



FW: Reasonable Accommodations and HUD's June 2, 2025 Return to Office Directive

AFGE Council 222 <AFGECouncil222@hud.gov>
Reply-To: AFGE Council 222 <AFGECouncil222@hud.gov>
To: HUD-AFGE-BUE-L@hudlist.hud.gov

Wed, May 28, 2025 at 10:48 AM

From: AFGE Council 222
Sent: Wednesday, May 28, 2025 10:37 AM
Subject: Reasonable Accommodations and HUD's June 2, 2025 Return to Office Directive



National Council of HUD Locals - Council 222

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES AFFILIATED WITH AFL-CIO
WE ARE COMPRISED OF HUD LOCALS THROUGHOUT THE U.S.

<https://afgecouncil222.com>

May 28, 2025

Reasonable Accommodations and the June 2, 2025, Return to Work Directive

Dear AFGE National Council 222 Members,

As many of you are aware, Phase 4 of the Agency's "Return to Office" directive is scheduled on June 2, 2025. There are approximately eighty (80) employees identified in this group who are a mix of those applied to and subsequently hired for remote positions in HUD as advertised or are on approved reasonable accommodations.

Under the Return to Office directive, the agency unilaterally changed the terms and conditions of these employees without bargaining with the Union.

There are approximately twenty (20) individuals in this group who have an approved reasonable accommodation. Those accommodations were approved long before this administration came into office. Those individuals have an accommodation, approved by the HUD Reasonable Accommodation Office, that allow them to work remotely from home - permanently.

Under the Return to Office directive, the agency is conflating those individuals with reasonable accommodations, with those who were hired for remote positions. These are separate and distinct issues, both of which would need to be negotiated with the Union for any change to employee working conditions as detailed in their bargaining union contract.

The Union sent correspondence (see attached) to Secretary Turner, via Chief Human Capital Officer, Lori Michalski informing them of the issues and asking them to clarify their position.

Unfortunately, the agency's response did not address these issues. Having received Ms. Michalski's response, the Union sent a follow-up email. To date, neither Secretary Turner nor Ms. Michalski have been willing to ensure that our colleagues, many of which have sustained their disabilities in service to our country are provided with the protections and clarification that they need, so that they can continue to serve the American public with a high degree of professionalism in the same manner that those of us who do not have a disability.

To be clear, if you have an approved RA to work remotely, you should not be obligated to report in person on June 2nd or any other date. You have a signed contract that protects this fact. The Union takes the agency's attempt to undermine these individuals as a personal affront – especially after coming off of the Memorial Day holiday honoring those who have served and paying the ultimate sacrifice.

If you are an individual with previously approved reasonable accommodation that allows you to work remotely from home five (5) days a week and you have been instructed to return to the office on June 2, 2025, please contact your local Union representative.

We stand with you and are prepared to ensure you are protected from this violation of the many laws and policies that protect your rights.

Always in Solidarity,

Antonio F. Gaines

President

National Council 222

Check out our website: <https://www.afgecouncil222.com>

Do Not Reply to this email as the mailbox is not monitored.

If you have specific questions concerning this e:alert, contact your Local President.

Don't know who your Local President is? Go to: <http://www.afgecouncil222.com/aboutus.htm>.

To **unsubscribe** from future Council 222 eAlerts send email to <mailto:AFGECouncil222@hud.gov> with "Unsubscribe" in subject line.

This e:alert is for HUD AFGE bargaining unit employees

----- Forwarded message -----

From: "Gaines, Antonio" <Antonio.Gaines@hud.gov>

To: "Jetmir, Erik J" <Erik.Jetmir@hud.gov>

Cc:

Bcc:

Date: Mon, 28 Apr 2025 16:11:30 +0000

Subject: FW: AFGE Council of HUD Locals 222- RE: Agency Phase 4- Return to Work

From: Horton, Kimberly A <Kimberly.A.Horton@hud.gov>

Sent: Monday, April 28, 2025 12:10 PM

To: Secretary Turner <SecretaryTurner@hud.gov>; Michalski, Lori A <Lori.A.Michalski@hud.gov>

