

From: **Jeff Lewis** <reformfaanow@gmail.com>
Date: Wed, Feb 8, 2012 at 1:06 PM
Subject: Lewis-CCR Arbitration near SFO next week
To: Mark Wilson <mwilson@natcad.org>, Jay Barrett <rkmedez@gmail.com>

Hi Mark and Jay,

Thanks again for the opportunity to discuss this matter yesterday. I'm hoping you received the files I collected and sent yesterday; if not, please let me know so I can send them again.

What I need from our Union is the support it has previously given to Williams, Hawkins, Papageorge and others, all of whom were represented through arbitration hearings. When this hearing opens on 2/16/12, it will be exactly five years from the day that Jason Ralph inexplicably locked me out from my FAA facility. It will mark five years that I have spent carefully pursuing and slowly obtaining Agency records that show a clear, indisputable series of malfeasance by FAA officials. But, it also marks five years of FAA officials abusing their authority by destroying records, concealing records, refusing to answer appropriate questions, and just generally dodging true accountability. This arbitration hearing presents the best opportunity I have had to get answers from the key officials who have refused to answer. But, as you note, the Union owns this grievance; therefore, I am dependent on the Union to support the rights of this one damaged Union member, by ensuring a full hearing process.

So, again, I emphasize: my issue is NOT with the Union, but with the Agency. It was FAA officials who made the decision to lock me out, to force me to spend my own money getting a medical evaluation, to constructively suspend from April through September 2007, to draft a 14-day suspension, and to rewrite that 14-day suspension into a removal in retaliation for my having filed grievance NC-08-79364 on 5/1/08. These same officials had many opportunities to abandon their unsupported plans such as the removal, but they failed, because the FAA "safety culture" at that time made large allowances for unaccountable and abusive behaviors by individual managers. In fact, as evidenced by the STL contract briefing, such behaviors were even encouraged, where they created a work environment hostile to tenured controllers eligible or soon eligible for retirement.

When this Whitebook grievance went to panel in early December 2010, Mike Hull reviewed the documentation I had at the time and produced a thorough presentation. Reviewing Mike's good work, and reviewing also the original grievance as filed on 5/1/08, it appears to me that the Union can compel testimony related to violations of Whitebook articles 10, 22, and 66. In my grievance filing, I defined the history of this case as it existed on 5/1/08, though without the many most critical Agency records that were being hidden, but were revealed years later via FOIA. I laid out a history, and I laid out proposed remedies. The first four remedies are purely monetary, seemingly easy to produce, and can be stipulated if Agency chooses to cooperate. The next two remedies focus on Jason Ralph, Patricia Hardy, and Dr. Goodman; these both relate to the production of Agency records, the documented slanders, and the explanation of Agency actions that were violating the Whitebook imposed work rules. The last proposed remedy simply emphasized the need for me to be put back to work sooner, rather than

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later, consistent with what Andy Richards had declared in his 4/17/08 certified letter.

Your position in our call yesterday appears to center on only the first four proposed remedies, while looking past the last three. You said, and correct me if I misunderstood, that if FAA offered to pay at 100% the monetary elements of this remedy, Union would accept and grievance would be finished with no arbitration hearing, no questions. I noted, and again correct me if this seems inaccurate to you, that no settlement is acceptable unless it includes language to protect the very Due Process rights which Agency officials have been obstructing. I stated that I would be agreeable to a Settlement, so long as it ensured the details of my case as now revealed would be subjected to a thorough review by either MSPB, FAA Guaranteed Fair Treatment (GFT), or a NATCA grievance process. Let me add to this, a thorough investigation and report by either the DoT IG, FAA's Office of Audit & Evaluation, or OSC would also be an acceptable settlement component. But, bottom line is, the investigative process has to happen and sooner, not later. If FAA will not agree to an investigative process and cooperate through to its completion, we need to fully utilize the present arbitration as the rare opportunity that it is.

If it would help, I will gladly do the difficult preparation for the hearing: prepare collections of documents for the record, chronologies, and a sequence of questions for each of the potential witnesses. But, I need your guidance to do so most efficiently in the short time available. So, please advise...

Jeff Lewis

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