

Statement of Catherine E. Bird
Before the Committee on
Homeland Security and Governmental Affairs
United States Senate
July 16, 2019

Chairman Lankford, Ranking Member Sinema, Members of the Committee, thank you for the opportunity to discuss my nomination to become General Counsel of the Federal Labor Relations Authority. I would like to thank the Committee on Homeland Security and Governmental Affairs and its staff for all the courtesies they have shown me as I have prepared for this hearing. Additionally, I would like to thank the staff at the FLRA who have provided assistance during this process.

To start, I would like to acknowledge my parents, Gary and Linda Hoyer, who are with me today. My mother, who has been a teacher for over 40 years and my father, who works as a computer programmer at Dallas Theological Seminary in Texas, helped mold me to who I am today. I am extremely grateful for their constant support and guidance in my life.

It is an honor and privilege to be nominated by President Trump to serve as the General Counsel of the FLRA.

I grew up in a household which values service to others. As I evaluated various career paths to utilize my law degree, I quickly chose to use it in service to the American people. Our federal government serves many critical roles, from providing national security to ensuring the safety of our food, air, and water; from preserving our majestic National Parks to caring for our wounded warriors or those suffering from the devastating effects of the opioid crisis. The American people count on the federal government every day in so many ways. I have the utmost respect for the work of our federal government and for the dedicated public servants performing that work. If confirmed as General Counsel of the Federal Labor Relations Authority, I can assure you of my commitment to ensure that all federal employees are treated fairly and that their rights under the Federal Service Labor Management Relations Statute are respected. In particular, I will uphold the rights of employees to form, join, or assist any labor organization, or to refrain from any such activity, and their right to engage in collective bargaining.

I also believe, as stated in the President's Management Agenda, that those in public service must be accountable for mission-driven results and that agencies must have the necessary tools and resources to deliver those results. If confirmed, I would be guided by the need to maintain the smooth functioning of our government and never lose sight of the fact that agencies, managers, and all employees should be constantly striving to deliver mission outcomes defined and authorized by Congress, to provide excellent service to the public, and to be effective stewards of taxpayer dollars on behalf of the American people. I truly value the incredibly diverse, complex, and challenging work our government does, and I consider the FLRA's mission to administer the Statute as integral to achieving a well-functioning government. If confirmed as General Counsel of the FLRA, I would be honored to be a part of the Federal Labor Relations Authority's leadership in promoting stable, constructive labor relations that contribute to a more effective and efficient government.

My career has provided me with the skill-set and experience needed to excel in the position for which I am being considered. During my time at the Department of Health and Human Services, I have worked on three specific issues that would benefit me if I were to be confirmed to this position.

First, I participated in term-bargaining negotiations on behalf of HHS management in discussion with the National Treasury Employees Union. This experience taught me the importance of an objective and impartial Federal Labor Relations Authority in ensuring that labor negotiations proceed efficiently and effectively. This first-hand experience of the collective bargaining process has given me a keen understanding and sense of the dynamics of the process and the ability to understand the process in a practical and not only theoretical manner. If confirmed as General Counsel, I will strongly support the need for good faith negotiations as envisioned in the Statute and case law, and I will apply the law independently and impartially.

Second, in my role as Principal Deputy Assistant Secretary for Administration, I oversaw a highly successful Federal Employee Viewpoint Survey program, centered on employee engagement. If confirmed, I vow to take employee engagement seriously and do everything within my authority to improve employee morale in the Office of the General Counsel. While I assist in the supervision of nearly 900 employees at HHS, I welcome the views and opinions of all employees and encourage them to speak their minds freely and respectfully. My time at HHS has taught me to rely on a wide range of employees at all levels when dealing with the complex issues that arise.

Third, in my role at HHS, and in other positions, I have been entrusted by employees to investigate complaints and address issues they have raised to my attention. These situations have required me to critically look at the facts of a case, apply applicable rules and regulations and come to a fair and impartial decision. I would apply a similar approach in evaluating charges of unfair labor practices or representational disputes at the FLRA, viewing each allegation with an open mind. My decisions would be grounded in the Statute, regulations, and case law, using my best, independent judgment in each case.

I believe that my experience and passion will provide value to not only the FLRA, but by embracing a customer-service approach, will also benefit the many federal agencies, labor organizations, and employees who rely on the work that FLRA does.

Thank you for considering my nomination. I look forward to answering any questions you may have.