BY ORDER OF THE
SECRETARY OF THE AIR FORCE

AIR FORCE INSTRUCTION 36-701

27 July 1994

AIR FORCE RESERVE COMMAND
Supplement 1

1 December 2000
Certified Current 20 February 2014
Personnel

LABOR MANAGEMENT RELATIONS

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

NOTICE: This publication is available digitally on the HQ AFRC WWW site at: http://www.afrc.af.mil and the AFRCEPL (CD-ROM) published monthly.

OPR: AFPOA/DPW (Mr. John Leibrock)
Supersedes AFR 40-711, 30 September 1991
and AFI 36-701/AFRC SUP 1, 4 October 1996

Certified by: HQ USAF/DPC (John R. Graham)
Pages: 16
Distribution: F

This instruction implements AFPD 36-7, *Employee and Labor-Management Relations*. It contains the Air Force procedures and guidance for managers and supervisors when dealing with employees represented by an exclusively recognized union. It assigns responsibilities to commanders, management officials, supervisors, civilian personnel officers (CPO), labor relations officers (LRO), and staff judge advocates (SJA). It carries out the Federal Labor Relations Statute, 5 U.S.C. Chapter 71 (the Statute), and DoD Manual 1400.25, Chapter 711, *Department of Defense Civilian Personnel Manual System*, Jan 24, 78. It does not apply to the Title 32 Air National Guard Technician Work Force. The reporting requirements in this instruction are exempt from licensing in accordance with AFI 37-124, *Management and Control of Information Reports Requirements*.

(AFRC) The OPR for this supplement is HQ AFRC/DPCE (Judson L. Rigsby). This supplement implements and extends the guidance of Air Force Instruction (AFI) 36-701, 27 July 1994. This supplement applies to Air Force Reserve Command (AFRC) installations/bases and non-AFRC civilian personnel flights (CPF) servicing air reserve technicians (ART) assigned to reserve units. The AFI is printed word-for-word without editorial review. Air Force Reserve Command supplementary material is indicated by "(AFRC)" in boldface type. This supplement describes Air Force Reserve Command procedures to be used in conjunction with the basic instruction. Upon receipt of this integrated supplement discard the Air Force basic.

SUMMARY OF REVISIONS

This revision aligns the instruction with AFPD 36-7 and Secretary of the Air Force Orders 111.1 and 111.5. It realigns responsibilities for third party filings from the personnel to the legal community. It discontinues the use of AF Form 1510.

(AFRC) This revision incorporates the procedures formerly in AFI 36-701/AFRC Sup 1, and aligns our supplement with current instructions within AFI 36-701. The AFRC Labor Relations Officer (LRO)

located at HQ AFRC/DPCE is designated as the principal point of contact for AFRC activities in all matters dealing with the labor relations program.

Section A—Authorities and Responsibilities

1. HQ USAF. The Work Force Appeals and Relations Division (AFPOA/DPW) provides overall Air Force policy and guidance on labor relations matters. Air Force Legal Services Agency, General Litigation Division (AFLSA/JACL), with the activity and the major command (MAJCOM) involved, prepares and responds to appeals of arbitration awards made under 5 U.S.C. 7122 or other applicable provisions of law or regulation. Only AFLSA/JACL authorizes written declarations of nonnegotiability.

2. MAJCOM. The major command director of civilian personnel will designate an individual as the principal point of contact for labor relations with subordinate installations and AFPOA/DPW.

3. Commanders. Installation commanders:

- Provide overall direction in the execution of the Labor-Management Relations Program at the installation.
- Attend labor relations training as prescribed by DoD Manual 1400.25 (DoD CPM), Chapter 711, paragraph 2-3.
- Designate Civilian Personnel Officers (CPO) to act on their behalf in formulating local labor-management relations policy.
- Ensure sufficient resources to effectively manage the program.
- Confirm certification of a labor organization as the exclusive representative of a collective bargaining unit.
- Authorize subordinates to engage in collective bargaining with the duly elected representatives of the work force.
- Make lawful commitments on behalf of the installation by executing negotiated labor management agreements.
- Approve appropriate actions to resolve alleged unfair labor practices (ULP) filed by individuals or collective bargaining units.
- File ULP charges, as necessary, against collective bargaining agents when the MAJCOM has delegated the authority to the installation.
- Post notices and implement orders as required by the Federal Labor Relations Authority (FLRA).

