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**From:** Friedman, Howard  
**Sent:** Wednesday, July 24, 2002 3:16 PM  
**To:** [Bargaining Unit](#)  
**Subject:** Update on Negotiations

NTEU met with management yesterday to begin the required negotiations over the impact and implementation of the RIF. Frank Ferris is our lead negotiator joined by Howard Friedman, Will Breckenfeld, Sandra Riviears, Patricia Judd, Andrew Rhim, and Darshini Satchi. Management has brought in an outside chief negotiator, Bob Gilson. The other members of the management negotiating team are Debbie Cohn, Ron Williams, Lisa Belasco (from OGC), Bernard Knight (from OGC) and Portia Robinson (from Labor Relations).

The following is a brief summary of what happened during negotiations yesterday:

1. The union is taking the position that management is obligated to negotiate ground rules. All previous negotiations between the union and management have included bargaining over ground rules. Management refuses to negotiate the ground rules. The union has indicated a willingness to proceed with substantive negotiations under protest if management absolutely refuses to negotiate ground rules.
2. The union has repeatedly insisted that the office respond to the union's information requests. The Office has taken the position that management has provided all information required by law. The union disputes that position.
3. At the beginning of the discussions, the Office presented a "Settlement Agreement" for the union's consideration. The union never rejected this "Settlement Agreement" but rather asked for more time and information in order to reach an informed decision regarding the agreement. Three hours after presenting the union with this agreement, the Office unilaterally withdrew it, interpreting the union's request for more time and information as a rejection.
4. Immediately after withdrawing the "Settlement Agreement," management submitted another document for the union's consideration. In our view, the Office's first document was withdrawn as an orchestrated move to punish employees.
5. The following is an example of the type of information the Office refuses to provide pursuant to the union's information request, which we believe we are entitled to. The union has requested a breakout of the workforce by race, gender, national origin, disabled status and age. Basically, we want to assess whether this RIF may have a discriminatory impact because, if it does, that has legal ramifications.

Today, bargaining did not take place. We were at NTEU National preparing additional questions, evaluating their response to our information request and performing other legal research.

This e-mail is merely a cursory overview of the events from the past two days. **If you are interested in more details, please come to the Conference Room across from the cafeteria on the 5<sup>th</sup> floor of the North Tower anytime today from 3:30 to about 6:30.**

A member of the negotiating team will be available to answer your questions.

Additionally, the following documents will be available for your perusal:

1. The union's proposals, submitted to management on July 5, 2002.
2. A rough paraphrasing of the discussions that occurred yesterday, July 23<sup>rd</sup> (prepared by Patricia Judd, who used a laptop to take notes)
3. A copy of the "Settlement Agreement" offered and subsequently withdrawn by the Office yesterday.
4. A copy of the aforementioned second document submitted to the union by the Office.

Moniqu Miller has also prepared a binder containing documents related to the RIF, including, but not limited to, all grievances filed, all information requests filed and all Unfair Labor Practice charges filed. While still a work-in-progress, this binder will also be available for your perusal.

Negotiations are scheduled to resume tomorrow morning. We will keep you informed of negotiations as well other events... including what's going on with our customers and on the Hill, what other legal action we may take, etc. We also plan to shortly hold a meeting with the bargaining unit.

Thanks.