

**UNITED STATES OF AMERICA
FEDERAL LABOR RELATIONS AUTHORITY
DENVER REGIONAL OFFICE**

DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT
(Respondent)

-AND-

AMERICAN FEDERATION OF GOVERNMENT
EMPLOYEES, COUNCIL 222, AFL-CIO
(Charging Party)

Case No. WA-CA-15-0272

COMPLAINT AND NOTICE OF HEARING

1. This Complaint and Notice of Hearing is issued pursuant to Section 7118 of the Federal Service Labor-Management Relations Statute (the Statute) and Section 2423.20(a) of the Rules and Regulations of the Federal Labor Relations Authority (the Authority or FLRA).
2. The Department of Housing and Urban Development (Respondent) is an agency within the meaning of Section 7103(a)(3) of the Statute.
3. The American Federation of Government Employees, Council 222, AFL-CIO (Union) is a labor organization under Section 7103(a)(4) of the Statute and is the exclusive representative of a bargaining unit of employees appropriate for collective bargaining at the Respondent.
4. The Union filed the charge with the Washington Regional Director on April 16, 2015.
5. The charge was transferred from the FLRA Washington Regional Office to the FLRA Denver Regional Office on October 20, 2015.
6. A copy of the charge described in paragraphs 4 and 5 was served on the Respondent
7. At all material times, the following individual(s) held the position(s) set opposite their respective name(s) and has been a supervisor or management official of Respondent within the meaning of Sections 7103(a)(10) and (11) of the Statute and agents of Respondent acting upon its behalf:

Nani Coloretti	Deputy Secretary
----------------	------------------
8. On February 24, 2015, the Union, by President Holly Salamido, requested the Respondent to negotiate over the subject of "Affinity Groups," or employee advocacy groups, for employees in the bargaining unit described in paragraph 3.
9. The subject described in paragraph 8 is a mandatory subject of bargaining under the Statute.

10. Since March 17, 2015, the Respondent has refused to negotiate with the Union over the subject described in paragraph 8.
11. On or about April 13, 2015, the Respondent, by Nani Coloretti, conducted a meeting with the Parental Leave Affinity Group, concerning conditions of employment for employees in the bargaining unit described in paragraph 3.
12. On or about April 15, 2015, the Respondent, by Nani Coloretti, conducted a meeting with the Veterans Affinity Group, concerning conditions of employment for employees in the bargaining unit described in paragraph 3.
13. By the conduct described in paragraph 10, the Respondent committed an unfair labor practice in violation of Sections 7116(a)(1) and (5) of the Statute.
14. By the conduct described in paragraphs 11 and 12, the Respondent has bypassed the Union and committed unfair labor practices in violation of Section 7116(a)(1) and (5) of the Statute.
15. By the conduct described in paragraphs 11 and 12, the Respondent has interfered with, restrained and coerced employees in the exercise of their rights guaranteed in Section 7102 of the Statute in violation of Section 7116(a)(1) of the Statute.

ANSWER REQUIREMENT

Respondent must file an answer to this complaint. See Section 2423.20(b) of the Authority's Regulations. The answer must admit, deny, or explain each allegation of the complaint. Absent a showing of good cause, failure to file an answer or respond to any allegation will constitute an admission.


Respondent must file an original and four (4) copies of the answer with the Office of Administrative Law Judges, FLRA, 1400 K St., NW, Washington, DC 20424-0001 by **November 16, 2015**. See Sections 2429.24(d) and 2429.25(a) of the Authority's Regulations. An answer can also be filed electronically. See Section 2429.24(f)(15) of the Authority's Regulations. To file an answer electronically, go to www.flra.gov, select **eFile** under the **Filing a Case** tab and follow the instructions to file with the Office of Administrative Law Judges.

Respondent must also serve a copy of the answer on this office and the Charging Party. See Section 2429.27 of the Authority's Regulations.

NOTICE OF HEARING

PLEASE TAKE NOTICE that, on **December 10, 2015**, at **9:00am** in the Agenda Room, second floor at 1400 K. St. NW, Washington, DC 20424, a hearing on this complaint will be conducted before an Administrative Law Judge of the Federal Labor Relations Authority. At the hearing, Respondent and any other party to this proceeding have the right to appear and present testimony regarding the allegations in this complaint. The hearing procedures are described in Section 2423.30 to 2423.34 of

the Authority's Regulations. The prehearing procedures are described in Section 2423.20 to 2423.28 of the Authority's Regulations.



Timothy Sullivan, Regional Director
Federal Labor Relations Authority
Denver Region
1244 Speer Boulevard, Suite 446
Denver, CO 80204-3581

Dated: October 20, 2015

CERTIFICATE OF SERVICE
CASE NO. WA-CA-15-0272

I hereby certify that on October 20, 2015, I served the foregoing **COMPLAINT AND NOTICE OF HEARING** upon the interested parties in this action by placing a true copy thereof, postage prepaid, in the U.S. Post Office mailbox at Denver, Colorado, addressed as follows:

The Honorable Charles R. Center
Chief Administrative Law Judge
Office of Administrative Law Judges
Federal Labor Relations Authority
1400 K Street, NW, 3rd Floor
Washington, DC 20424-0001

Telephone: (202) 218-7923
Fax: (202) 482-6629

Holly Salamido, President
AFGE, Council 222 of HUD Locals
451 Seventh Street, SW, Room 3172
Washington, DC 20410

Telephone: (202) 402-5243
Email: holly.salamido@hud.gov

Mike Stein, Deputy Director
Employee & Labor Relations Division
U.S. Department of Housing and Urban Development
451 Seventh Street, SW, Room 2150
Washington, DC 20410

Telephone: (202) 402-5421
Fax: (202) 708-2155
Email: michael.h.stein@hud.gov

Peter A. Sutton
Deputy General Counsel
Federal Labor Relations Authority
1400 K Street, NW, Suite 200
Washington, DC 20424-0001



Christopher A. Bowers