



NATIONAL FEDERATION OF FEDERAL EMPLOYEES, IAMAW, AFL-CIO



NFFE-IAM and the Department of Veterans Affairs – 117th Congress

Position: **The Department of Veterans Affairs employees have endured much over the past decade. VA employees are facing a pandemic, deteriorating working conditions, worsening pay, and political activists inside the VA attempting to privatize VA care through lies and retaliation. It is critically important that the Congress act quickly to preserve one of the world's best medical and healthcare systems on behalf of our veterans. Congress itself is responsible for much of the consternation within the VA. Several laws were passed that destroyed legitimate transparency and broke traditional processes that protected care providers and others from mismanagement, corruption, and political bias. It is time to fully restore the systems of checks and balances that protect veterans and their health and medical providers against political overreach and mismanagement.**

VA Employee Fairness Act (H.R. 1948 / S. 771) To restore full collective bargaining rights allowed to other VA employees, and to prevent the punitive misuse of illegitimate bargaining power by managers.

- It restores systematic protections (not 'individual employee rights') against corruption and management malfeasance by eliminating 38 USC 7422 of the failed VA W&A Act of 2017.
- It holds managers and political appointees who oversee the department accountable.
- It helps to prevent retaliation, discrimination, and false disciplinary claims against VA staff.
- It restores full collective bargaining, official time, and impartial appeals to Title 38 employees.
- It improves the overall transparency, effectiveness, and efficiency of VA care for veterans.

Protecting VA Employees Act (H.R. 6682) To correct the failed VA Whistleblower and Accountability Act of 2017. This Act lowered the burden of proof for misconduct that was used to drive whistleblowers, top clinicians, and other workers out of their jobs. It created a corrupt internal board for disciplinary review headed by political appointees (see VA OIG report #18-04968-249), it improperly limited third-party review of appeals (e.g., MSPB), and it broke transparency of veteran care at every level especially regarding private care.

- This bill will restore a proper evidentiary standard to allow clinicians and other employees input into care and working conditions without fear of reprisal from manager, political appointees, and those wishing to privatize VA care by falsely accusing VA employees of malfeasance.
- It restores the power of the Merit Systems Protection Board to provide an unbiased venue for appeals regarding improper discipline, denied promotions, discrimination, or termination.

VA CPE Modernization Act (H.R. 3693) To modernize continuing education programs in the VA by expanding the types of clinicians who are eligible to receive reimbursement for continuing education and increase the amounts they can receive. Current continuing education allowances were set more than 30 years ago and no longer reflect the requirements of modern medical professional educational needs.

VA Asset and Infrastructure Review (AIR) Commission – The AIR Commission report released in early 2022 is highly criticized as being hastily assembled and drastically underestimating the complexity of VA medical care. The report fails to accurately describe the struggle to provide services across the country because of increased spending on privatized services that yields a poor level of care. Especially neglectful of the lessons learned during the COVID-19 pandemic, NFFE-IAM demands that the current AIR Commission report be withdrawn and destroyed, and that a new analysis start from scratch.