

N.A.A.E.

National Association of Agriculture Employees

NEWSLETTER



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N.A.A.E.

**National Association of Agriculture
Employees**

Newsletter Issue No. 89 January 2020



A Message from Our President

Mike Randall

Circle the SUVs!

It is again time to see who will step up and lead NAAE. It is time for you to get involved in the selection of its future leadership. Another election cycle begins and this election comes with existential challenges that the union movement for federal employees has never faced since the Civil Service Reform Act (CSRA) became law in 1978.

You will be choosing an Executive Committee whose principal task will be to carry out negotiations of a new national Contract that we hope is **not** going to end up being a radical departure from the comprehensive Green Book contract that we have poured our collective knowledge and guts into negotiating with Management years ago. (It's called the Green Book....because the cover is Green...like AGRICULTURE.)

The current Administration wants us -- all federal unions -- to just die, dry up, go away, rot on the vine, starting with emasculating their collective bargaining agreements with their federal agencies. We cannot and will not let that happen! We work here. We want a **fair and just** working environment.

Concurrently with the struggle all federal unions are facing in trying to survive the Administration's open hostility towards them, we have our own upcoming battle royal to fight with APHIS Labor Relations. That fight is over maintaining our own negotiated work rules — will this be the renewal (or demise) of Green Book 2.0, our National Collective Bargaining Agreement? At the end of August 2020, our Contract, Green Book 2.0, comes open for re-negotiations at the election of the Agency (or of NAAE, if it chooses).

There is a long history to this Contract. It is a comprehensive collective bargaining agreement that covers most negotiable matters pertinent to our working conditions, and it took a very long time, often through contentious bargaining, to convince our

managers this was the right way to go. The original Green Book was rolled over intact for several extra years before a page-by-page reconsideration three years ago resulted in its renewal as Green Book 2.0 — WITH VERY FEW CHANGES FROM THE ORIGINAL. This is your legacy, passed down from the dedicated work of NAAE union people of the past. This Contract, in good measure, has worked very well. Importantly, it also has shielded us, at least temporarily, from the punishment the current Administration has planned for federal unions.

We find ourselves preparing to negotiate a contract in the most unfriendly labor climate we have faced in decades if not in a lifetime. We are confident the Agency will insist on renegotiating Green Book 2.0, starting this summer. How tough it will want to play it, we just don't know at this time, but we will be prepared for the worst.

President Trump has provided the Agency with the tools to impose this unfriendly labor climate upon NAAE during the course of the upcoming negotiations. In May 2018, he issued three so-called “Executive Orders” or “E.O.s,” collectively arming federal agencies with “orders” designed to undercut the ability of these federal unions to effectively represent their members and their bargaining units.

One of these E.O.s expressly bars federal agencies from negotiating the “permissive” topics Congress named in the Statute. These topics are called “permissive” subjects of negotiations because they are negotiable at the election of the agency. Specifically, the Statute in 5 U.S.C. § 7106 provides:

(b) Nothing in this section shall preclude any agency and any labor organization from negotiating—

(1) at the election of the agency, on the numbers, types, and grades of employees or positions assigned to any organizational subdivision, work project, or tour of duty, or on the technology, methods, and means of performing work;

NAAE fears our Agency, APHIS/PPQ, may interpret this E.O. to bar not just “negotiations,” but also “discussions” of these permissive subjects at the bargaining table. Even though the Agency may not officially have agreed to negotiate one or more of these permissive topics, sometimes informal discussions touching on these topics occurring during the negotiating process may have a desired outcome. For example, just saying out loud, during the course of negotiations, who or what type of employee gets assigned to a particular job or overtime assignment may expose a lot of trouble ahead of time, but at the same time those discussions may end up paving the way for workable assignments benefitting both the Agency and the employees in the local work unit. We need to talk about new machines and technology that Management supplies us to perform our jobs (think seed x-rays, DNA test, sampling methods, etc.). Often, future work assignments can evolve out of a Management “finding” or be accomplished through some type of Agency order not found in a labor contract or MOU. The seeds for these results are often planted in discussions

occurring during negotiations, discussions eventually leading to a sensible solution to an assignment process.

