

American Federation of Government Employees

AFFILIATED WITH THE AFL-CIO

Local 2505

Ralph C. de Juliis
President



Carol A. Lewis
Executive Vice President

September 12, 2008

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 RC Schuenemeyer:

By this letter, AFGE Local 2505 files a comprehensive Section 10 grievance of Oklahoma Management's repeated and willful violations of Article 6, Section 3 and Article 24, Section 10 of the AFGE-SSA National Agreement. The intent of the Union is to include all the pending Article 6, Section 3 grievances.

The first grievance was filed on April 18, 2008 over SSA's failure to notify the Union that Ben Tomas was dropped from payroll deduction of Local 2505 Union dues. (Attachment 1). The Union was notified that the problem was a Central Office computer program problem. The Union graciously granted SSA an extension. Five months is enough time.

The second grievance was filed on May 14, 2008 over SSA's failure to notify the Union that Jose Olivero was dropped from payroll deduction of Local 2505 Union dues. (Attachment 2) SSA and the Union discussed this and it was put "in orbit" pending the CO response on the April 18, 2008 grievance. After 4 months without hearing anything from SSA, it seems that SSA doesn't care and hasn't been working on it.

c/o Social Security Administration
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The third grievance was filed on July 1, 2008 because SSA failed to notify the AFGE Local 2505 President that an employee transferred from SSA in Spokane, WA to SSA in Enid, OK. The Union also grieved SSA's violation of its March 5, 2007 grievance response over the same failure to notify the AFGE Local 2505 President that an employee transferred from SSA in Houston, TX to SSA in Bartlesville, OK. (Attachment 3).

The latest two incidents of management violating Article 3, Section 6 occurred when the Union received and reviewed the payroll deduction list for the pay period ending 08-30-08.

Two Local 2505 members were dropped, Rhonda Hull and Janet Sharp, both of the McAlester, OK SSA Field Office.

SSA failed to send the Local 2505 President, Ralph de Juliis, or Secretary-Treasurer, Magda Mashburn, copies of those employees' 1188, as required by Article 6, Section 3.F.

As noted by SSA Assistant General Counsel Brian C. Linden, Esq at the arbitration hearing in DF-2007-R-0005 before Arbitrator Patrick Halter on June 25, 2008 in Tulsa, Oklahoma, not much of Article 6 has changed since the first AFGE-SSA National Agreement became effective June 11, 1982. In fact, Article 6, Section 3.F: "Management will forward to the designated Union representative(s) copies of processed SF-1188s or equivalent forms received directly from members" has remained UNCHANGED since June 11, 1982.

What is so difficult about complying with contract language that has been in effect and unchanged OVER twenty-four (24) years?!

Please see attachment 4. Attachment 4 is a print out of the relevant pages of Local 2505's national membership roster which contains the initiation dates of both Rhonda Hull and Janet Sharp.

Rhonda Hull's initiation date is 04/09/07. Dropping Rhonda Hull from membership as of 08/30/08 violates the clear language of Article 6, Section 4.B.

In relevant part, Article 6, Section 4.B. states:

To be effective, forms SF-1188 must be submitted no earlier than 30 days prior to an employee's anniversary date....

Any form SF-1188 or equivalent received outside the 30-day timeframe will be returned.

Obviously, since the drop occurred in August, the 1188 was NOT received between 03/10 and 05/09. Hence, it should have been returned. This drop was incorrect and violates the contract.

Janet Sharp's initiation date is 10/01/2001. To terminate her membership and stop dues withholding, her 1188 would have to be received between 09/01 and 10/31. Therefore, she can NOT have been dropped from payroll deduction 08/30/08 because her 1188 would have had to have been returned to her because it was submitted outside of the 30 window.

Payroll deduction errors of Union dues are also violations of 5 USC 71, are Unfair Labor Practices and violations of Article 1, Section 1 and Article 2.A.

As remedy, the Union wants both Rhonda Hull and Janet Sharp RETURNED to payroll deduction. Furthermore, SSA must reimburse AFGE Local 2505 \$13.95 per employee per pay period for every pay period until they are returned to payroll deduction for Union dues. In addition, AFGE Local 2505 wants a written apology for SSA's failing to send 1188's received by members to myself and Secretary-Treasurer, Magda Mashburn. Finally, AFGE Local 2505 wants the following FLRA styled posting placed unobstructed on management bulletin boards for a period of not less than 60 days in every office within the jurisdiction of AFGE Local 2505:

NOTICE TO ALL EMPLOYEES

POSTED

Pursuant to a Grievance Settlement

Between

AFGE Local 2505 and the Social Security Administration, Dallas Region

WE HEREBY NOTIFY OUR EMPLOYEES THAT:

We will provide the President of AFGE Local 2505 notice when a bargaining unit employee transfers into an SSA Oklahoma Field Office.

We will provide the President and Secretary-Treasurer of AFGE Local 2505 a copy of SF-1188s received from employees prior to dropping said employees from payroll deduction for Local 2505 Union dues.

We will return Rhonda Hull and Janet Sharp to payroll deduction for Local 2505 Union dues.

We will pay AFGE Local 2505 \$13.95 per employee per pay period for every pay period during which Rhonda Hull and Janet Sharp were improperly terminated from payroll deduction for Local 2505 Union dues.

We will acknowledge receipt of all Section 10 grievances filed by AFGE Local 2505 and notify the Union, in writing, whom the management official designated to hear / respond to the grievance.

We will timely (ten working days from receipt) issue decisions on all Section 10 grievances filed by AFGE Local 2505 in which AFGE Local 2505 waives its right to an oral presentation.

We will, until such time as the Central Office program is fixed, review every Local 2505 payroll deduction list and manually annotate the names of members who have temporarily left the bargaining unit and have been dropped from payroll deduction.

We will not violate 5 USC 71 and Articles 1, 2, 6 and 24 of the SSA-AFGE National Agreement.

We deeply apologize for the loss of Union dues and the repeated waste of official time which we have inflicted on AFGE Local 2505 by our repeated failures to fulfill our obligations under Article 6 of the AFGE-SSA National Agreement and the grievance decision dated March 5, 2007.

Social Security Administration

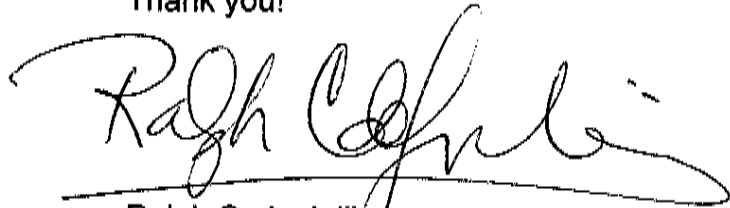
Dated:

By: _____ (Signature)
Regional Commissioner (Title)

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.

The Union wishes to make an oral presentation of this grievance. I will be the Union's representative. Local Secretary-Treasurer Mashburn will be a witness.

Thank you!

A handwritten signature in black ink, appearing to read "Ralph C. de Juliis". The signature is fluid and cursive, with a long horizontal stroke at the end.

Ralph C. de Juliis
AFGE Local 2505

Four Attachments

cc: (with attachments)

Local 2505 Executive Board