



**UNDER SECRETARY OF DEFENSE**

4000 DEFENSE PENTAGON  
WASHINGTON, DC 20301-4000

AUG 31 2010

PERSONNEL AND  
READINESS

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS  
CHAIRMAN OF THE JOINT CHIEFS OF STAFF  
UNDER SECRETARIES OF DEFENSE  
DEPUTY CHIEF MANAGEMENT OFFICER  
THE COMMANDERS OF THE COMBATANT COMMANDS  
ASSISTANT SECRETARIES OF DEFENSE  
GENERAL COUNSEL OF THE DEPARTMENT OF  
DEFENSE  
DIRECTOR, OPERATIONAL TEST AND EVALUATION  
DIRECTOR, COST ASSESSMENT AND PROGRAM  
EVALUATION  
INSPECTOR GENERAL OF THE DEPARTMENT OF  
DEFENSE  
ASSISTANTS TO THE SECRETARY OF DEFENSE  
DIRECTOR, ADMINISTRATION AND MANAGEMENT  
DIRECTOR, NET ASSESSMENT  
DIRECTORS OF THE DEFENSE AGENCIES  
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Executive Order 13522 – Pre-decisional Involvement and Establishing Labor Management Forums

The attached memorandum from May 18, 2010 requested that the Components work collaboratively with union representatives and move forward with the establishment of labor-management forums. To ensure that the Department is making progress toward meeting the objectives of Executive Order (E.O.) 13522, request that each Component submit a status report of its accomplishments by September 30, 2010 and quarterly thereafter. Reports should be submitted to the Deputy Under Secretary of Defense (Civilian Personnel Policy), through the Civilian Personnel Management Service (CPMS), Labor and Employee Relations Division (LERD). Reports should detail progress in establishing local councils or forums and in involving the union representatives in pre-decisional matters. Additional guidance regarding this reporting requirement will be disseminated through the Component Labor Relations Officers.

The Department is committed to fostering cooperation between labor and management consistent with the E.O., through the pre-decisional involvement of unions in all workplace matters, to the fullest extent practicable, and the establishment of labor-management forums. Pre-decisional involvement represents those activities where



employees, through their exclusive representatives, are afforded the opportunity to provide input to assist in shaping decisions on workplace matters as early in the communication phase as possible.

Activities should engage union representatives in discussions or other communications regarding ideas, policy initiatives and directives that impact workplace matters, including ideas suggested by the union. Further recommend that activities enter into discussions with employee representatives regarding how these communications would unfold to ensure that there is a shared understanding of the pre-decisional processes. Additionally, agency representatives should take the initiative to provide adequate information on such matters expeditiously, where not prohibited by law. This may include the specific issues involved, driving force or reason for the initiative, the time frame for discussion and implementation, and the degree of confidentiality. If you have any questions, please contact Mr. Darryl Roberts, Chief, CPMS-LERD at (703) 696-1450.

Thank you for your cooperation as we continue to move forward in this new era of labor-management relations.

  
Clifford L. Stanley

Attachment:  
As Stated



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UNDER SECRETARY OF DEFENSE  
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MAY 18 2010

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS  
CHAIRMAN OF THE JOINT CHIEFS OF STAFF  
UNDER SECRETARIES OF DEFENSE  
DEPUTY CHIEF MANAGEMENT OFFICER  
COMMANDERS OF THE COMBATANT COMMANDS  
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DIRECTOR, ADMINISTRATION AND MANAGEMENT  
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SUBJECT: Establishment of Labor-Management Forums in the Department of Defense

Executive Order (E.O.) 13522, "Creating Labor-Management Forums to Improve Delivery of Government Services," requires the Department to establish labor management forums that foster cooperation between labor and management in federal agencies. On April 6, 2010, the Deputy Secretary of Defense signed a memorandum affirming his commitment to cultivating and promoting cooperative and productive labor management relations and establishing forums throughout the Department.

I share the Deputy Secretary's vision in promoting more productive labor management relations within the Department and believe that labor management forums will enhance the way the Department does business. We are making significant progress in creating a Department-level forum. Activities in the Military Departments and the Defense Agencies should begin moving forward immediately in establishing forums at the appropriate levels, particularly at the level of exclusive recognition.

The National Council on Federal Labor-Management Relations has recommended the following Guiding Principles for Labor and Management Forums established under E.O. 13522:

- Labor-management forums should contribute positively to the performance of the agency
- Labor-management forums should promote the economic and workplace interests of employees and managers
- Labor-management forums should operate with a clear charter that grants the parties broad authority to develop solutions jointly on issues that fall outside the scope of bargaining
- Employees and their union representatives should have pre-decisional involvement in all workplace matters to the fullest extent practicable, without regard to whether those matters are negotiable subjects of bargaining under 5 U.S.C. § 7106
- Management and union officials and participants in labor-management forums should receive training on the requirements of the E.O., the guiding principles, and tools and processes that could assist with problem-solving and conflict resolution
- Labor-management forums should use skilled facilitators at appropriate times
- Labor-management forums should set goals, measure performance, and communicate results
- Managers and union representatives at all levels should be committed to making labor-management forums work, which means being personally engaged
- In the spirit of the larger labor-management engagement process, all parties should take a cooperative approach to collective bargaining
- Labor-management forums should be led by relevant decision makers and supported by appropriate staff
- The parties should devote sufficient resources to the implementation of the E.O.

I know I can count on management to work collaboratively with employee representatives of the Department's dedicated civilian workers in confronting the challenges and opportunities that are facing the Department. I thank you for your cooperation as we move forward in this exciting new era of labor-management relations.



Clifford L. Stanley