

## WHAT TO DO WHEN ASKED TO WRITE A MEMO

**STOP!**

**THINK!**

Don't you already KNOW when you need to write 'memos' - when you get a load, when you do a pat down. Does anyone have to 'ask' you to write a memo?  
So, you already know something's up- right?  
Now, what's this all about? Think you know?

**Don't guess.  
ASK!**

Go into as much detail as possible- you know the W's- Who? (Who me?) What? Where? When? And most importantly-

**WHY?**

Let me repeat that. *WHY ARE YOU BEING ASKED TO WRITE THIS MEMO?*  
Stop guessing.

**ASK!**

For those of you who hate to read, skip to the bottom.

Lately, there has been a rash (as in a terrible reaction to a common object) of memos being requested by management and it has caused me great concern and alarm. Let me tell you a story of a memo:

An officer forgets his PRD; the supervisor says "I need a memo." "Okay" says the employee and writes a memo "I forgot my PRD." 6 months down the road, this employee is handed a letter- "You forgot your PRD. We're going to suspend you for 30 days for MISCONDUCT." (Getting Alzheimer's is apparently misconduct to Customs.) A few months later, I'm trying to hash out a reasonable solution with the LER (Wizard of Oz) and this is what she says to me and I quote, "Well, I don't see why you're objecting. HE ADMITTED THE MISCONDUCT IN HIS MEMO." I said "He admitted to FORGETTING his PRD, he did not admit to MISCONDUCT. He admitted to a lapse in memory." Her response? You say potato, I say potato - no matter how you put it, he's guilty.

If you're hair stands on end when the supervisor asks for a memo or if the thought "Oh sh\*\* what'd I do now?" crosses your mind.

That's called the *SURVIVAL INSTINCT* listen to it!

**FIRST- ASK**

1) What are you supposed to be writing the memo about? (No need to confess to something you're not accused of.) If you're guessing you're making a BIG mistake.

2) What is the memo going to be used for? This is a reasonable question- What work-related purpose is this memo for? If you have to ask this question then follow the instructions below.

## SECOND- LISTEN

1) Only answer the questions that were asked. Remember all that training you had on how to testify? USE IT!

2) If the answer is- "You missed an L/O." You know what that is? The answer to question #1- not the answer to this question. Think about it. Why does the supervisor need a memo to know you missed an L/O? You already told him you missed it. Hey, you've also learned how to recognize when somebody answers without actually answering the question asked.

Answer #2- "I need to put it in the Shift log, Sit Room report (whatever) why you missed the L/O."

The supervisor does NOT need to READ why you missed it- you can TELL him that and HE can write it down (actually he will write it down- it's not like he's planning on stapling your memo to the log instead of writing it in his own words.) So, why the memo?

Answer #3- "This lady made a complaint." You have VERY clear rights, when you hear this. See below.

## THIRD- THINK

Can this be used as a reason to discipline me? You know- Letters of Reprimand, Suspensions, and Termination? If the answer to this is YES. See below.

Is this an INQUIRY (administrative or otherwise)? Or is there a legitimate Customs BUSINESS reason for this memo? If management is trying to decide what you did wrong- it's an inquiry and you have very clear rights (*CONSTITUTIONAL* as well as contractual.) See below.

Complaints- per the NTEU contract-

#1 You are required to respond ONLY to a WRITTEN version of the complaint (and yes the supervisor can write it.)

#2 Management is REQUIRED to allow you to consult with NTEU to assist you in responding to the complaint- you MUST ask to consult with us, but once you ask they have to give you the time to consult with us and time to write your response.

If you have a belief this memo may be used as a reason to discipline you, then management MUST allow you to consult with the union. But, you HAVE to ASK for union representation ("I WANT A LAWYER!")

Now here's the bottom line.

**IF YOU HAVE TO BE ASKED TO WRITE A MEMO**  
**ASK FOR A UNION REP!**