

FOREIGN SERVICE LABOR RELATIONS BOARD
WASHINGTON, D.C.

AMERICAN FOREIGN SERVICE ASSOCIATION

and

UNITED STATES DEPARTMENT OF STATE
AGENCY FOR INTERNATIONAL DEVELOPMENT and
UNITED STATES INFORMATION AGENCY

FS-NG-10

DECISION AND ORDER ON NEGOTIABILITY ISSUE

December 12, 1989

Before Chairman McKee and Member Denenberg.

I. Statement of the Case

This case is before the Foreign Service Labor Relations Board (the Board) because of a negotiability appeal filed under the Foreign Service Act of 1980 (the Act), 22 U.S.C. §§ 3901 et seq. The case concerns the negotiability of one proposal.

In negotiations over the implementing regulations for the Foreign Service Grievance System, the American Foreign Service Association (the Union) submitted a proposal concerning the time limit for filing grievances. The Department of State (the Department or the Agency) asserted that certain portions of the proposal were nonnegotiable because they violated the statutory time limit for filing grievances.

Under the Act, grievances may be "filed with the Department within a period of 3 years after the occurrence or occurrences giving rise to the grievance or such shorter period as may be agreed to by the Department and the exclusive representative." 22 U.S.C. § 4134(a). The disputed portions of the proposal would permit an employee to file a grievance concerning his or her personnel records, without regard to the age of the records, in two instances

which the proposal refers to as "continuing violations": (1) if the material is specifically referenced by a selection board which recommends that an employee be retired for relatively poor performance and relied on by the agency in such a retirement proceeding (subsection (a) of the proposal); and (2) if the material is otherwise adversely affecting the employee (subsection (b) of the proposal).

We find that the proposal does not violate 22 U.S.C. § 4134(a). Therefore, it is within the duty to bargain.

II. Background and Proposal

A. The Foreign Service Grievance System

In 1971, the Department of State consolidated its domestic and overseas grievance systems and promulgated a regulation governing the Foreign Service grievance system. The regulation was called the Interim Grievance Procedure (IGP) and was set forth at 3 Foreign Affairs Manual (FAM) 660 (1971). Section 664.1 of that regulation contained the following provision on time limits for filing grievances:

An employee may present a grievance concerning a continuing practice or condition at any time. If an employee has a grievance concerning a particular act or occurrence and wishes to pursue it, the employee must do so within thirty calendar days of that act or occurrence or the date the employee became aware of that act or occurrence[.]

In 1975, Congress enacted Pub. L. No. 94-141, which provided the first statutory basis for the Foreign Service grievance system. That law directed the Secretary of State to promulgate regulations to provide for the consideration and resolution of grievances by a board. Pub. L. No. 94-141, § 692. Section 692(3) of Pub. L. No. 94-141 stated in relevant part:

A grievance . . . is forever barred, and the board shall not consider or resolve the grievance, unless the grievance is presented within a period of three years after the occurrence or occurrences giving rise to the grievance There shall be excluded from the computation of any such period any time during which the grievant was unaware of the grounds which are the basis of the grievance and could not have discovered such grounds if he or she had exercised, as determined by the board, reasonable diligence.

Regulations implementing Pub. L. No. 94-141 were negotiated by the parties pursuant to Executive Order 11636. Section 663.6 of the regulations, "Time Limit for Grievance Filing," provided:

(a) A grievance concerning a continuing practice or condition may be presented at any time if its adverse effect is presently continuing. Documents contained in official employee personnel files, for example, shall be deemed to constitute a continuing condition.

(b) Subject to section 663.6(a), a grievance under these regulations is forever barred, and the Grievance Board shall not consider or resolve the grievance, unless the grievance is presented within a period of three years after the occurrence or occurrences giving rise to the grievance

3 FAM 663.6 (1976) (emphasis in original).

The Foreign Service Act of 1980 modified the 1975 law relating to time limitations for filing grievances. The provision setting time limits for filing grievances, which is set forth at 22 U.S.C. § 4134(a) and is currently in effect, states:

§ 4134. Time Limitations

(a) A grievance is forever barred unless it is filed with the Department within a period of 3 years after the occurrence or occurrences giving rise to the grievance or such shorter period as may be agreed to by the Department and the exclusive representative. There shall be excluded from the computation of any such period any time during which, as determined by the Foreign Service Grievance Board, the grievant was unaware of the grounds for the grievance and could not have discovered such grounds through reasonable diligence.

