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DATE: March 18, 2025

MEMO FOR: Lon D. Meltesen, Regional Director, Office of Fair Housing and Equal Opportunity

THROUGH: Ginger Burnett, Acting Director, Employee and Labor Relations Division

FROM: Antonio Gaines, President, AFGE HUD Council 222

THROUGH: Veronica Bobbitt, Chief Steward, AFGE HUD Council 222

SUBJECT: Demand to Bargain- Notice of Mid-Term Changes

RE: FHEO Complaint Filing Procedures

In accordance with Article 49, Section 49.04(1) of the HUD-AFGE Agreement and the Federal Service Labor-Management Relations Statute at 5 U.S.C. § 7114(a) and (b) and §7106(b)(2) and (3), please find the AFGE HUD Council 222 (“Council 222”) demand to bargain and preliminary bargaining proposals in response to HUD management’s (“Agency”) intent to implement a significant changes in FHEO’s process for accepting Fair Housing complaints.

The Agency failed to send an Article 49 Notice or any pre-decisional communication , per contractual obligation, before disseminating information to bargaining unit employees (BUEs) outlining a revised complaint process to become effective on Friday March 14, 2025. This change is “*more than di minimis*” as it vastly changes a past practice, policy, and a general condition of employment, as outlined in [5 USC 7103\(a\)\(14\)](#), for FHEO staff. The effect of this change will have lasting ramifications as it relates to impact and implementation.

In response to this abrupt change, Council 222 has full intention to bargain the impact and implementation of this change as it is not “covered by” in the current Collective Bargaining Agreement (CBA). Council 222 has drafted preliminary proposals in reference to this matter. These proposals do not represent a conclusive list, and we reserve the right to offer additional language or offerings once negotiations commence.

Council 222 proposes determining whether the FHEO online-only intake process will advance or generate Reduction-In-Force (RIF) procedures as outlined in Article 33 of the CBA. Is this action related to any permanent office change(s), potential office closure(s), and/or program area merger(s). If so, please provide the relevant documents sent to Office of Personnel Management (OPM) regarding this matter. If none are available please confirm this declaration.

Council 222 proposes the Agency provide a current employee list of BUEs in the San Francisco Regional Office of FHEO who will specifically be responsible for answering the FHEO hotline

number or responding to regular incoming mail requests. Please delineate which position was held accountable for responding to incoming emails to the complaintsoffice05@hud.gov prior to this operational change.

Council 222 proposes the Agency provide the position descriptions (PDs) for each job effected by this change, by grade and series, nationwide. The Council needs to review this information to ensure essential functions remain intact for current BUEs. No longer accepting any complaints via mail, fax, phone, or in-person (with limited exceptions) may significantly add-to or diminish roles within FHEO's program area. In modifying FHEO's complaint intake process on a permanent basis to an online-only platform, BUEs may also require additional or refresher training on the process or the internal system.

It is understood that the Agency has full authority to introduce operational changes through the authority of management rights. The Council is responsible for ensuring that the changes do not infringe upon bargaining unit employees (BUEs) contractual rights. These preliminary proposals are intended to further clarify the impact and implementation of the change to an online-only platform, short and long-term. In accordance with Article 49, Section 49.06(i) of the HUD-AFGE Agreement, the Union reserves the right to submit additional bargaining proposals until negotiations commence or based on new information received during negotiations.

The Council has submitted timely proposals, as outlined in Article 49 of the Contract, once made aware of this significant change in working conditions. It is our expectation that the Agency will respond as outlined in the CBA and negotiations will begin within ten (10) days from this official submission, per Article 49 - Section 49.04(2), unless changed by mutual consent. Please reach out directly to Veronica Bobbitt, via email, at veronica.s.bobbitt@hud.gov to schedule a time to meet on this matter or if there are any questions. At that juncture, the Council will submit the name(s) of parties who will actively engage in the negotiation process for this matter.