



Is Self Service Always the Best?

Self Serve	SELF SERVICE (Non-Member) REPRESENTATION	<i>Or</i>	FULL SERVICE (Union Members) REPRESENTATION	Full Serve
	\$7,000*	Merit Systems Protection Board review of suspension of more than 14 days	No Cost	
	\$8,000*	Merit Systems Protection Board review of removal	No Cost	
	\$8,000*	E.E.O.C. Case	No Cost	
	\$6,000*	O.P.M. Classification Case	No Cost	
	\$3,000*	Workers' Compensation	No Cost	

*Minimum estimated cost to hire attorney at \$200.00/hr.

Union Can Say No To Non-Members

In a significant decision handed down by the U.S. Court of Appeals for the District of Columbia, *federal unions have no duty to represent non-members in statutory appeal procedures.*

The federal court found the union did not have a duty to represent an inspector fired by the Bureau of Alcohol, Tobacco and Firearms. The discharged employee was a member of a certified bargaining unit, but not a member of the labor organization.

Until this decision, the Federal Labor Relations Authority (FLRA), had held that a certified union was required to handle all statutory appeals of represented employees whether or not they were members of the union. The court reversed this holding.

Existing law protects federal employees from mandatory union membership, but provides for union protection under the negotiated grievance

procedure for all employees "represented" by the union. The court's decision clarifies to what extent that protection extends to non-members in matters not pursued under the negotiated grievance procedure.

The court held that unions could refuse to represent non-members in cases before the Merit System Protection Board (MSPB), (14-day and longer suspensions and removals), the Department of Labor (DoL), (Workers' Compensation), the Equal Employment Opportunity Commission (EEOC), (discrimination), and the Office of Personnel Management (OPM), (classification), without violating federal law.

Encouraged by the public's belief that federal employees cannot be fired, Congress has enacted legislation making it easier for managers to discharge government employees. Federal employees must now decide whether to purchase representation/protection by joining the union or become "self-insured."

It Pays to go Full Service

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