

WebMemo



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Who Pays for “Official Time” and Why Americans Should Be Concerned

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What Is Official Time?

- Official time is the practice of federal employees doing work for government unions while they are on the clock for their government jobs.
- While on official time, federal employees are paid by the government to negotiate collective bargaining agreements, file and litigate grievance complaints, participate in labor–management discussions, lobby Congress, and do other union-related work.
- Official time effectively subsidizes government unions with taxpayer dollars. Taxpayers cover the cost of union salaries instead of unions paying these costs out of their members’ dues.

Policy Concerns

- Most of the issues that federal unions negotiate—such as how to assign parking spaces—matter only to federal employees. Official time is a public subsidy for private matters.
 - If federal employees value their union representation, then they should pay for it with their dues. If they do not value that representation enough to pay for it, taxpayers should not subsidize it.
- The government does little to hold unions accountable for how they use the official time subsidy taxpayers give them.

- The Social Security Administration’s Inspector General found that 23 percent of managers had concerns that union representatives abused official time and that, in many cases, this abuse was ignored.¹
- Official time improperly subsidizes unions’ political activities. Union officials may lobby Congress while being paid by taxpayers to do government work. By subsidizing union payrolls, official time also frees up union resources to spend on political activities.
- Official time encourages unions to file frivolous grievances because someone else pays for the cost of union representation in the proceedings. This leads unions to file trivial or completely baseless complaints. For example:
 - The dress code at a federal prison in West Virginia prohibits wearing jeans, and that ban was negotiated into the collective bargaining agreement. The union president nonetheless repeatedly wore jeans to work, despite being reminded of the ban in the agreement. The warden directed the union president

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to go home and change out of the jeans. In response, the union filed unfair labor practice charges against the warden.²

- Luke Air Force Base in Arizona ended off-base access to its e-mail system with only a password after it experienced multiple security breaches. Instead, employees could access e-mail off-base only with a Common Access Card (CAC), which requires a CAC reader to operate. The union filed a grievance, arguing that this was a change in working conditions that the Air Force base first needed to negotiate with them.³

Economic Effects

- Federal employees spent 3.1 million hours on official time in 2010. This subsidy to federal unions cost taxpayers \$137 million.⁴
- Requiring unions to reimburse taxpayers for these costs would help close the deficit. Alternatively, the savings could be used to lower taxes.

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1. Social Security Administration, Office of the Inspector General, Non-Council 220 *Union Representative and Manager Observations on the Use of Official Time at SSA*, December 1998, p. 9, at <http://oig.ssa.gov/sites/default/files/audit/full/pdf/9802002.pdf> (January 4, 2012).
2. Federal Labor Relations Authority, *American Federation of Government Employees, Local 2441, Council of Prison Locals and United States Department of Justice, Federal Bureau of Prisons, Federal Correctional Institution, Morgantown, West Virginia*, October 29, 2010, at <http://www.flra.gov/decisions/v65/65-48.html> (January 6, 2012).
3. Federal Labor Relations Authority, *American Federation of Government Employees, Local 1547, and United States Department of the Air Force, Luke Air Force Base, Arizona*, September 28, 2010, at <http://www.flra.gov/decisions/v65/65-24.html> (January 6, 2012).
4. Office of Personnel Management, *Official Time Use in the Federal Government—FY 2010 Survey Responses*, at <http://www.opm.gov/LaborManagementRelations/OfficialTime/OfficialTime2010.asp> (January 4, 2012).

