

MEMORANDUM FOR HEADS OF DEPARTMENTS AND AGENCIES

FROM: STEVEN R. COHEN (...*signed March 1, 2001*...)
ACTING DIRECTOR

SUBJECT: Guidance for Implementing Executive Order 13203

Through Executive Order 13203, signed on February 17, 2001, President Bush revoked Executive Order 12871 of October 1, 1993 (Labor-Management Partnerships) as well as all executive orders that amended it. The President also revoked the Presidential Memorandum of October 28, 1999, which reaffirmed EO 12871, and dissolved the National Partnership Council. OPM is issuing this guidance memorandum to help agencies meet the requirements of Executive Order 13203.

Section 1 of Executive Order 13203 abolishes the requirement previously imposed on agencies to form labor-management partnerships and partnership councils, as well as the mandate to bargain on matters covered by 5 USC Section 7106(b)(1). The Order does not prescribe any particular approach to labor-management relations. Agencies have discretion under the Federal Service Labor-Management Relations Statute (5 USC Chapter 71) to adopt a labor relations strategy best suited to their own needs.

In Section 3 of the Order, the President directed the Office of Personnel Management and the heads of executive agencies to “promptly move to rescind any orders, rules, regulations, guidelines, or policies implementing or enforcing Executive Order 12871...or the Memorandum, to the extent consistent with law.” To fulfill this directive, OPM is withdrawing its Guidance for Implementing Labor-Management Partnerships (December 1993) and its Guidance for Implementing the President’s Memorandum Reaffirming Executive Order 12871 (February 2000). We remind agencies of the obligation to thoroughly review their own orders, rules, regulations, guidelines, and policies to ensure compliance with Section 3 of the President’s Order.

If you have any questions about this guidance or Executive Order 13203, please contact Jeffrey Sumberg, Director of the Office of Labor and Employee Relations. He can be reached by phone at (202) 606-2639 or by e-mail at jsumberg@opm.gov.