



## National Weather Service Employees Organization

March 13, 2013

Dr. Louis Uccellini  
Assistant Administrator for Weather Services  
1325 East-West Highway  
Room 18130  
Silver Spring, MD 20815

Dear Dr. Uccellini,

This is a union grievance filed pursuant to Article 10, section 9(b) of the parties' collective bargaining agreement concerning the agency's freeze on filling lead forecaster vacancies.

We have reviewed a RADS report provided to us on March 12, 2013 and discovered that there are nine lead (senior) forecaster vacancies that remain vacant and which job vacancy announcements were closed in January:

Duluth	1/10
Portland	1/28
Boise	1/28
Eureka	1/28
Monterey	1/28
Sterling (2)	1/10
Raleigh	1/10
Pittsburgh	1/10

Under the published NOAA 80 day hiring model, the next step in the recruitment process - evaluation of applications - is to be completed within 10 days, and the issuance of a certification to the selecting official is to occur within 1 day thereafter. A review of the RADS report reveals that the applications received in response to the job vacancy announcements for the above positions were never evaluated and that the recruitment process was frozen in January.

In addition, a lead forecaster vacancy at WFO San Juan closed on February 14, but the applications have not been evaluated or certificate issued.

A lead forecaster vacancy at WFO Honolulu was submitted to WFMO on December 21, but no action has been taken to fill that position.

In addition, the RADS report reveals that the agency has not taken any action to fill the numerous other lead forecaster vacancies at WFOs around the country, such as the lead vacancies in Fairbanks and Juneau, (which have been vacant since last year), Minneapolis and Bismarck, (which

became vacant in January), as well as lead forecaster vacancies in Mount Holly, Pittsburgh, Nashville, Jackson, Miami and Melbourne.

The failure to recruit and/or fill these 21 (and possibly other) vacancies is a continuing violation of the agreement negotiated between the parties dated December 10, 1993 which agreed to the Human Resources and Position Management Plan as modified by that agreement, as well as the jointly agreed upon December 12, 1997 Meteorologist Placement Plan, both of which establish five lead forecaster positions at every Forecast Office.

Even if the failure to fill these positions did not violate negotiated agreements, the freeze on filling these positions constitutes a unilateral change in conditions of employment in violation of Article 8, section 3 of the parties' collective bargaining agreement. It also constitutes an unfair labor practice in violation of 5 U.S.C. section 7116(a)(1) and (5).

As relief, we demand that these positions be immediately recruited and filled, and that any promotion of unit employees into these positions be made retroactive to 80 days following the date on which the positions became vacant (which would allow for 80 days to fill the positions in accordance with the NOAA 80 day hiring plan), and that these employees be granted back pay. In addition, the union demands payment of its attorney fees in this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Daniel A. Sobien". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Daniel A. Sobien  
National President