## OUR COLLECTIVE VOICE AUGUST 28, 2012

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#### **Hello Region XI!**



The August 20, 2012 edition of the Federal Times, which happens to be one of my favorite newspapers, second only to the historic Afro newspaper, contained an article with the following headline "Jobs, pay, benefits, at stake in election". Off the bat, the article says that Mitt Romney's selection of Paul Ryan as his running mate all but ensures that federal pay and benefits will be a hot political issue during this year's presidential campaign. The article goes on to note that "Ryan has repeatedly backed steep cuts to federal employees take home pay and a 10 percent reduction in the federal workforce".

On August 21, 2012, President Obama sent a letter to the Speaker of the House and the President of the Senate presenting an alternative plan for pay increases

for civilian federal employees. Since Congress hasn't made an up or down call on a 2013 pay raise for federal employees, President Obama's letter noted that he would use his authority to give federal employees an across-the-board 0.5 percent pay raise in 2013, but the increase will not take effect until Congress passes a budget. Congress' inaction has left room for the President to use his authority under the 1990 Federal Employees Pay Comparability Act to either set an increase himself, or allow the automatic adjustment under that law to take effect. For 2013, that automatic adjustment would be 1.2 percent for federal employees but the President opted instead for a lower increase. Since it is anticipated that Congress will pass a six-month continuing resolution when they return from the August recess, the earliest federal employees would likely see this pay raise would be next spring, when an expected continuing resolution is likely to expire.

Collectively, what these two things tell me is that using federal workers as targets and bargaining chips in the budget debates isn't a partisan issue, it is an issue of respect, or lack thereof, for all that we do as public servants. While we all should understand that hard choices have to be made to solve our country's economic problems, it is clear that lawmakers on both sides of the aisle continue to take actions or take no action at all that in turn perpetuate myths that federal employees are overpaid and under-worked and that pay and/or hiring freezes will help slash the federal budget.

It is, therefore, up to us set the record straight and stand up for our rights. And, armed with the knowledge that neither the Hatch Act nor our organization's tax exempt status prevents BIG members from expressing our opinions on the issues, we simply have to be "the loudest duck" if we want anything to change. So, let's not leave it to other organizations to fight this fight. While I will be the first to point out that BIG's tax exempt status and different standing within our agencies don't allow us the same latitude as unions, we still have a voice that's collectively strong. Let's use it!

Shirley A. Gones, Esq. RXIC PRESIDENT

**Outstanding Chapter of the Week!** 

**Veterans Affairs** 

Congratulations VA BIG Chapter on your Sterling Award!



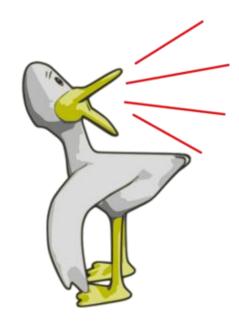
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# Announcing your 2012 – 2014 Delegates Assembly Region XI Representative



Region XI Director Harold Atkins

## BLACKS IN GOVERNMENT REGION XI PROUDLY SPONSORS THE LOUDEST DUCK FEDERAL EMPLOYEES TOWN HALL



SATURDAY, SEPTEMBER 15, 2012

10:00 a.m. - 12:00 p.m.

NOAA Auditorium and Science Center

1301 East-West Highway. Silver Spring. MD

Want your voices heard against pay freezes, reductions in benefits, and destructive comments maligning the image of government employees? Mark your calendars and plan to attend our BIG Region XI Council's moderated panel discussion with a cross section of employee organizations e.g. FEW (National President confirmed), FMA (National President tentatively confirmed), AFGE (National Vice President Dwight Bowman, District 14, confirmed), NTEU, NARFE, and AAFEA discussing the use of federal government employees as targets in the budget debates and how we can collectively fight against these issues. For more information, contact BIG Region XI Council President, Shirley A. Jones, Esq., at <a href="http://www.bigrxi.org">http://www.bigrxi.org</a> using the "Ask The President "link or by phone on (202) 465-5852 (mobile).

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## "Mark your calendar and Save the Date"



Martins Crosswinds
7400 Greenway Center Dr.
Greenbelt, MD 20770
7:00pm until 12:00AM
Cost: \$65.00 per person or \$600 per table

# Blacks In Government Annual Mae Napier Holiday Gala

Menu: Sit-down Buffet, Carving Stations (Prime Rib & Turkey),
Dessert Table, Holiday Decorations and more......

Cash Bar, Music, Photographer, Door prizes and Region XI Awards

Tickets will be available at the September 8, 2012 Council Meeting. Tables will only be reserved for chapters that sell 10 or more tickets.

