



UNITED STATES OF AMERICA
FEDERAL LABOR RELATIONS AUTHORITY

FOR FLRA USE ONLY

**Petition for Review of
Negotiability Issues For
Use With Disapproved Provisions**

Case No.

Date Filed

Complete instructions are on the back of this form.

USE THIS FORM ONLY IF THE UNION IS SEEKING REVIEW OF A PROVISION AGREED TO BY THE UNION AND AGENCY REPRESENTATIVE, THAT HAS BEEN DISAPPROVED BY THE AGENCY HEAD ON REVIEW PURSUANT TO 5 U.S.C. § 7114(C).

Important Information : This form is to be used to initiate a negotiability proceeding and provide the Agency with notice that the Union requests a decision from the Authority that a specific provision is legal. Section 2424.22 of the Authority's Regulations requires the Union in the petition for review to, among other things, set out the exact language at issue, explain the meaning of the language, explain how it is intended to operate, explain technical or unusual terms, and provide copies of materials that support the Union's position.

The information requested below may be provided on this form or in a separately created document. The form is available over the Internet, at www.flra.gov, in a format that can be completed using standard word processing software. If you have questions about completing this form, please contact the Authority's Case Control Office at (202) 218-7740.

The regulations governing negotiability proceedings are in 5 C.F.R. part 2424, and are available on the Internet at www.flra.gov.

On receipt of the petition for review, a representative of the Authority will schedule a conference concerning this petition. Every effort will be made to conduct this conference by telephone or in person **within ten (10) calendar days of the filing of the petition for review.**

<p>1. Name and address of Petitioning Union:</p>	<p>2. Union Representative Contact Information:</p> <p>Name:</p> <p>Title:</p> <p>Address (if different from Question 1):</p> <p>Phone: Fax:</p>
<p>3. Name and address of Agency:</p>	<p>4. Agency Representative Contact Information:</p> <p>Name:</p> <p>Title:</p> <p>Address (if different form Question 3):</p> <p>Phone: Fax:</p>
<p>5. Agency Head or Designee Contact Information:</p> <p>Name/Title:</p> <p>Address (if different from Question 3)</p> <p>Phone: Fax:</p>	

6. How many provisions are in dispute?

7. What was the date of the Agency Head disapproval?

- i. Attach a copy of the disapproval.

8. Are there or were there any related Court, FLRA, Federal Service Impasses Panel (FSIP), or other proceedings concerning the same provision?

Yes **G**

No **G**

8a. If Yes, which of the following proceedings?

i. An unfair labor practice charge

Yes **G**

No **G**

If Yes, explain in detail how the unfair labor practice charge is related to this negotiability proceeding and provide the following:

What date was it filed? What is the status of the case? What is the case number?

ii. A proceeding before the FSIP

Yes **G**

No **G**

If Yes, explain in detail how the proceeding before FSIP is related to this negotiability proceeding and provide the following:

What date was it filed? What is the status of the case? What is the case number?

iii. A related petition for review of negotiability issues

Yes **G**

No **G**

If Yes, explain in detail how the petition for review of negotiability issues is related to this negotiability proceeding and provide the following:

What date was it filed? What is the status of the case? What is the case number?

iv. A related grievance

Yes **G**

No **G**

If Yes, explain in detail how the grievance is related to this negotiability proceeding and provide the following:

What date was it filed? What is the status of the case? What is the case number?

Alternative Dispute Resolution (ADR)

The Authority offers ADR services to help parties resolve their negotiability disputes through its Collaborative and Alternative Dispute Resolution Office and Program (CADR). The CADR program provides an alternative to traditional case processing and is available on a voluntary basis. If you are interested in CADR assistance or information regarding any of its services, you may contact the CADR office at (202) 482-6503.

9. Are you interested in attempting to resolve this matter with the assistance of CADR?

Yes

No

The Provisions

10. Set out the exact language of all the provisions sought to be declared legal.

FOR EACH PROVISION, ANSWER QUESTIONS 11 THROUGH 15. MAKE A SEPARATE COPY OF THIS PAGE FOR EACH PROVISION.

PROVISION _____

11. Set out the exact wording of the provision sought to be declared legal.

12. Explain the meaning of the provision including: any special terms or phrases, technical language, or other words that are not in common usage.

13. Describe how the provision is intended to work and what impact it will have. Where a provision has previously been included in the parties' collective bargaining agreement, describe how the provision has worked and what impact it had. Where the provision concerns a particular work situation, or other particular circumstances, describe the situation or circumstances that will enable the Authority to understand how each provision is intended to apply.

Hearing

16. Do you believe that a hearing or other fact finding procedure is necessary to resolve any issues presented in this case?

Yes **G**

No **G**

16a. If Yes, explain what those issue are and why they require a hearing.

Responsibilities of the Union

After filing the petition for review, the Union is responsible for participating in a conference and responding to any Authority Order.

Failure to participate in a conference under section 2424.23 of the Authority's Regulations, a direction or proceeding under section 2424.31 or otherwise failure to provide timely or responsive information pursuant to an Authority Order may result in dismissal of the petition for review. 5 C.F.R. § 2424.32.

Checklist with Statement of Service and Signature

All documents filed with the Authority must comply with the requirements set forth in part 2429 of the Authority's Regulations.

A complete copy (including all attachments) of a petition for review must:

- Be served by certified mail, first-class mail, commercial delivery, or in person on: (1) Principle Agency Bargaining Representative at the negotiations; and (2) the Head of the Agency (or designee) (5 C.F.R. §§ 2424.2(g) & 2429.27(b))
- Contain a signed and dated statement of service with names and addresses of parties served, date of service, nature of document served, and whether by certified mail or personal delivery. (See example on back page). (5 C.F.R. § 2429.27(c))
- Contain an original and 4 complete and legible copies of all document s . . . (5 C.F.R. §2429.25)
- Be addressed to: Case Control Office, Federal Labor Relations Authority
1400 K St., NW, Suite 201
Washington, D.C. 20424-0001

Statement / Certificate of Service to be used by Union in filing a petition for review of negotiability issues.

STATEMENT OF SERVICE

I certify that a complete copy of the petition for review, including all attachments, in the case of the UNION and AGENCY were filed with the Case Control Office, Federal Labor Relations Authority, Washington, D.C., and were sent this day to:

Agency Principal Bargaining Representative

(Title and Mailing Address)

(The Principal Bargaining Representative is the individual who signed the Agency allegation.)

The Head of the Agency (or designee)* /

(Title and Mailing Address)

Indicate near each name the **Method of Service**

Date

Name of filing party

Signature of Union's representative

* / For example, for components of the U.S. Department of Defense, the Head of the Agency (or "Agency Head") is the Secretary of Defense, or his or her designee.

