

FEDERAL PREVAILING RATE ADVISORY COMMITTEE

598th FPRAC

SHELDON FRIEDMAN, Chairperson, Presiding

Thursday, October 16, 2014

Room 5526
Office of Personnel Management
Washington, D.C. 20415**ATTENDANCE:****Members/Alternates:**Management Members:Mark Allen, OPM
David Pedersen, Navy
Gary Buck, Army (via phone)
Arleen Romba, VA (via phone)Labor Members:Bill Fenaughty, MTD
Jacque Simon, AFGE
Candace Archer, AFGE
Robert Shore, NAGE
Steven Landis, ACT**Staff Specialists and Visitors:**Jeanne Jacobson, Designated Federal Officer, OPM
Madeline Gonzalez, OPM
Jim Brady, DoD
Karen Kurian, DoD
Ashley Foy, DoD
Luis Lynch, Air Force
Lamar Elliott, ACT**Recording Secretaries:**Mike Eicher, OPM
Terri Wallace, OPM

[Transcript prepared from digital audio produced by FPRAC.]

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P R O C E E D I N G

CHAIRMAN FRIEDMAN: Good morning, everybody. Welcome to this, our 598th meeting of the Federal Prevailing Rate Advisory Committee. My name is Sheldon Friedman, Chairman of the Committee. Why don't we, as usual, go around the room and introduce ourselves. Let's start with you today, Bill.

MR. FENAUGHTY: Bill Fenaughty, MTD and NFFE.

MS. ARCHER: Candace Archer, AFGE.

MS. SIMON: Jacque Simon, AFGE.

MR. ALLEN: Mark Allen with OPM.

MR. PEDERSEN: David Pedersen, Navy.

CHAIRMAN FRIEDMAN: And we have a couple of members on the phone. Could you please introduce yourselves for the recorder?

MS. ROMBA: Good morning. This is Arlene Romba, VA.

MR. BUCK: Gary Buck, Army.

CHAIRMAN FRIEDMAN: Ah, good timing. We have a couple more members who just joined us in person for the meeting. Steve, if you guys could introduce yourselves for the recorder, please.

MR. LANDIS: Steve Landis, Association of Civilian Technicians.

MR. SHORE: Robert Shore with NAGE.

CHAIRMAN FRIEDMAN: Okay. And now we're going to go around the sides of the room so that staff and others can introduce themselves, please.

MR. LYNCH: Luis Lynch, Air Force.

MR. BRADY: Jim Brady, DoD.

MS. KURIAN: Karen Kurian, DoD.

MS. FOY: Ashley Foy, DoD.

MS. JACOBSON: Jeanne Jacobson, OPM, Designated Federal Officer.

MR. EICHER: Mike Eicher, OPM.

MS. GONZALEZ: Madeline Gonzalez, OPM.

MS. WALLACE: Terri Wallace, OPM.

MR. ELLIOTT: Lamar Elliott, Association of Civilian Technicians.

CHAIRMAN FRIEDMAN: Okay, thank you. There's going to be an earthquake drill in about 10 or 15 minutes. We can stay here and attempt to continue our business. I just want to warn people to not be too startled by the loud noise when the drill happens.

So, obviously, since we are meeting in this room again today, the new recording equipment has not been installed in the

Director's Executive Conference Room yet. There was a meeting yesterday on progress about that. Mike or Madeline, will you give people a brief update about when we might be back in our normal quarters?

MR. EICHER: I can do that, Mr. Chairman.

CHAIRMAN FRIEDMAN: Thank you.

MR. EICHER: OPM staff are still discussing details with the recorder installation company. We were informed that the Savin brand of equipment will be installed. However, the purchase has not been finalized. There will reportedly be 20 wireless microphones, one per seat, the same recording capability that FPRAC currently uses with the USB, and hopefully, the new machinery will be even better than what we used previously to record meetings.

CHAIRMAN FRIEDMAN: I guess I was mainly wondering when the installation will occur. Do we know when?

MR. EICHER: No, sir. We do not.

[Laughter.]

MR. EICHER: Sometime before the Thanksgiving holiday was floated around as a possible date, but we do not have a definitive date.

CHAIRMAN FRIEDMAN: Okay, thank you, Mike.