Following the enactment of the Foreign Service Act of 1980, the parties negotiated over provisions to implement the Act. The parties were unable to reach agreement on certain provisions, including the provision relating to time limits for filing grievances. Their impasse was resolved by the Foreign Service Impasse Disputes Panel (the Panel). The

Panel issued a Decision and Order in 1983 (Case Nos. 83 FSIDP 1 and 2) directing the parties to adopt the following provision, which is contained in the current regulations (3 FAM 663.7):

(a) A grievance under these regulations is forever barred unless it is presented within 3 years of (1) the date of the issuance of an employee efficiency report or other documents in the Official Performance Folder, and/or (2) the date of any other act or occurrence giving rise to the grievance. Additionally, grievances concerning an employee efficiency report or other documents in the Official Performance Folder may be filed without regard to the 3 year time limits provided:

(1) The material is specifically referenced by a selection board and relied upon by the agency in a retirement proceeding under section 608 of the Act; or

(2) The material is otherwise adversely affecting the grievant and no more than 5 years have elapsed since the date of its issuance. . . .

The negotiability dispute before us arose when the Agency proposed to revise the regulations implementing the Foreign Service Grievance System. The Agency notified the appropriate unions and bargained over the proposed revisions.^{1/} Agreement was reached on all matters except the proposal here in dispute.

^{1/} Agencies using the Foreign Service personnel system and the exclusive representatives of the employees of those agencies jointly negotiate their terms and conditions of employment. See 22 U.S.C. § 4113(e)(5). The parties involved in this proceeding are the United States Department of State, the Agency for International Development, the United States Information Agency, and the American Foreign Service Association, Independent. Agency's Statement of Position (Statement) at 1. The Union also identified the Foreign Agricultural Service, the Foreign Commercial Service, and the American Federation of Government Employees, Local 1812 as involved in these negotiations. See Petition for Review at 1. However, they are not named parties in this appeal.

The Agency objects to the following underscored portions of the Union's proposal:

A grievance under these regulations, with the exception of a continuing violation, is forever barred unless it is presented within three years of (1) the date of the issuance of an employee efficiency report or other document in the Official Personnel Folder, and/or (2) the date of any other act or occurrence giving rise to the grievance. Additionally grievances concerning records maintained by the agency on the employee constitute a continuing violation and may be filed without regard to the three year time limit, provided:

(a) the material is specifically referenced by a selection board and relied on by the agency in a retirement proceeding under section 608 of the Act ["retirement based on relative performance"]; or

(b) the material is otherwise adversely affecting the grievant.

B. The Foreign Service Personnel System

Employees in the Foreign Service personnel system are divided into classes. Each year, selection boards rank the members of each class on a comparative basis and recommend promotions, performance awards, and retention in the senior ranks. 22 U.S.C. § 4002. Selection boards make their recommendations based on the records in employees' official personnel files. Those records include reports of Foreign Service inspectors, performance evaluation reports, and records of commendations, awards, reprimands and other disciplinary actions. 22 U.S.C. § 4003.

Selection Board rankings may result in the mandatory retirement of members whose performance falls below the standards of their class. Employees who are ranked as performing below the level of other employees in their class are referred for retirement based on relative performance. 22 U.S.C. § 4008. Additionally, employees may be retired from the Foreign Service for expiration of time in class if they are not promoted to the next higher class within the time prescribed by regulation. 22 U.S.C. § 4007.

The Foreign Service Act of 1980 defines the term "grievance" in 22 U.S.C. § 4131. "The list of 'grievable'

subject matters is broad[.]” Hall v. Baker, 867 F.2d 693, 694 n.5 (D.C. Cir. 1989). The pertinent sections of the definition, for purposes of this case, are as follows:

§ 4131. Definitions and applicability

(a)(1) Except as provided in subsection (b) of this section, for purposes of this subchapter, the term “grievance” means any act, omission, or condition subject to the control of the Secretary which is alleged to deprive a member of the Service . . . of a right or benefit authorized by law or regulation or which is otherwise a source of concern or dissatisfaction to the member, including--

(A) separation of the member allegedly contrary to laws or regulations, or predicated upon alleged inaccuracy, omission, error, or falsely prejudicial character of information in any part of the official personnel record of the member;

.

