

Directive 352.5

4/14/93

VOLUNTARY SALARY ALLOTMENTS FOR PAYMENT OF
EMPLOYEE ASSOCIATION OR LABOR ORGANIZATION
DUES

I. PURPOSE

This Directive states Agricultural Marketing Service policy regarding employees' voluntary salary allotments for payment of membership dues to employee associations or labor organizations; and actions required for employees to authorize, change, or cancel payroll dues deductions.

II. REPLACEMENT HIGHLIGHTS

This Directive replaces AMS/FGIS Instruction 352-5, Rev. 2, dated 7/24/80. Changes are marked with asterisks.

III. AUTHORITIES

The following authorities indicate requirements for the processing of dues deductions: 5 U.S.C., Section 7115; 5 CFR, Part 550, Subpart C; Departmental Personnel Manual, Chapters 550-3 and 252-1.

IV. POLICY

A. Employees are eligible for payroll withholding of membership dues to professional or other employee associations, and/or labor organizations (unions) where:

1. The Director of Personnel, U.S. Department of Agriculture, has entered into a Memorandum of Understanding (MOU) with the association or union; and

2. The employee is:

a. Eligible for membership in the association; or

b. Covered by a bargaining unit represented by a union which has been granted recognition as the exclusive representative by the Federal Labor Relations Authority.

B. * - AMS will process actions regarding payroll deduction of dues in accordance with applicable regulations and the terms of the MOU between the Department and the association or union. - *

C. An employee's eligibility for dues allotments to an association or union ceases if the employee moves to a position which is not eligible for dues withholding for that association or union.

V. PROCEDURES

Procedures and actions required to authorize, change, or cancel dues deductions are set forth in

Attachment 1 of this Directive.

VI. INQUIRIES

Questions regarding dues deductions should be directed through appropriate administrative channels to the Labor Relations Office, Employee Relations Branch, Personnel Division, AMS.

L. P. Massaro

Deputy Administrator, Management

Attachment

DUES ALLOTMENT PROCEDURES

1. DUES FOR PROFESSIONAL OR OTHER EMPLOYEE ASSOCIATIONS.

* - The recognized associations for which AMS employees are most commonly eligible for membership are:

o **Senior Executive Association (SEA).**

Eligibility: Senior Executives (SES employees).

o **Employee Services and Recreation Association Fitness Center (ESRA).**

Eligibility: Employees in the Washington, DC, metropolitan area.

o **Organization of Professional Employees of the Department of Agriculture (OPEDA).**

Eligibility: All employees.

A. Authorization of Allotments. Eligible employees may initiate association membership dues withholding by obtaining **Form AD-1054, "Request for Payroll Deductions for Association Dues,"** from the association, completing Part A of the form, and returning it to the association. The association will complete Part B and send the form directly to the

employee's servicing personnel office (SPO). Allotments are effective the pay period after receipt in the SPO.

B. Voluntary Revocation of Allotments. Employees may cancel association dues withholding by completing **Form SF-1188, "Cancellation of Payroll Deductions for Labor Organization Dues"** (or a memorandum in duplicate which includes: name, Social Security number, name of labor organization, Agency, and Division).

1. **Filing ESRA dues cancellations**. Employees wishing to cancel ESRA dues withholdings will file the cancellation form or memo **with ESRA**. ESRA will forward the cancellation to the employee's SPO. However, in certain instances ESRA may request that the employee send the completed form to their SPO. ESRA cancellations will be effective the pay period following receipt of the properly executed cancellation in the SPO.

2. **Filing SEA or OPEDA dues cancellations**. Employees wishing to cancel SEA or OPEDA dues withholdings will file the cancellation form or memo **directly with the SPO**, which will return a copy of the cancellation to the association after processing. SEA or OPEDA cancellations will be effective as of the first pay period after March 1 or September 1, after receipt of the cancellation in the SPO, provided the cancellation is received in the SPO before the beginning of that pay period.