4. CPO. Civilian Personnel Officers serve as principal advisors to commanders and their staff on labor relations matters. They participate in all third-party proceedings involving labor relations matters and coordinate with appropriate parties on any proposed settlements arising out of such proceedings. The CPO designates an LRO as the principal point of contact in conducting labor relations matters with labor organization representatives.

5. LRO. The Labor Relations Officer:

- Meets with labor organization representatives as necessary.

- Establishes a system for sharing information among management officials and supervisors on all aspects of the labor relations program. This system involves management officials and supervisors of tenant organizations serviced by the civilian personnel flight, regardless of whether the tenants are located on or off the installation.
- Contacts each new supervisor of bargaining unit employees within 60 days of appointment to discuss their labor relations responsibilities.
- Trains management officials and supervisors in their duties, responsibilities, and obligations under the Air Force labor relations program, the Statute and the collective bargaining agreement.
- Distributes the approved collective bargaining agreement to all current and newly assigned management officials and supervisors (military and civilian) responsible for its administration.
- Maintains an effective relationship with the Office of the Staff Judge Advocate (SJA) on labor relations matters.
- Notifies employees in bargaining units of their representation rights set forth in section 7114(a)(2)(B) of the Statute.

6. Management Officials. Management officials and supervisors remain neutral in matters concerning labor organization membership and representation to the extent required by the law. They administer the negotiated agreement in the day-to-day work relationship with local union officials and bargaining unit members and deal with labor organization representatives on appropriate matters. If the matter is outside the jurisdiction of a management official or supervisor, he or she refers the labor organization representative to the LRO.

6.1. Management officials and supervisors participate in contract negotiations with labor organization representatives when designated by the commander. They keep records of significant dealings with labor organization representatives and participate in third party administrative proceedings, as required.

7. SJA. The Office of The Judge Advocate General and Staff Judge Advocates (SJA) at subordinate levels of command provide legal support for the labor relations program. The CPO must coordinate with the SJA on the terms of any proposed settlement agreement in third party proceedings involving conditions of employment for civilian employees.

7. (AFRC) The AFRC Staff Judge Advocate (SJA) provides legal support for the labor relations program to the AFRC staff and to AFRC activities. AFRC activities coordinate their requirements with the LRO, HQ AFRC/DPCE. The AFRC SJA provides an attorney to serve as the management representative when a determination is made that an attorney is needed. The need for an attorney is based on complexity of issues involved in the case, availability of trained personnel to present management's case effectively, and similar factors. When a Civilian Personnel Officer (CPO) or LRO desires an attorney for this purpose, a request should be made to the AFRC LRO. The request may be made by phone or included with the case file when it is transmitted to HQ AFRC/DPCE.

Section B—Administering the Labor-Management Relations Program

8. Threatened or Actual Strikes, Work Stoppages, Slowdowns, or Prohibited Picketing. As part of their overall personnel management responsibilities, CPOs, management officials, and supervisors anticipate, identify, and promptly initiate action to correct any conditions which could result in a threatened or

actual strike, work stoppage, slowdown or prohibited picketing. When such actions threaten or occur, management officials and supervisors immediately notify the CPO, who, in turn, notifies the SJA and takes other action under the local Work Stoppage Contingency Plan.

9. Strike Prevention and Contingency Plans. All MAJCOMs and their subordinate installations develop and implement strike prevention and contingency plans. The plans outline management actions to continue essential services if there is a work stoppage due to a strike, slowdown, sick-out, prohibited picketing, or other form of illegal concerted activity. These plans are for official use only and are available on a need-to-know basis to those individuals directly involved in developing or implementing them. Review and update the plans biennially and, following any concerted activity, revise as needed.

