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FEW Washington Update January 1-15, 2020

In Congress:

The biggest news in Congress has been impeachment. The second biggest news – entirely overshadowed by the biggest news – is that the year 2020 will not start, as other years have, with a federal government shutdown. That is because just two weeks ago, during the week before Christmas, the House of Representatives and the Senate finally passed a budget bill for the current fiscal year, and it was signed by President Trump.

FEW Washington Update – January 1-15, 2020 Tier I

Federal Paid Leave:

Not all federal employees are covered under the new paid parental leave law, at least not yet...

Tens of thousands of federal employees aren't covered under the new paid parental leave law Congress and the White House passed late last year with much fanfare, but lawmakers have a plan to address the mistake.

The Federal Employee Paid Leave Act (FEPLA), which the President signed into law in mid-December, grants employees up to 12 weeks of paid time off for the birth, adoption or foster of a new child.

But as it's written, FEPLA, unfortunately leaves out federal employees who aren't covered by Title 5, and the language at times is ambiguous as to whether workers covered by other statutes would also have access to new paid parental leave benefits.

Specifically, the paid parental leave law leaves out much of the Federal Aviation Administration, some employees at the Transportation Security Administration, non-judicial employees of the District of Columbia courts, the District of Columbia Public Defender Service, presidential employees and bankruptcy and magistrate judges.

Congress, however, has been made aware of what it's described as technical errors with the paid parental leave law practically since lawmakers first struck a deal to include it in the 2020 defense policy bill.

Senate Minority Leader Chuck Schumer (D-N.Y.) has already introduced a [bill](#) that would make the corrections needed to ensure all federal employees would have access to paid parental leave benefits.

The Federal Employee Parental Leave Technical Correction Act also clarifies coverage for Title 38 employees, congressional employees and others.

The bill has seven cosponsors, including Sens. Gary Peters (D-Mich.), Patty Murray and Maria Cantwell (D-Wash.), Brian Schatz (D-Hawaii), Jack Reed (D-R.I.), Tammy Duckworth (D-Ill.) and Sherrod Brown (D-Ohio).

Schatz had tried to pass the corrections by unanimous consent in the Senate before members left for the holiday recess, but the attempt failed.

FEW Washington Update – January 1-15, 2020 Tier II

Federal Workforce Pay:

Congress raised the ceiling for salaries for career federal employees on the General Schedule for 2020, which means that GS-15s can receive a maximum of \$170,800 this year – up from \$166,500 from 2019. Many federal workers may not be feeling particularly thankful for this raise, however, as a growing number of federal employees (those who have hit the pay ceiling) are left without the salary increase they may deserve.

This could be a particular problem for government agencies when it comes to keeping information technology (IT) and cybersecurity experts, as there is serious competition for talent in the private sector, which isn't constrained by such pay ceilings.

Worker retention is a growing problem across all sectors, with low unemployment and a significant number of job openings putting the power in the candidate's hands.

"There is a lot of demand for cyber in the workforce right now, and there just aren't enough people to go around," warned Chaitra M. Hardison, Ph.D., senior behavioral scientist at the RAND Corporation.

She has conducted research for the U.S. Air Force and has seen the constraints that the salary ceiling has created. "Those organizations outside of the government in the private sector are able to pay more money and attract more people than those who can't offer more. If the agency has a pay cap that can make it more difficult to retain the talent than those working in the private sector where there may be no cap."

The Office of Personnel Management (OPM) has laid out various incentives, which can include a recruitment incentive that "may be paid to an employee who is newly appointed to the Federal Government." This would be the first appointment, regardless of tenure, as a government employee.

See more [here](#)

Federal Retirement:

Several federal employee organizations have said that an opportunity may be at hand to gain relief from two Social Security-related offsets affecting many federal retirees, although that relief may come as less than a full repeal.

The two provisions are called the Government Pension Offset (GPO) and the Windfall Elimination Provision (WEP), both of which commonly affect those who are retired, or will retire, under the Civil Service Retirement System (CSRS) program which does not include Social Security. The former offset commonly reduces any personal Social Security benefit earned through other employment while the latter reduces and often eliminates a spousal or survivor Social Security benefit. While CSRS now makes up only about 5 percent of the active workforce, two-thirds of federal retirees went out under that system and about two-fifths of new retirees are under CSRS.

Early last year (as in past years) bills were introduced in both the House and Senate to fully repeal those offsets. While those bills have attracted co-sponsors, especially in the Democratic-controlled House, a full repeal bill has never been brought out of committee for voting on the House or Senate floor.

Late in 2019, less ambitious bills also were presented, including several to soften the impact of the WEP reduction—which can reduce an earned Social Security benefit by as much as about \$460 a month—by \$100 or \$150 a month. The latter measures are supported by several key Republicans as well as by Democrats.

“With the bipartisan support for a solution, there is renewed optimism that this issue will finally be addressed,” The Federal Managers Association (FMA) recently said. However, it added that while it supports the bills calling for full repeal, “we recognize that full repeal of these unfair cuts to Social Security benefits would be costly and full repeal is unlikely. That is why FMA also supports efforts that seek partial repeal, to help mitigate these unfair penalties on civil servants.

The National Active and Retired Federal Employees Association (NARFE) similarly recently said that while it too supports full repeal, the bipartisan WEP bill “would provide much-needed relief from the penalty for those currently affected, and improve fairness for future retirees . . . we urge both sides of the political aisle to work together on a compromise that improves fairness, provides real relief for current retirees, and, importantly, passes into law.”

See more [here](#)

FEW Washington Update – January 1-15, 2020 Tier III

Violence Against Women Act (VAWA):

The VAWA provides funding for services offered to victims of abuse or violence, including legal assistance, safe housing and counseling.

VAWA was originally introduced and passed in 1995 and must be re-authorized every five years. While the re-authorization has passed the U.S. House with bipartisan support, the Republican-led Senate is stalling.

Jenny McCaslin was in an abusive relationship for five years. She says it started as mental and emotional abuse but later turned into physical violence.

“He started punching me repeatedly in my face until I slumped over on the car door and when I got the handle open and I got out, he tackled me and he was sitting on top of me choking me,” said Jenny. “I was like staring into his eyes and it felt like nobody was there.”

Jenny tried to leave multiple times, even moving to a new city to escape her abuser, but he tracked her down.

“He showed up and kicked my apartment door in,” added Jenny. “I was like, ‘when will this ever end?’”

The VAWA provides funding for federal, state and local organizations that help women like Jenny during and after abusive relationships. For many Kansas organizations, especially those in rural areas, this funding is critical to keep services available.

“We help them do some planning on how they can keep themselves safe,” explained Kathleen Marker, CEO of the YWCA of Northeast Kansas.

Kathleen traveled to Washington D.C. to lobby for the VAWA, which the YWCA depends on to keep running their program.

“The Senate has some sticking points when it comes to who we serve,” said Kathleen.

Those sticking points include offering resources and protections to transgender people, adding further protections for Indigenous women and prohibiting anyone convicted of abuse from owning a gun. Republican Senator from Iowa, Joni Ernst, introduced a separate bill that leaves out these additions. So far, neither bill has been passed.

For Jenny, the resources provided by the act are vital.

“I was lucky enough to be able to provide for myself and move somewhere, else but a lot of people aren’t,” she said.

See the full article [here](#)

FEW receives information from the following sources and contacts: Roll Call, GovExec, FedScoop, Bloomberg, The Hill, KSNT, and Edgefield Adviser.