

RESOLUTION NO. 8

DUE PROCESS

WHEREAS, federal procurement agencies have the authority to bar service contract workers from working on their facilities; and

WHEREAS, there have been instances over the years when some federal service contractors have manipulated that authority in efforts to avoid the grievance/arbitration procedure in a collective bargaining agreement by having procurement agency officials bar employees; and

WHEREAS, there have been other instances when procurement agency officials have, on their own, barred service contract employees from working on their facilities with little or no evidence of wrong-doing by those employees or simply on the word of some individuals when there is considerable evidence that the service contract employees did not violate any law or rule and/or that the employees were simply following orders from their management; and

WHEREAS, in most cases, the federal agencies do not permit the service contract employees any hearing on the issue, let alone any rights approaching due process, when they deprive those employees from earning their livelihood;

NOW, THEREFORE, it is hereby

RESOLVED, that this ITPE Convention and the ITPE urge all federal procurement agencies to provide service contract employees the right to a due process hearing before a neutral Administrative Law Judge before or shortly after any such agency issues a directive which bars a service contract employee from working on a federal facility; and it is further

RESOLVED, that this ITPE Convention and the ITPE urge and support an amendment to the Federal Acquisition Regulations ("FAR") to require such due process hearing.