



National Council of HUD Locals

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES
AFFILIATED WITH AFL-CIO

Council 222

July 29, 2010

MEMORANDUM FOR: George Corsoro, Director, Labor and Employee Relations Division

FROM: Russell D. Varnado, President
AFGE Council of HUD Locals 222

SUBJECT: Demand to Bargain Office of Public and Indian Housing Buyouts

This will serve as AFGE Council of HUD Locals 222 demand to bargain over the proposed offering of Voluntary Separation Incentive Payments / Voluntary early Retirement Authority to bargaining unit employees with the Office of Public and Indian Housing. Below are our preliminary proposals:

1. Bargaining Procedures. The "abbreviated" procedures will be used to negotiate the Office of Public and Indian Housing's ("PIH") Voluntary Separation Incentive Payments / Voluntary early Retirement Authority ("Buyout") for AFGE Bargaining Unit Employees in the Office of Public and Indian Housing's.
2. Scope. The scope of this bargaining shall encompass the implementation of Buyouts and the impact on bargaining unit employees located in PIH with a separation date on or before September 11, 2010.
3. Use of Abbreviated Procedures. The use of abbreviated procedure will be at the total discretion of the Union. Neither the exercise of the discretion to use abbreviated procedures or the use of abbreviated procedures shall establish a past practice or constitute the waiver of any rights granted to the Union, by laws, policy, agreements or established past practices.

These are preliminary proposals only, and the union reserves the right to bargain or amend or add proposals, in accordance with Article 5.

Delegation of Authority

The purpose of this communication is to provide the delegation of authority to negotiate the issue of PIH Buyouts, under the authority of American Federation of Government Employees ("AFGE") Council 222.

The PIH Buyout is a national issue, and as such negotiated under the authority of AFGE Council 222. Effective immediately, I will negotiate the Office of Public and Indian Housing Buyouts.

Respectfully,

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Russell D. Varnado
President, Council 222

GROUND RULES

Negotiation Ground Rules for Collective Bargaining
Between
The U.S. Department of Housing and Urban Development
And
AFGE Council 222
On the
Office of Public and Indian Housing Buyouts

Management and labor mutually agree to the following ground rules governing the upcoming Mid-Term bargaining of the Office of Public and Indian Housing Buyouts. Both parties agree to bargain in good faith and will make every effort to reach agreement.

TEAM STRUCTURE

Spokesperson and Number of Participants

Negotiations will be conducted with one Chief Spokesperson for each side, plus up to four (4) additional Team members participating at the negotiation table. The Team shall be composed of up to three Negotiation Team members and one (1) Technical Advisor.

The Chief Negotiator for Management will be Russell Varnado. The Chief Spokesperson will have full authority to negotiate and sign a supplement to the Agreement. The negotiating team will consist of:

- _____ Negotiation Team Member
- _____ Negotiation Team Member
- _____ Negotiation Team Member
- _____ Negotiation Team Technical Advisor

The Chief Spokesperson for the Union will be _____. The Union's Chief Spokes Person will have the authority to enter into an agreement. The Union's negotiating team will consist of:

- _____ Negotiation Team Member
- _____ Negotiation Team Member
- _____ Negotiation Team Member
- _____ Negotiation Team Technical Advisor

Management and the Union mutually agree to the following ground rules governing negotiations of the Office of Public and Indian Housing Buyouts, which begin on or about _____.

1. Authority to negotiate shall be brought to the table. The Union negotiation team shall have the authority to enter into an agreement.

2. Each party shall designate a chief negotiator to whom all proposals will be submitted, including requests for information, and general concerns. Negotiations will be conducted by the chief negotiator for each side. Only the chief negotiator will speak for their side unless the negotiator designates a person on a specific topic.
3. Both parties will bargain in good faith and will make every effort to reach agreement.
4. Both parties acknowledge that open communications is essential to the process. Both chief negotiators should encourage members of their negotiating teams to provide input during the negotiations.
5. In the interest of reaching a new agreement as soon as possible, at the conclusion of each session, the parties will establish the date, time, and agenda for the next session.
6. Parties will agree to three (3) negotiation days, during the week of negotiations (Tuesday, Wednesday and Thursday); Monday and Friday will be travel days for members located outside of the headquarters. Additional sessions may be added by mutual agreement of the parties.
7. Contract language, which is tentatively agreed to, shall be initialed by the chief negotiator for each party and put aside. All tentative agreements reached on Articles or sub-sections of Articles are subject to change prior to final agreement on all items. Throughout the negotiations, counter proposals shall be presented in written form, using legislative format for additions and deletions.
8. If the parties reach impasse on a particular article or issue, they agree to move forward with discussion of other articles and to return to the impasse articles at a later time in the negotiation process before requesting the services of a mediator.
9. With one day's notice to the other side's chief negotiator, either party may invite specialists or subject matter experts to present and to respond to questions during negotiation sessions when pertinent topics are under discussion. Only one specialist or subject matter expert for each party may attend the negotiations at any one time. Specialists or subject matter experts who attend negotiation sessions at the request of the union will be granted administrative leave if they are scheduled to work on the date of the session. The cost of required travel to and/or from the formal negotiation sessions shall be paid for by the side requesting the attendance of the specialist or subject matter expert.
10. Bargaining sessions shall be closed to the public. Observers shall be allowed, provided the parties mutually agree. Observers shall be non-participants. Both parties shall refrain from discussing specifics regarding ongoing negotiations outside of the negotiation area. Each team may communicate with its respective constituency. No negative personal characterizations will be made.
11. Each party is responsible for keeping its own notes. No audio recording devices shall be used in negotiations.

12. Each party reserves the right to caucus, as it deems necessary. Any person has the ability to call a caucus.
13. Each side shall name their negotiating team members before the beginning of negotiations. The Union bargaining team shall be equal to the number of management team members.

The ground rules are agreed to.

Management Chief Negotiator

Date:

Council 222 Delegated Chief Negotiator

Date: