

FEDERAL PREVAILING RATE ADVISORY COMMITTEE

640th FPRAC

JANICE R. LACHANCE, Chair, Presiding

Thursday, July 21, 2022

Virtual Meeting via Microsoft Teams
Office of Personnel Management
Washington, D.C. 20415**ATTENDANCE:****Members/Alternates:**Management Members:Mark Allen, OPM
Christopher Lynch, DoD
Mandy Laughlin, Army
Kimberly Eidson, Air Force
Ophelia A. Vicks, VALabor Members:Margareta Rodgers, MTD
Jacqueline Simon, AFGE
Richard Loeb, AFGE
Carisa Carmack, NAGE
Travis Kielty, ACT**Staff Specialists and Visitors:**Brenda Roberts, Designated Federal Officer, OPM
Ana Paunoiu, OPM
Samantha Bono, OPM
Karl Fendt, DoD
Gary Kistner, DoD
Erica Abiera, DoD
Chrissy Wlezien, DoD
Marisa Day, DoD
Kieu Nguyen, DoD
Jerry Dollente, DoD
Sheila Willis, VA
Arlene Romba, VA
Peggy Cleveland, Navy
Simone Griffin, Navy**Recording Secretary:**

Mike Eicher, OPM

[Transcript prepared from digital audio produced by FPRAC.]

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P R O C E E D I N G

CHAIR LACHANCE: It is 10 a.m. so we will start the meeting, and perhaps others will join us in the next few minutes.

I want to welcome everyone to the 640th meeting of the Federal Prevailing Rate Advisory Committee. The meeting is being held virtually, and it will be recorded as usual. A verbatim transcript is going to be provided to all of the members for their review for the next meeting. Thank you all for that work that you do.

My name is Janice Lachance. I am Chair of the Committee, and I would like to start with introductions so that we get them on record and know who is here and who is in attendance. We are going to start with the Labor members this month. Is there anyone here from the Metal Trades?

MS. RODGERS: Yes, ma'am.

CHAIR LACHANCE: Could you give me your name, please?

MS. RODGERS: My name is Margareta Rodgers, and I am the Chairperson for Metal Trades Council Tidewater.

CHAIR LACHANCE: Great. Thank you, Margareta.

AFGE typically has two people in attendance, and I see one is waiting in the lobby. Why don't we go back to AFGE.

NAGE?

MS. SIMON: Okay.

CHAIR LACHANCE: Jacque, are you here?

MS. SIMON: I'm here. Jacque Simon for AFGE, and I think—Richard, have you just joined?

MR. LOEB: Hold on. Yes, if I have audio.

MS. SIMON: You do.

MR. LOEB: All right.

CHAIR LACHANCE: So we can hear—good. We can hear you just fine.

NAGE?

MS. CARMACK: Carisa Carmack for NAGE.

CHAIR LACHANCE: Thanks, Carisa. ACT?

MR. KIELTY: Travis Kielty from ACT.

CHAIR LACHANCE: Thank you.

Let's have the OPM team introduce themselves. Mark, do you want to start?

MR. ALLEN: This is Mark Allen for the OPM staff.

MS. ROBERTS: Brenda Roberts, Designated Federal Officer.

MS. PAUNOIU: Ana Paunoiu with OPM.

MR. EICHER: Mike Eicher, OPM.

MS. BONO: Samantha Bono, OPM.

CHAIR LACHANCE: Terrific. I think that's everyone from OPM. Brenda, thank you for joining us. She is participating virtually, and as she mentioned, she is the Designated Federal Official under the Federal Advisory Committee Act.

Let's move over to the agencies who are represented. DoD?

MR. LYNCH: Hi. This is Christopher Lynch. I'm sitting in for Ms. Speight.

CHAIR LACHANCE: Great. Thank you. Army?

MR. LYNCH: You're welcome.

MS. LAUGHLIN: Good morning. This is Mandy Laughlin for Army.

CHAIR LACHANCE: Air Force?

MS. EIDSON: Good morning. This is Kimberly Eidson for Air Force.

CHAIR LACHANCE: Great. And finally, the VA.

MS. VICKS: Good morning. This is Ophelia Ann Vicks with VA.

MS. WILLIS: Good morning. This is Sheila Willis with VA.

CHAIR LACHANCE: Thank you. Do we have any guests attending today?

MR. FENDT: Yes. This is Karl Fendt with DCPAS Wage and Salary.

MS. CLEVELAND: This is Peggy Cleveland with Department of Navy.

CHAIR LACHANCE: We got Karl. We got Peggy. Anyone else?

MR. FENDT: I also have some other—

CHAIR LACHANCE: Oh.

MR. FENDT: —wage team members that can introduce themselves now.

CHAIR LACHANCE: Great.

MS. WLEZIEN: Christina Wlezien with—

[Simultaneous speaking.]

CHAIR LACHANCE: I'm sorry. A couple of you seemed to be talking at the same time. Could we do these names again?

MS. WLEZIEN: Christina Wlezien with [audio distortion].

