



UNITED STATES OF AMERICA
FEDERAL LABOR RELATIONS AUTHORITY
CHARGE AGAINST AGENCY

INSTRUCTIONS: File an original and 4 copies of this Charge, together with one copy for each additional charged party named, with the appropriate Regional Director, Federal Labor Relations Authority. Upon filing the Charge, serve a copy of the Charge on each party against which the Charge is made. If more space is required for any item, attach additional sheets, numbered according to the item to which they pertain.

DO NOT WRITE IN THIS SPACE	
CASE NO.	6-PA-90023
DATE FILED	10-21-88

A list (including names and addresses) of those upon whom service has been made should accompany the Charge.

1. ACTIVITY AND/OR AGENCY AGAINST WHICH CHARGE IS MADE

A. NAME OF ACTIVITY AND/OR AGENCY

Social Security Administration, Dallas Field Office Region (Region VI)

B. ADDRESS (Street and Number, City, State and Zip Code)

1200 Main Tower Bldg, Dallas, Texas 75202

C. PERSON TO CONTACT, TITLE

Noel D Wall, Regional Comm.

214 PHOENIX NO. 531

FTS: 736-4334

E. NO. OF EMPLOYEES EMPLOYED

2,100

F. IF CHARGE IS MADE AGAINST AN ACTIVITY, NAME THE AGENCY OF WHICH THE ACTIVITY IS A PART
Department of Health and Human Services

2. THE ABOVE-NAMED ACTIVITY AND/OR AGENCY HAS ENGAGED IN VIOLATIONS OF 5 U.S.C. 7116(a), SUBSECTION(S) (1) AND (5)

(List Subsection(s))

3. BASIS OF THE CHARGE. (Give a clear and concise statement of the facts constituting the alleged unfair labor practice and the date and place of occurrence of the particular act.)

On about October 12, 1988, Revis Wilson, Assistant Manager of the Ardmore District, communicated to bargaining unit employees the following changes in conditions of employment without advance notice to the Exclusive Representative, AFGE Local 2505.

(1) He announced that he had implemented, at some unspecified prior date, a new category of errors which is being used to adversely affect employees' performance ratings. Previously, the Agency had used only two categories of errors which are defined as payment and documentation. Mr. Wilson informed bargaining unit employees that he had implemented a third category defined as "failure to subscribe to administrative rules".

(2) He announced that he had implemented, at some unspecified date, interview production standards in which he established time limit for the various types of interviews.

5. A. FULL NAME OF PARTY FILING CHARGE (If labor organization, give local name and number, national or international)

Sylvester Overturf, Pres. AFGE Local 2505, AFL - CIO

B. ADDRESS (Street and Number, City, State and Zip Code)

1321 Alviola
Midwest City, Okla. 73110

C. PHONE NO.

FTS: 736-5342
Comm: 405-231-5342

6. I DECLARE THAT I HAVE READ THE ABOVE CHARGE AND THAT THE STATEMENTS THEREIN ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF. WILLFULLY FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001).

BY (Type or print below the name of the representative or person filing the Charge)

Sylvester Overturf

SIGNATURE

ADDRESS (Street and Number, City, State and ZIP Code)

1321 Alviola
Midwest City, Okla. 73110

Work Location: RM 111, 200 NW 5
Okla City, Okla. 73102

TITLE

President

PHONE NO.

FTS: 736-5342
Comm: 405-231-5342

DATE

Oct. 19, 1988



Refer to:

Memorandum

Date: October 12, 1988
From: Assistant District Manager
Ardmore, Oklahoma
Subject: Postponement of Performance Appraisal
To: Claims Representative
Duncan, Oklahoma

On September 14, I informed you that I would be reviewing your level of performance and determine if I would be able to appraise you during the regularly scheduled process or if I would be required to postpone the appraisal.

On August 22, 1988, your performance improvement plan was extended due to a need to improve your performance in generic job tasks 40, 71, 20, and 1.

I began a daily review of all incoming claims from the resident station October 1987. As an indicator of performance, your accuracy rate for error-free claims was 9 claims of 38 or 24%. I did not review teleclaims; however, if you had an equal quantity of teleclaims or a total of 76 claims with all 38 teleclaims error-free, your accuracy rate would be 47 claims of 76 or 62%. Your teleclaims are not error-free and 62% is also unacceptable.

I have heard your disagreement with my assessment of errors; however, if policies and procedures require an action and you are instructed to comply and you fail to do so, then that failure is an error. My reviews have shown that you occasionally failed to include the beneficiary identification code (BIC) on claims routing forms. I mentioned that failure to you September 14. Before my next Wednesday trip to the resident station, you sent a claim to me without the BIC! Your failure to subscribe to administrative rules was captured by me as an error on that case. It may not be a payment error or an evidentiary; however, your repeated commission of the act constitutes an error. Months of claims with no BICs routed to program centers delay the processing of claims. I must emphasize that this error is not the only one you have committed. As recently as September 30, 1988, you forwarded the Arnold Crawford retirement claim as a completed AP claim. Three different screens (EARN, WORK, DEDU) were in disagreement and required a recontact with the public. Wages were overlooked. As you know, I have reviewed all incoming claims and have called you to discuss errors. I will train and have others train you; I will cite POMS references; I will ask you to examine screens; I will divert claims to Ardmore; I will continue to reduce your incoming telephone lines. Concluding, I will do anything to bring about improvement; however, you must join me in achieving better quality of work products. The quality of your work is foremost your responsibility.