If managers in PPQ choose to interpret the President's E.O. to prohibit even discussions of these subjects, such as assignments and technology matters, there may be chaos in the workplace. This chaos can cause division between different groups of employees, kill productivity, and even injure employees when the technology does not perform as expected.

Another issue we might expect to arise at contract negotiations is whether or not we will be able to continue to have local labor contracts and MOUs, a long-standing practice so critical to addressing localized conditions in the workplace. Local contracts organize work and provide local, individualized and specific rules for assigning overtime, among other topics best suited for resolution at the local level. These local arrangements may be gone as the result of some short-sighted Agency edict.

NAAE spent **years** demonstrating to different Management negotiating teams that each work location is different, a location may perform varied types of work, and this work may have various complexities, inherent hazards, and be under unique rigorous time constraints. In the final outcome of the original Green Book negotiations, the Agency agreed with NAAE on this fine point, finally realizing that one across-the-board rule for assigning overtime would not work nation-wide. The front line managers were instrumental in helping the Agency achieve this realization. We have large work units and small ones. We inspect aircraft and passengers in pre-departure. We have domestic locations. Biological control locations, SITC work, International preclearance. We fumigate, we irradiate, we treat with pesticides. We have work to be divided among several individuals hundreds of miles apart, even in different states. **No work unit is the same.**

As mentioned, a tool for punishing federal unions comes in the form of President Trump's Executive Orders or E.O.s, issued in May of 2018. I will summarize below just a handful of the many impacts each of the three separate Executive Orders will or may have on NAAE once our Green Book 2.0 expires in August 2020, unless the federal courts intervene and overturn or enjoin the E.O.s as unlawful. Hopefully, my description will help you better understand why we must fight these orders with all legal means available to us. The bottom line is that these orders will make it very difficult if not impossible for federal unions, such as NAAE, to perform their duty of fair representation, and in fact the E.O.s appear crafted to do just that.

Starting with Executive Order 13836, titled "Developing Efficient, Effective and Cost-Reducing Approaches to Federal Sector Bargaining," that E.O. imposes new seriously short time limits on the length of contract negotiations, limitations not contained in the CSRA or our Green Book. This restriction on the duration of negotiations will cause problems if Labor Relations insists, during upcoming negotiations of Green Book 3.0, upon expanding that contract to include provisions that are far afield from those PPQ and NAAE have been observing for the past ten years (or longer).

That E.O. also requires all bargaining to take place via exchanges of written proposals. While we have, on occasion, exchanged written proposals at the initiation of negotiations, PPQ and NAAE have a long history of using telephonic negotiations and, when appropriate, face-to-face negotiations with an open discussion and exchange of ideas to reach final agreement. We have yet to have a two-way discussion with a piece of paper. That won't work; it eliminates the traditional give-and-take of bargain and will lead to delays.

This E.O. goes on to forbid "permissive"-subject bargaining as I discussed above. We still believe that *discussions* of permissive matters, during the course of contract negotiations, can lead to assignments of work in an efficient and effective manner despite the absence of formal negotiations over those assignments. The Agency may refuse to even participate in discussions on these "permissive" subjects.

Over the years, we have partaken in FLRA and FMCS training on the latest innovations in bargaining techniques such as interest-based bargaining and methods for improving the labor-management relationship. Instead, this forced nastiness in negotiations seems to be leading us down a dark alley in which, at the end of the day, no such training will be offered or made available.

