

November 7, 2011

**MEMORANDUM**

TO: HHS Chapter Presidents

RE: National Grievance Regarding HHS's Failure to Process Grievances

**SUMMARY: NTEU has filed a national institutional grievance regarding the agency's failure to process employee and/or union grievances.**

On November 1, 2011, the union filed a national institutional grievance regarding HHS' refusal to process grievances in accordance with Article 45 of the 2010 HHS-NTEU Consolidated Collective Bargaining Agreement. A copy of the grievance is attached. The agency's actions constitute a violation of Article 45 as well as an unfair labor practice.

As you know, HHS has failed to process many grievances citing a lack of specificity and/or that the grievance does not include "all known and alleged facts." Article 45, however, only requires the grieving party to provide notice of its claims and does not impose standards concerning the disclosure of evidence. NTEU further alleges that the agency's refusal to process grievances is a direct attempt to interfere with and/or restrain bargaining unit employees from exercising their statutory and contractual rights. As a remedy, the union requests that HHS begin processing grievances immediately, consistent with Article 45.

NTEU's representative in this matter is Alexa Rukstele, Assistant Counsel for Negotiations. She can be contacted via phone at (202) 572-5500, extension 7042 or via e-mail at [alexa.rukstele@nteu.org](mailto:alexa.rukstele@nteu.org).

Colleen M. Kelley  
National President

Attachment