

**Negotiation Items
March 31, 2015
Final Resolutions
NASCOE and FSA Management
Washington DC**

2015 NASCOE NEGOTIATION/CONSULTATION ITEMS

Item #1: LEAVE DONATIONS

Issue: Questions have been asked about the 5 line limitations in block 18 on form AD-1046 concerning the employee circumstances for their request for donated leave. Employees requesting leave donation must file form AD-1046 as per instructions or outline in 17-PM paragraph 238 B. The instructions say to “include a brief description of the nature, severity and anticipated duration of the medical emergency”, which according to form AD-1046 is limited to 5 lines. Employees requesting donation and employees granting leave would like the employee requesting the donation to be able to describe their condition in as much detail as possible and not be limited to the 5 lines as described on form AD-1046 and as per procedure in 17-PM.

NASCOE Position: NASCOE supports the concept of allowing the employee requesting donated leave to include all information relevant to the emergency need and request. Add a statement in 17-PM paragraph 238 D, under “Employees or their designee, shall” stating that an employee may attach a description of the nature, severity, and anticipated duration of the medical emergency by writing “see attached description” in block 18 on form AD-1046 and attach the narrative they want published.

HRD RESPONSE: The AD 1046 is a USDA form used as the application to receive leave donations. Block 18 of the form needs to include the **brief description** of the nature, severity, anticipated duration and, if it is a recurring one, the approximate frequency of the medical emergency. (“See attached description” cannot replace the brief description; however, a narrative can be attached to the AD 1046 to allow for a more detailed description of the narrative an employee wants published.)

Resolution: Management cannot include “shall” in the language due to employee privacy for medical background, but will provide the opportunity to give more information on the form. A timeline for this will be decided in the near future.

Item #2: PERFORMANCE RATING REVIEWER ACCOUNTABILITY

Issue: NASCOE and Management must work toward standardization of the employee review process. The issue of the Performance Based Rating system review is a yearly issue during negotiations. The reviewer lowers the COC rating of the CED and the CED rating of the CO-PT without any justification or supporting documentation. Collaboration with the COC Chair regarding CO-PT ratings has never been defined and rarely happens.

NASCOE Position: NASCOE has repeatedly pushed for some sort of standardization of the Performance Based Rating System Review process. The main concern expressed to NASCOE every year is the frustration toward the Performance Ratings and Review process. The review process varies with each State, but the main complaint is the reviewer injecting themselves in the Performance Rating process. The Reviewer will require the Rating Official to submit the proposed Rating and justification for CO personnel to the Reviewer prior to discussion or issuance of the rating to the CO employee. There is no procedural reference for this requirement in 5-PM. The purpose for doing this is to influence the Rating of the CO employee. By doing this, the Reviewer becomes part of the Rating process. This has become

more the rule than the exception. The same is true with the COC Rating for the CED. 5 PM states "COC may elect to confer with DD" (who is the Reviewer) before issuing rating, but often the DD will imply that the COC must confer with the DD prior, during, and ultimately when the Rating is completed and without the CED being present during summary Rating discussion. According to 5 PM, the employee shall be part of all summary Rating discussion. Again, the Reviewer has become the defacto Rating Official. NASCOE has brought this concern to Management in the past. NASCOE has requested a report from Management that would show by State the GS and CO ratings numbers by District and by Gender. Earlier reports only showed the Rating numbers by GS and CO employees for each State. These earlier reports show nearly a 2 to 1 difference in Rating between GS and CO for Outstanding and Superior Ratings. NASCOE is concerned that there may be some gender bias in this process, because the vast majority of CO employees are PTs and the vast majority of these PTs are women. The ratings discrepancy is concerning. To date, NASCOE has not received this report, which was agreed to in March of 2014 during the 2014 negotiations mtg. NASCOE feels that this report would help Management identify possible States and Districts within a State where there may be problems related to the Performance Based Rating System.

DAFO RESPONSE: As stated in previous years, the national policy and procedure are clear. Reviewers have a role and responsibility in the rating process. Both rating and reviewing officials are held accountable for rating appropriately based on the elements and standards in the employee's performance plan. As noted in PM-2915, before ratings are entered in EmpowHR they must be discussed by the rating and reviewing officials and then by the rating official and the employee. Therefore, what NASCOE has described-- the reviewer requiring a discussion prior to the rater talking to the employee-- is in compliance with the policy and is what is expected to occur. If individual reviewing officials are later arbitrary changing the rating entered without providing justification recourse exists today. The manager can raise that issue to the next level in the chain of command and the employee has the ability to grieve the rating. If there is a systemic issue, for instance across an entire state, please provide specifics so that DAFO can address that with the applicable SED.

