



Charge Against an Agency

eFiling No. eOGC010154

Revision: REV-11-18-2018

Filing Party

Filing Representative Email Address

hasans@afge.org

First Name

Sarah

Last Name

Hasan

Street Address

80 F Street, NW

Street Address 2

Empty

City

Washington

State

DC

ZIP Code

20001

Title

Sarah

Organization

NVAC, AFGE

Phone

(202) 639-6424

Agency Against Which Charge is Brought

Search or write-in Charged Party information?

Write-in

Name of Charged Agency

Department of Veterans Affairs

Activity Name of Charged Agency

Empty

City of Charged Agency

Washington

State of Charged Agency

DC

Agency Representative Information

Email Address

Denise.biaggi-ayer@va.gov

First Name

Denise

Last Name

Biaggi-Ayer

Title

Executive Director

Street Address

1575 I Street, NW

Street Address 2

Room 220

City

Washington

State

DC

ZIP Code

20420

Phone

(202) 461-4129

Fax

(202) 273-6639

Charging Party Information

Search or write-in Charging Party information?

Search

Name of Charged Agency

Empty

Activity/Local

National Veterans Affairs Council (NVAC)

City

Washington

State

DC

Charging Party Representative Information

Email Address

hasans@afge.org

First Name

Sarah

Last Name

Hasan

Title

Staff Counsel

Street Address

80 F Street, NW

Street Address 2

Empty

City

Washington

State

DC

ZIP Code

20001

Phone

7035895389

Fax

Empty

Basis of the Charge

OGC Regional Office

OGC-WA - Washington Regional Office

Set forth a clear and concise statement of the facts constituting the alleged unfair labor practice, including date and location of the particular acts:

On February 22, 2022, the Department of Veterans Affairs ("Department") provided notice to the National VA Council #53, American Federation of Government Employees ("NVAC"), that it would begin to implement a Covid-19 testing program for employees working in the Department's National Cemetery Administration ("NCA"). This testing policy applies only to staff working in or at NCA national cemeteries and offices who are not fully vaccinated against Covid-19. On February 22, 2022, NVAC filed a demand to bargain requesting that negotiations on this subject should begin no later than 20 workdays after the Department's Chief Negotiator received the demand to bargain. Despite the Union's demand to bargain and ongoing bargaining relationship with respect to other Covid-19 testing programs within the Department, the Department belatedly provided notice to NVAC and implemented a weekly testing requirement on February 23, 2022 for its unvaccinated NCA staff.

Attachments

Please attach any available supporting documents.

Identify which one or more of the following subsections of 5 U.S.C. § 7116(a) has or have allegedly been violated. Please note that a violation of (2) through (8) is an automatic violation of (1). For the purpose of this chapter, it shall be an unfair labor practice for an agency:

(1) to interfere with, restrain, or coerce any employee in the exercise by the employee of any right under this chapter;

(5) to refuse to consult or negotiate in good faith with a labor organization as required by this chapter;

(8) to otherwise fail or refuse to comply with any provision of this chapter.

Have you or anyone else raised this matter in any other procedure?

No

Declaration

I declare that I have read this charge and that the statements in it are true to the best of my knowledge and belief. I understand that making willfully false statements can be punished by fine and imprisonment, 18 U.S.C. 1001.

Your Name (this will act as your signature)

Date

Sarah Hasan

03/17/2022

You are required to serve your charge on the Charged Party in accordance with 5 C.F.R. § 2423.6(d). **The filing of a document using the FLRA's eFiling System does not constitute service of the document on any party. The filing party must independently accomplish service by one of the following methods.**

This charge was served on the Charged Party Representative identified above by the following method(s):

Serving Method(s)

- Email (but only when the receiving party has agreed to service by email under 5 C.F.R. § 2429.27(b)(6))

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