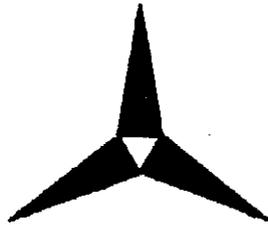


JOB ACTION CONTINGENCY PLAN

HEADQUARTERS III CORPS AND FORT HOOD
FORT HOOD, TEXAS 76544



INTRAMANAGEMENT COMMUNICATION

THIS PLAN CONSTITUTES INTRAMANAGEMENT GUIDANCE
WITHIN THE MEANING OF 5 U.S.C. 7114(B) (4) (c).
IT IS NOT INTENDED FOR GENERAL PUBLICATION
AND ITS DISTRIBUTION IS RESTRICTED
TO MANAGEMENT CHANNELS ONLY

Civilian Personnel
JOB ACTION CONTINGENCY PLAN (JACP)

APPLICABILITY. This plan applies to III Corps and Fort Hood Staff and Garrison activities, subordinate commands, and tenant activities.

DISTRIBUTION. This plan constitutes intramanagement guidance within the meaning of 5 USC 7114(b)(4)(c). It is not intended for general publication and its distribution is limited to management and supervisory personnel.

INTERIM CHANGES. Changes to this regulation are not official unless authenticated by the Directorate of Information Management (DOIM). Users will destroy interim changes on their expiration dates unless sooner superseded or rescinded.

SUPPLEMENTATION. Supplementation of this regulation is prohibited without prior approval from AFZF-CP.

SUGGESTED IMPROVEMENTS. The proponent of this plan is the Directorate of Civilian Personnel (DCP). Users are invited to send comments and suggested improvements to the Commander, III Corps and Fort Hood, ATTN: AFZF-CP, Fort Hood, Texas 76544-5056.

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GENERAL

	<u>1</u>
Purpose	To provide policies and procedures for dealing with employees and labor organizations in the event of any threatened or actual job actions at Fort Hood to ensure continuation of work operations.
	<u>1a</u>
References	AR 690-700, Chapter 711, appendix B (with FORSCOM Supplement 1 to AR 690-700, Chapter 711)
	AF Collective Bargaining Agreement between Headquarters (HQ), III Corps and Fort Hood, and AFGE, Local 1920
	FH Pamphlet 690-32, Guide to Civilian Personnel Management
	DOD CPM 1400.25M, CPM Chapter 711, 10 July 1981
1920	NAF Collective Bargaining Agreement between HQ III Corps and Fort Hood, and AFGE, Local 1920
	<u>1b</u>
Abbreviations and Terms	Abbreviations and terms used in this regulation are explained in the glossary.
	<u>1c</u>
Overview	The Appropriated Fund (AF) civilian work force (except for supervisors, confidential, temporary, and professional employees) and the nonsupervisory nonappropriated fund employees assigned to the Directorate of Engineering and Housing (DEH) Billeting and Guest House are represented by the American Federation of Government Employees (AFGE), Local 1920.
	NOTE: Each group of employees constitutes a separate bargaining unit.
	Job actions by employees of the Government are prohibited.
	Title 5, USC, Section 7116(b)(7) prohibits Federal labor organizations from calling or engaging in a strike, work stoppage, or slowdown; picketing of an agency in a labor-management dispute; or condoning any such activity by failing to take affirmative action to prevent or stop it.
	Despite these prohibitions there have been strikes, picketing, work stoppages, slowdowns, sick-outs, and other forms of prohibited job actions within the Federal Government. A few of these incidents have occurred within DOD, and others have been threatened. Prevention and effective handling calls for prompt and firm action by management, as detailed in appendixes A and B.
	Accordingly, all activities will develop internal contingency plans and procedures to carry out their missions and responsibilities under this plan in the event of a job action.
	<u>1d</u>

Procedures Any management official who becomes aware of a threatened or an actual job action will immediately notify the DCP, ATTN: Labor Relations, Telephone 288-2010.

The DCP will investigate and make an initial assessment of the situation and advise the Commander, HQ III Corps and Fort Hood, whether to implement this plan.

When implementation orders are given, activities will carry out their responsibilities as outlined in block 2.

