



**UNITED STATES OF AMERICA
FEDERAL LABOR RELATIONS AUTHORITY
CHARGE AGAINST AN AGENCY**

FOR FLRA USE ONLY

Case No.

Date Filed

1. AGENCY AGAINST WHICH CHARGE IS BROUGHT

a. Name of Charged Agency (include address, city, state, & ZIP)
National Archives and Records Administration
8601 Adelphi Road
College Park, Maryland 20740

b. Agency Representative (include name, title, address)
Emmalisa Hobbs
Chief, Labor/Employee Relations
8601 Adelphi Road
Rm. 1331
College Park, Maryland 20740

tel. (301)837-1981 fax (301)837-3195
email emmalisa.hobbs@nara.gov

2. CHARGING PARTY

a. Name of Charging Party (include address, city, state, & ZIP)
AFGE Council 260
8601 Adelphi Road
Rm. 1920
College Park, Maryland 20740

b. Charging Party Representative (include name, title, address)
Ashby Crowder
Executive Vice President
AFGE Council 260
Rm. 2900
College Park, Maryland 20740

tel. (301)837-0901 fax (301)713-6578
email ashby.crowder@nara.gov

3. BASIS OF THE CHARGE

a. Set forth a clear and concise statement of the facts constituting the alleged unfair labor practice, including date and location of the particular acts. On August 12, 2014, AFGE Council 260 President Darryl Munsey sent a request to Emmalisa Hobbs, Chief of Labor/Employee Relations. The request was for a copy of the promotion file for a merit promotion vacancy. The request was filed under Article 14, Section 12 of the Collective Bargaining Agreement (CBA), which states the following: "Upon completion of the selection process, the promotion file, minus the assessment questionnaire, will be made available to the appropriate Union representative, when requested as part of an investigation to determine whether or not to file a grievance or to process a grievance concerning the competitive procedures of that particular vacancy." After repeated requests and e-mail exchanges, the Agency has refused to comply with this section of the CBA, designating only certain portions of the file as "releasable," and redacting even those. The language in the Article is not in dispute, and the nature and scope of the breach are such that the Agency's clear and patent refusal to comply constitutes a repudiation of the CBA.

Requested remedy: That the Authority craft and issue an appropriate remedial order including 1) a direction that the requested documentation be made available to the Union in accordance with the CBA; and 2) an order that a remedial notice, signed by the Agency Head or Chief Human Capital Officer, be posted in all bargaining unit work areas nationwide.

b. Which subsection(s) of 5 U.S.C. 7116(a) do you believe the Agency has violated? (1) (2) (3) (4) (5) (6) (7) (8)

c. Have you or anyone else raised this matter in any other procedure? No Yes If yes, where?
 Grievance Procedure Federal Mediation and Conciliation Service Federal Service Impasses Panel
 Equal Employment Opportunity Commission Merit Systems Protection Board Office of Special Counsel
 Other Administrative or Judicial Proceeding Negotiability Appeal to FLRA Other _____

4. DECLARATION

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 1b BY [check all appropriate boxes]

In Person 1st Class Mail Fax Commercial Delivery Certified Mail e-Mail (see reverse)

Ashby Crowder
Type or Print Your Name

Your Signature

October 14, 2014
Date