10. Conflict of Interest. When the union activities of an Air Force employee appear to conflict, or are incompatible with, the employee's official duties and responsibilities, and either the employee or union disagrees with this opinion, the installation may file a Clarification of Unit petition. The installation consults with the MAJCOM/DPC before filing such a petition.

11. Air Force Elements Involvement in FLRA Pro-ceedings. There are several types of proceedings which require AFPOA/DPW, AFLSA/JACL, MAJCOMs, and installations to deal with the FLRA or one of its component elements (FSIP, General Counsel, regional offices). See attachment l for further details.

12. Representation Proceedings. When an installation or MAJCOM receives a representation petition, notify both AFPOA/DPW and AFLSA/JACL immediately by telephone and forward a copy of the petition to those offices within one workday. AFLSA/JACL assigns a management representative to the case and notifies the Regional Director, FLRA, of such assignment. The assigned representative issues or coordinates on any further management correspondence concerning the case.

12. (AFRC) Also send a copy of the petition to HQ AFRC/DPCE.

12.1. When there is a change in a unit recognition or a negotiated agreement, the CPO sends a copy of all certifications and three copies of the negotiated agreement together with three copies of Office of Personnel Management (OPM) Form 913B, **Change Form-Recognitions and Agreements** to AFPOA/DPW.

12.1. (AFRC) Dispatch two copies of an agreement or supplement to HQ AFRC/DPCE, 155 Richard Ray Blvd, Robins AFB GA 31098-1635, at the same time copies are forwarded to DoD/FAS, 1400 Key Boulevard, Arlington VA 22209-5144, for agency approval. Also, send one copy of the completed OPM Form 913b, at this time.

Section C— Recording and Reporting Employee Use of Official Time for Representational Functions

13. Background Information. The OPM requires federal agencies to record or account for official time for employee representational functions, both agency and union related. This requirement is not limited solely to functions specifically required by the Statute.

14. Time and Attendance Reporting of Represen-tational Data. Supervisors record employee time used for representation on the appropriate Time and Attendance form. The payroll office provides the Timekeeper Guide and instructions. Supervisors enter official duty time in specified categories in 15-minute increments. Employees follow prescribed or negotiated procedures to absent themselves from

the worksite. Time and Attendance reporting forms or computerized reporting vary by payroll system and location.

15. Publicity on Recording Representational Data. Management provides all appropriated and nonappro-priated fund supervisors of employees engaged in representational functions with information on recording representational data. The Timekeeper Guide for the payroll system supporting the installation contains reporting instructions.

16. Purpose of Record Keeping Requirements. These record keeping requirements do not establish rights to official time or travel or per diem. The Statute, rule, regulation, and negotiated agreement establish the basis for granting official time, and payment of travel and per diem costs.

Section D—Unfair Labor Practice (ULP) Proceedings

17. General Information. The Statute, section 7116, describes ULPs. Process ULP charges or complaints according to that Section; FLRA rules found in 5 CFR Part 2423; DOD Manual 1400.25 chapter 711; and the provisions of this section.

18. ULP Charges Filed With an Installation. After receiving a ULP charge, the installation LRO furnishes all pertinent information to AFLSA/JACL. (See attachment 2 for further details.) AFLSA/JACL assigns a representative who issues or coordinates on any correspondence concerning the matter. The representative provides copies of all material concerning the case to the MAJCOM/DPC and the installation CPO. When the case involves an Air Force policy, the interpretation or application of an Air Force Instruction, or a potentially precedent-setting issue, also provide copies to AFPOA/DPW.

18.1. The CPO or LRO provides policy direction and technical advice to the JACL-designated representative in all phases of the case and attends the ULP hearing as a technical advisor. AFLSA/JACL represents Air Force management in all ULP proceedings brought by the FLRA against the US. Air Force.

