

DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection

National Treasury Employees Union
GRIEVANCE FORM - PART I

Collective Bargaining Agreement, Article 31, Section 10

	1A. GRIEVANCE NUMBER	1B. DATE FILED 08/24/2008
2. FILER (EMPLOYEE NAME (S) OR UNION CHAPTER) NTEU Chapter 139 Seattle, Washington	3. EMPLOYEE POSITION AND WORK STATION President, NTEU Chapter 139, Seattle, WA	
4. EMPLOYEE'S IMMEDIATE SUPERVISOR (NAME) NA		
5. EMPLOYEE'S REPRESENTATIVE (CHECK ONE) <input type="checkbox"/> SELF <input checked="" type="checkbox"/> UNION (COMPLETE 5A & 5B)	5A. NAME OF UNION REPRESENTATIVE JOHN F. ROBERTSON	
	5B. UNION REPRESENTATIVE TELEPHONE NUMBER 253-228-8267	
6A. SPECIFIC ARTICLE(S) OF THE AGREEMENT ALLEGED TO HAVE BEEN VIOLATED; SECTIONS OF APPLICABLE LAW OR REGULATION ALLEGED TO HAVE BEEN VIOLATED; OR THE SPECIFIC NATURE OF THE EMPLOYMENT CONDITION IN DISPUTE. Repeated violation of Article 38, Customs Contract, Section 7, Action A; and Section 5D for the employees on all attachments indicated that dues withholding has been delayed and are made part-in-part of this grievance. Ref: Memo 06/03/08 w/regard to post certification		
6B. IF ALLEGATION OF UNFAIR LABOR PRACTICE, INDICATE SPECIFIC SECTION(S) OF 5 USC 7116(A) THAT HAVE BEEN VIOLATED BY CHECKING APPLICABLE BOX(ES). IT IS AN UNFAIR LABOR PRACTICE FOR THE AGENCY TO:		
<input type="checkbox"/> (1) to interfere with, restrain or coerce any employee in the exercise by the employee of any right under this chapter; <input type="checkbox"/> (2) to encourage or discourage membership in any labor organization by discrimination in connection with hiring, tenure, promotion, or other conditions of employment; <input type="checkbox"/> (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; <input type="checkbox"/> (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; <input type="checkbox"/> (5) to refuse to consult or negotiate in good faith a labor organization as required by this chapter; <input type="checkbox"/> (6) to fail or refuse to cooperate in impasse procedures and impasse decisions as required by this chapter; <input type="checkbox"/> (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 <input type="checkbox"/> (8) to otherwise fail or refuse with any provision of this chapter.		
6C. PROHIBITED PERSONNEL PRACTICE (SEE ARTICLE 6, SECTION 2 OF THE NATIONAL AGREEMENT)		
7. STATEMENT OF THE CIRCUMSTANCES GIVING RISE TO THE GRIEVANCE (PROVIDE NATURE OF THE INCIDENT, PERSONS INVOLVED, TIME, DATE, PLACE, ETC.) The Director, Indianapolis Payroll Center is responsible for the delegation of authority to his department that processes union dues withholdings and as such there exists a failure to ensure that individual dues withholding was completed.		
8. ACTION REQUESTED That every employee on the attached lists is verified, and that dues withholding commences immediately. Per June 3, 2008, memorandum where the arbitrator ordered CBP to: "pay NTEU any back dues and waive collection of said dues from bargaining(see attached)"		
9. EMPLOYEE SIGNATURE		
10. NTEU REPRESENTATIVE SIGNATURE		