



# American Federation of Government Employees Local 476

*Affiliated with AFL-CIO*

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July 22, 2025

MEMORANDUM FOR: Daniel Raymond, Acting Deputy Director  
Employee and Labor Relations

FROM: Ashaki Robinson, PhD President /s/  
AFGE Local 476

SUBJECT: 7114(b)(4) Bargaining Unit List – AFGE Local 476

AFGE Local 476, the representative for bargaining unit employees within **Headquarters, the Los Angeles Departmental Enforcement Center (LA DEC), and the Washington Field Office**, hereby submits this formal request for information pursuant to **5 U.S.C. § 7114(b)(4)**.

## **I. BACKGROUND**

Since at least 2009, **Employee and Labor Relations (ELR)** has provided the Union with a biweekly report identifying bargaining unit employees in the Washington Field Office, the LA DEC, the Weaver Building, and Headquarters employees outstationed to field offices nationwide. These reports included essential data—**bargaining unit status, official title, duty station, and organizational code**—which enabled the Union to meet its statutory and contractual obligations.

The **last accurate bargaining unit list** was provided in **October 2024**. On **April 17, 2025**, Mr. Daniel Raymond informed the Union that ELR would no longer provide this information, questioning what representational need the Union would have for it. This position obstructs the Union's ability to fulfill its representational responsibilities under the Federal Service Labor-Management Relations Statute and violates longstanding past practice and the parties' Collective Bargaining Agreement.

The Union reminds the Agency that its obligations to provide information under 5 U.S.C. § 7114(b)(4) have been affirmed by binding precedent. In **HUD and AFGE Council 222, 71 FLRA 616 (2020)**, the Federal Labor Relations Authority upheld an arbitration award finding

that HUD violated the Statute by failing to provide requested information. The arbitrator noted that “as long as the information is relevant to one of a union’s ‘full range’ of responsibilities, it will meet the particularized need standard.”

Furthermore, in **U.S. DOJ, Fed. BOP, Fed. Corr. Inst. Ray Brook, 68 FLRA 492 (2015)**, the Authority made clear that a union satisfies the particularized need requirement by stating it needs the information to:

1. Assess whether to file a grievance;
2. Pursue or support a pending grievance;
3. Determine how to pursue arbitration; or
4. Decide whether to settle a grievance.

The Union in this matter satisfies that standard by needing the information to determine whether employee rights under the CBA are being violated, including in ways that may give rise to a grievance.

In **VA Medical Center, Decatur, GA, 71 FLRA 428 (2019)**, the Authority further ruled that a union need not spell out exactly how it will use the information—only that the information is tied to evaluating whether a policy violation occurred or a grievance should be filed.

## **II. STATEMENT OF PARTICULARIZED NEED**

### *Why the Union Needs the Information*

AFGE Local 476 must be able to identify employees in the bargaining unit in order to:

- Determine whether employees are eligible for union representation;
- Ensure that representation is lawfully and accurately provided;
- Monitor Agency actions affecting **conditions of employment**, such as reassignments, reorganizations, and personnel shifts; and
- Prevent exclusion or discrimination against covered employees.

Without this information, the Union cannot determine who is covered under the CBA and therefore cannot fulfill its statutory or contractual obligations.

### *How It Relates to the Union’s Representational Duties*

This data is essential for the Union to:

- Represent employees in grievances, EEO complaints, and other administrative actions;
- Track staffing patterns, movements, and changes that may indicate violations of the CBA;
- Identify and respond to reorganizations or reassignments that impact employee rights;

- Prepare for and engage in effective labor-management negotiations.

The Union requires information that is **current as of the most recent pay period** to ensure its actions are based on accurate and up-to-date facts.

### **III. REQUEST FOR INFORMATION**

The Union hereby requests a **complete and current list of all bargaining unit employees** under AFGE Local 476's jurisdiction—including Headquarters, the LA DEC, and the Washington Field Office—as of the current pay period. The list should include the following fields for each employee:

- Full name
- Bargaining unit status
- Code/organization or office symbol
- Official position title
- Pay plan, occupational series, and grade
- Duty station

### **IV. LEGAL BASIS**

The Union's right to this information is grounded in **5 U.S.C. § 7114(b)(4)**, which requires agencies to provide information that:

1. Is normally maintained in the regular course of business;
2. Is reasonably available and necessary for full and proper discussion, understanding, and negotiation of subjects within the scope of collective bargaining;
3. Does not constitute guidance, advice, counsel, or training for management; and
4. Is not prohibited by law from disclosure.

The requested data meets all four statutory criteria.

As noted above, the FLRA has repeatedly upheld the Union's right to similar information, including in **HUD and AFGE Council 222, Ray Brook, and VA Medical Center, Decatur**. There is **no provision in the current HUD-AFGE CBA that limits or restricts** the Union's right to obtain this information.

V. **FORMAT AND DEADLINE**

Please provide the information in **Excel-compatible format** no later than **ten (10) calendar days** from the date of this memorandum. If you anticipate a delay or intend to deny any part of the request, you must respond in writing and cite the **specific legal and factual basis** for your position.

Should you have any questions or require clarification, contact me directly.