

NATIONAL GRIEVANCE

Date: October 15, 2008

To: Meghan Flanz, Deputy Assistant Secretary for Labor-Management Relations,  
Department of Veterans Affairs (VA)

Re: Failure of the Collaboration Process with regard to Social Workers

From: Bill Wetmore, Chair, Grievance and Arbitration Committee, National Veterans  
Affairs Council, #53, (NVAC), American Federation of Government Employees (AFGE)

1. This National Grievance is filed under the provisions of Article 42, Section 11 of the Master Agreement between VA and AFGE, signed March 21, 1997 (MCBA).
2. During the collaborative process pertaining to second generation hybrids not including social workers (and Blind Rehabilitation Specialists), the parties reached agreement to follow a "matrix" of provisions in implementing the guidelines for Professional Standards Boards (Boards) and otherwise implementing the manner in which Title 5 employees would be placed in Hybrid status. When this was discussed during the August 25 to 29, 2008 face-to-face meetings, VA did not deny that there was agreement on the matters set forth in the matrix but VA did not agree to comply with that agreement by adjusting any of the implementing documents for second generation hybrids or the social work hybrids being discussed at that meeting.
3. Other matters were brought forth during the collaboration meetings described above but VA consistently refused to deal with those matters; rather, VA consistently indicated that there would be no more face-to-face meetings on the matter and that the matters brought forth by AFGE were either not part of the collaboration process or should be handled in another forum. AFGE consistently said that there were multiple matters which could be properly handled in another meeting face-to-face and enumerated those matters in sufficient detail to show that another meeting was in order.
4. In light of the position enumerated in the August meetings, a written request for another meeting in Washington, DC, was sent to the VA Acting Assistant Secretary for Human Resources and Administration on September 4, 2008. The response was received on or after September 19, 2008. That response was that there would be no more face-to-face meetings on converting social workers to hybrid status. That response inaccurately characterized the issues remaining for collaboration to be limited to a single paragraph in a guide. AFGE objects to this minimizing of an extensive list of concerns. The response also asserted that other matters, without elucidating them, were outside the scope of collaboration. AFGE welcomes a definition of collaboration but our view is that the matters discussed were discussed with respect to the second generation hybrids and should have

been discussed in this matter of the social worker hybrids. The response also stated that formal proposals were required for the collaboration process. AFGE has not considered formal proposals to be part of the collaboration process and requests that an example of a formal proposal delivered in the past is offered so that formal proposals may be made in the matters we believe must be considered before implementation.

5. The response continued by claiming that a further meeting was not warranted "at taxpayer expense." AFGE strongly objects to the implication that a face-to-face meeting to resolve complex and complicated issues properly is not warranted. The number and complexity of the issues remaining ought to be dealt with in person, for as much time as it takes to satisfy the collaborative process. VA's desire to not meet is almost palpable in the response and we find it nether grounded neither in the law governing collaboration nor in any view of successful labor-management relations.
6. We have attended the conference calls and find that while progress has been made, there remain numerous issues which ought to be resolved. A review of the notes taken by management ought to sufficiently establish that there are too many outstanding matters to consider the collaboration process to be final with respect to the hybrid status of social workers.
7. In light of these circumstances, we request the remedy that no implementation of converting social workers to hybrid status occurs until all of our concerns have been thoroughly satisfied. We believe that this may be most efficaciously completed by arranging for a face-to-face meeting in Washington, DC (ever mindful of savings the taxpayers unnecessary expense). At that time, we expect to deal with numerous issues, including many already set forth in the matrix to which we alluded above.