



## Your FMA Monthly Grassroots Update

June 2019

Dear FMA Member,

Welcome to your June grassroots update! We hope you will use this tool to learn more about the issues FMA is working on, the responses of our national office team and leadership, and the many ways you can help. We are very excited about the work we are doing with the 116<sup>th</sup> Congress.

### Keep up the good work!

Last month we noted Representatives Derek Kilmer (D-WA) and Tom Cole (R-OK) introduced bipartisan legislation, the Federal Retirement Fairness Act (H.R. 2478), which would allow FERS employees to buy back temporary time, plus interest, toward their retirement. When I last wrote about this, the bill had five cosponsors. Today it has 24! That is already seven more cosponsors than the bill received in the last session of Congress.

If you haven't already sent a letter of support to your Representative, please click on this link to access this action letter: <https://www.fedmanagers.org/Action-Letters>. The letter urges support for H.R. 2478.

As always, the letter is drafted and ready to send as-is, but it is fully editable to allow you to personalize it and insert any anecdotal information you'd like. Please take a moment to send an action letter on this issue, and urge your fellow FMA members to send one as well!

### Feedback Requested: MERIT Act reintroduced

Last week, the Modern Employment Reform, Improvement, and Transformation (MERIT) Act of 2019 (H.R. 3348 / S. 1898) was reintroduced. The bill would make significant changes to the firing process and affect employee protections. The bill passed the House Oversight and Government Reform Committee, which approved the bill on a party-line vote last year, **but is unlikely to receive a hearing or be considered on the House floor this year. It is therefore not expected to be signed into law.** However, it is still important to know where FMA members

stand with regard to this legislation. Click here to view the full text of the legislation. Briefly the bill:

1. Streamlines the process and shortens the amount of time (from 30 days to 15 days) required to remove underperforming employees
2. Allows agencies to remove a senior executive for performance/conduct reasons, rather than merely demote them.
3. Limits retirement benefits of employees who are removed from their position due to a felony conviction related to their official duties.
4. Authorizes agencies to recoup bonuses and awards when performance or conduct issues are discovered.
5. Extends the probationary period for competitive appointments and promotions from one year to two years after formal training is completed.
6. Curbs the ability to use intermediaries to overrule or undermine Merit Systems Protection Board (MSPB) precedent.
7. Upholds critical whistleblower protections.

Proponents of the legislation argue the provisions in the bill give managers more tools and are commonsense ways to address poor performers and increase accountability. Opponents argue the decreases to appeal times and other changes cut directly at due process and mention a slippery slope toward an at-will federal workforce.

I am asking for your feedback on the bill's provisions, specifically, if you support or oppose each one. Your answers will help shape our response and how vocal FMA is about this bill moving forward. You can access a short survey regarding the MERIT Act by [clicking here](#). If this link does not work, please paste this URL into your browser:

<http://survey.constantcontact.com/survey/a07egfgecptjxdahdno/start>

#### To Do List:

- Reply to a [short survey](#) on the newly reintroduced MERIT Act
- [Send an action letter](#)
- [Begin a payroll deduction contribution to FMA-PAC](#)
- Ask your chapter leaders about joining them on their next visit with senators and local representatives
- Visit [www.fedmanagers.org](http://www.fedmanagers.org) to catch up on the latest news affecting federal managers!

Very truly yours,

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