

News Update



Forest Service Council

National Federation of Federal Employees, Federal District 1 of the International
Association of Machinists and Aerospace Workers

Date: 14 April 2022

Contact: [NFFE-FSC Communications](#)

April 2022 Update

Workplace Safety Plan / Re-Entry MOU

The Forest Service and NFFE-FSC [signed a Memorandum of Understanding \(MOU\)](#) on the Agency's implementation of the USDA COVID-19 Workplace Safety Plan. The MOU covers the return of bargaining unit employees to regular facility operations and services.

The MOU addresses agreements for:

- COVID testing and COVID notification of exposure,
- Facility cleaning,
- Reasonable accommodation process,
- OWCP,
- Air quality improvements,
- Quarantining and alternative housing for work exposures,
- Special provisions for high-risk employees for hardship accommodations, and hardship process for flexibilities to address family, and;
- Transportation factors.

Telework/Remote Work - Update on Negotiations

The [interim MOU remains open for negotiations](#) on Remote Work.

When completed currently watermarked “draft” will be removed, making it final. The telework portion is final, and the Union hopes it will begin to answer some of the questions employees may have about the new telework policy.

- Union negotiators worked diligently to bring clarity to how telework hours can be used, recognizing that child/elder care and other life/work responsibilities can impact your schedules early morning and afternoon.
- For example, partial days of telework can be used although 16 hours (equivalent to two days) within a pay period, in the office will be the requirement, unless on a compressed schedule, then it will be 20 hours.

We understand employees are anxious to see the options they have for telework after max telework ends. There has also been a lot of planning on management’s side prior to a signed MOU on telework and remote work. We anticipate there may be some hiccups on the initial implementation of notices to the employees for telework and remote eligibility.

We are sharing the interim agreement as you may be having discussions with your supervisor on your options for telework. We know employees whose jobs traditionally did not allow for much telework only had situational/ad hoc agreements, but routine telework should be considered as an option as well. For example, even if you only telework 30 minutes every morning on Wednesday that would be routine telework.

COVID Testing Protocols

In mid-January, the Safer Federal Workforce Task Force announced Federal agencies were required to have a testing plan in place for screening unvaccinated employees no later than February 15, 2022. USDA (and thus the Forest Service) has not implemented the required program, but on March 24, 2022, they [shared a draft program with NFFE for comment](#).

The Union provided comments last week, including concern about having supervisors observe employees taking the test, clarification about no travel restrictions for unvaccinated employees who are complying with the testing requirements, and raising concerns about the enforcement procedures that were proposed.

To date, we still have not seen any further steps towards implementation of a testing program in USDA or the Forest Service.

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New Union Stewards

The NFFE- Forest Service Council held a basic steward training at the [William W. Winpisinger Education and Technology Center](#) in Maryland. We would like to welcome and thank our new union reps for stepping up to represent their fellow bargaining unit employees.



From the left Front row: Renee Crawford-FL1753 (NFFE-FSC), Melissa Baumann-FL276 (NFFE-FSC), Hannah Coolidge - FL34, Suki Wilder - FL2086, FL1697Sherry King - FL1855, Renee Teesatuskie - FL1855; **2nd Row:** Missy Kness - FL642, Casey Krogstad - FL2165 , Virginia Medina - FL2196, Christopher Nelson - FL1697, Steven Gutierrez - FL1650; **3rd row:** John Cody - FL642, Jake Edwards - FL125; Theresa Auer - Eric Franta - FL642; Alex Hernandez - FL34; **4rth row:** Toby Anderson - FL2198; Loren Ingalls - FL642

Application Hiring Issues

The USA Staffing Program office starting processing applicant documents using ActivePDF. This caused some performance appraisals to not display electronic signatures and/or not display the last two pages within the document. This was occurring between January 10 thru February 21, 2022. During this time, we would submit a helpdesk ticket to the USA Staffing helpdesk and they would check on their end that the document the applicant uploaded contained signatures and they would reprocess the document so we could view the signatures. The USA Staffing program office reverted back to their previous PDF tool on February 22.

We continue to experience this on some performance appraisals that were submitted with application outside this timeframe. To prevent work stoppage, delays in issuing referral lists, and any negative impact to applicants, Staffing is referring all applicants who uploaded a performance appraisal even if signatures are not displaying as long as they meet all other eligibility and qualification requirements. If the applicant is selected, then the performance appraisal will be verified during the reference check

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process. This guidance will remain in effect until the USA Staffing program office resolves the PDF viewing issue.

- **The Union recommends you make it standard practice to upload a scan of the hardcopy or do a file print to pdf of your performance document to create a new document that will not have the “enable editing button”. You might have to turn off macros to do this.**

Reminder: If you are notified you were not eligible for a position you applied, you can follow the appeal process in the Master Agreement. You can find the appeal process in the [Master Agreement Article 16.6.a.](#)

- **The Union recommends the applicant include the “Master Agreement 16.6.a.” reference when they request a review of their application and cc [their Local President or Chief Steward](#).**

Employees must make the request within 7 days of receiving notification of “not eligible”.

Length of Service (LOS) Awards Win

In June 2020, USDA released a regulation that forbids the Forest Service (FS) from giving more than just a pin and certificate as a Length of Service (LOS) award. During the negotiations on the implementation of the USDA policy, NFFE asserted that the LOS provisions in our Master Agreement should still stand. The parties agreed to place a moratorium on giving LOS awards until the legal issues were resolved.