MR. FENDT: So it's Ms. Chrissy Wlezien with DCPAS. Ms. Kieu—

CHAIR LACHANCE: Perfect.

MR. FENDT: Ms. Kieu Nguyen with DCPAS.

MR. DOLLENTE: Jerry Dollente, DCPAS.

CHAIR LACHANCE: Great. Is that the group? Any other guests?

[No audible response.]

CHAIR LACHANCE: Okay. Thank you all very much.

We don't have any announcements today, and we can move then to review the transcript of the last meeting, which was held on June 16th. Are there any changes that any of you would like to bring to our attention?

MS. RODGERS: As far as?

CHAIR LACHANCE: The transcript from the last meeting.

MS. RODGERS: Oh, okay.

CHAIR LACHANCE: I don't hear anything. Are there any objections to adopting the transcript of the last meeting?

MR. ALLEN: No objections.

CHAIR LACHANCE: Great. Then we'll go ahead and adopt the transcript. Thank you very much. We appreciate your review of it and bringing any issues to our attention when they arise.

As we pointed out at the last meeting, there are a few items under Old Business, which still need to be tackled. We're going to start with item (a), and that's a letter from the American Federation of Government Employees requesting FPRAC review a proposal to not allow Federal Wage System wage area boundaries to split General Schedule locality pay areas and a proposal to redefine Monroe County, Pennsylvania, from the Scranton–Wilkes-Barre, Pennsylvania, wage area to the New York, New York, wage area.

Likewise, AFGE submitted another letter in March requesting Monroe County, Pennsylvania, be redefined to the New York wage area and also requesting FPRAC to review a proposal to limit all non-rest-of-U.S. General Schedule locality pay areas to no more than one

Federal Wage System wage area.

We also have Document 638-OPM-2, a 2022 update to the review of Monroe County, Pennsylvania, that OPM staff have prepared.

Then we also have Document 638-OPM-3, which is an updated employment distribution at Tobyhanna, and 639-OPM-4, an updated wage schedule rates versus wage survey rates document.

At this point, I would also note that the Management members have introduced a new agenda item today to establish a working group to study these and a number of other issues that pertain to the determination of prevailing wage levels.

Are there any updates on these issues, or would the members like to go ahead and talk about the motion that is under the first items of New Business?

MR. ALLEN: Maybe I can just chime in here to get things started. It's a very long-standing issue dealing with the proper way to carry definition for Tobyhanna Army Depot and the interaction between General Schedule locality pay areas and Federal Wage System wage areas.

Over the course of probably the last 15 years, maybe even a little bit longer than that, members of this committee have not been able to reach consensus on certain items introduced at FPRAC, such as moving Monroe County into the New York wage area or moving all the counties of the current Baltimore wage area on to the Washington, D.C., wage schedule. There are a number of other items that have been introduced from other areas that are on the agenda as Old Business.

What the Management members are proposing is establish a working group. This proposal is under document 640-MGT-1. Take a look at those issues, not have any preconceived

notions of whether the Old Business items are ones that members favor or not, and I think we want to take a step back. Considering the Federal Wage System has been in existence now for 50 years, we think it's a good idea to take a deep dive into seeing how the current regulations and wage survey processes are working and whether those are best meeting the needs of Federal Wage System employees for being able to set their pay according to local prevailing wage levels.

I could read through the first part of the proposal, but I think many of the members have already seen the document.

The second half of 640-MGT-1 contains a number of items that the Management members put their head together and thought of as things that a working group could possibly tackle. So I'll just go through these.

Is there in the form of questions—Item 1— is current wage survey timing with full-scale wage surveys required every 2 years optimal for determining prevailing wage levels?

Item 2—these are not necessarily in any particular order—should the Department of Defense serve as the lead agency for collecting wage survey data?

No. 3, should wage data be obtained through some other means?

No. 4, do the criteria for establishing wage areas meet the statutory requirements for paying FWS employees according to local prevailing wage levels?

No. 5, do the criteria for defining individual counties to wage areas meet the statutory requirements for paying FWS employees according to local prevailing wage levels?

No. 6, are there too many or too few wages areas? And another part of that, are there areas that no longer meet the regulatory requirements to be a wage area, and if so, should they be abolished? Should any new areas be created?

Next item. Do the laws and regulations governing private industry coverage and

establishment size best meet the goals of determining prevailing wage levels?

On to the next page. Do the current benchmark survey job descriptions used during local wage surveys adequately represent FWS work and allow for comparisons to private-sector work levels?

Next item is, what obstacles, statutory or regulatory, hinder the government's ability to pay FTW employees according to local prevailing wage levels, and to what degree are employees paid more or less than prevailing wage levels?

Next item, is local statement and wage application appropriate for wage schedule production? In this case, there was a question from a Management member regarding the Seattle–Everett–Tacoma Washington—I believe it's a Non-appropriated Fund wage area issue there.

Next item, why are there substantial differences in pay levels between FWS and General Schedule positions in the same geographic area.

And last item, at least the last item that's on the Management proposal, should the pay caps for FTW annual wage schedule adjustments be eliminated?

