

United States Senate

WASHINGTON, DC 20510

July 23, 2019

Mr. Andrew M. Saul
Commissioner
Social Security Administration
6401 Security Blvd.
Baltimore, MD 21235

Dear Commissioner Saul:

We are writing to express our dismay that the Social Security Administration (SSA) refuses to bargain in good faith with union representatives. When your nomination was before the Senate, you committed to working transparently and in good faith with the unions representing workers at SSA. Now, you have an opportunity and responsibility to honor that commitment.

SSA already filed for impasse on its contracts with the American Federation of Government Employees (AFGE) and the National Treasury Employees Union (NTEU) as it insists on imposing anti-union and anti-worker policies. In light of SSA's request that the Federal Service Impasses Panel (FSIP) resolve its contract dispute with a branch of the International Federation of Professional and Technical Engineers (IFPTE), we urge your agency to end its unilateralism and return to the bargaining table.

The Association of Administrative Law Judges (AALJ), IFPTE Judicial Council 1, represents approximately 1,500 administrative law judges throughout the United States. These dedicated public servants bear the critical responsibility of determining disability claims for countless beneficiaries. In its negotiations with this union's representatives, we are concerned that SSA has insisted on extreme terms similar in substance to President Trump's Executive Orders 13836, 13837, and 13839, which the unions are challenging. It is apparent that SSA's conduct on this matter constitutes a deliberate attempt to reach an impasse.

SSA has sought to eliminate references to the Administrative Procedures Act, which ensures the judicial independence of administrative law judges, while also attempting to eliminate references to their judicial function. Given the nature and importance of disability claims, it is essential that the American public can rely on decisions that are fair and rational, free from any interference. IFPTE's collective bargaining agreement enables these judges to protect and preserve their judicial independence, in this way helping to ensure the due process rights of disability claimants.

We respectfully request explanations for the following questions:

1. Did the White House, Office of Management & Budget (OMB), or any entity outside of SSA provide direction or guidance on any proposals SSA negotiators have submitted? If so, please describe the nature and source of this direction or guidance.

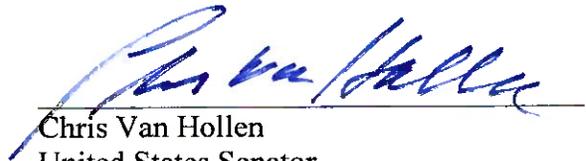
2. Please explain the demonstrated need for each of these proposals:
- a. setting contracts for all three unions at SSA to be for seven-year terms;
 - b. requiring the unions to submit unfair labor practices (ULPs) to the agency before filing with the Federal Labor Relations Authority (FLRA);
 - c. adding new requirements for information requests from the union;
 - d. putting telework at the sole discretion of the agency; and
 - e. limiting the ability to file grievances
3. What discretion did your negotiation team have in deviating from the seven-year contract term, the grievance proposal, or guidelines the White House, OMB, or any other entity may have issued to SSA management?

We urge SSA to return to the bargaining table with IFPTE immediately and negotiate in good faith. It must abandon its insistence on retrograde anti-union and anti-worker policies. We request immediate updates on the agency's next steps.

Sincerely,



Benjamin L. Cardin
United States Senator



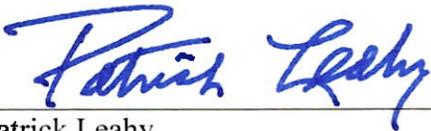
Chris Van Hollen
United States Senator



Charles E. Schumer
United States Senator



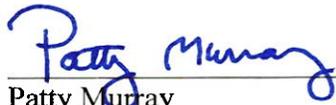
Richard J. Durbin
United States Senator



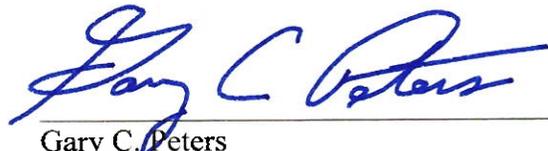
Patrick Leahy
United States Senator



Ron Wyden
United States Senator



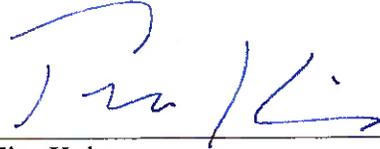
Patty Murray
United States Senator



Gary C. Peters
United States Senator



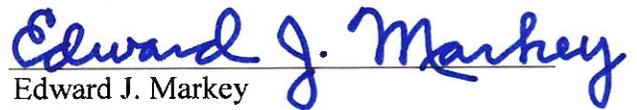
Mazie K. Hirono
United States Senator



Tim Kaine
United States Senator



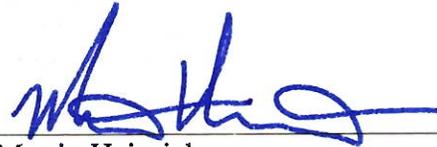
Kirsten Gillibrand
United States Senator



Edward J. Markey
United States Senator



Sherrod Brown
United States Senator



Martin Heinrich
United States Senator



Amy Klobuchar
United States Senator



Jeanne Shaheen
United States Senator



Bernard Sanders
United States Senator



Thomas R. Carper
United States Senator



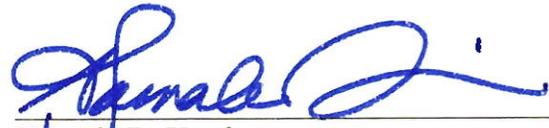
Tammy Duckworth
United States Senator



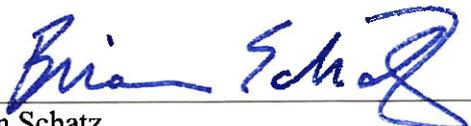
Margaret Wood Hassan
United States Senator