1e

RESPONSIBILITIES

GC The Garrison Commander(GC)

- directs the DCP to
 - initiate and maintain a dialogue with union leadership to determine the nature and cause of the problem, actions necessary for early resolution, and actions taken by the union to prevent the job action.
 - coordinate with the Staff Judge Advocate (SJA) and file an unfair labor practice (ULP) charge with the Federal Labor Relations Authority (FLRA) against the union if the union has called for or takes part in a job action by not trying to prevent it.
- directs the SJA to seek an injunction through the Department of Justice, if appropriate.
- responds to requests from activities for military personnel to augment supervisors and professional employees in performing mission essential functions.

2a

G3/DPTM The Assistant Chief of Staff, G3, Directorate of Plans, Training, and Mobilization (DPTM) is responsible for the Command Operations Center (COC).

The Assistant Chief of Staff, G3

- on order of the Commander, III Corps and Fort Hood, notifies units/staff sections listed in appendix H to implement the Job Action Contingency Plan (JACP).
- passes control of JACP to the DCP after the Job Action Operations Center is established.
- upon order of the Command Group, provides military personnel to augment the civilian workers and military police.
- furnishes photography support (from the COC on-call roster during non-duty hours) for day and night still and video photography, reporting to the Job Action Operations Center, building 4220, not later than (NLT) 1 hour after notification.
- appoints a management official to serve on the Job Action Committee.

2b

DCP

The DCP

- serves as the principal point of contact on matters relating to job actions by union or nonunion employee groups, and chairs the Job Action Committee.
- upon order, establishes the Job Action Operations Center (JAOC) in building 4220.
- pending opening of the JAOC, when requested, furnish as liaison to the COC.
- notifies Department of the Army (DA), United States Army Forces Command (FORSCOM), and tenant activity commands of imminent or actual job actions.

NOTE: Notification will be given to Office of the Deputy Chief of Staff for Personnel (ODCSPER), Chief, Labor and Employee Relations Division (Defense Switched Network (DSN) 225-5593/3915) during duty hours, or after duty hours through the Deputy Chief of Staff for Personnel (DCSPER) Duty Officer (DSN 225-0441); and to FORSCOM, Management Employee Relations (DSN 367-6825).

- maintains negotiations with local union leadership during imminent and actual job actions.
- keeps the Command and activity directors informed.
- assists management in organization planning and staffing to perform mission essential work, including reassignment of employees from other work areas and the emergency hire of personnel.
- provides guidance to management regarding leave and disciplinary matters and on relationships with the union and employees who engage in a job action.
- determines with SJA the appropriateness of obtaining an injunction against the union.
- in coordination with DA, files a ULP charge, assists the SJA in hearings before the FLRA, and maintains contact with the FLRA.
- reviews the plan annually and updates if necessary.

2c

DEH

The DEH

- ensures utility (water, sewer, electricity, and gas) distribution systems remain operational and maintains other critical facilities using management personnel and other employees not involved in the job action.

NOTE: Support from military augmentees will be requested, if needed, through the GC from G3/DPTM.

- provides motor vehicle and equipment operators to assist the refuse contractor in operating equipment in the event contractor employee employees are involved in the job action (contractor payments will be adjusted accordingly).

(continued on next page)

-
- DEH (cont)
- ensures mutual aid agreements with civilian fire departments in the surrounding communities will be utilized and assistance requested as required.
 - if needed, requests guards from G3/DPTM for protection of utility facilities considered critical to the operation of the installation.
 - appoints a management official to serve on the Job Action Committee.

2d

DOC The Directorate of Contracting (DOC)

- takes appropriate action during job actions affecting contractors.
- appoints a management official to serve on the Job Action Committee.

2e

DOL The Directorate of Logistics (DOL)

- inventories essential supplies, materials, and determines consumption rates.
- determines essential nonperishable supplies and material to be stockpiled.
- considers advancing delivery times of supplies or scheduling deliveries when pickets are unlikely to be present in force.
- considers leasing warehouses for supplies that cannot be delivered to the installation.
- develops procedures for closing buildings not likely to be used, and for suspension of unnecessary housekeeping operations.
- determines if employees of outside services will honor picket lines; if so, determines what alternate arrangements are available.
- if employees are required to stay within activity premises overnight, develops procedures to procure housekeeping articles, beds, food, and equipment for communication with employees' families.
- appoints a management official to serve on the Job Action Committee.

