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DATE: December 21, 1998  
TO: NATIONAL COUNCIL SSMA OFFICERS AND EXECUTIVE COMMITTEE  
RE: Legislative Report #42

I wish all of you, and all SSMA members and families a wonderful holiday and a healthy, rewarding new year! This is the final legislative report for 1998.

In the face of the impeachment of President Clinton on Saturday, and the surprising, although relatively insignificant announcement by Speaker-elect Livingston that he would resign from Congress, it is difficult to focus on an odds-and-ends report as we transition into the 106th Congress. Despite the fact that a vote for impeachment seemed inevitable in the final weeks of the House deliberations, the prevailing sense among many here in Washington is one of disbelief. The prospect of the first order of business next year, a Senate trial to determine whether to remove the President from office, swamps everything else. The thinking is now that a full trial could tie up the Senate for months.

As with most catastrophic or momentous events, ordinary activities continue despite any sense of shock or lack of predictability. Congress will pick up its hearing schedule, Members will introduce and advance bills, and the budget and appropriations process will at least begin in a timely manner. NCSSMA will continue its work to advance effective public services at SSA and to advocate equitable compensation for and treatment of federal employees. As soon as the committees with which we work most closely have been re-constituted in January for the new Congress, I will be making the rounds to ensure that all are familiar with NCSSMA, its aims, and the resources it provides. I outlined in the previous legislative report some of the issues and avenues we will pursue next year.

So all I have left are the following items:

**OPM issues "Family-Friendly" report:**

OPM has responded to congressional inquiry about the status of family friendly policies and practices across federal agencies by conducting a study which shows that:

- \* over 33% of federal employees use flexible work schedules, which, together with part-time jobs, are the family-friendly programs most widely implemented

by Federal agencies;

- \* agencies believe that family friendly policies help attract qualified applicants to federal jobs; and
- \* only a little more than 1 % of federal employees telecommute.

There is an ongoing question about whether more employees do not take advantage of family friendly opportunities because of lack of knowledge or reticence on the part of agencies to offer those opportunities. Several legislators in the Washington metropolitan area, including Republican Reps. Wolf and Morella and Democratic Rep. Hoyer remain committed to expanding family-friendly programs governmentwide, and are expected to continue their efforts next year.

#### **GSA Releases New Per Diem Rates:**

1999 rates have been published. One source, if you need them and do not have them yet through SSA, is the Government Executive Magazine website: [www.govexec.com](http://www.govexec.com).

#### **Federal Employees Health Benefits Bill of Rights:**

The OPM website ([www.opm.gov](http://www.opm.gov)) contains the details of the impact of the attempt by OPM to conform FEHBP with the President's Patients' Bill of Rights initiative. Plans had to implement new protections "including access to specialists, continuity of care, disclosure of financial incentives, and access to emergency room services." OPM should have sent information to all beneficiaries, but if you did not receive it and want to check the details, you can use the website.

#### **Supervisory Staffing Levels at FAA:**

Anyone interested in the issue of the impact of reductions in supervisory jobs at other agencies should check the Department of Transportation IG recommendations (at [www.dot.com](http://www.dot.com)) for a rational approach to reducing Air Traffic Control supervisors. In this case, where public safety could be at risk, the IG recommends that a plan be in place prior to implementation of a reduction in supervisors and implementation of a new position, "Controller-In-Charge," which is aimed at the evolution of a self-directed work team model for the FAA. IG recommendations include clear identification of the functions CICs will assume, ensuring sufficient authority for CICs, training courses covering the additional responsibilities assumed from supervisors, and a quality assurance program to monitor the impact of reductions in supervisors at each facility and provide a means to make adjustments. Reps. Oberstar (D-Minn) and Wolf (R-Va) requested the IG study as a result of efforts by the Federal Managers Association, which represents the Air Traffic Control supervisors.

#### **Surprised anyone?**

The SES recertification process instituted in 1989 has resulted in over 99% of SESers being recertified every three years. OPM has concluded that it "is not worth the time and cost expended" to conduct the recertifications. In 1997, only 15 out of 4,000 SESers were not fully recertified. It took the fifty agencies tracked a total of 17,700 work hours at a cost of a million dollars to conduct the recertifications that year, with no indication of improved executive performance resulting from the process. Performance management/accountability continues to

be a thorny issue at every level.

I have received only two inquiries from SSMA members concerning the status of legislation or issues affecting federal employees at the end of the 105th Congress. Those concerned:

**Early Outs in 1999:**

While only your agency can tell you whether and when it will offer early outs, I can report that OPM extended SSA's authority to offer them through September, 1999.

**Status of Supervisory Overtime:**

SSMA members should have received through the grassroots network updated materials (as of November, 1998) on this issue and how to help with it. Your regional President and Grassroots Coordinator should have that information.

To recap the status: I continue to coordinate efforts with FMA and others in the CEC to press for an increase in the overtime cap for GS 10 and higher employees who are exempt from the Fair Labor Relations Act. Rep. Tom Davis of Va. was joined by Reps. Morella and Cummings of Md. in writing to OPM to request their promised proposal for fixing the overtime problem; Morella and Cummings have also joined Davis in his intent to re-introduce legislation early next year modeled on Davis' last bill, H.R. 3956. How the re-introduced bill is handled in the new Congress depends in part on the response from OPM, the cost figures which CBO will develop and the views of OMB (reliably reported to oppose raising the cap), any changes in the constitution or Chairmanship of the Civil Service Subcommittee (which is still up in the air), and how much bi-partisan support we can gain for this effort, which will be in evidence by the number of co-sponsors we get to sign onto the new bill. We will be working hard on this issue in the new year.

Please let me know if you have any other questions, and I will start the new year by answering them.

End