



Out of Many/One Union  
AFGE NVAC/AFL-CIO

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## National Training and Education

The National Joint Training and Education Committee convened at the Salem, VAMC, May 5-6, 2010 to make plans for future Joint Training dates and instructor assignments. Due to continuing demand for training and the first classes having been so well received, more classes have been requested for



Front Row (L-R): NVAC President, Alma L. Lee, Bill Carson, Clare Hajduk, Doug Katcher Second Row: Bob Kline, Bob Fetzer, Dave Dawkins, David Mollett Third Row: Curtis Jackson, Jim Dunphy, Bill Jefferson

dozen other locations. Some other topics discussed were how to best provide training in collaborative labor relations, The Executive order, and training being offered at the AFGE/NVAC Triennial Training Convention to be held in Los Angeles, CA this November. The training program has grown and we are able to provide training, either jointly or in a union-only environment, on issues such as the Master Agreement, the Statute, Bargaining, and many other subjects. If you would like to submit a request for joint or union-only training, please go to our website; [afgenvac.org](http://afgenvac.org) to obtain a training request form. You can then e-mail the request to [afgenvac@aol.com](mailto:afgenvac@aol.com) or fax in your request to (540)224-1931. All request will receive every consideration in planning the sessions.

Train the Trainer  
Over 60 labor and management leaders arrived at the National Labor College in Silver Spring MD, on Sunday, June 13<sup>TH</sup> to begin a week long "Train the Trainer Class." By the end of the week, they had received instruction on the new Executive Order on Labor Management Forums, the Master Agreement, and teaching techniques. Working together in partnership, they are now ready to present joint training in VA facilities across the nation.

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2010 Train the Trainer Participants

The first class dealt with the new Executive Order on Labor Management Forums. Joe Swerdzewski, a former General Counsel of the Federal Labor Relations Authority, presented a well received class on the new Order, with emphasis on how it differed from previous orders. Moreover, he gave many practical points on how to implement the Order jointly.



**Train the Trainer Class in Silver Spring, MD**

Next was instruction on the Master Agreement. An expert panel, consisting of Doug Katcher and Larry Bennett for Management and Oscar Williams and Bill Wetmore for Labor, spoke about their experiences as trainers, and provided insight into issues that had been raised in training they previously conducted.

## 4<sup>th</sup> District Training



**Front Row (L-R) Beverly Bratton, Alma Lee, Essie Hogue, Willie Allen, Alease Frazier, Back Row: Margie Loudermilk, David Beatty, Arleatha White, Leroy Jones, Shelia Elliott, Bob Fetzer, Not pictured: Duane Anderson, Bob Volck, Deborah Dantzlar, Instructors Terry Rosen and John Bradley**

The 4<sup>th</sup> District, National Veterans Affairs Council, under the direction of District Representative **Bob Fetzer**, conducted a highly successful training program in Roanoke, VA on

May 11, 2010. The training highlighted two of the most important issues facing NVAC leaders; application of the Executive Order on Labor Management Forums and Legislative Issues.

District Representative Fetzer secured the service of Terry Rosen, from the AFGE Department of Field Services and Education, to conduct a briefing on the new Executive Order. This highly interactive presentation highlighted the most important section of the Order, how it differed from the previous Orders, and most importantly, how it would be applied to the Department of Veterans Affairs. District leaders left not only with a clear understanding of the Executive Order, but also a game plan for how to incorporate the Executive Order in their representational activities.

The 4<sup>th</sup> District was fortunate to have John Bradley from the DAV to address them on legislative issues. Mr. Bradley, who formerly served as a key staffer for the House Committee on Veterans Affairs, gave a well received presentation on the most important legislative issues facing the Council and how the Council can implement a legislative program, from the grassroots up, to advance this agenda. The leaders left empowered not only by knowledge of the issues, but also by best practices to put this program into action.

