

Congress of the United States
Washington, DC 20515

February 6, 2020

The Honorable Alex M. Azar II, Secretary
Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Secretary Azar,

We write to urge you to return to the bargaining table and negotiate employment contracts in good faith with unions representing employees of the Department of Health and Human Services (HHS). HHS is required by law to negotiate in good faith and doing so is critical for its mission to protect the health and well-being of Americans.

HHS management failed to negotiate in good faith with union representatives when management walked out on negotiations after just one day of discussions last year. By failing to negotiate in good faith, HHS is in violation of federal law. The Federal Service Labor-Management Relations Statute requires that HHS, like other federal agencies, “shall meet and negotiate in good faith for the purposes of arriving at a collective bargaining agreement.”¹

This violation of labor laws is particularly troubling because HHS employees serve critical functions in protecting the safety of Americans. The tens of thousands of individuals that work at HHS all play an important role in helping the Department meet its mission “to enhance and protect the health and well-being of all Americans.”² Dedicated public servants shouldn’t have to divert their attention from helping HHS meet its mission to worry about the burden of anti-employee policies because management is failing to negotiate in good faith.

On September 30, 2019, an arbitrator found that HHS “committed an Unfair Labor Practice by bargaining in bad faith.”³ Following this decision, the head of one of the unions representing HHS employees wrote to you requesting that negotiations be resumed.⁴ We understand that you have not responded to this request, and we urge you to return to the negotiating table as soon as possible.

¹ Civil Service Reform Act of 1978, Pub. L. No. 95-454, § 701 (1978); 5 U.S.C. §§ 7114(a)(4) and 7102(2)

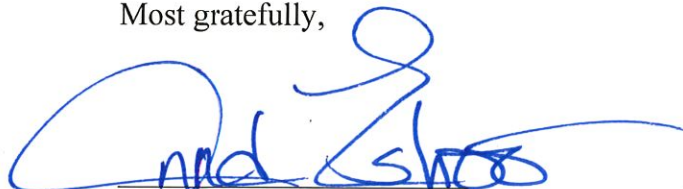
² “About HHS,” HHS.gov, accessed December 6, 2019, <https://www.hhs.gov/about/index.html>.

³ *Department of Health and Human Services v. National Treasury Employees Union* (September 30, 2019) (Robert A. Creo, Arb.)

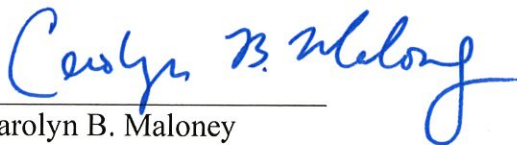
⁴ Anthony M. Reardon, “Letter to Secretary Alexander M. Azar II,” October 7, 2019, <https://www.nteu.org/~media/Files/nteu/docs/public/hhs/2019/letter-to-secretary-azar-re-bad-faith-ba.pdf>.

For the sake of the health and well-being of your employees and all Americans, we urge you to return to the negotiating table with unions representing HHS employees.