19. ULP Charges Filed by Management. MAJCOMs have the authority to file ULP charges, in writing, with the FLRA. They may delegate the authority to their installations. MAJCOMs will notify AFLSA/JACL and AFPOA/DPW when management files a ULP charge.

19. (AFRC) The authority for filing ULP charges for matters affecting AFRC installations/bases and/or ARTs assigned to reserve units is retained at HQ AFRC.

20. Decisions by the Administrative Law Judge (ALJ). Within one workday of receiving the ALJ decision, the JACL-designated representative sends a copy to AFPOA/DPW, the MAJCOM/DPC, and the installation CPO. The designated representative prepares any exceptions and supporting briefs as explained in FLRA regulations, coordinates with the CPO, and files them with the FLRA. The representative sends information copies to the MAJCOM/DPC, HQ AFPOA/DPW, and the installation. On the request of AFPOA/DPW, the representative will coordinate with AFPOA/DPW before filing an exception to an ALJ decision which involves a precedential issue.

20.1. When another party files an exception with the FLRA, the designated representative immediately sends copies to AFPOA/DPW, the MAJCOM/DPC, and the installation. If necessary, the designated representative prepares the opposition and supporting brief, coordinates with the CPO, and files

them with the FLRA within appropriate time limits. The representative sends information copies to AFPOA/DPW, the MAJCOM/DPC, and the installation.

Section E—Negotiated Grievance and Arbitration Procedures

21. General Information. Sections E, F, and G describe processing grievances under a negotiated grievance procedure, arbitrating such grievances, and appealing of grievance arbitration awards. These sections also discuss organizational and functional responsibilities and procedural requirements in such matters.

22. Exclusivity. The collective bargaining agreement includes procedures for settling grievances. Except as provided by the Statute, section 7121(d) and (e), the grievance procedure negotiated by the parties will be the exclusive procedure for resolving grievances which fall within its coverage.

23. Statutory Exclusions. The Statute, section 7121(c), specifically excludes certain matters from a negotiated grievance procedure.

24. Negotiated Exclusions. Under the Statute, the negotiated grievance procedure must cover any grievable issue unless there is an agreement to exclude it. The parties can agree to exclude any matter from the negotiated grievance procedure. If a party proposes to exclude an item, both parties must bargain on the matter. If the parties are unable to reach an agreement on a proposed exclusion, follow the procedures of section 7119 of the Statute for the resolution of collective bargaining impasses, including referral to the Federal Service Impasses Panel.

25. Representation. A labor organization granted exclusive recognition in a collective bargaining unit has the statutory right, on its own behalf or on behalf of an employee in that bargaining unit, to present and process grievances under the terms of the negotiated grievance procedure. A bargaining unit employee who requests representation in pursuing a grievance may be represented only by the recognized labor organization or by an individual approved thereby. By law, bargaining unit employees retain the right to submit a grievance under the negotiated procedure on their own behalf and without representation. In that situation, management gives the recognized labor organization the opportunity to be present during the grievance proceedings. Any grievance adjustment with bargaining unit employees representing themselves must not violate the governing collective bargaining agreement.

25.1. At the installation level, the CPO processes grievances under the negotiated grievance procedure. The CPO, LRO and SJA coordinate their actions in grievance arbitration matters.

25.1. (AFRC) The CPO and LRO coordinate grievance arbitration cases with the AFRC LRO and/or AFRC SJA, as appropriate.

25.2. Where an individual other than the CPO or LRO serves as management representative in arbitration proceedings, the CPO or LRO provides policy direction and technical advice to that management representative in all phases of the case. In preparing for arbitration, the CPO or the LRO, or a designee, jointly with the management representative, develops the theory of the case, the arguments and the facts management will present at the hearing. The CPO, the LRO, or designee also attends the arbitration hearing as a technical advisor. Using an attorney from the installation SJA office in arbitration proceedings is a matter of local discretion.

