



### **FLRA Orders NWS to Stand Trial For Another Unfair Labor Practice**

(February 11, 2017) For the third time in less than a year, the General Counsel of the Federal Labor Relations Authority has issued a complaint against the National Weather Service, charging it with committing an unfair labor practice in violation of the Federal Service Labor Management-Relations Statute. This new complaint, filed by the FLRA's Washington, DC Regional Director, alleges that the NWS illegally excluded NWSEO's representatives from participating in the "all-hands" webinars conducted on September 28 and 29, during which the NWS Director, Deputy Director and Chief Operating Officer held electronic discussions with employees represented by NWSEO about the results of the Operational Workforce Analysis and plans for the NWS's future.

Under federal labor law, any time management holds a discussion with employees about working conditions – even if conducted electronically – management must provide the union's representatives an opportunity to participate by allowing them to ask questions and to present the union's viewpoint to the employees on the matters being discussed. NWSEO President Dan Sobien and General Counsel Richard Hirn were denied an opportunity to ask questions and to present the union's viewpoint on the OWA during this Webinar. As a consequence, union represented employees were denied the opportunity to hear opposing views on the OWA, or to learn the union's position on OWS issues. "Obviously, senior NWS management knew that their plans could not stand up to critical questioning" said NWSEO President Dan Sobien.

The FLRA's Regional Director provided the NWS an opportunity to settle the case before it formally issued the complaint, but the NWS, through DOC counsel, declined to do so.

A trial has been set before a Federal Administrative Law Judge in Washington DC on April 26, 2017.

Last summer, the General Counsel of the FLRA issued two other complaints against the NWS, charging it with committing other unfair labor practices. In one case, the FLRA charged the NWS with illegally implementing a reduction in the hours of operations and a reduction in staff at several WSOs in Alaska before completing negotiations with NWS over the impact that those changes had on employees. In the second case, the FLRA charged the NWS with illegally cancelling a negotiation session and refusing to bargain with NWSEO over ground rules for a new national collective bargaining agreement. The NWS eventually settled those two cases and returned to the bargaining table.

-NWSEO-

**No one cares more for National Weather Service employees than  
National Weather Service employees.  
No one works harder for National Weather Service employees than  
National Weather Service employees.  
We are NWSEO.**