

Questions:

1. Are we (or will we be able to) work regular hours on Sunday? There is no reason that Sunday should be treated differently than Saturday.

Years ago the agency made the decision to not have Sunday included in the tour of duty for all employee schedules. One reason is that employees with a tour of duty that includes Sunday are entitled to Sunday premium pay when the employee performs non-overtime work on Sunday (see 5 CFR 610,111(b)).

2. To call a meeting without any notice is not professional courtesy. Management who expects professionalism should exhibit professionalism.

Management is still arguing for a minimum of 4 hours to call a formal meeting (that is one where POPA needs to be invited and managers are meeting with employees – this does not include meetings with your first line supervisor such as an art unit meeting). POPA believes this is unreasonable not only from our standpoint of getting a POPA rep to attend but from the employee's standpoint of scheduling their time to do their work.

3. what is negotiations timeline?

There is not a strict timeline. We need to discuss the proposals with management and reach as much agreement as we can before we would head to mediation and then the Federal Service Impasses Panel (FSIP). The FSIP has the ability to impose proposals on the parties.

4. Why don't we have Administrative time. We spend at least a few hours per bi-week, reading emails, different announcements etc.

Administrative time for some activities is limited on a yearly basis. POPA has constantly asked for additional time to accomplish tasks that have been added to employees' plates. We have proposals on the table now. The Agency does not want to spend money on this. Every hour they give production employees costs in the area of \$1M.

5. It would have been nice to have the option to get awards converted into hours the examiner can use for vacation

POPA has advocated for employees to receive cash awards. Many employees would prefer the money to additional time off and we would not want anyone forced to have to take an award as time rather than money.

6. if there is a problem giving other time then why not lower what is considered full successful?

This is an interesting concept but the office is not going to lower standards. Congress and other outside entities keep pushing for quality of patents.

7. what kind of leverage does POPA have to get management to negotiate over items they are unwilling to negotiate on such as the 3hr per week for health related time on the CBA proposal?

As stated earlier, hours of other time is money. It is not clear to POPA that management is willing to spend money (other time) on issues such as physical and mental health. Management has not been receptive to new categories or additional amounts of other time. It then is a budget issue and federal unions can not negotiate over items such as pay and budget.

8. Are there any changes that are anticipated for Oct 2023, since CBA negotiations will not be done for the beginning for FY2024?

The CBA will not be finished for quite a while. There is nothing we are discussing in the negotiations which will be ready for October 2023.

9. Is the 3rd party mediator a government paid employee? Where do they come from and who pays for them?

The mediator is from the Federal Mediation and Conciliation Service (FMCS). FMCS is a federal agency that provide mediators to help with different areas of mediation including collective bargaining mediation. There is no cost to the agency nor the union for this service.

10. Understanding that negotiations are still going, are the topics you discussed the major points of difference or could you highlight 2-3 where sides are far apart?

We are still in the process of discussing the proposals but a couple areas where we appear to be far apart at this point are WebTA use only for leave requests, changing eligibility requirements for working overtime and compensatory time to be the same – the current overtime requirement (right now there is a different requirement for compensatory time eligibility which is a rolling 4 quarters) and getting more time for things such as IT outages, physical and mental health other time and sabbaticals.

11. In the current status of negotiations, regarding sick leave: can your SPE require a doctor's letter at any time? Or has POPA requested a few boundaries, such as for example, > 3 consecutive sick days, etc...?

If you are on leave restriction (and there have only been 2 POPA-covered employees in the last 5 years in this situation), then you can be asked for medical documentation with every sick leave request. Everyone else shouldn't be asked for medical documentation until after more than 5 days or on leave restriction (management) or not followed the sick leave rules, on leave restriction or evidence of invalidity of request (union).

12. Regarding work schedules, can we claim work hours on both Saturdays of a biweek?

This is still being discussed.

13. How long will it take for the sabbatical to be approved if it happens?

If the proposal is accepted by management, then implementation would be discussed after the contract is ratified.