



National Council of HUD Locals
AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES
AFFILIATED WITH AFL-CIO
Council 222

October 2, 2018

To: Towanda Brooks, Chief Human Capital Officer
Joseph Sullivan, Director, Employee and Labor Relations

From: Salvatore Viola Regional Vice President, HUD Council of AFGE Locals

SUBJECT: Demand to Bargain: Cellular Phones Distributed to FHEO Bargaining Unit Nationwide

Pursuant to Article 49, Section 49.04 of the HUD/AFGE Collective Bargaining Agreement (referred to herein as the Agreement), the American Federation of Government Employees (AFGE), HUD Council of AFGE Locals (referred to herein as the Union) is demanding to bargain the Department's issuance of cellular phones to FHEO Bargaining Unit Employees nationwide.

The Union was never officially notified of the Department issuing cellular phones to the FHEO Bargaining Unit in accordance with the Agreement.

The Union demands an immediate cease and desist of the issuance of cellular to Bargaining Unit Employees until negotiations of its impact and implementation on the bargaining unit has been completed.

- 1) This Supplement shall not diminish or waive any rights that bargaining unit employees have under the HUD/AFGE Collective Bargaining Agreement, law, rule or regulation.
- 2) This Supplement shall not supersede the covered by provisions of Article 56 'Government Personal Property Equipment Management' of the Agreement.
- 3) Bargaining Unit Employees acceptance and use of Department issued cellular phones shall be voluntary.

- 4) Employees shall not be held accountable for loss or damage of Department issued cellular phones unless the Department has proven deliberate negligence or destruction.
- 5) It is not the Departments' intent to track affected employees' location during duty time.
- 6) It is not the Departments' intent to track affected employees' location during personal off duty time.

Affected bargaining unit employees use the Department's issued cellular Phones shall receive guidance and/or training as requested to effectively use the phones. This included but is not limited to technical information and training.

- 7) Annual leave and/or sick leave previously approved will not be rescinded as result of Department's issuance of cellular phones
- 8) The Department's issuance of cellular phones shall not affect employees' existing alternate work schedules. Hours of duty shall continue to be administered in accordance with the provisions of the HUD/AFGE Collective Bargaining Agreement.
- 9) The Department's issuance of cellar phones shall not affect employees' existing Telework agreements. It is not the Department's intent to track the issued Cellular phones during employees telework. Any change in a telework agreement shall be in accordance with the current HUD /AFGE Collective Bargaining Agreement.
- 10) Reasonable Accommodations: Approved reasonable accommodations will remain in effect and not be adversely affected by the Department's issuance of cellular phones. The Department's issuance of cellular phones shall be conducted in compliance with the Americans with Disability Act (ADA). A proposed modification of the use of cellular phones will be processed in accordance with the Departmental Reasonable Accommodation Policy.

These are preliminary proposals only and the Union reserves the right to bargain, amend or add additional proposals in accordance with Article 49 of the Agreement.

If you have any further questions regarding this memo, please contact me at (917) 607-1474.

Thank you.

