



Office of Congressional Workplace Rights

LABOR MANAGEMENT – UNFAIR LABOR PRACTICE CHARGE AGAINST A LABOR ORGANIZATION

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| <p>See instructions below. Attach additional sheets if needed, numbered according to the box(es) below to which they pertain.</p> <p>In order to file a charge against an employing office, you must file a different form, Labor Management – Unfair Labor Practice Charge Against an Employing Office, Form 1351c-EO (Employing Office).</p> <p>FORM 1351c-LO (Labor Organization)</p> | <p style="text-align: center; font-weight: bold;">DO NOT WRITE IN THIS SPACE</p> <hr/> <p>Case No.</p> <hr/> <p>Date Filed</p> |
| <p>1A. Charged labor organization</p> <p>Name:</p> <p>Address:</p> <p>Tel. #: Ext.</p> <p>Fax #: E-mail:</p> | <p>2A. Charging party</p> <p>Name:</p> <p>Address:</p> <p>Tel. #: Ext.</p> <p>Fax #: E-mail:</p> |
| <p>1B. Charged labor organization representative</p> <p>Name:</p> <p>Address:</p> <p>Tel. #: Ext.</p> <p>Fax #: E-mail:</p> | <p>2B. Charging party representative, if any</p> <p>Name:</p> <p>Address:</p> <p>Tel. #: Ext.</p> <p>Fax #: E-mail:</p> |
| <p>3. Which subsection(s) of 5 U.S.C. § 7116(b) and/or (c) do you believe have been violated? [See pages 3 and 4]</p> <p>Subsection (b):</p> <p>(1) (2) (3) (4) (5) (6) (7) (8)</p> <p>Subsection (c):</p> <p>(1) (2)</p> | |
| <p>4. Describe exactly what the labor organization did. Start with the date and location, and state who was involved, including job titles. If you need additional space to complete your charge, please write “see attached” below and attach a separate sheet:</p> | |

#1B. Give the full name, title, and other contact information for the labor organization’s representative. Be as specific and as accurate as possible.

#2A. Give the full name of the party filing the charge and the mailing address, telephone number, e-mail address (if known), and fax number (if available). If the charging party is an employing office, give the name of the employing office and department.

#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 personal as well as work telephone numbers in the space provided.

#3. Identify which one or more of the following subsections of 5 U.S.C. § 7116(b) and/or (c) have allegedly been violated. Select all relevant sections allegedly violated in box #3 of the main form:

7116. Unfair labor practices

- (b) For the purpose of this chapter, it shall be an unfair labor practice for a labor organization —
- (1) to interfere with, restrain, or coerce any employee in the exercise by the employee of any right under this chapter;
 - (2) to cause or attempt to cause an [employing office] to discriminate against any employee in the exercise by the employee of any right under this chapter;
 - (3) to coerce, discipline, fine, or attempt to coerce a member of the labor organization as punishment, reprisal, or for the purpose of hindering or impeding the member’s work performance or productivity as an employee or the discharge of the member’s duties as an employee;
 - (4) to discriminate against an employee with regard to the terms or conditions of membership in the labor organization on the basis of race, color, creed, national origin, sex, age, preferential or no-preferential civil service status, political affiliation, marital status, or handicapping condition;
 - (5) to refuse to consult or negotiate in good faith with an [employing office] as required by this chapter;
 - (6) to fail or refuse to cooperate in impasse procedures and impasse decisions as required by this chapter;
 - (7) (A) to call, or participate in, a strike, work stoppage, or slowdown, or picketing of an [employing office] in a labor-management dispute if such picketing interferes with an [employing office]’s operations, or
(B) to condone any activity described in subparagraph (A) of this paragraph by failing to take action to prevent or stop such activity; or
 - (8) to otherwise fail or refuse to comply with any provision of this chapter.
- (c) For the purpose of this chapter it shall be an unfair labor practice for an exclusive representative to deny membership to any employee in the appropriate unit represented by such exclusive representative except for failure—
- (1) To meet reasonable occupational standards uniformly required for admission, or
 - (2) To tender dues uniformly required as a condition of acquiring and retaining membership.

This subsection does not preclude any labor organization from enforcing discipline in accordance with procedures under its constitution or bylaws to the extent consistent with the provisions of this chapter.

#4. 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.

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- 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 “Lou Smith, the File Room Supervisor.”
- Tell what happened in chronological order.

#5. Indicate whether you and/or anyone else that you know of has raised this same matter in another procedure, such as an internal grievance procedure.

#6. Type or print your name. For your signature, you are welcome to provide a handwritten, digital, or electronic signature. You are required to sign and date the charge attesting to the truth of the charge. Please mark that you have served the charged party (individual named in box #1B). Indicate method of service by checking the appropriate boxes.