Section F— Arbitration Procedure

26. Questions and Issues. The initial issue in an arbitration is whether a matter is properly before the arbitrator. The issue can be either procedural or substantive and either party presents it as a threshold question. Unless the collective bargaining agreement specifies otherwise, the arbitrator has the option to decide the issue before hearing the merits of the case, or to defer ruling on that threshold issue until after hearing the merits.

27. Transmittal of Case File. Within three workdays after the union and management confirm a hearing date with the arbitrator (or determine a date for submission of briefs in lieu of a hearing), the CPO mails a copy of the case file to both AFPOA/DPW and the applicable MAJCOM office.

27.1. Cases involving the following issues will **not** be sent to AFPOA/DPW unless questions of Air Force policy interpretation are raised in the case:

- Suspensions of 14 days or less.
- Reprimand.
- Oral Admonishment.
- Entries in Supervisor's Record of Employee.
- Leave Administration.
- Absence Without Leave (AWOL).
- Overtime.
- Performance Appraisal.
- Parking.

27.2. Ordinarily, include the following items in the Arbitration Case File sent to AFPOA/DPW:

- Record of any grievance discussion and decision at the oral step of the grievance procedure.
- All written grievance submissions at each step of the grievance procedure.
- All responses to the written grievance submissions.
- Any other documents (for example, proposed notices of disciplinary actions, letters of decision imposing discipline, investigation reports, regulatory excerpts, minutes of grievance discussions, etc.) pertinent to the issues in the case.
- The request for arbitration.
- A copy of the completed AF Form 112, **Arbitration Case Summary**, which takes the place of a cover letter. (The LRO completes this form)
- Pertinent portions of the collective bargaining agreement.
- Do not send routine administrative correspondence in the arbitration case file.

27.2. (AFRC) When the parties request a list of arbitrators, the CPO forwards a copy of the case file to HQ AFRC/DPCE on the day the request is forwarded. Use an AF Form 112, Arbitration Case Summary, to transmit the file. Include all documents listed in this paragraph.

27.3. Report changes in case status (changed hearing date, settlement, withdrawal, etc.) and any other significant developments promptly on AF Form 112 and send to AFPOA/DPW and the appropriate

MAJCOM. When updating the AF Form 112, the CPO may reproduce the previously submitted form, add new information, and send the requisite number of copies of the amended version to higher headquarters, as long as all entries remain legible.

27.3. (AFRC) In order for the AFRC activity to pay the Air Force's share of the arbitration expenses, including arbitrator's fees, stenographic reporting services, and other incidental expenses involved, the following procedures are established.

27.3.1. (Added-AFRC) When a decision is made to arbitrate a case, the LRO or CPO advises the base budget officer and the base contracting officer. Selection of an arbitrator is accomplished according to the labor agreement.

27.3.2. (Added-AFRC) The LRO or CPO may make preliminary contact with the arbitrator concerning the arbitration. However, final arrangements and commitments to the arbitrator are made by the base contracting officer.

27.3.3. (Added-AFRC) When the arbitrator has been selected and a hearing date scheduled, if a hearing is to be held, the LRO or CPO prepares AF Form 9, **Request for Purchase**. (Attachment 3 (Added) is a sample which may be used as a guide for preparing the AF Form 9) The amount to be entered under Estimated Total Cost should reflect management's best estimate of the Air Force share of the arbitrator's fee. Care must be exercised in wording the description of services to ensure it is clear the Air Force is only responsible for the Air Force's share of the arbitrator's fee.

27.3.4. (Added-AFRC) Local Operations and Maintenance (O&M) funds will be used to defray expenses involved. If local funds are not available, the base budget officer contacts HQ AFRC/FMAO for guidance.

27.3.5. (Added-AFRC) The CPO or LRO forwards the AF Form 9 to the approval authority. When it has been approved, it will be forwarded to the budget office for certification of availability of funds. The AF Form 9 will be sent to the contracting officer who issues a contractual document and finalize the arrangements, on behalf of management, for the services of the arbitrator.

27.3.6. (Added-AFRC) Upon completion of the arbitration and delivery of the arbitrator's decision and invoice, the LRO or CPO certifies the invoice for payment of management's share of the fees.

