

United States Senate

WASHINGTON, DC 20510

January 7, 2022

Kilolo Kijakazi
Acting Commissioner
Social Security Administration
6401 Security Boulevard
Woodlawn, MD 21207

Dear Acting Commissioner Kijakazi:

We encourage you to take an active role in rebuilding the trust and purpose of the agency-labor relationship between the Social Security Administration and its unionized workforce, as well as ensuring timely, efficient service to the beneficiaries SSA is charged with supporting. The previous administration tore at the fabric of labor relationships and beneficiary responsiveness, and it will take your personal involvement and commitment to restore the productive, respectful working relationship that serves the American people best.

To ensure the agency is fulfilling its mission and addressing the needs of the American people, field and hearing operations must resume appropriate levels of in-person services. Americans across the country rely on the critical in-person services that SSA provides, and many – especially those in the most rural parts of our nation – have struggled to receive these much-needed benefits, such as Supplemental Security Income (SSI) awards, disability benefit approvals, and documents to qualify for public housing. This is especially true for our most vulnerable populations who continue to find difficulty in accessing SSA's online and telephone tools, and need access to critical in-person services with more flexibility than current emergency-only appointments.

Thoughtful, safe reopening can begin without threatening the health, safety, or morale of the workforce. We urge you to work with the unions and their subagency components to ensure that the work of SSA is carried out while continuing to provide telework and proper cleaning and distancing practices.

Former President Trump issued several anti-labor executive orders that threatened the future of federal employee labor unions. President Biden rightfully rescinded these executive orders early in his administration, and directed agencies to bargain new agreements based on new principles. There are not likely other collective bargaining agreements forced in place under Trump that are more reflective of his executive orders challenging all aspects of bargaining and union rights than those currently in place at SSA. We urge you to direct your Office of Labor-Management and Employee Relations (OLMER) personnel to recognize the many ways the forced contracts reflect Trump's priorities for labor and work to bargain new contracts. While doing so, we strongly urge you to restore the contracts that were in effect prior to 2019.

Further, we understand there is disagreement as to what aspects of bargaining should apply agency-wide with the American Federation of Government Employees and what rightly should be negotiated with agency components. Return to work is not a one-size-fits-all plan in an agency that has vital public-facing responsibilities in its field and hearings components and aspects of work in all components that has proven can be effectively accomplished through telework. We urge you to work with each component to ensure that the information, services and supports needed by the public and beneficiaries are provided, while also offering options for flexible telework and other work models throughout SSA to keep the workforce safe and healthy.

The head of every agency, including SSA, has signed its commitment to President's management agenda, which states:

"The Federal Government also must be a model employer with respect to worker organizing, collective bargaining, and labor-management partnership. Agencies should make it as easy as possible for their employees to communicate with union representatives and, if the employees choose, to join or organize a union. The Administration's philosophy is that Federal employee organizing is a good and productive workplace practice that it should facilitate. Managers and supervisors should remain neutral in all organizing campaigns, but also engage actively with their employees' unions on matters of consequence in the workplace. Agencies should work with their employees' unions to establish labor-management partnerships."

This should be the foundational principle to your relationship to SSA's unionized workforce. An equal commitment must also be made to those beneficiaries served by SSA, ensuring access to information and services that are responsive, timely and accurate. We look forward to learning what concrete steps you have taken to achieve these directives.

Sincerely,



Sherrod Brown
United States Senator



Chris Van Hollen
United States Senator



Benjamin L. Cardin
United States Senator



Robert P. Casey, Jr.
United States Senator