



FEDERAL LABOR RELATIONS AUTHORITY

Office of Administrative Law Judges
WASHINGTON, D.C.

OALJ 13-03

SOCIAL SECURITY ADMINISTRATION
STOCKTON, CALIFORNIA

RESPONDENT

AND

AMERICAN FEDERATION OF GOVERNMENT
EMPLOYEES, LOCAL 3172, AFL-CIO

CHARGING PARTY

Case No. SF-CA-12-0107

Robert Bodnar, Esq.
For the General Counsel

Eric Garcia, Esq.
For the Respondent

Sylvia D. Norman, President, AFGE, Local 3127
For the Charging Party

Before: CHARLES R. CENTER
Chief Administrative Law Judge

DECISION AND ORDER REMANDING CASE

On December 16, 2011, the American Federation of Government Employees, Local 3172, AFL-CIO (Union/Charging Party), filed an unfair labor practice charge against the Social Security Administration, Stockton, California (Respondent). On June 28, 2012, the Regional Director of the San Francisco Region, Federal Labor Relations Authority, issued a Complaint and Notice of Hearing alleging that the Respondent violated section 7116(a)(1) and (5) of the Federal Service Labor-Management Relations Statute (Statute). On July 23, 2012, the Respondent filed an Answer in which it admitted some of the allegations, but asserted that it did not violate the Statute as alleged.

A hearing in the matter was held on September 7, 2012, in Stockton, California. At the hearing, all parties were represented and afforded an opportunity to be heard, to introduce evidence, and to examine witnesses. After the taking of testimony and introduction of

evidence, the General Counsel and the Respondent filed a Motion to Recess and Reconvene the Hearing on November 28, 2012, when additional witnesses would be available. On September 26, 2012, I granted the motion to reconvene the hearing.

On November 15, 2012, the General Counsel filed a Motion Requesting Permission to Withdraw Complaint pursuant to 5 C.F.R. § 2423.31(e)(1) of the Federal Labor Relations Authority's (Authority) Rules and Regulations. In its motion, the General Counsel states that the parties reached an informal settlement agreement upon the subject matter of the complaint. As settlement of this case under terms and conditions amicably determined by the parties effectuates the purposes and policies of the Statute, permission to withdraw the complaint is granted and the complaint is hereby remanded to the Regional Director for further action consistent with the parties' negotiated settlement agreement.

ORDER

Pursuant to 5 C.F.R. § 2423.31(e)(1) of the Authority's Rules and Regulations, permission to withdraw the complaint is GRANTED.

The case is hereby remanded to the Regional Director for further action as she deems appropriate to effectuate the purposes and policies of the Statute.

Issued, Washington, DC, November 20, 2012

CHARLES R. CENTER
Chief Administrative Law Judge