

CIVILIAN MARINE PERSONNEL INSTRUCTION

CMPI 721

COVER SHEET - 332

Labor-Management Relations

Date: 25 May 1999

Attached is a revised CMPI 721. The "Record of CMPI Cover Sheets Received" should be initialed and this cover sheet filed as appropriate.

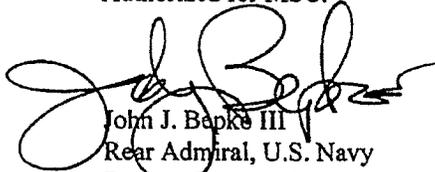
Reason for Revision

CMPI 721 has been revised to reflect the consolidation of mariner personnel management functions at the Afloat Personnel Management Center (APMC), the delegation of consultation/negotiation responsibility to the APMC, and the recognition that Federal labor-management relations are guided by Executive Order 12871, as well as 5 USC 71.

Effective Date

The above revision is effective upon receipt. Collective bargaining obligations with recognized labor organizations must be satisfied.

Authorized for MSC:


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Distribution:
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INSTRUCTION 721

LABOR-MANAGEMENT RELATIONS

- Section 1. General Provisions
 - 2. Policy
 - 3. Units of Recognition
 - 4. Visits Aboard Ships by Union Representatives

Section 1. General Provisions

	Paragraph No.
Scope.....	1-1
Authority.....	1-2

1-1. SCOPE. This Instruction applies to labor-management relations matters related to MSC's civil service mariners. The Instruction does not apply to relationships between labor unions and private companies under contract to MSC or to the relationships between MSC activities and private carriers concerning the operations of ships under charter.

1-2. AUTHORITY. MSC's labor-management relations policies are based upon Title 5, United States Code, Chapter 71, "The Federal Service Labor-Management Relations Statute."

Section 2. Policy

2-1. Employees may, without fear of penalty, reprisal, interference, coercion, restraint, or discrimination, join or refrain from joining a labor organization, form or otherwise assist a labor organization, participate in the management of a labor organization and act in the capacity of its representative, and present the views of a labor organization to officials of the Executive Branch, the Congress or other appropriate authority. No individual's rights or status as an employee will be affected because of membership or non-membership in a labor organization or because of permissible activity on its behalf. Supervisors and other management officials within MSC shall maintain a posture of neutrality with regard to questions of membership or non-membership in labor organizations or preference of one organization over another. All levels of MSC management will carry out their labor-management relations responsibilities in accordance with "The Federal Service Labor-Management Relations Statute, " relevant Executive Orders, and applicable collective bargaining agreements.

Section 3. Units of Recognition

	Paragraph No.
Level of Recognition.....	3-1
Collective Bargaining Agreements.....	3-2

3-1. LEVEL OF RECOGNITION. Labor unions may hold exclusive recognition with MSC at either the national (MSC headquarters) or the local (Afloat Personnel Management Center) level. As the successor organization to MSC's Atlantic and Pacific personnel offices, the Afloat Personnel Management Center (APMC) will generally conduct negotiations and/or consultations with unions holding local recognition. Further, absent specific direction to the contrary due to an extenuating circumstance, Commander, Military Sealift Command (COMSC) delegates to the APMC responsibility for negotiations and/or consultations with unions holding COMSC-level recognition.

3-2. COLLECTIVE BARGAINING AGREEMENTS. Collective bargaining agreements between MSC and unions with exclusive recognition to represent units of civil service mariners will be negotiated by the APMC, either in its capacity as successor to MSC's Atlantic and Pacific personnel offices for unions with local recognition, or in the capacity of COMSC's designated representative for unions with COMSC recognition. For specifics concerning the terms and provisions of the collective bargaining agreements, appropriate agreements should be reviewed.

Section 4. Visits Aboard Ships by Union Representatives

4-1. A duly authorized representative of a labor organization which has been accorded exclusive recognition who desires to board an MSC ship to conduct authorized labor-management business with bargaining unit employees or management must obtain permission from the Master. (This does not preclude a higher level official such as the Director, APMC, from granting such permission.) The Master shall grant permission to board to the union representative, provided such visit will not interfere with the vessel's operation or security. Such permission shall not be unreasonably withheld. The Master will notify the APMC of the visit within 24 hours. The visit will be subject to the following conditions:

(1) The union representative shall not interfere with the work of the ship.

(2) Internal union business may only be conducted during the non-duty hours of MSC employees. Internal union business includes, but is not limited to, solicitations of memberships, organization meetings, recruitment meetings, collection and payment of dues, canvassing of employees, circulation of petitions, posting and distribution of publications or communications, and similar activities. The handling of grievances is not internal union business.

(3) Under certain circumstances, employees may meet with union representatives during duty hours without loss of pay. These circumstances are outlined in applicable MSC-union collective bargaining agreements.