

# American Federation of Government Employees

AFFILIATED WITH THE AFL-CIO

## Local 2505

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**Ylita Edd**  
**President**



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**Ralph C. de Juliis**  
**Executive Vice President**

August 15, 2007

Ms Ramona J. Schuenemeyer  
Regional Commissioner - Dallas Region  
Social Security Administration  
1301 Young St., STE 130  
Dallas, Texas 75202

BY FAX: (214) 767-4259

Dear Regional Commissioner Schuenemeyer:

By this letter, AFGE Local 2505 files an Article 24, Section 10 Union-Management Grievance.

On or about August 14, 2007, Ada, OK SSA District Manager Vicky Jackson, sent the attached e-mail to AFGE Local 2505 2<sup>nd</sup> Vice President Carol A. Lewis, wherein she claimed it would be inappropriate for Local 2505 Executive Vice President Ralph de Juliis to be present with 2<sup>nd</sup> VP Lewis at the Union's oral grievance presentation.

By its actions, SSA is illegally controlling who the Union's Representatives will be in violation of Articles 1, 2, 3, 24 and 30 of the AFGE National Agreement. SSA has also, through its officer and agent, Ada, OK SSA DM Vicky Jackson violated 5 USC 71 and committed an Unfair Labor Practice.

The Authority has consistently ruled that the right of a union to choose its own representatives is inviolate. Thus, in ***Department of Defense, Department of the Army, Headquarters, XVIII Airborne Corps, and Fort Bragg (DOD)***, 15 FLRA 790 (1984), the Authority ruled that the agency violated section 7116(a)(1)

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c/o Social Security Administration  
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and (5) of the Statute, when it refused to recognize a former employee as the Union's designated representative and steward to represent handicapped employees. In so ruling, the Authority commented that:

In ***American Federation of Government Employees, AFL-CIO***, 4 FLRA 272 (1980), the Authority determined that it is within the discretion of labor organizations holding exclusive recognition to designate their representatives when fulfilling their responsibilities under the Statute. Furthermore, an agency violates section 7116(a)(5) of the Statute when it refuses to deal with the particular individuals selected by the exclusive representative of a bargaining unit of its employees for negotiation, and also thereby violates section 7116(a)(1) of the Statute inasmuch as its action interferes with the rights of employees as set forth in section 7102 of the Statute. See ***Department of the Air Force, 915th Tactical Fighter Group, Homestead Air Force Base, Florida***, 13 FLRA No. 33 (1983).

This is not the first time under this Agreement that SSA has failed and willfully refused to recognize a Union representative designation.

In ***Social Security Administration and AFGE, Council 220***, Arb. Feigenbaum (BW-2003-R-0024)(2003), Arbitrator Feigenbaum found that SSA violated the National Agreement and committed an Unfair Labor Practice under 5 USC 7116 by failing and refusing to recognize a designated Union Representative.

The Union notes that Mcalester DM Sue Fereday meet with two Union representatives, Carol A. Lewis and Janet Sharp, when discussing XXXX's request to have Union representation, after Local 2505 assigned Ralph Dejuliis to handle the matter. The Union also notes that when the Union makes Step 3 telephonic grievance presentations, it has not objected to management having two people on their end of the conference call.

I am the Union's representative in this grievance.

The Union waives its right to an oral presentation of this Section 10 Grievance.

The remedy sought by the Union is attached as a POSTING.

Sincerely,

Ralph C. de Juliis

Attachments

cc: AFGE Local 2505 Executive Committee

# **NOTICE TO ALL EMPLOYEES**

**POSTED**

**PURSUANT TO A UNION-MANAGEMENT  
GRIEVANCEN BETWEEN**

**AFGE Local 2505 and Social Security  
Administration, Dallas Region, Area 7, Ada,  
Oklahoma Social Security District Office**

**WE HEREBY NOTIFY OUR EMPLOYEES THAT:**

**WE WILL NOT**, in any like or related manner, interfering with, restraining or coercing the Union in the exercise of their rights assured by the collective bargaining agreement between SSA and AFGE.

**WE WILL NOT** reject or fail to recognize Ralph de Juliis or any other representative duly authorized by the American Federation of Government Employees (AFL-CIO) Local 2505, the exclusive representative, as a Union representative at any formal meetings, which include grievance presentations, held pursuant to Articles 24, Section 10 of the National Agreement.

**We WILL NOT** violate of Articles 1, 2, 3, 24 and 30 of the SSA-AFGE National Agreement.

**We WILL NOT** violate 5 USC 7116(a)(1) and (5) in so far as those provisions of the Federal Labor Management Labor-Management And

Employee Relations are incorporated by reference into the SSA-AFGE National Agreement.

WE WILL recognize the Union's right to have two representatives at a Section 10 grievance presentation, if the Union so chooses.

### **Social Security Administration**

Dated: \_\_\_\_\_  
(Title)

By: \_\_\_\_\_ (Signature)

**This Notice must remain posted for 60 consecutive days from the date of posting and must not be altered, defaced or covered by any other material.**