August 27, 2018

VICTORY FOR FISE
A MESSAGE FROM THE PRESIDENT

Dear Union Member,
Awesome! That’s one of the descriptive words I used when I heard the exciting news about the lawsuit FISE had filed against President Trump and his administration. The union’s attorney, Jason Lewis, informed us over the weekend that we had prevailed, that we were victorious! We learned that a federal court judge in Washington D.C. struck down key provisions in the three Executive Orders (EO’s) Trump had issued just before Memorial Day. In her ruling, the judge took issue with specific elements in each order, barred the administration from carrying them out, and ruled in favor of the unions. In short, justice was quick and decisive!

FISE had taken an aggressive stand against the EO’s, calling them ill-conceived and an attack on civil service employees. In June, we joined a lawsuit filed by the American Federation of Teachers (AFT), which claimed the EO’s attacked the lawful rights and protections afforded federal employees by inappropriately and unlawfully restricting provisions contained in our existing collective bargaining agreement (CBA). We demanded that the court immediately reverse the EO’s, which contained new rules that had already begun to take effect in several of the agencies where we have FISE union members working.

One of those new rules restricted the use of “official time” which is the time the union uses to represent FISE members in grievances and other work-related issues. It severely limited what the union could do on behalf of its members. However, we took the stance that official time is protected by Congress; and, the judge agreed. Other rules limited what we could negotiate and bargain for in our CBA. I can inform you we have always attempted to negotiate in good faith, but it’s been especially difficult with an administration that is anti-union. One of the more repressive new rules in the EO’s was to roll back the rights of federal employees. That is where we drew the line. The union was certain this was an underhanded move by this administration to curtail union activity called “union busting” and an attempt to weaken the due process rights of federal workers.
Unfortunately, the judge upheld a provision limiting the time that an agency must provide an employee to improve his or her performance prior to issuing discipline. However, I can assure you that we will do all that we can to continue to safeguard our members against improper treatment by management. That has always been a key element in our mission.

Finally, here’s one important takeaway. The judge found that the president lacked the authority to impose many of the measures contained in his Executive Orders, ruling they interfered with federal labor-management statutes, but more especially with our right to bargain collectively. This is huge and a significant win for our union!

Sue Parton  
President

Jim Gertner  
Vice President

Connie Wejdon-Montero  
BIE Representative

Tony Rowe  
BIA Representative

David Campbell  
AS-IA Representative