



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

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## 2024 IFPTE Issue Brief

118<sup>th</sup> Congress

### Key Legislative Priorities for Federal Employees in 2024

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Federal workers have withstood misguided workforce policies and anti-union attacks during the last administration that sought to weaken their collective bargaining and due process rights as well as undermine merit system principles. **IFPTE requests Congress uphold competitive hiring, merit system principles, and due process rights, all of which are necessary for a competent, efficient, and nonpartisan civil service.**

1. The Senate Must Confirm President Biden's Nominees for Federal Labor Relations Authority (FLRA) Member and FLRA General Counsel – Currently, the three-member FLRA board has one Democratic member, one Republican member, and one vacancy, resulting in a deadlocked FLRA that is unable to issue decisions on important cases. The FLRA General Counsel position is also vacant, resulting in a growing backlog of unfair labor practice cases. IFPTE urges the Senate to confirm Anne Wagner to serve as FLRA Member and Suzanne Summerlin as FLRA General Counsel in the strongest terms possible. Confirmation of the President's FLRA nominees is necessary for ensuring productive federal labor-management relations, statutory collective bargaining rights for federal workers, and efficient government operations.
2. Congress Must Pass Legislation that Prevents the Politicization of Competitive Service Positions – IFPTE asks Congress to pass the Saving the Civil Service Act (H.R. 1002, S. 399), legislation that would curtail the ability of a presidential administration to harm the federal civil service by unilaterally moving large numbers of competitive service positions into the excepted service, a move that would eviscerate the federal government's merit system principals, politicize the federal workforce, deny federal workers due process rights, and fundamentally undermine public services.

Since 2011, federal employees have sacrificed \$200 billion through pay freezes and pay raises that do not keep pace with inflation, as well as the increasing contribution rates for pension benefits. They've also endured serious economic suffering due to the government shutdowns in Fiscal Years (FY) 2013 and 2019. **IFPTE requests Congress strengthen the federal government's ability to recruit and retain the best talent America has to offer by making federal pay equitable with private sector pay and enhancing federal employee benefits:**

1. Restore the Purchasing Power of Federal Employee Pay – Federal workers were, on average, paid 27.54% less than their private sector counterparts in 2023. While the 5.2% average federal pay increase for 2024 was the largest since 1980, it does not keep pace with inflation nor the formula Congress authorized under the Federal Employees Pay Comparability Act of 1990 (FEPCA). At a minimum, Congress should enact the Federal Adjustment of Income Rates Act of 2024 (FAIR Act) sponsored by Rep. Gerald Connolly (D-VA) and Sen. Brian Schatz (D-HI), to provide federal employees an average 7.4% pay increase. Further, we continue to urge Congress and the Biden Administration to enact pay increases to close the pay gap with private sector employers.
2. Bust the Pay Cap in General Schedule and Other Pay Systems – Federal workers continue to experience the demoralizing frustration of the salary cap that prevents them from receiving their annual pay increases in high-cost localities and in pay systems that are capped by Executive Schedule Level IV. The resulting pay compression creates a disincentive for qualified and experienced federal workers to continue their careers in the federal government. IFPTE urges Congress to support Congresswoman Eleanor Holmes Norton's (D-DC) Pay Compression Relief Act, H.R. 5171 and we urge the Senate to introduce companion legislation.

