



FLRA NEWS

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FEDERAL SERVICE IMPASSES PANEL RATIFIES PRIOR DECISIONS

Today, the Federal Service Impasses Panel (“FSIP”) announced it has ratified all of the final decisions and orders that it issued between September 2017 and November 25, 2019.

FSIP took this action in light of President Trump’s November 12, 2019 memorandum concurrently delegating authority to the Federal Labor Relations Authority (“FLRA”) to remove FSIP members. The President’s memorandum was designed to facilitate effective supervision of the FSIP by the FLRA, of which the FSIP is a sub-component, so as to remove any doubt regarding the constitutionality of its structure and the validity of its decisions.

In announcing the ratification, FSIP Chairman Mark A. Carter stated: “For over 40 years, FSIP has provided prompt and effective assistance in resolving federal-sector bargaining impasses. During that time, the FSIP’s Chairman and members have been subject to appointment and removal by the President alone, while its orders and decisions have been subject to review both by agency heads and the FLRA via the unfair labor practice procedure.”

“The President’s recent memorandum reaffirms that FSIP is structured as a sub-component of the FLRA that is subject to its concurrent oversight. We welcome the clarification, and have taken the step of reaffirming our decisions and orders since September 2017 in order to remove any doubt about the validity of our orders and the constitutionality of our structure.”

FSIP is a sub-component of the FLRA that resolves bargaining impasses between federal agencies and unions after mediation efforts have failed. FSIP’s members are Presidential appointees who serve on a part-time basis as needed to hear cases.

The November 25, 2019 minute of FSIP’s action ratifying its decisions can be viewed [here](#).

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The FLRA administers the labor-management-relations program for 2.1 million non-Postal federal employees worldwide, approximately 1.2 million of whom are represented in 2,200 bargaining units. It is charged with providing leadership in establishing policies and guidance related to federal-sector labor-management relations and with resolving disputes under, and ensuring compliance with, the Federal Service Labor-Management Relations Statute.

FSIP resolves impasses between federal agencies and unions representing federal employees arising from negotiations over conditions of employment under the Statute and the Federal Employees Flexible and Compressed Work Schedules Act.