



INTERNATIONAL FEDERATION OF PROFESSIONAL & TECHNICAL ENGINEERS AFL-CIO & CLC

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Key Issues of importance to Federal Workers in 2020

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Summary - Federal Employees have sacrificed nearly \$200 billion

Since 2011 our nation's federal employees have sacrificed nearly \$200 billion for our nation through pay freezes and pension cuts that went primarily towards deficit reduction. Government employees have also experienced furlough days and serious economic suffering due to the 2013 and three FY19 government shutdowns (including the longest one in history), continuing threats of future shutdowns, and sequestration. Despite this, some in Congress and the Administration continue to attack federal employees and their unions.

As the Trump Administration will likely continue to recommend a budget that targets federal employee pay, benefits, and pensions, IFPTE requests that Congress consider the following legislative items to protect federal employee compensation, retirement, and health care to preserve the government's ability to recruit and retain the best talent America has to offer:

1. Increase federal pay significantly in FY21 – After years of pay freezes or tiny annual adjustments, federal workers have seen their incomes eroded by nearly 15% with respect to inflation over the past decade. While IFPTE appreciates the meaningful 3.1% pay raise in 2020, now that the U.S. economy is booming and there is no longer a fiscal emergency, an accelerated sequence of COLA corrections for the cumulative harm that federal workers have experienced over the past decade is urgently needed to allow them to catch up with their private sector counterparts. IFPTE thus urges Congress to fully implement FEPCA and to support a 3.5% pay increase for FY21, as is called for by the Federal Adjustment of Income Rates (FAIR) Act (S. 3231, HR 5690), sponsored by Hawaii Senator, Brian Schatz, and Virginia Congressman, Gerry Connolly.
2. Bust the GS salary cap – Senior highly skilled workers have seen their arbitrarily salaries capped preventing them even from receiving their full meager COLAs. These include federal Administrative Law, Immigration, and MSPB Judges, Senior Engineers and Scientists at NASA, DoD, & many other highly coveted workers at the GS15 level. IFPTE urges the cap be raised so that all Step increases become meaningful again.
3. Protect federal employee pensions – Congress has established a ridiculous four-tiered pension for federal employees – CSRS and 3 different FERS systems, with workers hired in 2013 unfairly paying 2.3% more and those hired after 2014 paying 3.6% more with no benefit increase. Sadly, the Administration and allies in Congress continue to propose draconian cuts to federal pensions, including doing away with the FERS defined benefit altogether for new hires. IFPTE urges Congress to block any further erosion of federal pension or TSP retirement benefits (e.g., the proposed decrease in G fund interest, replacing the high-three with a high-five pension computation, etc.), and urges support for the *Federal Employee Pension Fairness Act*, sponsored by Representative Anthony Brown in the last Congress to set FERS contributions back to pre-2012 levels for all employees.
4. Preserve employer medical insurance premium contributions – The President's past budgets requests have proposed doubling workers' contribution for their health care coverage. IFPTE strongly urges rejection of this, or similar proposals.
5. Protect the FERS annuity supplement – This proposal would take away the possibility for many federal workers to retire before the age of 62 and frustrate the ability of federal government to better manage its workforce through attrition. IFPTE urges Congress to reject any such a proposal.

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IFPTE positions on provision that could be considered as a part of the FY21 NDAA:

1. Block efforts to implement a new round of Base Realignment and Closures (BRAC) – A BRAC would lead to the loss of tens of thousands of good jobs and devastate communities all across the US. IFPTE believes it is premature to approve any BRAC until there is a comprehensive and strategic cost-benefit analysis of our overseas bases. A Government Accountability Office (GAO) report showed that the total cost for implementing the 2005 round of BRAC ballooned from the original estimate of \$21 billion to \$35.1 billion (GAO-12-709R). IFPTE urges Congress to deny BRAC authority to the administration until the proper cost-benefit analysis is fully completed.
2. Include S. 3146, authored by Sen. Cardin and sponsored by 23 Senators, to bring fairness back to the federal collective bargaining by preventing the Federal Services Impasses Panel from unilaterally imposing bad-faith contracts on federal workers, and instead mandating impasses be resolved by an independent arbitrator agreed to by management and unions.
3. Repeal DOD’s flawed performance-based Reduction-in-Force (RIF) procedure: As a result of Section 1101 of the FY16 NDAA, DoD RIF rules diminish both Veterans Preference and seniority in favor of flawed and biased performance ratings. Before enactment of this law, the order of retention was: (1) tenure of employment, (2) Veteran’s Preference, (3) length of service, and (4) performance ratings. After enactment, the order of retention became: (1) Rating of Record (performance ratings), (2) Tenure Group, (3) Average Score, (4) Veteran’s Preference, and (5) DoD SCD RIF (length of service). Given that many DoD performance rating systems have been proven to be discriminatory, particularly against women, older employees, and workers of color, IFPTE continues to believe that this law should be reversed to ensure protections for all workers in a RIF. Restore seniority and Veterans Preference by repealing Section 1101 of the FY16 NDAA.
4. Maintain the A-76 moratorium – Fortunately, the FY18 NDAA conference report removed Senate language to green light A-76 privatization. An A-76 moratorium was put in place after GAO and the DoD IG determined that the DoD could not prove that contracting out provided any cost savings to the taxpayer. IFPTE’s asks that the moratorium remain in place until a thorough cost-savings analysis is provided to the SASC and HASC.
5. Close the unfair Accelerated Promotion Program (APP) donut hole – IFPTE thanks Representative Kilmer for championing language in the FY20 NDAA calling for an independent study as to the number of impacted workers and the lost wages and missed promotions as a result of the 2016 misguided decision by OCHR to cancel the Accelerated Promotion Program. IFPTE urges defense authorizers to act on the study’s findings by making the impacted workers whole as a part of the FY21 NDAA.
6. Protected workers receiving Special Salary Rate (SSR) in Non-Foreign Areas – IFPTE urges including an exception to 5 USC 5305(h) and 5 CFR 530.303(d) to allow workers in Non-Foreign areas, like Hawaii and Alaska, to receive both SSR and Locality pay.
7. Revert to a one-year probationary period for DoD workers – As a part of the FY16 NDAA, and over the objections of IFPTE, Congress increased the probationary period for DoD workers from one to two years. IFPTE believes this was a misguided provision that added needless bureaucracy to this process, as 12 months is more than enough time for federal managers to determine if an employee’s performance is up to standards. Please repeal the two-year probationary period and return to the pre-2016 one-year level.
8. Include the bipartisan ALJ Competitive Service Restoration Act (HR 2429, S 2348) – This bipartisan legislation in both the House and Senate will preserve due process protections for the American public by restoring the fair and unbiased OPM administered hiring process for federal agency Administrative Law Judges (ALJs) prior to enactment of Executive Order 13843, which opens the door for politically appointed leaders of agencies to hire ALJs based on political leanings. IFPTE urges defense authorizers to include this provision in the final FY21 NDAA.