



May 4, 2021

Tony Reardon
President
National Treasury Employees Union
800 K Street, Suite 1000
Washington, DC 20001-8022

Dear Mr. Reardon:

I am writing on behalf of the Secretary in response to your April 21, 2021 letter, following up on our April 20, 2021 meeting.

During the meeting, the Secretary requested you provide a few items NTEU believed would make a quick and beneficial impact for NTEU. In your letter, you requested HHS:

- Restore the following rights per the 2010 collective bargaining agreement:
 - Official time entitlements of NTEU Representatives.
 - Access to HHS equipment and facilities, including email.
 - Access to HHS space, including union offices – without charging rent and that HHS refund any rent collected from NTEU chapters.
- Communicate to managers and employees that these measures are being taken to comply with President Biden's Executive Order (EO) 14003.

You also provided a summary of NTEU's position on the history of collective bargaining between HHS and NTEU since 2018 and concluded with requesting that HHS agree to re-implement the 2010 collective bargaining agreement and initiate negotiations over a new collective bargaining agreement. We are still working to put in place senior leaders across the department and, in consultation with the Office of Personnel Management (OPM), will continue to assess the current situation and your longer-term request.

Turning to your itemized requests, HHS will entertain these matters, through my office, with the goal of promoting union engagement in accordance with President Biden's EO 14003. It is important to note that in doing so, our consideration of these requests is being undertaken without prejudice to any position that HHS may choose to adopt for purposes of eventual negotiation or resolution of those issues in the collective bargaining process.

HHS's response to each request is below:

- We are open to reinstating official time entitlements of NTEU Representatives, and a representative from my office will be in touch to discuss next steps and gather additional information to inform the percentage of time supported.
- HHS will restore use of the HHS email system and access to HHS facilities and equipment in accordance with article 9 of the 2010 collective bargaining agreement, as revised on March 6, 2014.
- HHS will consider your request to provide access to union offices and looks forward to a more in-depth discussion about the parameters surrounding them. I anticipate as part of the discussion, we will consider the current telework posture as well as when we return to the workplace.
 - Confirming that the Department is no longer charging NTEU chapters for office space as of May 1, 2021. In regards to refunding any prior rent collected, I must assess this matter further and would invite additional information in support of 100 percent rent refunds.

- Your final request is that HHS issue a communication to managers and employees that the Department is implementing these actions in compliance with President Biden's EO 14003. HHS is committed to supporting the Administration's policies to empower workers to organize, including participating in the recently-announced White House Task Force on Worker Organizing and Empowerment. We will continue to assess opportunities for the Department to strengthen its engagement with NTEU. In the interim, I will issue a communication to the Department's senior leaders i.e., Operating and Staff Division heads and Human Resources Directors, committing to work with NTEU and to seek engagement with the workforce to identify best practices for building a productive workplace. I would also welcome NTEU's feedback on reinstatement of quarterly labor management forums as an additional opportunity to strengthen relationships with HHS's unions.

I will close by reaffirming the Secretary's commitment to implementing EO 14003 and developing a more productive labor management relationship with NTEU. The Secretary recognizes the positive role and impact of NTEU. I too am in support of this, look forward to working with NTEU, and know that together we will further the Department's mission. Thank you for helping HHS build back a better workforce and service in enhancing the health and well-being of all Americans.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cheryl Campbell", is written over the typed name and title.

Cheryl R. Campbell
Acting Assistant Secretary of Administration