(E) alleged inaccuracy, omission, error, or falsely prejudicial character of information in the official personnel record of the member which is or could be prejudicial to the member[.]

.

(b) For purposes of this subchapter, the term “grievance” does not include--

.

(2) the judgment of a selection board established under section 4002 of this title[.]

III. Positions of the Parties

A. Agency’s Contentions

The Agency contends that the proposal is nonnegotiable because it violates 22 U.S.C. § 4134(a). According to the Agency, “[t]he practical effect of the . . . proposal is to impermissibly negotiate an extension beyond the statutory time limitation [by permitting] the limitations period to

begin at some point many years in the future with regard to acts or occurrences which have been completed at some point many years in the past." Agency's Statement at 5-6. The Agency asserts that the proposal would permit an employee "to file a grievance at anytime without regard to the three year statute of limitations. For example, this proposal would allow an employee who entered the Foreign Service 25 years ago to grieve, today, an Employee Evaluation Report that was issued in the first year." Id. at 6 (emphasis in original). The Agency also contends that the proposal "would allow an employee to grieve a 10 year old promotion decision based on a 20 year old evaluation." Id. at 6-7. The Agency claims that Congress could not have intended such results when it enacted the statutory 3-year limit.

In support of its claim that the proposal violates 22 U.S.C. § 4134(a), the Agency makes several arguments in addition to relying on the plain wording of the law. The Agency cites a decision of the Foreign Service Grievance Board (the Grievance Board) in No. G-012(7) (June 16, 1987) in which the Grievance Board held that the time limit in 3 FAM 663.7 for filing a grievance concerning a performance-related record begins to run with the date of issuance of the record. Statement at 9-10. The Agency also relies on "the 1975 history of legislation on the grievance system, the legislative history of the 1980 [Foreign Service Act], and the subsequent negotiating history for the current grievance regulation bargaining agreement." Statement at 10. The Agency asserts that review of these materials "will show that the three year limit is statutorily mandated and can not be altered by negotiations." Id.

The Agency contends that the 1976 negotiated provision and the current regulation which resulted from the 1983 Panel Decision and Order--both of which permit grievances of the type addressed in the proposal to be filed without regard to the 3-year time limit--should be accorded no weight because "[i]n each instance the individual items were in violation of statutory provisions." Statement at 15. The Agency states that "[i]n retrospect Management clearly made an error in not calling to the Panel and the unions' attention the illegal nature of the Panel's decision." Id. at 16. According to the Agency, "the current regulatory provisions are void and unenforceable. . . . While Management may have been in error in 1983 and its continued adherence to the current regulations, we are not barred from raising the illegality at this time. To that end we have proposed amending the regulations to bring them into legal conformance." Id. at 17.

The Agency notes that the Union has "tried to draw a parallel between the EEO concept of a 'continuing and present violation' and the continuing adverse effect of material in the employee's file." Statement at 17-18. The Agency contends that although "there is a degree of confusion in the body of case precedents on the aspect of 'continuing and present violations' of EEO statutes," the controlling EEO case law provides that: (1) "there must be a present violation within the statute of limitations"; and (2) "there is no present violation when events complained of are natural foreseeable, expected, inevitable consequences of an act occurring outside the statute of limitations." Id. at 18-19 (emphasis in original; citation omitted). The Agency concludes that "the [U]nion's proposal is unlawful in that it says in effect that, as a matter of law, agency records which allegedly are adversely affecting the employee always constitute 'present continuing violations' and, therefore, are not subject to the three year statute of limitations." Statement at 20.

B. Union's Contentions

The Union states that the issue before the Board is whether 22 U.S.C. § 4134 "establishes an immutable three year time limit for the filing of a grievance concerning agency records maintained on the employee, even when the record later forms the basis for an otherwise grievable action." Union's Response to Agency's Statement of Position (Response) at 3. According to the Union, the history of the time limitation provisions "demonstrates a consistent intent to expand the time limitation beyond three years when there exists a continuing practice giving rise to the grievance." Response at 6. The Union states that "[i]f an adverse action is predicated upon a four-year-old employee evaluation report, and that adverse action would itself constitute a grievable occurrence, the employee should be able to grieve the adverse action and its underlying cause[.]" Id. at 2-3.