The second E.O. is 13837, "Ensuring Transparency, Accountability, and Efficiency in Taxpayer-Funded Union Time Use." This E.O. is likely to have the greatest impact on our ability to serve our bargaining unit employees and enforce our contract. We are a small rank-and-file union—we ourselves are the union's representatives—there are no other union agents or employees out there to take your calls when you need help. Just us—your elected local NAAE officers, Regional and National Vice Presidents, Assistant Executive Committee members, National President, and voluntary members appointed to represent NAAE on labor-management committees. They are YOU. This Executive Order appears to limit NAAE and all its union representatives to 1 hour of official time per bargaining unit employee per year or, in our case, an aggregate of about 1,000 hours total a year.

We will need vastly more than 1,000 hours collectively to adequately represent you. We will need considerable official time just to prepare for and negotiate our next Green Book. Negotiations are due to start in August 2020.

In the past, we have used significant official time to represent employees in the negotiated grievance process, including during any subsequent arbitration. This specific use of official time will no longer be permitted, will have to cease entirely, under this Executive Order.

Another "feature" of this E.O. is a requirement that restricts or denies NAAE the use of Agency space and equipment, or charges NAAE "market rates" for this use. It is going to be very difficult for you to reach a union person when you need one if there is no phone number where you can reasonably find us. We have always been able to use, without charge, our government e-mails, computers, and phone system to field your calls for help and assistance.

The last Executive Order is E.O. 13839 “Promoting Accountability and Streamlining Removal Procedures Consistent with Merit System Principles.” This E.O., in the simplest terms, is designed to speed up the process of firing employees accused of wrong-doing. Maybe this E.O. doesn’t seem important until it affects you. In my 30-plus years, I have seen a few people who were worthy targets of the Agency axe, but I have also seen many, many more who were deserving of something much less—a suspension, a slap on the wrist, a warning. I have witnessed a few cases where the Agency was flat-out WRONG. The employee did not deserve to be fired or disciplined because he or she, in fact, did nothing wrong! NAAE has been successful in many instances in getting the employees’ jobs back or lessening the severity of their punishment through the use of our negotiated grievance procedure. Under the wording of this E.O., the Agency will seek to exclude removals and disputes over ratings and incentive pay from coverage of our grievance procedure, thus eliminating one fair way, the primary way, we have of ensuring your case is heard and, if necessary, a final decision is reached by an impartial third-party arbitrator.

This is not the end, however. These Executive Orders are not just totally unfair. They clearly are intended to cripple federal unions such as NAAE. We know that, and NAAE has taken unprecedented action to try to head off this intrusion on our statutory duty and ability to represent you and rest of our bargaining unit. As you have read in NAAE’s Flash, we are fighting these E.O.s in Federal Court on your behalf. STAY TUNED. And thank you for your continued support! We are here for you. Always!

LATE WORD: THE PRESIDENT HAS SIGNED AN APPROPRIATION BILL WITH A 3.1% AVERAGE WAGE INCREASE!

CONVENTION!



National Association of Agriculture Employees (NAAE) will provide valuable Labor Relations Training to Bargaining Unit Members and elected NAAE officials.

- Know your rights!
- Protect yourself and help secure your career.
- Get training, make helpful contacts and have your opinions heard.

Plan to **fly into LAX** (your expense) via the **free** shuttle to the Cambria Hotel. The Cambria Hotel is offering a special booking rate for hotel rooms so act quickly!

Should you choose to extend your trip and make it a personal vacation ... please let us know and we will provide the hotel contact to assist you in a possible room discount. If you **book soon** you may get the \$159.00 rates. For questions contact **Susan** 919-221-6258 or **Kathy** 310-955-3307.

The Cambria Hotel can help you arrange an extended stay and ground transportation. **Contact Jazmin** at 424-218-3706.

Monday April 27, 2020 Training at the LAX Plant Inspection Station Labor Management Employee Relations (LMER) and the NAAE - training all day. The evening dinner will be catered by an award-winning chef at Dockweiler Beach at Sunset. (\$ TBA)

Tuesday April 28, 2020 Additional joint LMER / NAAE training conducted at LAX / PIS. To be followed by a 5 Star Banquet (\$ TBA). You are encouraged to share your opinions during the consultation.

