



# American Federation of Government Employees Local 476

*Affiliated with AFL-CIO*

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## **GENERAL MEMBERSHIP MEETING MINUTES**

July 22, 2021

### **Via Zoom**

The following members of the Executive Board were present: Cynthia Fisher Carter, President; Ashaki Robinson, 1st Vice President; Antonio Carraway, 2nd Vice President, Monique S. Biggs, Treasurer; Rodney J. Rose, Secretary.

Cynthia Carter called the meeting to order at 12:04 pm. A quorum of 25+ members was reached for today's business. A motion was moved and second for May's meeting minutes.

### **Treasurer's Report - Monique S. Biggs**

- Treasurer's Report was not presented due to the treasurer having computer problems. Any member who would like to obtain a copy can send a message from your personal email and I will ensure you receive a copy.

### **President's/Chief Stewards Report - Update on Local Union Issues**

- The Union has seen an increase in disciplinary actions that have been above and beyond what they should be; apparently either they don't understand the contract, or they don't care. We are working diligently with the powers that be to make changes.
- The union is filling grievances on everything that the agency managers do that violates the contract. Please contact Ashaki if any issues that happens that you need guidance, and a steward will be assigned to your issue.
- Please complete the survey from Council 222 Employee Return to Office Survey <https://forms.microsoft.com/g/CzWxu2QHq9> Do not reach out to management, direct all concerns and issue to the union.
- ELR is the equivalent to the union, but they represent management where we represent the employees. If your manager has issued you some sort of disciplinary action or proposal for any type of discipline action, you are to immediately reach out to your union representative so that we can advise you accordingly.



- The union met with the Secretary Fudge and her chief of staff, Jim Jones to talk about the negotiated contract from the previous administration and what needs to be done to move forward.
- Lately a lot of Hostile Work Environment (HWE) complaints have been received. If at any time you allege harassment, bullying, and/or intimidation in the workplace and request to have an informal hostile work environment investigation, you are NOT required to complete this document. You are, however, reminded to immediately notify your Union representative that you received it so that we may intervene on your behalf. (Management is still obligated to investigate all allegations made by the employee without the use of this form.) Per **Article 6 Employee Rights/Standards of Conduct:**

- **Section 6.08 - Right to Representation in Investigatory Interviews.**

1. Employees have the right to be represented by the Union at an examination of the employee conducted by a representative of Management in connection with an investigation, if:
  - (a) The employee reasonably believes the investigation may result in disciplinary action against the employee and.
  - (b) The employee requests representation.

If, during a meeting between the employee and a management representative, the employee reasonably believes the meeting may result in disciplinary action taken against the employee, the employee may request to be represented by the Union. If such a request is made, the Management representative shall suspend the meeting. The Management official shall reschedule the meeting as soon as a Union representative is available, to avoid impeding the investigation.

As I stated during our recent General Membership Meeting, Local 476 will be submitting a regular report to the Secretary and Deputy Secretary identifying those instances of workplace harassment, bullying and intimidation that fall well outside of President Biden's expectations and even further outside of our current Collective Bargaining Agreement (CBA) and specific Articles pertaining to such behaviors. Article 6 - Employee Rights/Standards of Conduct, of our CBA is very clear regarding employees being treated fairly, equitably and with the utmost respect regardless of their grade.

Specifically,

- **Section 6.01 - General.** Employees have the right to pursue their private lives consistent with governmental Standards of Conduct and this Agreement without fear of reprisal. Employees shall be treated fairly and equitably in the administration



of this Agreement and in policies and practices concerning conditions of employment.

