




U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, DC 20410-3000

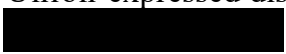
Office of the Chief Human Capital Officer

DATE: May 24, 2022

MEMORANDUM FOR: Jerry Gross  
Steward  
AFGE Local 476

FROM:   
Lori Sealy, Director  
Performance Management Division  
Office of the Chief Human Capital Officer

SUBJECT: Decision on Unfair Labor Practice Grievance  
(re: Performance Award Criteria)

This memorandum concerns the negotiated grievance received filed by the American Federation of Government Employees (AFGE) Local 476 on May 13, 2022. In the grievance, the Union expressed dissatisfaction with management's failure to pay a separated employee, , a performance award for work performed during the fiscal year (FY) 2021.

The Union declined to meet with management to discuss informal resolution of the grievance. As such, I have reviewed the grievance and relevant documents provided to support the grievance and have decided on this grievance based on the information provided.

In accordance with HUD Handbook 2195.1: Incentive Awards Policy and Procedures and 5 CFR 451: Awards, a former employee **may** receive a performance award; management is not required to pay separated employees performance awards. Agency policy and federal regulation grant management discretion on whether to pay performance awards to separating employees. Management has set forth that performance awards will only be paid to separated employees who have completed the full rating cycle (October 1 through September 30).

I have determined management has not committed any contractual or statutory violations. Therefore, I hereby deny your grievance and requested reliefs.

Should you disagree with this decision, the Union may advance the grievance to the arbitration level, in accordance with the procedures outlined in Article 52 of the HUD/AFGE Agreement.