



FLRA.gov
U.S. FEDERAL LABOR RELATIONS AUTHORITY

Charge Against an Agency

eFiling No. eOGC014862

Revision: REV-11-18-2018

Filing Party

Filing Representative Email Address

rachel.shonfield@eeoc.gov

First Name

Rachel

Last Name

Shonfield

Street Address

[REDACTED]

Street Address 2

[REDACTED]

City

[REDACTED]

State

[REDACTED]

ZIP Code

[REDACTED]

Title

Rachel

Organization

AFGE 3599

Phone

[REDACTED]

Agency Against Which Charge is Brought

Search or write-in Charged Party information?

Search

Name of Charged Agency

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

Activity/Local

Headquarters

City

Washington

State

DC

Agency Representative Information

Email Address

Steven.Schuster@eeoc.gov

First Name

Steven

Last Name

Schuster

Title

Attorney-Adviser

Street Address

[REDACTED]

Street Address 2

Empty

City

[REDACTED]

State

[REDACTED]

ZIP Code

[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

Miami

Local Name of Charging Party Organization or Individual

AFGE Local 3599

State of Charging Party Organization or Individual

FL

Charging Party Representative Information

Email Address

Steven.Schuster@eeoc.gov

First Name

Steven

Last Name

Schuster

Title

Attorney-Adviser

Street Address

[REDACTED]

Street Address 2

Empty

City

[REDACTED]

State

[REDACTED]

ZIP Code

[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:

Since on or about at least February 21, 2023, the Equal Employment Opportunity Commission, through its agent Evangeline Hawthorne, Director of the EEOC Miami District Office, has violated the cited subsections of the Statute by acting in bad faith and contrary to FLRA caselaw by refusing to bargain the substance of the change to a past practice in work conditions. Specifically, the Director is attempting to eliminate a historic past practice which identified a designated dedicated private Union office and move out the Union Steward without affording AFGE Local 3599 the opportunity to bargain over the substance of the change. The Director's actions send a message of union animus that is chilling to the union and 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 the bargaining unit employees in the EEOC Miami District including its 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) Date

Rachel Shonfield

06/12/2023

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. § 2423.6(d))

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