

RE: <External Message> Re: [EXTERNAL] RE: Union's Counter to Withdrawal Agreement

Johnson, Michael P <michael.p.johnson@hud.gov>

Thu 9/28/2023 11:14 AM

To: Williams LaTwana <lwilliams@fmcs.gov>; salafge <salafge@outlook.com>; Miranda, Ricardo <Ricardo.Miranda@hud.gov>; Gross, Jerry <jerry.gross@hud.gov>; Robinson, Ashaki <Ashaki.Robinson@hud.gov>; Payette, Brenda L <Brenda.Payette@hud.gov>; Miles, Desiree M <Desiree.M.Miles@hud.gov>; Horton, Kimberly A <Kimberly.A.Horton@hud.gov>; Michalski, Lori A <Lori.A.Michalski@hud.gov>; Surplus, Lisa <Lisa.Surplus@hud.gov>; Schimmenti, Michael <Michael.Schimmenti@hud.gov>; Levi, Tomyko L <tomyko.l.levi@hud.gov>; Dunn, Keywauna L <Keywauna.L.Dunn@hud.gov>

Good Morning Commissioner and Sal,

Management is rescinding the Article 49 Notice and the proposed changes therein which will terminate negotiations. No agreement is needed from the Union because at this time Management is no longer proposing a change.

Thank you,

Michael P. Johnson

Branch Chief, Employee & Labor Relations Division, (Regions 4 & 6)

Office of the Chief Human Capital Officer

U.S. Department of Housing and Urban Development

Telephone: 678-732-2572

Email: Michael.P.Johnson@hud.gov

From: Williams LaTwana <lwilliams@fmcs.gov>

Sent: Thursday, September 28, 2023 11:03 AM

To: Johnson, Michael P <michael.p.johnson@hud.gov>; salafge <salafge@outlook.com>; Miranda, Ricardo <Ricardo.Miranda@hud.gov>; Gross, Jerry <jerry.gross@hud.gov>; Robinson, Ashaki <Ashaki.Robinson@hud.gov>; Payette, Brenda L <Brenda.Payette@hud.gov>; Miles, Desiree M <Desiree.M.Miles@hud.gov>; Horton, Kimberly A <Kimberly.A.Horton@hud.gov>; Michalski, Lori A <Lori.A.Michalski@hud.gov>; Surplus, Lisa <Lisa.Surplus@hud.gov>; Schimmenti, Michael <Michael.Schimmenti@hud.gov>; Levi, Tomyko L <tomyko.l.levi@hud.gov>; Dunn, Keywauna L <Keywauna.L.Dunn@hud.gov>

Subject: <External Message> Re: [EXTERNAL] RE: Union's Counter to Withdrawal Agreement

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Michael, thank you for your email. I am not clear on its meaning as to our scheduled or continued negotiations. Sal, can you please let me know if this email is agreeable to the union and if I am releasing the October 5th date for continued negotiations? Thanks so much.

LaTwana Williams

Commissioner

Great Lakes District

Federal Mediation and Conciliation Service (FMCS)
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Independence, OH 44131
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From: Johnson, Michael P <michael.p.johnson@hud.gov>

Sent: Thursday, September 28, 2023 10:30:31 AM

To: Williams LaTwana <lwilliams@fmcs.gov>; salafge <salafge@outlook.com>; Miranda, Ricardo <Ricardo.Miranda@hud.gov>; Gross, Jerry <jerry.gross@hud.gov>; Robinson, Ashaki <Ashaki.Robinson@hud.gov>; Payette, Brenda L <Brenda.Payette@hud.gov>; Miles, Desiree M <Desiree.M.Miles@hud.gov>; Horton, Kimberly A <Kimberly.A.Horton@hud.gov>; Michalski, Lori A <Lori.A.Michalski@hud.gov>; Surplus, Lisa <Lisa.Surplus@hud.gov>; Schimmenti, Michael <Michael.Schimmenti@hud.gov>; Levi, Tomyko L <tomyko.l.levi@hud.gov>; Dunn, Keywauna L <Keywauna.L.Dunn@hud.gov>

Subject: [EXTERNAL] RE: Union's Counter to Withdrawal Agreement

Good Day Commissioner Williams, Sal, and Union Team,

Again, thank you Sal, and Union Team for the exchanges yesterday and the Union's proposal in the emails below. In response, the Department hereby rescinds the Article 49 notice that was provided to the Union on June 26, 2023, regarding impact and implementation of the proposed new space design standards policy, HUD Handbook 2200.01, Administrative Services Policy Handbook, Revised Chapter 13. As a result of the rescission, the negotiations that commenced on July 24, 2023, are also terminated.

Management is very appreciative to the Union for all the information and dialogue presented during these negotiations, which was paramount in Management's decision not to move forward with its proposed change to the current space policy. Management plans to use all information obtained, particularly information from the Union's Chief Negotiator, Sal Viola, to narrow the scope and develop procedures specific for implementation of space sharing, to be negotiated at the national level in accordance with applicable supplements. Once those procedures are developed for space sharing, the Union will be provided notice in accordance with Article 49 of the Collective Bargaining Agreement.

Again, the Union's cooperation with the Department on this initiative is very much appreciated. We look forward to our continued partnership in working with the Union to address the needs of HUD employees.