That may seem like an exhaustive list, but I believe the Management members are open to not studying all of those items in a working group session or adding additional items if the members believe that would be the best course of action.

I will note this will require a lot of collaboration between the Management and Labor members to come up with answers to some of or all of these questions.

CHAIR LACHANCE: Great. Jacque, I see you have your hand raised.

MS. SIMON: Yeah. It's been my experience that it takes OPM approximately one year at least to issue a regulation. Is that fair, Mark?

MR. ALLEN: It would depend on the nature of the regulation. Wage area definitions don't actually go through OIRA. They haven't for the last 25 years or so. If OPM were to accept a recommendation to change a wage area boundary, it would be done through regulation that could be done as soon as 6 months, we usually say.

MS. SIMON: Okay.

MR. ALLEN: If it's something more complicated like changing a wage survey process, then that could take up to a year, yes.

MS. SIMON: Yeah. Well, given that in our experience, I would propose that we limit the work of this work group to the remainder of the calendar year of 2022. I mean, I like—make work, you know, job security project as much as the next guy, but this could keep us all going indefinitely. And it's, you know, not our first—not our first studying these issues, you know, same characters. I mean, some people have since retired but not all of us.

So I think we can get to the meat of this within 6 months, and so I'm proposing either end of the calendar year, end of January 2023, where we, you know, issue our recommendations from the work group and just, you know, make it different finite like that rather than open-ended to last for years.

MR. ALLEN: I appreciate that, Jacque. I think maybe Carisa had asked the question about that at the last meeting, and I think, based on what I was hearing, that none of the members want to drag a working group on indefinitely. I think the Chair doesn't want to do that.

CHAIR LACHANCE: No, we don't. No. We are all about action here. As soon as possible.

MR. ALLEN: Yes.

MS. SIMON: So how does 6 months sound?

MR. LYNCH: This is Chris with DoD. We agree that 6 months sounds reasonable, and just on the surface, we agree with AFGE on this one.

MS. NEALE: This is Felicia Neale from ACT. I also agree with the 6 months and not dragging it on, especially looking out for Puerto Rico which is, you know, one of our main concerns, and the issues have been dragging out the years. So, yeah, I agree with having a finite timeline to get things moving.

CHAIR LACHANCE: Great. That can be amended or added to the proposal here to make sure that it is in writing and that there is broad agreement. Does anyone not agree with that? I know I do. But is there somebody else who is concerned?

[No audible response.]

CHAIR LACHANCE: Okay. I think that would do it. Can we then proceed on consensus? We don't really need a vote if everyone agrees, or do we?

MR. ALLEN: Based on how FPRAC routinely works, if all the Management members agree, we don't really need to vote on it. We can just do it by consensus.

CHAIR LACHANCE: I don't hear any objection.

Then the next thing I would ask you is to commit to working on this. I think there is a lot of potential here. I think people are ready. People understand the nature, the depth of the issues, the fact that they have lingered for literally years, and I am looking at a group of people on this call who seem to be ready to tackle some of these tough issues. So, I look forward to hearing the outcomes of some of the deliberations.

MR. ALLEN: So, as a next step—

MS. SIMON: Oh, can I ask a question?

CHAIR LACHANCE: Yes.

MS. SIMON: Janice, as you not planning to participate?

CHAIR LACHANCE: I think I do not participate, is that correct, or can I?

MR. ALLEN: You can.

MS. SIMON: You can. You absolutely can.

CHAIR LACHANCE: Okay.

MS. SIMON: And I think we would benefit from your participation.

CHAIR LACHANCE: Okay. I'm happy to do that, happy to be a part of the team.

MR. LYNCH: And also—this is Chris again. Also, I'd like to add the Wage and Salary Team as well. They have a wealth of knowledge, who can provide supplemental information as well as what Mark and his team can provide. Over.

MR. ALLEN: Thanks for that, Chris. When the Chair started in her position, the DCPAS staff came over—virtually, I guess.

[Laughter.]

CHAIR LACHANCE: They came over. They came to my house virtually.

MR. ALLEN: —and gave her a briefing mainly to orient her on how the Federal Wage System survey processes work and sort of the state of play for how things have been working recently. As a first step, what I'd like to recommend is that all of the committee members receive that kind of briefing from the DCPAS staff with OPM staff contributions as well, just to get everybody on sort of the same level of knowledge about how things are working or not working, the effect of the pandemic on how wage surveys have been able to proceed or not proceed. So, as Chris was saying, there's a wealth of information that DoD staff can provide to the committee. Probably, the best thing to do is start there and then sort of branch off into answering some of the questions.

When we have had prior working groups, what we have done is had the public meeting first and then went into a working group session afterwards. We could meet more frequently if the members wanted to do that, but it seemed to work pretty well in previous years when FPRAC would have a working group set up, to have the working group members meet right after the public meeting. This would mean a monthly meeting, but it could be more frequent if the members want that.

CHAIR LACHANCE: I know speaking for myself that the briefing from our colleagues at DoD really was extraordinarily helpful to me and also, I think, raised some of these issues that we would love this working group to take on. I appreciated how candid the DoD team was with me. They were very open about what is working really, really well and where they have issues. So I think starting with that as a foundational session where everybody can get on the same page, everybody has the opportunity to ask questions, I think would be invaluable. And I really appreciate, Chris, you're stepping up to offer that up.