MR. ALLEN: It is my understanding that the contract hasn't been finalized yet.

CHAIRMAN FRIEDMAN: Okay. So, next month, we'll probably have to have the FPRAC meeting in this room again.

Under announcements on the agenda, under document 598-OC-1, I circulated the letter that I got from Senator Brown of Ohio regarding the situation with the AAFES truck drivers in the Greene-Montgomery, Ohio, nonappropriated fund wage area. This issue first came to our Committee's attention in 2010. We have a response in the works but not yet out the door. I just wanted to make people aware of the incoming letter.

Also under announcements, under 598-OC-2, there is an update on the status of the pay policy at Isle Royale National Park.

Unless there are some questions on that, we can move on.

[No audible response.]

CHAIRMAN FRIEDMAN: That brings up the review of the minutes of our last meeting in August. Is there any objection to adopting the transcript of our August meeting?

Did you want to say something, Jacque?

MS. SIMON: Yes. We were under the impression that we

had sent a letter for consideration having to do with the Bakken Region of North Dakota. It is not listed on the agenda. Did you not receive that letter?

CHAIRMAN FRIEDMAN: I have not seen it.

Madeline?

MS. GONZALEZ: No, we have not received it.

MS. SIMON: Okay. Well, it's an issue we want to talk about. We'll resend the letter. I don't know how it got lost in the shuffle, but maybe it was on our end. But we've certainly prepared a letter.

You may know that Director Archuleta went to Minot Air Force Base and had a sort of town hall about the issues of inadequate pay in that region among federal employees, both blue collar and white collar, and she certainly raised people's hopes and expectations of immediate pay increases, particularly for the blue collar employees. And we wanted to hear the status of that promise.

I think there was supposed to be an across-the-board pay increase implemented. I think the word that was used was "immediately," and this was a couple of weeks ago, so . . .

CHAIRMAN FRIEDMAN: I'm sorry. I have no information about that.

MS. SIMON: Okay.

CHAIRMAN FRIEDMAN: Mark, do you have anything?

MR. ALLEN: No. OPM hasn't received a letter from AFGE about that particular subject, but we are aware of the concerns among employees and management officials in the local area. OPM has been advising agencies for some time that they should use pay flexibilities in the area, and we are also open to receiving any special rate request that agencies may develop. We just haven't received any yet. I know there are some in the works, but --

MS. SIMON: From DoD?

MR. ALLEN: Yes. DOD is the lead agency for the Federal Wage System, so the special rates would have to go through DoD.

MS. SIMON: But OPM has not received anything yet?

MR. ALLEN: No, not yet.

MS. SIMON: Okay.

CHAIRMAN FRIEDMAN: Do you know anything about this one, Jim, that you're able to share with us?

MR. BRADY: Yes. We are currently aware of some requests that are expected to be forwarded soon.

MS. SIMON: Is soon like a month? A week? A day?

MR. BRADY: I don't know. We just received --

MS. SIMON: It's not coming out of your office. Is that what you're saying?

MR. BRADY: Eventually, the requests will come to my office, and then they will be evaluated.

MS. SIMON: So your office doesn't even have them. Is that what you're saying?

MR. BRADY: We're currently working requests that are in the works, yes.

MS. SIMON: Working requests that are in the works, but you don't -- I'm just trying to understand the timeline.

MR. BRADY: I don't have a time table for you.

MS. SIMON: Are we talking --

MR. BRADY: You're asking me for a time table.

MS. SIMON: Are we talking months?

MR. BRADY: I would think not, no.

MS. SIMON: Shorter period of time than months?

MR. BRADY: I think it would be soon.

MS. SIMON: Okay. I'm just trying to define "soon."

Is "soon" --

MR. BRADY: I don't have a time table.

MS. SIMON: I hear that you don't have a time table.

I just want to understand "months." "Months" is not 6 months?

It could be like 3 months, 2 months?

MR. BRADY: I think it will be sooner.

MS. SIMON: Sooner than 2 months?

MR. BRADY: Yes.

MS. SIMON: Okay.

CHAIRMAN FRIEDMAN: All right. Anything else on this topic? We will wait for AFGE's letter or their submission on this topic.

MS. SIMON: We definitely wrote a letter to Director Archuleta with reference to blue collar pay.

