

UNITED STATES OF AMERICA
FEDERAL LABOR RELATIONS AUTHORITY
Office of Administrative Law Judges
WASHINGTON, D.C. 20424-000

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT Respondent	
and NATIONAL FEDERATION OF FEDERAL EMPLOYEES, LOCAL 259 Charging Party	Case No. CH-CA-00213

NOTICE OF TRANSMITTAL OF DECISION

The above-entitled case having been assigned to the undersigned Administrative Law Judge pursuant to the Statute and the Rules and Regulations of the Authority, the undersigned herein serves his Decision, a copy of which is attached hereto, on all parties to the proceeding on this date and this case is hereby transferred to the Federal Labor Relations Authority pursuant to 5 C.F.R. § 2423.34(b).

PLEASE BE ADVISED that the filing of exceptions to the attached Decision is governed by 5 C.F.R.
§§ 2423.40-2423.41, 2429.12, 2429.21-2429.22,
2429.24-2429.25, and 2429.27.

Any such exceptions must be filed on or before
AUGUST 28, 2000, and addressed to:

Federal Labor Relations Authority
Office of Case Control
607 14th Street, NW, 4th Floor
Washington, DC 20424-0001

GARVIN LEE OLIVER
Administrative Law Judge

Dated: July 25, 2000
Washington, DC

UNITED STATES OF AMERICA
FEDERAL LABOR RELATIONS AUTHORITY
Office of Administrative Law Judges
WASHINGTON, D.C. 20424-0001

MEMORANDUM

DATE: July 25, 2000

TO: The Federal Labor Relations Authority

FROM: GARVIN LEE OLIVER
Administrative Law Judge

SUBJECT: U.S. DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT

Respondent

and

Case No. CH-CA-00213

NATIONAL FEDERATION OF FEDERAL
EMPLOYEES, LOCAL 259

Charging Party

Pursuant to section 2423.34(b) of the Rules and Regulations, 5 C.F.R. § 2423.34(b), I am hereby transferring the above case to the Authority. Enclosed are copies of my Decision, the service sheet, and the transmittal form sent to the parties. Also enclosed are all documents filed by the parties.

Enclosures

FEDERAL LABOR RELATIONS AUTHORITY
Office of Administrative Law Judges
WASHINGTON, D.C.

OALJ 00-45

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT Respondent	
and NATIONAL FEDERATION OF FEDERAL EMPLOYEES, LOCAL 259 Charging Party	Case No. CH-CA-00213

Jeffrey Burns, Esquire
Counsel for the Respondent

Davidson Taylor, President
Representative of the Charging Party

Philip Roberts, Esquire
Counsel for the General Counsel, FLRA

Before: GARVIN LEE OLIVER
Administrative Law Judge

DECISION

Statement of the Case

On February 25, 2000, the Regional Director, Chicago Region, issued a Complaint and Notice of Hearing alleging that the Respondent violated section 7116(a)(1), (5), (6), and (8) of the Federal Service Labor-Management Relations Statute. A hearing was scheduled for May 18, 2000.

On June 12, 2000, pursuant to telephone conferences on May 10 and 26, 2000, the parties submitted a joint motion, in accordance with 5 C.F.R. 2423.26, waiving the hearing and requesting a decision based upon a submitted stipulation of facts and exhibits.

On July 19, 2000, Counsel for the General Counsel advised that the parties had entered into a written settlement agreement and, in view of the settlement agreement, the Charging Party had requested to withdraw the charge. Accordingly, the General Counsel moved to remand

the case to the Regional Director for approval of the withdrawal request.

ORDER

Pursuant to 5 C.F.R. 2423.31(e)(1), permission to withdraw the complaint is granted, and this case is hereby remanded to the Regional Director for such further action as he may deem appropriate.

Issued, Washington, DC, July 25, 2000

GARVIN LEE OLIVER
Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of this DECISION issued by GARVIN LEE OLIVER, Administrative Law Judge, in Case No. CH-CA-00213, were sent to the following parties in the manner indicated:

**CERTIFIED MAIL & RETURN RECEIPT
NUMBER**

CERTIFIED

Philip Roberts
Federal Labor Relations Authority
55 West Monroe Street, Suite 1150
Chicago, IL 60603-9729

P 726 680 976

Jeffrey Burns, Esquire
U.S. Department of Housing and
Urban Development
40 Marietta Street
Atlanta, GA 30303

P 726 680 977

Davidson Taylor, President
National Federation of Federal
Employees, Local 259
200 Jefferson Avenue, Suite 300
Memphis, TN 38103

P 726 680 978

Dated: July 25, 2000
Washington, DC