



**U.S. Customs and
Border Protection**

April 7, 2016

Mr. Sean P. Walsh
Vice-President, NBPC Local 2266
2224 Vt. Rte. 111
Derby, VT. 05829

Mr. Walsh:

This is in response to the Union Initiated Grievance (UIG) dated March 8, 2016 in which the union alleges that U.S. Customs and Border Protection (CBP) engaged in a variety of violations of the Statute and the collective bargaining agreement on February 11, 2016 when it delivered a decision letter to BPA Dolan regarding his proposed removal.

I agree that providing the decision letter to Agent Dolan without also providing a copy to his exclusive representative was a violation of the Statute, and hence, also a violation of Article 2 of the collective bargaining agreement. The administrative mistake was unintentional and a copy of the letter was provided to his representative when we discovered the mistake.

I do not agree that providing him the letter constituted a formal discussion, nor that it constituted a violation of any other section of the collective bargaining agreement. Similarly, delivery of this decision letter to Agent Dolan did not constitute an investigatory examination.

It is my decision to deny your grievance and requested remedies.

Sincerely,

A handwritten signature in black ink, appearing to read "John C. Pfeifer".

John C. Pfeifer
Chief Patrol Agent
Swanton Sector

cc: Eric Reid, Employee Relations Specialist