Wednesday April 29, 2020 All-day training at the Cambria Hotel. This will be hands-on training. You will most certainly regret it --- if you miss this!

There are many events planned and will be discussed in a later date in the *Flash!* or in a NAAE Newsletter.

THURSDAY (April 30, 2020) IF YOU PLAN TO EXTEND YOUR STAY we offer a few options: A **Fishing Trip** off Redondo Pier around 6:00-630 am about \$50.00 each depending on the size of group. Transportation and lunch is not included.

Movie Studio tours all day (price range about \$35.00. Lunch and transportation is not included.

Disneyland up to 199.00 per day depending on the date(s). Or **Knott's Berry Farm** \$49.00 / Parking \$25.00 per person. Lunch and transportation is not included.

Huntington Library, San Marino, CA about \$49.00 per person lunch not included or transportation.

<http://WWW.AGInspectors.org>

NO-NO!

A SIGN OF THE TIMES: VIEWING PORN ON THE JOB IS A QUICK TICKET OUT OF THE AGENCY

Kim Mann, NAAE General Counsel

During the past 12 months, NAAE has provided union representation to at least 10 bargaining unit employees of PPQ who Management accused of using their government computers to view or download “pornography.” Each was formally charged with improper use of government-issued computers and improper use of USDA information technology. The Agency’s proposed punishment in all cases: immediate removal from the Agency. Most had clean disciplinary records up to that point. All had ignored Agency written warnings about this misuse of their computers.

The Agency’s new zero-tolerance policy towards misuse of government computers to view pornography represents a recent hard right-hand turn in employee relations enforcement. It coincides with Mark James and Phil Brown taking over the new combined Labor Management and Employee Relations (“LMER”) Branch at MRPBS, short for “Marketing and Regulatory Programs Business Services.”

With very few exceptions, LMER has not wavered from this “one-and-done” policy regardless of the circumstances. The Agency’s final decision letters signed by the “deciding official” removing the employees pay only lip service to the so-called “Douglas Factors.” These are a list of mitigating factors the law requires all federal agencies to consider and weigh when contemplating terminating a federal employee. These factors include the employee’s length of service, absence of prior discipline, quality of work performance, service awards won, written recommendations from supervisors, personal mental and physical health issues, etc.

The presence of these mitigating factors, with few exceptions, has not persuaded LMER to back off its initial proposals to terminate these employees. The Agency’s final decision letters all claim the deciding official considered the Douglas Factors, but dismissed their mitigating impact, typically offering this simplistic two-pronged excuse: he/she concluded, after allegedly considering the Douglas Factors, that the employee’s “repeated actions [viewing porn sites on numerous occasions] are extremely serious,”

causing the deciding official ultimately to decide that he/she “has no confidence in [the employee’s] rehabilitation.”

The rare instance in which the deciding official has been persuaded to impose a lesser penalty has arisen in the unique situation where the accused employee has demonstrated that his lapse in judgment was attributable to extreme, overwhelming mental and physical stresses, backed up by a doctor’s note or report. In these rare instances, the employee has undergone professional medical or psychiatric treatment and is able to assert that these external pressures are now under control. He also has produced letters from his supervisors expressing strong support and continuing confidence in him.

The deciding official’s letters terminating these employees typically claim that removal from the Agency is consistent with USDA’s Table of Penalties, at the same time asserting the Agency is not bound by the Table of Penalties because it is merely a guide. These standardized letters then cite a provision in the Table of Penalties authorizing the Agency to impose anywhere from a 14-day suspension up to removal for unauthorized or improper use of government property.

