



National Council of HUD Locals

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES
AFFILIATED WITH AFL-CIO

Council 222

July 28, 2011

Dr. Andree McKissick
2808 Navarre Drive
Chevy Chase, Maryland 20815-3802

Subject: FMCS Case No. 03-07743; FLRA Docket No. 0-AR-4586
Fair and Equitable Grievance of the Parties—Remand from FLRA

Dear Dr. McKissick,

In a decision issued January 26, 2011, the Federal Labor Relations Authority upheld your decision in the subject matter, but set aside the remedy. The FLRA remanded the decision “to the parties for resubmission to the Arbitrator, absent settlement, to formulate an alternative remedy.” (HUD and AFGE Council 222, 65 FLRA 433, 436, attached.)

The parties have been unable to settle this matter. Moreover, the Agency is presently engaging in the exact conduct that was found to be a violation of the parties collective bargaining agreement; the Agency has recently advertised and is in the process of filling many positions advertised at GS-9/11, with promotion potential to GS-13 (copy of evidence attached).

Furthermore, we have been unable to secure agreement with the Agency for the resubmission of the matter to you. Our goal was, at a minimum, to reach agreement with the Agency over the process for resubmission, including the process for securing timely payment of any fees that may become due.

Under the circumstances, we are writing directly to you, with a copy to the Agency. We are proposing that:

1. Within thirty days, but no later than September 15, 2011, the parties individually submit for your consideration recommendations for alternative remedies, including any supporting documentation and a proposed order granting the relief requested, with copies to the other party;
2. The parties have thirty days thereafter, but no later than October 15, 2011, within which to respond to the other party’s recommended alternative remedies;

3. Upon issuance of your order granting relief and a billing statement, if the Agency fails to remit any amount it may owe within sixty days, AFGE Council 222 will remit the amount to Dr. McKissick within thirty days of notice, and seek reimbursement directly from the Agency.

Please advise if this process is satisfactory. We continue to be represented by attorney Michael Snider in this matter. His electronic mail address is Mike@sniderlaw.com, and his street address is:

Michael Snider
Snider & Associates, LLC
104 Church Lane, Suite 100
Baltimore, MD 21208

Thank you for your assistance in this matter.



Carolyn Federoff
Council Representative
AFGE Council 222
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cc: James Reynolds, Deputy Director
Labor and Employee Relations Division
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Michael Snider