



National Council of HUD Locals
AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES
AFFILIATED WITH AFL-CIO
Council 222

December 4, 2024

Memorandum For: Michael Rosso, Employee and Labor Relations Specialist, OCHCO ELR Division, AHEA

From: Sajid A. Shahriar, AFGE Council 222 Exec. VP, Chief Negotiator

Subject: Demand to Bargain re: OGC Notice of New Workload Tracking Software

Pursuant to Article 49, Section 49.02 of the HUD/AFGE Collective Bargaining Agreement (referred herein as “the Agreement”), this memorandum serves as HUD Council of AFGE Locals 222’s (referred herein as “the Union” or “the Council”) demand to bargain the impact and implementation of the Office of General Counsel (“OGC”), eDiscovery Information Support Division (“EDISD”) phase out of Law Manager software and replacement with custom-built SharePoint lists for workload tracking purposes in OGC, as communicated to the Council via Article 49 Notice on November 19, 2024.

The Council is offering the following preliminary proposal for consideration and negotiation:

- 1) The parties agree that the implementation of this Supplemental Agreement, relative to the planned implementation of the custom-built SharePoint lists to replace Law Manager for workload tracking purposes (hereinafter referred to as the “new Workload Tracking SharePoint Lists”), does not waive any rights HUD Bargaining Unit Employees (“BUEs”) have under the Agreement, law, government-wide rule or regulation, or agency policies.
- 2) If this Supplemental Agreement is extinguished by issuance of a new collective bargaining agreement, the parties agree to renegotiate, re-open, amend, or modify this Supplement if requested by either party. The negotiations shall be limited to the scope of this Supplemental Agreement.
- 3) The AFGE Council or AFGE Locals may reopen negotiations to consider any problems or conditions that arise after implementation of the new Workload Tracking SharePoint Lists that are not expressly addressed in the Supplemental Agreement. Renegotiations shall be limited to matters that are not already expressly addressed in the Supplemental Agreement.

- 4) In order to perform their essential duties, the Parties agree that each BUE in OGC will have full access to the new Workload Tracking SharePoint Lists if they had access to Law Manager, and that there will be no significant additions to the tracking duties that affected BUEs perform due to the implementation of the new Workload Tracking SharePoint Lists.
- 5) The Parties agree that Management shall not take any adverse action against affected BUEs who cannot obtain access to new Workload Tracking SharePoint Lists through no fault of their own.
- 6) Affected BUEs shall receive training as necessary to effectively perform the work assigned as a result of the Department's implementation of the new Workload Tracking SharePoint Lists. Formal training shall be conducted in accordance with the provisions of the Agreement. Until six months after such training has been completed by an affected BUE, duties related to the new Workload Tracking SharePoint Lists shall not adversely affect that BUE's performance evaluation.
- 7) No less than one pay period prior to the implementation of the new Workload Tracking SharePoint Lists and related formal training, the Agency will provide a presentation thereof to the Council and offer a genuine opportunity for feedback. To the extent that the parties agree during this presentation to changes in the implementation or training, such changes shall be made immediately.
- 8) At no point shall flaws in the new Workload Tracking SharePoint Lists out of the affected BUEs' control negatively affect performance assessments.
- 9) There will be no change to any affected BUEs' telework agreement, remote work agreement, alternative work schedule, flexi-tour, scheduled annual or sick leave, or Reasonable Accommodation arrangement as a result of the implementation of new Workload Tracking SharePoint Lists.

These are preliminary proposals only for negotiating the changes under the subject line above and additional proposals may be added prior to the start of any necessary negotiations. If you have any questions; I can be reached at (224) 628-6221 or sajid.a.shahriar@hud.gov.