



The National Federation of Federal Employees
An Affiliate
International Association of Machinists and Aerospace Workers
AFL-CIO, CLC



Local 2152

Union Request for Information Under Section 7114(b)(4) of the Statute:

DATE: March 20, 2007

REQUESTER: Local 2152 of the National Federation of Federal Employees

UNION CONTACT: Michael J. Snider, Esq., Law Offices of Snider and Associates.
104 Church Lane, Suite 100, Baltimore, MD 21208, 410-653-9060 phone
410-653-9061 fax, mike@sniderlaw.com email

AGENCY CONTACT: David Wheeler, W-1600, 2800 Cottage Way, Sacramento, CA
95825 (916) 978-4495; Michael Rosnack.

SUBJECT: FLSA Violations/Union Grievance

INFORMATION REQUESTED:

1. A list of all overtime worked by each bargaining unit employee, by pay period, including first and last name, position title, Agency position number, job series, grade and step, FLSA exempt or non-exempt status, email address, business phone number and business address, rate of pay, since August 1, 2003, and in electronic form.
2. A list of all comp time worked and used, by each bargaining unit employee since August 1, 2003 by pay period, including first and last name, position title, Agency position number, job series, grade and step, FLSA exempt or non-exempt status, email address, business phone number and business address, in electronic form.
3. A list of all credit hours earned and used, by each bargaining unit employee since August 1, 2003 by pay period, including first and last name, position title, Agency position number, job series, grade and step, FLSA exempt or non-exempt status, email address, business phone number and business address, in electronic form.
4. A List of all bargaining unit employees who were in the Bargaining Unit at any time since August 1, 2003 by six month period, including first and last name, position title, Agency position number, job series, grade and step, FLSA exempt or non-exempt status, email address, business phone number and business address, in electronic form. In other words, a snapshot of the bargaining unit list at six-month intervals from 8/1/03 to present.

The Union further requests that the above specified information be furnished within a reasonable time not to exceed (15) calendar days, and prior to the oral presentation in this matter. If this request is denied, in whole or in part, please state in writing of the name, position title, and grade of the official making the decision, and the statutory,

regulatory or contractual citation it is based upon.

PARTICULARIZED NEED:

The Union believes that the Agency has violated the Fair Labor Standards Act, the Back Pay Act, the Collective Bargaining Agreement, and other rules, law and regulations in regard to the Grievants. The Union needs the requested information to prove the underlying facts and contentions in its Grievance. In particular, the Union needs the information to show that the Agency improperly exempted many bargaining unit employees under the FSLA, underpaid or failed to pay proper overtime to those employees, and offered illegally offered comp time in lieu of overtime. The the Union needs the overtime and comp time information to show damages to the Grievants. The information needs to be by pay period and to show rate of pay to make it useful in hearings. We need it electronically so that we can manipulate the data.

The requested information will further enable the Union to fulfill its representational duties to represent employees under the statute. If the Agency is unable to fulfill any request in full, please fulfill it in any non-objectionable part, and explain any denial in detail.

Thr Union hereby appoints the following individuals to be points of contact for, and agents of, the Union in all matters touching or concerning this Grievance and associated Request for Information.

PRIVACY ACT:

N/A