

{In Archive} Fw: Possible February hearing dates (Lewis)

Bobby D Rodriguez to: Mark Wilson

11/17/2011 03:03 PM

Cc: Aletha Hicks-Moffatt, Daniel A Castrellon, Hamid Ghaffari, Michael Hull, Anna Jancewicz, Jay Barrett

Archive: This message is being viewed in an archive.

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Mark,

I believe you have misunderstood the contents of my e-mail. I am not asking you to convince me of the merits of the case or to convince me of the reasons as to why you believe this hearing requires multiple days. Please take note that I am in no way attempting to dictate to you how many days you will need, instead I am simply attempting to be financial cognizant which should be of interest to both parties. Nevertheless, if 2 days is what you will require for this case then so be it and let's move on. However, since the Grievance process is a joint process, including the Arbitration level, we should at least talk about the issue statement along with what documents we could possible agree upon as joint documents or moving papers prior to the hearing. I believe it is in our joint interest to at least attempt to agree upon as many issues/documents as possible prior to the date of the hearing so that we don't take too much time discussing these matters before the Arbitrator on the very date of the hearing.

As such, February 15th and 16th would be fine with the Agency. Therefore, without any further discussion about demands or vetos give me a call or an e-mail so that we may discuss the issue of this case as well as the joint papers. P

Bobby Rodriguez
FAA Labor / Employee Relations Specialist
AWP - 16
Western-Pacific Region
Phone 310-725-7840
FAX 310-725-6834

---- Forwarded by Bobby D Rodriguez/AWP/FAA on 11/17/2011 01:35 PM ----

From: Mark Wilson <mwilson@natcad.org>
To: Bobby D Rodriguez/AWP/FAA@FAA
Cc: Anna Jancewicz <ajancewicz@natcad.org>, Hamid Ghaffari <hghaffari@natca.net>, Michael Hull <mhull@natca.net>, Jay Barrett <rkmedez@gmail.com>
Date: 11/17/2011 11:52 AM
Subject: RE: Possible February hearing dates (Lewis)

Bobby: (We agree on the Feb 15-16 dates, but somehow not about putting them on the calendar just yet - due to your concerns about costs)

I do not agree that NATCA has to convince FAA of the need for a 2-day hearing, nor of the merits of the case BEFORE we proceed to scheduling. I had already done this with your predecessors, and it wasn't necessary even then.

We have nearly four months to cancel the hearing days, one or both. We just need to put this on the calendar now. We can fix the calendar anytime between now and then. I'm not going to lay out my whole case. We will need at least a full day for all of our case. Yes, it's mostly about remedy, but that's true of almost any case. We have many leave days to deal with and many different reasons why the leave was forced and/or alternative duties were denied. So, it's simply going to take us time to lay out our case. The issues are as stated in the grievance. I'm not going to try to convince you of the merits of the case, nor

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the need for two days. We require it. That's enough.

I am willing to provide you more detail about the case, again. But, I'm not willing to hold off on scheduling until you are convinced. The FAA does not have a veto over scheduling until it is convinced of the merits of the case.

Please, let's nail down Feb. 15-16 while those days are still available. We have had too many false starts already. We can always adjust the dates later, without incurring any expense whatsoever.

Please confirm you are willing to do this ASAP. If not, I will contact the arbitrator for resolution.

Thanks,

Mark

From: Bobby.D.Rodriguez@faa.gov [mailto:Bobby.D.Rodriguez@faa.gov]
Sent: Thursday, November 17, 2011 2:33 PM
To: Mark Wilson
Subject: RE: Possible February hearing dates *e1133*

Mark,

It would seem the 3rd week of February would be agreeable to both parties at this point. However, before we agree upon a specific date of that week or agree that multiple days will be necessary during this week, please provide me what you believe the issue of this Grievance should be. I am asking this based upon believing this grievance is a matter of remedy which should not require multiple days. Based upon the economic environment it is necessary for the agency to effectively manage our budget. As such, I must be sure multiple days are required.

Let me know asap so that we may select a date or dates during the week of February 13th.

Thank you,

Bobby Rodriguez
FAA Labor / Employee Relations Specialist
AWP - 16
Western-Pacific Region
Phone 310-725-7840
FAX 310-725-6834

From: Mark Wilson <mwilson@natcadc.org>
To: Bobby D Rodriguez-AWP/FAA@FAA
Date: 11/17/2011 11:05 AM
Subject: RE: Possible February hearing dates

Yes, the week of February 13 is good. My suggestion is that we select Feb 15 & 16 (Wed/Thurs).

Can we nail that down ASAP?

From: Bobby.D.Rodriguez@faa.gov [mailto:Bobby.D.Rodriguez@faa.gov]
Sent: Thursday, November 17, 2011 1:47 PM
To: Mark Wilson
Subject: RE: Possible February hearing dates *c1047*

Hi Mark,

It appears Arbitrator Lindauer will be available to conduct the hearing during the 3rd week of February. This time period appears to be okay with the Agency, however, will this time period be okay with you? Please let me know so that we may proceed.

Thank you,

Bobby Rodriguez
FAA Labor / Employee Relations Specialist
AWP - 16
Western-Pacific Region
Phone 310-725-7840
FAX 310-725-6834

From: Sarah <Sarah@lindauermediation.com>
To: Bobby D Rodriguez/AWP/FAA@FAA
Cc: Mark Wilson <mwilson@natcad.org>
Date: 11/15/2011 02:39 PM
Subject: RE: Possible February hearing dates

Mr. Rodriguez:

Eric is available February 2, 3, 6, 7, 10, 13-17. Please let me know if you wish to reserve any of these dates.

Thank you.

Sarah Seaborne
Case Administrator
sarah@lindauermediation.com

From: Bobby.D.Rodriguez@faa.gov [mailto:Bobby.D.Rodriguez@faa.gov]
Sent: Tuesday, November 15, 2011 1:45 PM
To: Sarah
Cc: Mark Wilson
Subject: Possible February hearing dates

Good afternoon Sara,

I am the advocate that is assigned to represent the Agency for an arbitration regarding a grievance that was filed by a FAA former employee, Mr. Jeffrey Lewis. Although some dates were previously provided those dates were could not work due to witness availability issues. As such, are there any dates during the month of February that Mr. Lindauer would be available?

As a courtesy to the Union, I have included Mr. Mark Wilson, the Union's representative in this e-mail. I look forward to your response and if you have any questions or concerns regarding this particular subject matter, please contact me at the office number provided.

Thank you,

Bobby Rodriguez
FAA Labor / Employee Relations Specialist
AWP - 16
Western-Pacific Region
Phone 310-725-7840
FAX 310-725-6834

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