Cc: Gaines, Antonio <Antonio.Gaines@hud.gov>; Sajid Shahriar <sajidshahriar2007@u.northwestern.edu>; Carter, Cynthia F <Cynthia.F.Carter@hud.gov>; Bobbitt, Veronica S <Veronica.S.Bobbitt@hud.gov>; Cotrone, David R <David.R.Cotrone@hud.gov>; salafge <salafge@outlook.com>; lhirsch02@msn.com; greauxrose@gmail.com; Hoffman, Jeffrey S <Jeffrey.S.Hoffman@hud.gov>; Jackson, Eric M <Eric.M.Jackson@hud.gov>; Johns, Heather A <Heather.A.Johns@hud.gov>; Hallahan, William J <William.J.Hallahan@hud.gov>; Porter, Pamela <Pamela.Porter@hud.gov>; Henry, Treka J <Treka.J.Henry@hud.gov>; Flynn, James P <James.P.Flynn@hud.gov>; phcasper77 <phcasper77@gmail.com>; Brenda Payette <brenda_payette@yahoo.com>; Robinson, Ashaki <Ashaki.Robinson@hud.gov>

Subject: AFGE Council of HUD Locals 222- RE: Agency Phase 4- Return to Work

Good morning, Secretary Turner and Director Michalski,

The attached correspondence is sent to you on behalf of President Gaines, AFGE HUD Council 222.

****UNION BUSINESS****

-



-

Kimberly Horton

AFGE HUD Council 222, Secretary

AFGE Region 6 Regional Vice President: Fort Worth, Houston

San Antonio, Albuquerque, Oklahoma, New Orleans, Arkansas

U.S. Department of Housing and Urban Development

Phone: 817-978-5726

Cell: 517-980-9045

Alt. email: hortonk201@gmail.com

----- Forwarded message -----

From: "Michalski, Lori A" <Lori.A.Michalski@hud.gov>

To: "Gaines, Antonio" <Antonio.Gaines@hud.gov>

Cc: Sajid Shahriar <sajidshahriar2007@u.northwestern.edu>, "Carter, Cynthia F" <Cynthia.F.Carter@hud.gov>, "Bobbitt, Veronica S" <Veronica.S.Bobbitt@hud.gov>, "Cotrone, David R" <David.R.Cotrone@hud.gov>, salafge <salafge@outlook.com>, "lhirsch02@msn.com" <lhirsch02@msn.com>, "greauxrose@gmail.com" <greauxrose@gmail.com>, "Hoffman, Jeffrey S" <Jeffrey.S.Hoffman@hud.gov>, "Jackson, Eric M" <Eric.M.Jackson@hud.gov>, "Johns, Heather A" <Heather.A.Johns@hud.gov>, "Hallahan, William J" <William.J.Hallahan@hud.gov>, "Porter, Pamela" <Pamela.Porter@hud.gov>, "Henry, Treka J" <Treka.J.Henry@hud.gov>, "Flynn, James P" <James.P.Flynn@hud.gov>, phcasper77 <phcasper77@gmail.com>, Brenda Payette <brenda_payette@yahoo.com>, "Robinson, Ashaki" <Ashaki.Robinson@hud.gov>, "Horton, Kimberly A" <Kimberly.A.Horton@hud.gov>

Bcc:

Date: Tue, 29 Apr 2025 14:25:26 +0000

Subject: RE: AFGE Council of HUD Locals 222- RE: Agency Phase 4- Return to Work

Dear Mr. Gaines, President, AFGE National Council 222,

The US Department of Urban Development (HUD) is in full compliance with Section 501 of the Rehabilitation Act of 1973, as amended (Rehab Act) and the parameters issued in the Americans with Disabilities Amendments Act of 2008 (ADAAA) to include interpretation found at 29 C.F.R. Section 1630. The Agency is also in full compliance with the applicable collective bargaining agreement provisions.

As a reminder, notices submitted to the HUD staff beginning January 24, and then January 30, February 6, February 20, and April 1, 2025, advised employees of information related to reasonable accommodations. The information in the April 1, 2025 email included the following:

The Reasonable Accommodations team continues to sort and validate approved reasonable accommodations for telework and remote work sent to the RAWork@hud.gov inbox that were received by the January 31 deadline.

If you are a Phase 3 employee scheduled to return to the office full-time on Monday, April 7, 2025, and have not yet received a final response from the RAWork@hud.gov mailbox, you are not required to submit a new Flexiplace agreement at this time and may continue working under your previously approved Flexiplace Agreement. Your duty station will not be changed from your remote worksite until you receive a final validation response on your reasonable accommodation.

