

From: Jeff Lewis <lsjef@yahoo.com>
To: ksills@natcad.org; "Aletha.Hicks-Moffatt@faa.gov" <Aletha.Hicks-Moffatt@faa.gov>; tim.kubik@faa.gov
Sent: Friday, August 6, 2010 8:46 AM
Subject: Fw: 6-30-09 docs related to Lewis Arbitration, Greivance 09-79364-CCR

Would one of you please advise the status of this old grievance arbitration? I have heard nothing back so far, and my calls to Tim and Aletha are not being returned. For your convenience, I have attached a pdf copy of the NATCA arbitration request from August-2008.

On a related matter, I am concerned that Privacy Act is not being complied with at AWP-HR. It appears Tim is denying my right to come to LA and view records (which I will show need to be corrected). Would one of you please reply with an explanation of why, two months after the request was sent, I have still not been advised the locations of these records, nor have I been offered a chance to review them? See attached pdf.

Lastly, please forward this to Dan Castellon and provide his email address.

Thanks, and hoping we can clean this mess up soon...

Jeff

----- Forwarded Message -----

From: Jeff Lewis <lsjef@yahoo.com>
To: ksills@natcad.org; Aletha.Hicks-Moffatt@faa.gov
Sent: Mon, July 26, 2010 8:29:40 AM
Subject: Fw: 6-30-09 docs related to Lewis Arbitration, Greivance 09-79364-CCR

Hello Aletha and Kevin,

As a follow-up to a phone conversation with Aletha just under two weeks ago, and as a delayed follow-up to a series of calls with Kevin a year ago, please review the attached forwarded files. These relate to the arbitration of my grievance filed 5-1-08, as part of the settlement in which I withdrew a ULP filed against the Agency. Among other things, these documents show some of the good and fair effort by former AWP-16 Glen Rotella to cleanup a mess that never should have started.

I want it clearly understood that, although this arbitration is for a substantial monetary amount (roughly \$42K), a quick settlement with cash payout would NOT be acceptable. Why? Because this arbitration hearing presents a necessary opportunity to provide the Due Process that has been aggressively obstructed for three-and-a-half years. Our Agency (and this Union) can and must perform better; the case history needs to be defined and judged, to ensure mistakes such as this are never repeated within the FAA.

For the record:

1. The attachments and email below were sent on 6/30/09, a day after I received the exculpatory Detailed Incident Report which had been improperly excluded from the ROI. Since then, I have received more than a thousand pages via FOIA,

documenting Privacy Act violations by Dr. Goodman, and revealing the coordinated obstruction of records by Agency Counsel during the MSPB Discovery process.

2. I was never paid the last eight-hours of SL (see 4/17/07 on the spreadsheet)
3. Aletha: despite your assurances a year ago, the 11/6/08 pay-encoding was never corrected back to Admin, and I thus continue to show this date as LWOP. It was erroneously re-coded a week after the original because Hardy was not clear whether my removal was effective at the beginning or end of the 11/6/08 shift. Can we correct this one, too?

I ask that the two of you immediately schedule this case for a full and fair arbitration. I also ask, if there are other documents needed, or if you have questions, please send an email so that I may promptly reply. Alos, I am forwarding another set of emails from last December, when I conveyed my concerns to the Union.

Thanks, and looking forward to working with you to clean up this mess... Jeff

----- Forwarded Message -----

From: Jeff Lewis <lsjef@yahoo.com>

To: Kevin Sills <ksills@natcad.org>; Glen Rotella <Glen.A.Rotella@faa.gov>

Sent: Tue, June 30, 2009 10:13:55 PM

Subject: RE: leave accounting, medical reimbursables

Kevin and Glen,

Here are the copies requested earlier today, by Kevin.

Regarding un-reimbursed costs related to the medical appointments (April-07, October-07, and December-07), please see the pdf of a three-page letter mailed to Sarah Kreischer on 12/19/07. All expenses are accounted for, though I was never advised the going M&IE rate, thus left three values as empty circles for Sarah to complete. Although I sent this to Sarah (she is the Administrative secretary working for Andy Richards, right?) no payments were ever made, and no reimbursements realized. In fact, what happened was we spent a couple months getting me set up on a web-based travel reimbursement system...only to go nowhere, since nobody had ever created an actual travel order.

As for the leave accounting, please see the attached Excel spreadsheet. Each day is presented for the past 2.5 years. There were some amendments, though really not that many, and, normally, only one amendment was made for any date. The one exception is 11/6/08, which has been amended twice and will require careful review to ensure it is properly closed.

Within the spreadsheet, some shorthand codes include:

- reg (regular pay)
- AL (annual leave)
- SL (sick leave)
- admin (paid administrative leave)
- HOL (holiday pay)
- cred (credit hours)
- LWOP (leave without pay)

- Also, bos stands for “beginning of shift”, while eos stands for “end of shift”, such as when I used or earned small increments of credit hours.

Actions needed to correct my pay:





The initial amendment calls for the replacement of 688-hours from 4/30/07 to 8/29/07 inclusive, initially encoded as sick leave, to become administrative leave. These 688-hours caused my leave balance to be exhausted; during this period, I used 118-hours of annual leave, 3:30-hours of credit earned, and 465:30-hours of sick leave...and was charged LWOP for a month and a half. Please note, this estimate is revised, on the assumption that all amendments for PP-0710 have already been completed (the audit indicates actions taken on 4/10/09 and 6/4/09).

I do not know the pay rules Agency needs to follow in completing this payment. However, I request that restored hours be applied, to the larger portion of the six-months of LWOP I endured prior to my May-09 retirement. Please note that, in 2008, Agency violated Article 66, Section 10 of the Agency’s imposed contract, when they failed to schedule a required annual ATC physical, and then failed to assign other duties not requiring a medical certificate. Consequently, my ATC medical clearance expired in June 2008, due to no fault of my own; I simply followed orders and stayed home. Lacking an ATC medical clearance and assigned to stay at home, and in the interest of cleaning up this mess, it seems fair that Agency would allow me to apply my restored sick leave balance to the months spent homebound.

Please advise any questions or other documents needed. I look forward to hearing from both of you.

Jeff

4 attachments —

-  **Lewis, Leave and Medical.xls**
243K
-  **12-19-07doc..Medical reimbursmnt letter, 3pg.pdf**
223K
-  **8-27-08pdf..NATCA arbitration request.pdf**
34K
-  **6-4-10pdf..Privacy Act Request, to Corpus.pdf**
272K