Reports on the ratings of record were delayed for the 2014 ratings due to the issue in EmpowHR that resulted in a large percentage of the ratings being done on paper and then having to be manually entered into NFC. The manually entry process has been ongoing but had not been completed. Therefore, the report could not be generated. With the implementation of an awards program for the 2104 performance ratings, the pace of entering the 2014 ratings has increased and we anticipate that a report can be created after PP 8 that will be relatively complete. However, as previously discussed the report will be by state, similar to past reports that we have provided. It will not be broken down by districts within the states.

Resolution: NASCOE will provide information on states that are doing a good job on this process and then this issue will be re-visited. The rating results for FY 2013 and 2014 will be provided to NASCOE by state, job series and gender. The grievance process will be reviewed and should be put in the handbook soon. They are committed to getting the grievance process resolved.

Item #3: REASONABLE PERFORMANCE STANDARDS

Issue: Concern over the seemingly unattainable standards of certain elements. For example, (but not limited to) EEO/CR are often portrayed to all employees CO or GS as unable to exceed the basic standards of the element. Additionally the cookie cutter approach to the required wording of the Elements and Standards does not account for the numbers of Farms, Owners/Operators served vary from COF to COF and each Program Technician's program responsibilities vary. Performance Plans can be written to reflect an employee's own situation, but this would be in addition to the required wording

resulting in a Performance Plan that would make it even harder to obtain an acceptable Rating. Then there is the issue of trying to exceed Standards of the Performance Plan Elements. Performance plan elements normally list the “Fully Successful Standards.” Why not list the Exceeds Standards along with fully successful standards? This would be the main complaint regarding the Performance Based Ratings system. What do I as a FSA employee need to do to exceed the Performance Element? The answer normally given is a kin to the “Who’s on first” satire from Abbot and Costello. Question what do I need to do to exceed the standards of the performance Element? Answer you need to exceed the Standards of the Performance Element. Question If I do not have any exception as listed in the Standard of the performance element; will that be considered exceeding the standard? Answer the exceptions listed is part of the fully successful standard only.

NASCOE Position: NASCOE supports the inclusion of listing Exceeds fully successful Standards for each of the Performance Plan Elements along with the Fully Successful Standards of the Performance Plan Element. The Rated Employee should have no question as to what is needed to exceed the Standard(s) of the Performance Plan Elements.

HRD RESPONSE: NASCOE is requesting the inclusion of listing Exceeds Fully Successful Standards for each of the Performance Plan Elements along with the Fully Successful Standards of the Performance Plan Element. In **PM 2915**, issued September 2, 2014, page 7, 4A, we noted that “Standards need only be written at the “Meets Fully Successful” level.” However, rating officials should be prepared to explain performance at the “Does Not Meet Fully Successful” and “Exceeds Fully Successful” levels.

The 5 PM, section “**Performance Elements, E Number of Elements** states that “Using the example elements provided is **not** mandatory. The example elements are provided as examples to assist rating officials in developing performance plans. Rating officials are encouraged to develop meaningful and applicable elements specific to each employee.”

Additionally, the **5 PM Performance Standards, D** states that “Although it is only required that performance standards be formally established at the “Fully Successful” level, it is recommended that, where possible, performance standards also be established in the performance plan at the “Exceeds” level as this further contributes to greater understanding of expectations by both the rating official and the employee.”

Resolution: Management will strongly encourage the use definitions of “fully successful” and “exceeds” standards in performance plans. They will continue to include these definitions in the annual performance notice.

Item #4: ASPIRING LEADER PROGRAM FOR PROGRAM TECHNICIANS

Issue: Management has an aspiring leadership program for Grade 9 employees but no such program for CO-7 employees. We have many Program Technicians that have leadership potential and need a vehicle to develop leadership skills making them more attractive to promotion opportunities.

NASCOE position: NASCOE supports an aspiring leadership program for CO program technicians that will provide an opportunity to develop leadership skills and open the door for more opportunities in our agency. NASCOE proposes a national task force to develop an aspiring leadership program that might encompass one or two years of leadership development for program technicians.

HRD RESPONSE: Regarding an Aspiring Leaders Program for PTs, LEDB welcomes a work group with representation from NASCOE, which would explore what the program would look like, from a non-monetary perspective. Please provide LEDB with NASCOE contacts consisting of members interested in following through with this idea.

Resolution: NASCOE will provide names of 6-8 employees to work on this group (CED's and PT's, one PT from each area and balance CED's) within 30 days.

Item #5: INDIVIDUAL DEVELOPMENT PLAN IMPROVEMENTS

Issue: The IDP has been and continues to be one of the most ignored items in FSA when it comes to any meaningful instruction or training. Employees are required to create an IDP annually, according to procedure. Often they do not normally receive guidance from managers regarding 'needs'. Just what is the purpose of completing an IDP? With the reduction in COF staffing over the past 20 years (nearly a 60% reduction in staffing at the COF level) there is no "extra time" for additional things no matter how much we wish it to be. Often these IDPs are breezed over with as little as possible just to meet the IDP requirement or the Employee must use personal time to complete more in-depth plans. Either the IDP should be discontinued, or overtime/compensatory time equal to overtime should be granted to be able to complete significant items in the IDP. Additionally adequate training should be made available to FSA Employees to be able to give guidance and to complete an IDP.