Does what Mark is proposing as far as a work schedule—does that work for the group, or do you all think you want to try to start something sooner? I know everyone is swamped and scheduling a group of this size could be a challenge. But is everyone comfortable with an August start date where we could have a relatively succinct public meeting and then go into the working group briefings and discussions?

MS. SIMON: Are you saying that you don't want to get started until after the August FPRAC meeting?

CHAIR LACHANCE: I think, Jacque, I'd love to get started sooner—

MS. SIMON: As do I.

CHAIR LACHANCE: —but I want to be sure that's realistic with the group here.

I think if we can at least agree on working—going into these public meetings and then staying together as the working group once the public meeting ends, then we know we have that many meetings scheduled.

Mark, do you think we could make an effort at trying to do something before the August public meeting?

MR. ALLEN: We could. I'd point out also that there are no quorum requirements for a working group, and when we've had previous working group meetings for FPRAC, not everybody has to attend if they don't have the time to do that.

CHAIR LACHANCE: Yes.

MR. ALLEN: Since the briefing we're talking about has been given before, the information is already there but really, I can't speak for Chris and Karl about when they might be ready. If it's a couple weeks, I think that may be ideal.

MS. SIMON: Yeah. I think we can have our first work group meeting before the next FPRAC meeting, and then depending on, you know—moving forward, it could be like every 2 weeks, you know, first and fourth Thursday of a month or something like that. But let's get the show on the road. Why not?

MR. ALLEN: All right.

CHAIR LACHANCE: That sounds good.

MR. KIELTY: This is Travis from ACT. I agree with Jacqueline that the sooner we can start—we can always have the briefing a little bit later. My only question is, a more general question, are we going to try to limit who's in the working group? Like the first meeting, we can kind of just look at what we're going to try to accomplish as a whole idea and then move forward into understanding what the training would be and stuff, to have us all spin up on that.

But I was really wondering, like I said, who is going to be involved. Can people just come and go? If we think we need to add somebody, or is this going to be limited to the Board members type deal?

MR. ALLEN: The way this usually works, Travis, is that the committee members decide. For example, the DCPAS staff, specifically Karl's staff, are not appointed members of FPRAC, but they've always functioned as technical advisors. If there's a technical expert whom the committee members believe everybody would benefit from hearing, I would say it's a good idea just to ask, to say that if a member would like to have somebody added to the working group. But, generally, the working group meetings are not open to the public.

MS. SIMON: My sense is that the most important person to come to all these meetings is our esteemed chair, and as far as for the rest of us, I mean, I plan to come to all of them. I assume we're going to have them be virtual, right? They'll all be virtual?

[No audible response.]

MS. SIMON: They'll all be virtual. Okay. So AFGE can commit to being present at all of them. You know, as far as everybody else, you know, who they want to send, as Mark is saying, in the past, we always had the Chair there and, you know, various OPM experts and DoD experts, and the Union people were either the members of FPRAC or other staff, I mean, on an as-available basis. The people were—the people who came to these meetings were, you know, knowledgeable and sort of motivated to, you know, work diligently on these issues.

MR. KIELTY: Travis from ACT. I'll be available pretty much whenever you all need me, especially if it's virtual. I will be on baby leave in October, but I'll try to get on the FPRAC meetings if Felicia can't make it or something since I've been on these for the last couple years. So, yeah, the sooner we can start at least to have the general board together to talk about

what we want to accomplish and then move forward from there, I'm open to whenever.

CHAIR LACHANCE: That's great.

MS. LAUGHLIN: This is Mandy from Army. Just a quick question. How soon would the briefings be prepared in terms of what Mark was talking about with everybody receiving the briefing about how the wage system works?

CHAIR LACHANCE: I think we could start working on scheduling with Karl and Chris and their team this afternoon maybe, just start exploring dates on when. I think that was so foundational for me as someone walking into this role that I think it would be helpful for everybody. Obviously, some of you have been on this committee for many, many years, and you could probably conduct the briefing. But I think it would be good to hear from the folks who actually do the work, and maybe we could get that as our first meeting in a couple of weeks, depending on people's availability and schedule. We can try.

MS. LAUGHLIN: Absolutely, ma'am. Thank you so much.

CHAIR LACHANCE: Sure.

MR. ALLEN: Chris or Karl, do you have anything you wanted to add to that?

CHAIR LACHANCE: Yes. We are committing you all here, so I hope that is okay.

MR. LYNCH: Yeah. This is—

MR. FENDT: Oh, go ahead, Chris.

MR. LYNCH: Unless Karl had something to add, I was going to say I'll get with him to see when a good time would be. But, Karl, if you had a date off the top of your head, please go ahead.

MR. FENDT: Yeah. I don't have a specific date in mind, but I think this is very

apt, actually. As some of you already know, the 50-year anniversary of the public law that created this system is August 19th, August 18th being the FPRAC meeting right before. And so it seems properly timed that we would have this type of study, and if the Wage Team needs to do a presentation in the next couple weeks, as Ms. Simon has indicated and Mark has stated, we can be ready for that presentation for the team.

