

 <p><b>UNITED STATES OF AMERICA</b> <b>FEDERAL LABOR RELATIONS AUTHORITY</b></p> <p><b>CHARGE AGAINST AN AGENCY</b></p>	<b>FOR FLRA USE ONLY</b>
	Case No. _____
	Date Filed _____

Complete instructions are on the back of this form.

<p><b>1. Charged Activity or Agency</b>                  Name: U.S. Department of HUD                  Address: 451 7th Street, S.W., Suite 2160                  Washington, D.C. 20410-3000                  Tel.#: (202) 708-2000 Ext.                  Fax#: (202) 619-8129</p>	<p><b>2. Charging Party (Labor Organization or Individual)</b>                  Name: AFGE Local 476                  Address: 451 7th St. SW, Suite 3143                  Washington, DC 20410-3000                  Tel.#: (202) 402-3077 Ext.                  Fax#: ( )</p>
<p><b>3. Charged Activity or Agency Contact Information</b>                  Name: Karen Newton Cole                  Title: Actg. Chief Human Capital Officer                  Address: 451 7th Street, S.W., Suite 6100, Washington, D.C. 20410                  Tel.#: (202) 708-0940 Ext.                  Fax#: (202) 619-8129</p>	<p><b>4. Charging Party Contact Information</b>                  Name: Jerry Gross                  Title: Steward, AFGE Local 476                  Address: 8930 Colesbury Place, Fairfax, VA 22031                  Tel.#: (703) 280-9063 Ext.                  Fax#: ( )</p>

5. Which subsection(s) of 5 U.S.C. 7116(a) do you believe have been violated? [See reverse] (1) and (3), (5), (7) and (8)

6. Tell exactly WHAT the activity (or agency) did. Start with the DATE and LOCATION, state WHO was involved, including titles.

On April 19, 2012, the Agency notified the Union that it is implementing a reorganization of Ginnie Mae, a part of HUD, as proposed by management, interrupting and terminating the bargaining process without completing negotiations with the Union.

On March 2, 2012, the Agency notified the Union of the proposed Ginnie Mae reorganization. The Union tendered its demand to bargain, containing preliminary proposals, regarding the reorganization on March 6. The Union's negotiators discussed proposed terms with Ginnie Mae management on March 12, and management agreed verbally. The Union met with management on March 28, and again received verbal agreement with its key issues. On April 4, the Agency provided a draft agreement to the Union that ignored and omitted all of the key issues previously discussed. On April 5, 2012, AFGE Local 476 (the Union) provided the Agency with its proposed changes to the draft agreement. Since then, the Agency has refused to discuss the Union's response, or to negotiate with the Union on its proposals. The Union has been unable to obtain either agreement or counter-proposals from the Agency despite continual efforts.

On April 19, Agency management refused to allow Union representatives to attend the Ginnie Mae All Staff Meeting when the reorganization was on the agenda and where conditions of work were discussed.

The Agency has continually bypassed the Union by establishing an employees' group to serve as representatives of the bargaining unit in violation of the collective bargaining agreement's recognition of the Union as the sole representative of the bargaining unit, by holding meetings with employees that discuss conditions of employment without permitting Union representatives to be present, and by conducting employee surveys without informing the Union, using the management-established employee group as a management-substitute.

These actions interfere with the employees' rights to representation by the Union, demonstrate a refusal to consult with and to negotiate with the Union in good faith, attempt to control the Union's representation of the bargaining unit, enforce a de facto rule of prohibiting Union representation at meetings where conditions of employment are discussed in conflict with the previously existing collective bargaining agreement.

Request for Relief

1. That the Agency be ordered to halt implementation of the Ginnie Mae reorganization until it completes the bargaining process with the Union, and that the Agency be ordered to negotiate in good faith with the Union regarding the Ginnie Mae Reorganization.
2. That the Agency be ordered to recognize the Union as the sole and exclusive representative of the bargaining unit, and to disband all other representational groups.
3. That the Agency shall be required to post notices for 12 months, in conspicuous places at the Headquarters Building of the U.S. Department of Housing and Urban Development, and at all other buildings where members of the Local 476 bargaining unit are assigned to work, stating that the Agency will not fail or refuse to negotiate with the American Federation of Government Employees, Local 476, AFL-CIO (the Union), the exclusive representative of our employees, over negotiable proposals concerning any conditions of employment, and that the Agency will at all times respond in a complete and timely manner to the Union and negotiate in good faith with the Union concerning the conditions of employment of bargaining unit employees.
4. That the Agency be required to provide any further relief such as the Authority may deem appropriate.

7. Have you or anyone else raised this matter in any other procedure?  No  Yes If yes, where? [see reverse] \_\_\_\_\_

8. I DECLARE THAT I HAVE READ THIS CHARGE AND THAT THE STATEMENTS IN IT ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT MAKING WILLFULLY FALSE STATEMENTS CAN BE PUNISHED BY FINE AND IMPRISONMENT, 18 U.S.C. 1001. THIS CHARGE WAS SERVED ON THE PERSON IDENTIFIED IN BOX #3 BY [check "x" box]  Fax  1st Class Mail  In Person

Commercial Delivery  Certified Mail

Harold J. Gross \_\_\_\_\_ 04/20/2012 \_\_\_\_\_  
 Type or Print Your Name Your Signature Date