- **Section 6.05 - Morale.** Recognizing that productivity is enhanced when employee morale is high, **everyone working at HUD shall endeavor to treat one another with the utmost respect and dignity, notwithstanding the type of work or grade level held. This is the union's proposal, accepted by management.**
- In response to the "Inquiry Report Form" from management, AFGE Council 222 will be submitting an immediate Cease and Desist to management advising them to discontinue using this document, or anything similar, until such time as they have completed its negotiation obligation with the Union. Know that you cannot allow fear to prevent you from reporting instances or behavior that violate our current contract, the Agency's most recent Anti-Harassment Policy or Anti-Bullying statement as it will no longer be deemed acceptable or viewed as the "norm". We are here to support you and your decision to speak up. Have your concerns heard - **IT STARTS HERE, AND IT STARTS NOW.....**
- If management provides you with a form to complete for a working hostile environment please reach out to the union before proceeding, because the form is unofficial in nature and was never negotiated by the union. If you are contacted by management for any type of investigatory interview for any sort of formal meeting, you are entitled to Union representation and make sure that your union representative is involved.
- If you are ever brought into a meeting with two or more managers, invoke your Weingarten rights and request Union representation immediately. Management should stop that meeting and allow you to seek counsel, but if they don't stay in the meeting and don't be insubordinate with your responses. To every question asked state I am again requesting Union representation for this meeting; that's your participation. As soon as that meeting is over, notify the union immediately so that we can follow up on your behalf.
- If you need Reasonable Accommodation, please do it now because the RA office will be swamped. They have a handful of people responsible for the entire agency not just headquarters. If returning to the office will put you at risk due to underlying medical conditions, then a RA is highly recommended. If you currently have an RA and no major updates are needed your previous approved RA is still in effect.
- Managers are making changes to employees bargaining status and duty station. We are actively going through NFC roster to ensure employees are coded properly.

## **2nd Vice President and Council 222 Chief Steward's Report- Antonio Carraway**

- HUD COVID-19 Safe Federal Workplace Guide
- Maximum Telework Remains – Exception (mission critical)
- In office work remains voluntary
- The Agency must notify the Union and negotiate prior to a return



- Agency will provide masks for all employees entering the office and N95 for employees (travel/Direct public contact)
  
- Transerv System Implementation
- Mass transit where all employees are eligible for 100% of their commuting costs up to a maximum allowed by law Transerv
- Employees will be allowed to purchase transit media online on duty time unless they are in a leave status.
- Employees will only be required to self-certify their commute costs on an annual basis by updating their Transit Benefit Application (TBA).
- Employees will use the Transerv credit card to purchase the type of transit media that is appropriate to cover the commuting costs up to the level allowed by law
- Performance Plans and Position Description - Employees are entitled to an accurate performance plan. Performance plans should provide a relevant elements and performance standards should be consistent with SMART Standard Methodology as outlined in our CBA.
- COVID-19 – Employee Paid Leave (EPL) which under the American Rescue Plan provides up to 600 hours of paid leave from March 11, 2021, thru September 30, 2021, with salary limitations for daily and pay period usage.
- Federal Parental Paid Leave – Employees currently have access to Parental Paid Leave (PPL), which provides eligible federal employees up to 12 weeks of paid time off for the birth, adoption, or placement of a new child, occurring after October 1, 2020.
- Reasonable Accommodations – Americans with Disabilities Act (ADA) and Article 45 mandated mandates that agencies must make reasonable accommodations for eligible employees. Article 45 requires interactive meetings to address requested reasonable accommodations request within 7-days. In addition to statutory complaints avenues, Article 45 provides additional appeal options to address denials or partial approvals of reasonable accommodations request by employees.
- GOP PIH/REAC Locality Pay - REAC bargaining-unit employees were being notified of the change in their official duty stations and locality pay to the local commuting areas where their homes are physically located. The consequence of this change is that affected REAC bargaining-unit employees will receive substantial pay cuts in the thousands of dollars per year range due to lower locality pay in the local commuting areas near their homes.

### **Member Questions**

- Secretary suggested that employees alert her about violations of personal policies by managers and question is, should you as employees alert her or not?
- No, it is highly possible that your communication will just get lost in the shuffle because you will be one communication of how many hundreds or thousands, and we as a union do not want that to happen, so what we have decided as a local that we're going to do is we are going to put together a report and or newsletter, that will be submitted to the secretary's office on, maybe a bi-monthly basis so that she is not overwhelmed and it holds her attention, when it speaks about the bad managers. If you have any



suggestions that you would like to see in the report or newsletter, please let Cynthia know.

**Adjournment**

A motion was made to adjourn the July 22, 2021, meeting at 01:05 p.m. The motion was seconded, and the meeting was adjourned.

In Solidarity and Respectfully Submitted by,

Rodney Rose, Secretary  
AFGE Local 476