NASCOE Position: NASCOE recognizes the advantages that a proper IDP plan could offer, but also recognizes the lack of official time to complete IDP program/proposals. FSA Employees have little to no time to complete items in their IDP during normal work hours. NASCOE supports authorizing adequate training of FSA Employees to be able to both offer guidance and to complete IDPs. Either the IDP should be discontinued, or overtime pay or the equivalent compensatory time (selected by the Employee), and other monetary resources should be granted to be able to complete significant items in the approved IDP programs.

DAFO RESPONSE: IDPs are required by USDA regulation and the agency supports this requirement as demonstrated by the agency policy. If IDPs are ignored at the local level then perhaps NASCOE should articulate the need to its membership to take IDPs seriously and not, as you described it, "breeze over them". IDPs are a valuable tool that can be used to map out the training needs for each employee. It is up to the individual first line supervisor and employee to utilize this tool in a useful and meaningful manner. For example CEDs could consider developing a list of training that they required their employees to take based on the individual job assignments. CEDs should also use the IDPs to map out their own training needs including continuing to explain their knowledge with training that increases their skills and competencies as managers. There are many courses and books available through AgLearn that would fit a wide variety of training needs. There are even courses on how to complete an IDP in AgLearn. Supervisors are responsible for ensuring employees are allotted official time to complete IDPs and to complete approved training. Rules are currently in place for overtime for official work. A separate nation-wide policy to provide overtime for this specific activity would not be appropriate; the decision on the need to approve overtime requests are made at the local level.

HRD RESPONSE: LEDB is developing training webinars to provide guidance for creating an Individual Development Plan and entering it into AgLearn. The training sessions will encourage supervisors to meet with their employees and discuss their development. LEDB will offer guidance on selecting goals and activities employees can use in their current position or for future opportunities.

Resolution: NASCOE accepted the response

Item #6: CONSISTANCY IN AWARDS FOR RMA AND FSA

Issue: Performance and awards. We still have inconsistent application across the county. For Example an RMA Employee receives 30 hours for a Superior award, but FSA Employees only receives 20 hours for a Superior Rating. Both RMA and FSA are USDA Agencies under the same Under Secretary.

NASCOE Position: NASCOE supports consistency in the application of awards for both RMA and FSA. NASCOE also appreciates the recent reinstatement of cash awards.

HRD RESPONSE: NASCOE on item 6 Performance and awards is concerned with inconsistency. They note that *“For Example an RMA Employee receives 30 hours for a Superior award, but FSA Employees only receives 20 hours for a Superior Rating. Both RMA and FSA are USDA Agencies under the same Under Secretary.”* The differing award amounts between FSA and RMA are due to the fact that each USDA Agency has the purview to set its own award amounts, consistent with its respective Agency’s budgetary considerations.

Resolution: NASCOE accepted the response and thanked management for consideration on this item

Item #7: LEXMARK PRINTER ISSUES

Issue: FSA county offices are required to use the new Lexmark printer/copier/scanner. There is a lot of time wasted having to log in each time we use the copier, we understand the security requirements, but in our smaller offices and within the work environment, we feel the security risk is minimal. There have also been some issues with the copier that we would like to address: some temporary employees have had issues with the Alt LincPass card. The Managed Print Service printers are apparently de-activating the At LincPass cards that the temporary employees are using. The Alt LincPass cards are also causing problems at the printer when permanent employees go to use the MPS printers. We are getting error messages and are constantly having to unplug the card readers at the printers or reboot the printers. From what we understand, the Alt LincPass cards are re-furbished cards, is this true and is there anything that can be done to improve this issue? We also understand that some card readers are not working and that IT has issued some counties auxiliary card readers.

NASCOE Position: We realize the printers or copiers have been purchased, but what can be done to maximize their performance? Do we need to issue card readers to every county that has a Lexmark? What can be done to speed up the operation and maintain adequate security?

ITSD RESPONSE: The Lexmark MPS Machines are not actually owned or leased by FSA. Lexmark installs the machines within FSA Offices without any lease fees. There are some small annual software maintenance fees charged by Lexmark and USDA-OCIO-CTS has a small annual support fee. The agency does pay for some accessories (additional paper trays, finishers, caster bases, etc). The bulk of the cost involving the Lexmark MPS Program is what FSA pays for each printed page that is output from these devices. The output may be in the form of a faxed document, copied document, or printed computer document. We do not pay for any scanning whether the scanned document is electronically emailed, faxed, or stored on a network drive. Lexmark provides all toner and service as part of this program. For our legacy print devices, FSA is purchasing toner and there is an associated cost “per page”. The Lexmark cost “per page” is actually less than what we’re paying for older print devices when we purchase toner.