27.3.7. (Added-AFRC) Procurement of other services, such as stenographic services or court reporter, will be accomplished according to procedures outlined above.

27.4. (Added-AFRC) In instances where an AFRC unit is a tenant on a non-AFRC base, the unit will be responsible for paying the employer's share of the arbitration expenses for arbitration's resulting from unit actions.

28. Submission Agreements. In preparing for the arbitration hearing, the management representative attempts to reach agreement with the labor organization on the issues. Present the issues to the arbitrator at the beginning of the hearing. Draft the submission agreement carefully. It determines the scope of the arbitrator's authority and jurisdiction. Without a submission agreement (or some provision of the parties' collective bargaining agreement which restricts the arbitrator's authority or jurisdiction), arbitrators generally have the power to frame and describe the issues before them as they see fit.

29. Dating of Arbitration Awards. Management representatives should specifically request arbitrators date their awards no earlier than the date they place the awards in the mail. An installation may negotiate such requirement in the parties' collective bargaining agreement, or it may be made part of a submission agreement in a particular case.

30. Arbitration Awards. The CPO sends four legible copies of all arbitration awards to AFPOA/DPW, and one to the appropriate MAJCOM within three workdays of receipt. The CPO uses AF Form 112 to transmit each arbitration award to AFPOA/DPW.

31. Special Reporting Requirements. When a CPO receives an award (adverse or otherwise) involving an action under 5 U.S.C. 4303 or 7512 immediately send two copies of the award to AFPOA/DPW and one copy to each of the following:

AFLSA/JACL

Room 706

1501 Wilson Blvd.

Arlington, VA 22209

US Office of Personnel Management

Office of Labor Management Relations - Room 7623

1900 E. Street, NW

Wash DC 20415-0001

Use AF Form 112 to transmit the award to each of these addresses.

Section G—Appeal of Arbitration Awards

32. Grounds for Appeal. An arbitration award is normally final and binding on the installation and labor organization involved. Compliance with an award is mandatory and enforceable under section 7116 of the Statute. However, under section 7122(a) of the Statute, either party may appeal the award to the FLRA on the grounds that it is contrary to any law, rule, or regulation, or on other grounds similar to those applied by the federal courts in private sector labor-management relations. Only AFLSA/JACL files exceptions together with supporting briefs on behalf of the Air Force. Installations send requests for filing exceptions to AFLSA/JACL. The FLRA has no jurisdiction, however, to review arbitration awards which concern adverse actions taken under 5 U.S.C. 7512 or actions based on unacceptable performance covered under 5 U.S.C. 4303.

32.1. MAJCOMs may set additional processing require-ments for their installations for all arbitration awards.

33. Forms Prescribed

AF Form 112, **Arbitration Case Summary**

OPM 913B, **Change Form-Recognition and Agreements**

BILLY J. BOLES, Lt. General, USAF
DCS/Personnel

Attachment 1

SUMMARY OF INVOLVEMENT OF US AIR FORCE ORGANIZATIONAL ELEMENTS IN THIRD PARTY PROCEEDINGS

Type of Proceeding	FLRA Element	AF Element* Involved	Examples of Actions Taken by Air Force Elements in Third Party Proceedings
A. Representation Question at Installation Level	Regional Office	Installation and CLLO	1. Post Notice. 2. File pre-hearing response. 3. Gather and develop data in an organized manner. 4. Provide witnesses and representatives for hearing. 5. Present agency position at hearing. 6. Prepare post-hearing brief. 7. Provide observers and administrative support if an election is required. 8. If appropriate, file objection to election results. 9. Take appropriate action on final decision of FLRA.
B. Representation Question at MAJCOM level	Regional Office	MAJCOM and CLLO	Same actions as taken by installation and CLLO.
C. Representation Question at HQ USAF level	Regional Office	AFPOA and CLLO	Same actions as taken by installation and CLLO.

