



March 8, 2017

The Honorable Jason Chaffetz
U.S. House of Representatives
2236 Rayburn House Office Building
Washington, DC 20515

The Honorable Elijah Cummings
U.S. House of Representatives
2163 Rayburn House Office Building
Washington, DC 20515

Oppose H.R. 1364 and Protect the Civil Rights of Federal Workers

Dear Chairman Chaffetz and Ranking Member Cummings:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 210 national organizations to promote and protect the civil and human rights of all persons in the United States, we write to strongly oppose the "Official Time Reform Act of 2017" (H.R. 1364). This bill would amend current law and arbitrarily cap the amount of time that can be used per day for conducting official agency business related to conflicts that arise in the workplace, without considering the needs or working conditions of individual agencies as current law allows. In addition, H.R.1364 proposes to penalize pension accrual for those employees who serve as union representatives. As a result, employees who would otherwise be willing to volunteer to serve as union representatives, may decline to do so, making it very difficult for the union to operate.

Unions and union representatives play an important role in advancing civil rights protections for federal workers. They help to improve workplace safety and working conditions for all workers, and are integral in challenging harassment and discrimination in the workplace, especially for women and people of color. Enabling workers to freely exercise the right to form unions and provide employees with union representation to improve labor-management relations and reduce workplace conflicts is thus one of the most effective, efficient, and comprehensive ways to translate promised equal opportunity into real economic security.

In our view, H.R. 1364 would undermine the ability of unions to function and advocate effectively on behalf of workers who face discrimination and harassment in the workplace. Current law prohibits the use of official time for union business. However, on official time, unions are permitted to protect whistleblowers from retaliation, defend victims of discrimination, file grievances, meet with management to resolve workplace disputes amicably, negotiate labor agreements, and cooperate with management to improve the efficient operation of government. Therefore, the use of official time, which has been a bedrock policy under federal labor-management relations law since 1978, is a fundamental

Officers

Chair

Judith L. Lichtman
National Partnership for
Women & Families

Vice Chairs

Jacqueline Pata
National Congress of American Indians
Thomas A. Saenz
Mexican American Legal
Defense and Educational Fund
Hilary Shelton
NAACP

Secretary

Jo Ann Jenkins
AARP

Treasurer

Lee A. Saunders
American Federation of State,
County & Municipal Employees

Board of Directors

Helena Berger
American Association of
People with Disabilities
Cornell William Brooks
NAACP
Kristen Clarke
Lawyers' Committee for
Civil Rights Under Law
Lily Eskelsen Garcia
National Education Association
Marcia D. Greenberger
National Women's Law Center
Chad Griffin
Human Rights Campaign
Wylecia Wiggs Harris
League of Women Voters of the
United States
Mary Kay Henry
Service Employees International Union
Mark Hopkins
AAUW
Sherrilyn Ifill
NAACP Legal Defense and
Educational Fund, Inc.
Michael B. Keegan
People for the American Way
Samer E. Khalaf
American-Arab
Anti-Discrimination Committee
Marc Morial
National Urban League
Mee Moua
Asian Americans Advancing Justice |
AAJC
Janet Murguía
National Council of La Raza
Debra Ness
National Partnership for
Women & Families
Terry O'Neill
National Organization for Women
Rabbi Jonah Pesner
Religious Action Center
Of Reform Judaism
Anthony Romero
American Civil Liberties Union
Shanna Smith
National Fair Housing Alliance
Richard L. Trumka
AFL-CIO
Randi Weingarten
American Federation of Teachers
Dennis Williams
International Union, UAW
William Yoshino
Japanese American Citizens League

Policy and Enforcement

Committee Chair

Michael Lieberman
Anti-Defamation League

President & CEO

Wade J. Henderson
Executive Vice President & COO
Karen McGill Lawson



tool that gives agencies and employees the means and opportunity to quickly and effectively secure employee input to address mission-related challenges.

America's workers need – and have a right to enjoy – union representation in the workplace. Unions must be able to use the full panoply of tools currently available to them to end systemic workplace discrimination and maximize the potential to achieve equal opportunity and employment equity. The use of official time by union representatives continues to play a significant role in advancing the rights and interests of all workers in the workplace and making the federal government more efficient, effective, and responsive to the needs of its employees. But this legislation would ruthlessly strip away this critical tool, to the detriment of all workers, particularly women and people of color.

H.R. 1364 will have a chilling effect on the ability of employees to act as union representatives and facilitate constructive dialogue with management to address a myriad of workplace issues on behalf of all workers. By severely limiting the use of official time, this bill is a veiled attempt to eliminate unions in the federal workforce. Therefore, we strongly urge you to oppose H.R. 1364. If you have any questions, please feel free to contact June Zeitlin, Director of Human Rights Policy at zeitlin@civilrights.org or (202)-263-2852.

Sincerely,



Wade Henderson
President & CEO



Nancy Zirkin
Executive Vice President