Despite acknowledging the Table of Penalties and its role as guidance, the Agency’s termination letters, at the same time, totally ignore a critical binding provision in the “Green Book,” the national Collective Bargaining Agreement between NAAE and Agency management. Article 24, Section 3 of the Green Book expressly states that, “Disciplinary actions ... will generally be progressive in nature.” Needless to say, automatic removal from the Agency for a first-time offense is the polar opposite of progressive discipline.

The lessons here are clear for you and all PPQ employees –

- Viewing pornography on a government computer or cell phone is a very serious matter
- Termination of your career as a PPQ officer is virtually guaranteed
- The administrative process leading to this likely outcome will cause major upheaval in your marriage and family life
- With current IT capabilities, the Agency can, at all times, monitor and detect remotely what you are viewing on your computer – it does not need to confiscate your computer and conduct forensic analysis
- There is very little NAAE can do to protect you, defend you, or convince Management to mitigate your penalty when it has proven you’ve been viewing porn on your government computer
- **THEREFORE, DO NOT USE YOUR GOVERNMENT-ISSUED COMPUTER OR CELL PHONE TO ACCESS PORN!**

LM-4 Forms...Make Sure Your Local is Up-to-Date!

Trish Claves, NAAE National Secretary

Each year every local branch of a federal union must submit an LM-4 form to the Department of Labor -- whether or not the local collect local dues. An "LM" form is a Department of Labor form for reporting on the status of a labor organization. Your branch, large or small, is considered a separate labor organization chartered by the National NAAE. The completed LM form will contain information on the names of the local officers and will account for the disposition of dues. Periodic submission of the local's by-laws with this form, if local by-laws exist, can make DOL a source for those local by-laws – just in case the last copy of the by-laws gets "lost" in a file cabinet.

Please take a minute to see if your local's LM-4 submissions are current. You may do so by following these instructions...

- Go to www.dol.gov/olms
- Click on "Union Reports and Collective Bargaining Agreements: Online Public Disclosure Room" (under "Most Requested" heading).
- Click on "Union Search" (under "Union Reports and Constitutions and Bylaws" heading).
- Fill in the "Union Name" box with AEI. There are many blanks and drop-down boxes but you only need to fill out this one.
- Click "submit."
- Find your local/branch number on the list and click on that link with the branch number. A link to the last LM-4 filed for your local will be displayed.

Missing forms for past years? Don't delay! Just file a LM-4 for each missing year. There will be no penalty for that late-filing. You can get to the LM-4 and instructions by going back to www.dol.gov/olms and clicking on "Forms and Instructions" (under "Most Requested" heading). To complete the form, you will need an estimated number of members at the end of your local's fiscal year. If you can't estimate this number, contact me Patricia.A.Claves@USDA.gov and I can help you with that. In fact, contact me with ANY questions or problems you have with the LM-4 and I'll see what I can do to help!



REQUEST FOR PAYROLL DEDUCTIONS FOR LABOR ORGANIZATION DUES

Privacy Act Statement

Section 5525 of Title 5 United States Code (Allotments and Assignments of Pay) permits Federal agencies to collect this information. This completed form is used to request that labor organization dues be deducted from your pay and to notify your labor organization of the deduction. Completing this form is voluntary, but it may not be processed if all requested information is not provided.

This record may be disclosed outside your agency to: 1) the Department of the Treasury to make proper financial adjustments; 2) a Congressional office if you make an inquiry to that office related to this record; 3) a court or an appropriate Government agency if the Government is party to a legal suit; 4) an appropriate law enforcement agency if we become aware of a legal violation;

5) an organization which is a designated collection agent of a particular labor organization; and 6) other Federal agencies for management, statistical and other official functions (without your personal identification).

Executive Order 9397 allows Federal agencies to use the social security number (SSN) as an individual identifier to avoid confusion caused by employees with the same or similar names. Supplying your SSN is voluntary, but failure to provide it, when it is used as the employee identification number, may mean that payroll deductions cannot be processed.

Your agency shall provide an additional statement if it uses the information furnished on this form for purposes other than those mentioned above.