2f

DCIS The Directorate of Counterintelligence and Security (DCIS)

- provides a current intelligence estimate for the DCP NLT 3 hours after implementation of plan (prepares other estimates as needed).
- appoints a management official to serve on the Job Action Committee.

2g

PM

The Provost Marshal (PM)

- establishes military police communication network as required.
- determines and coordinates law enforcement services with local civilian law enforcement agencies.
- in coordination with the G3/DPTM, determines the number of III Corps and Fort Hood military augmentees required to supplement military police.
- provides security for job applicants and civilian employees from installation entrances to work sites and return.
- advises activity managers on security matters and employment of guards in the event guarding of facilities is required.
- coordinates with G3/DPTM to ensure military police and any guard force efforts are mutually supporting.
- appoints a management official to serve on the Job Action Committee.

2h

PAO

The Public Affairs Office (PAO)

- serves as the central point of contact for all media inquiries and sole releasing agency for information to the public and as a media escort.
- ensures that all media releases are coordinated with appropriate staff activities.
- maintains a historical file of all newspaper clippings, handbills, and other literature published in connection with the job action.
- appoints a management official to serve on the Job Action Committee, reporting to the DCP NLT 1 hour after plan implementation.

2i

SJA

The SJA

- appoints the Labor Counselor to serve on the Job Action Committee.

NOTE: Labor Counselor or designee will report to building 4220, Job Action Control Operations Center, NLT 1 hour after implementing this plan.

- takes appropriate action to seek an injunction and/or a restraining order.
- gives advice concerning the preparation of ULP charges.
- represents Fort Hood in hearings before the FLRA.

2j

Managers and Supervisors

Managers and supervisors must

- be familiar with this plan and be ready to implement upon order.
- maintain accurate records, document the status of each employee participating in a job action, and record the information listed in appendix C.
- maintain records of any damage to equipment or property.
- consult with DCP, MER Division, and take appropriate disciplinary action against job action participants.
- submit requests for guard personnel through GC to G3/DPTM.
- prepare internal operating procedures to implement this plan.
- be prepared to assist and serve on the Job Action Committee.

2k

Job Action Committee

The Job Action Committee

- is composed of the
 - Director, Civilian Personnel, Chairperson;
 - Labor Relations Staff;
 - Labor Counselor; and
 - representatives from
 - G3/DPTM,
 - DEH,
 - DOC,
 - DOL,
 - DCIS,
 - PM,
 - PAO, and
 - AD HOC members when called upon to serve as needed.
- will convene upon order of DCP in building 4220.
- will gather, release, act upon job action data, and advise the Commander, III Corps and Fort Hood.
- compiles the history of the job action.
- summarizes lessons learned.
- prepares requisite reports.

