INTERNATIONAL FEDERATION OF PROFESSIONAL & TECHNICAL ENGINEERS

AFL-CIO & CLC

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July 23, 2018

Dear Representative:

On behalf of the International Federation of Professional and Technical Engineers (IFPTE), representing upwards of 90,000 workers in the private, federal and public sectors, we are writing regarding two bills that are aimed at ending federal employee due process protections, and erode the scope of bargaining for federal unions.

The first bill is HR 559, the so-called Modern Employment Reform, Improvement and Transformation Act (MERIT Act), which is a catch-all bill that includes many of the anti-federal employee proposals put forward by some in Congress over the last several years. This legislation, which is sponsored by Representative Barry Loudermilk (R-GA), would significantly erode the due process rights of federal workers facing potential adverse actions, eliminating the ability of workers in a collective bargaining unit to use union-negotiated grievance and arbitration procedures to fairly and efficiently proceed through the adverse actions process, as well as during Reduction-in-Force (RIF) situations. This legislation also increases the burden of evidence in misconduct cases from preponderant (51 percent) to substantial, which can be as little as a scintilla of evidence. Further, HR 559 shortens the amount of time an employee can appeal an adverse action to the Merit Systems Protection Board (MSPB).

IFPTE also opposes HR 6391, the so-called Merit Systems Protection Board Reauthorization Act of 2018. This bill, sponsored by Representative Jody Hice (R-GA), all but removes MSPB's authority to mitigate penalties, allows for "summary judgement" decisions without a full hearing, and charges employees a fee to file an appeal with the MSPB.

These bills are draconian attempts to move the Civil Service towards at-will employment and politicized hiring by expediting the MSPB appeal time limit, removing the grievance process, and allowing MSPB judgements without employee appeals hearings.

Both bills were unfortunately approved last week by a partisan vote in the Oversight and Government Reform Committee. If they come to the House floor, IFPTE urges you to vote against them.

Thank you for your consideration. If you or your staff have any questions, please contact either of us directly at (202) 239-4880.

Sincerely,

Paul Shearon,
President

Matthew Biggs,
Secretary-Treasurer/Legislative Director