



LOCAL 1998

National Federation of Federal Employees
International Association of Machinists & Aerospace Workers, AFL-CIO



Representing the bargaining unit employees of Passport Services, a division of the Department of State's Bureau of Consular Affairs

UNION REP 1
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Grievance Between the Parties

August 28, 2008

To: MANAGER A, Managing Director of Passport Services
Cc: MANAGER B, Director – Foreign Service Institute
MANAGER C, Director – Passport Services Office of Field Operations
MANAGER D, Director – Passport Services Office of Field Coordination
MANAGER E, Operations Officer – Office of Field Coordination
MANAGER F, Chief Labor Management Negotiator
MANAGER G – Passport Services Career Management Office

RE: Revision of “Nationality and Citizenship Workshop (PC536B),” formerly known as the “Passport Examiners Correspondence Course”

In accordance with Article 20, Section 8 of the Agreement Between Passport Services and the National Federation of Federal Employees – Local 1998 (hereafter referred to as “the Agreement”), I am filing this Grievance Between the Parties on behalf of the bargaining unit members of the Passport Services. This grievance concerns the changes made to the “Nationality and Citizenship Workshop (PC536B),” formerly known as the “Passport Examiners Correspondence Course.” The course was revised subsequent to the 7/3/2001 Contract without any prior notification to the Union.

Some relevant legal authorities:

Article 13, Section 8

“Changes to the Foreign Service Institute Passport Examiners Correspondence Course will be shared with the Union prior to implementation, with sufficient time provided to respond.”

Article 4, Section 6

“It is the purpose of this Agreement to involve employees and union representatives as full partners with management representatives. To this end, the Union/Management Council shall consider problems at the predecisional stages, crafting solutions to promote the Department's objectives, serve the customers, and meet employee needs; and design and create procedures and practices to achieve bilateral resolution of issues between labor and management. Individual grievances shall not normally be discussed at Council meetings or conference calls, and will not be decided within this forum.”

Background

From July 28-31, 2008 Passport Specialists (including some Union representatives) attended the Foreign Service Institute course “Nationality and Citizenship Workshop (PC536B)”, which included a “Self-Instructional Guide” (PC-530) on “Passports and Nationality”. After completion of the course, Union confirmed by comparison that the self-instruction course formerly known as the “Passport Examiners Correspondence Course” had been revised at least two separate occasions (in 2005 and 2006). This is a direct violation of Article 13, Section 8 of the Agreement, which requires that Management share changes to the course with the Union and allow sufficient time to respond prior to implementing any changes. The Union only learned of these changes because Passport Specialists were enrolled in the course and they were provided course materials bearing the above mentioned years.

Union’s argument

Effective training to enhance the integrity and reliability of U.S. citizenship adjudication

The redesign of this course, from correspondence to classroom and to include updated materials, should have provided an excellent opportunity for Management and the Union to work together in the spirit and letter of the Agreement to make the training as useful as possible for Passport Specialists. The Union reviews course materials not only to ensure compliance with the Agreement, but also because most of the Representatives and Bargaining Unit Members are Passport Specialists. As such, the Union has the unique opportunity to give constructive feedback and suggestions for improvement regarding what benefits Passport Specialists. Had the Union been given the opportunity to review the course changes as dictated by the Agreement, it is guaranteed that there would have been a great deal of enthusiasm to provide feedback.

As Union Representatives and Bargaining Unit Employees have now taken and passed “Nationality and Citizenship Workshop (PC536B),” there is now a great deal of positive and negative feedback regarding the course that has prompted the Union to suggest substantial changes to the course. The majority of the feedback criticizes the strong emphasis on overseas procedures.

The job of a Foreign Service Officer

The vast majority of the course materials, case studies and role-playing are from the perspective of a Foreign Service Officer. Students are taught how to prepare a Consular Report of Birth Abroad (CRBA) down to the details of how it is physically approved and what documents need to be forwarded to the Department. Should the CRBA application be denied, the students then had to prepare lookouts to be added to PLOTS. The training materials include Passport and Nationality Supplemental Cables. Significant course time is dedicated to Loss of Nationality with a focus on how to document a citizen who presents at an overseas post wishing to renounce his or her citizenship.