2l

Appendix A
**GUIDE FOR DEALING WITH JOB ACTIONS BY BARGAINING UNIT EMPLOYEES
REPRESENTED BY AFGE, Local 1920**

1. Strikes by employees of the Government of the United States are prohibited by Title 5, United States Code (USC), Section 7311. Further, 5 USC 7116(b)(7) prohibits labor organizations, on behalf of employees they represent, from calling or engaging in a strike, work stoppage, or slowdown; picketing an agency in a labor-management dispute if such picketing interferes with an agency's operations or condoning any such activity by failing to take affirmative action to prevent or stop it. Such activities are commonly referred to as job actions.
2. Informational picketing by Federal employees, however, is permitted. Permissible informational picketing is that which is directed at the general public, including members of organized labor groups, which does not interfere with an agency's operations. DA policy is that no picketing is permitted on a military installation. Informational picketing, when it occurs, is restricted to areas outside the gate of the installation.
3. Despite these prohibitions there have been strikes, picketing which interfered with agency operations, work stoppages, slowdowns, sick-outs, and other forms of prohibited job actions within the Federal Government. A few of these incidents have occurred within DOD and others have been threatened. Their prevention and effective handling calls for prompt and firm action by management.
4. Activities are responsible for ensuring that contingency plans are developed for carrying out missions in the event of job actions. In addition to providing for continuation of work operations, such plans should include the following provisions for dealing with employees and labor organizations in the event of any threatened or actual job action:
 - a. HQDA and FORSCOM should be alerted immediately by the DCP and all developments reported.
 - b. An unfair labor practice charge should be considered and filed with the Federal Labor Relations Authority against the union if there is reason to believe that the union has called, or is participating in a job action, or is condoning such action by failing to take action to prevent or stop such activity. The preparation of all such charges should be accomplished by the Directorate of Civilian Personnel in coordination with the SJA.
 - c. Employees in the activities involved should be reminded of their obligations and advised that such actions violate the law and subject them to the penalties of law and regulations, including discharge from employment.
 - d. Union officials, including local officers and stewards, should be reminded of their obligation under 5 USC 7116(b)(7) to take affirmative action to prevent or stop such activities. In the event union officials have not fulfilled this obligation, appropriate warnings or sanctions should be promptly initiated.
 - e. Individual employees who are observed promoting or encouraging a possible job action or who, in fact, are leading such action, should be placed on indefinite suspension pending a complete investigation of their activities. In effecting such suspensions, guidelines in the Federal Personnel Manual will be observed.
 - f. Where a work stoppage is threatened, management's primary objective is to prevent such an incident, or failing that, to contain it. Management should therefore attempt to identify the cause of the problem, and take corrective action. However, no action should be taken or statements made which would constitute commitments that either employees or the union will be absolved of responsibility for any violation of law or regulation. Also, unless prior clearance from HQDA is obtained, no concessions or commitments will be made to the union in return for an agreement to call off a job action or order employees to return to work.

g. When a job action is imminent or has occurred, the Job Action Contingency Plan will be put into effect. After consultation with HQDA:

(1) Employees, both participants and nonparticipants, should be informed of the plans made and steps taken to continue operations, and advised that whatever grievances employees participating in work stoppages may have will be discussed under established procedures after the work stoppage has ceased.

(2) Appropriate information should be furnished to nonparticipating employees with regard to whether they should report to work, whether and under what conditions they should cross picket lines, what entrance to use, etc.

h. From the time an incident is threatened, activity management should ensure that detailed information is gathered - who, what, when, where, why, etc., including whether the incident relates to a local matter or appears to be part of a widespread matter over which the local activity has no control. A chronological record of events and actions should be maintained. Developments should be carefully documented and evidence collected. The format in appendix C should be used in recording factual information on the actions of individual employees.

Appendix B
**GUIDE FOR DEALING WITH JOB ACTIONS BY CIVILIAN EMPLOYEES NOT IN THE
BARGAINING UNIT AND CONTRACTOR EMPLOYEES**

1. Experience in the Federal service indicates that management must be prepared to deal effectively with job actions by nonunion groups. These may include Fort Hood (AF and NAF) civilian employees not represented by AFGE Local 1920, and employees of contractors working on Fort Hood. Contingency plans must provide not only for continuing operations and effective handling of the disruption, but to also assure the rights of any officially recognized labor organization. The following actions should take place:

a. In all cases:

(1) Meet with the group or its representatives and find out what they want. Gather as much information as possible about their complaint.

(2) Notify the DCP, who in turn will notify higher management officials and recommend implementation of the Job Action Contingency Plan.

(3) Give all involved employees notice of their obligations and advise them of possible disciplinary or legal action, including discharge from employment, if they continue their disruptive activity. Individual employees observed promoting or encouraging a job action, or who are leading an actual job action, should be placed on indefinite suspension in coordination with the DCP, pending a complete investigation of their activities. The requirements of applicable regulations must be observed in effecting such suspensions.

(4) Where appropriate, corrective action may be taken to resolve the complaints. No action should be taken or statement made, however, which would constitute commitment that employees will be absolved of responsibility for any violation of law, Executive Order, or regulation.

b. In situations where there is an exclusively recognized labor organization:

(1) To the extent that the nonunion group's demands are covered in the collective bargaining agreement, direct them to the appropriate union officials.

(2) Make union officials aware of the nonunion group's demands that are covered by the existing agreement or could be a subject for bargaining. Attempt to persuade the union to take into consideration the nonunion group's needs that relate to them as the collective bargaining representative.

(3) To the extent the issues are outside the scope of bargaining of management and the union, direct the nonunion group to the appropriate individual or agency.

(4) Refuse to bargain on those issues that fall under the bargaining rights of the exclusive representatives.