3. The employee and the SPO have a mutual responsibility to ensure timely processing of revocations of association dues. If the dues allotment continues and the employee fails to notify the SPO, the retroactive recovery of dues from the association or a refund to the employee shall not be made.

NOTE: o Human Resource Operations, Human Resources Division, Animal and Plant Health Inspection Service, Minneapolis, Minnesota, is the SPO for all AMS employees except Senior Executives and Schedule C employees.

o Employment Policy Branch, Personnel Division, AMS, is the SPO for Senior Executives and Schedule C's. - *

2. DUES FOR LABOR ORGANIZATIONS (UNIONS).

All active AMS bargaining units are represented by locals and/or councils of the **National Federation of Federal Employees** (NFFE) or the **American Federation of Government Employees** (AFGE).

A. * - Authorization of Allotments. Eligible employees may initiate NFFE or AFGE dues withholding by obtaining **Form SF-1187, "Request for Payroll Deductions for Labor Organization Dues,"** from the union, completing Part A of the form, and returning it to the appropriate union official. The union will complete Part B, including union and local code numbers, and file the form with:

Labor Relations Office

USDA-Agricultural Marketing Service

Personnel Division, Room 1745-S

Washington, DC 20250

The Labor Relations Office will determine eligibility for deductions and forward the form to the appropriate SPO for processing. Allotments are effective the pay period after the properly completed SF-1187 is received by the Labor Relations Office. - *

B. Transfer of Dues Between Locals. An employee may transfer payment of dues between locals by obtaining **Form AD-356, "Dues Change--Between Locals Within National Labor Organizations,"** from the union and completing the form in collaboration with the union and filing it directly with the Labor Relations Office.

C. * - Changes in Amount of Dues. Unions may change the amount of dues to be withheld by filing a memorandum directly with the Labor Relations Office, which includes the union and local code numbers, and a list of the names and Social Security numbers of members affected by the changes. Changes will be effective the pay period after receipt of the request by the Labor Relations Office unless the union requests a later effective date.

D. Voluntary Revocation of Allotments. Employees may cancel union dues withholding by completing **Form SF-1188, "Cancellation of Payroll Deductions for Labor Organization Dues" (or a memorandum in duplicate)**. Union dues may not be canceled until they have been effective for at least 1 year.

1. **Filing NFFE dues cancellations**. Employees wishing to cancel NFFE dues withholdings may file the cancellation form or memo **directly with the Labor Relations Office, AMS**. NFFE cancellations will be effective the first pay period after September 1 following receipt of the cancellation in the Labor Relations Office.

2. **Filing AFGE cancellations**. Employees wishing to cancel AFGE dues withholdings will file the cancellation form or memo **directly with the union local**. The union local is responsible for forwarding the cancellation to the Labor Relations Office on a timely basis as required by the MOU. The Labor Relations Office will set the effective date of the cancellation and forward the form for processing. AFGE cancellations will be effective:

a. For allotments in effect as of January 11, 1979, the first pay period after September 1, after timely receipt of the cancellation in the Labor Relations Office;

b. For allotments completed after January 11, 1979, on the first pay period after the anniversary of the date when the dues deductions began, after timely receipt of the cancellation in the Labor Relations Office.

E. Mandatory Cancellation of Allotments. AMS employees with dues deductions are responsible for notifying the Labor Relations Office when they move to a different AMS position in which they are not eligible for deductions for that organization or union. An employee loses eligibility for union dues allotments when he or she moves to a position that is not covered by a bargaining unit or to a position in a bargaining unit covered by another union. In this situation, the Labor Relations Office will take action to cancel deductions (via Form AD-356A, **"Cancellation of Withholding of Dues to Labor Organizations and Associations of Supervisors or Managers"**) when it becomes aware that the employee is

no longer eligible for deductions. Pursuant to the General Accounting Office's decision in 63 Comp. Gen. 351 (1984), if the deductions continue, the employee is not entitled to repayment if the employee fails to take steps to cancel the allotment. - *