If you have submitted a request for a new accommodation, you should follow the normal reasonable accommodation process.

Please rest assured that all employees who have been approved for work arrangements, including those in Phase 4, are being excepted from the return to in-office work instructions during the validation period and will be exempt from in person reporting requirements if they are found to be under a valid approved accommodation for remote work. Any employee who wishes to follow-up with the approval process or have any other questions regarding their accommodations, should contact their supervisor and/or the Reasonable Accommodation Branch at reasonableaccommodationbranch@hud.gov or RAWork@hud.gov for previously approved accommodations prior to January 31, 2025.

Sincerely,

Lori Michalski

From: Horton, Kimberly A <Kimberly.A.Horton@hud.gov>

Sent: Monday, April 28, 2025 12:10 PM

To: Secretary Turner <SecretaryTurner@hud.gov>; Michalski, Lori A <Lori.A.Michalski@hud.gov>

Cc: Gaines, Antonio <Antonio.Gaines@hud.gov>; Sajid Shahriar <sajidshahriar2007@u.northwestern.edu>; Carter, Cynthia F <Cynthia.F.Carter@hud.gov>; Bobbitt, Veronica S <Veronica.S.Bobbitt@hud.gov>; Cotrone, David R <David.R.Cotrone@hud.gov>; salafge <salafge@outlook.com>; lhirsch02@msn.com <lhirsch02@msn.com>; greauxrose@gmail.com <greauxrose@gmail.com>; Hoffman, Jeffrey S <Jeffrey.S.Hoffman@hud.gov>; Jackson, Eric M <Eric.M.Jackson@hud.gov>; Johns, Heather A <Heather.A.Johns@hud.gov>; Hallahan, William J <William.J.Hallahan@hud.gov>; Porter, Pamela <Pamela.Porter@hud.gov>; Henry, Treka J <Treka.J.Henry@hud.gov>; Flynn, James P <James.P.Flynn@hud.gov>; phcasper77 <phcasper77@gmail.com>; Brenda Payette <brenda_payette@yahoo.com>; Robinson, Ashaki <Ashaki.Robinson@hud.gov>

Subject: AFGE Council of HUD Locals 222- RE: Agency Phase 4- Return to Work

Good morning, Secretary Turner and Director Michalski,

The attached correspondence is sent to you on behalf of President Gaines, AFGE HUD Council 222.

****UNION BUSINESS****

-



-

Kimberly Horton

AFGE HUD Council 222, Secretary

AFGE Region 6 Regional Vice President: Fort Worth, Houston

San Antonio, Albuquerque, Oklahoma, New Orleans, Arkansas

U.S. Department of Housing and Urban Development

Phone: 817-978-5726

Cell: 517-980-9045

Alt. email: hortonk201@gmail.com

----- Forwarded message -----

From: "Gaines, Antonio" <Antonio.Gaines@hud.gov>

To: "Michalski, Lori A" <Lori.A.Michalski@hud.gov>, Secretary Turner <SecretaryTurner@hud.gov>

Cc: Sajid Shahriar <sajidshahriar2007@u.northwestern.edu>, "Carter, Cynthia F" <Cynthia.F.Carter@hud.gov>, "Bobbitt, Veronica S" <Veronica.S.Bobbitt@hud.gov>, "Cotrone, David R" <David.R.Cotrone@hud.gov>, salafge <salafge@outlook.com>, "lhirsch02@msn.com" <lhirsch02@msn.com>, "greauxrose@gmail.com" <greauxrose@gmail.com>, "Hoffman, Jeffrey S" <Jeffrey.S.Hoffman@hud.gov>, "Jackson, Eric M" <Eric.M.Jackson@hud.gov>, "Johns, Heather A" <Heather.A.Johns@hud.gov>, "Hallahan, William J" <William.J.Hallahan@hud.gov>, "Porter, Pamela"

<Pamela.Porter@hud.gov>, "Henry, Treka J" <Treka.J.Henry@hud.gov>, "Flynn, James P" <James.P.Flynn@hud.gov>, phcasper77 <phcasper77@gmail.com>, Brenda Payette <brenda_payette@yahoo.com>, "Robinson, Ashaki" <Ashaki.Robinson@hud.gov>, "Horton, Kimberly A" <Kimberly.A.Horton@hud.gov>

