

NIH Child Care Board Meeting Minutes
January 13, 2011
Building 45, Room D

Members in Attendance: Julie Berko, Catherine Bosio, Kelli Carrington, Andria Cimino, Valerie Durrant, Hillary Fitis, Rosalind King, Jason Levine, Sybil Philip, Brian Rabin, Heather Rogers, Conrad Farina, Joslyn Kravitz, Adam Lee, Nicole Gormley, Michael Dunn, Mary Ellen Savarese, Bea Curl, Tonya Lee

Members Absent: Sheri Schully

Center Liaisons Attending: ChildKind: Jaydah Wilson, Amy Cliber, Robin Kastenmayer, **POPI:** Paulina Alvarado, Michele Frank, Ana Paola Cotrim, **ECDC:** Barbara Acquaviva

Guests: Lesly Wilson, GSA Office of General Counsel; Carrie Pottker-Fishel, NIH Office of General Counsel; Michael Spillane, Director, Division of Emergency Preparedness and Coordination; Mary Ann Bell, Division of Emergency Preparedness and Coordination

I. Welcome and Introductions-Brian Rabin

Chair Brian Rabin welcomed Board Members, Liaisons, and Guests.

II. Guest Presentation: Lesly Wilson, GSA Office of General Counsel—Mary Ellen Savarese

Mary Ellen Savarese introduced Ms. Lesly Wilson and thanked her for coming to present to the Board an overview of the Tribble Amendment and the implications it has for the expansion of the NIH Child Care Services. Ms. Wilson is very familiar with the Tribble Amendment and has worked for many years to amend this legislation.

In 1985, 40 U.S.C. 590, the “Tribble Amendment,” gave Agencies legal authority to use appropriated funds to provide child care in federal facilities. At least 50% of the children enrolled in the child care center must be children of Federal government employees. Agencies could provide “services” such as space, utilities, capital equipment security, computers, accreditation fees, staff training, lighting, heating, security, and telephone services to the centers.

In 2002, Agencies were given the authority to offer child care subsidy to lower income Federal employees. Agencies are allowed to define “low income”. However, any amount over \$70,000 may be questioned by Congress.

GSA needed more flexibility and has tried for over ten years to amend the Tribble Amendment. Many Federal agencies support the proposed changes, however currently there is no one at the Congressional level advocating for these changes.

Proposed changes to the Tribble Amendment:

- Redefine Federal children to include on-site federal contractors’ children as federal children to meet the 50% federal requirement of capacity.
- Apply the 50% Federal requirement of capacity nationwide rather than center specific.

- Cleaning that is appropriate for child care standards, not office cleaning standards.
- Give Agency heads the ability to design 2 year pilot projects on creative ways to provide child care services.
- Give Agencies the opportunity to have a reverse consortium. Agencies would be allowed to “buy/rent” slots in a private center. Agencies could provide services such as background checks, accreditation cost, heating and cooling. This proposed change is most valuable due to the limited funding and space for building facilities and not enough demand to meet the required 50% federal requirement for capacity in some geographic areas.

The amendment has gone through the process several times. Office of Personnel Management has approved it 3 times and it has gotten as far as the Administrative desk. The amendment reached Congress but was dismissed when it got to Point of Order.

Ms. Wilson opened the discussion for questions. Catherine Bosio asked about the possibility of having child care services at RMLs. She stated that there were enough children to meet the 50% Federal requirement of capacity. There are currently very few child care services available in the local community. Mary Ellen stated that NIH would have to build a facility and there are no NIH resources available to support a facility. The current Tribe Amendment prevents NIH from expanding child care options in the local private community.

The NIH Child Care Board has been sending the amendment forward for the past 7 years. Two years ago the amendment went to the Director of Health and Human Services. Unfortunately, it was not supported.

This amendment would be helpful to smaller location and agencies. NIH currently has 450 spaces and 1,300 on the waitlist.

The question was asked, “Would this new legislation allow Fellows to use the NIH Child Care Services?” For 15 years there has been the dilemma Federal vs. Fellow when determining eligibility for services. There is language being considered at the Director Office of Research that contractors be considered as federal employees in relations to the Transshare program. Currently there is a no decision on this issue.

Fellows are currently eligible for the child care centers, child and dependent care resource and referral service, but not the NIH Subsidy program. The language in the Subsidy legislation is very specific in defining a federal employee.

Ms. Wilson thanked the Board for having her and for their suggestions.

III. Approval - Minutes for December 2010-Brian Rabin

Chair Rabin called for a vote to approve the minutes from the December 2010 meeting. Minutes were approved.