Appendix C
SUPERVISORY DATA SHEET FOR RECORDING
JOB ACTION PARTICIPATION INFORMATION

To the extent possible, the following information should be recorded for each employee you supervise in the event of a job action affecting your work area.

- 1. Name of Employee and Position Title:
2. Is the employee a labor organization official or representative?
3. Briefly describe activity of employee during initial phase of job action.
4. Was employee prevented from reporting to or returning to work by conditions beyond the employee's control?
5. What statements, if any, did employee make to you, or fellow employees, during this action?
6. List other pertinent observations or statements you made to employee in connection with the action.
7. What other supervisor(s) or employees were witnesses to statements or actions of this employee?

(Signature of supervisor and position title)

(Dates covered)

(Date this form was completed)

Incident Sample Log Format

1. Description of Incident(s):
Date & Time of Incident:
Action Taken (what, when, where)

2. Description of Incident(s):
Date & Time of Incident: etc.

Appendix D
GUIDELINES FOR PREVENTION OF JOB ACTIONS

As management, our basic responsibility to maintain efficient operations and high standards of public service requires that we create a work environment conducive to high levels of employee performance. Emphasis on fair and considerate dealings with employees and prompt action to eliminate just causes of employee dissatisfaction contributes significantly to a positive work situation. Organizations which promote these management practices seldom will be faced with disruptive employee actions. To this end, managers should periodically review their work environment to assess the degree to which the following considerations are met:

1. **Equitable conditions of employment are maintained for all employees.** There is no question but that Federal employees want to be treated in the same manner as, or better than, their counterparts in private industry. They also expect to be provided the same opportunities as their coworkers. Managers must be aware of how their organization compares to private sector employers with respect to salaries, benefits, and working conditions; and in comparison to other activity organizations with respect to work assignment, personal development, and promotion opportunities. Employees should be informed that management is doing all that is possible to eliminate any known inequities.
2. **Full disclosure by management of the terms, conditions, and obligations of employment.** Each employee must be made fully aware of the duties and responsibilities of their position, standards of work performance, and personal conduct, work rules, personnel policies, and individual rights and benefits. This information may be provided by a variety of means (i.e., group orientations, employee handbooks, and supervisory discussions), but should be structured to assure employees receive all important data.
3. **Fair administration and enforcement of established rules, laws, and regulations.** Supervisors must make a continuous effort to be consistent and equitable in accomplishing their personnel management responsibilities. This is especially true concerning such areas of discretion as assigning work, evaluating performance, administering leave, and taking adverse action. Employees should be properly informed so that actions are aboveboard with their fairness obvious to all.
4. **Open lines of communication between management, its employees, and their representatives.** Free and direct internal lines of communication are indispensable to sound employee morale and to the management decisionmaking process. Management must keep the workforce fully informed of the problems and aims of the organization and solicit employee and union ideas for work improvement. Employees should be advised of all matters which affect them, utilizing as a minimum, the following communication channels: managers and supervisors, employee organizations, posted notices, newsletters, special bulletins, orientation sessions, counseling programs, and exit interviews.
5. **Open lines of communication among all members of the "management team."** A system for intramanagement communication must be established to facilitate effective two-way communication among all levels of management so that each supervisor will have the opportunity to participate meaningfully in the management process. The system may utilize a variety of methods to increase communication effectiveness, such as meetings, conferences, seminars, training sessions, supervisory handbooks and bulletins, study projects, special reports, questionnaires, and special assignments. In all cases, the system and the communication methods it utilizes should be tailored to individual local requirements.
6. **Recognition of employees' rights to organize and bargain with respect to personnel policies, practices, and working conditions.** Management officials and employees both must be informed of the rights and obligations provided by 5 USC Chapter 71 and its implementing directives. This includes the right of employees to organize and bargain collectively and their right to refrain therefrom.
7. **Adherence to the terms of negotiated agreements.** The labor-management agreement provides the basis for the long range relationship of the parties and is critical to the success of the total program. If the relationship is to be one of mutual trust and confidence, management must do all possible to assure the agreement is administered reasonably and accurately. There must be accord with the union about the limits of the agreement and the intent of all its provisions. The parties responsible for administration must be aware of this and be appropriately trained to carry out its requirements.

