



**UNITED STATES OF AMERICA  
FEDERAL LABOR RELATIONS AUTHORITY  
CHARGE AGAINST AN AGENCY**

**FOR FLRA USE ONLY**

Case No.

Date Filed

**1. AGENCY AGAINST WHICH CHARGE IS BROUGHT**

a. Name of Charged Agency (include address, city, state, & ZIP)

National Archives and Records Administration  
8601 Adelphi Road  
College Park, Maryland 20740

b. Agency Representative (include name, title, address)

Emmalisa Hobbs  
Chief, Labor/Employee Relations  
National Archives & Records Administration  
8601 Adelphi Road  
College Park, Maryland 20740

tel. (301)837-1981 fax (301)837-3195  
e-mail emmalisa.hobbs@nara.gov

**2. CHARGING PARTY**

a. Name of Charging Party (include address, city, state, & ZIP)

AFGE Council 260  
Rm. 1920  
8601 Adelphi Road  
College Park, Maryland 20740

b. Charging Party Representative (include name, title, address)

Ashby Crowder  
Executive Vice President  
AFGE Council 260  
8601 Adelphi Road  
College Park, Maryland 20740

tel. (301)837-0901 fax (301)713-6578  
e-mail ashby.crowder@nara.gov

**3. BASIS OF THE CHARGE**

a. Set forth a clear and concise statement of the facts constituting the alleged unfair labor practice, including date and location of the particular acts.

On August 24, 2015, the Agency notified unit employees of a change in working conditions involving the use of Personal Identity Verification (PIV) credential cards. The notice, attached hereto as a Exhibit 1, came by email from a generic communications office address, and was sent to all employees at the National Archives and Records Administration's Archives II facility in College Park, Maryland. Management did not notify the union of this change in advance. The union was not given an opportunity to bargain the impact and implementation of the change before the August 24 announcement and a subsequent presentation on August 26, 2015. The change involves methods of computer access as well as threats of denied access to the facility if PIV cards are forgotten or misplaced, Exhibit 2 hereto. The Agency contends that the union was notified when a bargaining unit employee submitted a plan for an initial pilot and briefed a union official on the pilot in March 2015. The union contends that this arrangement was wholly improper and cannot be considered to have met management's obligations under the Statute because no labor-management communication about the matter had occurred. The employer may not delegate management's duties under the Statute to a unit employee.

Requested relief: That the Authority craft and issue an appropriate remedial order.

b. Which subsection(s) of 5 U.S.C. 7116(a) do you believe the Agency has violated? (1)  (2)  (3)  (4)  (5)  (6)  (7)  (8)

c. Have you or anyone else raised this matter in any other procedure? No  Yes  If yes, where?

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Grievance Procedure                         | <input type="checkbox"/> Federal Mediation and Conciliation Service | <input type="checkbox"/> Federal Service Impasses Panel |
| <input type="checkbox"/> Equal Employment Opportunity Commission     | <input type="checkbox"/> Merit Systems Protection Board             | <input type="checkbox"/> Office of Special Counsel      |
| <input type="checkbox"/> Other Administrative or Judicial Proceeding | <input type="checkbox"/> Negotiability Appeal to FLRA               | <input type="checkbox"/> Other _____                    |

**4. DECLARATION**

I DECLARE THAT I HAVE READ THIS CHARGE AND THAT THE STATEMENTS IN IT ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT MAKING WILLFULLY FALSE STATEMENTS CAN BE PUNISHED BY FINE AND IMPRISONMENT, 18 U.S.C. 1001.

THIS CHARGE WAS SERVED ON THE PERSON IDENTIFIED IN BOX 1b BY [check all appropriate boxes]

- In Person     1st Class Mail     Fax     Commercial Delivery     Certified Mail     e-mail (see reverse)

Ashby Crowder

September 17, 2015

Type or Print Your Name

Your Signature

Date