3. Protect Federal Employee Pensions and Restore Pension Equity for Federal Workers Under FERS – In recent years, Members of Congress and the last administration have proposed taking away federal employees’ option to retire before the age of 62, as well as replacing the FERS high-three with a high-five pension computation, eliminating COLAs, and once more increasing the employee contribution rate for FERS. Legislation passed by Congress in 2012 and 2013 added two tiers to FERS, requiring employees hired after 2013 and 2014 to pay a higher contribution rate for the same retirement benefit. This erosion of federal pension benefits is unfair to the committed civil servants and the threat of further erosion only frustrates federal agencies’ ability to recruit and retain skilled employees.
- End the Tiered FERS Contribution Rates – The federal workforce is subject to an unfair four-tiered pension with CSRS and three different FERS tiers. Within FERS, employees hired in 2013 are paying 2.3% more and those hired after 2014 are paying 3.6% more with no benefit increase. IFPTE calls for legislation to set FERS contributions back to pre-2012 levels for all employees.
- Update FERS Annuity Compensation and Allow Cost-of-Living Allowances to Early Retirees – The current pension calculation for most FERS pension participants is the average of the highest three consecutive years of base salary, multiplied by the number of years of service, multiplied by 1.1% for those retiring at age 62 or older with 20 years of service. Retiring under age 62 with less than 20 years of service is accrued at a 1% rate and most federal early retirees are not eligible for an annual cost of living allowance unless they retire after age 62. Given that federal pensions have not seen improvements since the passage of the Federal Employees Retirement System Act of 1986, IFPTE believes that an increase in the current 1.1% accrual rate is long overdue. Additionally, all federal employees who are eligible for early retirement should receive FERS annual cost of living allowances.
4. Maximize Telework and Provide Resources for Remote Work – Since the pandemic, IFPTE members have demonstrated they can effectively perform their duties, support their agency’s mission, and maintain and even improve productivity. In 2023, [GAO reported](#) that “telework generally had a positive impact on worker productivity and firm performance in certain sectors.” However, some agencies and components arbitrarily deny or curtail telework, despite significant agency investments and innovations to make telework effective and efficient. We ask Congress to provide agencies with the resources to successfully implement telework and remote work, as supported by the Telework Enhancement Act of 2010 and oppose misguided and counterproductive legislation that requires agencies to return to pre-pandemic telework levels like the ‘Return to Work Act’ (H.R. 101) or the SHOW UP Act (H.R.139).

**IFPTE Requests the National Defense Authorization Act (NDAA) for FY2025 Including the Following Provisions:**

1. Require the Defense Health Agency to Implement a Plan to Provide Access to Quality Healthcare and Drug Coverage for DoD Civilian Employees in Japan and Outside the Continental U.S.– The NDAA for FY2024 includes a provision for GAO to recommend policy and legislative remedies to restore necessary healthcare and prescription drug coverage for DoD employees and their families stationed in Japan and Guam. In 2020, these essential employees who support service members lost on-base access to routine, chronic, and necessary healthcare and prescription drug coverage through no fault of their own. We urge Congress to include NDAA language to provide immediate remedies until the GAO report I issued and the recommendations in the [2023 DoD Inspector General’s report](#) are followed.
2. Declare Defense POW/MIA Accounting Agency (DPAA) jobs inherently governmental – Work that should be performed by Historians, Anthropologists, Geographers, and Archaeologists employed by the DPAA is unlawfully being handed over to contractors and non-profit organizations. DPAA management has done this without pursuing an A-76 study to determine if that work is contractable or if it is cost-efficient to do so. We request that defense authorizers include language in the FY2025 NDAA declaring these DPAA functions as inherently governmental.
3. Repeal DOD’s Flawed Performance-Based Reduction-in-Force (RIF) Procedure: IFPTE requests the full repeal of Section 1101 of the FY2016 NDAA, which diminished the DoD’s RIF rules for Veterans Preference and seniority in favor of flawed and biased performance ratings. After enactment, the order of retention became: (1) Rating of Record, (2) Tenure Group, (3) Average Score, (4) Veteran’s Preference, and (5) length of service. The FY2022 NDAA gave the Secretary of Defense the flexibility to consider Veterans Preference and seniority in RIFs. Given that many DOD performance rating systems have been proven to be discriminatory, we urge the language enacted in the FY2016 NDAA be reversed, and the order of retention restored to: (1) tenure of employment, (2) Veteran’s Preference, (3) length of service, and (4) performance ratings.
4. Maintain the A-76 Moratorium – The A-76 moratorium was put in place after GAO and the DOD Inspector General determined that the DoD could not prove that contracting out provided any cost savings to the taxpayer. IFPTE asks that the moratorium remain until a full cost-savings analysis of the frequently flawed A-76 process is provided to the House and Senate Armed Services Committees.