CHAIRMAN FRIEDMAN: Okay.

MS. SIMON: And I think there was a separate letter sent to you with a request that it be placed on the FPRAC agenda.

CHAIRMAN FRIEDMAN: It could be somewhere in holding. Maybe it's being screened for Anthrax.

MS. SIMON: Maybe.

[Laughter.]

CHAIRMAN FRIEDMAN: Okay, concerning the transcript of the last meeting. Is there any objection to adopting the transcript of the last meeting held in August?

[No audible response.]

CHAIRMAN FRIEDMAN: Hearing no objection, the transcript is adopted.

If people will indulge me, I wonder if we could skip down to New Business and come back to Old Business.

MS. SIMON: Okay. Because I want to talk about an item under Old Business.

CHAIRMAN FRIEDMAN: Absolutely. I do, too.

MS. SIMON: Okay.

CHAIRMAN FRIEDMAN: But I thought the New Business might be quick. Maybe I'm wrong about that, but I think it might be quick.

Okay. So that brings up item (a) under New Business, Definition of Brunswick, Georgia, MSA and Pierce County, Georgia, 598-MGT-1.

Mark, could you summarize that for us?

MR. ALLEN: Yes, Mr. Chairman. Under 598-MGT-1, the Management members have a recommendation for FPRAC to consider for the Brunswick, Georgia, Metropolitan Statistical Area and Pierce County, Georgia.

The Brunswick, Georgia, MSA is currently split between the Jacksonville, FL, and Savannah, GA, wage areas. The

Management members are recommending that Brantley and Glynn Counties be redefined to the Savannah area of application.

Because the redefinition of those two Metropolitan Statistical Area counties would result in Pierce County being split off from the Jacksonville wage area, we also recommend that Pierce County be redefined to the Savannah wage area.

This change, if implemented, would affect 45 Federal Wage System employees, most of whom are with the Department of Homeland Security in Glynn County. I think there's a Law Enforcement Officer Training Center there in Glynco, Georgia, and there's further information here in the packet. The wage rates in the Savannah wage area are higher than they are in the Jacksonville wage area, so the employees who would be affected by this recommended change would experience an increase in pay.

CHAIRMAN FRIEDMAN: Any questions or discussion?

MR. BUCK: What installation do the two Department of Air Force employees work at?

MR. ALLEN: I don't have information on that. They are represented by ACT, so I would have to assume they're Air Force National Guard.

MR. BUCK: Okay.

CHAIRMAN FRIEDMAN: Do you know, Steve?

MR. LANDIS: I could find out, but I don't know right off the top of my head.

MR. BUCK: I was just curious. I know there is a naval submarine base near Kings Bay, somewhere towards that area, but I didn't know where the Air Force employees would be at.

CHAIRMAN FRIEDMAN: Any other questions or discussion?

[No audible response.]

CHAIRMAN FRIEDMAN: If not, is there a consensus to adopt this proposal?

ATTENDEES: Yes.

CHAIRMAN FRIEDMAN: Okay. So it appears we have adopted 598-MGT-1 by consensus. Thank you.

And that brings up 598-MGT-2, Definition of Charlottesville, Virginia MSA.

Mark, could you please summarize that one for us.

MR. ALLEN: Okay. This is 598-MGT-2, similar in some respects to 598-MGT-1.

The Management members have taken a look at the Charlottesville, Virginia, Metropolitan Statistical Area, and we found that it's currently split between three different wage areas, and we recommend that that no longer be the case.

We are recommending that Greene County, Virginia, be redefined from the Hagerstown-Martinsburg-Chambersburg wage area to the Richmond wage area, and that Nelson County, Virginia, be redefined from the Roanoke wage area to the Richmond wage area. That would place the entire MSA in the Richmond wage area.

This would impact three Department of the Interior employees in Greene County. They are represented by NFFE, and at the grade levels that the employees are working at, all three would receive higher wage rates once moved to the Richmond wage schedule

MS. SIMON: What prompted the examination of this analysis that led to your recommendation?

CHAIRMAN FRIEDMAN: Isn't it just a change in MSA definition?

MR. ALLEN: Yes.

MS. SIMON: Okay.

MR. ALLEN: It has to do with the growth of the Charlottesville area in terms of the metropolitan area being expanded outwards, most likely due to commuting into Charlottesville.