CHAIR LACHANCE: That is great. Thank you all so much.

MR. ALLEN: On the OPM staff, it would be me, of course. Ana Paunoiu is the senior specialist over the Federal Wage System program for OPM. Mike Eicher also works in Pay Systems, and in the next couple of weeks, I believe Samantha Bono is going to be joining us officially as well. You may have noticed she's been on the meetings the last 2 or 3 months, I believe. So she'll be also working on the Federal Wage System program.

CHAIR LACHANCE: Great. It sounds like we have a plan to go forward. Is everyone comfortable with this? Any other comments or suggestions that we can hear from?

MR. ALLEN: One other thought.

CHAIR LACHANCE: Yes.

MR. ALLEN: If there's no New Business for a public meeting, we could forego the public meeting for that month.

CHAIR LACHANCE: That's great. Well, that's not great.

MR. ALLEN: However, we're meeting more frequently, which is a good thing.

CHAIR LACHANCE: Good. All right. I think we have a plan to go forward.

Thank you all very, very much. I think this is a great opportunity. Karl, thank you for the historic reference here. I think we have an opportunity to make a real difference in this system and make a real difference for the employees who are affected by it every single day, so thank you. We

really appreciate it.

I'm going to move on to item (b) under Old Business, a letter from the American Federation of Government Employees requesting FPRAC recommend redefining San Joaquin County, California, from the Stockton, California, wage area to the San Francisco, California, wage area and review of San Joaquin County, California.

Jacque and Rich, do you have any updates on this item, or is this something that could be moved to the working group to consider on a big-picture basis and maybe come up with a way to resolve some of these specific issues?

MS. SIMON: Let's put it to the work group. My phone just tells me that President Biden has COVID.

CHAIR LACHANCE: Oh, no.

MS. SIMON: I know.

CHAIR LACHANCE: I suppose it was just a matter of time, but that is not good news.

MS. SIMON: No.

CHAIR LACHANCE: Thank you for letting us know, Jacque.

So I'm going to do a couple more items under Old Business, but hopefully, they can be resolved the same way, that they can be considered by the working group. But let's run through them for the record.

The next one is item (c). It's a letter from the National Association of Government Employees requesting that FPRAC reexamine the placement of wage grade employees working in the Salinas–Monterey and review the Salinas–Monterey, California, wage area and a request for the abolishment of the Monterey–Salinas wage survey area.

This was introduced by NAGE. Do you have any updates on this that you would like the group to hear, or is this something that you would like the working group to take on?

MS. CARMACK: So I actually just got in touch with our members timely yesterday.

CHAIR LACHANCE: Great.

MS. CARMACK: They have indicated that they're definitely interested in moving forward with this item and that they might have some new information to share. So it might be a good thing for the working group, and if we can incorporate any new information that they're able to share with us, that might be a good item for that.

CHAIR LACHANCE: That's great. Thank you, and absolutely, any information that any of the members can bring to the table for these issues, it would be really helpful.

The next item under Old Business is item (d). It is a letter from the Association of Civilian Technicians requesting FPRAC consider moving the Puerto Rico wage area into the Special Appropriated Fund Schedule for U.S. Insular Areas.

Do you, Travis or your colleagues, have any updates on this item? It is not quite the same as using GS locality pay areas in the Federal Wage System, but do you think it would be appropriate for the working group, or do you want to bring us some new information on it?

MS. NEALE: This is Felicia from ACT. At the last meeting we had, we agreed that this topic would be great for the working group.

CHAIR LACHANCE: Terrific. That would be great. Thank you so much, Felicia. I appreciate it.

The last item under Old Business is item (e), and it is an email we received from AFGE requesting to unify the wage grade schedules at FCC Butner in North Carolina.

Rich and Jacque, did you have the chance to get clarifications from your local there about this issue, given that there seemed to be different understandings about where they fit in the wage area?

MS. SIMON: Well, I think Mark explained the issue to me. Why don't we defer that one to the working group as well.

CHAIR LACHANCE: Okay.

MS. SIMON: I mean, I think what it turned out to be was not a question of unification but rather an effort to move to a different wage area, to consolidate a few wage areas in a region. You know, it's interesting that we don't have BOP represented on FPRAC, but by far and away, the majority of inquiries from AFGE locals on wage grade issues come from prisons. And they have some of the worst problems with recruitment and retention of the wage grade workforce. You know, they've got problems on the GS side too, but anyway, yeah, why don't we talk about that in the work group.

CHAIR LACHANCE: That sounds good. Thank you.

So we've already talked about item (a) under New Business and are going to work together on that to bring that to reality. I appreciate that I think we are going to maybe add a line or two about the time frame that we all agreed on, but I look forward to getting started on that and want to thank you all for agreeing to work on this. It will not be easy, but hopefully, it will resolve some of these longstanding issues and maybe even update the system in a way that it can be responsive to today's workforce and the needs of our agencies and those we serve.

