



American Federation of Government Employees
Local 476

Affiliated with AFL-CIO

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MEMORANDUM FOR: Towanda Brooks, Chief Human Capital Officer

FROM: Jerry Gross, Steward, AFGE Local 476

SUBJECT: Demand to Bargain – Transit Subsidy Benefits

This will serve as AFGE Local 476's demand to bargain over the issue of transit subsidy benefits afforded to bargaining unit employees. The Consolidated Appropriations Act of 2016 provided for an increase in transit subsidy benefits to \$255 effective January 1, 2016. The Department of Housing and Urban Development (HUD) has not yet taken action to increase the benefits provided to qualified employees.

Federal employees who use mass transportation for their commute between home and work are eligible to receive the federal transit benefit. Federal law and regulation authorizes the provision of transit and qualified parking benefits that are excludible from gross income, including 5 U.S.C. § 7905, 26 U.S.C. § 132, 26 CFR § 1.132-9, and Executive Order 13150, Federal Workforce Transportation, which requires federal agencies to provide transit benefits to federal employees in the National Capital Region. Qualified parking includes parking "on or near a location from which the employee commutes to work" by mass transit or commuter van pool. 26 U.S.C. § 132(f)(5)(C).

This demand to bargain includes our preliminary proposals below:

1. HUD will immediately raise the current transit subsidy offered to AFGE Local 476 bargaining unit employees to the maximum amount allowed by federal law and regulation.
2. HUD shall expand the transportation fringe benefit program to include both a transit subsidy and a qualified parking subsidy.
3. HUD will permit qualified employees to participate in both the transit subsidy and the qualified parking subsidy simultaneously in accordance with 26 CFR § 1.132-9 A-1(b). ("An employer may simultaneously provide an employee with any one or more of these three benefits.")
4. HUD will immediately adjust the value of the subsidies offered whenever the maximum allowed is changed by federal law or regulation.

This is a preliminary proposal only. The union reserves the right to add new proposals, in accordance with Article 49. Jerry Gross, Steward, AFGE Local 476 is the contact. Pursuant to Article 49.04 (2) of the Agreement between HUD and AFGE, AFGE Local 476 demands that bargaining be scheduled within 10 days of the date of this Demand to Bargain.