



DEPARTMENT OF VETERANS AFFAIRS
DEPUTY ASSISTANT SECRETARY FOR
HUMAN RESOURCES MANAGEMENT AND LABOR RELATIONS
WASHINGTON DC 20420

JAN 20 2011

Irma Westmoreland, R.N.
Chair, NNU-VA
5247 Mike Padgett Hwy
Hephzibah, GA 30815

Dear Ms. Westmoreland:

This is in response to the merits of your grievance dated October 8, 2010. On November 4, 2010, the Agency responded by informing NNU it could not accept the grievance as filed by NNU because UAN was still the exclusive representative of nurses in a number of VA facilities. The Agency further stated that it reserved its right to respond to the grievance if and when appropriately filed. NNU re-filed the grievance on December 6, 2010, after the FLRA certified it as the exclusive representative for the approximately 8,725 VA nurses in the national bargaining unit (Case No. WA-RP-10-0039 [65 FLRA 259]).

Your grievance concerns an alleged violation of paragraph 2 of a MOU between NNU (UAN at the time the MOU was signed) and the VA, which provides that "[t]he RN designation will be on all RN PIV [Personal Identity Verification] cards. Until this can be accomplished the facility will continue to use the current system for ID cards issued with the RN designation." You state that as of the date of the grievance, management has failed to add the RN designation on the PIV card. It is also alleged that management's failure to act "has caused hostile confrontations and disparate treatment with local UAN officials when they have sought to enforce the National [MOU] and concern among the RNs as to access to work and discipline for not having the PIV cards." Moreover, you state that local management has issued large, colorful RN badges to attach to the current ID card in an attempt to bypass the requirement in the MOU. As a remedy, you request that management immediately make arrangements to add the RN designation to the PIV cards.

The Department accepts its responsibility to comply with the requirement in the MOU to place the RN designation on all PIV cards, and is working diligently toward that goal. In large part, the delay in implementation has been caused by the establishment of system requirements that are needed to accomplish this task and the requirement to validate the RN's professional standing prior to incorporating the RN designation on the PIV badge. With regard to the system requirements, the Veterans Health Administration (VHA) has developed a basic PIV user reference for those involved in the PIV process to ensure that authorized use of the RN designation is maintained.

Proper validation of an RN's professional standing, however, continues to be a problem we are working to correct. The purpose of the PIV badge and Homeland Security Presidential Directive -12 is to provide a mandatory, government-wide standard for secure and reliable forms of identification issued to federal employees. Federal Information Processing Standard 201-1 requires identity proofing and background investigations to verify identity. The PIV badge is more than just a name tag. The higher level of identity credential authentication and verification for a PIV credential demands that any information, such as the RN designation, must maintain the same high level of authentication and verification. In order to add RN to the PIV badge, a system must be instituted that allows sponsors to verify that the applicants who desire to have the RN designation on their PIV badge meet the VHA registered nurse requirements for that profession. It is essential that the RN designation on the PIV credential matches the high level of professional credential validation required by VHA and the high level of identity validation that the PIV credential represents. In light of the harm that could result if a person who is not an RN obtains a PIV badge with the RN designation, a validation process is a primary factor in assuring the safety of patients.

The PIV program office and VHA have agreed that VetPro will provide the necessary validation of credentials for RNs. VetPro is the VA's web-based system used to credential VA's healthcare providers. VetPro increases the efficiency and accuracy of the credentialing process. The PIV system is being modified and procedures are being developed to access VetPro and add the RN designation to the PIV credential during the PIV application process. In addition, a process is being developed to notify PIV managers and sponsors of the need to terminate the badge when the employee no longer qualifies as an RN because his/her nursing credentials have expired or for other reasons. Education and oversight programs must also be established to ensure that all PIV stakeholders have been properly trained on these procedures.

It is anticipated that the systems for placing the RN designation on the PIV badge will be completed and ready to be implemented on or before August 31, 2011. It is important to note that while the MOU does not set a deadline for when the RN designation will be available on the PIV badge, the Department will continue to allow RNs to use their current identification cards with the RN designation as required in paragraph 2 of the MOU.

The grievance further alleges that "[l]ack of management's action if [sic] obtaining the RN designation on PIV cards has caused hostile confrontations and disparate treatment with local UAN officials when they have sought to enforce the National and concern among the RNs as to access to work and discipline for not having the PIV cards." Management is not aware of, and the grievance does not

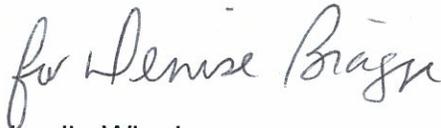
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provide any examples of, instances of PIV badge related disparate treatment, hostile confrontations, or discipline. Such actions are not condoned and appropriate corrective actions will be taken when brought to management's attention.

Finally, NNU states in the grievance that "[l]ocal management has initiated distribution of colorful, large RN badges for RNs to attach to their current VA ID card to bypass the need for the RN designation on the PIV badge." As stated above, paragraph 2 of the MOU requires RNs to be able to use the current system for ID cards with the RN designation until such designation can be placed on the PIV badge. The distribution of colorful, large RN designated badges is one method of complying with the requirement in the MOU to allow RNs to use the current system for displaying the RN designation until a system is in place to allow the PIV badge to have the RN designation. There is no intent to bypass the need to place the RN designation on the PIV badge.

Although for the above-stated reasons the union's remedy cannot be granted immediately, it will be granted on or before August 31, 2011, when the RN designation will be available for use on the PIV badges. If you have any further question, please contact Douglas Katcher. He can be reached at (828) 298-7911 ext. 13500 or douglas.katcher@va.gov.

Sincerely yours,

A handwritten signature in cursive script that reads "for Denise Bragan".

Leslie Wiggins
Deputy Assistant Secretary
for Labor-Management Relations