The next item is under New Business. It is item (b), and that's an email we received from AFGE requesting to consolidate Shenandoah National Park under the Washington, D.C., wage schedule. Jacque or Rich, would you like to present this to the members?

MR. LOEB: Jacque, do you want me to do it?

[No audible response.]

MR. LOEB: Jacque, do you want me to do it?

MS. SIMON: Sorry. I had my mic off. Yes, please. Please go ahead, Richard.

MR. LOEB: Okay. Well, the basis issue, as Mark is aware, is that Shenandoah National Park is a rather large park, and it goes through, I believe, three counties. I could be wrong. It may only be two counties, but it's in several different counties. And, as a result, it ends up being in several different wage areas.

The issue that has been brought to our attention by our local there is that there was—now it's been 2 years. Of course, we didn't meet for the better part of 2 years, but they brought it to our attention as the old FPRAC, shall we say, was fading out or about to fade out. And we thought we'd defer to now.

But they have recent personnel actions related to the wage area, the various people were in. Apparently, they did some type of GPS survey to find out exactly where these—their duty stations were. The duty stations are determined by the assignment to a—I guess we'll call it a "maintenance area" is the best way to put it, and so there were numerous maintenance areas, as you can imagine, throughout the park. So you would sit at a maintenance area as your base of operations, and then, of course, you would—these workers would go throughout the park to carry out the maintenance or repair duties that they were assigned to.

Apparently, they're fairly remote. So there was some question as to which wage areas they were in, and several of them received reassignments about 2 years ago saying, "Oh, we thought you were in this wage area, but in fact, the GPS survey shows you're in a different wage area." And they—I'd say probably half were reassigned to lower wage areas. Some were

assigned to higher wage areas. They were all—I guess the ones assigned to higher wage areas were not particularly upset, but it sort of raised the overall issue that, you know, the agency just comes in and changes it. But what I think added fuel to this fire was the fact that the assignments to repair, maintain the facilities aren't done by which maintenance area you're in. They're done by "Are you available?"

So they oftentimes would cross into another—the higher wage area, the lower wage people go to the higher wage area to do the work and vice versa. So it's done on an as-needed basis, so that—and some of the maintenance areas, when I say they were reassigned, I mean, they were off a couple hundred years, maybe even a mile from where they originally thought they were. So that's kind of what happened is it was just sort of a dint of bad luck or happenstance that they were assigned to a particular wage area based upon where these maintenance facilities were.

Mark probably, I think, got some emails, perhaps some rather passionate employees from people who were adversely affected, and I think he's probably aware of this—the basic, I think, request was this should just be one wage area applicable to Shenandoah National Park rather than subdivided into at least two and possibly three different wage areas.

Mark, does that sort of summarize what your understanding?

MR. ALLEN: Yes, that explains the situation accurately from what I've been hearing. This was actually a self-inflicted problem because Madison County became part of the Washington, D.C., Metropolitan Area—

MR. LOEB: Mm-hmm.

MR. ALLEN: —a few years ago. FPRAC recommended and OPM approved adding that county to the Washington, D.C., wage area. That created a split with the rest of

Shenandoah National Park.

What I recommend is—a pretty good course of action for us is to kind of take this one on as a case study for the working group so it can—I think this gets at a number of issues that the Management proposal is raising.

There are cases where the geographic boundaries of wages area have been changed over the years so that a national park would be entirely within a single wage area or even—I believe there was a wage schedule that was established just for the Blue Ridge Parkway, which covers from Virginia down, I believe, through North Carolina. There are a number of things that FPRAC could recommend remedying that situation where employees are working essentially side by side on different wage schedules. In my mind, it makes no sense for that to be happening.

MR. LOEB: I'm glad to hear that. I mean, this one is different than the situation, say, at Tobyhanna where you obviously have the wage grade in that locality, area wage locality area, and the white-collar employees have a different one, and so you're comparing at least two different pay systems, although the locality area issue isn't particularly equitable.

But, in this case, they fall under the same wage—they're all under, I should say, the same pay system, and in particular, I think what a few of them, I guess, took out their own GPS measurements to figure out that they were, you know, 4,760 feet apart, and they were like flipping out, you know, in terms of the assignments to these different maintenance sheds, which—

MR. ALLEN: Yep.

MR. LOEB: That just flipped them out. Even, obviously, the Park Service got it wrong—well, whether they got it right or wrong the first or second time, I suppose, is a matter of

some—is a bit of an issue, but they clearly didn't get consistent answers. I wonder how they used to do it before they had GPS. Did they pull out sextants or what? But whatever.

[Laughter.]

CHAIR LACHANCE: That's interesting. Does it make sense then to have this as part of the working group's discussion? Are we comfortable with that approach?

MR. LOEB: My only comment about that, Madam Chairwoman, is that in this one, we're not comparing wage grade to GS locality. This is sort of the consistency of a wage grade locality area for a particular—I'll use the term "federal facility." That may not be quite the right term to use for a national park. A "federal enclave" may be a better—I think maybe the more legally descriptive—it's a federal preservation, and I can imagine, although I haven't had any examples of this brought to my attention, but there are many federal preservations throughout the country, mostly DoD but also operated by DOE. And I'm sure there are others. NASA might be, you know, very large, tens of thousands of acres that might cross various boundaries. So that would be my one thought in addition to sort of how it's looked at.

