

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

ARTICLE 44

UNFAIR LABOR PRACTICE CHARGES

Section 1

Management and the union agree that prior to filing a ULP charge the parties will discuss the issue(s) and attempt resolution in accord with the procedures below. Both parties will comply with the following procedures prior to filing a ULP charge with the Federal Labor Relations Authority (FLRA).

Procedures:

- A. Prior to the filing of a ULP with the FLRA, the charging party will provide an advance copy of the charge to the party alleged to have violated the Federal Service Labor Management Relations Statute. This informal ULP charge shall be in writing and shall be provided to the responding party at least 15 calendar days prior to the filing of a formal ULP with the FLRA. The advance copy of the charge will also be provided to the head of the Office of Labor-Management and Employee Relations if filed by the union or if filed by management to the AFGE no later than 15 calendar days prior to filing with the FLRA. The 15 calendar day period shall begin upon receipt of the informal charge.**

24 **B. The charge must provide the basis of the alleged violation and the**
25 **specific provisions of 5 USC § 7116 alleged to have been violated, a**
26 **clear and concise statement of facts alleged to constitute an unfair**
27 **labor practice, a statement of how those facts allegedly violate**
28 **specific section(s) and paragraph(s) of the Federal Service Labor-**
29 **Management Relations Statute and the date and place of occurrence**
30 **of the particular acts, which includes the identity (name and title) of**
31 **the all of the individuals involved, as well as the specific agency**
32 **entity within which the events took place.**

33
34 **C. During this 15 calendar day advance notice period, both parties will**
35 **attempt to informally resolve the alleged violation.**

36
37 **D. In the event the informal charge is not resolved to the satisfaction of**
38 **the parties within the 15 calendar day period, the ULP the charging**
39 **party may file a formal charge with the FLRA. Notwithstanding the**
40 **filing of a ULP with the FLRA the parties are encouraged to continue**
41 **to seek resolution of the charge.**

42
43 **Section 2**

44 **If the union files a formal charge, a copy of any documentation submitted**
45 **to the FLRA will be submitted to the charged party at the same time it is**
46 **provided to the FLRA.**