

Subchapter I: General Provisions

§ 7101. FINDINGS AND PURPOSE

- (a) The Congress finds that -
- (1) experience in both private and public employment indicates that the statutory protection of the right of employees to organize, bargain collectively, and participate through labor organizations of their own choosing in decisions which affect them-
 - (A) safeguards the public interest.
 - (B) contributes to the effective conduct of public business, and
 - (C) facilitates and encourages the amicable settlements of disputes between employees and their employers involving conditions of employment. and
 - (2) the public interest demands the highest standards of employee performance and the continued development and implementation of modern and progressive work practices to facilitate and improve employee performance and the efficient accomplishment of the operations of the Government. Therefore, labor organizations and collective bargaining in the civil service are in the public interest.
- (b) It is the purpose of this chapter to prescribe certain rights and obligations of the employees of the Federal Government and to establish procedures which are designed to meet the special requirements and needs of the Government. The provisions of this chapter should be interpreted in a manner consistent with the requirement of an effective and efficient Government.

§ 7102. EMPLOYEES' RIGHTS

- Each employee shall have the right to form, join, or assist any labor organization, or to refrain from any such activity, freely and without fear of penalty or reprisal, and each employee shall be protected in the exercise of such right. Except as otherwise provided under this chapter, such right includes the right -
- (1) to act for a labor organization in the capacity of a representative and the right, in that capacity, to present the views of the labor organization to heads of agencies and other officials of the executive branch of the Government, the Congress, or other appropriate authorities, and
 - (2) to engage in collective bargaining with respect to conditions of employment through representatives chosen by employees under this chapter.

§ 7103. DEFINITIONS; APPLICATION

- (a) For the purpose of this chapter -
- (1) "person" means an individual, labor organization, or agency.
 - (2) "employee" means an individual -
 - (A) employed in an agency; or
 - (B) whose employment in an agency has ceased because of any unfair labor practice under section 7116 of this title and who has not obtained any other regular and substantially equivalent employment, as determined under regulations prescribed by the Federal Labor Relations Authority; but does not include-
 - (i) an alien or non-citizen of the United States who occupies a position outside the United States;
 - (ii) a member of the uniformed services;
 - (iii) a supervisor or a management official;
 - (iv) an officer or employee in the Foreign Service of the United States employed in the Department of State, the United States International Development Cooperation Agency, the Department of Agriculture, or the Department of Commerce, or
 - (v) any person who participates in a strike in violation of section 7311 of this title:
 - (3) "agency" means an Executive agency (including a non appropriated fund instrumentality described in section 2105 (c) of this title and the Veterans' Canteen Service, Veterans' Administration), the Library of Congress, and the Government Printing Office. but does not include-
 - (A) the General Accounting Office;
 - (B) the Federal Bureau of Investigation;
 - (C) the Central Intelligence Agency;
 - (D) the National Security Agency;
 - (E) the Tennessee Valley Authority;
 - (F) the Federal Labor Relations Authority; or
 - (G) the Federal Service Impasses Panel;
 - (4) "labor organization" means an organization composed in whole or in part of employees, in which employees participate and pay dues, and which has as a purpose the dealing with an agency concerning grievances and conditions of employment, but does not include-
 - (A) an organization which, by its constitution, bylaws, tacit agreement among its members, or otherwise, denies membership because of race, color.