The Union contends that its proposal is "completely consistent with both the language of the statute and its legislative history." Id. at 7. The Union asserts that Congress did not intend to "eliminat[e] the right that Foreign Service employees had enjoyed consistently since 1971, to grieve continuing violations beyond whatever term was set as the statutory time limit." Id. at 8. The Union cites examples to support its contention that its proposal, "consistent with the Grievances Chapter of the Act, provides a vehicle for redressing an inaccurate, erroneous, or falsely prejudicial report which operates to the employee's

prejudice for purposes of promotion and retention in the Service." Id. at 10.

The Union argues that if an employee who is being separated from the Foreign Service ("selected out") is not "permitted to base his grievance on all reports to which the [selection board] refers in making the determination to select him out," the employee "would effectively be denied an express statutory basis for a grievance, i.e., separation predicated upon inaccuracy, omission, error, or falsely prejudicial information in the employee's personnel record" under section 4131(a)(1)(A). Response at 12-13. The Union claims that such a "current review of the file combined with the initial issuance of the report [more than 3 years earlier] would meet the standard of 'occurrences' found in 22 U.S.C. § 4134(a)." Response at 13.

The Union argues that an absolute 3-year limitation as proposed by the Agency is inconsistent with the decision of the Foreign Service Impasse Disputes Panel incorporated in section 663.6 of the Foreign Affairs Manual. The Union also asserts that the Agency's reliance on the decision of the Grievance Board is misplaced because that decision has no bearing on the question of the negotiability of the proposal.

The Union contends that the analogy to "continuing violations" in EEO law supports its position that "continuing violations" as provided by the proposal may be grieved outside of the otherwise applicable statutory time limits. The Union asserts that the courts "have made clear that if a continuing discriminatory employment practice is alleged, the administrative complaint may be timely filed notwithstanding that the conduct impugned is comprised in part of acts lying outside the charge-filing period." Response at 17 (citation omitted). The Union argues that "[w]here there exists a present reliance on a personnel report, there exists a present occurrence for which a grievant has the right to redress." Id. at 19 (emphasis in original).

IV. Discussion

The issue before us is whether the disputed portions of the proposal are inconsistent with 22 U.S.C. § 4134(a). We agree with the Agency that the Agency is not precluded from raising the issue of the negotiability of the proposal at this time. We find, however, that the proposal is not inconsistent with section 4134(a) and the proposal is, therefore, negotiable.

A. The Effect of the Proposal

Section 4134(a) bars the filing of a grievance unless it is filed within 3 years after "the occurrence or occurrences giving rise to the grievance."^{2/} In order to determine whether the proposal is consistent with section 4134(a), we must first consider the effect of the proposal.

The plain wording of the proposal provides that grievances concerning records maintained by the Agency may be filed without regard to the 3-year time limit in section 4134(a) if the material in the records is referenced by a selection board and relied on by the Agency in a retirement proceeding based on relative performance, or if the material is "otherwise adversely affecting" the grievant. The Union states that materials otherwise adversely affecting an employee are those records "currently adversely affecting the employee in a manner which may be the subject of a grievance." Response at 2. Consistent with the Union's statement of its intent, we interpret subsection (b) of the proposal--relating to material "otherwise adversely affecting" the grievant--to refer to records which are relied on by the Agency to take a grievable action against an employee. The proposal, therefore, permits an employee to attack, as a part of the timely filed grievance challenging an adverse action, the records on which that action is based.

The Agency construes the proposal as allowing "an employee who entered the Foreign Service 25 years ago to grieve, today, an Employee Evaluation Report that was issued in the first year." Statement at 6 (emphasis in original). The Agency also contends that the proposal "would allow an employee to grieve a 10 year old promotion decision based on a 20 year old evaluation." Id. at 6-7.

We do not agree that the proposal has the effect attributed to it by the Agency. In our view, the proposal provides for the following:

(1) If there is a record over 3 years old in an employee's official personnel folder, and that record is

^{2/} For purposes of our discussion, our references to the 3-year time limit incorporate the proviso that "[t]here shall be excluded from the computation of any such period any time during which, as determined by the Foreign Service Grievance Board, the grievant was unaware of the grounds for the grievance and could not have discovered such grounds through reasonable diligence." 22 U.S.C. § 4134(a).

specifically referenced by a selection board and relied on by the Agency in a proceeding to separate the employee from the Foreign Service on the basis of relatively poor performance, the employee may file a grievance challenging his or her separation under 22 U.S.C. § 4131(a)(1)(A) and, as part of that grievance, may challenge the accuracy of the record. In order to be timely filed, the employee's grievance must be filed within 3 years of the separation, which is the "occurrence" giving rise to the grievance under 22 U.S.C. § 4134(a).

