## **Pennsylvania Conference of Teamsters**

Strength in Numbers 95,000

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## **LEGISLATIVE ACTION ALERT**



## Report Claimed Trump Quietly Issued A Memo That Threatens to Destroy Union Rights For 750,000 Federal Workers

June 30, 2020 Political Tribune©

In an article posted on line today, Political Tribune reports that a few months back President Donald Trump issued a memo that stabs at the heart of labor unions in a move that could abolish union rights for up to 750,000 federal workers. (Copy of memo dated Jan. 2020 attached)

For decades, federal workers have enjoyed the right to unionize, thanks to an executive order signed by former President John F. Kennedy in 1962. But now those rights are directly threatened by Trump, who gave Defense Secretary Mark Esper the power to crush unionization of Defense Department employees if he feels that they jeopardize national security.

But now those rights are directly threatened by Trump, who gave Defense Secretary Mark Esper the power to crush unionization of Defense Department employees if he feels that they jeopardize national security. As we all know, national security has been used as an umbrella excuse for years to restrict rights and hide information, but it's been weaponized by the Trump administration to justify him doing anything he wants. That apparently includes killing the right of federal employees to unionize.

"When new missions emerge or existing ones evolve, the Department of Defense requires maximum flexibility to respond to threats," the memo said. "This flexibility requires that military and civilian leadership manage their organizations to cultivate a lethal, agile force adaptive to

new technologies and posture changes. Where collective bargaining is incompatible with these organizations' missions, the Department of Defense should not be forced to sacrifice its national security mission and, instead, seek relief through third parties and administrative fora."

This leaves over half a million federal employees at risk of having their rights crushed by an increasingly authoritarian state in a climate that has become ever more hostile to workers. The memo claims that this power to kill unions is necessary to "protect the American people," but the American Federation of Government Employees strongly condemned it.

Economic Policy Institute distinguished fellow Larry Mishel also called out the flimsy excuse. This attack on American workers follows an effort by Senate Republicans to kill pensions that millions of retirees and active employees rely on.

The reason Americans have pensions today is because unions fought for them, along with shorter work weeks and better pay. This assault on union rights threatens to undo all of that progress.

Trump cannot seriously claim to support American workers if he is working to destroy unions and the right to unionize.



January 29, 2020

## MEMORANDUM FOR THE SECRETARY OF DEFENSE

SUBJECT: Delegation of Certain Authority under the Federal Service Labor-Management Relations Statute

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, it is hereby ordered as follows:

Section 1. Policy. The national security interests of the United States require expedient and efficient decisionmaking. When new missions emerge or existing ones evolve, the Department of Defense requires maximum flexibility to respond to threats to carry out its mission of protecting the American people. This flexibility requires that military and civilian leadership manage their organizations to cultivate a lethal, agile force adaptive to new technologies and posture changes. Where collective bargaining is incompatible with these organizations' missions, the Department of Defense should not be forced to sacrifice its national security mission and, instead, seek relief through third parties and administrative fora.

- Sec. 2. Delegation of Authority to the Secretary of Defense. (a) The Secretary of Defense (Secretary) is delegated authority under 5 U.S.C. 7103(b)(1) and 7103(b)(2) to issue orders excluding Department of Defense agencies or subdivisions thereof from Federal Service Labor-Management Relations Statute coverage. The Secretary is authorized to further delegate this authority to any official of the Department of Defense appointed by the President with the advice and consent of the Senate.
- (b) When making the determination required by 5 U.S.C. 7103(b)(1) or 7103(b)(2), the Secretary or other official delegated this authority pursuant to subsection (a) of this section shall publish this determination in the Federal Register.

- (c) Any official to whom the Secretary of Defense delegates the authority pursuant to subsection (a) of this section may not further delegate this authority.
- (d) For purposes of this memorandum, the term "Department of Defense agencies or subdivisions" includes without limitation the military departments.
- Sec. 3. General Provisions. (a) Nothing in this memorandum shall be construed to impair or otherwise affect:
  - (i) the authority granted by law to an executive department or agency, or the head thereof; or
  - (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.
- (b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.
- (c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

You are authorized and directed to publish this memorandum in the Federal Register.

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