Crucial to a successful representational program is understanding legislative power and leveraging partnership. By attending the 4<sup>th</sup> District Training, these leaders left with the knowledge to be able to do so.

## ORGANIZING MAY BLITZ!



During the whole month of May, the AFGE National VA Council launched an organizing campaign that put cash in member's pockets while building our Union. Members earned \$100 for each new member that was signed up, and the new member was also

rewarded \$100. Members earned cash and increased our strength on Capitol Hill and at the worksite. Congrats and thank you to all who participated. Final results will be forthcoming.



Local 31 Sec-Treas. Darlene Estell and President Malinda Morrow-Kitching hold up almost 250 recruited applications

## NVAC UPDATE

By Marilyn Park, AFGE/NVAC Lobbyist

### WHAT'S NEW?

- New Compensation Collective Bargaining Bills
- VBA's Unfair Telework Policies Make Headlines
- Permanent employment rights for part-time nurses
- New rights to access RN locality pay survey data
- New limits on overtime for all nurses
- Full-time VACO Voice for PAs
- Expanded authority for VA Police

**VA Funding:** The FY 2011 budget request submitted by President Obama in March was proposed significant funding increases for veterans' health care (8.3%) and thousands of new hires to process disability claims. Second, for the first time, the budget request for health covered two years, as required by the advance appropriations legislation signed into law last October. Although we are receiving fewer field reports about shortfalls and hiring freezes, NVAC remains concerned about VA's wasteful spending practices such as new layers of management and excessive use of temporary

hires. Thanks for all your valuable reports for the Hill and VSOs: They make a huge difference!

**Medical Facility Construction:** NVAC is carefully monitoring VA attempts to replace standalone VA medical facilities with "leased facilities" that result in reductions in inpatient VA hospital services and increased use of contract inpatient facilities and "supersized" outpatient clinics that are not linked with a VA medical center.

**Bargaining Rights for Pure Title 38 Employees:** Bargaining rights ("7422") legislation was introduced again in the 111th Congress on both the House and Senate side. To date, we have secured 48 House sponsors and 9 Senate sponsors. These "full 7422" bargaining bills - S 362/HR 949 - would strike all three exclusions to bargaining: patient care, compensation and peer review and strengthen the rights of Title 38 employees to judicial review and administrative appeals. This spring, the House and Senate responded to our request to introduce a "mini 7422" bill that only restores the rights to bargain over compensation - a compromise bill that has the greatest chance of passage this year. These new bill numbers are S 3486 and HR 5543. Look for Action Alerts soon to secure more cosponsors for both the full and mini-bills. NVAC also recently concluded participation in a "7422 Work Group" with the VA to identify joint recommendations for administrative solutions to current "7422" related labor-management disputes. It's been a full year since the VA and AFGE started planning these talks and still, no word on when Secretary Shinseki will review the recommendations!

**Other Title 38 personnel legislation:** The Caregivers and Veterans Omnibus Health Services Act of 2010 (P.L. 111-163) provides permanent employment rights for part-time registered nurses (RN), more fair nurse overtime and shift differential pay rules, elimination of CRNA and LPN pay caps, access

to RN pay survey data, clearer guidelines for mandatory nurse overtime, a stronger voice in VA Central Office for physician assistants, and expanded authority for VA police. We had opposed other provisions that made it into the final law including expanded Hybrid Title 38 authority and obscene increases in pay and bonuses for nurse, physician and pharmacy executives. At our urging, the recently House introduced legislation to increase the amount of continuing medical education (CME) reimbursement available to VA doctors and dentists and extend this benefit to other Title 38 employees. Unfortunately, without notice to NVAC, the House VA Committee weakened the draft bill significantly and marked up a bill that dramatically increases the Secretary's discretion as to who gets this benefit and in what amount. We have expressed our strong opposition to this change to House and Senate leadership. We are also continue to seek sponsors for legislation to provide appeal rights to terminated Veterans Canteen Service employees (while monitoring recent FLRA decisions on the same issue).

