



SOCIAL SECURITY

Sent via electronic mail

Date: November 1, 2018

From: Carolyn Jackson
Deputy Center Director
Dallas Regional Office

To: Peter Harris
Executive Vice President, Council 220

Subject: Union Management Grievance – Albuquerque Teleservice Center (AQTSC)

This is a response to the union-management grievance filed on August 22, 2018, pursuant to Article 24, Section 10 of the expired 2012 National Agreement between the American Federation of Government Employees (AFGE) and the Social Security Administration (SSA). I have been delegated the responsibility to respond on behalf of the Agency.

Your grievance alleges violation of Article 3, Section 2.A, Article 4, and Article 9, Section 1. A. and B and Section 15 of the National Agreement between AFGE and SSA. The union-management grievance states the following:

The grievance issue is verbatim, “Management in the Albuquerque Teleservice Center is forcing employees who they believe are late coming back from break or lunch, or arriving late in the morning, to perform a literal “song and dance” routine in front of 50 or so of their peers as punishment. Management refers to this as a “roadshow.” Only employees they believe are late are forced to do this. Employees have informed their managers that they feel uncomfortable doing this and have asked not to be made to do this. The employees do not consider this to be a joke or funny, and management has not indicated that it is. Management has informed employees that not doing this would be “detrimental to their careers” and has informed them that they are “at will employees.” At least one of the employees being made to do this is physically challenged and uses a walker to ambulate.” The responsible management officials named are Carlos Pacheco, Ayca Nevarez, Joanne Hoover, and TSC Director Cynthia Steinberg.

The grievance states that Article 3, Section 2a was violated. The violation occurred by forcing employees to sing and dance in front of their peers as punishment for allegedly being late returning from break or lunch is bullying via humiliation. This is not treating people with courtesy, dignity and respect as required by Article 3, Section 2a of our contract. Management is abusing their authority and engaging in hazing of these employees. The employees have informed management they do not want to do this. Management has threatened their jobs/adverse action if they do not participate.

Regarding Article 4, Section 1, the Agency has unilaterally implemented a new form of punishment for alleged tardiness, called the "roadshow;" whereby, employees are forced to perform a literal song and dance routine in front of large numbers of their peers, against their will, at the threat of adverse action. The Union was not provided notice of this new form of punishment and was never given an opportunity to bargain. The Agency by its actions has violated Article 4, section 1 and 5 USC 7114.

The grievance states that Article 9, Section 15 was violated. This violation occurred as the employees have informed management that they do not feel comfortable standing in front of their peers, singing and dancing. This creates unhealthy levels of stress. By continuing this hazing ritual, management is purposefully increasing stress levels on employees, not minimizing stress levels, as Article 9, Section 15 requires. This hazing ritual has caused employees so much stress that they now cut breaks and lunches short in fear that they will have to participate in the "roadshow" and perform dance routines in front of their peers.

The grievance requests the following remedy.

- Management will immediately stop the hazing ritual known as the "road show."
- Management will publicly apologize to all employees who were forced to engage in this hazing ritual and will apologize to all employees who witnessed the hazing ritual. The apology should contain management's admission that what they did was inappropriate and that they will never engage in such behavior again.
- Senior management will immediately conduct optional PACS discussions with all responsible management officials and will be counseled on their bullying behavior. RMOs will also be officially warned about any future misconduct, and warned about engaging in any reprisal to any employees they believe spoke out about their hazing tactics.
- Management will immediately provide new supervisors and managers for these employees; the hazing managers should no longer have contact with these employees.
- All responsible management officials will participate in no less than 25 hours of anti-bullying/stress reduction training. Management will perform this training no-less than 30 days after the successful resolution of this grievance.
- Management at the Albuquerque TSC will host an "anti-bullying" day and provide for food, drinks, and snacks for all employees, and will reaffirm their commitment to providing a healthy work environment and minimizing stress.

You, Sonia Saldivar and I were present for an oral presentation on Wednesday, October 17, 2018, held via conference call. Jacqueline Martinez, note taker, was also present. A summary of the information you presented follows:

- You began your presentation by stating that you did not have much to add to the written grievance, but you wanted to emphasize a couple of points.
- Initially, you thought it was a teambuilding activity, but it was punishment. Employees told management they were not comfortable doing this. Employees were threatened with their jobs, it was not a joke, they were forced to do this and they did not want to.

- Ms. Saldivar stated the management officials involved were Ayca, Carlos and Joanne. In addition, this must have been approved by Cynthia. This was egregious, the employees were mortified and scared to be a few minutes late from lunch or in the morning. They were making an example of the employees who were a few minutes late. The employees were forced to do a literal song and dance “road show” in front of their class and they were escorted to the other two classrooms to perform in front of the other classes. Other employees told management they could not do this as it is a form of hazing. Ms. Saldivar stated that this has stopped.
- You stated that over the last 20 years that you have been here, management does not accept responsibility for their actions. You stated that you are not buying that they did not know it was wrong. If the supervisors did not know it was wrong to make a handicapped person do this, their judgment is so wrong they do not need to be in management. The Director of the TSC needs to meet with the NHTs and apologize. She needs to let them know that this is not how we do business.
- Ms. Saldivar stated that Ayca and Joanne need to be removed and replaced with more credible managers.
- You stated that you would consider the grievance resolved if the TSC Director gave a heartfelt apology, saying that what occurred is wrong and inappropriate. If any excuses are made, you would not accept the apology.
- Ms. Saldivar stated that the supervisors need to be removed from the training detail as other supervisors can jump in and do the job.
- You stated that the supervisors are now acting out. The NHTs are complaining because of the way Ayca is speaking to the employees, her voice tone is different. Management created this problem so it is their fault. You stated you understood it was a pain to change supervisors, but it is an uncomfortable situation for the employees.

In summary, the grievance states that management has embarrassed themselves and the Agency by attacking new SSA employees with a ridiculous hazing behavior. SSA touts itself as a “model employer” but this is hardly “model employer” behavior. You stated that these actions amount to pure humiliation, which is devoid of all respect and dignity. You further stated that these actions created unneeded and unnecessary stress for already overworked and underpaid employees, and created an unhealthy working environment for these employees, and the employees who had to witness it.

RESPONSE:

After considering the information submitted during the oral presentation and the information in the UMG, I agree that this was a serious lapse of judgement and the actions by the management officials involved were inappropriate. New employees to the Agency should never have been subjected to such actions by management, and the necessary steps were taken to ensure this never happens again. We discussed having the TSC Director issue an apology to the trainees, for the two supervisors be removed from the classrooms, and additionally, that the two supervisors not be placed back in the training unit to avoid the trainees being under their supervision.

The TSC Director will meet with the Local President for the AQTSC employees, Sonia Saldivar, to agree on a mutually acceptable date to have a meeting for her to issue a formal apology to the

three classrooms involved. The meeting will be held prior to their graduation, that is scheduled for November 15, 2018. The two supervisors' training detail was ended and they were removed from the classrooms, effective October 22, 2018. Finally, the trainees will report to the training unit as scheduled, however, there will be two new supervisors in that unit.

If you have any questions, please call me at (214) 767-3739.

A handwritten signature in black ink, appearing to read 'Carolyn Jackson', written over a horizontal line.

Carolyn Jackson
Deputy Center Director - Center for Human Resources
Dallas Regional Office