



National Council of HUD Locals

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES
AFFILIATED WITH AFL-CIO

Council 222

September 26, 2019

MEMORANDUM FOR: Monica Matthews
Chief Human Capital Officer

Joseph Sullivan
Director, Employee & Labor Relations Division

Ginger Burnett
Chief, Employee and Labor Relations, Regions 7-10

FROM: Holly Salamido, President
HUD Council of AFGE Locals, Council 222

SUBJECT: HUD Contingency Plan for Possible Lapse in Appropriations 2019

Pursuant to Articles 49 and 34 of the HUD-AFGE Council 222 Agreement, AFGE National Council of HUD Locals No. 222 (Council or Union) demands to bargain regarding the HUD Contingency Plan for Possible Lapse in Appropriations 2019.

The below proposals are preliminary bargaining proposals and are not to be considered all of the proposals that the Union can submit. A complete list of proposals may be presented prior to and at the time of bargaining in accordance with Section 49.06 of the HUD-AFGE Council 222 Agreement.

Initial Proposals:

1. Management shall provide the Union with a current list of all excepted (exempt) employees who will be required to work during any emergency shutdown. Following provision of the list, management will bargain at the local level regarding designation of employees as excepted from any shutdown furlough.
2. Any employee deemed essential who currently has a telecommuting agreement in place will be permitted to continue to telecommute during any shutdown.
3. All currently excepted employees will be notified immediately that they are required to work during any emergency shutdown due to a lapse in appropriations.
4. Union officials will be allowed building access for the purpose of performing voluntary

representational work for bargaining unit employees.

5. This Supplement will not diminish or waive any rights that bargaining unit employees have under the Collective Bargaining Agreement, law rule or regulation.
6. To the extent practicable, employees will be provided advance notice of an emergency furlough. For furloughs of 30 calendar days or less (up to 22 workdays), employees should be provided 30 days written notice, if practicable. For furloughs of more than 30 calendar days (more than 22 workdays), employees should be provided 60 days written notice, if practicable.
7. All "furlough information packets" prepared for HUD employees will be provided to bargaining unit employees one week prior to any potential lapse in funding. A potential lapse in funding is defined as a situation where there is no approved appropriation bill for HUD one week prior to expiration of the current year's funding or any continuing resolution.
8. At least one week prior to any potential lapse in funding, all bargaining unit employees will be notified whether they are considered "exempt" or "non-exempt," and specifically, whether they will be required to report to work in the event of a shutdown due to lapse in funding.
9. Management will provide all affected employees state-specific information on claiming unemployment benefits during a shutdown. Management will also provide employees with a letter to provide to creditors, documenting the employee's federal employment and non-pay status during the emergency shutdown.
10. Employees, unless prohibited by statute or regulation, will be permitted to use their "use or lose" leave after the shutdown ends and until such "use or lose" is exhausted.
11. Bargaining unit employees who telework will be permitted to conduct shutdown activities from their telework site. To the extent practicable, Bargaining Unit employees who do not telework shall be allowed to conduct shutdown activities before going home the evening before a shutdown occurs.
12. As a means of communication, any furloughed employee shall be permitted to continue the use of HUD's email systems as an essential communications means for furlough information.

These are preliminary proposals for the purpose of negotiating the changes under the subject line above and additional proposals may be added prior to the start of any necessary negotiations.