**VA- DOD Hospital Merger:** The merger of the DOD and VA facilities at North Chicago is underway and we are closely monitoring the conversion of DOD employees to VA status, including the implementation of our hard fought provisions to ensure that converted employees do not lose ground on pay, benefits or seniority and most important, retain full Title 5 collective bargaining rights for converted health care professionals during a two year pilot period.

**Contracting Out:** Pursuant to the Obama Administration's call for less outsourcing, We have identified a number of positions that are suitable for insourcing, including all VA entry level jobs that have traditionally been filled by disabled veterans, including cemetery caretakers, housekeepers, laundry and food service workers, and on the more skilled end of the spectrum, "comp and pen" disability exams and coordination of contract medical care.

Earlier this year, NVAC met with Acting Undersecretary of Memorial Affairs Muro to encourage less outsourcing and more veteran hiring at VA cemeteries.

**Veterans Preference:** NVAC is working with veterans' groups and lawmakers to update the list of disabled veteran set-aside jobs under the Veterans Readjustment Act (VRA), extend Veterans Employment Opportunities Act protections to Title 38 employees and ensure that military experience is properly credited upon transition to federal civilian jobs.

**VBA Disability Claims Process:** NVAC testifies nearly monthly on ways to address the backlog. However, as long as Bush Administration careerists run VBA, there is little chance of major reform. We are extremely disappointed with the lack of progress in implementing the Veterans Disability Claims Modernization Act of 2008, including a much needed study of the work credit and work management systems, and certification tests for supervisors. We are working closely with the VSOs on recommendations for a new system. We are also meeting with Hill staff on the related issue of the Board of Veterans' Appeals work credit system. We also recently testified on a similar need for training and mentoring for employees in the VBA Fiduciary Program.

## Giving Back "Trees for Stumps"



The Cheyenne VA Medical Center in a collaborative effort, AFGE/NVAC Local 1014 along with the Medical Center Management and the International Brotherhood of Electrical Workers (IBEW) planted a ceremonial tree on June 4<sup>th</sup>, 2010 that recognized the contribution of trees by the IBEW and AFGE unions to help re-establish the shelter belt at the Cheyenne VA Medical Center. The shelter belt of 10,000 trees was originally planted just after the VA Medical Center was constructed in 1934 and became it became a treasured resource for the employees



(L-R) Chief of Staff, Roy Kantor; Director, Deb Hirschman; IBEW Steward, Mark Myrick; AFGE Local 1014 President John Pike and Assoc. Director Liz Lowery

of the Medical Center and the citizens of Cheyenne. Over the years the trees that once had to be either removed or trimmed in an attempt to save as many of the trees as possible. A donated \$3000 worth of trees by the IBEW and AFGE unions will help to reestablish the shelter belt at the Cheyenne VA Medical Center which not only provides a beautiful living home to a variety of wildlife, but will also protect the Medical Center from the Wyoming North winds.



Giving back for the future

## VA Makes Filing Claims Easier and Faster for Veterans

Source: United States Department of Veterans Affairs, Public and Intergovernmental Affairs June 15, 2010

WASHINGTON – As part of Secretary of Veterans Affairs Eric K. Shinseki’s effort to break the back of the backlog, the Department of Veterans Affairs (VA) is reducing the paperwork and expediting the process for Veterans seeking compensation for disabilities related to their military service.

“These reductions in paperwork, along with other improvements to simplify and speed the

claims process, symbolize changes underway to make VA more responsive to Veterans and their families,” said Secretary Shinseki.

VA has shortened application forms to reduce paperwork for Veterans. The new forms, which are being made available on VA’s Web site at [www.va.gov/vaforms](http://www.va.gov/vaforms), include:

- A shortened VA Form 21-526 for Veterans applying for the first-time to VA for disability compensation or pension benefits. This form has been cut in half – from 23 to 10 pages. It is immediately available to Veterans via Web download, and will be available through VA’s online claim-filing process later this summer at <http://vabenefits.vba.va.gov/vonapp/main.asp>
- VA Form 21-526b for Veterans seeking increased benefits for conditions already determined by VA to be service-connected. This new form more clearly describes the information needed to support claims for increased benefits.