People typically think we're assigned to a work facility, whether it be a national park or a defense facility. You work at that facility. You don't work at, you know, Area A. It reminds me of condominiums. When they have divorces, they split up, Phase 1, Phase 2, Phase 3. Well, that's what we're sort of doing. I don't think that's in the interest of fairness to the employees. We're really talking about employee morale. That's a killer.

MR. ALLEN: I think that does fit in with the intent of the Management proposal for the working group, which is to determine what obstacles are preventing Federal Wage System employees being paid equitably according to local prevailing wage levels. That's sort of the overarching thing that the Management members are proposing to look into.

MS. SIMON: So, Mark, are you saying you oppose trying to address this right away, separately from the working group, given that this really is a very different issue from the issues that are the rationale for the working group?

MR. ALLEN: I think it would be beneficial to take a look at it in a working group setting first, and if the members believe that it's a good idea just to move forward with a recommendation on this one separately, I'm all for that.

MS. SIMON: Is there anything precluding us from unifying the wage area for this preservation?

MR. ALLEN: I would have to take a look at the employees and the counties where their official duty stations are and then apply the regulatory criteria to those. That's why I was referring to a case study, like we would normally do, present the information we have available to us about the counties that would be affected, if there are employees of any other agencies that would be affected and that sort of thing.

MS. SIMON: Well, would you be willing to do that?

MR. ALLEN: Sure.

MS. SIMON: Sort of apart from the working group? Thank you.

CHAIR LACHANCE: I guess I'm going to go out on a limb here. I have not talked to anybody about this but the working group doesn't have to finish all of its work. If there's an obvious action that should be taken, that can happen during this six-month window. I do not see a reason to hold off on some decisions where we have all the information, where we might be able to identify it as a discrete issue and then move something on that at our next public meeting. I do not think we have to wait until there is a full outcome of the working group to hold off on any actions.

But Mark and the OPM team are going to take this on so we have the information we need.

MS. SIMON: Okay, thanks. This seems like something that would be just like regular business.

CHAIR LACHANCE: Okay.

MR. ALLEN: Yes. I see this as being similar to, say, we get another Non-appropriated Fund wage area that needs to have a county added to it. That's not really something the working group has to spend time on.

MS. SIMON: Thanks.

MR. LOEB: Thank you.

CHAIR LACHANCE: Good. The last item under New Business is item (c), and that is an email that was received from Mr. Steven Kester in support of moving Monroe County, Pennsylvania, to the New York, New York, wage area. Mr. Kester has been involved in this discussion over the—at least since I've been involved with FPRAC, probably even before, and his viewpoint is appreciated. It sounds as though this is absolutely the core of what the working group is going to take on. So unless there are any comments or discussions about what he submitted, we can take this on as part of the working group.

MS. NEALE: Okay.

CHAIR LACHANCE: All right. I am not hearing anything. Thank you.

Since there are no other items under New Business, we could adjourn and get ready to see each other more often. Is there a motion to adjourn, or does anybody have any—

MS. RODGERS: I have—

CHAIR LACHANCE: Of course. Yes, ma'am. Go ahead.

MS. RODGERS: This is Margareta from Metal Trades and—

CHAIR LACHANCE: Hi, Margareta.

MS. RODGERS: Hi. I've been in a report detailing the inequities that I found in the Federal Wage Survey process, and I also just recently conducted—we had our wage survey from May the 3rd to the 13th of this year. We recognized that there were a whole lot of fallacies within the process and how it was working.

One of the biggest things that was noted by Labor were the companies, and they were pitched by, I think, Bradstreet and Dun from the logistics agency. But a whole lot of those places were closed down or they had the wrong ZIP code or they didn't meet the criteria because even though logistically they may have put themselves in the arena of Bradstreet and Dun giving us that information to go to those companies, they didn't equate for the work, or when we find out that their work wasn't equated to ours, we ended up with less than one-third of the 175 businesses that we actually went out to survey or to call on the phone to survey, because we did sign an agreement saying that we could do it electronically or over the phone and all that kind of stuff. And we ended up with 55 participants, but the participants really didn't equate to the jobs. There were a whole bunch of jobs that were manufacturing industry, and I get that we have—we're not just looking at it for ourselves. As the lead Labor organization, we're looking at it for all of the areas, all of the WGs in this area, but that work doesn't equate the majority, going in, the right questions or the appropriate questions to answer.

Now I'm going to say this. I'm not saying that people aren't doing their jobs. That's the first thing that I want to say. I know that they are doing their jobs, but that is all that I am getting when I'm dealing with the people who are actually conducting the survey. You are not going down any of the avenues that are afforded to you to try to enhance the process. So you just

want to go the Step A. There is B, C, D, E, F, G, and you just stop at Step A.

