



Fred Says...



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The Suggestion Program

An employee experience - A saga of government waste

What really happens when an employee comes up with a great suggestion?

According to the Internal Revenue Manual (IRM) the Employee suggestion program is designed to "encourage employees to play an active role in improving the economy and efficiency of operations." When the Internal Revenue Service (IRS) adopts a suggestion that has tangible benefits, the NTEU Agreement provides that the employee be granted an award of 25% of the estimate of first-year tangible savings. On paper this sounds great but here is the story of what happened to two IRS employees.

In the spring of 1997, Brenda (not her real name) was a clerk in Employee Plans (EP). She was responsible for updating the status of applications for determination letters. Brenda realized that an EP/EO Determination System (EDS) screen that could update several cases at a time would be more cost effective than having a separate screen for each case. At approximately the same time Stella (not her real name), a clerk in Exempt Organizations (EO), came up with the same idea. They both separately informed management at that time.

Shortly after this Brenda and Stella were placed on the EP/EO Uniformity Team (the Team) which was formed to review and make recommendations for a more uniform process in the clerical area for EP and EO. Brenda and Stella explained the idea to the Team. The Team made their written recommendations to management stating, that;

"Management should pursue the establishment of a...multiple update screen. This should...greatly reduce the time required by the control clerk for assignment of cases. ...We understand this is in the works and we are asking you to use your leverage to speed the process."

In a memo dated October 31, 1997 the Chief EP/EO Division informed the Uniformity Team members and NTEU that,

"...we have accepted your team's recommendation and plan to implement them as soon as possible."

Both Brenda and Stella followed up with various employees in management for the next 2 years. They were told that the change was going to be made but apparently it was not considered a priority. Finally, a fellow bargaining unit employee then suggested to Brenda that she submit it as a formal suggestion in the hopes that this would expedite the implementation. (IRM 0451.235 provides that when an employee informally submits a suggestion to management that

is adopted it may be submitted by the employee as a formal suggestion and that "management officials who adopt an idea communicated informally should urge the employee to submit it as a formal suggestion immediately." However, no one in management ever recommended to these employees that they submit it as a formal suggestion.)

In the fall of 1999, Brenda formally submitted the suggestion to the Employee Involvement Board (the Board), which was responsible for evaluating suggestions in the Ohio Key District. The suggestion was reviewed and evaluated by Janet Woeste, an EP Agent and one of the NTEU representatives on the Board. She analyzed the benefits and carefully documented the tangible cost savings which would have resulted in an award of \$3830 for Brenda. The Board (four management and four bargaining unit members) unanimously approved her recommendation for adoption and in January 2000 forwarded it to the Approving Official for concurrence. Brenda was unaware that Stella had made the same suggestion informally to management at about the same time she had. After learning this, it was promptly resubmitted as a joint suggestion.

Despite having a great idea that would save thousands of dollars, Brenda and Stella would learn the hard way that the promise on paper of the suggestion program is far from reality.

Due to the reorganization of IRS beginning in 2000, the key district offices were eliminated and the suggestions from the Ohio Key District were sent to designated individuals in the new divisions. At the time Janet retired in 2000, many employees had not received a response concerning the disposition of their suggestions. Since she was familiar with the suggestion program as a member and chairperson of the Employee Involvement Board, she volunteered to work with Fred Swinford, NTEU Chapter 9 Vice President to help the suggesters receive responses and, if applicable, the appropriate awards. It took time and a great deal of effort to track down the suggestions in the various functions. Fred was finally able to obtain the list of open suggestions in August 2001 by filing a request under 5 USC 7114(B) (4).

In the meantime NTEU steward Leslie Lee tried to help Brenda find out what happened to the suggestion. She was told by management that the suggestion had been adopted and implemented in 1997! When Brenda returned from a detail to another office in June, 2001 she saw that a new screen had been added to the system, which virtually implemented her suggestion. NTEU followed up to find out about her award. However, in February 2002 Brenda received a letter written for the Director of Employee Plans stating the suggestion could not be adopted because

"After the Centralization Determination Site in Cincinnati was established [in 2000] ...modifications to EDS have been limited to changes affecting the information [on] application and information reports. The Redesign Team is in the process of developing the new [system]."

NTEU responded with a memo explaining that the suggestion had actually been implemented in 2001. Management replied that a screen for updating the cases to the status code listed in the suggestion was not on the EDS system. *It was clear whoever was responding to the memos was either not telling the truth or did not understand the system.*

NTEU immediately filed a grievance for Brenda. At the meeting for the first step in September 2002, Janet Woeste and Fred Swinford presented the evidence to Brenda's Group Manager. Copies of the EDS screens before and after the revisions and a memo from Headquarters listing several status code number changes in 2001 clearly established that the suggestion had been implemented. The Group Manager thoroughly reviewed all these facts and the detailed analysis of the tangible savings submitted with the suggestion. He determined that Brenda was entitled to an award and she was offered a flat amount of \$1000. NTEU submitted a re-computation of the actual first year savings establishing that Brenda should receive at least \$1700 plus interest (one-half to the total of \$3400). This request for reconsideration was denied. Brenda decided to accept the \$1000, rather than appeal, to finally resolve the issue.

Because this was a joint suggestion with Stella who had retired in 2000, NTEU located Stella. She confirmed that she had not received any response from the Service about the suggestion. NTEU then filed a grievance on her behalf in May 2003 for the same amount that Brenda received. Management denied the grievance. In July 2003 NTEU appealed the grievance to Step 2 and requested a meeting, but received no response. In October 2003 NTEU appealed the grievance to Step 3. In July 2004 the Director, EO Rulings and Agreements formally denied the grievance, in part, because Stella was not an employee, but awarded Stella the \$1000 award outside the grievance process in order to be equitable. [NOTE: IRM 6.451.1.6 provides that former government employees (and their legal heirs or estates) may be granted an award if the contribution being recognized was made during government employment.]

However, Stella never received the money! In March, 2006 NTEU followed up and Stella finally received her check in August, 2006 - nine years after she make the suggestion.

The employees' reward for trying to improve the process was a great deal of frustration, no real recognition and only about half of what they were legally entitled to. Both employees emphasized that they were not interested in the suggestion award money - they just wanted the process to be more efficient because it would save so much time and money. **Neither one had submitted it as a formal suggestion until another employee encouraged them to do so only because they thought this might help expedite the process of getting it implemented.**

Throughout this entire process all management's time and efforts were focused on trying to deny recognition for the suggestion. The real issue was never addressed:

Why wasn't the change implemented in 1997 when it was originally suggested and recommended by the Uniformity Team?

If the suggested change had been made in 1997, there would have been a savings of almost \$150,000 between 1997 and 2001. And, there would have been no need to waste employees' and management's time processing the grievances. And, because management did not tell the employees to file a formal suggestion as required by the IRM, no award money would have been paid.

Brenda summed up her experience, "After enduring seven years of frustration and having my integrity questioned, I will never submit another suggestion."

The suggestion program sounds good on paper and, in operation, some employees have received the appropriate recognition. It constitutes a contractual obligation between employees and management. Management is required to make an objective and fair evaluation of an employee's idea and to *respond promptly within specific time frames*. NTEU will continue to fight for the contractual rights of the employees. There have been employees who have received appropriate recognition but if you submit a suggestion and do not receive the required response, contact NTEU to ensure you get the recognition you are legally entitled to receive.

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