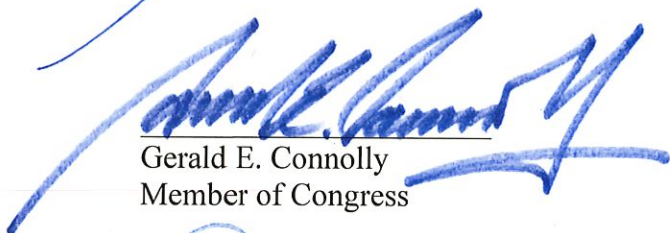
Most gratefully,



Anna G. Eshoo
Member of Congress



Carolyn B. Maloney
Member of Congress



Gerald E. Connolly
Member of Congress



Rosa L. DeLauro
Member of Congress



Peter Welch
Member of Congress



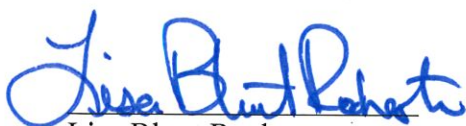
Eliot L. Engel
Member of Congress



Doris Matsui
Member of Congress



G. K. Butterfield
Member of Congress



Lisa Blunt Rochester
Member of Congress



Bobby L. Rush
Member of Congress



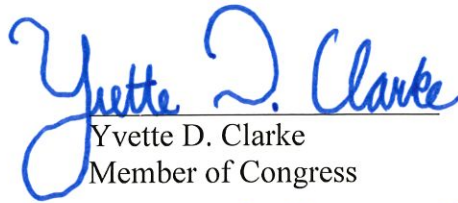
Kathy Castor
Member of Congress



Tony Cárdenas
Member of Congress



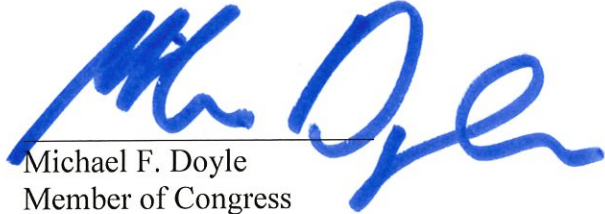
Kurt Schrader
Member of Congress



Yvette D. Clarke
Member of Congress



Mark Takano
Member of Congress



Michael F. Doyle
Member of Congress



Jerry McNerney
Member of Congress



Marc A. Veasey
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Darren Soto
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Janice D. Schakowsky
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Brenda L. Lawrence
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Jackie Speier
Member of Congress



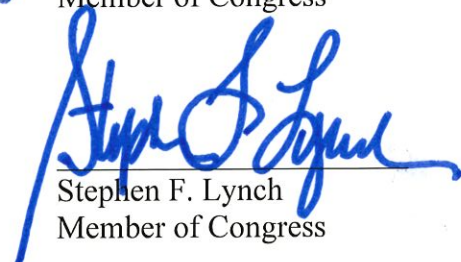
Eleanor Holmes Norton
Member of Congress



Jamie Raskin
Member of Congress



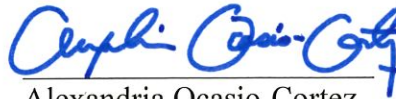
Ro Khanna
Member of Congress



Stephen F. Lynch
Member of Congress



Mark DeSaulnier
Member of Congress



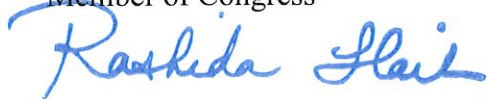
Alexandria Ocasio-Cortez
Member of Congress



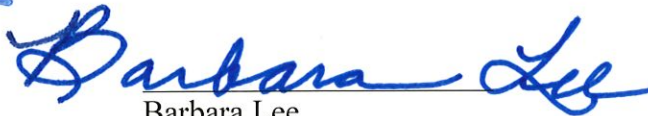
Deb Haaland
Member of Congress



Jimmy Gomez
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Rashida Tlaib
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Barbara Lee
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Lucille Roybal-Allard
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Mark Pocan
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Bonnie Watson Coleman
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Cheri Bustos
Member of Congress



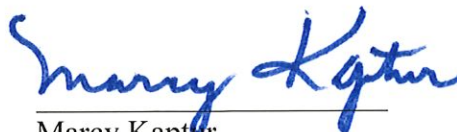
Betty McCollum
Member of Congress



Tim Ryan
Member of Congress



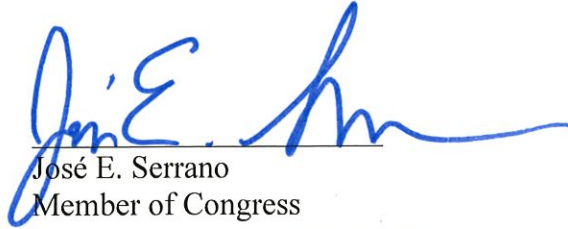
Henry Cuellar
Member of Congress



Marcy Kaptur
Member of Congress



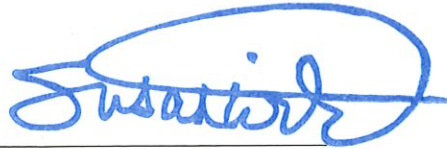
C. A. Dutch Ruppertsberger
Member of Congress



