**JLMC Meeting Notes (2020-12-17)**

* Teleworking and Returning to the Office
  + Any indications on Phase 2 timeline or a possible going back to Phase 0 based on rising cases?
    - Agency recognizes uptick in COVID cases
    - Any phasing back to office likely on hold
    - Awaiting update from COVID workgroup
  + Clarification on Phase 3 and requirements for employees; any further phases?
    - Awaiting CDC and OPM recommendations
    - OPM looking at telework options; expecting guidance as situation develops
    - Telework considered to be working well; no significant decrease in productivity
  + Teleworking policies and any new MOUs being sent out
    - Employees should not be updating their address in EPP if they are teleworking from a different location. Only if they want to move permanently should they begin this work.
      * Affects locality pay and tax status
    - Different work location does not equal change in duty station
    - Nobody’s duty station should be changing due to teleworking during COVID
      * Some confusion about updating address based on email from HR
      * PC Response department was advised to update EPP address by supervisor
    - ELR receiving notification from departments regarding written agreements for employees changing work location – should not be happening without ELR guidance
    - ELR working to provide guidance to supervisors regarding employees working outside duty station
      * Supervisors should contact ELR before agreeing to any formal arrangements
    - Anticipate requests for change in duty station at Phase 3, to consider positions remote – would require HR action, would defer significantly to respective office to determine requirements of the position
    - Employees who may wish to change duty station should begin process now
    - Employees will most likely receive notification from direct supervisor regarding when to return to duty station
    - If an employee received an MOU, that is the final decision
      * Any MOU would indicate that employee would be required to return to office by a certain date in reopening; would clarify that this is not a change in duty station
* Conflict Resolution Between Employees and their Supervisors
  + Mediation and facilitation of discussions between employees/supervisors
    - Best practices before opening grievance process?
    - Option for formal mediation with OCRD – issues regarding discrimination involving protected class
      * OCRD rep can mediate other conflicts as well
      * Mediator will typically speak with parties separately, then collectively
    - Workplace harassment policy still under development; expected to address many workplace issues which don’t rise to the level of an EEO issue
      * Policy will put ELR at the center of addressing workplace issues
      * Goal to resolve problems at lowest possible level
      * Policy under full review, not likely to be approved until at least early 2021
      * Example: employees disagree with language on performance appraisals – ELR will review comments with supervisor, review language of comments
        + Employees typically upset with balance of comments, focus on negative comments
    - Can employee request mediated discussion with supervisor, union rep and ELR present?
      * ELR: Better to work through OCRD and Matthew Johnson, but staffing levels present difficulties as this is not his primary role
      * ELR will work with supervisors and provide recommendations when complaints come from employees
      * Resolution ultimately up to supervisor, but decision must be valid
      * Can be difficult to gather all parties to discuss disputes
      * Mathew C was able to have a facilitated discussion with supervisor here at PC two years ago; union rep and ELR rep present
        + Worked through 5 or 6 issues of contention
        + Found mediated discussion very help in this situation
        + Found representation at the discussion very helpful
      * Many options available, handled on case-by-case basis
    - Would be agency-level discussion to create Office of the Ombudsman; would be challenging given current staffing levels
  + Union and ELR representation/rights in those discussions
    - Last year, union requested to be present at discussions of final employee ratings
    - ELR: In most cases, ratings discussions do not require union representation; should be straightforward process
    - ELR guidance: Managers should be providing regular feedback with employees
      * Union would not be present at regular discussions, only in exceptional cases where they were likely to be contentious conversations requiring third parties present to keep everyone on their best behavior.
    - Union: If discussions pull in second-level supervisor or ELR, that would be an escalation and justify presence of union rep
      * Lisa: ELR will not be in those meetings
      * ELR should be looped in if second-level supervisor is involved
    - Both sides might want a “second set of ears” if meeting is anticipated to become contentious
    - Invitation to discuss further
  + Timeliness and focus on the proposed remedies
    - Focus on proposed remedies can help facilitate resolution
* Administration Transition & Executive Orders – Harris
  + Diversity trainings and Director Olsen’s 9/25 memo
    - ELR meeting this afternoon (12/17)
    - Expecting to receive guidance from John Burden, will forward to union
      * Response: On Tuesday, September 22, 2020, President Trump issued an Executive Order on Combating Race and Sex Stereotyping.  At the present time proposed diversity trainings for PC are on hold pending the guidance from OPM after the new administration is in place and status of the concerned Executive Order is determined.
  + OPM Report recommendations and implementation plans
    - Have not received guidance from OPM yet
  + Any indication yet of new incoming EOs or rescinding of old ones?
    - Expectation that EOs regarding labor relations will be rescinded
    - No official word yet
* Online Resources for Employees – Kyle
  + [ELR’s website](https://in.peacecorps.gov/hr/Pages/ELR.aspx)
  + [Unions website](https://www.peacecorpsunion.com/)
    - Updates made to website, but no changes to agreement
  + Linking to one another’s page & sharing resources
    - Evester and Mathew will connect offline