D. Negotiability Issue	**FLRA Central Office**	**Installation and MAJCOM AFLSA/JACL**	**1. Develop counter proposal to contested language.** **2. Obtain written request for non-negotiability.** **3. Provide written response to union request.** **4. Provide outline of arguments supporting declaration of non-negotiability.** **1. Determine whether to authorize declaration of non-negotiability.** **2. Work with installation and MAJCOM to develop agency brief.** **3. Obtain DoD approval of Air Force position.** **4. Submit agency brief to FLRA.**
E. Exception to Arbitration Decision	**FLRA Central Office**	**Installation and MAJCOMAFPOA and CLLO**	**Provide outline of arguments which identify basis for seeking exception to arbitration award.** **1. Work with installation and MAJCOM to develop agency brief.** **2. Obtain DoD approval for Air Force position.** **3. File brief with FLRA.**

F. ULP at Installation Level	**General Counsel Regional Office**	**Installation and CLLO**	**1. Provide copy of charge to CLLO, and MAJCOM/DPC.** **2. Conduct preliminary investigation of charge.** **3. Respond to charge.** **4. Advise management officials during FLRA investigations.** **5. Make recommendations to installation commander as to reaching settlement agreement, if any.** **6. If complaint is issued, make necessary response. See G below.** **7. Provide copy of complaint and all subsequent material to installation CCPO, and MAJCOM/DPC.**
G. ALJ Hearing of Installationlevel ULP	**Administrative Law Judge**	**Installation and CLLO AFPOA**	**1. Furnish witnesses.** **2. Present agency case at hearing.** **3. Prepare post-hearing brief, as required.** **4. Make recommendations to installation commander at any step before completion of hearing.** **5. As necessary, file exceptions to ALJ decision with FLRA.** **6. Take appropriate action on decision by FLRA. Coordinate with installation, MAJCOM, and CLLO on precedential cases.**

H. Judicial Review	**Court of Appeal**	**MAJCOM and AFLSA/JACL**	**Work with DoD and Department of Justice to develop and present Air Force position on FLRA decision.**
I. Impasse	**FSIP**	**Installation and MAJCOMMAJCOM AFPOA**	**1. Develop position.** **2. Present case.** **3. Determine if any proposed compromise should be accepted.** **4. Take appropriate action on decision by FSIP. Advise HQ USAF of precedential issues. Provide guidance and assistance concerning precedential issues.**

***Although not specifically listed, organizational elements at all levels will keep other interested Air Force elements apprised of case status.**

Attachment 2

GUIDELINE FOR INSTALLATION AND MAJCOM IN RECEIPT OF AN UNFAIR LABOR PRACTICE CHARGE OR COMPLAINT

A2.1. Reporting. Report Unfair Labor Practice Charges and Complaints immediately by telephone tothe Central Labor Law Office (CLLO). The person calling should provide the following information:

A2.1.1. Federal Labor Relations Authority (FLRA) docket number, if available. (If not available, provide the docket number separately by telephone as soon as it is known.)

A2.1.2. Identification and addresses of the parties, as reflected in the charge or complaint.

A2.1.3. The section(s) of 5 U.S.C. 7116 alleged to have been violated.

A2.1.4. A summary of the allegations and dates involved, with a description of any supporting evidence.

A2.1.5. The names and telephone numbers of management officials involved.

A2.1.6. A summary of the results of management's investigation into the matter and efforts of the parties to resolve the dispute.

A2.1.7. Management's perception of the issues, its position on the merits of the charge or complaint, and its views of the possibility of settlement.

A2.1.8. The date the charge was served on management by the charging party.

A2.1.9. The date the charge or complaint was received from the FLRA regional office.

A2.1.10. Whether a grievance has been filed involving the same or similar matter.

A2.1.11. Whether a negotiability request has been filed involving the same or similar matter.

A2.2. Correspondence.

A2.2.1. Send one copy of the complete case file to the CLLO within one workday after notifying CLLO of the charge. Do not delay reports and submissions because any piece of information or evidence is lacking. Rather, file the report or submission, note the omission, and supply the missing material as soon as possible.

