



AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AF-GE

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7d/131249/INS.FLSA

September 5, 2003

U.S. Department of Homeland Security
Bureau of Immigration and Customs Enforcement
Labor Management and Employee Relations Policy
Office of Human Resources Management
Att. Susan Dole
800 K Street, N.W. - Suite 5000
Washington, D.C. 20536

VIA FAX

Re: INS FLSA

Dear Ms. Dole:

I am in receipt of your letter dated September 5, 2003, to Arbitrator Vitaro. Your latest letter has crossed the line from the disingenuous to the dishonest. First, I simply don't believe that you did not get the Arbitrator's letter of August 5, 2003. (I have appended a copy of the Arbitrator's August 5, 2003, order to this letter/fax so that you can add it to your collection.) I notice that you don't (at least yet) claim that you did not get my letter of July 18, 2003, to which the Arbitrator's August 5, 2003, letter refers. I will assume that your receipt and non-response to my July 18, 2003, letter indicates that the Agency does not oppose any of the proposed orders contained therein..

In your letter of September 5, 2003, you claim "[y]ou are not clear what happened in San Francisco [on July 11, 2003] outside of the fact that you met with the Union representatives." Your latest letter might have at least acknowledged that the Agency refused, in writing, to attend the San Francisco meeting.

A brief history of the July 11th meeting would be in order. The meeting in San Francisco was discussed in a conference call with the parties and the Arbitrator in April, 2003. In the April conference call the Arbitrator requested that the Union and the Agency meet and agree to a mutually agreeable date to meet in San Francisco. After a meeting with the Agency, the Union

To Do For All That Which None Can Do For Oneself