



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

FOR FLRA USE ONLY

Case No. _____

Date Filed _____

Complete Instructions are on the back of this form.

<p>1. Charged Activity or Agency Name: Department of Air Force (Activity) Address: 355 WG/CC 3405 S. Fifth Street, Bldg 2300 Davis Monthan AFB, AZ 85707 Tel.#: 520-228-3551 Fax.#:</p>	<p>2. Name and address of charging labor organization or individual Name: A.F.G.E. Local 2924 (Union) Address: 3737 Camino Del Rio South, Ste. 108 San Diego, CA 92108 Tel.#: 623-693-3225 Fax.#: 602-281-6188</p>
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<p>3. Activity or agency contact information Name: Joseph Turnham Title: Wing Commander Address: Same As Above Tel.#: Same As Above Fax.#: Same As Above</p>	<p>4. Labor organization or individual contact information Name: Harley Hembd Title: National Representative Address: AFGE District 12, 3737 Camino Del Rio South, Ste. 108 San Diego, CA 92108 Tel.#: 623-693-3225 Fax.#: 602-281-6188</p>
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5. Which subsection(s) of 5 U.S.C. 7116(a) do you believe have been violated? (See reverse) (1) and (5) (8)

6. Tell exactly WHAT the activity (or agency) did. Start with the DATE and LOCATION, state WHO was involved, including titles.

ISSUE: UNILATERAL CHANGE

On or about December 14, 2020 the Union became aware that the above named activity through its representative Colonel Joseph Turnham, Wing Commander, made unilateral changes in the conditions of employment of all bargaining unit employees, when Turnham signed and issued a 22 page book of management rules. The 22 page book of rules states that it was implemented effective December 11, 2020 through the signature of Turnham. This 22 page book of rules was implemented without any negotiations or the concurrence of the Union, AFGE Local 2924. In an act of deception Turnham made reference to the Union, AFGE, Local 2924 and its representatives in several locations throughout this book of rules to give the appearance of a collective bargaining agreement between the parties, which it defined as the activity and the Union. Changes includes, but not limited to, an agency imposed grievance procedure to be used by the parties and employees, which is labeled as the "negotiated grievance procedure." Throughout this 22 page book of rules Turnham goes further with his changes by unilaterally removing employee rights under the law and statute. Turnham also makes reference to the Union as waiving its rights over permissive and mandatory subjects of bargaining.

The 22 page book of management rules was implemented without the Unions concurrence, without membership ratification and contrary to the requirements of the statute. These actions by the activity are in violation of 5USC§7116(1)(5)(8).

7. have you or anyone else raised this matter in any other procedure? No Yes If, yes where? [see reverse]

8. 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 ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT, 18 U.S.C. 1001. THIS CHARGE WAS SERVED ON THE PERSON IDENTIFIED IN BOX #3 BY [check "X" BOX] Fax 1st Class Mail In Person

Commercial delivery Certified Mail

Harley Hembd

 Type of print your name

 Your Signature

6 JAN 2021

 Date



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AUTHORITY
CHARGE AGAINST AN AGENCY

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Case No. _____

Date Filed _____

Complete Instructions are on the back of this form.

1. Charged Activity or Agency

Name: Department of Air Force (Activity)
Address: 3405 S. Fifth Street
Bldg 3200
Davis Monthan AFB, AZ 85707

Tel.#: 520-228-3831**Fax.#:**

2. Name and address of charging labor organization or individual

Name: A.F.G.E. Local 2924 (Union)
Address: 3737 Camino Del Rio South, Ste. 108
San Diego, CA 92108

Tel.#: 623-693-3225**Fax.#:** 602-281-6188

3. Activity or agency contact information

Name: Mark Cutler
Title: Civilian Personnel
Address: Same As Above

Tel.#: Same As Above**Fax.#:** Same As Above

4. Labor organization or individual contact information

Name: Harley Hembd
Title: National Representative
Address: AFGE District 12,
3737 Camino Del Rio South, Ste. 108
San Diego, CA 92108

Tel.#: 623-693-3225**Fax.#:** 602-281-61885. Which subsection(s) of 5 U.S.C. 7116(a) do you believe have been violated? (See reverse) (1) and (5) (8)

6. Tell exactly WHAT the activity (or agency) did. Start with the DATE and LOCATION, state WHO was involved, including titles.

ISSUE: REPUDIATION

On December 7, 2020 the above named activity through its representative Mark Cutler, Employee & Labor Relations, provided notice to the Union of its intent to repudiate the parties' 2011 collective bargaining agreement (CBA), supplemental agreements and past practices, effective December 11, 2020. Cutler indicated that in place of the 2011 CBA would be a management book of rules once signed by the wing commander that he stated was the "new CBA". Since on or about January 6, 2021 the activity through Cutler has refused to acknowledge the 2011 CBA, Official Time and supplemental agreements. Cutler has also refused to accept the Unions grievances filed under the "negotiated grievance procedure" contained in the 2011 collective bargaining agreement. These actions by the activity are in violation of 5USC§7116(1)(5)(8).

7. have you or anyone else raised this matter in any other procedure? No Yes If, yes where? [see reverse]8. 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 ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT, 18 U.S.C. 1001. THIS CHARGE WAS SERVED ON THE PERSON IDENTIFIED IN BOX #3 BY [check "X" BOX] Fax 1st Class Mail In Person Commercial delivery Certified Mail

Harley Hembd

Type of print your name

Your Signature

Date

6 JAN 2021