Michael P. Johnson

Branch Chief, Employee & Labor Relations Division, (Regions 4 & 6)
Office of the Chief Human Capital Officer
U.S. Department of Housing and Urban Development
Telephone: 678-732-2572
Email: Michael.P.Johnson@hud.gov

From: Johnson, Michael P

Sent: Wednesday, September 27, 2023 5:26 PM

To: Williams LaTwana <lwilliams@fmcs.gov>; Miranda, Ricardo <Ricardo.Miranda@hud.gov>; Gross, Jerry <jerry.gross@hud.gov>; Surplus, Lisa <Lisa.Surplus@hud.gov>; Michalski, Lori A <Lori.A.Michalski@hud.gov>; Levi, Tomyko L <tomyko.l.levi@hud.gov>; Dunn, Keywauna L <Keywauna.L.Dunn@hud.gov>; Schimmenti, Michael <Michael.Schimmenti@hud.gov>; Robinson, Ashaki <Ashaki.Robinson@hud.gov>; Payette, Brenda L <Brenda.Payette@hud.gov>; Sal Viola (salafge@outlook.com) <salafge@outlook.com>
Subject: RE: <External Message> RE: [EXTERNAL] RE: Union's Counter to Withdrawal Agreement

Thank you, Sal, Jerry, and Ricardo. The Management team will review and provide a response via email.

Michael P. Johnson

Branch Chief, Employee & Labor Relations Division, (Regions 4 & 6)
Office of the Chief Human Capital Officer
U.S. Department of Housing and Urban Development
Telephone: 678-732-2572
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From: Williams LaTwana <lwilliams@fmcs.gov>
Sent: Wednesday, September 27, 2023 5:13 PM
To: Miranda, Ricardo <Ricardo.Miranda@hud.gov>; Gross, Jerry <jerry.gross@hud.gov>; Johnson, Michael P <michael.p.johnson@hud.gov>; Surplus, Lisa <Lisa.Surplus@hud.gov>; Michalski, Lori A <Lori.A.Michalski@hud.gov>; Levi, Tomyko L <tomyko.l.levi@hud.gov>; Dunn, Keywauna L <Keywauna.L.Dunn@hud.gov>; Schimmenti, Michael <Michael.Schimmenti@hud.gov>; Robinson, Ashaki <Ashaki.Robinson@hud.gov>; Payette, Brenda L <Brenda.Payette@hud.gov>
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Thanks Ricardo.

LaTwana Williams

Commissioner

Region 3

Federal Mediation and Conciliation Service (FMCS)

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From: Miranda, Ricardo <Ricardo.Miranda@hud.gov>

Sent: Wednesday, September 27, 2023 5:10 PM

To: Gross, Jerry <jerry.gross@hud.gov>; Johnson, Michael P <michael.p.johnson@hud.gov>; Williams LaTwana <lwilliams@fmcs.gov>; Surplus, Lisa <Lisa.Surplus@hud.gov>; Michalski, Lori A <Lori.A.Michalski@hud.gov>; Levi, Tomyko L <tomyko.l.levi@hud.gov>; Dunn, Keywauna L <Keywauna.L.Dunn@hud.gov>; Schimmenti, Michael <Michael.Schimmenti@hud.gov>; Robinson, Ashaki <Ashaki.Robinson@hud.gov>; Payette, Brenda L <Brenda.Payette@hud.gov>

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Please note that the following sentence in the Union's below language is a verbatim quote from Article 57, Section 57.02:

"When Management makes a decision to acquire or alter space, it shall notify and negotiate with the Union at the local level in accordance with Article 49 of the HUD/AFGE Agreement."

Thanks.

From: Gross, Jerry <jerry.gross@hud.gov>

Sent: Wednesday, September 27, 2023 5:01 PM

To: Johnson, Michael P <michael.p.johnson@hud.gov>; Williams LaTwana <lwilliams@fmcs.gov>; Surplus, Lisa <Lisa.Surplus@hud.gov>; Michalski, Lori A <Lori.A.Michalski@hud.gov>; Levi, Tomyko L <tomyko.l.levi@hud.gov>; Dunn, Keywauna L <Keywauna.L.Dunn@hud.gov>; Schimmenti, Michael <Michael.Schimmenti@hud.gov>; Miranda, Ricardo <Ricardo.Miranda@hud.gov>; Robinson, Ashaki <Ashaki.Robinson@hud.gov>; Payette, Brenda L <Brenda.Payette@hud.gov>

Subject: Union's Counter to Withdrawal Agreement

Hello Commissioner,

Below is the Union's counter.

The Parties agree that the Management Article 49 notice issued to AFGE Council 222 on July 24, 2023, is withdrawn along with both Parties' proposals and to end these negotiations. When Management makes a decision to acquire or alter space, it shall notify and negotiate with the Union at the local level in accordance with Article 49 of the HUD/AFGE Agreement. The Parties will negotiate policies and processes related to the implementation of shared

space in accordance with the CBA and negotiated supplements. No part of this agreement waives any rights in the Parties' CBA, national or local supplements to the CBA, or under the Federal Labor-Management Relations Statute.

Note: IT equipment is NOT a policy or a process. Inclusion of this makes Management's intent unclear when it states that the Parties will negotiate policies and *processes*. The Agency's language would limit the scope of bargaining at both the national and local levels in contravention to Article 49 and 50. The Union will not agree to waive or diminish our existing rights in the current CBA. If this language is not acceptable, then the withdrawal agreement notice either needs to end after the first sentence (The Parties agree that ... and to end these negotiations.) or the parties need to continue current negotiations and management needs to work on Management Counter 6.

Thank you,
Jerry

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