

COMMONWEALTH OF KENTUCKY
DEPARTMENT OF MILITARY AFFAIRS
FRANKFORT, KENTUCKY 40601-6168

Ky Technician Personnel Regulation
711

1 September 1992

Civilian Personnel

STATE LABOR RELATIONS PLAN

Federal Personnel Manual 711 dated June 24, 1986 contains the requirements for the State Labor Relations Plan. The manual outlines the plan for Labor/Management Relations within the Kentucky National Guard.

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This regulation supersedes Ky NGR 690-711/Ky ANGR 40-711 dated
9 September 1983.

CHAPTER 1

GENERAL PROVISIONS

1-1. Employee Participation in Establishing Personnel Policies. The Kentucky National Guard recognizes that the participation of its employees in the formulation and implementation of personnel policies affecting the conditions of their employment serves the interest of their own well-being and contributes to the efficient administration of the Kentucky National Guard's business.

1-2. Public Interest is Paramount in Conduct of Kentucky National Guard Business. At the same time the Kentucky National Guard shall take account of the fact that in its conduct of the Kentucky National Guard's business in its relationships with its employees and in its relationship with unions, the public interest is paramount.

1-3. Kentucky National Guard Requires High Standards of Employee Performance. In furtherance of the public interest, it is the continuing responsibility of the Kentucky National Guard to require high standards of employee performance and the continued development and implementation of modern and progressive work practices to facilitate improved employee performance and efficiency.

1-4. Principles to be Observed In Management Relations With Unions. More specifically, the Kentucky National Guard will:

(A) reserve to Kentucky National Guard management that right to manage, including the right to administer those provisions of any negotiated agreement (s) with which it is charged;

(B) accept the principle of bilateralism - Kentucky National Guard Management and the union - formulation of personnel policies and practices and working conditions;

(C) preserve the distinction between negotiable and non-negotiable matters provided in the governing public law;

(D) reserve the right to take whatever action is necessary to carry out the mission of the Kentucky National Guard in an emergency;

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(E) recognize employees' freedom of choice to join or not join unions and to select which union, if any, they wish to represent them;

(F) maintain strict neutrality in matters of union membership and unit elections of union representation;

(G) refrain from dominating or interfering with the formulation of or internal administration of any union;

(H) prohibit Kentucky National Guard managers from engaging in any activities with unions that would involve a real or potential conflict of interest with their duties and responsibilities as managers;

(I) extend full recognition to any certified union in its capacity as representative of all employees in the respective bargaining unit (s);

(J) negotiate and consult in good faith with certified unions on negotiable matters;

(K) recognize the right of the union to assure that management administers the agreement in accord with the intent of both parties;

(L) appreciate that differences may arise between management and unions even when both parties are acting in good faith;

(M) seek amicable resolution of differences between management and unions;

(N) recognize and utilize the services of third parties in accord with the intent of the Public Law (s) governing labor-management relations in the Federal Service;

(O) be aware of the interest of certified unions in non-negotiable matters directly and significantly affecting the employees in the bargaining unit (s) they represent by;

(1) exchanging information on such matters with the unions, when practical, and

(2) considering union views on such matters;

(P) view unions as self-sustaining organizations;

(Q) recognize the right of unions to reasonable access to employees in the bargaining unit (s) they represent;

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(R) guarantee union representatives against coercion, intimidation, harassment, or other retaliation as the consequence of union activities;

(S) maintain constructive, productive and cordial relations with authorized union representative;

(T) provide the training deemed necessary for all management officials who have any responsibility in connection with the Kentucky National Guard's relationship with unions; and

(U) evaluate periodically the quality of the Kentucky National Guard's relationship with unions in relation to the Kentucky National Guard's approved management philosophy.

1-5. Kentucky National Guard to Seek Cooperation of Unions. Finally, the Kentucky National Guard will, in keeping with the concept of bilateralism, the principle that the public interest is paramount, and the provisions of the governing public law, actively and conscientiously seek the cooperation of unions in minimizing the adversary aspects of the mutual relationship and maximizing the productive benefits to employees, the unions, and the Kentucky National Guard.

The proponent of this regulation is KG-SPMO. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications) to the Department of Military Affairs, ATTN: KG-SPMO, 220 Hawkeegan Drive, Suite 2, Frankfort, KY 40601-6168.

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