

STANDARD GRIEVANCE FORM

Use additional pages
for any section of
this form, if necessary

NAME OF EMPLOYEE 		OFFICE TELEPHONE (580) 237-1162
OFFICE LOCATION ENID OKLA	POSITION T16 CR	GRADE 11
REPRESENTED BY: <input type="checkbox"/> SELF <input checked="" type="checkbox"/> UNION	REPRESENTATIVE NAME MICHELLE SCHMIDT	REP TELEPHONE (580) 237-1162

Description of grievance. What article(s) of the Agreement are involved?

Management has violated Articles 1 (reprisal for having filed disability retirement and OWCP; failing to send me for a fitness for duty examination), Article 3 (fair and equitable in all aspects of personnel management; not bringing complaints to my attention as soon as possible; keeping memory joggers without sharing them with me), Article 18 (discrimination by its failure to take into account my medical conditions and the effects of my medications; age discrimination), Article 34 (reprisal for filing OWCP), Article 23 (reprimand not for just cause), Article 35 (failure to recognize that my medical conditions and medications have adversely impacted my and failure to provide / recommend assistance and fitness for duty examination).

It seems like this reprimand is another push to get me to vigorously pursue my Disability Retirement and OWCP. By management requiring me to provide a medical certificate that I was fit for duty means you think I am not fit, and, therefore, should be setting up a fitness for duty exam. Management knows I can't work; therefore, this reprimand is not to improve my behavior but to harass me off the job. That is a hostile work environment and a violation of Article 3 and 18.

As for the substance of the reprimand, two incidents does not a pattern make! If SSA is alleging or implying that these two incidents were simply the most recent in a longer series, this reprimand is deficient because it is being issued for unspecified incidents which I am being denied my right to rebut.

Article 23 states that "discipline should be preceded by counseling and assistance including oral warnings." SSA failed and refused to provide me counseling and assistance or oral warnings, as evidenced by the lack of reference to them in the reprimand.

The reprimand is based on hearsay: a complaint from the DDS Deputy Director (who is not named). The director called on 7/13. He was relaying information from an employee's supervisor. So this allegation is hearsay to the 2nd degree! There were several phone calls with two DDS employees. When were the calls? What time of day? What were the circumstances surrounding each call?

Regarding the complaint made by [redacted], she complained that I said I was going to deny one part of the three part application. It is standard practice to explain if someone will be denied for insured status so as to not confuse the public when (continued on second page)

Relief sought:

For the Remedy, I ask that the reprimand be removed from me SF-7B Extension File and that the following documents be destroyed: Any and all notes or memory joggers and all letters of complaint referenced in the reprimand. Furthermore, as remedy, I seek the promise that none of the incidents mentioned in the reprimand will be revisited or be brought come up in reference to me

I hereby authorize my representative to examine any appropriate official document, personnel record, or medical information which may be related to the grievance.

EMPLOYEE SIGNATURE 	DATE 9/27/06
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STEP 1 SUBMITTED

SUPERVISOR	TELEPHONE	ORAL PRESENTATION REQUESTED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	DATE RECEIVED
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a denial notice is received. It was also stated that I continued to ask questions regarding the mother that was brutally murdered. In order to process a Disabled Adult Child's claim, personal information must be obtained to, first, find the SSN and, secondly, to determine claimant's eligibility on the record. This type of claim can not be filed without the parent's information. On what claim number was I supposed to file the Disabled Adult Child's application? Ms. [redacted] complained that she was asked to return information as soon as possible. Many times claimants are asked to provide information before a claim is sent to DDS. If the development is not undertaken it could result in a technical denial being sent to DDS for a decision and wasting tax payer's money. There is no indication that my request for information in this case was incorrect. [redacted] states I was rude and often would interrupt or speak over them. In training, claim's reps are taught to control the interview in an effort to conduct a quick and effective interview. There is no indication that my conduct in this case was inappropriate, incorrect or rude.

Management states that an investigatory meeting was held August 1, 2006 with me and AFGE Local 2505 Representative Michelle Schmidt. Since I was on leave August 1, 2006 I am sure the meeting was not with me.



REC'd
3/12/07

SOCIAL SECURITY

March 9, 2007

Ralph Dejuliis
Executive Vice President
AFGE Local 2505
4750 S. Garnett Rd
Tulsa, Oklahoma 74126

Dear Mr. Dejuliis:

This is a response to a step three grievance filed by you on behalf of [redacted] on September 27, 2006, regarding a reprimand that she was issued on September 6, 2006 for a pattern of discourtesy to the public. You cite a violation of Article 1, Article 3, Article 18, Article 23, Article 34 and Article 35. The relief sought is that the reprimand be removed from [redacted] SF-7B Extension file, any and all notes, memory joggers and letters of complaint referenced in the reprimand be destroyed, and the promise that none of the incidents mentioned in the reprimand be revisited or brought up in reference to [redacted].

An oral presentation was held via conference call on February 22, 2007. During the presentation you stated:

- [redacted] was not in the office on August 1, 2006; therefore management could not have spoken with her regarding the complaints they received;
- [redacted] was last counseled in 2004; therefore, discipline did not follow the contract;
- You believe management should have requested to a fitness for duty exam if they believe that [redacted] could not do her job; and
- You do not believe the reprimand was for just cause.

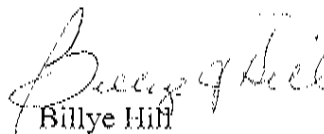
I did investigate the allegation that [redacted] was not in the office on August 1, 2006 and learned that the Weingarten meeting with her was held on July 31, 2006. This was a typographical error and will be corrected. I also discovered that she was counseled in November 2005 by Lannette Campbell regarding discourtesy to members of the public, not 2004 as you mentioned in the oral presentation. Regarding fitness for duty exams, you cite a reference that only applies to Headquarters' employees; therefore it does not apply to [redacted].

After reviewing the documentation for which the action was taken, the step 1 and step 2 responses, and listening to your oral presentation, I see no reason to overturn the decision regarding the reprimand issued to [redacted] on September 6, 2006. I agree with the

reprimand and believe this is the minimum disciplinary action that could have been taken to correct her behavior. Part of the relief sought is to have the reprimand removed. I agree to partially grant the relief and remove the reprimand on March 16, 2007 because it appears that the conduct has been corrected. However, management reserves the right to address such issues in the future if they should occur.

If this does not resolve the grievance, the union may refer it to arbitration in accordance with Article 25 of the SSA/AFGE negotiated agreement.

Sincerely,

A handwritten signature in cursive script that reads "Billye Hill".

Billye Hill
Area Director, Area I