(2) If there is a record over 3 years old in an employee's official personnel folder, and that record is a basis for an action taken by the Agency which may be the subject of a grievance under the Act, the employee may grieve that action and as part of the same grievance may challenge the accuracy of the record relied on by the Agency to take the action. In order to be timely filed, the employee's grievance must be filed within 3 years of the Agency's action, which is the "occurrence" giving rise to the grievance under 22 U.S.C. § 4134(a).

(3) If the record is over 3 years old and the record is not: (a) specifically referenced by a selection board and relied on by the Agency in a proceeding to separate the employee from the Foreign Service on the basis of relatively poor performance; or (b) relied on by the Agency to take a grievable action other than a separation, the employee may not challenge the accuracy of the record.

Applying our analysis of the proposal to the Agency's examples, we conclude that the proposal would not permit an employee who entered the Foreign Service 25 years ago to grieve an Employee Evaluation Report that was issued in the first year, unless the Agency currently relied on that report to separate the employee or take some other action against the employee and the employee filed a grievance within 3 years of that action. We note that reliance by the Agency on a 25-year old report to take an action against an employee would be highly unusual, particularly in view of the regulatory provision which states that selection boards "should place greatest emphasis on the most recent 5 years of service." 3 FAM 556 Appendix A at 15 (Precepts for the 1988 Senior and Intermediate Foreign Service Selection Boards). Further, we see no circumstance under which the proposal "would allow an employee to grieve a 10 year old promotion decision based on a 20 year old evaluation," as contended by the Agency. Statement at 6-7.

The proposal has the effect intended by the Union: "If an adverse action is predicated upon a four-year old employee evaluation report, and that adverse action would itself constitute a grievable occurrence, the employee should be able to grieve the adverse action and its underlying cause, provided that the employee grieves the adverse action within the three year time limit." Response at 2-3. The issues raised as to the "underlying cause"--the evaluation report--are not a separate grievance but are only a part of the grievance concerning the adverse action.

With this understanding of the proposal, we next consider whether the proposal violates 22 U.S.C. § 4134(a).

B. The Proposal Does Not Conflict with 22 U.S.C. § 4134(a)

Section 4134(a) provides that grievances are timely if they are filed "within a period of 3 years after the occurrence or occurrences giving rise to the grievance[.]" Under that provision, the period for measuring the timeliness of a grievance which challenges an Agency's action taken in reliance on an employee's personnel record begins to run from the date of the Agency's action against the employee.

Contrary to the Agency's argument, the proposal does not "impermissibly negotiate an extension beyond the statutory time limitation [by permitting] the limitations period to begin at some point many years in the future with regard to acts or occurrences which have been completed at some point many years in the past." Statement at 5-6. Under the proposal, the "occurrence" for purposes of section 4134(a) is not the issuance of the record. It is the date on which the Agency, in reliance on the record, takes a grievable action against the employee. Therefore, the proposal provides that the statute of limitations under section 4134(a) for filing a grievance begins to run on the date on which the Agency, in reliance on the record, takes a grievable action against the employee. The proposal measures the time period in the same manner as section 4134(a). Accordingly, the proposal is consistent with section 4134(a).

The proposal also is consistent with the provision of the Act which requires the Foreign Service Grievance System to be "a fair and effective system for the resolution of individual grievances that will ensure the fullest measure of due process for the members of the Foreign Service." 22 U.S.C. § 3901(b)(4). In our opinion, the proposal is

consistent with this provision because it: (1) allows employees to contest records to the extent that the records are used as a basis for grievable actions taken against them; and (2) precludes the need for employees to file potentially unnecessary "protective" grievances for fear that a record may be used against them in an action in the future.

Both parties rely on the legislative history of the Foreign Service Act of 1980 and the existence of earlier statutory and regulatory provisions to support their respective positions concerning the negotiability of the proposal. See Statement at 13-15; Response at 3-5 and 14-15. We find that the legislative history of the Act does not address Congress' specific intent as to the time limits for challenging information in an employee's official personnel record where the Agency has relied on that information to take a grievable action against the employee. However, the legislative history indicates that Congress intended to continue the time limits that applied under the 1975 amendments to the Foreign Service Act of 1946. See H.R. Rep. No. 992, 96th Cong., 2d Sess. 108 and S. Rep. No. 913, 96th Cong., 2d Sess. 90 (section 1104 of the Foreign Service Act of 1980 (22 U.S.C. § 4134) carries forward section 692(3)--the 1975 amendment concerning time limits for grievances--of the 1946 Act).