1. Name of Employee (Print or Type-Last, First, Middle)	2. Employee Identification Number (SSN or Other)	3. Timekeeper Number
4. Home Address (Street Number, City, State and ZIP Code)	5. Name of Agency (Include Bureau, Division, Branch or Other Designation) <input type="checkbox"/> <input type="checkbox"/>	

Section A-For Use By Labor Organization

Name of Labor Organization (Include Local, Branch, Lodge or Other Appropriate Identification)

I hereby certify that the regular dues of this organization for the above named member are currently established at \$ _____per	(biweekly pay period) (calendar month). (Strike out whichever period is not appropriate, based on arrangement with the employee's agency.)
Signature and Title of Authorized Official	Date (Month, Day, Year)

Section B-Authorization By Employee

I hereby authorize the above named agency to deduct from my pay each pay period, or the first full pay period of each month, the amount certified above as the regular dues of the (Name of Labor Organization):

of my employing agency. I further understand that Standard Form 1188, Cancellation of Payroll Deductions for Labor Organization Dues, is available from my employing agency, and that I may cancel this authorization by filing Standard Form 1188 or other written cancellation request with the payroll office of my employing agency. Such cancellation will not be effective, however, until the first full pay period which begins on or after the next established cancellation date of the calendar year after the cancellation is received in the payroll office.

Contributions or gifts (including dues) to the labor organization shown at left are not tax deductible as charitable contributions. However, they may be tax deductible under other provisions of the Internal Revenue Code.

and to remit such amount to that labor organization in accordance with its arrangements with my employing agency. I further authorize any change in the amount to be deducted which is certified by the above named labor organization as a uniform change in its dues structure.

I understand that this authorization, if for a biweekly deduction, will become effective the pay period following its receipt in the payroll office

Signature of Employee	Date (Month, Day, Year)	
FOR COMPLETION BY AGENCY ONLY- The above named employee and labor organization meet the requirements for dues withholding. (Mark the appropriate box. If "YES", send this form to payroll. If "NO", return this form to the labor organization.)	YES	NO

How to Join the Union?

Members and dues... the life force of the Union. The health of the treasury determines, to a large extent, how much, how hard and what issues we as your Union can fight and how. Decisions upon what to arbitrate and when to un-tether the falcons of justice (or if to just settle for us unpaid, rag-tag-band-of-ne'er-do-well volunteers) depend upon how much moolah is in the kitty. So... we urge you have to JOIN the Union and... you have to do it RIGHT. You might not know this, but as a member-- it's in the by-laws -- it's your obligation to tell other folks about the Union and encourage membership *i.e.* MAKE MORE MEMBERS.

How to File Those Forms to Join NAAE in Three Easy Steps:

1. Get Form SF-1187, Request for Payroll Deduction -- Ask any National NAAE Officer, cut out or photocopy from THIS newsletter, print it from our website

[HTTP://www.AGInspectors.org](http://www.AGInspectors.org)

2. Fill out: 1) Name, 2) S.S.# , 3) Branch Location or at-large 4) HOME Address -- We need your HOME address ONLY! It is against the law for us to send an election ballot to your office. Remember, this is our only chance to get your address right for purposes of elections and newsletters.

SECTION A—Put down your branch if known; otherwise, write the name of your work station. Currently dues are \$7.50 per bi-weekly pay-period.

Please do NOT sign space on form for authorized signature—that's for the NAAE National President's signature.

SECTION B—This is for you! Please sign and date (preferably in blue ink).

The Agencies will not process a form to withdraw from your paycheck without an ORIGINAL signature (would you have it any other way???)

3. Give/send the original of your form to a National NAAE Officer or see that the form gets mailed to the NAAE National President for processing. His or her address is always on the back of the newsletter (as well as the addresses of all of the rest of your NAAE National Officers)—

Currently, National President:

Mike Randall

P.O. Box 31143

Honolulu, Hawaii 96820-1143

Welcome to NAAE!

