



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

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May 12, 2022

Dear Senator,

We write to you as the executive officers of the International Federation of Professional and Technical Engineers (IFPTE), a labor union representing upwards of 90,000 professional employees, including tens of thousands of federal employees at the Department of Defense, U.S. Army Corps of Engineers, NASA, Social Security Administration, the Department of Justice, Department of Energy, Environmental Protection Agency, National Oceanic and Atmospheric Administration, and several other agencies. We request you vote to confirm Susan T. Grundmann for Member of the Federal Labor Relations Authority (FLRA).

Ms. Grundmann is a highly qualified nominee with a distinguished career in public service that includes chairing the Merit Systems Protection Board and overseeing the Office of Congressional Workplace Rights as its executive director. Prior to her public service, she was one of the top lawyers in the labor movement as General Counsel of the National Federation of Federal Employees. Her confirmation will benefit the public, provide stability to day-to-day operations and the overarching mission of federal agencies, and provide federal employees with protections granted to them under the federal labor statute.

IFPTE and our federal sector local unions are committed to engaging with their federal agency partners to build productive labor-management relations, identify and resolve federal employees' problems and concerns through collaborative approaches with agency management, and represent our members so that they and the agencies they work for can operate efficiently and successfully. Our efforts to ensure harmonious labor-management relations requires a functioning FLRA that respects federal employees' collective bargaining rights as enshrined in the Federal Service Labor Management Relations Statute (FSLMRS).

Previous iterations of the FLRA have been comprised of Authority members who typically respected established precedents, endeavored to adhere to the FSLMRS, and respected the federal labor statute's declaration that collective bargaining is in the public interest. Unfortunately, over the last five years, the FLRA has greatly disrupted labor-management relations in the federal government through several poorly reasoned and ideologically motivated anti-union decisions that have arbitrarily overturned decades of precedent. In just the last two years, U.S. Circuit Court for the District of Columbia has vacated and/or remanded five such decisions and admonished the current FLRA members for their "arbitrary and capricious" reasoning and for misunderstanding the matters before the Authority.

IFPTE members employed as immigration judges at the Department of Justice (DOJ) know firsthand the far-reaching harm caused by the current two-member FLRA majority. Just last month, the FLRA revoked the union certification of the National Association of Immigration Judges (NAIJ), which has been the union representing these DOJ employees since 1979. This retaliatory union-busting effort began in August 2019 under the previous administration, when the agency filed a petition to erroneously classify all union-represented immigration judges as management officials in order to silence DOJ employees who were voicing concerns through their union about due process, fairness, and improper politicization at the Immigration Court.

In June and July of 2021, when the DOJ, under Attorney General Garland, formally withdrew their opposition to the union and reversed the anti-union position of the previous administration, the FLRA majority shockingly continued the legally deficient anti-union effort to its conclusion.

This dysfunction does not serve the best interests of federal agencies, federal employees, nor the public. Senate confirmation of Susan Grundmann for FLRA Member is urgently needed to restore balance and functionality to this critical labor board.

We thank you for considering our request. Should you have any questions please do not hesitate to contact IFPTE Legislative Director Faraz Khan at 301-275-6038 or fkhan@ifpte.org.

Sincerely,



Matthew S. Biggs
IFPTE President



Gay Henson
IFPTE Secretary-Treasurer