In order to make the claims process faster, VA has also introduced two new forms for Veterans participating in the Department’s new fully developed claim (FDC) program, which is one of the fastest means to receive a claims decision.

Gathering the information and evidence needed to support a Veteran’s disability claim often takes the largest portion of the processing time. If VA receives all of the available evidence when the claim is submitted, the remaining steps in the claims-decision process can be expedited without compromising quality.

To participate in the FDC program, Veterans should complete and submit an FDC Certification and VA Form 21-526EZ, “Fully Developed Claim (Compensation),” for a compensation claim, or a VA Form 21-527EZ, “Fully Developed Claim (Pension),” for a pension claim.

## **AFGE Testifies before Senate VA Committee on VBA Claims Process**

**By Michael Victorian, Media Consultant  
Victorian Media Consulting, LLC.**

*Veterans Affairs Employee Union Expresses Support for VBA Pilot Programs and Applauds Employee Pre-Decisional Involvement, Urges Fair Telework Production Standards.*

(WASHINGTON) – Today, the American Federation of Government Employees’ National VA Council testified before the Senate Committee on Veterans Affairs at a hearing dedicated to the review of the Veterans Benefits Administration’s claims processing. AFGE’s National Veterans Affairs Council represents 196,000 frontline employees in all areas of the Department of Veterans Affairs.

The testimony was delivered by Linda Jan Avant, a Rating Specialist at the VBA Regional Office in Little Rock, Ark., and 1<sup>st</sup> vice-president of AFGE Local 2054. In testimony, AFGE and NVAC focused on three areas: (1) VBA Pilot Programs (2) S. 3517, Claims Processing Improvement Act of 2010; and (3) Telework production standards at the VBA’s Regional Offices and other personnel issues related to claims improvement.

AFGE’s members at facilities involved in the VBA pilots have been largely supportive of the programs, both in terms of effectiveness and inclusion of front line employees. Particularly, employees have noted that working as a cohesive team has led to substantial improvements in the claims process. “The ability of front line staff to contribute pre-decisional input to the pilot programs has been integral to their success,” said Avant. “Everyone on the team, including front line employees, management and consultants, shared a commitment to helping veterans. Our ability to work together toward this goal was a key ingredient in its overall success and enabled us to identify unnecessary steps in the claims process that could be eliminated.”

While the programs have been largely successful, AFGE has expressed some concern with moving the pilot programs nationwide too early. “There is a general consensus that it is too early to replicate these experiments on a national scale. Additional training and hands-on experience for employees who have been recently hired or promoted is essential to successful implementation nationally,” said Avant. NVAC President Alma L. Lee also noted, “We should not go fully paperless until more advanced scanning technologies become available.”

AFGE and NVAC also provided testimony on the “Claims Processing Improvement Act of 2010,” S.3517. “We commend Chairman Akaka’s effort to update and improve the musculoskeletal rating schedule; however, we question the need to make this change through legislation when VBA is already revising the rating schedule,” said Avant. According to the union, the musculoskeletal rating schedule maintains ambiguous and outdated terms that further complicate the rating of claims. AFGE and NVAC also expressed concern with several bill provisions relating to claims processing and appeals.

In testimony, AFGE and NVAC renewed their call for the VBA to eliminate higher production quotas for telework employees. “The current disparity for telework employees handicaps the VBA’s ability to retain the most experienced employees,” said Avant. Citing overcrowding at VBA Regional Offices, Ms. Lee said that equal production standards for work-at-home employees would alleviate space shortages and lessen the need for second shifts.

AFGE is committed to working with Congress, the VA, and other stakeholders in the veterans’ service community to ensure that veterans’ claims are processed in a timely and accurate manner.

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