

From: "Mike Hull" <mhull@natcad.org>
To: david.caldwell@natca.net, "Jeff Lewis" <lsjef@yahoo.com>
CC: "NWP-Hamid Ghaffari" <hghaffari@NATCA.NET>
Subject: RE: Imposed SL grievance
Date: Thu, 17 May 2007 10:37:01 -0700

Jeff,

I will answer your email to Dave issue by issue.

1. The 2003 CBA is the ONLY CBA that we recognize. When we did the contract extension in 2003, we updated the CBA dated 1998. It IS the same CBA with some minor word changes.

2. It does NOT matter if the green book and white book language is the same. We DO NOT file grievances on the white book, period, end of story. If an employee in the Union decides to take it upon themselves to file an employee filed grievance under Article 9, Section 7 of the white book, then when it goes through the process and it gets to the regional level, I guarantee you I will withdraw that grievance with extreme prejudice as it is my right to do so as the NWP LR Lead. I have done so already with another member. We cannot put this Union in a position of recognizing the white book thereby watering down our argument in front of a third party that they imposed their working conditions illegally.

3. It takes TWO or more to meet. Many times, the Union has offered to meet with the agency to discuss grievances. They have refused each and every time. We cannot force them to meet with us.

4. The Union, in accordance with federal labor law has no right or standing to PREVENT management from doing anything, especially an assignment of work which is their right, which sick leave is, and which, in accordance with federal labor law we can only fight on the back end by filing the appropriate paperwork.

I think I covered everything. Let me ask you this Jeff. I can only assume by your email that the agency has forced you on sick leave. Is that correct?? Also, has the period of forced sick leave been more than 14 days??

Once I get the answers to the above two questions, I can advise and counsel you correctly.

KJ

SF-0752-09-0139-I-1 Appellant Exhibit: _____

J-151
EK