



USAID
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Labor Management Employee Right to Labor Organization Representation

A Mandatory Reference for ADS Chapter 485

Reference Issuance Date: 10/04/2011
Policy Issuance Date: 10/06/2010
Responsible Office: HR/ELR
File Name: 485maa_100411

Title 5 of the U.S. Code, Chapter 71 et.seq. and the Foreign Service Act of 1980 provide that the exclusive representative of employees of U.S. Agency for International Development (USAID) shall be given the opportunity to be represented at any examination of an employee by a USAID official in connection with an investigation if:

- The employee reasonably believes that the examination may result in disciplinary action against the employee; and
- The employee requests such representation.

The employee's right to representation under the conditions set forth above is known as the Weingarten right. This right extends to all Bargaining Unit employees of USAID, irrespective of union membership.

5 USC 71 et.seq. and the Foreign Service Act also provide that the exclusive representative of employees of USAID shall be given the opportunity to be represented at any formal discussion between one or more representative of USAID and one or more employees in the unit concerning any grievance, personnel policy, practice, or other general condition of employment. The Bargaining Units of USAID are:

- Foreign Service Personnel Worldwide (Excluding Foreign Service Nationals) whose exclusive representative is American Foreign Service Association (AFSA); and
- Civil Service Personnel (except those excluded by law) whose exclusive representative is American Federation of Government Employees, Local 1534 (AFGE).

This mandatory reference fulfills the statutory requirements of both Acts for a written annual notification to employees of the right to labor organization representation.

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