



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

501 3<sup>rd</sup> Street, NW, Suite 701, Washington, DC 20001  
202-239-4880 • FAX 202-239-4881 • [www.ifpte.org](http://www.ifpte.org)

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April 7, 2020

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Hon. Nancy Pelosi, Speaker  
U.S. House of Representatives  
H-232, The Capitol  
Washington, DC 20515

Hon. Charles Schumer, Minority Leader  
United States Senate  
S-221, The Capitol  
Washington, DC 20510

Dear Speaker Pelosi & Leader Schumer:

As the executive officers of the International Federation of Professional & Technical Engineers (IFPTE), we thank you both for your leadership in assuring that Congress' response to the coronavirus crisis has largely put workers at the front of the line when it comes to the allocation of taxpayer resources through the three relief packages that have been enacted into law thus far. We are writing to you today regarding your ongoing efforts to craft a fourth COVID-19 pandemic relief bill and to outline the priorities of IFPTE's diverse membership. In that regard, IFPTE appreciates your consideration of the following recommendations:

### **Direct Aid to Working Families**

- Provide monthly, recurring direct cash support for working families in the form of \$1,000 for individuals with income up to \$75,000 and couples with income up to \$150,000 throughout the crisis.
- Provide a one-time retroactive 2019 tax cut for middle-class households for family incomes below \$250,000 to help them overcome the serious financial challenges they are facing.
- Provide COBRA health insurance payments to sustain health care coverage for workers and their families who have lost employer-sponsored health insurance due to furloughs and layoffs, including using the Trade Adjustment Assistance's Health Coverage Tax Credit model.
- Provide permanent student debt relief - temporary suspension of payments and interest is a start, but the workforce includes many skilled workers with university degrees that generated mortgage-size student loan debt at outrageous interest rates. IFPTE supports student debt relief or forgiveness to ease the financial burden on working families and encourage local spending and economic growth to get our economy back on track.
- Provide hazardous duty pay differentials and environmental differential pay for workers required to report to work during the COVID-19 pandemic and risk exposure to the virus. Because workers are in immediate danger of exposure, and current protocols have no guarantees of protection, these employees should be provided hazardous duty pay. IFPTE is particularly pleased with a potential hazard pay proposal being championed by Senate Minority Leader Chuck Schumer, as well as Senators Gary Peters (MI), Patty Murray (WA), Tom Udall (NM), Bob Casey (PA) and Sherrod Brown (OH) to provide those in the federal, public, and private sectors hazard pay in the form of an additional \$13 per hour, to be capped at \$25K through the end of 2020. IFPTE fully supports such a proposal.

### **Paycheck Protection Program**

- Include 501(c)5 nonprofits (labor unions) in the SBA Paycheck Protection Program of the CARES act: In Section 1102 of the CARES Act, nonprofits are narrowly defined and exclude

501(c)5 organizations. Excluding unions effectively means the legal and democratically elected representatives of working people will be disadvantaged and under-resourced as the economic impact of COVID-19 reverberates through the economy. As union members are furloughed, laid off, or encounter other hardships, their union's resources will be depleted and the ability of their unions to advocate for them in a slow-moving crisis will be hampered. Meanwhile, organizations classified as 501(c)3 nonprofits, such as the Freedom Foundation or ALEC, can access the loans under the Paycheck Protection Program of the CARES Act.

### **Aerospace and Private Sector Workers**

- Extend paid leave by requiring employers to provide paid time off for temporary suspended operations related to COVID-19.
- Protect essential worker health and safety by supporting an OSHA Emergency Temporary Standard. IFPTE supports language that requires employers in industries defined by DHS Cybersecurity and Infrastructure Security Agency as "Essential Critical Infrastructure Sectors," including the critical manufacturing sector and the defense industrial base sector, to commit to implementing OSHA's "hierarchy of controls" and following CDC guidance to minimize risk of exposure to COVID-19 at all worksites, consistent with employers' general duty to provide their employees with a workplace free from recognized hazards. In meeting these commitments, employers should negotiate with employees' unions on safety policy and procedures. Further, IFPTE supports legislation that mandates OSHA issue an Emergency Temporary Standard for infectious disease that applies broadly to all workers who are frontline, essential, and reporting to their worksites.
- Ensure companies prioritize the maintenance of their U.S. workforce and encourages insourcing. Employers like Boeing continue to outsource engineering and tech jobs to places like Russia, Ukraine, and India. As we anticipate unemployment levels rivaling the Great Depression, we want to ensure strong language in the next bill to prioritize maintaining U.S. jobs during the pending layoffs. Additionally, as a condition of further federal assistance, employers should be required to spend money to "insource" certain functions and begin rebuilding its workforce in the U.S.
- Support for aerospace R&D and aviation infrastructure development. To support future growth in U.S. aerospace jobs, federal investments must be made in aerospace research, development, and infrastructure modernization. These resources should focus on innovative technologies, such as new energy-efficiency technologies and low-carbon aviation, to give U.S. manufacturers and their customers a competitive advantage during the recovery of the aviation sector. Top-tier manufacturers and suppliers receiving federal funds should be obligated to rehire laid off engineering talent and charge them with leading new designs in aviation efficiencies, infrastructure, and technologies that will promote the U.S. industry in a highly competitive and rapidly changing global economy.
- Enforce federal oversight and demand accountability. IFPTE fears that corporations will work with Trump officials to undermine and maneuver around the oversight and accountability measures set in place after the passage of the CARES Act. To the maximum extent possible, oversight issues should be strengthened in the fourth COVID-19 relief bill.

