



# American Federation of Government Employees

## Local 476

*Affiliated with AFL-CIO*

451 7th Street, SW, Suite 3142  
Washington, DC 20410

Ashaki Robinson-Johns  
President  
Regional Vice President, Council 222

Phone: 202-402-3077  
Fax: 202-708-7638  
E-mail: Ashaki.Robinson-Johns@hud.gov

### **GENERAL MEMBERSHIP MEETING MINUTES**

November 21, 2019

Brooke Mondale Auditorium B

The following members of the Executive Board were present: Ashaki Robinson Johns, President, Cynthia Fisher Carter, 1<sup>st</sup> Vice President, Kirk Mensah, 2<sup>nd</sup> Vice President, and Monique (Love) Biggs, Treasurer.

Ashaki Robinson Johns (President) called the meeting to order at 12:09 p.m. A quorum of 25+ members was reached for today's business. As such, September's minutes and Treasurer's Report(s) were approved.

**Budget Presentation** – Monique Biggs and Cynthia Carter, Presenters: Cynthia proposed changes for FY20 regarding AFGE Local 476 may have to move out of the HUD building, due to Executive Order that had proposed for locals to move from federal office buildings. If the local move, AFGE will have to rent space, buy equipment (computers and printers), furniture and services (internet), proposed cost \$5K; we will need these items to perform duties if we need to move.

Within the budget for operating expenses regarding rent and storage, AFGE Local 476 proposes \$24K. We looked at office space earlier this year, 71 office spaces down in southwest area, which is closest to us and the most economical for what is needed. Some of the other changes for FY20 are projections for FY20. In January 2020, Monique will give us final numbers for FY19.

### **Adverse Action –**

If you are giving any notice of discipline for any adverse action or even a removable, we need to make sure that you contact the Union immediately. What should be happening and what is happening or two different things. What should be happening is management should be going through the Union, notifying the Union of very intensive discipline. Or any adverse action, but what's happening is management is taking those notifications directly to the employees, and eventually they get around to notifying us. What employers are doing is they're sitting on those notifications. So they're not telling us immediately when they happened, and our response to those matters is time-sensitive. If you do not notify us of the moment, you receive that adverse action when that discipline, Then we lose time that you can't get back to respond. Again, the moment you receive any adverse action of any discipline from your manager notified the Union immediately so that we can start working on a responsive necessary and bottling and start advising. We can develop a strategy on how we want to the best deal with whatever the matter is

at that moment. Just have to be mindful of Is a time frame in which you have to respond we can't get those days back, so you don't come to us and let us know that you receive some. Something then that's just time we have given to management the other thing. When you get these notifications, that time is of the essence.

We've got to sit down and strategize and plan under this current Administration. They are just working harder than ever to remove employees and with little to no motives. Even though it's a requirement of our current contract, management is just finding ways to Sidetrack what they've agreed to with the Union on behalf of the employees. So you've got to make sure that you keep us abreast of what's going on. And at that point, if it is an adverse action, or if it's some sort of discipline, you have to put shame out the window, you know, we have some employees that are just Pride for them. They don't want to come to talk to us about their ashamed of it. But you've got to let us know what's going on the most important thing. As your attorney would tell you, when a case we're telling you, we admit to nothing. You may think that all its you know, it's not a big deal. I'll let him know what I did, but it's going to be used against you it will be used against you and so while it may have been something that you did there may be mitigating circumstances and there may be a way for us to respond around it. But you cannot and should not admit to anything immediately. Let them know that you want you to representation. And keep in mind that if you're called into a meeting where there are two or more managers, that makes that a formal meeting and you are entitled to Union representation.

Usually, you don't have to manage his call you at the office to tell you. Hey, good job. Hey give you a promotion. They don't call you when the office to plus managers at a time to give you a high-five they call you into the office with two plus managers typically because it's some sort of discipline or some sort of adverse action. So if you find that you're being called into that type of meeting immediately in both your Weingarten rights that is letting me know that you want the new representation. They should stop the meeting if they don't take notes if they ask questions your answer is I'm invoking my Weingarten rights and I would like Union representation the moment that meeting is over you give us a call so that we can contact management on your behalf. Just stay vigilant with those issues.

