



# National Council of HUD Locals

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES  
AFFILIATED WITH AFL-CIO

## Council 222

September 12, 2017

MEMORANDUM FOR: Jessie M. Gonzales, Employee and Labor Relations Specialist,  
Chicago Regional Office- Human Resources

FROM: Salvatore Viola, Regional Vice President,   
AFGE National Council of HUD Locals #222

SUBJECT: Demand to Bargain: Reasonable Accommodation Portal

Pursuant to Article 49, Section 49.04 of the HUD /AFGE Collective Bargaining Agreement (referred herein as the Agreement), this memorandum serves as HUD Council of AFGE Locals (referred herein as the Union or the Council) demand to bargain the impact and implementation of the planned Reasonable Accommodation Portal.

The planned Reasonable Accommodation Portal is Management's attempt to once again circumvent the reasonable accommodation application and processing covered by Article 45, "Reasonable Accommodation".

The Council of HUD Locals demands that you cease and desist all steps to implement this portal until it is in compliance with the Agreement.

The Article clearly states conflict between this Agreement and the Departmental policies on Reasonable Accommodation, the Agreement will prevail.

The Council is offering the following preliminary proposals for consideration and negotiation:

- 1) This Supplement shall not diminish or waive any rights that bargaining unit employees have under the AFGE Agreement, law, rule or regulation including but not limited to:
  - a) The Rehabilitation Act of 1973;
  - b) The Americans with Disabilities Act of 1990 (ADA), as amended by the ADA
  - c) Amendments Act of 2008;
  - d) Executive Order 13164;
  - e) EEOC's regulations implementing the ADA (29 CFR part 1630);
  - f) Handbook 7855.1, dated April 2003

- 2) Status Quo will remain and the Department shall delay the implementation of the Reasonable Accommodation Portal until the Portal is redesigned to meet the entire Reasonable Accommodation process covered by Article 45, including but not limited to Section 45.04 “Process for Requesting a Reasonable Accommodation” and mid-term bargaining on anything not already covered by the Agreement is completed.
  
- 3) Management shall ensure that the Reasonable Accommodation Portal is user-friendly for disabled employees.

These are preliminary proposals for negotiating the changes under the subject line above and additional proposals may be added prior to the start of any necessary negotiations. If you have any questions, I can be reached at (917) 607-1474.

Thank you.