

 <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.	
<b>1. Charged Activity or Agency</b> Name: Brenda Sprague, Deputy Assistant Secretary of State Address: Department of State/Passport Services 2201 C St NW, Rm 6811 Washington, DC 20520 Tel.#: (202) 647-5366 Fax#: (202) 736-9272	<b>2. Charging Party (Labor Organization or Individual)</b> Name: National Federation of Federal Employees, FD 1, IAMAW, AFL-CIO, Federal Local 1998 Address: PO Box 2221 Seattle, WA 98111-2221 Tel.#: (206) 808-5764 Fax#: (206) 808-5784
<b>3. Charged Activity or Agency Contact Information</b> Name: Steve Polson – DOS Chief Labor/Management Negotiator Title: 2201 C St NW, HST Rm 6217 Address: Washington, DC 20520 Tel.#: (202) 647-4285 Fax#: (202) 647-9388	<b>4. Charging Party Contact Information</b> Name: Colin Patrick Walle – NFFE Local 1998 Union President Title: PO Box 2221 Address: Seattle, WA 98111-2221 Tel.#: (206) 808-5764 Fax#: (206) 808-5784
5. Which subsection(s) of 5 U.S.C. 7116(a) do you believe have been violated? [See reverse] (1) and _____ (2), (3), (7), and (8).	
6. Tell exactly WHAT the activity (or agency) did. Start with the DATE and LOCATION. state WHO was involved, including titles.  <p>On June 6, 2008 A Passport Services Headquarters Operations Officer notified NFFE Local 1998 Union President Colin Walle by email that Passport Services Management would be implementing new performance elements and standards for approximately 100 bargaining unit employees nationwide that are represented by the Union, including the Contact Representative, File Assistant, Cashier, and Processing Clerk positions. This constitutes a ULP because Management had previously agreed to implement any changes to those positions after first negotiating an MOU with the Union and after negotiating a mechanism for employee and Union input into the changes. Management did not bargain in good faith over these changes.</p> <p>There are approximately 1,400 bargaining unit employees represented by the Union, and approximately 1,300 of them are Passport Specialists. Management had notified the Union on November 23, 2007 of possible changes to the elements and standards for all bargaining unit employees, and the Union clearly invoked its right to bargain that same day. Subsequently, Management and the Union had agreed through collective bargaining to first address the Passport Specialist position (occupied by 1,300 BUE) and then, once that was complete, to address the other positions (occupied by 100 BUE). Management and the Union collectively bargained for an MOU to implement the procedures and arrangements for the 1,300 Passport Specialists that was signed on May 23, 2008, and did jointly develop the elements and standards for those positions, effective on June 1, 2008.</p> <p>Then Union then turned its focus to bargaining for an MOU and gathering input relating to the 100 employees occupying the other positions. However, contrary to the earlier agreement, Management abruptly implemented the elements and standards for the 100 employees occupying the non-Passport Specialist positions without bargaining with the Union over an MOU and without receiving input from the employees or the Union as had been agreed to.</p> <p>Management fulfilled its 5 U.S.C. 71 bargaining obligations regarding the 1,300 Passport Specialists but failed to comply with those obligations regarding the 100 employees occupying other positions, thus committing a ULP. In at least one instance, a Contact Representative was told by a Management official that the Union had agreed to the changes in elements/standards for her position, including a doubling of performance requirements from 14 letters typed per hour to 28 per hour. That defamation, which is part of a pattern of claims that have the obvious effect of discouraging membership in the Union, misrepresented the fact that not only had the Union disagreed with this change, but that Management had committed a ULP by unilaterally implementing the change.</p>	
7. Have you or anyone else raised this matter in any other procedure? <input checked="" type="checkbox"/> No <input type="checkbox"/> 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 <div style="display: flex; justify-content: space-between;"> <span>Commercial Delivery</span> <span>Certified Mail</span> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 30%;">           Colin Patrick Walle            _____            Type or Print Your Name         </div> <div style="width: 30%;">           _____            Your Signature         </div> <div style="width: 30%;">           November 21, 2008            _____            Date         </div> </div>	