Remember—No need to kill a lot of trees. We only need ONE original form to process a dues-withholding request. That old system of carbons and triplicates is history and is just a bunch of environmental pollution -- Don't be a dinosaur.

Commun Misteaks:

Some folks have tried to send their dues forms directly to Management for processing. NO!!! DON'T DO THAT. This isn't supposed to result in withheld dues, but sometimes it does (see Bad Thing #3 below). Management is not supposed to process any forms without an authorizing signature from the NAAE National President.

Bad things that happen to unauthorized forms:

1. Management hoards the unauthorized forms for about six months and then sends them back to us unprocessed, citing "no signature" as the reason.
2. Unauthorized forms are never processed, get thrown away, or otherwise "disappear".
3. Management processes the dues-withholding, NAAE never knew you joined, we lose our once-in-a-lifetime opportunity to get your home address because we never see the form, and you are angry -- you can't vote, can't participate as a local union member, and never get a newsletter.

There are plenty of other ways to mess up dues-withholding, but we won't print them all here to avoid giving away too many of our best held secrets. Just keep to the simple directions above, and we should be able to scale most any wall USDA can build. Happy recruiting.

NAAE Election Committee

Chair: Musa Abdelshife LAX 310-955-3281

NAAE 2020 Convention

Kathy Ortega LAX

Susan Kostecky Goldsboro, NC

THE END???

**No! This is the beginning. We Have
Just Begun to Fight!
Now More Than Ever! Encourage Your Co-
Workers to Join! Strength In Numbers!**



Union Member Rights and Officer Responsibilities under the Civil Service Reform Act

U.S. Department of Labor
Washington, DC 20210

Office of Labor-Management Standards

The standards of conduct provisions of the Civil Service Reform Act of 1978 (CSRA), among other statutes, guarantee certain rights to members of unions representing Federal employees and impose certain responsibilities on officers of these unions to ensure union democracy, financial integrity, and transparency. The Office of Labor-Management Standards (OLMS) is the Federal agency with primary authority to enforce many standards of conduct provisions. If you need additional information or suspect a violation of these rights or responsibilities, please contact OLMS at 1-866-4-USA-DOL. You should also refer to 29 CFR 457.1 – 459.5, and your union's constitution and bylaws for information on union procedures, timelines, and remedies.

Union Member Rights

Bill of Rights – Union members have:

- equal rights to participate in union activities
- freedom of speech and assembly
- voice in setting rates of dues, fees, and assessments
- protection of the right to sue
- safeguards against improper discipline

Collective Bargaining Agreements – Union members (and certain nonunion employees) have the right to receive or inspect copies of collective bargaining agreements.

Constitutions, Bylaws, and Reports – Unions are required to file an initial information report (Form LM-1), copies of constitutions and bylaws, and an annual financial report (Form LM-2/3/4) with OLMS. Unions must make these documents available to members and permit members to examine the records necessary to verify the financial reports for just cause. The documents are public information and copies of reports are available from OLMS and on the Internet at www.union-reports.dol.gov.

Officer Elections – Union members have the right to:

- nominate candidates for office
- run for office
- cast a secret ballot
- protest the conduct of an election

Officer Removal – Local union members have the right to an adequate procedure for the removal of an elected officer guilty of serious misconduct.

Trusteeships – A union may not be placed in trusteeship by a parent body except for those reasons specified in the standards of conduct regulations.

Protection for Exercising CSRA Rights – A union or any of its officials may not fine, expel, or otherwise discipline a member for exercising any CSRA right.

Prohibition Against Violence – No one may use or threaten to use force or violence to interfere with a union member in the exercise of his or her CSRA rights.

Union Officer Responsibilities

Financial Safeguards – Union officers have a duty to manage the funds and property of the union solely for the benefit of the union and its members in accordance with the union's constitution and bylaws. The union must provide accounting and financial controls necessary to assure fiscal integrity.

