

Our Union coalition in action.

## **The coalition will ask the full appeals court to review the three-judge decision.**

Ken  
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### **FEDERAL TIMES ARTICLE**

Unions seek judicial review of court ruling upholding Pentagon personnel reforms

By TIM KAUFFMAN

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A coalition of Defense Department unions will ask for an all-judges review of an appeals court decision upholding contentious changes to workplace rules governing labor relations and employee appeals of disciplinary actions.

The changes, which the unions say would eviscerate collective bargaining rights and give supervisors unfettered sway in personnel decisions, were upheld May 18 in a 2-1 decision by the U.S. Court of Appeals for the District of Columbia Circuit. The decision reversed an earlier ruling by a district court judge, who said the new rules improperly infringed on employees' collective bargaining rights, failed to provide an independent third-party review of labor-management disputes, and lacked a fair process to resolve appeals of adverse management actions.

At a May 21 news conference, a coalition of 40 unions representing more than half of the 650,000 Defense Department employees who would ultimately be covered by the rules said they will ask the full appeals court to review the three-judge decision. The unions have until July 2 to file the request, and 10 appeals court judges have seven days to decide whether to accept or deny the request. Such reviews are rare, however, said Mark Roth, general counsel at the American Federation of Government Employees.

The unions may fare better in Congress, which could overturn the 2003 law authorizing the changes. The House voted overwhelmingly May 17 to block any changes to collective bargaining and appeals rights at the department, and union leaders are calling on their members to ask the Senate to do the same.

"We're not going to rest until these basic rights are restored," AFGE President John Gage said.