

United States of America

BEFORE THE FEDERAL SERVICE IMPASSES PANEL

In the Matter of

DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND
TYNDALL AFB, FLORIDA

and

LOCAL 3240, AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES, AFL-CIO

Case No. 07 FSIP 5

DECISION AND ORDER

Local 3240, American Federation of Government Employees, AFL-CIO (Union), filed a request for assistance with the Federal Service Impasses Panel (Panel) to consider a negotiation impasse under the Federal Service Labor-Management Relations Statute (Statute), 5 U.S.C. § 7119, between it and the Department of the Air Force, Air Education and Training Command (AETC), Tyndall AFB, Florida (Employer).

Following an investigation of the request for assistance, which concerns the Lodging Manager's decision to relocate two linen rooms, currently on the 1st and 2nd floors, to a larger room in the same building on the 1st floor,^{1/} the Panel determined that the dispute should be resolved through single written submissions. The parties were advised that, following receipt of their submissions, the Panel would take whatever action it deemed appropriate to resolve the matter, which could include the issuance of a *Decision and Order*. Written submissions were

^{1/} The Employer has agreed to delay implementation until its bargaining obligations have been met, including impasse proceedings. In addition, while the Employer's written submission indicates that the newly-proposed acclimatized linen room (Room 2137) would be located on the 2nd floor of Building 1379, both the Employer's September 29, 2006, notification to the Union, and the Union's written submission, confirm that it would be located on the 1st floor.

made pursuant to this procedure, and the Panel has now considered the entire record.

BACKGROUND

The Employer's mission is to support training for F-15 pilots and other battle managers. It also provides goods and services for military personnel and their dependents, as well as morale, recreation, and welfare programs and activities. The Union represents approximately 275 non-appropriated fund employees who typically work as recreational aides, child development specialists, housekeepers, warehouse workers, plumbers, carpenters, painters, electricians, mechanics, and motor vehicle operators, at grades NA-1 through -III (crafts and trades), pay bands NF-I through -II (administrative), NF-III through -IV (lead support), and pay bands CC-I through -III (child development). The parties' collective bargaining agreement (CBA) is due to expire in 2008.

ISSUE AT IMPASSE

The parties disagree over whether the Employer should implement the alternatives proposed by the Union either prior to, or in lieu of, relocating the two linen rooms in Building 1379.

POSITIONS OF THE PARTIES

1. The Union's Position

The Union proposes the following alternatives in connection with the relocation of the existing linen rooms:

1. Maintain the *status quo ante* by not moving the linen rooms on the first and second floor of Building 1379.
2. Install air conditioning and heating units in current linen rooms on the first and second floor of Building 1379.
3. Prior to implementation of the changes, reduce the workload of the housekeepers assigned to the second floor to minimize the impact of the change.

The Employer has "not provided any evidence that a change in the

employees' working conditions is necessary," so the Panel should "issue an order directing the *status quo ante*" until management has demonstrated that problems have been caused by storing the linen in the current areas. This would prevent significant adverse impact to the housekeepers "without good cause." In this regard, the relocation of the linen rooms would require them to spend "approximately 1 hour or longer" per day carrying linen, and cleaning and room supplies, weighing over 10 lbs., between stairwells. If, on the other hand, the Panel finds sufficient justification for the change the Employer is proposing, air conditioning and heating units could be installed in the current linen rooms, at minimal cost, instead of causing "an undue burden on the housekeepers." Given the extent of the impact, the Employer also could adjust the housekeepers' workload by reducing the number of rooms they are expected to clean and/or assigning additional staff to assist them with transporting the linen to and from the 2nd floor.

2. The Employer's Position

Essentially, the Employer's position is that the Panel should order the Union to withdraw its proposals. The relocation of the linen rooms to an acclimatized area "was requested by the [AETC] to improve the quality of the living quarters at Tyndall AFB." In addition to being acclimatized, the new storage location is larger than the current areas, and "will eliminate the musty smell of linens" and "prevent [] mold from penetrating into the linens."^{2/} The change also would be a "big plus for the housekeeping staff" because the new area has its own private bathroom, eliminating the need to walk to other facilities. Moreover, "housekeepers will still be working within their position descriptions in regards to lifting and moving the linens from storerooms to maid carts and vice versa." Overall, by improving the quality of service provided to guests as well as "the working conditions for the employees in supply, linen exchange, and housekeeping," the change involves a "win-win situation" for everyone who will be affected.

^{2/} To illustrate the need for the change, the Employer provided photographs depicting the rooms in question, including a linen room in a different building (Building 1381) that already has been acclimatized under similar circumstances.

CONCLUSION

Having carefully considered the evidence and arguments presented by the parties in this matter, we shall order the Union to withdraw its proposals. In our view, the Employer's photographic evidence demonstrates that the conversion of a sleeping room in Building 1379 into an acclimatized linen room would improve the quality of service provided to its customers. We are not persuaded that the proposed change is significant enough to warrant the adoption of the Union's proposals.^{3/}

ORDER

Pursuant to the authority vested in it by the Federal Service Labor-Management Relations Statute, 5 U.S.C. § 7119, and because of the failure of the parties to resolve their dispute during the course of proceedings instituted under the Panel's regulations, 5 C.F.R. § 2471.6(a)(2), the Federal Service Impasses Panel, under 5 C.F.R. § 2471.11(a) of its regulations, hereby orders the following:

The Union shall withdraw its proposals.

By direction of the Panel.

H. Joseph Schimansky
Executive Director

March 27, 2007
Washington, D.C.

^{3/} In particular, Union Proposal 1 is inapposite because it would require the Panel to order the *status quo ante* in circumstances where the Employer agreed to delay implementation until the parties' impasse is decided.