IV. Report from Chair -- Brian Rabin

- **Response Letter from Dr. Frances Collins, Director of NIH**

Chair Rabin read the response letter from Dr. Collins to the Board and stated that the letter was disappointing. There was no mention of the ground breaking for the Northwest Child Care Center nor was there any mention of Dr. Johnson identifying a group to handle dependent care issues.

- **Budget**

Chair Rabin stated since the federal government is still in continuing resolution and NIH is currently operating on a 2010 budget, the increase for the Subsidy and Back-up Care pilot are still on hold.

- **NIH Emergency Management – Mike Spillane, Director, Division of Emergency Preparedness Coordination (DEPC)**

Chair Rabin introduced Mr. Mike Spillane, Director of the Division of Emergency Preparedness and Coordination. Mr. Spillane was asked to attend the Board meeting due to the many discussions involving inclement weather and Code Red employees. This topic has been addressed by Dr. Alfred Johnson, Director of Office of Research Services and Chris Major, Director of Human Resources in previous Board meetings. The Board was encouraged to ask their questions. Mr. Spillane gave a quick overview on his department and spoke of Ms. Mary Ann Bell's contributions to the NIH Child Care Centers. Mr. Spillane spoke of the various Security Levels and the effects those levels have on the access to the NIH campus. The "Red Alert Critical" program is being revised and employee categories such as Emergency Mission Critical and Non-Mission Critical have been proposed. Currently these categories are being morphed into a 4-Tier System similar to the system used for pandemic planning in the summer of 2009: 1st tier Clinical Center staff, 2nd tier Fire/Police and animal caretakers, 3rd tier employees who could telework, and 4th tier all other employees. This program is still in the development stage and a transNIH working group is being formed. In the case of an emergency, the goal is to have as few people on the campus as possible. The concern for the Child Care Centers would be non-NIH parents trying to pick up their children if the campus was on lock down.

Mr. Spillane stressed that it was extremely important that the employees have emergency plans in place for their families. It is the responsibility of the employee to develop and implement these plans. Mr. Spillane encouraged the Board to view the DEPC website for resources and information on how to develop an emergency plan for your family. Mr. Spillane pointed out that there is an alert system in place at NIH to notify employees of emergency situations: AlertNIH (SEND WORD NOW). Everyone was encouraged to participate by updating their contact information in NED.

The new OPM guidelines concerning "The Federal Government is never closed." were mentioned in relation to Telework options. Julie Berko stated that in order to Telework, the employee must have an established Telework agreement. Currently, if you have small children, you cannot telework. There has been no additional information on the new guidelines. Ms. Berko mentioned

that a meeting is scheduled for February 1st and that she would be willing to present at the next Board meeting on the new OPM guidelines.

Mary Ellen Savarese thanked Mary Ann Bell for her many contributions to ensuring the NIH Child Care Centers are prepared for emergencies. Ms. Bell has conducted on site trainings, monthly fire drills, and table-top drills for the 3 NIH Child Care Centers.

- **Bea Curl, NIH Child Care Manager's Departure**

Ms. Curl announced that she will leave NIH at the end of January. Ms. Curl thanked the Board for their many contributions and that she will take the knowledge she gained at NIH to her new position with the United States Army. Everyone gave Ms. Curl best wishes.

- **Northwest Child Care Center**

Mr. Conrad Farina announced that the Northwest Child Care Center project has a new project officer and that the project is now moving forward. Groundbreaking is tentatively projected to be late Spring 2011. Mr. Farina will have more information at the next Board meeting.

V. Charter Committee – Jason Levine

The Charter Committee met prior to the Board meeting. There are a few minor changes. The changes reflect a change in focus from NIH employee to NIH community. The Board will receive a draft copy prior to the next Board meeting for comments. Once the Board approves the changes, the Charter will move forward and hopefully reach Building 1 by May 2011.

VI. Announcements and Board Meeting Adjourned

Ms. Jaydah Wilson announced Childkind Inc., received their re-accreditation from the National Association for the Education of Young Children. Ms. Tonya Lee recognized the hard work and efforts the staff applied to the new accreditation process.

Ms. Tonya Lee distributed 2011 Summer Camp Guide Flyers. Dates and locations for 2011 are: January 19th – Bldg 10, January 20th – Rockledge II, January 25th – Building 31, and January 26th – Executive Plaza North.

Ms. Lee also distributed the Lunch and Learn Parenting Seminar: What to do with your teen for the summer flyers for February 2, 2011.

The meeting was adjourned at 12:00 noon.

The next Board meeting will be March 17, 2011