MS. SIMON: Okay.

CHAIRMAN FRIEDMAN: Any other questions or discussion

about this one?

[No audible response.]

CHAIRMAN FRIEDMAN: Is there a consensus to adopt it?

MS. SIMON: Yes.

MR. FENAUGHTY: Yes.

CHAIRMAN FRIEDMAN: All right. So it appears we have consensus to adopt 598-MGT-2. Thank you.

Is there any other New Business item before we go back to Old Business?

[No audible response.]

CHAIRMAN FRIEDMAN: So now we're back to Old Business. Jacque, did you want to address one of the items?

MS. SIMON: Yeah. Item (c), Letter from AFGE dated June 6th, 2011, requesting FPRAC review a proposal to redefine Monroe County, PA, from the Scranton-Wilkes-Barre, PA, wage area to New York, NY, wage area.

You know, this is getting to be a really pathetic, sad situation with delays. The excuses just pile up and pile up for inaction. There was never any validity to the excuse that this couldn't be done because of the pay freeze because it somehow violated the spirit of the pay freeze, as if that was a spirit worth upholding.

Now we got over the pay freeze. We're in the second consecutive year of pay adjustments with locality pay held constant, so no increases in locality pay.

These workers have been used and abused to a tremendous degree. They had unpaid furloughs. They have been promised this change, which reflects commuting patterns, which is the change that has been implemented for the white collar work force there, and there they languish with these Scranton wage area wages when they ought to be in the New York wage area.

It sits on -- now it's the second OPM Director's desk that it sits on, with no action by the administration. I don't even want to ask anybody from Management to provide some kind of a rationale because it can't be done with any kind of dignity or honesty or integrity.

This is an issue that should be a terrible embarrassment to anybody who is aware of it and has been involved in it.

The people in Tobyhanna Army Depot in Monroe County, Pennsylvania, just continue to wait for action from this Director. They waited for action from the previous Director, and I'm just raising it again because silence is acquiescence, and we're not acquiescing to this. This change needs to be

made, and it needed to be made years ago. And it's outrageous that it continues, and it just sits there under Old Business as if in polite company, you don't mention it. Well, the polite business is over, and we need action on this item.

CHAIRMAN FRIEDMAN: Are you proposing that this be brought up for a separate vote today, or did you just want to make that statement for the record?

MS. SIMON: I don't think we have a quorum for a vote, do we? Are we letting people vote on the phone?

CHAIRMAN FRIEDMAN: We have a quorum. There are four Management members, including the two members on the phone.

MS. SIMON: Well, I don't think there's any point in having a vote on this. We have a vote on solving this issue for all the areas where there is a difference between the identification of the location for the salaried and hourly federal workforce.

We have an ongoing inequity. It does not affect only Tobyhanna. It affects numerous places throughout the country, including another area that has gotten a lot of attention, which is the Joint Base McGuire in New Jersey.

It's outrageous that it continues unaddressed. I think we don't need to have another vote. We voted. I think

the regulations are written. They can't say, "Oh, dear, we need a few years to write regulations." The regulations are written. It's ready to go, and it needs to go.

CHAIRMAN FRIEDMAN: Any other discussion on this issue at this time? Anybody else? Steve?

MR. LANDIS: I just have a couple things to add to that. We've been waiting now for a couple of years for the overall report to get done. We actually spoke a few months ago with the Director, and she assured us that it was still something that they were looking to do, but it was concerns with the budget.

I mean, would anyone recommend that we possibly look at some of the more egregious ones, like, for example, the Joint Base and Tobyhanna, things that were supposed to have been done that got overlooked, and then wait for the overall report to come later to fix the rest?

CHAIRMAN FRIEDMAN: You mean have FPRAC recommend to the Director that pending possible implementation of the entire recommendation, that she consider selective implementation in certain areas of the country where it applies?

MR. LANDIS: Yeah, exactly. That's exactly what I'm suggesting.

CHAIRMAN FRIEDMAN: I guess it's certainly within FPRAC's purview to make that recommendation to the Director. If anybody wants to formulate a proposal along those lines, it seems like that's a question for the Labor members to decide upon.