Contacts: Michael McCrimmon, Fundraising Chair (202) 781-3690 Marion Allen,
Programs and Education Chair
(240) 402-1584

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## NASA Emmett W. Chappelle Chapter of Blacks in Government Presents...

### 5th Annual End of Summer Crabfeast & Picnic 2012



Tickets: Adults & Children (Crabs) - \$45 Per Person

\*\*OPENTOALL\*\*

(\*NOTE: Non-NASA and Goddard badged employees will be placed on a security list to obtain a visitor's badge for the event. Tickets must be purchased by Thursday, September 20, 2012 so that visitor names may be forwarded to Goddard's security office).

Saturday, September 29, 2012
12:00 Noon – 4:00 PM
(Crabs served 1:00-4:00 PM)
NASA's Goddard Space Flight
Center's Recreation Center
8800 Greenbelt Road
Greenbelt, Maryland 20771
(\*Please entervia the Main Gate Entrance to Pickup Visitor Badges)

#### FOR TICKETS, PLEASE CONTACT:

\*Merle Robbins, 301-286-3773

\*Larry Phillips, 301-286-6035

\* Cynthia Savoy, 301-286-7149

\*Rodney Green, 301-286-2117

\*Betty Pyles-Harris, 301-286-5512

\*Milton Cromer, 301-286-7520

\*Anetra Tucker, 301-286-4084

\*Notoya Russell, 301-286-3396

\*Wainie Youn, 301-614-6815

\* Joyce Brooks, 301-529-8218

#### Come Celebrate 30 Years With Us...

The National Institutes of Health Chapter of Blacks In Government 30th Anniversary Dinner Buffet Saturday, September 29, 2012, 8:00 p.m.

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**Washington Navy Yard Conference Center** 

1454 Parsons Avenue, S.E.

Washington, D.C. 20374

Navy Yard Admissions Requires A Photo ID Tickets \$50 to purchase contact a NIH BIG Member

Submitted by:
Devonne Collins,
NIH Chapter President &
National Assistant Treasurer - Elect
Collinsd3@mail.nih.gov

### BIG PENTAGON CHAPTER ANNUAL SCHOLARSHIP FUNDRAISER FISH-FRY

**Date:** Saturday, September 8, 2012 (Rain date: September 15)



#### Cost:

Fish Dinner: \$10.00 Fish Sandwich: \$6.00 Sides: \$2.00 13617 Tree Leaf Court Upper Marlboro, MD 20774 **Time:** 1:00 p.m. until Dusk

**Location:** Home of The Rogers



#### **MENU:**

Fish: Fried Whiting (filet); Fried Croaker (Bone)

Sides: Mac & Cheese, Potato Salad, Green Beans, Corn Bread

and more!!!

#### **Point of Contact:**

Mary Thomas (703) 614-7793 Gail Rogers (301) 574-1361 Myra Juggins (703) 692-0358 Farnese Hicks (703) 692-0331 Curt Banks (301) 535-9492 Dr. Hezekiah Braxton (301) 203-8681

#### FMS-BIG CHAPTER

**Presents** 

#### **An Overnight Trip to Atlantic City**

Sunday, November 4, 2012 to Monday, November 5, 2012 (Proceeds to benefit the Scholarship Fund)

#### Trip Includes

✓ Round trip Motor Coach

1 Night Hotel Accommodation at the Showboat Casino & Hotel

\$30.00 Rebate; \$10.00 Food Voucher

✓ Shopping at the Atlantic City Outlets

Cost - \$170.00 per person (Double Occupancy) \$195.00 (Single)

\$162.00 per person (Triple)

Departure – 6301 lvy Lane, Greenbelt, Md Departure Time - 8:00am (Sunday, 11/4/12) Arrival to Maryland – 4pm (Monday, 11/5/12) (\*\*Departure time subject to change)

#### **Suggested Payment Plan:**

Initial Deposit - \$100.00 due on or before 9/1/2012 (NO REFUNDS)

Final Payment - Due on or before 10/1/2012

Click **here** to download registration form



Please send inputs for the weekly announcements to <a href="mailto:giftedregion@gmail.com">giftedregion@gmail.com</a>. If it is not sent to this address, it will not be posted! Please share this with others in your chapter! Thank you for all you do in Blacks In Government!

Billy Hill
RXI Membership Chair



Blacks In Government is pleased to offer our BIG "Federal Employee" members a special gift – a one-year AARP membership.

Already a Member? Add a full year to your existing term.

Not 50 years old yet? AARP's sign-up page allows you to give the gift of membership to someone you know aged 50+.

