

From: Jeff Lewis <reformfaanow@gmail.com>

Date: Tue, Feb 7, 2012 at 1:16 PM

Subject: A few comments to wrap up our phonecall earlier today

To: Mark Wilson <mwilson@natcad.org>, Jay Barrett <rkmedez@gmail.com>

Mark:

Thanks for calling to discuss the arbitration scheduled for next week.

I am almost finished with the PDF files to send related to the FLRA-ULP filing, and to the MSPB Hearing that never actually happened, thanks in no small part to fraudulent actions by Naomi Tsuda (who withheld key records, then flat-out lied to the ALJ in the few moments prior to the hearing start...though, again, it never actually started). Her lie? She told the ALJ that I had not been previously admonished, yet had attended two weeks earlier a Deposition of Jason Ralph in which he said, over and over again, that he had admonished me. Please see attached.

We talked for nearly an hour and a half, though Jay had nothing to say except to once confirm he was still connected. You repeatedly asserted that if Agency offers to fully compensate the money part of the grievance (the illegal constructive suspension and the forced medical evaluations), the Union would accept that settlement. I repeatedly stated my belief that the Due Process element is far more important than the monetary element; that the Union needs to press for Due Process that Agency has so horribly obstructed. I even suggested, I would be agreeable to a "settlement" so long as it included completion of that Due Process by getting MSPB to re-open, or by getting FAA to allow (and make happen) a GFT or NATCA grievance process. Again, the critical part is the Due Process, so that FAA officials will be held accountable for their many improper actions in my case history.

I clarified with you that I am NOT voluntarily retired, but was forced out due in no small part to fraudulent practices by Agency officials. My original intention, before any of this began five years ago (!!!what a waste!!) was to provide for my family by continuing my chosen FAA career until at least age-56. Many of the people I worked with in FAA continue to work, were never subjected to the disparate treatment dealt me, and are even promoted so as to allow them to move past age-56.

I also emphatically disagreed with your initial characterization that I want to embarrass the Agency. As I stated, my purpose is to accomplish justice and fairness. This is not about embarrassing FAA, but about improving FAA ... bringing our Agency to the level of performance they want the Public to believe in. As in Grizzle's "Platinum Standard". It is my belief that if NATCA will assist me within its powers to get statements into the arbitration record responsive to my nearly 4-yr-old grievance, that information will greatly clarify the details of this case, thus making it far easier for Mr. Grizzle, Mr. Hood, or Mr. Holder to firmly suggest a full corrective action by FAA.

One of the points you were making referred to "run-of-the-mill" grievances. I was not able to point out to you that, clearly, this is far from a "run-of-the-mill" grievance. I think it is fair to say that in fact there are many grievances related to small matters such as a person being overlooked for two hours of overtime. It makes no sense to me that NATCA would go through an arbitration for Tony Williams' removal, for Ken Hawkins' suspension, or for Andy Papageorge's suspension, but not fulfill the need to equally arbitrate my own case. All three of those gentlemen had deep conduct histories (though, I grant you from my own experience, it is questionable whether any of their charges were true), while I had NO CONDUCT HISTORY. On top of that, I have clear

evidence that, in fact, my filing the grievance at the invitation of LR Specialist Rotella as part of a ULP settlement was the key and only factor that led to the drafting of my removal.


Oh, and a detail that seems necessary to share after our discussion: for what it is worth, there is absolutely NOTHING in my medical file that I would need to conceal. As such, if NATCA needs to crack that open (then roll it into a bat for the Goodman testimony at arbitration), by all means go for it. Let me know what signatures you need to open this file. I am attaching two of the letters you will find in that file.

Lastly, in the event you still feel the Union would be well-served by accepting a money-only settlement offer from FAA, please at least do two things:

- 1) offer your assurance, that you will delay on actual acceptance and afford me a few days to consider and rebut the proposal details.
- 2) spell out precisely what benefits would come from dropping the hearing (and the chance to put some of these FAA people under oath and onto the hearing record) so late in the game. I.e., is there any real and meaningful savings, or are expenses pretty much already locked in?

The Agency whose behavior necessitated our Union has all but destroyed my life, and I have valiantly worked for five years now to correct the damages they have done. I did not get support from NWP early on; in fact, they simply fought me and tried to intimidate me away from my rights. But that is past, and we now have an opportunity to compel our Agency to clean this up. NATCA can truly SHINE, if you will agree to draw the line, that there can be no settlement without ensuring NATCA protects a member's right to true Due Process.

3 attachments — [Download all attachments](#)

 **20090219.. Ralph DEPO excerpts re admonishment.pdf**

130K [View](#) [Download](#)

 **20070831.. letter, Dr. Horstman to Dr. Schwendeman, stamped rcvd at CAMI on 9-26 (1p).pdf**

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 **20090325.. Dr. Haldeman letter, no markups (2p).pdf**

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