After extended conversations between the Union, FLRA, FS, and USDA, it was determined the FS is free to restart the LOS program as it has been practiced for more and two decades. In approximately a month, you can expect to receive a notice that the moratorium is lifted. If you believe you should have received a LOS award, you will have a year to request one by contacting your supervisor.

Rest and Recovery Issues After a Prescribed Fire Assignment

Multiple bargaining unit employees returning from prescribed fire assignments longer than 14 days are being told that they cannot be given R&R time.

NFFE-FSC Fire Chair Hoby Miller discussed the confusion and received clarification from the FAM (Fire Aviation Management) group who agreed those returning from assignments longer than 14 days, no matter the mission, should (should be or are required) to have the appropriate amount of time off as R&R.

These would include prescribed fire or BAER assignments. Contact your Union if you are having issues with R&R after 14-day or greater assignments.

Fire Fighter Classification

As part of the effort to implement provisions pertinent to the development of a new classification series for wildland firefighters as outlined in the Infrastructure and Investment in Jobs Act, the U.S. Office of

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Personnel Management (OPM) is in the process of performing an occupational study to explore Wildland Firefighter work governmentwide.

To complete this study, OPM is conducting virtual focus groups with U.S. Department of Agriculture's Forest Service Wildland Firefighter and Human Resources subject matter experts to define and review the scope of wildland firefighter work performed agency wide. OPM will use this information to develop classification policy for Federal agencies hiring wildland firefighter talent.

The NFFE-FSC selected three members to join the OPM focus groups on classification. They include a WG Dozer Operator, a Fuels Technician, and a heli-rappeler.

NFFE Members Trip to Washington, DC on Behalf of Fire fighters



From the left Front row: Ben Elkind (NFFE Local 642, USFS – Smokejumper); Max Alonzo (NFFE Business Representative), Dane Ostler (NFFE Local 376, USFS – Prevention), Randy Erwin (NFFE – President); **2nd Row:** Ethan West – (NFFE Organizing Director), Jack Kiel (NFFE Communications Director), Steve Lenkart (NFFE Executive Director); **3rd row:** Matt Dorsey (NFFE Intern), Hannah Coolidge (NFFE Local 34, USFS Hotshot), Bob Beckley (NFFE)

In March 2022, a group of NFFE wildland firefighters from around the country visited Washington, DC to speak with lawmakers from across the political spectrum. Forest Service NFFE members Justin Mahaffey (Local 1650, Fire engine operator), Dane Ostler (Local 376, Prevention), Hannah Coolidge (Local 34, Hotshot), and Ben Elkind (Local 642, Smokejumper) advocated for the [Tim Hart Wildland Firefighter Classification and Pay Parity Act](#) (H.R. 5631), also known as Tim's Act. The Tim's Act is named in honor of Tim Hart, a Forest Service Smokejumper who was tragically killed after a jump into the Eicks Fire in New Mexico last year. The legislation seeks to completely overhaul the federal wildland firefighting workforce to improve the pay, benefits, and safety of our of nation's heroes on the frontlines of the wildfire crisis.

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The wildland firefighters who traveled to the Capitol had meetings with nearly two dozen different Senate and House offices of both Republicans and Democrats, largely from states most directly affected by wildland fires. In these meetings, [NFFE firefighters spoke from personal experience](#) as to how dire the situation has become and why the components within Tim's Act are so badly needed.

“We met with Marty Walsh yesterday, the Secretary of Labor, he's the former mayor of Boston and very pro-labor. We shared some stories about our pay and work/life balance, and he was astounded. He promised to bring this up with the President and try to work on legislation, but also acknowledged that the bureaucracy is very real and difficult to maneuver. Marty was very down to earth, and I believe he has our backs moving forward. Hopefully we can get something done this year, but it will be a lot of work.” Ben Elkind quoted in [Wildfire Today article](#).

NFFE Representative Bob Beckley retired from the Forest Service and a former smokejumper left a Missoula smokejumper patch for President Biden during the trip. Mr. Beckley received a signed letter from the President where the President acknowledges the role of the Union and our Firefighters.

Hannah Coolidge shared some takeaways from her trip:

- I was impressed with the amount of work NFFE national has been putting into wildland firefighter issues. They recognize the opportunity we have with all the media attention on wildfires and wildland firefighters and are hustling to take advantage of it by pushing favorable legislation and working with the administration. Their team is small but incredibly savvy and motivated.
- They are focusing on two approaches to improving wildland firefighter pay and benefits. First, they are meeting regularly with OPM to negotiate the implementation of wildland firefighter reclassification as outlined in the bipartisan infrastructure bill. Notably, they are pushing for the wildland firefighter entry level to position to be classified as GS-7, and to push the career ladder up to GS-12 for a supervisory firefighter. They are also working with congressmen and senators to support Tim's Act, as well as pushing key elements of Tim's Act as separate legislation in case the full bill doesn't pass.
- Although most of the legislators we met with were supportive of wildland firefighters, everyone I talked to was shocked at how much we work and how little we're paid. Very few people outside of wildland have a sense of the working conditions and pay scale that we operate under. The issue is systemic, but personal stories are extremely effective at convincing legislators of the need for change.
- Overall, the trip left me feeling optimistic about the future--there is still a lot of work ahead of us, and there is a lot that needs to change, but we have smart people fighting for us and the relevant people in power are super receptive to what we're asking for.

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