



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

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Dear Senator,

On behalf of the 90,000 members represented by the International Federation of Professional and Technical Engineers (IFPTE), I am writing regarding S. 1094, the so-called *VA Accountability and Whistleblower Protection Act*. Unfortunately, this bill has little to do with accountability, and more to do with eliminating worker protections for Veterans Administration (VA) workers. IFPTE urges you to oppose this bill.

Sponsors of this legislation argue that this bill is aimed at improving efficiency and accountability at the VA. However, the content of the legislation does nothing to address any alleged problems with the VA, and will harm the services provided to our Veterans, not improve them. The bill eviscerates due process rights and undercuts the collective bargaining protections for the people who are employed at the VA, including an estimated 120,000 Veterans themselves. Specifically, S. 1094 will:

- Erode the evidentiary standards for discharge proceedings, including for rank and file employees being retaliated against because they have blown the whistle when it comes to waste, fraud and abuse. The burden of proof standard for whistleblowers and others who have been accused of misconduct would be weakened from a *preponderance of the evidence* to *substantial evidence*. In other words, workers who have been both correctly and incorrectly disciplined - including whistleblowers and others who have been targets of unjust retaliation - will be left without a realistic ability to defend themselves;
- Undercuts the ability of VA unions to represent their members by essentially removing their access to union and management negotiated grievance procedure processes, which fairly and effectively work through adverse action situations;
- Guts the ability of a worker to have their case properly heard and decided by an independent Merit Systems Protection Board (MSPB) administrative judge, leaving the worker with the sole, expensive and mostly unattainable alternative of appealing to the Court of Appeals for the Federal Circuit;
- Strip some of the earned pension benefits of VA workers, including Veterans themselves, who have been convicted of minor crimes that were not job related - a draconian and cruel practice that is illegal in the private sector.

IFPTE does not represent one worker at the VA. However, IFPTE does represent thousands of Veterans across the nation that not only depend on the VA for their care, but value the services and care they receive, as well as the workers who provide those services. Unfortunately, this bill targets these very workers, and will hinder, not help them provide even better services to Veterans. Therefore, IFPTE urges you to oppose S. 1094 when it is voted on in the Senate later tonight.

Thank you for your consideration. If you have any questions, please contact IFPTE legislative director, Matt Biggs at (202) 239-4880.

Sincerely,

Gregory J. Junemann,
President