

EMPLOYEE ASSOCIATIONS

I. Purpose

This Directive sets forth the policy for recognizing private, not-for-profit Employee Associations within the Department of Homeland Security (DHS).

II. Scope

This Directive is applicable throughout the DHS.

III. Authority

Title 5, Code of Federal Regulations (C.F.R.), Part 251, "Agency Relationships with Organizations Representing Federal Employees and Other Organizations"

IV. Policy and Requirements

- A. The Department may recognize private, not-for-profit Employee Associations. The associations may be incorporated or unincorporated.
- B. Future recognition of an Employee Association requires submittal to the Under Secretary for Management, or delegee, of: (1) a copy of the organizing and functioning documents; (2) a statement of purpose; and (3) the names, positions, and telephone contact numbers of the individuals who are responsible for the organization (board of directors, officers, etc.). The organization identifies the individual who is the point of contact for DHS interaction.
 1. Employee Associations are recognized only when it is in the best interest of the Department to do so. Recognition is also dependent upon organization for one or more specific purposes related to the benefit of, or service to, employees of DHS such as: social, entertainment and recreational affairs; athletic activities, games and hobbies; cultural and educational pursuits; and professional development fostering the employment issues of specific groups, such as women's groups, minority professional groups and position specific groups.
 2. As a condition of recognition by the Department, the Employee Association:

- a. Opens membership and participation only to current Federal employees and retired Federal employees of the Department, without regard to race, color, creed, sexual orientation, religion, national origin, age, marital status, political affiliation, disabling condition, or membership in a labor organization.
 - b. Opens participation to all members for all activities.
 - c. Organizes and operates in a democratic fashion.
 - d. Assesses dues on an equal basis for all members.
 - e. Complies with federal ethics law and DHS ethics policy.
 - f. Prohibits members from engaging in the use of DHS' franking privileges for U.S. Mail.
 - g. Prohibits compensation of elected individuals in the association.
 - h. Prohibits elected Employee Association officials from being current, politically appointed Federal employees.
 - i. Prohibits members from accepting gratuities or any other benefits, directly or indirectly, from sellers of goods or services doing or soliciting business with the association.
 - j. Prohibits some members from receiving special discounts, unless those discounts are available (or the chance at receiving those discounts) to all members.
3. A recognized association can not be a labor organization as defined in 5 U.S.C. § 7103(a)(4), and its purpose can not be to support or present grievances or other individual personnel matters.
4. Once recognized as a DHS Employee Association, the association may be granted:
- a. With advance approval, use of the name or initials of DHS in the association's name. Use of the DHS seal is prohibited.
 - b. With advance approval, use of the name or initials or seal of DHS with the Association's name.

c. With advanced approval, use of the name or initials or seal of DHS on products developed for fundraising and/or other educational purposes.

d. With advance approval, use of DHS occupied property for activities, including fundraising activities, if permitted by law, regulation and policy.

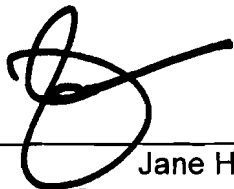
e. With advanced approval, use of official DHS employee communications, on a space-available basis, for conveying information to meet reasonable needs of employees.

f. Authorization to distribute materials and literature on DHS premises during non-working time in non-working areas, subject to safety and security regulations.

C. Employee Associations previously certified or recognized by a Component are not required to seek recognition under this Directive or conform to its requirements. Components which have already recognized Employee Associations are required to submit the name and a statement of purpose of each association to the Under Secretary for Management.

V. Questions

Address any questions concerning this Directive to the Office of the Under Secretary for Management.



Jane Holl Lute
Deputy Secretary of Homeland Security

13 Dec 09
Date