

CHAPTER 711

LABOR-MANAGEMENT RELATIONS

1. **POLICY.** Chapter 71 of Title 5, United States Code states that each employee shall have the right to form, join or assist any labor organization, or to refrain from such activity freely and without fear of penalty or reprisal, and each employee shall be protected in the exercise of such rights. The Department of the Navy (DON) recognizes and abides by this statute in the administration of its labor management relations program.

2. **ASSISTANCE.** Please refer to Chapter 001 of this Manual for the telephone number to call for additional information or further assistance relative to this Chapter.

3. RESPONSIBILITIES

a. *Heads of Activities.* Where applicable, Activity Heads are responsible for the administration of the labor management relations program within their activity. Labor organizations will be encouraged to participate in the formulation, development and implementation of policies and practices relating to working conditions of covered employees.

b. *Managers and Supervisors.* Those who supervise bargaining unit employees are responsible for compliance with the terms and conditions of any negotiated agreements which apply to employees under their supervision. They are also responsible for administering the policies of DON and respective activities when directing the work of their subordinates.

c. *Labor Organizations.* Labor organizations, which are granted exclusive recognition, have the responsibility to represent the interests of all employees in the bargaining unit without discrimination, including those who elect not to become members of the organization.

d. *Human Resources Office (HRO), Norfolk.* HRO Norfolk is responsible for advising and assisting activities in carrying out their responsibilities, obligations and requirements relating to all aspects of labor management relations.

4. REPRESENTATIONAL RIGHTS

a. *Representation at Formal Discussions.* The exclusive representative must be given the opportunity to be represented at any formal discussion between one or more representatives of the agency and one or more employees in the unit or their representatives concerning any grievance or any personnel policy or practice or other general condition of employment.

b. *Representation at Employee Examinations/Interviews.* The exclusive representative must be given the opportunity to be represented at any examination of a unit employee by a representative of the agency in connection with an investigation if the employee reasonably believes that the examination may result in disciplinary action against the employee and if the employee requests representation.

5. **DUTY TO BARGAIN.** The exclusive representative must be given advance notice of any proposed changes to established agency conditions of employment and an opportunity to negotiate over such proposed changes to the extent required by law, absent any clear and unmistakable waiver of this statutory right.

6. **NEGOTIATED AGREEMENTS.** Activities where labor organizations have exclusive recognition normally have negotiated agreements in effect which contain provisions that may conflict with information published in this Manual. Any questions or requests for information regarding application of negotiated agreements, union activities, employee activities on behalf of labor organizations, etc., should be referred to HRO Norfolk.