### **Federal Sector Workers**

- Restore pro-active labor-management relations and communication, and Include S. 3583/HR 6246, The Protecting Collective Bargaining and Official Time for Federal Workers Act- as agencies work to quickly implement new policies and workplace procedures in response to the COVID-19 crisis, in part by including S. 3583/HR 6246, The Protecting Collective Bargaining and Official Time for Federal Workers Act into the fourth COVID-19 relief bill. The President's Executive Orders (13836, 13837 and 13839) geared toward eliminating the ability of unions to represent their members also resulted in the elimination of any semblance of labor-management relationships at many government agencies. In fact, the EOs have only emboldened management in many federal agencies to create a toxic relationship between the workers and

upper management. It is no surprise that the same agencies who were all too eager to implement the EOs have also failed to respond effectively to the COVID-19 pandemic. For example, at DOJ's Executive Office of Immigration Review, the agency's exclusion of any consultation with the union and lack of communication and clear guidance during this state of emergency has led to extreme levels of anxiety within the union membership and for all court personnel by needlessly continuing some in-person hearings that could be conducted remotely and operations that endanger federal workers as well as the public. Similarly, SSA refused to stop in-person hearings and allow telework for all for over a month while COVID 19 was spreading. Such relief did not come until mandated by Congress. To date, SSA has failed to implement a long-term strategy with the unions and has not provided the COOP Plan despite multiple requests. Along those lines, IFPTE urges congress to repeal these dangerous EOs by including S.3583/HR6246 into the 4<sup>th</sup> COVID relief bill.

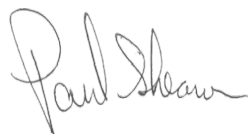
- Allow for the presumption of worksite illness by mending the Federal Employee Compensation Act (FECA), the law that governs workers' compensation for federal employees, to provide an automatic presumption of workplace illness for employees who contract COVID-19 during the performance of their duties. This will give federal employees the direct ability to make a FECA claim without the fear of a lengthy denial and appeals process.
- Provide weather and safety, or other forms or excused/administrative leave to all federal employees who are not able to perform their duties remotely and are prohibited from reporting to work during the COVID-19 crisis.
- Mandate the maximum use of telework by authorizing assign all federal employees, including essential employees, to perform their duties remotely whenever possible to minimize the spread of COVID-19. Essential federal employees who cannot perform their essential duties remotely and are required to report to work should receive hazardous duty pay.
- Prohibit federal government agencies from privatizing federal jobs during the COVID-19 pandemic. At a time when Congress is approving trillions of dollars in aid legislation focused largely on job security, it is outrageous that federal entities like the Tennessee Valley Authority (TVA) are still moving full steam ahead to privatize hundreds of good-paying, middle-income IT jobs. To add insult to injury, TVA admits that this planned privatization will cost more than leaving the jobs in-house, and the jobs could even go overseas. IFPTE urges Congress to continue to put workers first by adding language in the next COVID-19 relief bill to forbid all federal government agencies and entities, including the TVA, from outsourcing/privatizing jobs during this crisis. Such a provision would not cost American taxpayers a dime but would preserve these jobs.
- Revoke Executive Order 13843, which politicized the hiring of federal Administrative Law Judges (ALJs) by including the bipartisan ALJ Competitive Service Restoration Act (HR 2429, S 2348) - Social security disability applications, veterans claims, and housing assistance claims are expected to increase due to the COVID-19 virus. Given the expected spike in cases that will be heard by federal ALJs due to the COVID-19 pandemic, it is critical that the American public be assured that these life and death decisions be determined by a truly independent adjudicator - an ALJ. The most vulnerable among us, veterans and all constituents need qualified, impartial judges to hear these claims. Including the bipartisan legislation in the 4th COVID relief bill 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). Additionally, IFPTE urges the inclusion of the following: "Section 556 (b) of title 5, United States Code, is amended to add the following language at the end of (b) (3) "except, the Presiding Officer at a hearing for the initial on the record determination before the Social Security Administration shall be the Administrative Law Judge appointed under Section 3105 of this Title."

### **State and Local Government Aid**

- **Fully fund the Obamacare Medicaid program.** In all States (including those that opted out), on an emergency basis through fiscal year 2020, to cover the uninsured in all States during this crisis.
- **Increase in the Federal Medical Assistance Percentage Program (FMAP) rate** beyond the 6.2% increase in the FMAP rate to States for Medicaid coverage until at least the end of the 2020.
- **Increase direct aid to States and Localities.** The CARES Act package provided for \$150B in aid to States, which was a nice start, but is far from the aid needed to help States and Localities deal with extreme budget shortfalls. IFPTE urges Congress to create an emergency Appropriations fund of at least \$600B to provide cash packages to be sent directly to the States and Local governments, proportional to their COVID-19 associated costs, such that the Federal government is cost-sharing the burden.

As we have written to Congress before, when crafting and approving these much-needed aid packages, IFPTE continues to urge lawmaker to put workers first, second, third, FOURTH, and last. We applaud you both for your leadership in this regard and stand ready to assist you and your staff as we move toward a fourth bill aimed at mitigating the fallout of this crisis.

Sincerely,



Paul Shearon  
President



Matthew Biggs  
Secretary-Treasurer/Legislative Director