

Subject: Cybersecurity Breach



National Council of HUD Locals – Council 222

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES AFFILIATED WITH AFL-CIO

WASHINGTON, DC 20410-0050

<http://www.afgecouncil222.com>

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Cybersecurity Breach

You are all no doubt aware of the massive cybersecurity breach at the Office of Personnel Management, resulting in the release of personal information on millions of Federal employees. On June 4, 2015, Deputy Secretary Coloretti sent a cryptic email to HUD employees stating that she had "been informed by OPM that the Department of Housing and Urban Development employee data has potentially been compromised in this incident." The email contained the standard Federal Trade Commission advice on preventing identity theft.

Council 222 immediately filed a Demand to Bargain on June 5, 2015, asking that HUD take specific measures to protect its employees. The Council filed a supplemental Demand to Bargain on July 16, 2015, asking, among other things, that the agency provide a letter to all affected employees detailing the specific information that had been released. This is particularly important, given the reports we are hearing that the personal information of minor children and the medical information of employees has been compromised. The Demand to Bargain and follow-up proposals can be found on the Council website.

Since June 5, 2015, we have been given the "run-around" by management, first being told by Employee and Labor Relations that OPM had "directed" them not to negotiate with AFGE, later admitting that no such directive exists. I have repeatedly requested that bargaining be scheduled, as required by both our recently executed contract and the

Federal Labor Relations Statute. Notably, our new contract states that bargaining shall be scheduled within 10 days of receipt of the Demand to Bargain. Given the seriousness of the data breach, the importance of adhering to this contractual requirement in this particular situation cannot be overstated.

In response to a number of emails to the Deputy Secretary and OCHCO, I was told on August 4, 2015, that an answer to our request for the scheduling of negotiations was "forthcoming." On August 5, 2015, I received an email from management stating it was "HUD's position that the Agency will not be bargaining over the OPM security breach because the change was not taken by HUD." We have consulted with our national AFGE office and have been told they are not aware of any other agency refusing to bargain with its employees over its response to this very serious incident.

Now, two months after the data breach, management has provided no real information, and employees are still in the dark and at risk. This is outrageous. Yesterday, we filed Unfair Labor Practice charges with the Federal Labor Relations Authority over HUD's actions, and will be pushing this matter forward as quickly as we can. The Unfair Labor Practice filing can also be found on our website. HUD's refusal to come to the table to bargain over matters affecting its employees is becoming a pattern. It is unfortunate that, yet again, we must seek the assistance of a third party to force the agency to comply with the federal statute and our contract.

We will keep you informed every step of the way.

Holly

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This e:alert is for HUD AFGE bargaining unit employees