



Telework Language in FAA Bill Reinforces PASS Bargaining Proposals

Union Expects FAA to Comply with Reauthorization Legislation

PASS commends the passage of the five-year FAA Reauthorization legislation. For the first time, this bill includes strong policy language regarding telework. Congress understands that telework is an important driver of recruitment and retention of federal employees and can lead to significant agency cost savings. Telework should only be applied in consultation with its labor representatives. PASS is in the process of negotiating successor collective bargaining agreements for the bargaining unit employees it represents at the FAA, in Aviation Safety and the Air Traffic Organization. The reauthorization bill's language reinforces all of the telework concepts PASS has been proposing to the agency at the bargaining table. Based on passage of this bill, the union expects the FAA to comply with the law and agree to PASS's telework proposals in short order.

The new law states that any telework arrangement should not "adversely impact the mission of the FAA" and "not reduce the safety or efficiency of the national airspace." The bill also requires that teleworking should provide on-the-job training opportunities and reflect "the appropriate work status of employees based on the job functions." The law furthers that any teleworking arrangement will optimize "the work status of inspectors, investigators, and other personnel performing safety-related functions to ensure timely completion of safety oversight activities" and meets the needs of stakeholders. PASS's proposals at the bargaining table encompass all of the principles and concepts found in the reauthorization bill.

This law does not supersede the FAA's requirement to bargain with its unions over working conditions, such as telework, in accordance with Chapter 71, Title 5 of the U.S. Code. It does require the FAA to consult with its unions when devising any policy (which has not occurred historically). The implications are that the FAA should bargain with PASS in line with this law.

PASS looks forward to an expeditious resolution to the bargaining process and for the FAA to live up to the Biden Administration's standard of being the most union friendly in history.