



DEPARTMENT OF VETERANS AFFAIRS  
OFFICE LABOR-MANAGEMENT RELATIONS  
WASHINGTON DC 20420

NOV 17 2011

Mr. Joe Mendoza  
American Federation of Government Employees (AFGE)  
P.O. Box 2243  
Morgan Hill, CA 95037

Dear Mr. Mendoza:

This is in response to your grievance (Union Case #NG-10/12/2011-2) dated October 12, 2011, alleging that management violated Article 47, Sections 4(B), 2(A) & 2(B) of the Department of Veterans Affairs (VA)/AFGE Master Agreement in the VA Medical Center (VAMC) in Columbia, MO.

In your grievance you specifically argue that the VA failed to notify the NVAC designee of "[p]roposed changes in personnel policies, practices, or working conditions affecting the interests of two or more locals within a facility," in violation of Article 47, Section 4(B). You also claim the VA failed to "forward all proposed changes for which there is a bargaining obligation," to the NVAC designee in violation of Article 47, Section 2(A).

Before going into details of this grievance we must note this is a local grievance not a national grievance since it relates to notice sent at the local level about a local policy. However, we made inquiries into your claims and learned the Harry S. Truman Veterans Medical Center in Columbia, MO revises its policies every 3 years and notifies the union about any such revisions. Consistent with the VAMC's past practice, on September 14, 2011, notice was sent to Barbara J. Baney, President of AFGE Local 3399 and Dixie Wyatt, President AFGE Local 0903 about two minor revisions made to the local policy HPM 543A4-268. The revisions made to the local policy HPM-543A4-268, Probationary Period, included a missing CFR citation and an inaccurate VA/AFGE Master Agreement article number reference. Those edits did not alter the content, meaning, or intent of the local policy and do not signify any change in the policy or in working conditions for bargaining unit employees. As such, there was no bargaining obligation for the VAMC and therefore no need to send formal notice to Mr. Oscar L. Williams, Jr.

The VAMC does acknowledge the need to send notice of changes in working conditions affecting the interests of two or more locals to Mr. Williams and will do so when the need arises. However, we deny that such notice triggers National negotiations as alleged in your grievance. Negotiations of such local policies have always

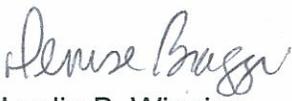
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been conducted locally and therefore the timeframe for the union to submit a demand to bargain should be consistent with what has been negotiated at the local level or past practice. Any further action related to the issues raised in your grievance should be addressed with the local human resources.

For the reasons stated above, we deny this grievance and any related grievances that may be filed on the same issue. If you have any questions, please contact Ryan Fulcher at (202) 461-4127 or Jimmy Powell at (573) 814-6410.

Sincerely,

  
Leslie B. Wiggins  
Deputy Assistant Secretary