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FINAL REPLY:

Steven R. Cohen
Office of Personnel Management (OPM)

TO:

Agency Heads

FOR SIGNATURE OF : ** GRN ** CRC NO: 01-0143

DESC:

ROUTING:

Guidance for Implementing Executive Order 13203 -- Travers
Labor Management Partnerships Paperiello
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Craig
ATE: 03/07/01 Burns/Cyr

DATE: 03/07/01

ASSIGNED TO: CONTACT:

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SPECIAL INSTRUCTIONS OR REMARKS:

For Appropriate Action.

OFFICE OF THE SECRETARY
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ACTION OFFICE: EDO

AUTHOR: STEVEN COHEN
AFFILIATION: OPM
ADDRESSEE: AGENCY HEADS
SUBJECT: GUIDANCE FOR IMPLEMENTING EXECUTIVE ORDER 13203

ACTION: Appropriate
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OFFICE OF THE DIRECTOR

UNITED STATES
OFFICE OF PERSONNEL MANAGEMENT

WASHINGTON, DC 20415-0001

MAR 1 2001

MEMORANDUM FOR HEADS OF DEPARTMENTS AND AGENCIES

FROM: STEVEN R. COHEN 
Acting Director

SUBJECT: Guidance for Implementing Executive Order 13203

Through Executive Order 13203, dated February 17, 2001 (copy attached), President Bush revoked Executive Order 12871 of October 1, 1993 (Labor-Management Partnerships) as well as all executive orders that amended it. The President also revoked the Presidential Memorandum of October 28, 1999, which reaffirmed EO 12871, and dissolved the National Partnership Council. OPM is issuing this guidance memorandum to help agencies meet the requirements of Executive Order 13203.

Section 1 of Executive Order 13203 abolishes the requirement previously imposed on agencies to form labor-management partnerships and partnership councils, as well as the mandate to bargain on matters covered by 5 USC Section 7106(b)(1). The Order does not prescribe any particular approach to labor-management relations. Agencies have discretion under the Federal Service Labor-Management Relations Statute (5 USC Chapter 71) to adopt a labor relations strategy best suited to their own needs.

In Section 3 of the Order, the President directed the Office of Personnel Management and the heads of executive agencies to "promptly move to rescind any orders, rules, regulations, guidelines, or policies implementing or enforcing Executive Order 12871....or the Memorandum, to the extent consistent with law." To fulfill this directive, OPM is withdrawing its Guidance for Implementing Labor-Management Partnerships (December 1993) and its Guidance for Implementing the President's Memorandum Reaffirming Executive Order 12871 (February 2000). We remind agencies of the obligation to thoroughly review their own orders, rules, regulations, guidelines, and policies to ensure compliance with Section 3 of the President's Order.

If your staff have any questions about this guidance or Executive Order 13203, they may contact Jeffrey Sumberg, Director of the Office of Labor and Employee Relations. He can be reached by phone at (202) 606-2639 or by e-mail at jsumberg@opm.gov.

Attachment

Presidential Documents

Executive Order 13203 of February 17, 2001

Revocation of Executive Order and Presidential Memorandum Concerning Labor-Management Partnerships

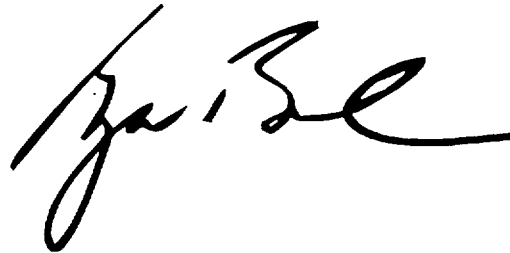
By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered that:

Section 1. Executive Order 12871 of October 1, 1993, as amended by Executive Orders 12983 and 13156, which established the National Partnership Council and requires Federal agencies to form labor-management partnerships for management purposes, is revoked. Among other things, therefore, the National Partnership Council is immediately dissolved.

Sec. 2. The Presidential Memorandum of October 28, 1999, entitled "Reaffirmation of Executive Order 12871—Labor-Management Partnerships" (the "Memorandum"), which reaffirms and expands upon the requirements of Executive Order 12871 of October 1, 1993, is also revoked.

Sec. 3. The Director of the Office of Personnel Management and heads of executive agencies shall promptly move to rescind any orders, rules, regulations, guidelines, or policies implementing or enforcing Executive Order 12871 of October 1, 1993, or the Memorandum, to the extent consistent with law.

Sec. 4. Nothing in this order shall abrogate any collective bargaining agreements in effect on the date of this order.



THE WHITE HOUSE,
February 17, 2001.