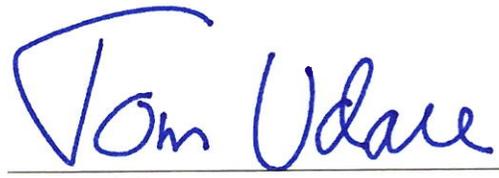
Mark R. Warner
United States Senator



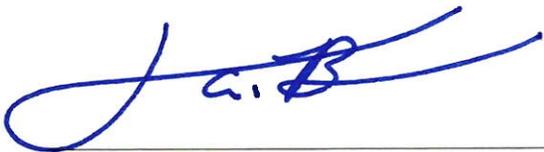
Kamala D. Harris
United States Senator



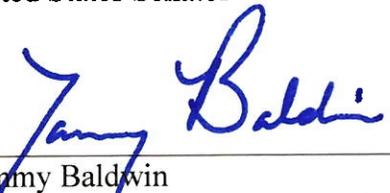
Brian Schatz
United States Senator



Tom Udall
United States Senator



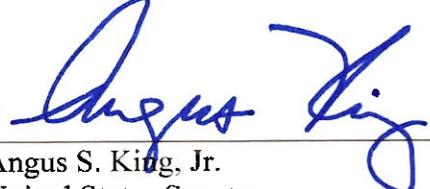
Cory A. Booker
United States Senator



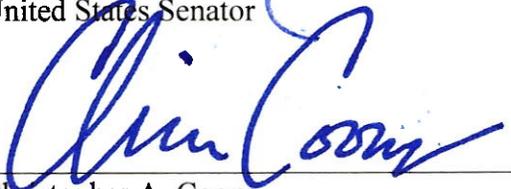
Tammy Baldwin
United States Senator



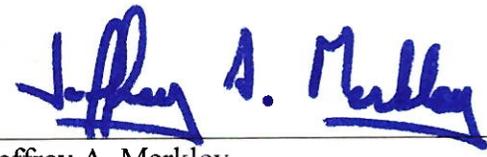
Joe Manchin III
United States Senator



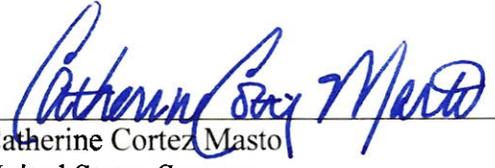
Angus S. King, Jr.
United States Senator



Christopher A. Coons
United States Senator



Jeffrey A. Merkley
United States Senator



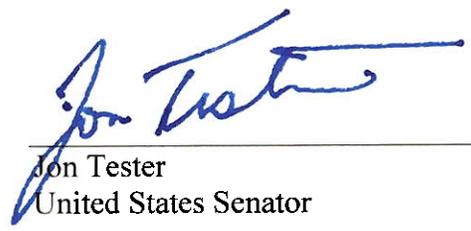
Catherine Cortez Masto
United States Senator



Debbie Stabenow
United States Senator



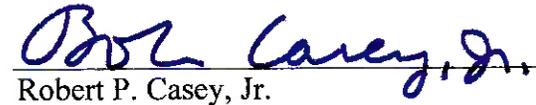
Tina Smith
United States Senator



Jon Tester
United States Senator



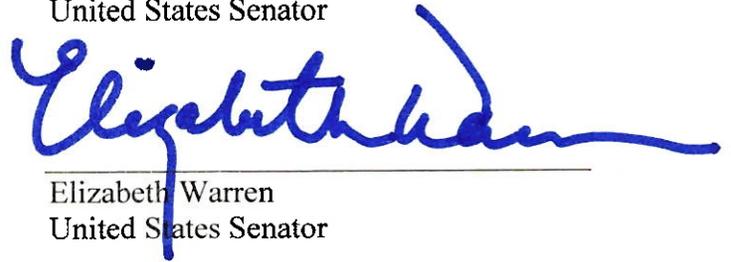
Sheldon Whitehouse
United States Senator



Robert P. Casey, Jr.
United States Senator



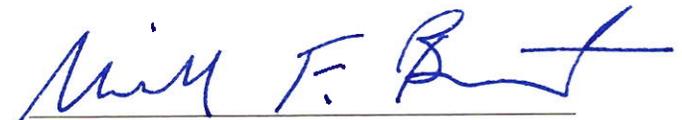
Richard Blumenthal
United States Senator



Elizabeth Warren
United States Senator



Jacky Rosen
United States Senator



Michael F. Bennet
United States Senator



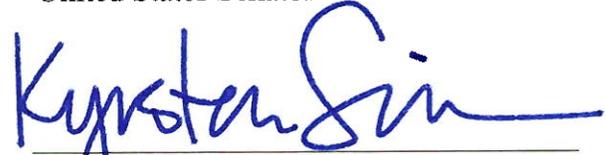
Christopher S. Murphy
United States Senator



Robert Menendez
United States Senator



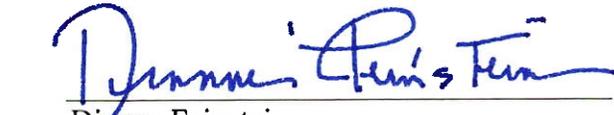
Maria Cantwell
United States Senator



Kyrsten Sinema
United States Senator



Jack Reed
United States Senator



Dianne Feinstein
United States Senator



Doug Jones
United States Senator