"Nominations Hearing: Federal Labor Relations Authority" Senate Committee on Homeland Security and Government Affairs September 18, 2013

OPENING STATEMENT -- SENATOR PORTMAN

I want to thank Chairman Carper and Ranking Member Coburn for scheduling this hearing, and Senator Tester for taking on the responsibility for chairing today's proceedings. I'd also like to thank the nominees for being here to answer the Committee's questions and for their commitment to public service. As a former nominee myself, I have sat on that side of the table on various occasions and know something of the experience. I believe each of you has been through prior confirmations hearings. But if you're at all like me, it's the sort of experience that seems unique on each occasion.

This nominations hearing comes at a critical time for the Federal Labor Relations Authority. The FLRA currently lacks a quorum and is largely unable to perform its statutory duties to adjudicate disputes arising under the Civil Service Reform Act, to decide cases concerning the negotiability of collective bargaining agreement proposals, to hear appeals concerning unfair labor practices and representation petitions, and to consider exceptions to grievance arbitration awards.

I'm told that over the course of the nearly nine months that the Authority has lacked a quorum, it has developed a backlog of well over 100 cases that have yet to be considered and decided. If you are confirmed, one of your most pressing priorities must be to address this backlog of cases in a timely and efficient manner. It will also be essential to attend to the FLRA's statutory responsibly to establish policies and guidance regarding the labor-management relations of the 1.6 million non-postal federal employees. I'm glad the administration and the Congress are taking the necessary steps get the FLRA back to work.

Even with a full complement of Members, the recent history of the FLRA has not been without its challenges. As we are all well aware, the Authority came in dead-last on the Partnership for Public Service's "Best Places to Work in the Federal Government" survey in 2005, 2007, and 2009. I'm pleased to note that the FLRA has made significant strides in terms of its internal management and now ranks number 8 out of 29 small agencies for employee satisfaction.

But I'm sure we can all agree that more must be done to ensure that the agency operates efficiently and effectively in fulfilling its responsibilities and in helping to foster lawful and productive relations between federal employees and government managers. I look forward to discussing these and other policy issues this afternoon.