I don't know. I mean, just speaking based on what little I know of where this sits, I'm not sure that would advance any implementation anywhere. It might. I'm not saying it wouldn't, but I don't have any reason to think it would, frankly.

MR. ALLEN: If I remember correctly, Mr. Chairman, when we were discussing this issue about the AFGE proposal for using GS locality pay areas to define Federal Wage System wage areas, at some point the Management members did recommend that in each instance where there were complaints from employees about disparate treatment between GS employees and FWS employees, those cases be looked at individually rather than taking a blanket approach where the regulation should be changed to just use GS locality pay areas. Rhode Island, for instance, could be considered a different type of area than Monroe County and the Joint Base. They're all a little bit different in scope, and we had recommended that we take a look at these areas

as individual cases. Another example is combining the Washington, DC, wage area with the Baltimore wage area. Those examples are all different in scope, and we thought at the time that it would be a good idea to take a look at those areas individually to see if we could change the way that we were doing things, short of adopting the GS locality pay area.

MS. SIMON: Well, Mark, I have to --

CHAIRMAN FRIEDMAN: I just have a question.

MS. SIMON: Okay.

CHAIRMAN FRIEDMAN: Is there a Management proposal likely to be forthcoming along those lines for certain specific areas?

MR. ALLEN: No. We had no Management proposal. We had a counter recommendation back when we were discussing this broader proposal that did come out of the Committee. So we don't have a recommendation to do something that would run counter to what's already an established FPRAC recommendation to the Director of OPM.

MS. SIMON: I wouldn't characterize the proposal as adopting the GS localities in place of FWS wage areas. I would characterize it as limiting non-RUS GS localities to no more than one FWS wage area, which is a very different thing from

wholesale replacement of wage areas with GS localities.

CHAIRMAN FRIEDMAN: Any more discussion on this topic?

MR. ALLEN: I would say I would certainly be open to considering taking a look at the Joint Base issue separately from combining Washington, D.C., and Baltimore or moving the Narragansett Bay wage area into the Boston wage area. I think these things to me all along have been too different really to lump them together in one big proposal that is very expensive to implement and would have negative impacts on employees where they're probably not intended. The Joint Base issue is one that could be studied separately because that one is kind of unique.

MS. SIMON: Well, it's getting cheaper and cheaper. Tobyhanna, for one, has lost a substantial amount of its workforce, and with the stagnation in pay over the last 5 years, all our previous projections about the cost turned out to have been inflated because no one foresaw just how vicious these pay freezes would be and how relentless year after year after year. So it's actually much less expensive than we once imagined, and it wasn't even expensive when we first imagined it.

So cost is not really an issue. Cost never should have been an issue. Cost is not an issue when we change localities for GS. Cost is not an issue when we make this kind

of changes or consider these changes at FPRAC. Cost is not in our regulation as a factor that we're supposed to consider when we make these recommendations on boundaries. So cost can't be the primary thing.

God knows the administration has cited their fear of spending any money on federal employees as a rationale for doing nothing, but that's political, and that's separate from what we're supposed to be focused on in this room.

CHAIRMAN FRIEDMAN: Anything else on this issue?

[No audible response.]

CHAIRMAN FRIEDMAN: Is there any other Old Business item people want to address this morning? I have a suggestion I want to make about some of the Old Business, but do you see any --

MS. SIMON: Well, do we want to talk about (e)? Do we want to talk about the locks and dams?

CHAIRMAN FRIEDMAN: We certainly could. Go for it. What would you like to say?

MS. SIMON: Well --

CHAIRMAN FRIEDMAN: I should note that we do have an item in the working group that relates to this one indirectly.

MS. SIMON: All right. Then let's let it make its way

through the working group.

CHAIRMAN FRIEDMAN: Well, we don't actually have the full issue before the working group. But we could wait till the pertinent piece makes its way up from the working group, if you want to do that.

MR. ALLEN: It's my understanding, Mr. Chairman, that we were waiting for the Army Corps of Engineers to provide somebody to talk to us to give us their views of how employees at those four lake projects are actually working, the degree to which they move from one dam to another during the course of their regular work cycle.

MS. ARCHER: So what's the status of that?

MR. ALLEN: I would have to defer to Army. I don't know if anybody has followed up with the Army Corps of Engineers yet.

Madeline, do you know?