The Lexmark MPS Contract ends in December 2016. If FSA removes a Lexmark machine prior to this date, the agency must pay a substantial “removal fee”. The Department is currently working on the requirements for the MPS 2 Contract. They plan to have the contract awarded by October 1, 2015 and plan to accept MPS orders from agencies beginning on January 1, 2016. There will be a one year overlap between the Lexmark (MPS 1) Contract and the upcoming MPS 2 Contract. This will allow us time to swap out MPS 1 Machines for MPS 2 Machines.

The Department has stated that a LincPass or AltLincPass must be used with all Lexmark MPS Machines for authentication purposes. The reason is two-fold. First, the use of authentication will help safeguard sensitive documents that are printed on the Lexmark Machines that are increasingly shared by more USDA staff. Second, the use of these cards allows Lexmark to identify the agency of an employee so that the appropriate agency is charged for usage. In discussions with the Department, we are considering the purchase or lease of equipment (instead of using Lexmark MPS) in our smaller offices. As mentioned, there is a decreased security risk at these locations.

The Department is aware of the issue regarding LincPass Cards being deactivated after using Lexmark MPS Machines and is working on a solution. The HSPD-12 Help Desk has been contacted by the Department and is working with their staff to further research this issue. They did provide the following troubleshooting steps and they were to be performed by your local OCIO-CTS staff.

Troubleshooting Tips and Future Efforts provided by HSPD-12 Helpdesk:

AltLinc Activation Checklist

- ü Applicant’s machine has ActivClient installed (version 7.0.2 is the latest version).
- ü Applicant’s has eAuth Level 2 access.
- ü Applicant’s eAuthentication profile contains their unique UPN number.
- ü The machine’s card reader is working and has the appropriate drivers installed

In addition to the above steps, OCIO-CTS had the following recommendation:

Preventive Solution

Employees should select the “Home Button” from the options on the MPS Menu Screen before removing their LincPass or AltLincPass Card from a MPS Machine. This has proven to resolve this issue in many cases.

Resolution: NASCOE will encourage employees to participate in the survey to help identify problems.

Item #8: EEO/CIVIL RIGHTS AS AN ELEMENT IN ALL NON-SUPERVISORY PERFORMANCE PLANS

ISSUE: Recent PM notices have required mandatory elements in non-supervisory performance plans. This includes the element for EEO/Civil rights. While FSA and USDA should continue to support equal opportunities for all and diversity in the work place, having a blanket required element for all employees does not take into account the situational differences throughout the agency.

Many offices are not in traditionally underserved areas and using sign-up numbers to gauge an employee’s commitment to diversity are not a good measurement. Also, supervisors are telling employees that it is “impossible” to exceed at EEO because they live in an area with a very low minority population. In cases like these, the employee is effectively defaulted to Fully Successful and that portion of their performance measurement is no longer effective.

Additionally, the examples that pre-fill into EmpowHR for what exceeds fully successful are not achievable for many employees, particularly if they are in an understaffed office. Also, it is rare for a COF PT to participate in a task group or inter-office project. Additionally, standards related to hiring and recruitment are irrelevant. 5-PM para 22C says that elements and standards should be attainable by employees, measurable, and encompass the position's major duties and responsibilities.

NASCOE Position: Prior to 2011, EEO was a standard that was added to a separate element. This allowed supervisors to address diversity with employees and still tailor plans and performance to those areas that were most relevant. This is still how we handle safety and PII, both of which are also important for an employee to comply with. We should allow supervisors the discretion to implement EEO in performance as either a standard or an element. DAFO could determine that certain areas of the country are more sensitive to SDA needs and require EEO as an element. This is similar to how we handle COC elections. (Greater outreach and/or voting advisors in areas with 10% or more SDA)

If it is determined that the addition of the EEO element to all employees has resulted in better and more fair program delivery, then we would recommend supervisor training on how to provide a meaningful distinction in this element between Fully Successful and Exceeds. Elements don't need to be easily exceeded, but they should be able to be exceeded.

REFERENCES: 5PM, PM-2777, PM-2796, PM-2827, PM2870, PM-2898

HRD RESPONSE: See response to Item number 3 above. Additionally, **PM 2915, Exhibit 2, page 22 of** does list a sample of the **Fully Successful** and **Exceeds** for all elements, including CR/EEO. At the bottom it states that the determination of the element rating and summary rating is decided by the manager/supervisor. Whereas it is encouraged that all managers include Exceeds lists, we have to allow for flexibility between differing positions. Exhibit 2 are samples only, promulgated by the Department.

Resolution: Management will provide additional training on this item and this will be discussed in the HR newsletter with inclusion clarification to be provided. Management will permit NASCOE to review proposed changes to 5-pm and provide input.

Item #9: TRAINING

Issue: We need to make sure our employees are trained. We are required to take annual trainings for security, but not required to take "continuing education" on our actual job duties? Every employee that comes on board needs to be properly trained in their job and then needs to be continually trained. Like counter skills training. How many PTs have actually had counter skills training?

