

116TH CONGRESS
2D SESSION

H. R. 6246

To provide that certain Executive orders with respect to Federal employee collective bargaining shall have no force or effect, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 12, 2020

Mr. KILMER (for himself, Mr. FITZPATRICK, Ms. PINGREE, Ms. KAPTUR, and Mr. VELA) introduced the following bill; which was referred to the Committee on Oversight and Reform

A BILL

To provide that certain Executive orders with respect to Federal employee collective bargaining shall have no force or effect, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Collective
5 Bargaining and Official Time for Federal Workers Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Federal unions play a critical role in pro-
9 tecting the rights of Federal workers by allowing

1 members to have a collective voice on the job and in
2 the legislative process, advance issues for working
3 families, ensure equal opportunities for all workers,
4 and raise the standards by which all professional
5 and technical workers are employed.

6 (2) Collective bargaining is essential to the
7 union process, because it provides mutual agreement
8 between all parties that fosters harmonious relation-
9 ships between the Federal Government and its em-
10 ployees and protects the interest of both parties.

11 (3) The current administration has acted
12 through Executive orders and official memorandums
13 to dismantle Federal unions and undermine their
14 collective bargaining rights across the Federal work-
15 force and these directives have already negatively
16 impacted labor contracts, both signed and under ac-
17 tive negotiation.

18 (4) These orders set an aggressive schedule for
19 unions to engage in collective bargaining, while also
20 slashing the unions official time for performing
21 union duties by over 91 percent in some cases.
22 These actions are limiting the ability for unions to
23 prepare for negotiations and perform their legally re-
24 quired employee representational duties.

1 (5) Section 7101(a) of title 5, United States
2 Code, states, “Congress finds that labor organiza-
3 tions and collective bargaining in the civil service are
4 in the public interest.”. Attempting to eliminate the
5 union by eliminating almost all its official time repu-
6 diates the statutory position that unions are in the
7 public interest.

8 (6) Through these orders, agencies are required
9 to comply with artificial bargaining schedules, which
10 undermine good faith negotiations and divert the de-
11 cision making to an impasse panel, which has no
12 union representation on it and does not represent
13 both parties.

14 (7) Collectively, the administration’s actions
15 have violated congressional intent, undermined the
16 ability of unions to engage in collective bargaining,
17 and threatened the rights and benefits of millions of
18 Federal workers.

19 **SEC. 3. NULLIFICATION OF EXECUTIVE ORDERS RELATING**
20 **TO FEDERAL EMPLOYEE COLLECTIVE BAR-**
21 **GAINING.**

22 Each of the following Executive orders and Presi-
23 dential memorandum are rescinded and shall have no force
24 or effect:

1 (1) Executive Order 13837 (relating to the use
2 of official time).

3 (2) Executive Order 13836 (relating to Federal
4 collective bargaining).

5 (3) Executive Order 13839 (relating to the
6 Merit Systems Protection Board).

7 (4) The Presidential Memorandum on the Dele-
8 gation of Certain Authority under the Federal Serv-
9 ice Labor-Management Relations Statute, issued to
10 the Secretary of Defense on January 29, 2020.

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