

CHARGE AGAINST A LABOR ORGANIZATION

Case No.

Date Filed

1. Charged Labor Organization

Fax#: ()

Fax#: ()

Fax#: ()

Fax#: ()

FLRA Form 23 (Rev. 1/99)

INSTRUCTIONS FOR COMPLETING FORM 23:

General

Use this form if you are charging that a labor organization or its agents committed an unfair labor practice under paragraph (b) and/or (c) of section 7116 of the Federal Service Labor-Management Relations Statute. File an original form with the appropriate Regional Director, Federal Labor Relations Authority. If you do not know that address, contact the Office of the General Counsel, Federal Labor Relations Authority, (202)482-6600. If filing the charge by fax, you need only file a fax-transmitted copy of the charge (with required signature) with the Region. You assume responsibility for receipt of a charge. A charge is a self-contained document without a need to refer to supporting evidence and documents that are also submitted to the Regional Director along with the charge. If filing a charge by fax, do **not** submit supporting evidence and documents by fax. See 5 CFR Part 2423 for an explanation of unfair labor practice proceedings and, in particular, §§ 2423.4 and 2423.6, which concern the contents, filing, and service of the charge and supporting evidence and documents.

Instructions for filling out each numbered box

- #1.** Give the full name of the labor organization (including the name of the local and number and its national or international affiliation, if any) you are charging and the mailing address, tel. #, and fax # (if available). Include the street number, city, state, zip code.
- #2.** Give the full name of the Charging Party and the mailing address, tel. #, and fax # (if available). If a union, and affiliated with a national organization, give both the national affiliation and local designation. If an activity, give the name of the activity, the agency, and the department of which the activity is a part. If an agency, give the name of the agency and department of which the agency is a part.
- #3. and #4.** This information is essential to the investigation of your charge as it tells us who is representing the parties. Be as specific and as accurate as possible. It will assist the investigation if you include your home as well as work telephone number in the space provided.
- #5.** Identify which one or more of the following subsections of 5 U.S.C. 7116(b), and/or (c) has or have allegedly been violated. List all sections allegedly violated:
- (b) For the purpose of this chapter, it shall be an unfair labor practice for a labor organization--
 - (1) to interfere with, restrain, or coerce any employee in the exercise by the employee of any right under this chapter;
 - (2) to cause or attempt to cause an agency to discriminate against any employee in the exercise by the employee of any right under this chapter;
 - (3) to coerce, discipline, fine, or attempt to coerce a member of the labor organization as punishment, reprisal, or for the purpose of hindering or impeding the member's work performance or productivity as an employee or the discharge of the member's duties as an employee;
 - (4) to discriminate against an employee with regard to the terms or conditions of membership in the labor organization on the basis of race, color, creed, national origin, sex, age, preferential or nonpreferential civil service status, political affiliation, marital status, or handicapping condition;
 - (5) to refuse to consult or negotiate in good faith with an agency as required by this chapter;
 - (6) to fail or refuse to cooperate in impasse procedures and impasse decisions as required by this chapter;
 - (7) (A) to call, or participate in, a strike, work stoppage, or slowdown, or picketing of an agency in a labor-management dispute if such picketing interferes with an agency's operations, or
(B) to condone any activity described in subparagraph (A) of this paragraph by failing to take action to prevent or stop such activity; or
 - (8) to otherwise fail or refuse to comply with any provision of this chapter.
 - (c) For the purpose of this chapter it shall be an unfair labor practice for an exclusive representative to deny membership to any employee in the appropriate unit represented by such exclusive representative except for failure--
 - (1) to meet reasonable occupational standards uniformly required for admission, or
 - (2) to tender dues uniformly required as a condition of acquiring and retaining membership.This subsection does not preclude any labor organization from enforcing discipline in accordance with procedures under its constitution or by laws to the extent consistent with the provisions of this chapter.
- #6.** It is important that the basis for the charge be BRIEF, COMPLETE, and FACTUAL, rather than opinion.
- Give dates and times of significant events as accurately as possible.
 - Give specific locations when important, e.g., "The meeting was held in the auditorium of Building 36."
 - Identify who was involved by title, e.g., "Chief Steward Pat Jones" or "Lou Smith, the File Room Supervisor."
 - Tell what happened, in chronological order.
- #7.** Indicate whether you or anyone else that you know of has raised this same matter in another forum:
- a. GRIEVANCE PROCEDURE
 - b. FEDERAL MEDIATION AND CONCILIATION SERVICE
 - c. FEDERAL SERVICE IMPASSES PANEL
 - d. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
 - e. MERIT SYSTEMS PROTECTION BOARD
 - f. OFFICE OF SPECIAL COUNSEL
 - g. OTHER ADMINISTRATIVE OR JUDICIAL PROCEEDING
 - h. NEGOTIABILITY APPEAL TO FLRA
- #8.** Type or print your name. Then sign and date the charge attesting to the truth of the charge and that you have served the charged party (individual named in box #3). Indicate method of service by placing an "x" in one of boxes provided.