. Hairston – Co-Chair (Mgmt)

Thomas Pansky – Co-Chair (Labor)

#### Steering Committee

John L. Hairston  
Thomas Pansky  
Erin Walkowiak  
Kim Parker  
Bruce Wynn  
Daniel Doyle

Metrics and Forum Reports Sub-committee	Administration and Public Affairs Sub-committee	Joint Solutions Sub- committee
John Hairston -- SC Kim Parker -- SC Keith Collins Mark Lusk Doug Aoyama Steve Durbin	Erin Walkowiak -- SC Dan Doyle -- SC Keith Blackstone Ron Freeman John Clark Lilas Soukup	Thomas Pansky -- SC Bruce Wynn -- SC Wayne Davison Heather Quedenfeld Wanda Rogers Judy Schoenberg Paul Eiler



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		Karen Griffin Kent Kennedy Brady Garner
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