

The National Executive Board establishes the following policy for the analysis and processing of unfair labor practice charges (“ULPs” or “charges”) by federal sector employees before the Federal Labor Relations Authority (“FLRA”) and Federal Contract Tower employees before the National Labor Relations Board (“NLRB”):

When a Facility Representative seeks to file a ULP with the FLRA or NLRB, he or she should consult with the Regional Vice President before filing. The consultation with the Regional Vice President will address: the appropriate charging party, the issues raised by the charge, the appropriate FLRA/NLRB region for filing, potential supporting evidence for a charge, the relief sought, whether a grievance or a complaint in another forum rather than a ULP is appropriate, whether a charge is impacted by a previously filed grievance, and any other relevant issues. If upon consultation, the Regional Vice President and Facility Representative determine that the Union is the appropriate charging party, the following process must be utilized.

When a Regional Vice President or his/her designee decides to pursue a ULP, they should forward the complete case file to their Labor Relations Strategy Group designee who will share the file with the Labor Relations Strategy Group. The complete case file will include supporting evidence and documents for the ULP, including a witness list, witness statements, and a draft charge utilizing FLRA Form 22 available at http://www.flra.gov/webfm_send/3 or NLRB Form 501 at <http://www.nlr.gov/sites/default/files/attachments/basic-page/node-3040/nlrform501.pdf>.

The Director of Labor Relations may then direct an analysis of the case by the National Office Labor Relations Staff. ULPs submitted through this process will be reviewed by the NATCA Labor Relations Strategy Group. Unless the Labor Relations Strategy Group expresses concern with the validity of the charge the ULP will proceed.

Settlements. The decision to accept a settlement of a ULP rests with the advocate(s) assigned to the ULP case in consultation with the Director of Labor Relations.