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VA Secretary clarifies collective bargaining authority related to professional conduct, patient care

WASHINGTON — Today the U.S. Department of Veterans Affairs (VA) announced that VA Secretary Robert Wilkie clarified that unions can no longer use collective bargaining rights when it comes to professional conduct and patient care by VA providers.

Specifically, Secretary Wilkie has taken back rights the VA gave away under the previous Administration to preclude collective bargaining on issues indirectly related to VA providers' professional conduct or competence (patient care).

In doing so, Secretary Wilkie is refocusing VA providers' commitment to Veterans' care and VA's ability to deliver that care.

Wilkie rescinded a [Memorandum of Understanding \(MOU\)](#) that VA entered into in 2010 with National Nurses United, Service Employees International Union, National Federation of Federal Employees, and National Association of Government Employees on VA's application of 38 U.S.C. § 7422.

As a result, unions will no longer be able to use collective bargaining when it comes to VA providers on issues indirectly related to their professional conduct or the care that they provide patients at the VA.

"President Trump has made it clear that we want our providers laser-focused on caring for Veterans and that's exactly what we're doing here," said Secretary Wilkie. "This move today ensures that unions can't bargain on issues related to our providers' professional conduct or competence, essentially patient care. Our nation's heroes deserve no less."

Secretary Wilkie's action today builds on [VA's implementation of a recent Presidential executive order \(EO\)](#) that outlined new guidelines for how union officials use work hours when representing federal employees.

The executive order affects about 1,700 VA employees using taxpayer-funded union time – **including two doctors, 65 nurses and 405 other employees who spent 100% of their taxpayer-funded time working on nothing but union business.**

Approximately 300,000 VA employees are represented by one of five national unions. The executive order's restrictions regarding time spent on government work include member solicitation, lobbying activities, elections of union officials and collection of dues.

As part of VA's implementation of the executive order, VA employees who previously spent 100 percent of their official work hours on union issues can devote no more than 25 percent of that time to the union. Union leaders also must request and receive approval of their use of taxpayer-funded union time to allow the VA to monitor the use of this time to ensure that it's only used for authorized purposes