

118TH CONGRESS
2D SESSION

H. R. 7787

To establish the Federal Labor-Management Partnership Council, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 2024

Mr. RASKIN (for himself, Ms. NORTON, Mr. SARBANES, Mr. TRONE, and Mr. CONNOLLY) introduced the following bill; which was referred to the Committee on Oversight and Accountability, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish the Federal Labor-Management Partnership Council, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Labor-Man-
5 agement Partnership Act of 2024”.

1 **SEC. 2. ESTABLISHMENT OF FEDERAL LABOR-MANAGE-**
2 **MENT PARTNERSHIP COUNCIL.**

3 (a) IN GENERAL.—Subchapter I of chapter 71 of title
4 5, United States Code, is amended by adding at the end
5 the following:

6 **“§ 7107. Federal Labor-Management Partnership**
7 **Council**

8 “(a) ESTABLISHMENT.—There is established in the
9 executive branch a council to be known as the ‘Federal
10 Labor-Management Partnership Council’ (referred to in
11 this section as the ‘Council’).

12 “(b) MEMBERSHIP.—The Council shall be composed
13 of the following individuals (or the designee of any such
14 individual):

15 “(1) The Director of the Office of Personnel
16 Management.

17 “(2) The Deputy Director for Management of
18 the Office of Management and Budget.

19 “(3) A deputy secretary (or other officer with
20 agency-wide authority) from each of 5 Executive de-
21 partments or agencies not otherwise represented on
22 the Council, who shall be appointed by the Presi-
23 dent.

24 “(4) The Chairman of the Federal Labor Rela-
25 tions Authority.

1 “(5) The Director of the Federal Mediation and
2 Conciliation Service.

3 “(6) Two members who shall be appointed by
4 the President to represent the respective labor orga-
5 nizations representing (as exclusive representatives)
6 the first and second largest numbers of employees
7 subject to this chapter.

8 “(7) Four members who shall be appointed by
9 the President to represent labor organizations rep-
10 resenting (as exclusive representatives) substantial
11 numbers of employees subject to this chapter, each
12 of whom shall be selected giving due consideration to
13 such factors as the relative numbers of employees
14 represented by the various organizations.

15 “(8) One member who shall be appointed by the
16 President to represent the organization representing
17 the largest number of senior executives (as that term
18 is defined in section 3132(a)(3)).

19 “(9) One member who shall be appointed by the
20 President to represent the organization representing
21 the largest number of management officials.

22 “(c) RESPONSIBILITIES AND FUNCTIONS.—The
23 Council shall—

24 “(1) advise the President on matters involving
25 labor-management relations in the executive branch;

1 “(2) support the creation of local labor-manage-
2 ment partnership councils that promote partnership
3 efforts in the executive branch;

4 “(3) collect and disseminate information about
5 and provide guidance on partnership efforts between
6 labor and management in the executive branch, in-
7 cluding the results of those efforts; and

8 “(4) use the expertise of individuals, both inside
9 and outside the Federal Government, to foster part-
10 nership arrangements in the executive branch.

11 “(d) ADMINISTRATION.—

12 “(1) CO-CHAIRS.—The Director of the Office of
13 Personnel Management and the Deputy Director for
14 Management of the Office of Management and
15 Budget shall serve as co-chairs of the Council.

16 “(2) MEETINGS.—The Council shall meet quar-
17 terly (or more frequently at the call of the co-chairs
18 or a majority of the members of the Council).

19 “(3) OUTSIDE INPUT.—The Council—

20 “(A) shall seek input from agencies not
21 represented on the Council, particularly smaller
22 agencies;

23 “(B) may from time to time, in the discre-
24 tion of the Council, invite experts from the pri-

1 vate and public sectors to submit information;
2 and

3 “(C) shall seek input from companies, non-
4 profit organizations, State and local govern-
5 ments, employees (through the exclusive rep-
6 resentatives of those employees), and customers
7 of Federal services, as needed.

8 “(4) ASSISTANCE OF THE OFFICE OF PER-
9 SONNEL MANAGEMENT.—Subject to the availability
10 of appropriations, the Director of the Office of Per-
11 sonnel Management shall provide such staff, facili-
12 ties, support, and administrative services to the
13 Council as the Director considers appropriate.

14 “(5) EMPLOYEE STATUS AND COMPENSA-
15 TION.—

16 “(A) IN GENERAL.—A member of the
17 Council who is not an employee (as that term
18 is defined in section 2105) shall not be consid-
19 ered a Federal employee for any purpose, ex-
20 cept for the following provision of law:

21 “(i) Subchapter I of chapter 57 (relat-
22 ing to travel expenses).

23 “(ii) Chapter 81 (relating to com-
24 pensation for work injuries).

1 “(iii) Chapter 171 of title 28 and any
2 other Federal statute relating to tort liabil-
3 ity.

4 “(B) NO COMPENSATION FOR CERTAIN
5 MEMBERS.—No member of the Council may re-
6 ceive compensation by reason of service on the
7 Council.

8 “(6) COOPERATION OF OTHER AGENCIES.—
9 Each agency shall, to the extent permitted by law,
10 provide to the Council and the Director of the Office
11 of Personnel Management such assistance, informa-
12 tion, and advice as the Council or the Director may
13 request.

14 “(e) GENERAL PROVISIONS.—

15 “(1) REPORTING TO CONGRESS.—Any reporting
16 to or appearances before Congress that may be re-
17 quested or required of the Council shall be made by
18 a co-chair of the Council.