AARP has designed its membership to help people age 50+ live their best life. Your membership will give you access to a wealth of valuable benefits that you can enjoy including:

Please ACT NOW to receive your membership – this program is only available until August 31st, 2012

Please print and disseminate the AARP Flyer

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### CBP Blacks in Government Chapter's

## Masquerade Ball!

Full Dinner Buffet!
Line & Hand Dancing
Door Prizes

DJ Reggae Great Music 50/50 Raffle

Best Mask Contest! And much more.....

Date:

Saturday, November 3, 2012

**Time:** 8pm – 12:00am

Location: Washington Navy Yard

1454 Parsons Ave, Bldg. #211 Washington, DC 20374

Pictures will be taken on the red carpet at 7:45pm

Please wear or bring a MASK to make the occasion!



For More Information Contact: Tashea Brodgins – (240) 393-7793 or Email: tbrodgins@yahoo.com Shamon Chaney – (202) 344-1536

All proceeds to benefit chapter programs and scholarships



## \*\*\* Consumer Alert \*\*\*









AMERICA RUNS ON DUNKIN'

John Hunter FMS-BIG Chapter Region XI BIG Members: The next time you (or a fellow co-worker) set out to buy donuts for the office, you just might want to keep this recent news article in mind, as you decide where to make your purchase.

To read more, go to:

http://www.nypost.com/p/news/business/light and not sweet 62IS7HsH1lIg46cq3RdqAL

Black, by birth . Black advocate, by necessity.

## BIG IRS NC Chapter presents... A Charity Brunch Cruise for Breast Cancer Sunday, September 9, 2012



An Elegant Escape on the Water
A Sunday Brunch Getaway!
Savor creative appetizers and entrees, mouthwatering desserts, dance to live music or relax as unmatched monumental views drift past your table.

A Giveaway: \$500 or Redskin Tickets or an Apple IPAD.

Two easy payments of \$42.50

Proceeds will go towards Breast Cancer.

Purchase tickets at <a href="http://bigcruise.eventbrite.com/">http://bigcruise.eventbrite.com/</a>

If you are unable to attend your payment will go towards the charity.

All sales are final. No refunds or exchanges.

Contact:

Nikki Ashe, Event Chair BIG IRS NC Chapter 202-283-6564 or 202-251-6291

Doretha Harrision, Event Co-Chair BIG IRS NC Chapter 202-622-4268

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#### "ASK THE LAWYER"

Neil A.G. McPhie, Esq.

Q. I'm 47 years old. I've been with my agency for 15 years, and I just got passed over for a promotion by someone far younger than me and with much less experience. What can I do?

A. According to the Office of Personnel Management, 72 percent of full-time, permanent federal employees were at least 40 years of age in 2010. The Age Discrimination in Employment Act (ADEA) shields these employees 40 years of age and older from employers' refusal to hire or promote them because of their age.

As baby boomers get older, age discrimination is becoming more prevalent in the federal workplace. In the 2010 fiscal year, federal employees filed 1,125 Equal Employment Opportunity (EEO) age discrimination complaints over promotion or non-selection, according to an Equal Employment Opportunity Commission (EEOC) report.



Your situation sounds similar to that of many other older federal employees. For example, the EEOC case of Klein v. Dep't of Agriculture (2009) involved a 63-year-old Department of Agriculture risk management specialist, William L. Klein, who was not selected for a promotion as a supervisory risk management specialist. Instead of promoting Klein, who had 12 years of relevant supervisory experience, the agency selected a younger candidate with less than two years of relevant supervisory experience.

Klein filed an EEO complaint with his agency, which gave a nondiscriminatory reason for its action. On appeal, however, the EEOC found Klein succeeded in raising an apparent case of age discrimination and the agency "failed to set forth, with sufficient clarity, reasons for complainants' nonselection." After Klein established that he was protected by the ADEA, that he was one of 10 people in the running for the position and that someone under 40 was chosen over him, the EEOC explained that the burden shifted to the agency to further support its nondiscriminatory explanation.

The agency's selecting official explained that the younger person was the "best candidate" and "very impressive," but the EEOC found Klein to be the better qualified candidate. Further, it said the selecting officer's use of broad terms to describe the younger candidate did not satisfy its burden of providing a legitimate, nondiscriminatory explanation for the personnel action. Consequently, the EEOC ordered the agency to promote Klein to the supervisory risk management specialist position.

Federal employees subjected to age discrimination should immediately consult with a federal employment law attorney.

Neil McPhie is the Virginia Managing Partner for Tully Rinckey PLLC and the former chairman of the U.S. Merit Systems Protection Board. He concentrates his practice in federal sector employment and labor law and can be reached at <a href="mailto:nmcphie@fedattorney.com">nmcphie@fedattorney.com</a>. To schedule a meeting with an attorney call 202-787-1900.

Randy Simons
DIRECTOR OF MEDIA RELATIONS
rsimons@1888law4life.com