

 <p><b>UNITED STATES OF AMERICA</b>  <b>FEDERAL LABOR RELATIONS AUTHORITY</b></p> <p><b>CHARGE AGAINST AN AGENCY</b></p>	<p><b>FOR FLRA USE ONLY</b></p> <p>Case No. _____</p> <p>Date Filed _____</p>
<p>Complete instructions are on the back of this form.</p>	
<p><b>1. Charged Activity or Agency</b></p> <p>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</p>	<p><b>2. Charging Party (Labor Organization or Individual)</b></p> <p>Name: National Federation of Federal Employees, FD 1, IAMAW,          AFL-CIO, Federal Local 1998          Address: PO Box 2221          Seattle, WA 98111-2221          Tel.#: (206) 808-5709          Fax#: (206) 808-5718</p>
<p><b>3. Charged Activity or Agency Contact Information</b></p> <p>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</p>	<p><b>4. Charging Party Contact Information</b></p> <p>Name: Rob Arnold – NFFE Local 1998 Union Vice President          Title: PO Box 2221          Address: Seattle, WA 98111-2221          Tel.#: (206) 808-5709          Fax#: (206) 808-5718</p>
<p>5. Which subsection(s) of 5 U.S.C. 7116(a) do you believe have been violated? [See reverse] (1) and (2), (3), (4), (5), (7), and (8).</p>	
<p>6. Tell exactly WHAT the activity (or agency) did. Start with the DATE and LOCATION. state WHO was involved, including titles.</p> <p>The Department of State, Passport Services (PPT) committed a ULP on January 21, 2009 by implementing a nationwide change in Internal Security Guidelines (ICG) without bargaining over negotiable proposals submitted by the Union. The Union had received specific notice of changes in working conditions on November 3, 2008 from PPT official Steve Rojas and had timely invoked its right to bargain and submitted 7106(b)(2) and (b)(3) procedures and arrangements proposals on November 17, 2008. The Union specifically requested to meet and bargain over the proposals, including putting the request on the agenda for a meeting at PPT HQ on December 16 and 18, 2008, but Management refused to meet and bargain and failed to even respond to the Union's proposals prior to (or since) the memo was sent to all PPT employees nationwide. A second ULP was committed in the ICG on January 21, 2009 when Management enforced new rules in conflict with Article 6, Section 21e and Article 6, Section 8 of the July 3, 2001 CBA (and in conflict with a 2007 agreement relating to name plates).</p> <p>PPT committed a ULP from October 2008 through January 2009 by implementing changes in internal controls practices in individual PPT offices without bargaining with the Union. For example, on October 27, 2008, employees at the Passport Services Office of Technology Operations (PPT/TO) were called to a team meeting where they were told they would have to implement a significant change and now use their production time to lock up applications before leaving their workstations, including at lunch and breaks, and failure to do so would result in discipline. On October 28, 2008 PPT/TO Senior Steward Kamaria Blandford invoked the Union's right to bargain over these local office changes. Branch Chief William Crawford denied the Union's request on November 10, 2008, stating that "Safeguarding PII is already covered by the 7 FAM. Please see the references below. The NFFE was already given the opportunity to comment on these provisions and did not do so." In addition, on December 30, 2008 Mr. Crawford changed working conditions in a manner that put employees' lives, health, and safety in danger during emergency evacuations but refused to bargain with the Union over attempts to protect employees.</p> <p>The manager's implication that the Union failed their members by neglecting to submit input is not accurate and constitutes a separate ULP: in fact, the Union had responded within the CBA deadline with comments on the very same sections being cited by Mr. Crawford. A memo from PPT HQ introducing the January 21, 2009 ICG that was sent to all employees nationwide implied that the Union had participated in drafting the ICG (when in fact Management refused to meet or reply to the Union's proposals) and that is another instance of making false attributions about the Union (also see ULP charge #WA-CA-09-0077).</p> <p>The Union had repeatedly invoked its right to bargain over changes proposed by PPT. The Union was given informal notice on June 26, 2008 by DOS Chief Labor-Management Negotiator Steve Polson about changes relating to Personally Identifiable Information (PII) and invoked its right to bargain on July 9, 2008 and again on August 29, 2008. After receiving a notice re: PII sent to all PPT employees on October 6, 2008, the Union inquired and was told on October 8, 2008 by PPT official Courtney Dickson that PPT was taking no specific action. The Union did timely respond to the November 3, 2008 formal notice.</p>	
<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].</p>	
<p>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</p> <p>Commercial Delivery Certified Mail</p> <p>Rob Arnold _____ January 29, 2009</p> <p>Type or Print Your Name Your Signature Date</p>	