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AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES
COUNCIL of NATIONAL ARCHIVES LOCALS, LOCAL 2578

Date: May 20, 2022
From: Ashby Crowder, AFGE
Subject: Career Ladder Program in F
To: Oliver Potts, F

STATEMENT OF GRIEVANCE

This statement is to notify the National Archives and Records Administration (NARA) that the American Federation of Government Employees (AFGE) is invoking the negotiated grievance procedure as outlined in Article 26, Section 8 of the National Agreement between NARA and AFGE. This procedure is being invoked to seek remedy for violations of Article 15 of the National Agreement; 5 U.S.C. 7116(a)(5); and all other applicable sections of the contract, rules, laws, and regulations.

Description of Violation & Basis for Grievance: The career ladder program to GS-12 for the GS-1083 Technical Writer Editor series in the Office of the Federal Register operates in violation of the requirements of the collective bargaining agreement (CBA). As described in OFR standard operating procedure 321-1-1, the program provides that a candidate who does not meet the GS-12 requirements must wait a minimum of six months before being considered again for a promotion. Under the CBA, the promotion must be effectuated upon completion of the eligibility requirements and a supervisory determination of readiness for promotion. An arbitrary six month waiting period conflicts with this provision.

The requirement of completion of a self-assessment also conflicts with the provisions of the CBA. While the applicable provisions of the CBA were substantially revised in 2019, OFR's policies and procedures have remained unchanged since 2008. Under the CBA, the employer may establish eligibility criteria, and it is within management's discretion to determine whether an employee has met such criteria. A requirement of self-assessment activity is not reasonably understood as an eligibility criterion. Self-assessment is a method of documenting eligibility, not an element of eligibility itself. Moreover, it flips the conventional practice of management assessing the employee's performance into an employee's assessment of her or his own performance, subject to management review and concurrence. This arrangement is not contemplated by Article 15.

I request a meeting to discuss this grievance.

Proposed remedy: That the career ladder program in the Office of the Federal Register be brought into compliance with the collective bargaining agreement, to include ending the 6 month

waiting period, and the requirement to complete a self-assessment. That all employees negatively affected by the violation be made whole.

Sincerely,

Ashby Crowder

ASHBY CROWDER
President, AFGE Local 2578
Principal Representative, AFGE Council 260

cc: Mitchell Buffone