

**Clemortee R
Marable/AWP/FAA**
AWP-016A, Labor &
Employee Relations Branch

To Andy Richards/AWP/FAA@FAA
cc
bcc

05/15/2008 03:38 PM

Subject Letter

Andy,

So you are aware, thoroughly reviewed the ROI and have added to the Lewis letter based on the ROI. The second charge will have at least 6-7 specifications regarding not being truthful. I want to review the letter again before I send it to you on Tuesday. I will be on leave on Monday, but if I have the opportunity to finish on Monday, I will send it to you then. Tomorrow is my RDO, but we have family plans and we will be out of town until Monday. I can add your douglas factors to this letter.

Eight days after Andy Richards first received email copies of Lewis' signed settlement and 5/1/08 grievance, Ros Marable was finishing her review of the ROI toward producing a "second charge". Eventually, a third charge was added, too.

The first charge was misconduct: use of the n-word, and allegations of aggressive behavior...though these were never substantiated. The second charge, referenced in this email, was being drafted by Ms. Marable and focused on the allegation that Lewis was not truthful in his ROI sworn interview. The third charge was "insubordination", and it appears in an updated version attached to a 6/11/08 email sent by Ms. Marable.

It is notable that these two "new" charges were added to an ROI that was nearly fourteen-months old (as of 5/15/08) ... and that this ROI was the official investigative report for an Accountability Board case that had been closed eleven months earlier, on 6/13/07.

Lewis-FAA Case
8/2012 FLRA filing
Ex. # 34

SOURCE: FIO-3787, p. 92
read 9-27-10