19 “(2) TERMS OF MEMBERSHIP.—A member ap-
20 pointed under paragraph (3), (6), (7), (8), or (9) of
21 subsection (b) shall be appointed for a term of 3
22 years, except that any individual chosen to fill a va-
23 cancy under any of those paragraphs shall be—

24 “(A) appointed for the unexpired term of
25 the member replaced; and

1 “(B) chosen subject to the same conditions
2 as applied with respect to the original appoint-
3 ment.

4 “(3) SERVICE AFTER EXPIRATION OF TERM.—
5 A member appointed under paragraph (3), (6), (7),
6 (8), or (9) of subsection (b) may serve after the ex-
7 piration of that member’s term until a successor has
8 taken office, but for not more than 60 days after the
9 term expires.

10 “(4) NOT SPECIAL GOVERNMENT EMPLOY-
11 EES.—A member who is not otherwise an employee
12 shall not be considered a special Government em-
13 ployee, as defined in section 202(a) of title 18, for
14 any purpose.

15 “(5) NO TERMINATION.—Section 1013(a)(2)
16 shall not apply to the Council.

17 **“§ 7108. Implementation of labor-management part-**
18 **nerships throughout the executive**
19 **branch**

20 “The head of each agency that is subject to this chap-
21 ter shall take the following actions:

22 “(1) Create labor-management partnerships
23 by—

24 “(A) establishing labor-management com-
25 mittees or councils at the levels of recognition

1 and other appropriate levels agreed to by the
2 agency and the applicable exclusive representa-
3 tive; or

4 “(B) if applicable, adapting existing com-
5 mittees or councils.

6 “(2) Involve employees and employee represent-
7 atives as full partners with management representa-
8 tives to improve the civil service to better serve the
9 public and carry out the mission of the agency.

10 “(3) Provide systemic training of appropriate
11 agency employees (including line managers, first-line
12 supervisors, and labor organization representatives)
13 in consensual methods of dispute resolution, such as
14 alternative dispute resolution techniques and inter-
15 est-based bargaining approaches.

16 “(4)(A) Consistent with guidance from the Fed-
17 eral Labor-Management Partnership Council estab-
18 lished under section 7107, allow employees and em-
19 ployee representatives to have pre-decisional involve-
20 ment in all workplace matters to the fullest extent
21 practicable, without regard to whether those matters
22 are negotiable subjects of bargaining under section
23 7106.

24 “(B) Provide adequate information on the mat-
25 ters described in subparagraph (A) expeditiously to

1 employee representatives where not prohibited by
2 law.

3 “(C) Make a good-faith attempt to resolve
4 issues concerning proposed changes in conditions of
5 employment through discussions in the labor-man-
6 agement committees or councils established or
7 adapted by the agency under paragraph (1) of this
8 subsection.

9 “(5) Evaluate progress and improvements in or-
10 ganizational performance resulting from the labor-
11 management partnerships described in paragraph
12 (1).”.

13 (b) TECHNICAL AND CONFORMING AMENDMENT.—
14 The table of sections for chapter 71 of title 5, United
15 States Code, is amended by inserting after the item relat-
16 ing to section 7106 the following:

“7107. Federal Labor-Management Partnership Council.

“7108. Implementation of labor-management partnerships throughout the execu-
tive branch.”.

17 **SEC. 3. IMPLEMENTATION OF LABOR-MANAGEMENT PART-**
18 **NERSHIPS IN THE LEGISLATIVE BRANCH.**

19 (a) DEFINITION.—In this section, the term “covered
20 legislative branch agency” means—

- 21 (1) the Office of the Architect of the Capitol;
22 (2) the Government Accountability Office; and
23 (3) the United States Capitol Police.

1 (b) LABOR-MANAGEMENT PARTNERSHIPS.—The
2 head of each covered legislative branch agency shall take
3 the following actions:

4 (1) Create labor-management partnerships by
5 establishing labor-management committees or coun-
6 cils at appropriate levels or, if applicable, adapting
7 existing committees or councils.

8 (2) Involve employees and employee representa-
9 tives as full partners with management representa-
10 tives to improve the civil service to better serve the
11 public and carry out the mission of the covered legis-
12 lative branch agency.

13 (3) Provide systemic training of appropriate
14 employees of the covered legislative branch agency
15 (including line managers, first-line supervisors, and
16 labor organization representatives) in consensual
17 methods of dispute resolution, such as alternative
18 dispute resolution techniques and interest-based bar-
19 gaining approaches.

20 (4)(A) Allow employees and employee represent-
21 atives to have pre-decisional involvement in all work-
22 place matters to the fullest extent practicable, with-
23 out regard to whether those matters are negotiable
24 subjects of bargaining with respect to the covered
25 legislative branch agency.

1 (B) Provide adequate information on the mat-
2 ters described in subparagraph (A) expeditiously to
3 employee representatives where not prohibited by
4 law.

5 (C) Make a good-faith attempt to resolve issues
6 concerning proposed changes in conditions of em-
7 ployment, including changes involving the subjects
8 described in section 7106(b)(1) of title 5, United
9 States Code, through discussions in the labor-man-
10 agement committees or councils established or
11 adapted by the covered legislative branch agency
12 under paragraph (1) of this subsection.

13 (5) Evaluate progress and improvements in or-
14 ganizational performance resulting from the labor-
15 management partnerships described in paragraph
16 (1).

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