



National Council of HUD Locals - Council 222

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES AFFILIATED WITH AFL-CIO
WE ARE COMPRISED OF HUD LOCALS THROUGHOUT THE U.S.

<https://afgecouncil222.com>

January 27, 2025

RA Request is Contract Repudiation and Fraud Waste and Abuse

Dear Bargaining Unit Employees,

The below communication was sent to management.

From: Antonio <Antonio.Gaines@hud.gov>

Sent: Monday, January 27, 2025 10:33 AM

To: Michalski, Lori A <Lori.A.Michalski@hud.gov>; Huth, Virginia A <Virginia.A.Huth@hud.gov>;
Ammon, Matthew E <Matthew.E.Ammon@hud.gov>

Cc: OliverDavis, Rae <ROliverDavis@hudoig.gov>; Begg, Stephen <SBegg@hudoig.gov>; Simmons,
Ventura A <ventura.a.simmons@hud.gov>; Hughes, Andrew D <Andrew.Hughes@hud.gov>

Subject: RA Request is Contract Repudiation and Fraud Waste and Abuse

Dear Ms. Michalski,

I am writing on behalf of the American Federation of Government Employees (AFGE) National Council 222 to formally object to HUD's January 24th, 2025, directive requiring employees to resubmit HUD-1000 forms. This directive is a clear violation of our collective bargaining agreement and federal records management laws.

As you are aware, Section 45.05 of our collective bargaining agreement explicitly states that once a permanent disability has been established, it is not subject to further review, medical documentation or revocation. HUD's request for resubmission of HUD-1000 forms disregards this provision and imposes an undue burden on our members.

Furthermore, the Federal Records Act (FRA) of 1950 obligates federal agencies to maintain adequate and proper documentation of all essential transactions, including approved reasonable accommodations. The request for resubmission suggests a HUD failure to comply with this statutory requirement, potentially indicating a lapse in HUD's records management obligations.

Legal precedents, such as *Ward v. Massachusetts Health Research Institute, Inc.*, and *Humphrey v. Memorial Hospitals Association*, support our position that HUD's action constitutes an improper "review" of previously approved accommodations.

Such a review is not only unnecessary, but also a repudiation of article 45 of our collective bargaining agreement, and other government-wide rules, laws and regulations. Was it your intention to repudiate the approved contract? Additionally, this is **fraud, waste and abuse**, and a clear demonstration of government inefficiency, in violation of the President's current guidance on this subject. This is clearly demonstrated by (1) you are creating duplicated efforts and (2) by requesting what you already possess as mandated by law. We demand that HUD immediately retract its request for the resubmission of HUD-1000 forms, that HUD is **legally required** to possess. Failure to comply within 3 business days will compel the union to explore all legal remedies.

Sincerely,
Antonio F. Gaines
President
AFGE National Council 222

Check out our website: <https://www.afgecouncil222.com>

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This e:alert is for HUD AFGE bargaining unit employees