Bcc:

Date: Mon, 12 May 2025 16:26:59 +0000

Subject: RE: AFGE Council of HUD Locals 222- RE: Agency Phase 4- Return to Work

Dear Ms. Michalski,

The Union finds your below response extremely troubling for reasons as follows:

1. There is "NO" validation process. Reasonable Accommodations and the associated approval process is clearly delineated or otherwise "Covered By" Article 45 of the Collective Bargaining Agreement (CBA). What you have described is a newly created process that has not been negotiated. So, to the contrary the Agency is NOT in full compliance with the Rehabilitation Act of 1973, as amended (Rehab Act) and the parameters issued in the Americans with Disabilities Amendments Act of 2008 (ADAAA) to include interpretation found at 29 C.F.R. Section 1630 or the collective bargaining agreement.

In addition to being out of compliance with the law and the CBA. The agency is not compliant with the EO. The president's executive order specifies that agency leaders should "require employees to return to work in person at their respective duty station on a full-time basis" **unless they have legitimate reasons for exemption under existing law.**

Stated differently "Heads of all departments and agencies in the executive branch of Government shall, as soon as practicable, take all necessary steps to terminate remote work arrangements and require employees to return to work in-person at their respective duty stations on a full-time basis, provided that the department and agency heads shall make exemptions they deem necessary. This memorandum shall be implemented consistent with applicable law.

2. It has been communicated to the Union and the bargaining unit employees affected by this directive that neither their respective program offices nor the Agency's budget office have the money in their coffers to execute the relocation even if the bue's wanted to comply with the directive.

3. What you communicated in the last paragraph "Please rest assured that all employees who have been approved for work arrangements, including those in Phase 4, are being excepted from the return to in-office work instructions during the validation period and will be exempt from in person reporting requirements **if they are found to be under a valid approved accommodation for remote work.**" Again, Article 45§45.05 states "Once a permanent disability has been established it will not be subject to further medical documentation or revocation." I have reattached my initial letter to Secretary Turner for ease of access and reference.

4. As the sole and exclusive representative of all bargaining unit employees, I'm encouraging both you and Secretary Turner to communicate this or similarly crafted message to staff (bue's) and management alike that removes any all ambiguity by simply stating that ALL bargaining unit employees with a documented previously approved reasonable accommodation(s) allowing them to telework or work remotely are exempt from the return to in office work EO as they have a legitimate reason under the law consistent with the EO. Such a letter is both necessary and urgent as the June 2, 2025, deadline is fast approaching.

I'm available to discuss this and any other issues affecting the working condition/conditions of employment of the employees that the Council represents.

V/r,

Antonio F. Gaines

President

National Council 222

From: Michalski, Lori A <Lori.A.Michalski@hud.gov>
Sent: Tuesday, April 29, 2025 10:25 AM
To: Gaines, Antonio <Antonio.Gaines@hud.gov>
Cc: Sajid Shahriar <sajidshahriar2007@u.northwestern.edu>; Carter, Cynthia F <Cynthia.F.Carter@hud.gov>; Bobbitt, Veronica S <Veronica.S.Bobbitt@hud.gov>; Cotrone, David R <David.R.Cotrone@hud.gov>; salafge <salafge@outlook.com>; lhirsch02@msn.com; greauxrose@gmail.com; Hoffman, Jeffrey S <Jeffrey.S.Hoffman@hud.gov>; Jackson, Eric M <Eric.M.Jackson@hud.gov>; Johns, Heather A <Heather.A.Johns@hud.gov>; Hallahan, William J <William.J.Hallahan@hud.gov>; Porter, Pamela <Pamela.Porter@hud.gov>; Henry, Treka J <Treka.J.Henry@hud.gov>; Flynn, James P <James.P.Flynn@hud.gov>; phcasper77 <phcasper77@gmail.com>; Brenda Payette <brenda_payette@yahoo.com>; Robinson, Ashaki <Ashaki.Robinson@hud.gov>; Horton, Kimberly A <Kimberly.A.Horton@hud.gov>
Subject: RE: AFGE Council of HUD Locals 222- RE: Agency Phase 4- Return to Work

Dear Mr. Gaines, President, AFGE National Council 222,

The US Department of Urban Development (HUD) is in full compliance with Section 501 of the Rehabilitation Act of 1973, as amended (Rehab Act) and the parameters issued in the Americans with Disabilities Amendments Act of 2008 (ADAAA) to include interpretation found at 29 C.F.R. Section 1630. The Agency is also in full compliance with the applicable collective bargaining agreement provisions.