It is imperative that you understand the need to improve in two areas which are basic to many of your generic job tasks. First, I must receive quality claims and redeterminations from you. Weekly, I must

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SUBJECT: Postponement of Performance Appraisal
October 12, 1988

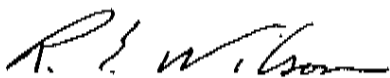
receive claims which are error-free. It is possible to interview and receive ten claims with an error on only one claim. Any acceptance of a quality level of less than 90% shows a lack of disregard about public service.

Second, and perhaps the most difficult to remedy, is your inability to process your workload in a timely fashion. You are the slowest interviewer I have ever known. The control and pursuit of your interviews lack zeal and appeal lethargic and sluggish. Do you have that much time? Does the Agency? Does the public? I contend that the Social Security Administration as a service organization does not subscribe to hourly interviews. Retirement, SSI Aged, Lump Sum, AP claims should generally be concluded within thirty minutes maximum. Deferred disability claims for either program should not extend beyond forty-five minutes. Only during multiple or complex cases should an interview extend to an hour or more. You are consistently slow. Reviews of redeterminations, overpayments, claims, and other files should not be time-consuming.

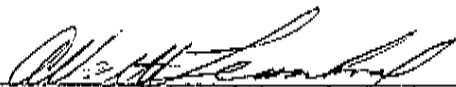
You receive claims and redeterminations, and you request evidence. How much can be involved with the file that you as receiver and reviewer do not already know or have already covered?

It is important that you immediately attend to these two items: quality and timeliness.

Your appraisal is being postponed. I have been pleased with your receptivity to my supervision and perceive you as an employee who is willing and capable of improved performance. I will continue to review your work for the next 60 days to determine if I can direct you to performing as your performance plan requires.



Revis E. Wilson
Assistant District Manager



Receipt Acknowledged

10/12/88

Date

This is an Agreement between the Social Security Administration, Dallas Region, (Agency) and AFGE Local 2505 (Union) in settlement of Unfair Labor Practice Charge No. 6-CA-90023. By entering into this Agreement, the Agency does not admit to any violation of the Federal Service Labor-Management Relations Statute. The Agency is relieved from all obligation to make a posting.

I. The Agency agrees to take the following action.

- A. The Agency will not use the "failure to subscribe to administrative rules" error category and the interview production standards referenced in the charge to evaluate the performance of bargaining unit employees. Should the Agency decide to implement such changes, it will first comply with Article 4 of the National Agreement between SSA and AFGE.
- B. The performance of [redacted] and [redacted] will be rated fully satisfactory in all generic job tasks (GJTs) except GJT20 which will be rated unsatisfactory for the period 10/01/87 - 01/31/89.
- C. The Agency will issue to each of the affected employees a fully satisfactory summary appraisal of record for 10/01/87 - 01/31/89 which reflects the above cited ratings in each GJT. Except for GJT20, references to less than fully satisfactory performance will be purged from their personnel files.

II. The Union agrees to take the following actions.

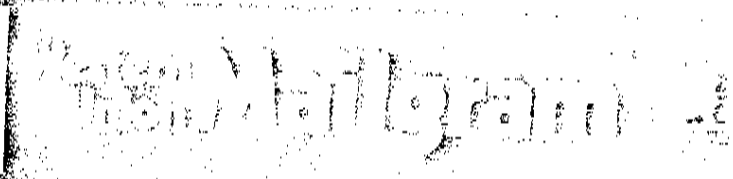
- A. The Union will withdraw its Unfair Labor Practice Charge in Case No. 6-CA-90023.
- B. The performance appraisal grievance filed by [redacted] and [redacted] will be withdrawn without proceeding to step #3 presentations.

The Union will promptly take the above actions after both Parties have signed this Agreement to signify their acceptance of this settlement.

Sy Anthony 3-20-89
Union Representative/Date

Lana B. Callahan 3/16/89
Agency Representative/Date

FED LABOR REL AUTHORITY
1736 K ST NW ROOM 566
WASHINGTON DC 20036 20AM



1-2192544079 03/20/89 ICS WA16614
01166 MLTN VA 03/20/89 JN15885

DALA

GABRIEL PEPALES JR
FLRA
525 GRIFFIN ST SUITE 926 LB107
DALLAS TX 75202

I WOULD LIKE TO WITHDRAW CASE #6-CA-90023.

SYLVESTER OVERTURF, PRESIDENT
AFGE LOCAL 2505

01710

17:42 EST

MGMC04P

WITHDRAWAL REQUEST APPROVED

Federal Labor Relations Authority

Robert Perle



Dated: _____

3/27/89