Please choose one of the following scenarios on the next pages as the basis for your individual grievance, depending on your personal situation. Fill in information where required, as indicated by the directions in brackets. Add in any additional information that may be relevant.

**Option 1: You submitted a request for remote work or telework but management said you had to wait.**

**Option 2: You submitted a request for remote work or telework but did not receive a response.**

**Option 3: You did not submit a request for telework/remote work previously because management advised you not to do so.**

If you have not submitted a request for telework/remote work, you should do so at the same time you submit a grievance. Use the existing telework form, and just fill in the schedule you want to work at the “alternate” or “official” locations.

**Option 1: You submitted a request for remote work or telework but management said you had to wait.**

On [*date*], I submitted my request for [*telework or remote work*] by email to [*name, title*]. See attachment 1. [*Provide a copy of your email request, including any attachments*.]

On [*date*], I received a response by [*email, phone call*] from [*name, title*] that said [*state what you were told, such as you have to wait until the Agency implements its new policy or wait until the Agency develops new forms*.] See attachment 2. [*Provide a copy of management’s response to you*.] This rejection was consistent with an April 18, 2022, email from the HUD Office of the Chief Human Capital Officer (OCHCO) with the subject, “Workplace Updates – Flexiplace,” in which OCHCO stated:

Employees should refrain from submitting new requests until the Agency has released the new policy, updated Flexiplace forms, and training. The OCHCO team is in the process of finalizing an overview of the Flexiplace policy that will be provided to all employees and provide highlights of the policy and associated union supplements.

[*If your office had a meeting or sent a general email and said you have to wait, include the following*:] On [*date*], the Office of [*Name*] [*distributed an email that said/held a meeting where management said*] [*summarize what was said, such as employees have to wait until the Agency circulates its new policy and provides new forms*]. [*If it was an email:*] See attachment 3.

This violates National Supplement 33, Implementation of the Department of Housing and Urban Development’s (HUD’s) Proposed Flexiplace Policy, to the HUD-AFGE Collective Bargaining Agreement. Supplement 33 states, “Effective Date: This supplement shall become effective upon signature of the Parties.” Supplement 33 was signed, April 11, 2022. Under Supplement 33, HUD was obligated to accept and process my request for [*telework or remote work*] on or after April 11.

Meeting: I do not request a meeting with the Deciding Official under Section 51.13.

Remedy: I request immediate consideration of my request for [*telework/remote work*] in accordance with Supplement 33, and a written response within the timeframes specified by and in accordance with the provisions of Supplement 33. [*If the request was for remote work*:] In accordance with Section 29, I request immediate approval of [*# days*] days per week of telework pending approval of my remote work request.

**Option 2: You submitted a request for remote work or telework but did not receive a response.**

On [*date*], I submitted my request for [*telework or remote work*] by email to [*name, title*]. See attachment 1. [*Provide a copy of your email request, including any attachments*.]

On April 18, I have not received a response, even though 15 business days have elapsed. [*Note: Management has 15 business days to respond to a request*.] This inaction was consistent with an April 18, 2022, email from the HUD Office of the Human Capital Officer (OCHCO) with the subject, “Workplace Updates – Flexiplace,” in which OCHCO stated:

Employees should refrain from submitting new requests until the Agency has released the new policy, updated Flexiplace forms, and training. The OCHCO team is in the process of finalizing an overview of the Flexiplace policy that will be provided to all employees and provide highlights of the policy and associated union supplements.

Management’s failure to respond to my request violates the Effective Date provision and Section 28 of National Supplement 33, Implementation of the Department of Housing and Urban Development’s (HUD’s) Proposed Flexiplace Policy, to the HUD-AFGE Collective Bargaining Agreement. Supplement 33 states, “Effective Date: This supplement shall become effective upon signature of the Parties.” The supplement was signed, April 11, 2022. Under Supplement 33, HUD was obligated to accept my request for [*telework or remote work*] on or after April 11. Section 28 of Supplement 33 states, “Management shall approve or disapprove the employee’s participation in the Flexiplace program in writing, within fifteen (15) business days.”

Meeting: I do not request a meeting with the Deciding Official under Section 51.13.

Remedy: I request immediate consideration of my request for [*telework/remote work*] in accordance with Supplement 33, and a written response within the timeframes specified by and in accordance with the provisions of Supplement 33. [*If the request was for remote work*:] In accordance with Section 29, I request immediate approval of [*# days*] days per week of telework pending approval of my remote work request.

**Option 3: You did not submit a request for telework/remote work previously because management advised you not to do so.**

On April 18, 2022, the Department of Housing and Urban Development informed me through an email from OCHCO that I was not to submit my request for [*telework or remote work*] yet. That email from the HUD Office of the Human Capital Officer (OCHCO) with the subject, “Workplace Updates – Flexiplace,” stated:

Employees should refrain from submitting new requests until the Agency has released the new policy, updated Flexiplace forms, and training. The OCHCO team is in the process of finalizing an overview of the Flexiplace policy that will be provided to all employees and provide highlights of the policy and associated union supplements.

[*If you also were told in a meeting or by email, add more details*]: On [*date*], [*name of manager, title*] stated in a [*meeting/email*] that [*say what the manager said, such as employees would have to wait until the Agency distributed its guidance, or that the office would not permit remote work*.]

These messages from Agency management violated National Supplement 33, Implementation of the Department of Housing and Urban Development’s (HUD’s) Proposed Flexiplace Policy, to the HUD-AFGE Collective Bargaining Agreement. Supplement 33 states, “Effective Date: This supplement shall become effective upon signature of the Parties.” The supplement was signed April 11, 2022. Under Supplement 33, HUD was obligated to accept my request for [telework or remote work] on or after April 11. The message from OCHCO [*add* and from *manager’s name* *if applicable*]

[*If the office issued a blanket statement that it would not permit remote work add the following*:] By announcing that [*name of office*] would not have remote work, Management violated Section 34 of Supplement 33, which states: “Any decision by Management to deny, modify, or terminate a remote work arrangement must be based on business needs, misconduct, or performance, not arbitrary or capricious reasons.” A blanket decision without consideration of individual employees’ duties and situations is, by its very nature, arbitrary and capricious. This is especially true after I and other employees successfully worked remotely for over two years during the COVID-19 pandemic.

Meeting: I do not request a meeting with the Deciding Official under Section 51.13.

Remedy: I request immediate consideration of my request for [*telework/remote work*], which I am submitting on [*today or give date*] in accordance with Supplement 33, and a written response within the timeframes specified by and in accordance with the provisions of Supplement 33. [*If the request was for remote work*:] In accordance with Section 29, I request immediate approval of [*# days*] days per week of telework pending approval of my remote work request.