

**RE: AFGE Oct. 16, 2014 'demand to bargain: Ebola Virus'**

Salamido, Holly

Sent: Friday, October 24, 2014 8:52 AM

To: Hankinson, D'andra A

Cc: Mercer-Hollie, Jacqueline; STEIN, MICHAEL H; Newton Cole, Karen A; Gross, Jerry; Krebs, Tracy J; Viola, Salvatore T; Chambers, Lorraine D; Constantine, Peter J; Norton, Sherry K

Attachments: Ebola.pdf (384 KB)

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Dee Dee,

In response to your claim that the Council's Demand to Bargain is "covered by" existing contract provisions, I am attaching an extensive memorandum prepared by our midterm bargaining chair, Jerry Gross. I think it is quite clear that the appearance of the Ebola virus in Texas (and now, New York) presents circumstances not reasonably contemplated by the parties at the time of negotiation of previous agreements. This is not a pandemic situation or influenza, and your citation to the supplements referenced below is simply disingenuous. Management's refusal to bargain over these health and safety issues is extremely disturbing and, as detailed in the attached memorandum, not supported by the law. We are requesting that management change its position and schedule bargaining immediately. Due to the urgency of the situation, I am requesting a response to the attached memorandum within five days. The Council will then proceed to enforce its statutory rights, and take other measures it deems appropriate.

I would also note that your refusal to bargain over this health and safety matter reflects a disturbing recent trend by the Employee and Labor Relations Division. In the past few months, we have received a number of declarations from management claiming that clear changes in working conditions will not be negotiated by management. This pattern on the part of ELR will be documented in our ULP or Grievance of the Parties.

We look forward to your timely response.

Holly Salamido  
President, Council 222 of HUD Locals

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From: Hankinson, D'andra A  
Sent: Tuesday, October 21, 2014 3:53 PM  
To: Salamido, Holly  
Cc: Mercer-Hollie, Jacqueline; STEIN, MICHAEL H; Newton Cole, Karen A  
Subject: AFGE Oct. 16, 2014 'demand to bargain: Ebola Virus'

Good Afternoon, Holly,

After review of the Union's Oct. 16, 2014 'demand to bargain: Ebola Virus' memo and applicable HUD "Pandemic Planning and Response Guidance", AFGE Supplement 99, and Article 26 of the HUD/AFGE Agreement, Management does not agree to bargain health and safety measures related to the Ebola virus because they appear to be covered by Article 26 and Supplement 99 of the HUD/AFGE Agreement, and HUD's "Pandemic Planning and Response Guidance."

Thanks,  
Dee Dee Hankinson