

INSTRUCTIONS FOR COMPLETING OCWR FORM 1351C (EMPLOYING OFFICE):

General:

Use this form if you are charging that an employing office committed an unfair labor practice under paragraph (a) of section 7116 of the Federal Service Labor Management Relations Statute, as applied by Section 220 of the Congressional Accountability Act. File an original form with the General Counsel of the Office of Congressional Workplace Rights (“OCWR”). The address and website of the OCWR are printed on the bottom of this form. It is your responsibility to ensure that a charge has been received by the OCWR. A charge is a self-contained document without a need to refer to supporting evidence and documents that are also submitted to the General Counsel along with the charge.

Instructions for filling out each numbered box:

#1A. Give the full name of the employing office you are charging and the mailing address, telephone #, and fax # (if available). Include the street number, city, state, and zip code. If you are charging more than one employing office with the same act, attach the required information on a separate sheet.

#2A. Give the full name of the union or individual filing the charge and the mailing address, telephone #, and fax # (if available). If the union is affiliated with a national organization, give both the national affiliation and local designation.

#1B and #2B. This information is essential to the investigation of your charge as it tells us who is representing the parties. Be as specific and as accurate as possible. It will assist the investigation if you include your home as well as work telephone numbers in the space provided.

#5. Identify which one or more of the following subsections of 5 U.S.C. 7116(a) has or have allegedly been violated. Subsection (1) has already been selected for you because a violation of (2) through (8) is an automatic violation of (1). List all sections allegedly violated:

7116. Unfair labor practices

(a) For the purpose of this chapter, it shall be an unfair labor practice for an [employing office]—

- (1) to interfere with, restrain, or coerce any employee in the exercise by the employee of any right under this chapter;
- (2) to encourage or discourage membership in any labor organization by discrimination in connection with hiring, tenure, promotion, or other conditions of employment;
- (3) to sponsor, control, or otherwise assist any labor organization, other than to furnish, upon request, customary and routine services and facilities if the services and facilities are also furnished on an impartial basis to other labor organizations having equivalent status;
- (4) to discipline or otherwise discriminate against an employee because the employee has filed a complaint, affidavit, or petition, or has given any information or testimony under this chapter;
- (5) to refuse to consult or negotiate in good faith with a labor organization as required by this chapter;
- (6) to fail or refuse to cooperate in impasse procedures and impasse decisions as required by this chapter;
- (7) to enforce any rule or regulation (other than a rule or regulation implementing section 2302 of this title) which is in conflict with any applicable collective bargaining agreement if the agreement was in effect before the date the rule or regulation was prescribed; or
- (8) to otherwise fail or refuse to comply with any provision of this chapter.

#6. It is important that the basis for the charge be BRIEF, COMPLETE, and FACTUAL, rather than opinion.

- Give dates and times of significant events as accurately as possible.
- Give specific locations when important, e.g., “The meeting was held in the auditorium of Building 36.”
- Identify who was involved by title, e.g., “Chief Steward Pat Jones” or “Lour Smith, the File Room Supervisor.”
- Tell what happened in chronological order.

#7. Indicate whether you or anyone else that you know of has raised this same matter in an internal grievance procedure.

#8. Unless filing electronically, type or print your name. Next, sign and date the charge attesting to the truth of the charge, and that you have served the charged party (individual named in box #3). Indicate method of service by placing an “x” in one of the boxes.