8. **Effective utilization of established procedures to adjust individual grievances.** Both agency and negotiated grievance procedures must be administered so that employees have their complaints considered rapidly, fairly, and without reprisal. Such procedures should ensure that management actions are taken in accordance with policies and encourage employees to express themselves about how conditions of work affect them. Ultimately, they will direct management attention to problems that might otherwise be ignored and allowed to get out of control.

9. **Development of management personnel skilled in labor relations techniques.** Dealings with organized labor must be backed up with an understanding of both the technical program requirements and the skills and attitudes necessary for effective relationships. All supervisors should receive basic training in their labor relations responsibilities and those who must negotiate or administer an agreement should have appropriate supplementary training. In addition, properly trained technical specialists should be available to provide managers with guidance about specific labor relations problems.

Appendix E
SAMPLE DETERRENT LETTER TO AFGE, LOCAL 1920

President, Local 1920
AFGE
Fort Hood, Texas 76544

Dear _____:

This is in reference to the issues underlying the threatened job action pending at Fort Hood. In an effort to de-escalate the intensity of the situation, the following preventive actions have been or are being taken at this time to settle the issue(s) which remain unresolved:

- (1)
- (2)
- (3)
- (4)

You are reminded of your responsibilities as the exclusively recognized bargaining agent at Fort Hood as provided under Title VII, of the Civil Service Reform Act of 1978. That is, you may not:

- (1) Call or participate in a strike, work stoppage or slowdown, or picket an agency in a labor management dispute, if such picketing interferes with an agency's operations, or
- (2) Condone any of the above mentioned activities by failing to take action to prevent or stop them in the event they occur.

As part of Fort Hood's planned courses of action, and in keeping with the spirit and intent of the Civil Service Reform Act of 1978, we solicit your fullest support in deterring this pending job action. Accordingly, we desire to meet with you on _____ at _____ in the _____ located at _____ to establish measures which will assist in ensuring that the pending job action is not implemented.

Enclosed are copies of draft memorandums this office intends to dispatch to its employees, the subject of which is the pending/threatened job action. We will appreciate your review of subject memorandum prior to our meeting in order that we may co-sign the joint communique for subsequent dispatch to our employees on that date. We will appreciate your acknowledgment of this letter and your intended plans regarding the items of action requested which are set forth herein.

I am sure you share the same concerns we do in ensuring this threatened job action is prevented. We look forward to meeting with you on _____ regarding this most important area of mutual concern.

Sincerely,

Commander, III Corps and Fort Hood

3 Enclosures

ENCLOSURE 1 TO SAMPLE DETERRENT LETTER TO AFGE, LOCAL 1920
Deterrent Memorandum for Employees

Dear Employees,

This is in reference to the threatened job action pending. In an effort to de-escalate the intensity of the situation, the following preventive actions have been or are being taken at this time to settle unresolved issue(s) between Fort Hood and AFGE, Local 1920:

- (1)
- (2)
- (3)
- (4)

As Government employees, and more specifically as employees of Fort Hood, Texas, please be advised that under United States law as stated in Title 5, US Code, Section 7311, "An individual may not accept or hold a position in the Government of the United States if he . . . participates in a strike . . . against the Government of the United States. . . ."

Further, as specified in Title 18, US Code, Section 1918, "Whoever violates the provision of Section 7311 of Title 5 . . . shall be fined not more than \$1,000 or imprisoned not more than one year and a day, or both."

Accordingly, I ask each of you to give this pending situation careful consideration prior to participating in or "honoring," i.e., endorsing, an illegal or disruptive job action which may be imminent at this time. This is a very serious matter and there are severe penalties, up to and including removal, to which employees subject themselves when they engage in these unprotected activities.

If you have any questions concerning the contents of this memorandum, please call the Directorate of Civilian Personnel at 288-2010, or your supervisor.

Sincerely,

Commander, III Corps and Fort Hood

President, AFGE, Local 1920

ENCLOSURE 2 TO SAMPLE DETERRENT LETTER TO AFGE LOCAL 1920
Deterrent Notice for Employees

Dear Employee:

I am concerned about recent reports that you are being encouraged by _____ to engage in a strike or work action against the Federal Government. You are being led to violate the law and the oath you took when you were initially appointed to the Federal service. I feel obligated to take every step possible to ensure that you are informed of the surrounding circumstances before you knowingly participate in such an action.