MS. GONZALEZ: No. We have a package going through OPM clearance, a package that includes OPM's analysis to address this issue, and I thought we would wait until that package was introduced before someone from the Army Corps of Engineers comes to a meeting.

CHAIRMAN FRIEDMAN: And that's the package that will

look at the application of the regulatory criteria to the two counties in question?

MS. GONZALEZ: Right. We are taking the old package and updating it with new data.

MR. ALLEN: I think we're not ready on the Management side to talk about the issue at this meeting, but we could be at the next meeting.

CHAIRMAN FRIEDMAN: One thing that I think would move the ball down the field is to have an idea of the questions we'd like answered by the Army Corps of Engineers. I mean, if people can think through what those questions are, I think it would be a much more productive conversation with them if we know what we want to ask them before we set up a meeting.

MS. ARCHER: And I guess our concern is that we don't want to wait for the package and then have to wait to get the Army Corps of Engineers folks scheduled to be here to give us information. So is there a way that we can do both at the same time?

So while the package is being put together, that we can also be looking into how these workers actually work in this area and get someone from the Army Corps of Engineers to be able to address this or speak to us, and I presume, Gary, you're the

person who might be more able to give us some information on that?

MR. BUCK: I went to the point of contact I have at the Washington, DC, Headquarters for the Corps of Engineers, and basically, they deal with travel and transportation, not prevailing wage, and they suggested to go back with the original packet and contact the district that it originated from.

CHAIRMAN FRIEDMAN: Okay.

MR. BUCK: So does the Committee have an audit trail as to who originally this package came from?

CHAIRMAN FRIEDMAN: Well, it was a Member of the House of Representatives from Mississippi who I believe contacted AFGE.

MS. SIMON: Bennie Thompson.

CHAIRMAN FRIEDMAN: Yeah, Bennie Thompson.

MR. BUCK: Right. But there should be a district down there, a Corps of Engineers district.

CHAIRMAN FRIEDMAN: Right. And I think that's cited in the letter from AFGE.

And I think it was actually Seth at the last meeting who offered to contact the Army Corps of Engineers person.

MR. BUCK: Seth is not there today?

CHAIRMAN FRIEDMAN: No, he's not.

MR. BUCK: Okay.

CHAIRMAN FRIEDMAN: Candace raises the question of when we expect to meet with the Army Corps of Engineers. I have no idea, but I think it might help expedite that if we know exactly what we want to ask them and have it in writing.

MS. ARCHER: Well, okay. I was going to say I think it's along the lines of what do these jobs look like and how much interchange is there between the individuals.

CHAIRMAN FRIEDMAN: Right.

MR. ALLEN: Yes. That's pretty --

MS. ARCHER: I think it's pretty straightforward.

CHAIRMAN FRIEDMAN: Yes. So I think if we could just get that in writing, it certainly won't hurt, and it might help speed up the process.

MS. ARCHER: Okay.

MR. ALLEN: Gary, I think you were asking if we had a point of contact where the initial proposal originated --

MR. BUCK: Correct.

MR. ALLEN: -- from the district level. That is not how this came about. The proposal came about as a result of the employees at the dams wanting to be defined to the Memphis wage

area, and this has been something that FPRAC has from time to time considered over probably the last 40 years.

MR. BUCK: Forty years?

MR. ALLEN: Yes. It keeps coming up.

MR. BUCK: Four-zero?

[Laughter.]

MR. ALLEN: We keep moving one lake at a time into the Memphis wage area. I think there are two lakes that are still in the Northern Mississippi wage area.

Basically, what we need to know from management at the Army Corps of Engineers district for the four lakes in Northern Mississippi, is the degree to which their wage grade employees work at more than one of those lakes during the course of their normal business, because we have received information over the years that they are asked to work routinely in both wage areas, and they don't believe that that's acceptable, that it's not an acceptable wage practice to be working side by side with somebody else and earning different pay.

MS. ARCHER: And that's the information we've received. It is that their people are detailed for sometimes weeks at a time to a different wage area doing --

MR. BUCK: Are they TDY? Are they on a TDY status?

Are they being rotated in and out?

MR. ALLEN: No. The last we heard was that they have one central project management office that is situated at one of the dam projects, and they all are required to work -- they don't report on a daily basis to that site, but they are all working out of instructions that come from that site, which is in the Memphis wage area. And the two lakes that are not in the Memphis wage area have employees who work under the Northern Mississippi wage schedule.