NASCOE Position: Every PT hired should have counter skills training and then should receive it at least every 3-5 years after that. CED's they should be required to take management trainings beyond their one year of COT training. CEDs should have management training every 5 years to make sure they are staying on top of current management skills. Regular refresher training should also occur for programs so that we have trained personnel that deliver a consistently high standard of program delivery.

DAFO RESPONSE: DAFO agrees with NASCOE that investing in our employees via training is vital to our success. Training has increased significantly this last year with farm bill training and the revitalization of the new managers training. We will continue to provide as much national level coordinated training as practicable within budget allocations. We will also collaborate with the various offices to develop a listing of available courses for various functions that can be taken as assigned at the local level. We encourage NASCOE to encourage its membership to be proactive in using the IDP as a tool to help guide

their own training needs and for CEDs to ensure that PTs receive the on the job training they need to learn their assigned programs. DAFO has begun the review of the former PT Counter skills training program as a foundation for a new PT Training program.

Resolution: NASCOE accepted the response

Item #10: HIRING HEADQUARTER JOBS IN THE FIELD

Issue: For years we have been told that FSA management wants field office employees to apply for jobs in DC to keep that level of connection and knowledge at the national level. There are also many field office employees that would enjoy and succeed at a DC level position. However, it is hard for an employee to move to DC with a family and with the ties to homes, land, and communities – especially with no relocation costs being reimbursed.

POSITION: Recently employees in the WDC office have been permitted to work out of field offices. If it is currently permitted to have WDC employees working out of field offices then why not advertise WDC positions with placement in the field? This would allow a person with the knowledge and skills from working in a field office an opportunity to apply for a DC position that otherwise could not. Make more WDC position announcements available to field office personnel so that they have the opportunity to apply for and be subsequently be stationed in the field.

ASSOCIATE ADMINISTRATOR RESPONSE: Currently there is a Department wide initiative to determine if the USDA footprint in DC can be reduced. Part of this initiative is exactly what you are suggesting. Any final determination will depend on the type of work involved (is it portable) and a balance on the need to have a presence in the headquarters facility.

Resolution: NASCOE accepted the response

Item #11: SPOT CHECK SOFTWARE

Issue: FSA does not receive the compliance spot check software timely. We do not receive this until after the crops have been harvested normally. We can check all the eligibility issues at this time but checking reported acreage is almost impossible by 2CP rules.

NASCOE position: We would like to see the software come out timely so that spot checks can be done during the time that the crops are out in the fields and the spot results show a more accurate picture.

DAFP RESPONSE: Annually, FSA works with NASS and Kansas City to make the selection of producers for spot check. For the last couple years, due to various reasons, the spot check list has not been issued timely. We are working to improve the process for upcoming years. The timeliness of the spot check list does indeed impact checking reported acreage. Our goal is to have the spot check list issued prior to March of each year to provide ample time for the counties to check reported acreage prior to harvest.

The spot check software is not issued simultaneously with the spot check list. However, county offices are advised to conduct spot checks and maintain written documentation of findings until the software is available for data entry. While we are working to have the spot check software out sooner, the issuance of the software does not affect the county offices ability to timely complete their spot checks.

Resolution: Management agrees to provide a list by July 1, 2015

Item #12: ANNUAL REVIEW OF FARMS

Issue: Handbook 10-CM paragraph A, clearly states the State Committee shall establish a date for the annual review to determine whether land is properly constituted. Paragraph B, clearly states the DD shall certify that the annual review is correctly completed. Paragraph 2C, states the COC shall correct improperly constituted farms. The county office no longer has any reports to review farms and to see if they are properly constituted. The report that is listed in 3-CM paragraph 249 “Farm Constitution Report” is not available and has not been for a number of years. Therefore the county committee has no resources to review farm constitutions in their counties.

NASCOE Position: Provide a report to the county committee and the county office that shows how farms are constituted based on the current program year. The report must include owners and operators of a farm, by farm number.

DAFP RESPONSE: We do not have the “Farm Constitution Report” within MIDAS. However, we are providing a monthly report that is posted to the GIS Sharepoint Site that contains aggregate data for all farms from which I believe we could generate a report containing the same information that was previously contained in the “Farm Constitution Report”. We are currently working on pulling that report together and will release it as soon as we can.

Resolution: Management agrees to have the report open by June 1 or when the recon software opens up. NASCOE will provide a list of top ten reasons for need of report in 14 working days.

Item #13: WORKLOAD FORMULA

Issue: The workload report showing numbers for each county in each state have not been shared with counties. SED’s have the option of not using the WDC formula for staffing without having any oversight of their plan. Further, NACS and NASCE were provided the opportunity to input ideas into the current workload formula and NASCOE was not.