One of the biggest concerns I had as primary for the Labor organization, I asked for training. I wanted to understand what I was doing. Now, they trained those data collectors at the time that they're going to retrieve the data, but they, however, did not train the primary and the alternate in the process prior to me going in. I self-taught. So a lot of what I have could be misconstrued, but I did try to learn myself on as well as I could on the process. When I was talking and asking for assistance and being able to understand what my responsibilities in the process are, I was told that there is no formal training, and I don't understand why not because if you're going to the hearing, you need to understand the terminology that is in the statute that explains to you what your responsibilities are, what alternatives are out there and available to you, because if you don't have that stuff, like, for instance, we could ask for additional surveys to be conducted in our wage area or we could ask for special pay rates. When I started talking to them about special pay rate, they said, oh, well, that's not our division.

Well, how would I know how to muddle through all of that if I've never been trained for that? So are you trying to keep me blinded to being able to achieve a raise, or are you just not familiar with that division portion of the survey, and how do we equate those things so that everybody has a clear understanding of what should be done next?

So, if I want to use special rates, then I need to do this. If I feel like we have a recruitment and retention issue or we live in a rural area and we need to conduct more surveys, then I need to do this. And I don't feel it's fair to me as a Labor representative to put me in that arena with people who are SMEs because I am not an SME on the Federal wage process.

CHAIR LACHANCE: I really appreciate your input and your experience, and I think it will be extremely helpful to inform the working group as you all tackle some of these big

picture issues that are not necessarily specific to a particular area or a particular situation. I trust you will raise that in the working group, and we can all take that on and talk about how best we can achieve some of these—or address some of these issues that you're raising now, Margareta. Thank you.

Are there any other— go ahead, Margareta.

MS. RODGERS: You know when you finish doing your survey, they have these sheets. I don't know if they created it or if it's a standardized sheet, and in it, it says—well, in the one that I was looking at, I refused to sign it because it said no recommendations at this time. Recommendations for what? It's too vague. I know you couldn't be saying no recommendations for change to the prevailing wage rate. You have to be saying no recommendation to something that is involved in the data collection, but I didn't want to sign my name to it because it's misleading. The language was misleading. So I refused to sign the document because there are recommendations that needed to be made, like the ones that I was talking about now about the training and, you know—so moving forward, understanding the process and being able to be on board with, you know, numbers and statistics and how it's impactful to our group in this area, because not only was I marking it for Norfolk Naval Shipyard but for all of the federal entities in this area. And there are tens of thousands of people over here that were impacted by this survey.

CHAIR LACHANCE: I understand. I do think that—again, you are raising issues that are systemic, and I think that is exactly what the work group will be created to think about and talk about going forward, so thank you for that.

Are there any other comments? I see a hand raised, but I can't tell who it is exactly. If you could just speak up?

MR. FENDT: Yeah. This is Karl Fendt.

CHAIR LACHANCE: Great. Karl. Thank you.

MR. FENDT: Can you guys hear me okay?

CHAIR LACHANCE: Yes, we can just fine.

MR. FENDT: Yeah, thanks.

CHAIR LACHANCE: And now we can see you.

MR. FENDT: Yeah. I was trying to be patient with the hand raise thing, but I'm not sure what it looks like for your guys.

CHAIR LACHANCE: No, you did a good job. It is just that there are so many people on the call that all you see is a hand. You cannot quite tell who it belongs to. I'm glad we sorted that out.

MR. FENDT: Yeah. We're all trying to work in the new technology roles.

But I just wanted to speak to Ms. Rodgers. Ms. Rodgers, I remember you brought up some of these concerns at the last FPRAC meeting, and just to refresh your memory, one, I highly appreciate all interest in the system and especially from Labor, because we know this is a Management-Labor collaborated process, and people being interested and willing to participate is critical to the success. So that's one. So I do appreciate that.

And second, as you may remember at the last meeting, I offered that, you know, if there was additional training beyond what happened on the survey site, we can definitely hook you up—I'll even be part of it, if need be—to train you and get you any additional information that you need. So please feel free to reach out to me directly, and you can find me on here or we can get you my email some other way. So we can get you all the information that you're looking for.

You are correct. This system has a lot to it, and so I am actually excited to get

more and more people informed about how the system works. Obviously, this working group is going to contribute to that, but if you would like additional training beyond that, me and my team are more than happy to provide that.

MS. RODGERS: Thank you.

CHAIR LACHANCE: That's great, Karl. Thank you very much.

And, Margareta, if you have trouble finding Karl, his email is probably on one of the big emails we sent out about this meeting, but if you have trouble finding him, let us know—

MS. RODGERS: Okay.

CHAIR LACHANCE: —and we'll connect the two of you.

Are there any other comments, questions before we adjourn, if I get a motion to adjourn?

MS. KIELTY: This is Travis from ACT. Motion to adjourn.

CHAIR LACHANCE: Thank you, Travis. Is there any objection/

MR. ALLEN: No objection.

CHAIR LACHANCE: Great. This meeting is officially adjourned, the 640th meeting. I am excited about our next steps. Thank you, everybody.

[End of recorded session.]