

HOW TO USE THE UNFAIR LABOR PRACTICE CASE HANDLING MANUAL

The Unfair Labor Practice Case Handling Manual is formatted to help Agents in Regional Offices in preventing, resolving, processing and investigating Unfair Labor Practice cases. The subject matters that are discussed throughout the Manual are presented in the following sequence: from the pre-charge stage through the filing and investigation stages to the post-charge stage of the process. A description of the organization and style of the Manual is discussed below as well as, in order of presentation, a description of the different sections of the Manual:

1. **Foreword:**

The Foreword explains the purpose of the Manual.

2. **Organization of the Manual into five distinct Parts:**

C The manual is divided into five Parts, and each Part is divided into Chapters;

C [Part 1](#) is entitled “Pre-Charge”;

C [Part 2](#) is entitled “The Charge”;

C [Part 3](#) is entitled “The Investigation”;

C [Part 4](#) is entitled “Post-Investigation”;

C [Part 5](#) is entitled “Post-Decision and Administrative Matters”

C To guide the Agent, each page has a Header which describes the Part and Chapter, and a Footer which indicates that the Office of the General Counsel is the author of the Manual; and

C The pages of each Chapter in each of the five Parts of the Manual are numbered consecutively. The first number corresponds with the Part, the second number corresponds with the Chapter, and the third number indicates the page, e.g., 3F-2 is the third Part--The Investigation, Chapter F--Evidence, in General, -2 indicates the second page.

3. **Overview and Objective for each Chapter:**

C An Overview describes very generally how and where in the Unfair Labor Practice Process the subject matter of the Chapter relates.

C The Objective of each Chapter generally describes what guidance is provided, i.e., what subtopics are covered in each Chapter.

4. **Glossary:**


The following abbreviations are used throughout the Unfair Labor Practice Case Handling Manual:

ADR	Alternative Dispute Resolution
ALJ	Administrative Law Judge
ALJD	Administrative Law Judge Decision
Authority or FLRA	Federal Labor Relations Authority
CA	Charge against Agency
CO	Charge against Labor Organization


DOL	Department of Labor
DRD	Deputy Regional Director
E.O.	Executive Order
FIR	Final Investigative Report
FRCP	Federal Rules of Civil Procedure
FSIP	Federal Service Impasses Panel
GAO	General Accounting Office
GC	General Counsel
HQ	Headquarters
IG	Inspector General of the FLRA
LM	Litigation Manual
MSPB	Merit Systems Protections Board
NLRB	National Labor Relations Board
OALJ	Office of Administrative Law Judges
OGC	Office of General Counsel
OPM	Office of Personnel Management
PSIWOC	Party Settlement Involving Withdrawal of Charge
RCHM	Representation Casehandling Manual
RA	Regional Attorney
RD	Regional Director
Regulations	Authority's Rules and Regulations
RO	Regional Office
Statute	Federal Service Labor-Management Relations Statute
TRO	Temporary restraining order
ULP	Unfair Labor Practice
ULPCHM	Unfair Labor Practice Case Handling Manual

Note: Unless otherwise indicated, all references to sections in the Manual are to a section of the Regulations.


5. Use of the symbol :

 is a symbol that is used throughout the Manual to indicate that what follows (in italics) are “practice pointers” or tips for the Agent.


6. Use of the symbol 

 is a symbol that is used throughout the Manual at the end of most Chapters to indicate cross-references, where appropriate. Cross-references to specific pages are indicated where the same or similar subject matter is covered elsewhere in the Manual with respect to another stage in the trial process.

7. Use of the symbol :

 is a symbol that is used throughout the Manual to alert the reader that the text that follows lists “criteria and principles” that are applicable in the exercise of discretion.

8. Use of the symbol :

 is a symbol that is used throughout the Manual to indicate a uniform, “by-the-book”, rule of practice.

9. **Table of Authorities:**

The Table of Authorities is divided into 8 subparts: (1) FLRA cases; (2) FLRA ALJD cases; (3) United States Supreme Court case; (4) United States Courts of Appeals cases; (5) United States District Court cases; (6) NLRB cases; (7) Comptroller General cases; and (8) a Miscellaneous Reference. This section is located after the Manual.

10. **Index:**

A subject matter index is located after the Table of Authorities.

11. **The ATTACHMENTS:**

The ATTACHMENTS section of the Manual is a compilation of model and sample forms and letters which are referred to in a particular Chapter. A “model” form or letter is **used verbatim in all cases** whereas a “sample” is but one example of an acceptable form or letter. The number of the ATTACHMENT corresponds with the number of the Part, Chapter and sequence within Chapter where it is referenced, e.g., ATTACHMENT 3O2 is referred to in Part 3, Chapter O, and is the second Attachment in this Chapter. This section of the Manual, which has a TAB, is located after the Index.

12. **References:**

The References section, which is located after the ATTACHMENTS, contains the [Statute](#) and the General Counsel’s regulations set forth at [Subpart A](#) to Part 2423 of the Regulations.

13. **Computer accessibility:**

For ease of use, the Manual is comprehensively hyperlinked throughout the entire document. Use the hyperlink function of Word Perfect 8 to move throughout the Manual and Attachments with ease. The Manual is also accessible via the FLRA home page at www.flra.gov. [Volume 55](#) and later FLRA cases are accessible by computer by clicking on the case citation which will take you to the FLRA home page where the decision appears. Click on Volume 55 in the preceding sentence and you will go directly to the FLRA Decisions Navigator.