

NATIONAL GRIEVANCE

Date: May 16, 2006

From: Bill Wetmore, ^{WW}Third Executive Vice President, National Veterans Affairs Council, #53, (NVAC), American Federation of Government Employees (AFGE)

Re: National Grievance regarding Compensation Panels for Doctors and Dentists

To: Ronald E. Cowles, Associate Deputy Assistant Secretary for Labor-Management Relations, Department of Veterans Affairs (VA)

1. This is a National Grievance filed under the provisions of Article 42, Section 11 of the Master Agreement between the Department of Veterans Affairs (DVA) and the American Federation of Government Employees (AFGE), signed March 21, 1997 (MCBA).
2. In June 2005, pursuant to Public Law 108-445, compensation panels began to meet, review data and formulate pay ranges for VA physicians and dentists, with an expected target date for implementation set tentatively for April 2006.
3. P.L. 108-445 requires that the Secretary should, to the extent practicable, ensure that a panel or board consulted under this subparagraph include practicing clinicians who do not hold management positions in the medical facility at which the clinician subject to the compensation is employed.
4. Article 53 of the MCBA provides that the Union may submit names of candidates for Professional Standards Boards (PSBs). Management will give serious consideration to appointing from the candidates recommended by the Union.
5. The union's recommendations for panel members was not given serious consideration at many facilities, and in a number of instances, completely disregarded in violation of the MCBA.
6. Many of the compensation panels were formed and conducted without adequate notice to the Union, or to clinicians who would have been eligible to serve on the panels. In some instances, clinicians were initially invited to serve on the panels but were not notified of meeting dates. This failure to provide adequate notice or inclusion until the panels' work was

completed eliminated the opportunity to provide input into the panel's pay recommendations.

7. In many facilities, management excluded eligible clinicians on the basis that it was "not practicable," but failed to provide any basis for the finding that the inclusion of certain physicians was impracticable.
8. AFGE has repeatedly requested inclusion of the Union at the national and local levels, but was excluded from all key policymaking bodies and from most training activities.
9. Under these circumstances, AFGE requests that the DVA create new compensation panels. DVA should cease implementing any pay changes until the newly devised panels have completed the review process. Any and all pay increases should be retroactive.
10. The composition of the panels should be as follows:
 - a. One-third of each panel's membership should be comprised of non-management clinicians, after allowing the Local to recommend members.
 - b. A list of panel members and meeting dates should be provided to the local in advance of meeting dates.
 - c. Management shall provide a written explanation to the Local for each Local recommendation that was rejected.
 - d. Any and all other action that should be taken to ensure that physicians and dentists are made whole.