We are a Government and a people of the law. Just as we expect our Government to be bound by the Constitution and the law, we are also bound by the rules of law. We cannot pick and choose which laws we will obey based on a personal judgment that a cause is just or deserving of action. No individual or group can claim justice by engaging in unlawful action to obtain it. If you believe your positions have merit, you can, of course, pursue them through the legislative process using lawful persuasion.

The course of action urged by _____ can only result in harm to you, the public, and the Government. The Government will have no alternative but to vigorously pursue all remedies available to it to bring any unlawful action to an end. The most important message to you in this letter is to make you aware that the _____ may not suffer the consequences; you will bear the burden of violation in their behalf.

I am concerned about you personally and want to do everything possible to alert you to the potential consequences to you, your family, and your professional future, irrespective of employer, if your record includes a conviction for violating a Federal law.

Sincerely,

Commander, III Corps and Fort Hood

ENCLOSURE 3 TO SAMPLE DETERRENT LETTER TO AFGE, LOCAL 1920
Warning Notice for Participating Employee

AFZF-< >

MEMORANDUM FOR <Employee Participating in a Job Action>

SUBJECT: Warning Notice - Job Action

1. This is in reference to the illegal and disruptive job action which is presently occurring. You are advised that your participation in this illegal job action is against the law. Title 18 of US Code, Section 1918, specifies that, "Whoever violates the provisions of Section 7311 of Title 5...shall be fined not more than \$1,000 or imprisoned not more than one year and a day, or both." Also, under Title 5, Section 7311 of the U.S Code, an individual may not accept or hold a position in the Government of the United States if he participates in a strike against the Government of the United States.
2. Since you are believed to be participating in this illegal or disruptive job action, you are presently being carried in an absence without leave (AWOL) status. Further, you are under consideration for appropriate disciplinary action, from an indefinite suspension to possible removal from your position. **Accordingly, you are ordered to immediately report to work on your next duty day.** Failure to obey this order will only serve to complicate and intensify the severity of your situation. If you are experiencing difficulty in reporting for duty or are apprehensive because of the occurring job action, you should contact me at <telephone number>. Arrangements will be made to assist you in reporting for work.
3. Any questions about the content of this notice may be directed to me or to <Employee Relations Specialist> at the Directorate of Civilian Personnel (DCP), 288-2010. You are to acknowledge receipt of this notice by signing and dating the enclosed copy and returning it to the DCP in the enclosed envelope. Failure to acknowledge receipt of this notice will not void its contents.

Encl

(Signed by)
Supervisor

Appendix F
SAMPLE DETERRENT LETTER FOR NATIONAL UNION

National President
American Federation of Government Employees
400 First Street, NW
Washington, D.C. 20001

Dear Mr. (National Union President):

This is in reference to the issues underlying the threatened job action pending at this installation. In an effort to de-escalate the intensity of the situation, the following preventive actions have been or are being taken by Fort Hood management at this time to resolve the issue(s) on which Fort Hood and AFGE, Local 1920 have been unable to agree:

- (1)
- (2)
- (3)
- (4)

You are reminded that under Title VII, of the Civil Service Reform Act of 1978 it is an unfair labor practice to:

- (1) Call or participate in a strike, work stoppage or slowdown, or picketing of an agency in a labor management dispute, if such picketing interferes with an agency's operations, or
- (2) Condone any of the above mentioned activities by failing to take action to prevent or stop them in the event they occur.

Therefore, in accordance with 5 USC 7116(b)(7), we request that you immediately inform all members and locals threatening a job action that AFGE will not condone job actions of any type against Fort Hood, including slowdowns and sick outs.