NASCOE Position: Anytime information is withheld from employees and especially when it affects something as important as staffing it has a detrimental effect on morale. NASCOE requests that all workload information be provided to counties related to staffing. Further, NASCOE requests an opportunity to participate in a review of the workload formula development and the opportunity to provide suggested changes through a formal process.

DAFO RESPONSE: There will be a group to study this item. Deloitte has been contracted to provide a workload model by August. NAPA is to review that study and this could take the process to November 2016.

Resolution: Management agrees to advocate to Deloitte to include Associations in their process and NASCOE agrees to wait for this report.

Item #14: HIRING PROCESS FOR COUNTY OPERATIONS TRAINEES

Issue: Currently COT’s are hired, trained and then they apply for county office CED openings. NASCOE notes that COT’s agree to go anywhere when they accept the COT position. In many cases these COT’s apply and are hired in a county office that is not close to their home territory. So after 2 or 3 years these new CED’s apply to an office that is closer to their family or that they feel is more attractive from a workload perspective and leave the old office looking once more for a new CED. The old office goes

back into shared management again until a new COT is trained and applies. We have many offices that continue this cycle of rotating CED's which has devastating effects on morale and deterioration of the operation of this office. A county office should have a CED that wants to be in that office.

NASCOE Position: Just like the FLOT position, NASCOE feels that a COT should be hired for the county office where the CED position is needed. The COC and producers deserve to have someone managing that office who wants to be there and will bring continuity to the operation. Management could advertise this position for a specific county and the advertisement would be open to all (if a position is available). This would increase applications from individuals in the area of that county and hopefully would lead to the chosen candidate staying at this office. A panel of STO personnel and CO personnel could vet the candidates and could recommend candidates to the STC. The STC could then send a list of eligible candidates for consideration by the COC. Hiring a COT for a specific county is not new to FSA and was employed when hiring past NASCOE president John Lohr.

DAFO RESPONSE: DAFO believes that the flexibility to place COTs as CED where needed once they have completed training needs to be maintained. Having COTs in the training program provides a cadre of qualified, available candidates when CED vacancies occur, and this is a more proactive method of filling these positions quickly. Current policies allow DAFO to make exceptions in unusual circumstances, such as locations that are extremely hard to fill.

Resolution: Management expressed openness to consider NASCOE's suggested changes. NASCOE is to provide a white paper on our concepts and changes to the COT program and leadership development opportunities.

Item #15: GOVDELIVERY

Historically, FSA has been known and respected for being a localized agency that had the ability to provide information to local producers with local outreach and newsletters. More recently, with National Notices INFO-48, 51, 55, 60 and 66, FSA has moved from having localized outreach to having outreach that has a strong central control. The change has resulted in producer dis-interest, confusion and concern by COF employees.

NASCOE is offering pro-active changes that would result in compromise and improvements to the Gov Delivery process. The changes will benefit producers and assist the agency in their goal of making outreach more economical, timely, uniform, workable and user friendly. Issues and suggestions are listed below:

- **Issue:** Producer and COF feedback indicates that many articles are going out in STO newsletters that are not timely or applicable, resulting in producers who are becoming dis-interested in the Gov Delivery process.

NASCOE Position: NASCOE requests that there only be one STO Newsletter per month and that a newsletter advisory committee composed of County Office representatives be created to assist the Outreach Specialist in article priority, content and development. Note: management already committed to the advisory committee concept during their December 2014 meeting with NASCOE.

Public Affairs Response: As per INFO-66, State Offices are already limited to ONE Newsletter per month. The selection of the articles used in the monthly newsletters is left entirely up to the State Office Program Specialists who select articles in coordination with the State

Communications Coordinator and the State GovDelivery Group Administrator. This approach is intended to give local control over content and to insure that articles and information issued at the state level is timely, accurate and applicable to each respective state's overall business needs.

The *monthly newsletter compilation* provided by the National Office of External Affairs offers up-to-the minute news and information and contains narrative that has been appropriately vetted and cleared as per Agency and Departmental protocol. This compilation is not new as we have been offering it to state and counties for 15 years. The document was originally developed, at the request of our states and county office employees, to save our extremely busy employees the time required to compose all of these articles and to insure consistency in program messaging nationwide.

Resolution: NASCOE accepted the response

- **Issue:** At present, some STO's are not allowing COF input in Gov Delivery bulletins. In many instances, COF's must select pre-written and canned program articles for inclusion in the COF bulletin.

NASCOE Position: NASCOE requests that COF's be able to write their own articles for County Bulletins.

Public Affairs Response: In the isolated instances where this may be occurring, this is not as a result of a national office directive. We have routinely communicated to ALL state and county content providers that they can have a "message form the CED," or similar localized article. However, what we have asked is that in those instances where a vetted, cleared program article already exists, they use the narrative provide to them in the *monthly newsletter compilation* to insure consistency in message form county to county and state to state. Because our business is often county specific, there are plenty of opportunities for counties to include localized articles on crop certification, farm bill public meetings, NAP closing dates, StrikeForce, disaster designations etc.

