

**May 8, 2008**

## **Bait and Switch When Seniority Means Management's Choice**

**Bruce Kelly, SPSE-UPTÉ President-elect**

SPSE-UPTÉ has been getting comments from employees, and I have seen comments on the blogs, along the lines of "if I had only been told about ... I would have made a different decision." These comments have been centered on making a different choice of retirement options if they knew a big layoff was coming. Those who chose TCP 1 (Total Compensation Package 1), but are not vested, will receive no retirement benefits if they are laid off. Now we expect similar discussions about taking the VSSOP if they had known LLNS was going to change layoff units between the voluntary and involuntary programs.

If you wonder what a layoff unit is, it is mentioned in the Lab's Personnel Policies and Procedures Manual. Recently, LLNS has been using the euphemism of "business unit". That change of wording goes a long way in trying to figure out why management has picked certain business units that don't seem to have anything to do with business. That is because they have everything to do with layoffs.

Lab policy also prominently mentions seniority as a factor in determining order of layoff. If you had a complete perspective on management's process, you'd see employees grouped first by Directorate, then by layoff unit, then by Skills/Knowledge/Ability (SKA) value, then there will probably only be two people that will have to worry about using seniority as a tie breaker. SKA value is either your four digit job code or a score given by management to 200 series employees. All of these little differences in what LLNS says and what is happening remind us of typical bait and switch advertising techniques.

I have also noticed some comments like "why isn't SPSE-UPTÉ doing something about this?" Here is my answer to that: what planet have you been vacationing on for the last couple of years? What we have been saying over and over again I will not repeat here, but seriously, getting some control in this situation is what collective bargaining is all about. It is a process whereby management and employees sit down and mutually decide what conditions they will work under. Neither side can wave a magic wand and say it shall be thus. There is nothing illegal about layoffs in and of themselves. The only thing that might be illegal is the effects of a layoff, which can only be mitigated after the fact. Management's mishandling of the layoffs 35 years ago caused the formation of SPSE. We expect it will be just as bad this time around.

The major difference back then was that we could not get collective bargaining in the public sector and now collective bargaining is legally available to us regardless of being public or private employees. Another segment of the Lab has already taken advantage of this change, has organized and is currently bargaining with LLNS. One of the best ways to show your support for collective bargaining is to join SPSE-UPTÉ. To do so, go to our website

at <http://www.spse.org/>, click on membership, and download, fill out, and submit a membership application.

Many of you probably think it is May 2008. You are wrong! It is May 1776 and you now have a choice to make. Either stand up for your rights or bow down to the kingdom of LLNS.

Forever!