



## National Federation of Federal Employees, IAMAW, AFL-CIO



### NFFE-IAM Supports Collective Bargaining for VA Health Care Providers (H.R. 807/S. 572)

**Position:** Over the last several years, Department of Veterans' Affairs (VA) health care professionals have seen their collective bargaining rights practically eliminated. Agency management's improperly broad interpretation of a certain provision in federal labor law has allowed them to circumvent the bargaining process on numerous critical issues, including issues relating to VA employees' pay. Even if a VA health care provider is paid improperly under established laws and regulations, the VA continues to avoid legitimate grievances filed by employees through their unions, and the effect is taking its toll on the morale of VA health care providers. It is time for Congress to do what is right for VA workers and the veterans for whom they provide care by passing H.R. 807/S. 572, which will eliminate the collective bargaining exception regarding compensation under Sec. 7422 of Title 38.

#### **Background:**

In 1991, Congress amended Title 38 to provide Department of Veterans' Affairs medical professionals with collective bargaining rights (which include the rights to use the negotiated grievance procedure and arbitration). Under Sec. 7422 of Title 38, covered employees can negotiate, file grievances and arbitrate disputes over working conditions except for matters concerning or arising out of professional conduct or competence, peer review, or compensation. Increasingly, VA management is interpreting these exceptions very broadly, and refusing to bargain over virtually every significant workplace issue affecting medical professionals.

Although we would prefer to see all of Sec. 7422 removed from Title 38 (which would bring Title 38 health care providers in line with bargaining rights afforded to the vast majority of federal workers, including health care providers in other agencies), it would be a significant improvement if issues relating to compensation (excluding basic pay rates) were put on the bargaining table. Some of the most egregious cases of 7422 abuse at the VA have been in the area of compensation, and allowing VA workers access to a grievance procedure, giving them a fair shake on issues relating to their pay, would significantly improve morale.

Passage of H.R. 807/S. 572 would help to address many of the biggest concerns VA health care providers have. Restoring meaningful bargaining rights on compensation issues will greatly increase morale at the VA, and also address recruitment and retention issues which are critical at this time given the veterans returning from current conflicts abroad. All this will lead to better patient outcomes for our nation's veterans.

NFFE-IAM strongly supports H.R. 807/S. 572.