Prohibition of Conflicts of Interest – A union officer or employee may not (1) have any monetary or personal interest or (2) engage in any business or financial transaction that would conflict with his or her fiduciary obligation to the union.

Bonding – Union officers or employees who handle union funds or property must be bonded to provide protection against losses if their union has property and annual financial receipts that exceed \$5,000.

Labor Organization Reports – Union officers must:

- file an initial information report (Form LM-1) and annual financial reports (Forms LM-2/3/4) with OLMS.
- retain the records necessary to verify the reports for at least five years.

Officer Elections – Unions must:

- hold elections of officers of local unions by secret ballot at least every three years.
- conduct regular elections in accordance with their constitution and bylaws and preserve all records for one year.
- mail a notice of election to every member at least 15 days prior to the election.
- comply with a candidate's request to distribute campaign material.
- not use union funds or resources to promote any candidate (nor may employer funds or resources be used).
- permit candidates to have election observers.

Restrictions on Holding Office – A person convicted of certain crimes may not serve as a union officer, employee, or other representative of a union for up to 13 years.

Loans – A union may not have outstanding loans to any one officer or employee that in total exceed \$2,000 at any time.

YOUR NATIONAL NAAE REPRESENTATIVES
(Your Input & Feedback Is Most Welcome) PLEASE
MAIL ALL DUES WITHHOLDING FORMS TO NAAE
NAT'L PRESIDENT FOR SIGNATURE

Mike Randall, **President/
Chief Negotiator**
P.O. Box 31143
Honolulu, HI 96820-1143
C/O USDA 375 Rodgers
Blvd
Honolulu, HI 96819

Work: (808)838-2705
Fax: (808) 838-2706
Home: (808)239-4393
Email: MikeRan@aloha.net
Cell: 808-782-6556
Please call AFTER 0700 Hawaii
Standard Time!

Zachary Teachout
Communications

Phone: 619-661-4510

Susan Kostecky
National Vice President
508 NC Hwy 581 South
Goldsboro, NC 27530

Work: (919) 221-6258
Fax: (919) 583-0035 U
Email: spkostecky@gmail.com
susan.p.kostecky@aphis.usda.gov
Cell: 919) 522-6273

Terrence Noda
At-Large VP
455 E. Lanikaula St.
Hilo, HI 96720

Cell::
work: 808-7720234
Email: (808)9339040

Trish Claves, **Secretary**
200 North Mariposa Rd
B500
Nogales, AZ 85621

Work: (520) 285-5404
Fax: (520) 397-0138 U
Email: pimahorse@hotmail.com

Nathan Cottrell
ER VP

Work: (972) 574-2018
Fax: (972) 574-2342
Email: nathan.l.cottrell@aphis.usda.gov

Jim Triebwasser,
Treasurer
3663 C-R 35
Barnum, MN 55804

Work: (218) 720-5282
Fax: (218) 720-5281
Email: Triebwas2000@yahoo.com

Paul Hodges, **At-Large**
Assistant VP
200 Crofton Rd Box 5
Kenner, LA 70062

Work: (504) 461-4225
Email: naacph@hotmail.com

Willis Gentry, **WR VP**
520 Martens Dr.
Laredo, TX 78041

Work: (956) 726-2258
Fax: (956) 726-2322 U
Email: willis.e.gentry@usda.gov

Mark Segall- **VP for Health**
& Safety
19581 Lee Road
Humble, TX 77338

Work 281-982-9545

Kathy Ortega, **WR**
Assistant VP
222 Kansas Ave
El Segundo, CA 90245

Work: (310) 955-3307
Email: kathywr63@gmail.com

Kim Mann, Esq.: **Legal**
Counsel
4601 North Fairfax Drive
Suite 720,
Arlington, VA 22203

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NAAE National Secretary
Patricia Claves
24547 South via Montana Vista
Green Valley, AZ 85622

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