### **Working Conditions –**

There are a lot of changes in employees working conditions that are happening something as simple as moves management has just taken the opportunity to just make changes to employees working conditions without notifying the Union you are entitled to Union representation. You are entitled to have us negotiate those concerns on your behalf. They must notify the Union. So if your managers coming to you with any changes, although we cannot we are not allowed by Statute to negotiate things like your work, but we can negotiate things dealing with your working conditions. So we can't get into the weeds of it. Whereas management has decided instead of doing this Excel spreadsheet you're doing this Excel spreadsheet. However, we can get into the quantity of work and the whether or not that work their money, there's another sign. Management is certainly the onions. It's under man has rights to assign the work. But if that work is great controlling that's when the Union gets involved in management has decided to remove functions from an employee and we determined that those functions that they're removing our great controlling and we as a union do get involved in those matters. If it's something you just unsure

about come see us come ask us we can advise you whether or not that's a matter that the Union can get involved in we are fine. Little more often that managers are willing to just have the conversation with this even though it may be something that technically we should not be involved in. They will oftentimes allow us, you know to come to the table and sit down and have a discussion because the impact over the implementation of what they're doing is something that we can negotiate. So if you have questions about the work that management is assigning and how they're assigning in and whether or not it's great controlling come see us and we can have a conversation. And you make a better determination as to what our plan should be and how we can move forward to assist you.

### **Accurate PD's –**

Please be mindful that you should be under an accurate PD. The agency is still undergoing this effort this initiative to put employees under the correct PD what they're saying is that in high. I believe it's hard drives where our pennies are located that employees are under blank PD's. There's some employees who have been given a Word document that supposed to represent their action. It's not the case a Word document has not been classified by OPM. So it does not qualify as a position description. If you find that you don't have an appropriate medium place. The first thing we recommend is that you contact your admin office. They should should and they're required to have a copy of an appropriate medium place for you. If they're telling me they don't have it then come see us and we'll work with you to help get you an appropriate BD but every employee should have an accurate pd. Lace because that's what you're working towards and your PD and conjunction with your performance elements are how you rate it and just keep in mind as simple as it may sound the little caveat on everyone's PD that says other duties as a son as a sign is not a catch-all from management. That's not if I'm a budget analyst they cannot assign me secretarial duties and tell me it's other duties as assigned those other duties as assigned have to follow along with my actual condition and then bring that to our attention and we can have a conversation with management about

### **Resonable Accommodations –**

We're finding that there are more and more delays with employees having their reasonable accommodations approved know that the Union is here to work with you to make sure that we get them approved in a timely manner the moment that you submit your ra to your manager. They have seven days to begin the interactive process seven days from the date. Give it to them. What we recommend is that you give a copy of the HUD 1,000 to the manager. And then you simultaneous is submit that HUD 1000 and your physician statement to the reason to the reasonable accommodations brand ra has up to 30 days in which to improve the accommodation but your manager should begin that process within seven days. So if you find that there's a delay on behalf of management come and see us. We have noticed there's some stall tactics that have been taking place, but we'll work with you to get this approved to get this movement as swiftly as possible. They are bound by the contract and the contract has specific guidelines that have been outlined so they've got to adhere to those.

## **Alternate Work Schedules –**

We're also noticing there is an uptake in the cancellation of alternative work schedules and telework what we're relating this to right now the trend seems to be there the managers in place and those new managers of just need statements. I don't like telework. I don't like alternative work schedules. They have no value. Reasons for wanting to cancel Island know that telework is just another way to get work done in an alternate location. So there should be no reason why the work is portable. There should be no reason why telework is terminated. But if you find that your manager has proposed that please come and see us and we can immediately do a demand of bar and on it. We have to file a grievance if they try to implement we will but there seems to be an uptick in this. And we just don't know why anything we can associate it with is there new managers coming on board who have made the statement? I don't like telework and I don't like alternative work schedule. So, you know keep an eye out for that and that happens to you come and see us and we'll 3142 and will assist you with it. If there are any employees that work in housing housing has implemented in housing operations specifically and expectations of confidentiality document that they're sending around to their employees. So these are employees that deal with Personnel related matters. They're sort of like their LR Division and unfortunately, we've had some employees reach out to us who are not Gardening not much we can do for them because they're not a bargaining unit employee. But for those that are bargaining unit employees. There's a lot that we can do about it first and foremost that document has to be negotiated with the Union something similar was presented in a chico and I believe we did come to the table on that document our former chief steward handle that at the time but we found that this document has resurfaced and it's now with within housing operations. So if you or someone, you know has received that document in their own bargaining unit employee. They need to reach out to the Union immediately. I've had some basic conversations with management and what they're saying is there is an expectation of confidentiality that everyone working in that position should be aware of however, they're not forcing employees to sign the document how but if they don't sign it, they won't be allowed to maintain their current position. Because of the type of work that they're doing so there's some issues before says a union that we're going to have to address but if you know of anyone who has been given that document make sure they come make sure first their bargaining unit employee. Make sure they come and see us again non-bargaining. There's nothing we can do they can create a forum today and have him sign of this afternoon and they have no protections under the contract, but for those of us covered by the contract, there are a few things that have to happen before they can just Implement these Documents so come and see us if you run into that and then as always new stewards new stewards new stewards were looking for a new stewards and you or anyone you know is interested come and see us. I don't think Toby was at our last meeting but Toby we were careless medical Suite introduced you okay, then I won't introduce Toby's ever again in pi age. But there she is. We do have some other stewards or not with us today some more new stores that