CHAIRMAN FRIEDMAN: Okay. Anything else on this one right now?

MS. ARCHER: We can prepare a written --

CHAIRMAN FRIEDMAN: I think that would be helpful.

MS. ARCHER: -- request to try and move this along, and if we can get the analysis for the next meeting, that would be great, too, the report.

MR. BUCK: This is Gary. I suggest that you go with a formal request that basically they're going to have to reply or they're going to have to prepare something, and that you request that there be some sort of representative from the location where the rubber meets the road.

MS. SIMON: You mean from Mississippi?

MR. BUCK: From the district that this all affects.

CHAIRMAN FRIEDMAN: I think that's a good idea.

Sounds good to me. Okay.

Anything else on this item?

[No audible response.]

CHAIRMAN FRIEDMAN: Any other item of Old Business?

[No audible response.]

CHAIRMAN FRIEDMAN: As Bill has brought up a few times, some of these items on our agenda have been here for a long time and we don't have consensus on them. Some of the items affect very few and in some cases, no people.

And I was checking my Robert's Rules of Order, and one thing we could do, if people want to, is to postpone some of these items indefinitely and get them off the agenda.

So I was thinking in particular of (b) and (d), possibly (a), but at least (b) and (d). Unless people now have consensus about them or unless people wanted to bring them up for a vote, then we could postpone them indefinitely, and bring them back at any time in the future if we want to, and that would remove them from the agenda, I believe.

MR. ALLEN: Mr. Chairman, at least from my perspective, on (a), the Management members were not

recommending any change in policy there, so I don't see that that's really one we need to keep on the agenda, if we don't have consensus to not do anything.

For the other two having to do with Metropolitan Statistical Area definitions, I believe no employees would benefit from making those changes, so I also don't see a problem with either of those being postponed indefinitely.

CHAIRMAN FRIEDMAN: Well, I guess we need a motion on this. Does anybody feel like making a motion to postpone indefinitely items (a), (b), and (d)? If not, we will just leave them on the agenda as Old Business.

MR. FENAUGHTY: Well, what's the purpose of postponing them? We're not doing anything with them on the agenda.

CHAIRMAN FRIEDMAN: No, we're not. We're not, either way. I'm just trying to be responsive to the concern you raised a few times.

MR. FENAUGHTY: Well, if nothing is going to get done with them, I guess it doesn't really matter whether they are on the agenda.

CHAIRMAN FRIEDMAN: That's my opinion. It doesn't matter.

MR. FENAUGHTY: Jacque, what do you think?

MS. SIMON: Well, I hate to sort of give in to this motion that nothing is going to happen with any of them. In particular, item (a), we represent corrections workers in Lee County, Virginia, and they have contacted the national office asking consideration to be moved from Eastern Tennessee to West Virginia.

And they were experiencing a lot of problems with turnover. People would go there to get trained and get inside the system and leave as soon as they possibly could to a higher paying area, a different prison. And that problem, as far as I know, still exists, and so I am reluctant to throw in the towel.

CHAIRMAN FRIEDMAN: I think the Department of Justice supported that position.

MS. SIMON: Yes.

So taking it off the agenda is basically giving up and giving in, which I'm not prepared to do.

CHAIRMAN FRIEDMAN: Okay. Well, so there's no motion, and we don't have to remove them. So we will just leave them sitting there. It's fine with me.

All right. So that brings up future meeting dates. I think we will be circulating the 2015 meeting dates for people's review next month, right?

MS. GONZALEZ: Yes.

CHAIRMAN FRIEDMAN: And I assume the meetings will in most, if not all cases, be the third Thursday of the month, unless there's some pressing reason to be on a different date.

Anything else people need to bring up this morning?

[No audible response.]

CHAIRMAN FRIEDMAN: If not, we have a working group meeting after this meeting.

Anything else to address at FPRAC this morning?

[No audible response.]

CHAIRMAN FRIEDMAN: Then, it is in order to adjourn.
Is there any objection to adjourning?

[No audible response.]

CHAIRMAN FRIEDMAN: Okay. I hear no objection, so we are adjourned. See you all in November.