



DEPARTMENT OF THE NAVY  
UNITED STATES NAVAL ACADEMY  
ANNAPOLIS, MARYLAND 21402

USNAINST 12711.1  
24/ER & SD  
28 May 85

USNA INSTRUCTION 12711.1

From: Superintendent

Subj: JOB ACTION CONTINGENCY PLAN

Ref: (a) SECNAVINST 12711.1

1. Purpose. To establish policy and guidance for dealing with job actions by employees and employee organizations.
2. Scope. This instruction applies to the Naval Academy, Naval Station and all activities with one or more bargaining units that receive civilian personnel services from the Civilian Personnel Department (CPD), United States Naval Academy (USNA).
3. Discussion

a. Applicable law (5 USC 7311) prohibits a federal employee from participating in a strike against the Federal Government; additionally, 5 USC 7116 provides that it is an unfair labor practice for a labor organization to call or participate in a strike, work stoppage, slowdown, or picketing of an agency in a labor management dispute, if such picketing interferes with an agency's operations. It is also an unfair labor practice for a labor organization to condone such activity by failing to take action to prevent or stop it. In spite of these prohibitions, there have been job actions which have seriously disrupted Federal agencies. Reference (a) requires naval activities with one or more bargaining units to prepare a plan for such a contingency; this instruction complies with that requirement.

b. The intent of contingency planning is to minimize the disruption of productive effort and interference with the orderly conduct of local activities' assigned missions. This will be accomplished by immediately pursuing termination of job action and calling upon other resources to maintain operations while employees are withholding their services. Nothing in this instruction should be interpreted as inhibiting an employee or a labor organization in the pursuit of legitimate labor organization activities.

4. Definitions

a. Job Action. As used in this instruction, the term refers to any concerted effort of employees to engage in a strike, work stoppage, slowdown, sick-out, illegal picketing or other unauthorized concerted activity intended to interfere with an activity's mission accomplishment. Such activity may or may not involve the participation of a union or other organized group.

b. Joint Local Operations Group (J-LOG). This ad hoc group will serve as the local point for action, coordination and guidance should a job action occur at an activity covered by this instruction. Composition of the J-LOG is defined in paragraph 5.

c. Central Action Group (CAG). This ad hoc group, chaired by the Deputy Assistant Secretary of the Navy (Civilian Personnel Policy/Equal Employment Opportunity), will serve as the central point for policy guidance and coordination within the Department of the Navy in the event a job action occurs.

d. Management Personnel. This term includes all military and civilian supervisory and management personnel.

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5. J-LOG Composition. When a job action occurs or appears imminent, the activity head shall immediately convene the J-LOG. This group will, as a minimum, consist of the following personnel:

Deputy for Operations (Chairman)	Commandant of Midshipmen
Civilian Personnel Director	Staff Judge Advocate
Head, Employee Relations & Services Div (Executive Assistant)	Academic Dean
Public Works Officer	Deputy for Management
Security Officer	Commanding Officer, Naval Station
Labor Advisor from Naval Civilian Personnel Command Capital Region (NCP C APR)	Public Affairs Officer

The activity head may appoint other members to the J-LOG as deemed appropriate.

6. Maintenance of Operations/Security. During a job action and dependent upon its nature, activities may be forced to curtail some normal functions. In these situations, activities will concentrate their personnel resources in three areas.

a. Continued Accomplishment of Assigned Mission. Mission accomplishment is, as always, of prime importance. During a job action, this objective may be achieved through selective use of the following actions: continued services of nonparticipating employees, use of managerial personnel to perform essential functions, use of temporary employees, temporary detail of employees, temporary closure of offices/departments considered to be nonmission essential, curtailment of services considered to be nonmission essential, use of military personnel to perform civilian functions, use of overtime, cancellation of annual or leave without pay, cancellation of training assignments, or any other permissible action deemed appropriate by the activity head.

b. Maintenance of the Physical Plant. Road, building and utility system maintenance will be accomplished through the use of nonparticipating employees and managerial personnel. Service and maintenance required to keep the physical plant in good repair and working order will be given priority over elective maintenance or alteration projects.

c. Maintenance of Physical Security. A job action may necessitate heightened security measures to guard against possible acts of disruption or vandalism. Consideration will be given to limiting access to naval property during a job action. Department heads will exercise increased security over all spaces, machinery, equipment, and materials under their cognizance. Military personnel may be assigned guard duties to augment the security police and guard force or to temporarily replace those civilian police officers and guards who are withholding their services.

#### 7. Communications During a Job Action

a. Communications With Employees. During a job action, quick and accurate communications with employees and their representative labor organization is essential. The J-LOG will coordinate all such communications. When a job action occurs, each department/office will provide the J-LOG, through the CPD, a listing of employees who are suspected of participating in the job action. Each identified employee and the appropriate labor organization will be notified in writing that the action is an illegal activity or an unfair labor practice, as appropriate, and will specify the consequences of continued action. In an attempt to end a job action, the J-LOG may communicate directly with the participating labor organization, but generally, an activity will conduct no negotiations while a job action is in progress.

b. Management Communications. During a job action, internal management communications will continue through existing communication systems. The activity head or the Civilian Personnel Director, as appropriate, will maintain communications with the next level of command, the CAG, and the NCPC CAPR.

c. Communications With the Public/Press. Job actions on Federal installations traditionally attract considerable public attention, and therefore, coordination of public communication efforts is important. The Public Affairs Officer (PAO) is the single point of contact for local, regional and national news media representatives, and the public. The PAO will be informed of any job action activity, incident, or event that has public affairs potential. Public and press inquiries will be referred to the PAO for resolution. No other management official is authorized to communicate with outside individuals or organizations during a job action without permission of the activity head. The PAO will review and approve all articles intended for release to the news media. The same functions will be provided tenant activities by the PAO, USNA, upon the request of the respective head of that activity.

#### 8. Responsibilities

a. Heads of Activities are responsible for the following:

- (1) Communication and coordination with their chain of command, the CAG, and the NCPC CAPR in the event a job action occurs or appears imminent.
- (2) Convening the J-LOG when such action occurs.
- (3) Completing, within 10 days of the start of a job action, an investigation into the circumstances surrounding the job action and documenting the results of the investigation.
- (4) Coordinating with the CAG any decisions concerning the maintenance of operations during a job action.
- (5) Coordinating with the CAG before making any commitments to a union in order to end a job action.

b. The Civilian Personnel Director is responsible for the following:

- (1) Annually reviewing and updating this plan.
- (2) Maintaining records required by reference (a).
- (3) Providing advice and assistance regarding job action contingency planning.
- (4) Documenting employee involvement in all suspected job actions. Such documentation will include the names of involved employees, the nature of the job action, time and dates of the activity, and management attempts to end the job action. During a job action, the CPD will collect the above information and document the involvement of labor organization officials.

  
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Distribution:

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