As a reminder, notices submitted to the HUD staff beginning January 24, and then January 30, February 6, February 20, and April 1, 2025, advised employees of information related to reasonable accommodations. The information in the April 1, 2025 email included the following:

The Reasonable Accommodations team continues to sort and validate approved reasonable accommodations for telework and remote work sent to the RAWork@hud.gov inbox that were received by the January 31 deadline.

If you are a Phase 3 employee scheduled to return to the office full-time on Monday, April 7, 2025, and have not yet received a final response from the RAWork@hud.gov mailbox, you are not required to submit a new Flexiplace agreement at this time and may continue working under your previously approved Flexiplace Agreement. Your duty station will not be changed from your remote worksite until you receive a final validation response on your reasonable accommodation.

If you have submitted a request for a new accommodation, you should follow the normal reasonable accommodation process.

Please rest assured that all employees who have been approved for work arrangements, including those in Phase 4, are being excepted from the return to in-office work instructions during the validation period and will be exempt from in person reporting requirements if they are found to be under a valid approved accommodation for remote work. Any employee who wishes to follow-up with the approval process or have any other questions regarding their accommodations, should contact their supervisor and/or the Reasonable Accommodation Branch at reasonableaccommodationbranch@hud.gov or RAWork@hud.gov for previously approved accommodations prior to January 31, 2025.

Sincerely,

Lori Michalski

From: Horton, Kimberly A <Kimberly.A.Horton@hud.gov>
Sent: Monday, April 28, 2025 12:10 PM
To: Secretary Turner <SecretaryTurner@hud.gov>; Michalski, Lori A <Lori.A.Michalski@hud.gov>
Cc: Gaines, Antonio <Antonio.Gaines@hud.gov>; Sajid Shahriar <sajidshahriar2007@u.northwestern.edu>; Carter,

Cynthia F <Cynthia.F.Carter@hud.gov>; Bobbitt, Veronica S <Veronica.S.Bobbitt@hud.gov>; Cotrone, David R <David.R.Cotrone@hud.gov>; salafge <salafge@outlook.com>; lhirsch02@msn.com; greauxrose@gmail.com; Hoffman, Jeffrey S <Jeffrey.S.Hoffman@hud.gov>; Jackson, Eric M <Eric.M.Jackson@hud.gov>; Johns, Heather A <Heather.A.Johns@hud.gov>; Hallahan, William J <William.J.Hallahan@hud.gov>; Porter, Pamela <Pamela.Porter@hud.gov>; Henry, Treka J <Treka.J.Henry@hud.gov>; Flynn, James P <James.P.Flynn@hud.gov>; phcasper77 <phcasper77@gmail.com>; Brenda Payette <brenda_payette@yahoo.com>; Robinson, Ashaki <Ashaki.Robinson@hud.gov>

Subject: AFGE Council of HUD Locals 222- RE: Agency Phase 4- Return to Work

Good morning, Secretary Turner and Director Michalski,

The attached correspondence is sent to you on behalf of President Gaines, AFGE HUD Council 222.

****UNION BUSINESS****

-



-

Kimberly Horton

AFGE HUD Council 222, Secretary

AFGE Region 6 Regional Vice President: Fort Worth, Houston

San Antonio, Albuquerque, Oklahoma, New Orleans, Arkansas

U.S. Department of Housing and Urban Development

Phone: 817-978-5726

Cell: 517-980-9045

Alt. email: hortonk201@gmail.com

5 attachments

 **Ltrr re Phase 4 and Reasonable Accomodations-F.pdf**
196K

 **FW: AFGE Council of HUD Locals 222- RE: Agency Phase 4- Return to Work.eml**
285K

 **RE: AFGE Council of HUD Locals 222- RE: Agency Phase 4- Return to Work.eml**
27K

 **AGency Letter re Phase 4 and Reasonable Accomodations.docx**
228K

 **RE: AFGE Council of HUD Locals 222- RE: Agency Phase 4- Return to Work.eml**
357K