## **Negotiations-**

Article 49 on midterm negotiations has been a contentious Point article 49 suggest that any change in your working condition. So from the time we Implement a contract until the time of expires any changes to your working conditions are considered midterm negotiations and management agreed that any changes to your working conditions would be negotiated with the

Union will now management has decided hey don't want to give us notice about those changes. They just want to implement and so we are at the table currently fighting against that a shock. He says that they want the Union to waive their rights to notification and bargaining the impact and implementation on such things as workload changes work load assignments individual workstation moves and reassignments. So in other words, they want to be able to move you at women and will they want to be able to Reassign, you know notification on negotiation on your behalf. They want to be able to change the of your workload and not give any notification. I have to have a discussion about that workload. And that's what they're proposing in this new contract. So we are still negotiating this to management. We did submit some proposals management did not accept it. This is a major issue that came to us in a previous agreements and they're essentially trying to implement ground rules that we agree to that have now gone to the fist of so, it's a it's a contentious moment know that they are working even though negotiations are day-to-day shocking and the team are working 24 hours a day. There are discussions about contract negotiations that Place even after the negotiation for the day has stopped. Typically she's a negotiations every other week the holiday gave us a little bit of a break so she was able to breathe and help focus on 476 again. We really need her for that. But just know that contract negotiations and especially with this Administration Republican Administration is always the my difficult. But this Administration in particular is trying it best.

### **FY17 Performance Evaluation –**

Council 222 filed a grievance regarding our fy17 performance evaluate performance evaluation bonuses. They were delayed there was much back and forth with this grievance, but we did win successfully when we got a settlement from the agency of about \$30,000 and That my ground out to about nine or ten dollars per employee. That's the interest for the late payment on the bonuses. But I know if I were entitled to one I would want my nine or ten dollars. We will be sending out emails shortly on the disbursement of that settlement but we were successful in that and just know that there are things were doing behind the scenes that you're not always aware of be at the local of the council and this was just one of Of those things. We noticed that there were a lot of employees coming in and complaining about the late payment of their fy17 performance award and through that we were able to file an appropriate agreements and we won successfully there's some requirements that will be needed. If you think that you are entitled to this settlement you'll need to provide a copy of your sf50 from fy17, but it will be dated in FY 18 because you know, we don't get the performance. - until the following fiscal year, it should have the letters are be behind. It'll say individual cash award and it'll have the initials are be for Ratings based. That's how you know that you're entitled to this element. You'll have to bring that document to the union office. You will be required to leave a copy of that will need that for our records, but we will be sending out notifications soon to everyone. So that you'll have more information on the settlement. If you can come to the office and claim that if you're entitled to it for any employee that opted to take the time off award. You will not be eligible for this settlement only for those employees that receive the cash award for their performance evaluation. And believe it or not. I think that's all that I have for today. Do we have do I have any questions we go around the room. Does anyone have any questions, you know may have questions about current contract negotiations are there issues going on in your office or your program areas that we need to be aware of?

A motion was made to adjourn the November 21, 2019 meeting at 01:04 p.m. The motion was seconded, and the meeting adjourned at 01:04 p.m.

Respectfully Submitted,

Rodney J. Rose Sr.  
Secretary  
AFGE Local 476