

**Department of Veterans Affairs**  
**National Partnership Council**  
**Guidance for the Implementation of the Executive Order 13522**

**Purpose:** Assist in the development of labor management forums at the intermediate (VISN, AREA MSN), and local organizational levels, where there are none and also with the enhancement of existing labor management forums [committees or councils, to be consistent with EO 13522.

**Pre-Decisional Involvement:** Management should discuss workplace challenges and problems with labor and endeavor to develop solutions jointly, rather than advise union representatives of predetermined solutions to problems and then engage in bargaining. Labor-Management forums are compliments to Collective Bargaining, they do not replace it.

**Process of questions to ask when establishing labor management forums.**  
**Consider the following:**

- **Who?** An equal number of decision makers from labor and from management who are responsible leaders willing and authorized to make decisions and promote trust.
- **What?** To engage in ongoing dialogue concerning all workplace matters to the fullest extent practicable, without regard to whether those matters are negotiable subjects of bargaining under 5 U.S.C 7106.
- **When?** Labor management partners should jointly decide the meeting dates, times and frequency
- **Where?** Labor management partners should jointly decide the location.
- **Why?** To establish a cooperative and productive forum of labor management relations and to simultaneously improve services and products for veterans and the work environment for employees.

**Recommendations about Joint Training**

- Recommend that labor management forums receive training jointly for the entire forum. Forums are encouraged to utilize third parties that have subject matter expertise.

**Examples, but not limited to:** FLRA/FMCS Executive Order Training Labor Management Forums, Interest Based Bargaining, Labor Contracts, Mediation, Statute, etc.

## **Duty Status**

All forum members will be in a duty status while participating in the forum business. The forum may establish committees, task forces, or work groups as appropriate to carry out work of the forum. Those serving on such groups will be in a duty status. All employees participating in activities beyond or outside normal duty hours of those involved will be considered in duty status.

## **Metrics to be followed at National Level**

The E.O. requires the establishment of metrics to track effectiveness, when labor-management forum(s) decide to engage in addressing particular agency problems at the respective level(s). Forums are strongly encouraged to develop metrics to monitor overall improvements in areas such as: labor management satisfaction, productivity gains, cost savings, and other areas as identified by the forum participants.

For example: Better labor management relations, Improved quality of employee work life, Improvements in ability to accomplish mission and deliver high quality products and services.

## **Resources**

As outlined in the VA Implementation plan, the Secretary and Deputy Secretary of the Department have already met with the NPC and expressed their belief in the importance of a cooperative and collaborative labor-management relationship. The Department's leadership is fully committed to that end and will devote sufficient resources to ensure that this EO Implementation Plan is successful. In fact, the Deputy Secretary is representing the Department in the National Council on Federal Labor-Management Relations. The Department has identified initial resources to begin the training necessary to have both labor and management competently engage in pre-decisional involvement. After analyzing the results of the survey, the Department will dedicate additional resources, as necessary, to address any identified gaps that may impede the development of proactive and productive labor-management relations forums.

## **Tools**

The National Partnership Council (NPC) will establish a location for resources, references, materials, FAQs, etc. and as facilities develop their own forum materials; they are encouraged to send those to NPC. The NPC will review these materials to identify best practices. The following websites contain existing forum tools:

- VISN 2  
<http://vawww.visn2.med.va.gov/emp/labor.html>
- National Council on Federal Labor Management Relations  
<http://www.lmrcouncil.gov>

The NPC recommends the establishment of a Partnership Agreement, Ground Rules/Expectations, Rules of Conduct, etc.

Attachments (2)

Executive Order 13522  
VA Implementation Plan