



**AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES  
NATIONAL VETERANS AFFAIRS COUNCIL #53  
Affiliated with the AFL - CIO  
Mid-Term Bargaining Committee**

Oscar L. Williams Jr., Chairperson  
3<sup>rd</sup> Exec. V-President, NVAC  
29 S. Lake Street  
Danville, IL 61832-6101

Patrick Russell, Member  
8<sup>th</sup> Dist. Rep., NVAC  
VA Blacks Hills, HCS  
Hot Springs, SD 57747

Sandra Eggleston, Member  
13<sup>th</sup> Dist. Rep., NVAC  
VAMC Tucson  
Tucson, AZ 85723

Bill Wetmore, Member  
NVAC, Nat. Rep.  
2319 Alava Court  
Waldorf, MD 20603

October 17, 2002

Ronald E. Cowles, Associate Deputy  
For Labor Management Relations (LMR)  
Department of Veterans Affairs, Suite 215  
810 Vermont Avenue, N.W.  
Washington, DC 20420

**Subject: Demand to Bargain – VA VHA Police Physical Fitness and Testing**

Dear Mr. Cowles:

In accordance with Article 44, Section 2 C, of the Master Agreement, the National VA Council is formally demanding to bargain over the VA VHA Police Physical Fitness and Testing in the Department. Please provide the above named bargaining committee with any information and/or data concerning the cited subject above. The negotiations of this matter should normally begin no later than ten (10) workdays after the management chief negotiator in this matter receives our demand to bargain.

Please cease and desist any implementation until the bargaining obligation has been met. The named bargaining committee may request a briefing over the cited subject above, before sending any proposals. If you have any questions please contact me at (217) 554-4866.

Sincerely,

Oscar L. Williams, Jr.  
Chairperson, Mid-Term Bargaining Committee  
National VA Council #53

cc: Alma L. Lee, President National VA Council #53  
John Baffa, DAS, Police and Security Service  
Bonnie Kerber, HR Consultant, VHA Group

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Creating A Shared Vision For The 21<sup>st</sup> Century**



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29 S. Lake Street    VA Blacks Hill, HCS    VAMC Tucson    2319 Alava Court  
Danville, IL 61832-6101    Hot Springs, SD 57747    Tucson, AZ 85723    Waldorf, MD 20803

October 17, 2002

John Baffa, Deputy Assistant Secretary  
For VA Police and Security Service (07)  
Department of Veterans Affairs, Room 704  
810 Vermont Avenue, N.W.  
Washington, DC 20420

**Subject: Request for Information (VHA Police Physical Fitness and Testing)**

Dear Mr. Baffa:

In accordance with Article 46, Section 5, of the Master Agreement, the National VA Council is requesting information as follows: 1) a list of VHA facilities that have implemented and/or begun talks with AFGE Locals on VHA Police Physical Fitness and Testing; 2) a copy of law, rule or regulations requiring physical fitness and testing of VA Police Officers; 3) a copy of minutes VA Police and Security Service minutes of Conference calls were discussion of the subject matter was held and 4) a copy of any agreements with AFGE VHA Locals that have been negotiated locally.

If you have any questions please contact me at (217) 554-4866.

Sincerely,

Oscar L. Williams, Jr.  
Chairperson, Mid-Term Bargaining Committee  
National VA Council #53

cc: Alma L. Lee, President National VA Council #53  
Ronald Cowles, ADS, LMR  
Bonnie Kerber, HR Consultant, VHA Group

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NATIONAL VETERANS AFFAIRS COUNCIL #53  
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November 22, 2002

**John Baffa, Deputy Assistant Secretary  
VA Police and Security Service (07)  
Department of Veterans Affairs  
810 Vermont Avenue, NW, Room 704  
Washington, DC 20420**

**Subject: Union Grievance**

**Dear Mr. Baffa:**

**The National VA Council #53 is filling a National Level Grievance in violation of Article 46 Section 5 of the Master Agreement. By a letter dated October 17, 2002 the National VA Council #53 requested information related to VHA Police Physical Fitness and Testing. The requested information was necessary for NVAC to fulfill its representational functions and responsibilities related to our demand to bargain on this matter with the Department.**

**Article 46 Section 5 states "The Department provide to the Union, upon request, with information that is normally maintained, reasonably available, and necessary for the Union to effectively fulfill its representational functions and responsibilities. This information will be provide to the Union within a reasonable time and at no cost to the Union." There has been no communication to indicate that the information requested by NVAC is forthcoming after more than twenty calendar days.**

**The National VA Council #53 corrective action is as follows:**

- 1. Immediate cease and desist any VHA Police Physical Fitness and Testing at VHA facilities to include Little Rock Police Academy for bargaining unit employees represented by AFGE.**

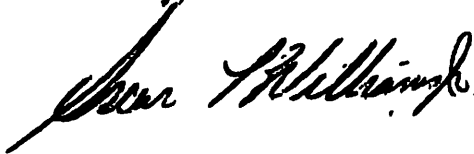
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2. The National VA Council #53, Mid-Term Bargaining Committee be provided the requested information by December 6, 2002 or sooner.
3. VA VHA facilities and the Little Rock Academy shall follow the current VA Handbook 0730 dated August 11, 2000, Appendix A "Specific Medical Standards for VA Police Officer Applicants and Incumbents" for any Physical Fitness and/or Testing requirement of NVAC bargaining unit employees.
4. Any VHA facility that has agreement with an AFGE Local, their agreement is null and void. All new Physical Fitness and Testing shall cease and desist until the Department fulfills its bargaining obligation on the matter with NVAC.

In accordance with Article 42 Section 11 please provide written response to this National Level grievance to me by January 8, 2003. If you have any question please call me at (217) 554-4866.

Sincerely,



Oscar L. Williams Jr.  
Chairperson, NVAC Mid-Term Bargaining Committee  
3<sup>rd</sup> Executive Vice President, NVAC  
7<sup>th</sup> District Representative Council #59

cc: National VA Council #53 Grievance & Arbitration Committee  
Alma L. Lee, President National VA Council #53  
Ronald Cowles, DAS LMR  
Bonnie M. Kerber, HR Consultant, VHA HRM Group