A2.2.2. Send all correspondence received from the FLRA to the CLLO.

A2.2.3. As soon as possible, following oral notification and transmission of the case file, send a written litigation report. Include in this report all matters previously summarized orally and forward any further information learned or developed subsequently. Include copies of documentary evidence. Obtain and include copies of statements from all management officials who have knowledge of the case. (Such statements must be taken by a judge advocate or other government attorney, to protect them from compulsory discovery.) Do not contact or interview bargaining unit employees without prior, express approval of the CLLO attorney assigned to the case. Finally, include the name(s) of the base personnel (Judge Advocate and personnelist) who will serve as the local point of contact. Such persons must continue to advise the CLLO (immediately) by telephone with follow-up by mail) as further information becomes available or case developments occur.

ATTACHMENT 3 (ADDED-AFRC)

SAMPLE AF FORM 9

REQUEST FOR PURCHASE

NO. F206PC60830100

INSTALLATION: WESTOVER ARB, MA 01022-2143

DATE: 25 Mar 96

TO: CONTRACTING OFFICER: 439 LSS/LGC

CLASS:

THROUGH: 439 AW/FMB

CONTRACT, PURCHASE ORDER OR DELIVERY ORDER NO.:

FROM: (Insert RC/CC, if applicable) 439 AW/DPCE

IT IS REQUESTED THAT THE SUPPLIES AND SERVICES ENUMERATED BELOW AND IN THE ATTACHED LIST, BE

PURCHASED FOR: 439 AW/DPCE

FOR DELIVERY TO: SUSAN R. BROWN

NOT LATER THAN: 30 APR 96

ITEM	DESCRIPTION OF MATERIAL OR SERVICES TO BE PURCHASED	QUANTITY	UNIT	ESTIMATED UNIT PRICE	ESTIMATED TOTAL COST
0100	Personal Service Contract Arbitrator: Services of Susan R. Brown, 33 Fair St, Newburyport, MA 01950, in rendering arbitration decision, commencing on or about 19 April 1996 and continuing until completed. Said decision to be rendered under the provisions of CSRA of 1978 and AFI 36-701. Arbitrator shall investigate the facts and conduct such hearings as are necessary in making his decision. Delivery: Said decision shall be delivered to Major Bill Wells, OLAS 14/JA, 951 RSPTS, 100 Lloyd St., Westover ARB, Chicopee, MA 01022-1825 Payment of Arbitrator: This order represents the Air Force share of the cost of arbitration services. Pursuant to the terms of the collective bargaining agreement between 439 AW Commander and AFGE, Local #3707, the fee and expenses of the arbitrator shall be borne equally by the Air Force and the Union. Invoicing: Upon submission of invoices, the arbitrator shall be paid a fee of $700 for each full day of work in rendering her decision and shall be reimbursed for actual travel, subsistence and other miscellaneous expenses, as itemized. Payment be delivered to: Susan R. Brown, 33 Fair Street, Newburyport, MA 01950	1	ea	$ 2000.00	$ 2000.00
				TOTAL	$ 2,000.00

PURPOSE: Arbitration: Richard Dougherty, AFGE Removal

DATE	TYPED NAME AND GRADE OF REQUESTING OFFICIAL	SIGNATURE
25 Mar 96	NORMAN P. LORANGE, GM-14 Civilian Personnel Officer	TELEPHONE NO. 557-2871
DATE	TYPED NAME AND GRADE OF APPROVING OFFICIAL	SIGNATURE
25 Mar 96	DAVID R. MICHAUD, GS-12 Executive Officer	David R. Michaud

I certify that the supplies and services listed above and in the attached list are properly chargeable to the following allotments, the available balances of which are sufficient to cover the cost thereof, and funds have been committed.

ACCOUNTING CLASSIFICATION		AMOUNT $
DATE	TYPED NAME AND GRADE OF CERTIFYING OFFICIAL	SIGNATURE

AF FORM 9, MAR 77 *(EF)*