As we noted above, the regulation implementing the time limit provision of the 1975 amendments provides that documents constitute a "continuing condition." The regulation permits grievances concerning a currently continuing condition to be presented at any time. Congress is presumed to have been aware of the provision concerning a "continuing condition" when it enacted the Foreign Service Act of 1980 and we see no indication that Congress viewed that existing practice to be inconsistent with the Foreign Service Act. "[W]hen Congress adopts a new law that incorporates sections of a prior law, it is presumed to be aware of administrative interpretations of that law and to adopt those interpretations." New York Council, Association of Civilian Technicians v. FLRA, 757 F.2d 502, 509 (2d Cir. 1985), cert. denied, 474 U.S. 846 (1985).

Congressional acquiescence in the consistent administrative construction of a statute may sometimes be found from nothing more than silence in the face of an administrative policy. Zemel v. Rusk, 381 U.S. 1, 11 (1965). In this case, however, "the inference of congressional approval 'is supported by more than mere congressional inaction.'" Haig v. Agee, 453 U.S. 280, 300

(1981), quoting Zemel, 381 U.S. at 11. The Foreign Service grievance regulations in effect since 1971 provide that grievances concerning a currently continuing practice or condition may be presented at any time. Since 1976, the Foreign Service regulations have provided that documents contained in official employee personnel files are considered to constitute a continuing condition. In 1980, although Congress once again enacted legislation relating to the Foreign Service Grievance System, it expressed no disapproval of the regulatory provisions relating to the time for filing a grievance concerning a continuing practice or condition.

The Agency contends that the Grievance Board decision (No. G-012(7)) renders the proposal nonnegotiable because it establishes that the time limit under section 4134(a) for filing a grievance concerning a performance-related record begins to run as of the date the record was issued. We reject the Agency's contention.

According to the decision of the Grievance Board, an employee filed a grievance concerning his personnel record and asserted that the timeliness of the grievance should be measured from the date of an agency action taken in reliance on that record. The Grievance Board found that the grievant was challenging only the personnel record and not the agency action cited in the grievance. The Grievance Board determined that the issuance of the record was the "occurrence," within the meaning of 3 FAM 663.7, which gave rise to the grievance. On that basis, the Grievance Board concluded that the grievance was untimely.

The Grievance Board's decision does not address the situation which the disputed portion of the proposal in this case is intended to cover. The Grievance Board decision concerns a grievance which challenges only personnel records. In that instance, we agree that the "occurrence" which determines the timeliness of the grievance is the issuance of the record. However, the proposal in this case addresses the time limit for filing a grievance which, as part of a challenge to a separation or other grievable action taken by the Agency against an employee, contests the accuracy of the personnel records relied on by the Agency to take the action. As we discussed above, the challenge to the personnel records provided for in the Union's proposal is only a part of the grievance concerning the adverse action. The "occurrence" which determines the timeliness of the type of grievance addressed by the proposal is the separation or other grievable action taken by the Agency against an employee, not the issuance of the personnel record on which the grievable action is based.

In light of our construction of the proposal and our analysis of the applicable statutory terms and congressional intent, we find that the Grievance Board decision referred to by the Agency does not provide any basis to find the proposal to be inconsistent with section 4134(a).

We conclude that the proposal is not inconsistent with the time limit in 22 U.S.C. § 4134(a) and, therefore, is negotiable.

V. Order

The Agency shall, upon request, or as otherwise agreed to by the parties, bargain on the disputed portions of the proposal.^{3/}

^{3/} In finding the proposal to be negotiable, we make no judgment as to its merits.

**FOREIGN SERVICE LABOR RELATIONS BOARD
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U.S. INFORMATION AGENCY**

FS-NG-10

STATEMENT OF SERVICE

I hereby certify that copies of the Decision and Order of the Foreign Service Labor Relations Board in the subject proceeding have this day been mailed to the following parties:

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DATED: December 12, 1989
WASHINGTON, D.C.

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