

APPENDIX B

DEPARTMENT OF THE TREASURY
U.S. Customs Service/National Treasury Employees Union

1a. DISPUTE NO.

1b. DATE FILED
07-15-2005

DISPUTE RESOLUTION FORM – PART I

(Article 31, Section 10)

2. FILER (EMPLOYEE NAME(S) OR UNION CHAPTER) John H. Doe	3. EMPLOYEE POSITION AND WORK STATION Customs And Border Protection Officer / Otay Mesa Commercial Facility
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4. EMPLOYEE'S IMMEDIATE SUPERVISOR (NAME)
Supervisor Gellada

5. EMPLOYEE'S REPRESENTATIVE NTEU	5a. Name of Union Representative John Adams
<input type="checkbox"/> SELF <input checked="" type="checkbox"/> UNION (Complete 5a and 5b)	5b. Union Rep. Telephone Number (619) 690-8960 x

6a. SPECIFIC ARTICLES(S) OR SECTION(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
Subject Discipline is excessive (see attachment letter)

6b. IF ALLEGATION OF AN 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:

- (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 in 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.

6c. PROHIBITED PERSONNEL PRACTICE (See Article 6, Sec. 2 of the National Agreement)

7. STATEMENT OF THE CIRCUMSTANCES GIVING RISE TO THE DISPUTE (Provide nature of the incident, persons involved, time, date, place, etc.)
Reference to the attach, subject facility had no guides or SOP(s) in which to follow.

8. ACTION REQUESTED
Removal of Letter Of Reprimand. Apply Douglas Factors and remove allegation of improper use of Government Vehicle as it does not relate to this matter as they are not the same type of offenses.

9. EMPLOYEE SIGNATURE	10. NTEU REPRESENTATIVE SIGNATURE
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1. DATE OF DISPUTE RESOLUTION MEETING

DISPUTE RESOLUTION FORM – PART II

(Article 31, Section 10)

2. FILER (EMPLOYEE NAME(S) OR UNION CHAPTER)

3. EMPLOYEE POSITION AND WORK STATION

4. EMPLOYEE'S IMMEDIATE SUPERVISOR (NAME)

5. EMPLOYEE'S REPRESENTATIVE (Check One)

5a. Name of Union Representative

SELF UNION (Complete 5a and 5b)

5b. Union Rep. Telephone Number
() - x

6. DEFINITION OF THE ISSUE (Discussion to help understand all aspects of the issue)

7. FILER'S INTERESTS (Why the filer cares about resolving the issue. What is at stake for the filer's goals or needs.)

8. SOLUTION CRITERIA (Qualities of an acceptable solution for filer)

9. PROPOSED ALTERNATIVES (At least two solutions satisfying filer's interests and criteria in 7 and 8, above.)

10. EMPLOYEE SIGNATURE

11. NTEU REPRESENTATIVE SIGNATURE