

New Public Transit Subsidy: Estimate on the High Side, Return Excess

USPTO officials have recommended that participants in the upcoming expanded public transit subsidy program estimate their transit benefit on the high side on their applications, including extra trips to the office for



Union and USPTO negotiators witnessed the signing of the Public Transportation Subsidy Program in May. Seated L to R: POPA President Ronald Stern, USPTO Office of Finance Director Michelle Picard, NTEU Chapter 245 President Howard Friedman, NTEU Chapter 243 President Melvin White. Standing L to R: Kim Walton, Michael Briskin, Tom Hellmer, Dave Dalke, Mitchell Front, Steven Berk, Howard Locker, Vinh Luong. Not Pictured: Kathleen Duda.

voluntary overtime.

The new Public Transportation Subsidy Program—resulting from an agreement signed May 13 by POPA, the USPTO, and National Treasury Employees Union Chapters 243 and 245—will allow up to \$100 for public transit expenses only, and cannot pay more than actual commuting costs. In estimating actual costs, the agency expects employees to factor in upcoming vacation days, extra trips due to voluntary work days or varying schedules, and extra mid-day trips to care for family members. For example, if an employee comes to work voluntary overtime on a non-scheduled work day, the public transit cost is considered a legitimate commuting expense.

Because of the unforeseen possibility of added commuting expenses, USPTO Financial Accounting Division Manager Tom Hellmer recommended in an early May meeting that employees “should estimate on the high side and the obligation is to return the excess” to the agency at the end of each quarter. In agreeing to participate in the program, employees agree, and are obligated, to refund all excess funds at the end of each quarter or face disciplinary action.

How to Apply for the Subsidy

In addition to offering up to \$100 potential subsidy, the
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Examiners Call Office Overcrowding an “Outrage”

Earlier this year POPA asked bargaining unit members to recount their experiences with office overcrowding because the USPTO claims that no evidence exists that doubling employees disrupts work. Therefore, the agency says, no productivity adjustment is justified.

The response from examiners was loud and clear. One examiner summed up the responses to such agency thinking by stating succinctly, “It is an outrage!”

Following are excerpts from a few of the many letters received from impacted examiners, all attesting to the disruption.

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Overcrowding is not a morale booster under any circumstance. It seems to be a foundation here at the PTO that high morale is not valued or necessary. The real problem is not only being doubled-up, but being doubled-up in a 10 x

15 ft. office. When you add two people to a room that’s meant for one, it’s worse than prison. Most prisoners get at least a 8 x10 ft. cell, according to Amnesty International. So maybe we’re being punished. I believe that if you double up management at the top and go downward there will be no need for the examining corps to complain. Morale is what brings people through the worst of times. Management has the right to either improve the situation or sink the ship.

* * *

Doubling up employees at GS-13 has negative effects on our work performance and productivity: 1) The office mate is usually someone at a lower GS level, needs helps, and asks a lot of questions. It would be very unfair to turn our backs on our fellow examiners and not help them; 2) They have

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New Public Transit Subsidy

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new program significantly changes the procedures for applying and receiving the benefit. The new procedure requires participants to submit a Public Transportation Subsidy (PTS) application form at least one month in advance of every benefit quarter that certifies an estimation of monthly public transit commuting costs. The application is to be sent via e-mail to the program coordinator with a copy forwarded to the employee's supervisor. This is an improvement over the agency's original plan to require supervisory certification of each employee's estimation. It relieves the burden on supervisors, eliminates the ability of supervisors to hold up the subsidies for non-relevant reasons, and speeds the payment process.

The Office of Finance will provide an automated response to each PTS application form submitted. If the PTS application form is submitted late, the employee loses the first month of the quarterly benefit.

Also new to the program is the USPTO requirement for a new estimate and PTS application form every quarter. The ability to save the electronic version of the form and resubmit it with changes via e-mail eases that process.

The new benefit kicks in at the beginning of the next quarter, July 1. Participants must submit the new application form no later than June 3 (first business day of the month as June 1 falls on a Saturday). The new PTS application form is available as a link in the e-mail "What's New at the USPTO."

Examiners: Overcrowding an 'Outrage'

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friends, supervisors and mentors (primary examiner from their art unit often assigned to help them) who stop to talk. The above happen often at the time the other examiner is in full concentration and then loses track of ideas from the disturbance. It's definitely a distraction.

* * *

I was doubled up the same day I started the full signatory program. My new roommate is a new examiner and I don't mind answering any of his questions, but it takes my time. [This] unavoidably affects my concentration and therefore productivity while I have to have at least 10 counts every biweek just for 100 percent. Productivity adjustment would certainly help in the situation as a temporary measure, but resolving the problem of overcrowding by having every examiner in a private office is the only real solution.

* * *

We have two GS-12s in inside offices that cannot be doubled. No effort was made to allow those senior to these examiners the opportunity to switch offices. I have seniority over both of these examiners in the inside offices. At the time that one office was empty, my SPE knew of a plan in the works to double me in an outside office. He refused to even give me notice of such a plan so I could request the office switch. I have now been doubled for about 18 months.

And I can testify that even at a GS-12 level there is an impact on the workload and amount of disturbance a new examiner contributes. Especially when [SPEs] expect you to answer questions posed by the new examiner but refuse to allow you to take any "training" time to compensate for it. It is funny, I'm allowed to take "training" time if anyone else stops and asks me a question, but not if my officemate does.

* * *

I have been GS-13 for more than a year and am doubled up. My desk chair cannot be moved close enough to my desk to sit at it. My phone does not reach my desk. It is difficult to open a case and discuss it with an attorney. I had to throw out years of notes, class material and reference material. Extra furniture was trashed even though I used it to store cases. This, despite the fact that many rooms are available that could be built out.

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Disruption:

- Cannot perform personal interviews in office. Have to look for an available conference room or borrow SPE's or co-worker's office.
- Disrupted by roommate who is usually new examiner in other art unit with questions regarding [automation tools] problems, how to get office supplies, fax, printer location, etc.
- Disrupted by roommate being trained in the same office by his/her primary examiner or SPE.

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2001 POPA Cash Flow and 2002 Budget

	2001 Actual	2002 Budget
Income		
Dues	\$193,985.00	\$194,000
Other income, including interest\$	\$ 7,247.79	\$ 6,500
Total Income	\$201,232.79	\$200,500
Expenses		
Litigation and lobbying	\$103,405.90	\$105,000
Newsletter	\$ 22,384.74	\$ 30,000
National Activities	\$ 10,478.50	\$ 13,000
Books & Periodicals	\$ 9,263.44	\$ 10,000
Elections	0	\$ 3,000
Administrative	\$ 8,743.17	\$ 11,000
Membership	\$ 11,538.79	\$ 12,000
Membership Meetings	\$ 9,029.58	\$ 8,000
Capital Expenditures	\$ 1,703.53	\$ 6,000
Total Expenses	\$176,547.65	\$198,000
Net Addition to Reserves	\$ 24,685.19	\$ 2,500

Notes

National Activities: Membership dues and conference fees for national organizations such as Public Employees Roundtable and the Society of Federal Labor Relations Professionals

Administrative: Includes expenses for accounting, secretarial, postage, office supplies, insurance, equipment and software, service charges and miscellaneous

Membership: Membership incentives, including purchase of *The Federal Personnel Guide* for current and anticipated new members