José E. Serrano
Member of Congress



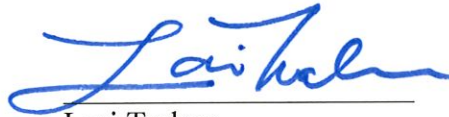
Norma J. Torres
Member of Congress



Susan Wild
Member of Congress



Andy Levin
Member of Congress



Lori Trahan
Member of Congress



Donald Norcross
Member of Congress



Marcia L. Fudge
Member of Congress



Haley M. Stevens
Member of Congress



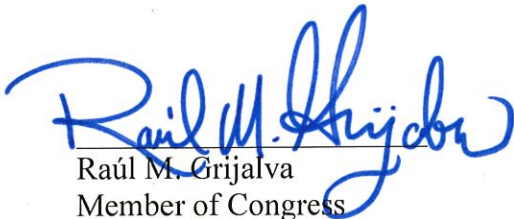
Donna E. Shalala
Member of Congress



Joe Courtney
Member of Congress



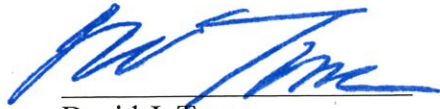
Lucy McBath
Member of Congress



Raúl M. Grijalva
Member of Congress



Gregorio Kilili Camacho Sablan
Member of Congress



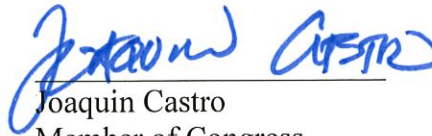
David J. Trone
Member of Congress



Ilhan Omar
Member of Congress



Pramila Jayapal
Member of Congress



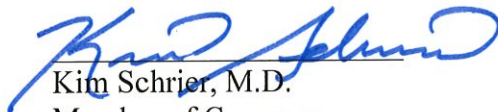
Joaquin Castro
Member of Congress



Jahana Hayes
Member of Congress



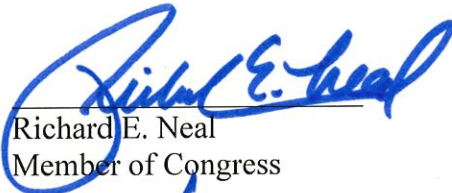
Suzanne Bonamici
Member of Congress



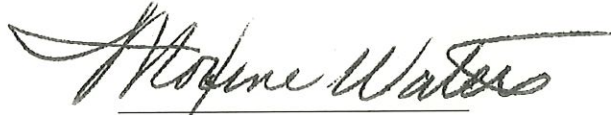
Kim Schrier, M.D.
Member of Congress



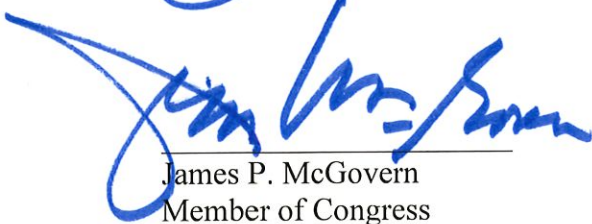
Zoe Lofgren
Member of Congress



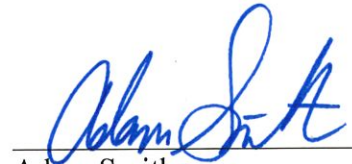
Richard E. Neal
Member of Congress



Maxine Waters
Member of Congress



James P. McGovern
Member of Congress



Adam Smith
Member of Congress



John A. Yarmuth
Member of Congress



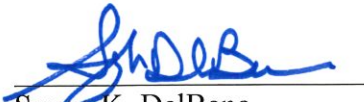
Peter A. DeFazio
Member of Congress



Ted W. Lieu
Member of Congress



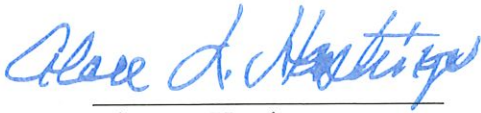
John Lewis
Member of Congress



Suzan K. DelBene
Member of Congress



Mike Thompson
Member of Congress



Alcee L. Hastings
Member of Congress



Bill Foster
Member of Congress



Brad Sherman
Member of Congress



Chris Pappas
Member of Congress



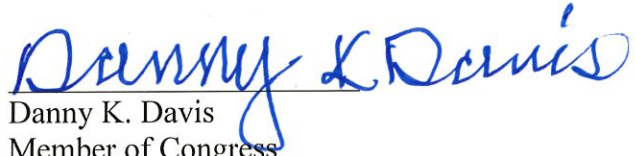
Dina Titus
Member of Congress