The formalization of our Agency public message is not a functionality unique to GovDelivery... it is a government-wide quality control measure that is our reality from the White House to the Department to the Agencies to the States and to the Counties... all levels are asked to utilize information and publications that have been properly vetted and cleared.

Resolution: DAFO and OEA will identify states that do not allow counties to send bulletins and will address such with the states to allow the counties to send out bulletins.

- **Issue:** Only three total articles are allowed per bulletin, one of the three must be a mandatory FLP article. Some COF's are reporting that only two Farm Program articles per bulletin are limiting their ability to provide adequate outreach to producers.

NASCOE Position: NASCOE requests more articles per bulletin be available, but not required, for each of the two monthly county bulletins. The requirement of no more than three articles per bulletin, with one being a required FLP article is very limiting. Perhaps the availability of one or two more Farm Program articles would be a compromise.

Public Affairs Response: INFO-66 allows counties to issue up to TWO bulletins per month with each bulletin containing a maximum of three articles of which one must be about a farm loan program. OEA maintains that SIX county articles (FIVE Farm Program articles and ONE Farm Loan article) a MONTH (72 articles a year from the county) in addition to one state office newsletter each month should provide ample opportunity to communicate timely farm program and farm loan program information. The decision to limit our correspondence is in direct response to producer feedback in which they have requested a reduced number of articles and bulletins as many of them subscribe to more than one county and or one state GovDelivery services. We are working extremely hard to strike a reasonable balance between employee wants/needs and subscriber wants/needs.

Resolution: NASCOE accepted the response

- **Issue:** Historically, FSA has allowed newsletter space to other cooperating agencies that offer benefits for producers. This is no longer allowed if FSA is not a participant in other advertised programs and benefits.

NASCOE Position: NASCOE requests the opportunity to advertise partner agency activities which FSA does not participate in, but that do benefit producers (e.g. extension generational transition workshop, NRCS and Conservation District cost share offerings etc). This request goes hand in hand with the Secretary's new "Bridges to Opportunity" and "One USDA" initiatives. It would provide additional and beneficial information to USDA's customers without increasing any cost to FSA. These additional articles would not "trump" FSA information or be allowed to exceed the maximum article count per bulletin. Articles would simply be added when sufficient space exists. NOTE: The Extension Service falls under the USDA umbrella as it is administered through the National Institute of Food and Agriculture (NIFA). Additionally, local Conservation Districts are partners with NRCS and FSA at the local level with NRCS sponsoring and paying for Conservation District rent and activities.

Public Affairs Response: For quite some time now, there has been discussion that sister agencies were going to implement their own GovDelivery electronic news service and we wanted to maintain FSA presence with our producers so that they knew what information they could expect to receive and from whom. To date, these sister agency electronic news service have not yet come to fruition. OEA will reconsider its position on this particular directive and revise national directives accordingly should a change of course be deemed suitable and in the best interest of FSA's public facing image and in the best interest of our subscribers.

Resolution: DAFO and OEA will work to come up with parameters that will provide opportunities to work with partners in the near future.

- **Issue:** The requirement of one FLP article per bulletin is resulting in articles that are repetitive, recycled and not always relevant. The requirement to publish one FLP article in each COF bulletin duplicates FLP article requirements for STO newsletters.

NASCOE Position: NASCOE requests to eliminate duplicative requirement that one local article per bulletin must be an FLP article. This requirement would turn into a voluntary

county action with the STO still required to publicize at least two FLP articles per month. Local bulletins would still be required to have a local FLP contact for applicable counties. If local FLP wishes to add an article, counties would be required to accommodate the request.

Public Affairs Response: See issue above regarding the need/want for counties to include Farm Program articles in county office monthly bulletins that have already been issued in the State Office monthly newsletter... if restating or reissuing duplicate Farm Programs articles at the State and County levels is an acceptable GovDelivery practice then we maintain that restating or reissuing duplicate Farm Loan Programs articles is an equally acceptable practice. As per national notice INFO-66, OEA maintains our position on the requirement that ONE of the SIX possible county office bulletin articles issued each month pertain to Farm Loan Programs.

Resolution: NASCOE accepted the response

- **Issue:** Some COF's are reporting that if the STO covers an article in the STO newsletters, COF's are not allowed to mention that same content in a subsequent bulletin for that month.

NASCOE Position: NASCOE requests to allow COF bulletins to expand on FSA information already issued in the monthly State Office newsletter. This will allow county providers to highlight an article that was published in a STO newsletter with county specific information that is important to their producers.

Public Affairs Response: OEA will work with State GovDelivery Group Administrators to clarify the duplicative information issue working to clear up misinformation or confusion on directives.

