

II. EMPLOYEE PARTICIPATION IN LABOR ORGANIZATION ACTIVITIES

A. EMPLOYEE RIGHTS

(1) Right to Join or Not to Join

All employees have the right, freely and without fear of penalty or reprisal to form, join, or assist any labor organization or to refrain from any such activity pursuant to 5 U.S.C. 7102.¹ It should be noted that this includes joining more than one union at the same time.

(2) Right to Act for a Labor Organization

Federal employees are free to assist any labor organization. This freedom, subject to the limitation discussed in Part II.B. below, extends to participating in the management of the union and acting in the capacity of a union representative and includes presenting union views to heads of agencies and other officials of the executive branch of the Government, the Congress, or other appropriate authorities.

Active participation in legitimate union activities does not immunize an employee from disciplinary action for employee misconduct when such discipline is warranted; e.g., when an employee violates an agency rule.

(3) Right to Engage in Collective Bargaining

Federal employees have the right to engage in collective bargaining with respect to conditions of employment as defined in 5 U.S.C. 7103(a)(14) through representatives chose by employees under 5 U.S.C. 7111.

(4) Right to Support or Oppose Labor Organizations

An agency must permit all employees of the activity or installation, except those to whom special limitations apply, (see Part 11.8.) to support or oppose labor organizations within the following guidelines:

(a) Solicitation of Support

Employees have the right to engage in solicitation for or against a labor organization during non-working time in non-work areas. Employees should also be permitted to engage in normal person-to-person communications regarding labor organizations at the work place. Discussions between

¹ "Employee", "Labor Organization", and other significant terms are defined in Appendix A.