Article XX: Employee Rights

Section 1. General

The Agency will comply with all applicable laws including the Privacy Act of 1974. The Agency will comply with employees' rights under the United States Constitution.

Section 2. Right to Union Membership

Pursuant to 5 U.S.C. Section 7102:

"Section 7102 Employee rights

Each employee shall have the right to form, join, or assist any labor organization, or to refrain from any such activity, freely and without fear of penalty or reprisal, and each employee shall be protected in the exercise of such right. Except as otherwise provided under this chapter, such right includes the right--

(1) to act for a labor organization in the capacity of a representative and the right, in that capacity, to present the views of the labor organization to heads of agencies and other officials of the executive branch of the Government, the Congress, or other appropriate authorities, and

(2) to engage in collective bargaining with respect to conditions of employment through representatives chosen by employees under this chapter."

Employees temporarily assigned to a managerial or supervisory position or a position outside the bargaining unit may not serve as a Union representative and are temporarily outside of the bargaining unit.

Commented [CR1]: We could agree here to allow these positions (not supervisory) to be in the bargaining unit

Gary is an example of a person who would have been prohibited from serving as a rep under this language