



# FLRA.gov

U.S. FEDERAL LABOR RELATIONS AUTHORITY

Short Form

## Charge Against an Agency

eFiling No. eOGC008056

Revision: REV-11-18-2018

### Filing Party

#### Filing Representative Email Address

[Redacted]

**First Name**

Max

**Last Name**

Feige

**Street Address**

[Redacted]

**Street Address 2**

Empty

**City**

[Redacted]

**State**

[Redacted]

**ZIP Code**

[Redacted]

**Title**

[Redacted]

**Organization**

National Council of EEOC Locals, No. 216,  
AFGE/AFL-CIO

**Phone**

[Redacted]

### Agency Against Which Charge is Brought

#### Search or write-in Charged Party information?

Write-in

**Name of Charged Agency**

U.S. Equal Employment Opportunity  
Commission

**Activity Name of Charged Agency**

Miami District, Tampa Field Office

**City of Charged Agency**

Tampa

**State of Charged Agency**

FL

### Agency Representative Information

**Email Address**  
[REDACTED]

**First Name**

**Last Name**

**Title**

[REDACTED]

[REDACTED]

Director, Employee & Labor Relations Division,  
OCHCO

**Street Address**

U.S. Equal Employment Opportunity Commission

**Street Address 2**

[REDACTED]

**City**

**State**

**ZIP Code**

[REDACTED]

[REDACTED]

[REDACTED]

**Phone**

[REDACTED]

**Fax**

Empty

### Charging Party Information

**Search or write-in Charging Party information?**

Write-in

**Name of Charging Party Organization or Individual**

AFGE Local 3599

**Party Type of Charging Party Organization or Individual**

Union

**City of Charging Party Organization or Individual**

Louisville

**Local Name of Charging Party Organization or Individual**

Sharon Baker

**State of Charging Party Organization or Individual**

KY

### Charging Party Representative Information

**Email Address**  
[REDACTED]

**First Name**

**Last Name**

**Title**

Sharon

Baker

AFGE, Local 3599 President

**Street Address**

[REDACTED]

**Street Address 2**

Empty

**City**

**State**

**ZIP Code**

[REDACTED]

[REDACTED]

[REDACTED]

**Phone**

[REDACTED]

**Fax**

Empty

## Basis of the Charge

### **OGC Regional Office**

OGC-AT - Atlanta Regional Office

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

The Equal Employment Opportunity Commission, by its agent, Evangeline Hawthorne, Miami District Office - Tampa Field Office Director, has violated the above cited subsections of the statute. On or about August 25, 2021, the Director ordered the eviction of the Tampa Office Union Steward from the longstanding Union Office #1025. The Director's unilateral action repudiates an MOU agreement that explicitly designates "Office #1025" for the Union, stating that "this Office is and shall be the Office of the Union Steward." Office #1025's designation as the Office of the Union Steward is also an established past practice that has continued for a substantial period of time. Nevertheless, the Director unilaterally reassigned the Steward to another office. The Director's actions also violate the statute by demonstrating reprisal towards the Tampa Steward and other Union officials for engaging in recent representational activity for the Tampa Field Office bargaining unit. The Director's actions discourage membership in the Union and are interfering with, restraining, and coercing the exclusive representative in its ability to represent bargaining unit employees in the Tampa Field Office.

## Attachments

Please attach any available supporting documents.

**Identify which one or more of the following subsections of 5 U.S.C. § 7116(a) has or have allegedly been violated. Please note that a violation of (2) through (8) is an automatic violation of (1). For the purpose of this chapter, it shall be an unfair labor practice for an agency:**

(1) to interfere with, restrain, or coerce any employee in the exercise by the employee of any right under this chapter;

(2) to encourage or discourage membership in any labor organization by discrimination in connection with hiring, tenure, promotion, or other conditions of employment;

(3) to sponsor, control, or otherwise assist any labor organization, other than to furnish, upon request, customary and routine services and facilities if the services and facilities are also furnished on an impartial basis to other labor organizations having equivalent status;

(4) to discipline or otherwise discriminate against an employee because the employee has filed a complaint, affidavit, or petition, or has given any information or testimony under this chapter;

(5) to refuse to consult or negotiate in good faith with a labor organization as required by this chapter;

(6) to fail or refuse to cooperate in impasse procedures and impasse decisions as required by this chapter;

(7) to enforce any rule or regulation (other than a rule or regulation implementing section 2302 of this title) which is in conflict with any applicable collective bargaining agreement if the agreement was in effect before the date the rule or regulation was prescribed; or

(8) to otherwise fail or refuse to comply with any provision of this chapter.

**Have you or anyone else raised this matter in any other procedure?**

No

## 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.

**Your Name (this will act as your signature)**

Maximilian Feige

**Date**

08/30/2021

You are required to serve your charge on the Charged Party in accordance with 5 C.F.R. § 2423.6(d). **The filing of a document using the FLRA's eFiling System does not constitute service of the document on any party. The filing party must independently accomplish service by one of the following**

**methods.**

This charge was served on the Charged Party Representative identified above by the following method(s):

**Serving Method(s)**

- Email (but only when the receiving party has agreed to service by email under 5 C.F.R. § 2429.27(b) (6))

REV-11-18-2018  
Filed: Not filed yet