A Passport Specialist will virtually *never* adjudicate a CRBA overseas or accept a formal statement of renunciation. Passport Agencies typically use the Foreign Affairs Manual (FAM) as opposed to cables and frequently utilize the Passport Intranet for guidance. According to one Passport

Specialist who recently attended the course, “I don’t know if this class is some sort of recruiting tool, but it taught citizenship from the Foreign Service point of view. Everything we did was as if we were outside the US and there were some obvious conflicting procedures.” She echoed the sentiments of many of the attendees who felt that the course is not beneficial to Passport Specialists. Simply put, the majority of the course style and content has no bearing on the job of a Passport Specialist and it is not useful to learn this content at the cost of ignoring domestic passport job functions, procedures and norms.

Despite a decade of the Union talking to HQ about this course, it is still designed, written and taught by Foreign Service staff members who have little to no domestic passport adjudication experience and who do not have knowledge of domestic passport procedures. The course content is overwhelmingly geared towards overseas passport issuances by Foreign Service staff, who issue under 5% of the total number of passports and who, individually, may potentially only handle a *maximum* of 100 applications a year. This is in stark contrast with the 95% of applications adjudicated at the domestic Passport Agencies. The average GS-11 Passport Specialist might adjudicate well over 150 applications in a *single day* and tens of thousands of applications in a *single year*. Additionally, nationwide the domestic Passport Agency public counters can serve thousands of applicants per day. By sheer numbers one can easily see that domestic Passport Agencies have a far larger knowledge base than Foreign Service staff. A course on citizenship and nationality would be much more effective if it were designed, written and taught by domestic Passport employees. In fact, another Passport Specialist said, “If it made sense to role play, they would have FSO’s pretend to be domestic Passport Agency workers.”

Irrelevant Course Content and Ineffective Testing

The course includes lengthy sections on the Department of State Leadership Tenets, S.A.F.E. (stands for Security, Accountability, Fraud & Ethics), interviewing techniques/role playing, general passport & visa fraud, the various offices in the Department of State and the different passport applications. While this information is certainly valuable, it generally does not pertain to citizenship and nationality and it is also redundant as it is covered in other courses including the introduction to the Department of State, Consular Interviewing Techniques, the National Training Program (NTP) and mandatory passport specialist training. A course on citizenship and nationality should focus on just that—citizenship and nationality, leaving other topics for other courses. What could have easily fit into two to three days took four because it included an excess of unnecessary topics.

Additionally, the tests given to pass the course have misleading and “trick” questions, which are not beneficial in demonstrating knowledge of the course content and the ability to use the course materials. When a student misunderstands a question, the question becomes worthless. Much of what the students are tested on does not correlate to “real world” problems they may face at domestic passport agencies. A test on citizenship and nationality is only an effective demonstration of knowledge when it covers just that and irrelevant questions about which form an applicant should be given does not support knowledge of citizenship or nationality.

Requested Relief

As remedy for these violations, the Union respectfully requests that Management commit to honoring the contract, specifically Article 13, Section 8. The Union requests that it have immediate access to review all course materials, including topics to be covered and all versions of the course test, pertaining to the course “Nationality and Citizenship Workshop (PC536B).” Also, in agreement with Article 13, Section 8, the Union requests sufficient time to review the course materials and prepare a response prior to the next session of this course being offered to Passport Specialists.

In addition, and in the spirit of Union/Management Cooperation (Article 4), the Union *suggests* that – with the advent of the new Regional Training Coordinator positions, and the impending workload increase next year – now may be the time to revamp and completely overhaul the training given to Passport Specialists nationwide. We suggest that the new Training Coordinators and other officials be asked to develop a new course – one designed by, for, and about domestic passport adjudication. A two-step process may be helpful. First, the current course could be reworked, edited, and revised to work from a domestic perspective. That is, the current course could be the temporary basis for a domestic-viewed passport adjudication class – and utilized on an interim basis until a more thorough course continuum is created. Second, building on the NTP, a new system of training could be devised – using the NTP as the start, and then building on that with beginner, intermediate, advanced, refresher, and special (focused) topics training on citizenship and nationality. The same could be done with identity and fraud detection. This would help achieve the merit promotion goals (Article 15) by giving employees the tools to do their jobs and to learn and advance through the grades, and thereby achieve the goals of maintaining and enhancing the integrity of the passport issuance process (Article 1).

Sincerely,

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