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Labor Management Relations During a Shutdown

Below are questions and answers about labor management relations during a shutdown furlough.

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Will union officials have access to their union offices if they are in furlough status?

Generally, access to facilities during a furlough may be restricted based on funding, security or other issues. Depending on agency operations, a particular facility, or portions of a facility, may be fully or partially operational.

Nonduty status should not prevent a union official access to a union office during a period of furlough solely on the basis that they are not in a duty status. Access for representational purposes would be subject to each facility’s requirements at the time, including provisions in the applicable [Collective Bargaining Agreement](#) (CBA).

Can union officials work on "official time" during a shutdown?

The Office of Personnel Management (OPM) has issued guidance allowing official time in certain circumstances during the shutdown. The revised guidance now allows official time to perform representational duties related to management’s excepted activities under the Antideficiency Act.

Official time will be allowed when those excepted activities trigger representational rights under the CBA or under 5 USC Chapter 71 (e.g., formal discussion, *Weingarten* meetings or representation of an employee in connection with an adverse action). It is important to remember that under the shutdown, management must only engage in excepted activities.

Therefore, any management activity that is not necessary to avoid significantly compromising the safety of human life or the protection of property must be delayed until the shutdown ends.

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