Donald M. Payne, Jr.
Member of Congress



Veronica Escobar
Member of Congress



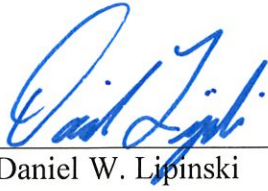
Danny K. Davis
Member of Congress



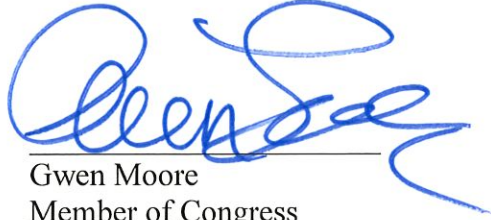
Jennifer Wexton
Member of Congress



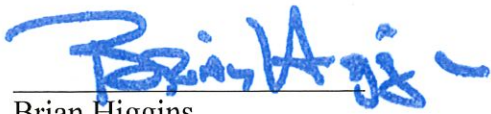
Anthony G. Brown
Member of Congress



Daniel W. Lipinski
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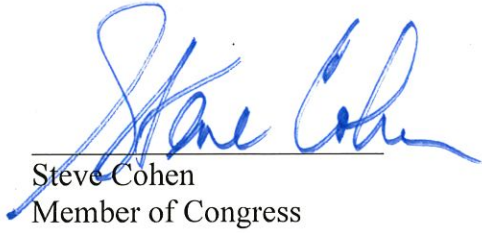
Gwen Moore
Member of Congress



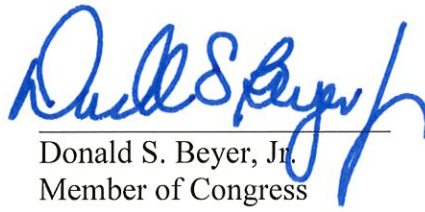
Brian Higgins
Member of Congress



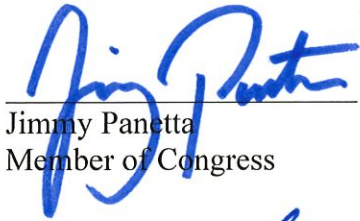
Linda T. Sanchez
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Steve Cohen
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Jimmy Panetta
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Juan Vargas
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Rick Larsen
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Elaine G. Luria
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Alan Lowenthal
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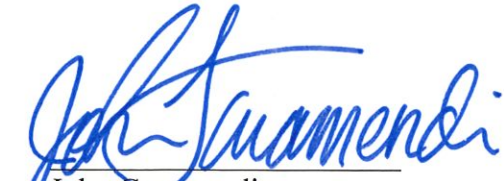
Eric Swalwell
Member of Congress




Adriano Espaillat
Member of Congress



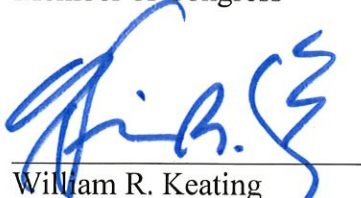
David N. Cicilline
Member of Congress



John Garamendi
Member of Congress


Albio Sires
Member of Congress



Filemon Vela
Member of Congress



Angie Craig
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William R. Keating
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David Scott
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Sylvia R. Garcia
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Joe Neguse
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Earl Blumenauer
Member of Congress


Joseph P. Kennedy, III
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Seth Moulton
Member of Congress