Resolution: NASCOE accepted the response

- **Issue:** COF's are reporting successes with the all electronic Gov Delivery method, but they are also reporting large segments of producers who are not getting relevant information due to low incomes, geographic location, and lack of technology adoption.

NASCOE Position: NASCOE requests consideration on alternatives to best reach producers who are socially disadvantaged, geographically underserved, who have limited incomes and who are technically underserved and do not have access to internet services. The ability to query names and addresses for local newsletter and bulletin mailings would improve outreach to these groups.

Public Affairs Response: All Business Partner query processes for the purpose of communication with underserved customers would need to be coordinated at the national level with Outreach and MIDAS. OEA is willing to initiate the conversation with these program areas.

Resolution: NASCOE accepted the response

Item #16: SHARED MANAGEMENT ISSUES

Several items agreed to in the FSA/NASCOE Shared Management Agreement, Exhibit 8, in 27 PM are currently not being followed by some State Offices.

- **Issue:** *“Before STC approval of the establishment of a permanent shared management operation, the SED will consult the NASCOE state affiliate.”* At present, many STO’s are not following this procedure.

NASCOE Position: NASCOE requests that SED’s be reminded of applicable handbook procedure. SED’s are to consult in pre-decisional format before the establishment of a shared management operation.

- **Issue:** In a permanent shared management operation, *“one Program Technician (PT) position in the headquarters office and each full-time sub-office shall be graded one level higher than their normal grade up to a CO-8, if the PT is responsible for all the activities in the office when the CED is absent, and the CED is absent at least 40 percent of the time.”* At present, many STO’s are not following this procedure.

NASCOE Position: NASCOE requests that SED’s be reminded of applicable handbook procedure. STO’s and CED’s should follow procedure by grading applicable employees one level higher than their normal grade.

- **Issue:** *“For temporary shared management operations expected to last more than 30 days, upgrades for CED’s and lead PT’s shall be on the beginning of the first pay period following the effective date of the shared management operation. CED’s and lead PT’s in current temporary shared management operations where the arrangement has been effective for more than 30 days shall be immediately upgraded according to this agreement.”* At present, many STO’s are not following this procedure.

NASCOE Position: NASCOE requests that SED’s be reminded of applicable handbook procedure. STO’s and CED’s should follow procedure by grading applicable employees one level higher than their normal grade.

- **Issue:** Provisions in 27-PM Par. 53C *“temporary shared management operations shall not exceed 120 calendar days”* At present, many STO’s are not following this procedure.

NASCOE Position: NASCOE requests that SED’s be reminded of applicable handbook procedure. Procedure should be followed in instances where shared management operations exceed 120 days by SED’s meeting with COC’s to *“work out a permanent solution”*.

- **Issue:** The challenge of shared management for CED’s and PT’s is often overwhelming. CED’s are required to handle a double workload and with the CED out of the office, responsibility falls on PT’s to handle management issues for which they have not been trained or compensated. To date, little or no resources are available to assist CED’s and PT’s operating in a shared management working environment.

NASCOE Position: NASCOE request that a national task force be assembled to develop resources and tools for CED’s and PT’s geared specifically for shared management. Information gathered by the task force should include input from round table discussions

between employees to share ideas and problem solving. NASCOE requests that by May 30th, a shared management task-force be appointed and subsequent framework be developed to guide the task-force. Improving shared management is also expected to increase positive feedback on future Employee Viewpoint Surveys (EVS).

DAFO RESPONSE: DAFO will remind States of the requirements in the handbook related to establishment of temporary or permanent shared management operations. Note: DAFO always asks if the State consultation with the NASCOE affiliate has occurred when notified of a shared management proposal.

Please note that upgrades are not always appropriate but DAFO agrees that when they are appropriate then they should be implemented. CED's must meet the provision for the higher classification, and an upgrade for a lead PT is appropriate only IF they are delegated to perform the CED's duties during the CED's absence when the CED is absent at least 40% of the time. If the CEDs retain control and handle much of their duties remotely (work assignments, program or payments approvals, leave approvals, etc.), then the requirements for a lead PT position is not met. That determination on the delegation of the duties is made locally; the national policy and procedures provide the option when warranted.

If the policies and procedures are not being followed please provide the specifics so that DAFO can address it with the applicable SEDs.

DAFO does not believe a taskforce is required to develop resources and tools for CEDs and PTs for shared management but we do agree that a tool kit to provide State Offices and applicable CEDs and PTs with shared management best practices could be helpful to all involved. DAFO will solicit best practices and develop a method to provide access to this information.

Resolution: Management agrees to encourage states to work with NASCOE to do some more education with state presidents on consulting for shared management proposals and management will do more education on using these positions.

Grade 8 positions: Management agrees with NASCOE on this issue Will include language of lead PT's in check sheet for these combinations

Temporary Shared Management: NASCOE will inform management of any unofficial shared management situations.

Workload problems with shared management: Management will put together a virtual workgroup. Management will work with NASCOE on development of this group.