Sincerely,

Commander, III Corps and Fort Hood

Appendix G
SAMPLE UNFAIR LABOR PRACTICE CHARGE

FORM EXEMPT UNDER 44 U.S.C. 3512

 <p>UNITED STATES OF AMERICA FEDERAL LABOR RELATIONS AUTHORITY</p> <p>CHARGE AGAINST A LABOR ORGANIZATION</p>	<p>FOR FLRA USE ONLY</p>	
	Case No.	
	Date Filed	
<p>Complete instructions are on the back of this form.</p>		
<p>1. Name and address of charged labor organization or agent</p> <p>AFGE, Local 1920 P.O. Box 841 Killeen, TX 76541</p>	<p>2. Name and address of charging party (individual, labor organization, activity, or agency)</p> <p>Commander HQ, III Corps and Fort Hood ATTN: AFZF-CP-M Fort Hood, TX 76544</p>	
<p>3. Charged labor organization contact information</p> <p>Name:</p> <p>Title: President, AFGE, Local 1920</p> <p>Phone: (817) 532-6188</p>	<p>4. Charging party contact information</p> <p>Name:</p> <p>Title: Labor Relations Specialist</p> <p>Phone: (817) 288-2010</p>	
<p>5. Which subsection(s) of 5 U.S.C. 7116(b) and/or (c) do you believe have been violated? [See reverse] <u>(7)</u></p>		
<p>6. Tell exactly WHAT the labor organization did. Start with the DATE and LOCATION, state WHO was involved, including titles.</p> <p>On _____, a job action commenced at Fort Hood, Texas involving _____.</p> <p>The ongoing job action is interfering with operations at Fort Hood. We have information that leads us to believe that AFGE, Local 1920, is participating in/condoning the job action.</p> <p style="text-align: center; font-size: 2em; font-weight: bold; margin-top: 20px;">sample</p>		
<p>7. Have you or anyone else raised this matter in any other procedure? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, where? (See reverse)</p>		
<p>8. I DECLARE THAT I HAVE READ THIS CHARGE AND THAT THESE STATEMENTS IN IT ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT MAKING WILLFULLY FALSE STATEMENTS CAN BE PUNISHED BY FINE AND IMPRISONMENT. 18 U.S.C. 1001.</p>		
Type or print your name	Your signature	Date

FH REG 690-18

Appendix H
LIST OF MEMBERS JOB ACTION COMMITTEE

Activity	Committee Members (Identified by Position)
G3/DPTM	Deputy, ACofS G3 for Operations
DCP	Director, Civilian Personnel Labor Relations Specialist
DEH	Deputy, DEH
DOC	Deputy, DOC
DOL	Deputy, DOL
DCIS	Anti-terrorist Coordinator
PM	Deputy, PM
PAO	Deputy, PAO
SJA	Labor Counselor
Ad Hoc Members	(To be identified and called upon to serve as needed)

Glossary

ABBREVIATIONS

AF	Appropriated Fund
AFGE	American Federation of Government Employees
COC	command operations center
CPM	Civilian Personnel Manual
DA	Department of the Army
DCIS	Directorate of Counterintelligence and Security
DCP	Directorate of Civilian Personnel
DCSPER	Deputy Chief of Staff for Personnel
DEH	Directorate of Engineering and Housing
DOC	Directorate of Contracting
DOL	Directorate of Logistics
DPTM	Directorate of Plans, Training, and Mobilization
DSN	Defense Switched Network
GC	Garrison Commander
HQ	headquarters
FH	Fort Hood
FLRA	Federal Labor Relations Authority
FORSCOM	United States Army Forces Command
JACP	Job Action Contingency Plan
JAOC	Job Action Operations Center
NAF	nonappropriated funds
NLT	not later than
ODCSPER	Office of the Deputy Chief of Staff for Personnel
PAO	Public Affairs Officer
PM	Provost Marshal
SJA	Staff Judge Advocate
ULP	unfair labor practice

TERMS

Union	An organization, not under the control of III Corps and Fort Hood, which has been certified and granted exclusive recognition to represent civilian employees. Recognition of Federal unions is granted by the Federal Labor Relations Authority, which has recognized the American Federation of Government Employees, (AFGE) Local No. 1920 as the exclusive representative of Fort Hood employees identified in the collective bargaining agreements.
Bargaining Unit	The group of employees represented by the union. Collective Bargaining Agreement - The signed agreement between Fort Hood and the union specifying the way business will be conducted, also referred to as the "union contract."
Job Action	A prohibited practice by employees of the Government relating to a labor-management dispute. It may include, strikes, work stoppages or slowdowns, picketing of the agency, sick-outs, and other similar disruptive behavior.
Potential Job Action Groups	Federal employees in a bargaining unit represented by a union, and Federal employees not represented by a union.

The proponent of this regulation is the DCP.

FOR THE COMMANDER:



LEON J. LAPORTE
Colonel, GS
Chief of Staff

WILLIAM E. PARKER
LTC, SC
DOIM

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