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## **Kelley Describes Proposed Working for America Act As A Very Serious Threat to Effective Government**

**Washington, D.C.**—In a stinging criticism of a proposal to overhaul pay and personnel rules government-wide, the leader of the nation’s largest independent union of federal workers today described the administration’s “Working for America Act” (WFAA) as a serious threat to the effective delivery of government services—as well as yet another attack on the rights of federal employees.

The proposed WFAA pay system “is unacceptable on several grounds,” President Colleen M. Kelley of the National Treasury Employees Union (NTEU) told the House Government Reform Subcommittee on the Federal Workforce and Agency Organization.

The NTEU leader said the proposed new pay system is excessively complex; will require huge increases in funding to administer; usurps congressional authority; gives unprecedented power and discretion to the Office of Personnel Management (OPM); and offers promises of holding managers accountable that have no foundation in statutory language. What’s more, she said, “it will thwart, rather than promote, the teamwork necessary to advance the missions of the agencies.”

Contrary to administration claims, Kelley said, the proposal would make “numerous substantial and detrimental changes to employee rights in the areas of collective bargaining and due process appeals.” It would do so, in part, she said, by providing agencies with even greater latitude

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## **Kelley: WFAA Is A Serious Threat to Nation--Add One**

than they now have to avoid their bargaining obligations.

WFAA would change the current statutory definition of 'emergency' by broadening it "to an absurd extent," Kelley said, to include any situation "potentially involving" an adverse effect on agency resource, increases in agency workload or any budgetary issues.

She also noted the bill's expansion of the emergency exemption to preclude the need to bargain when "preparing for, practicing for or preventing any emergency." Kelley added: "It seems to me that if you preparing, preventing or practicing for an emergency, you are not in one."

As to the pay system that would be implemented under WFAA, Kelley derided it as an administration effort to expand "the untested, complex and controversial" model being advanced for both the Departments of Homeland Security and Defense even before that model has been implemented in those agencies. "There is no evidence that this model will increase recruitment, retention or performance," she said.

In fact, she added "similar models have had negative results," pointing to an evaluation by the Hay Group consultants last year of a pay band program for senior managers in the Internal Revenue Service. "Only one in four senior managers at the IRS agree that system rewards job performance or that ratings are handled fairly," Kelley said.

Under WFAA, "Employees who perform superbly will have no reliable expectation of pay increases," Kelley said. Today, annual national adjustments go to all eligible employees with small locality differences based on wage surveys. Under the proposed WFAA plan, a high-performing employee in a high-cost locality could receive no increase because his or her occupation or pay band did not receive an adjustment. Likewise, a high-performer could be denied an increase because he or she is in a pay pool that "is not contributing to the agency's mission" or in a position at a pay rate range that will not be awarded performance increases, Kelley said. "Those working hard for America could see the buying power of their federal salaries drop," she said.

NTEU is the largest independent federal employee union representing 150,000 federal employees in 30 federal agencies and departments.